

Overview & Scrutiny Committee

Review of Cabinet Agenda

Agenda

Date

Tuesday 3 March 2020

Members of the Overview & Scrutiny Committee

Mr S Riley
(Chairman)

Mr A D Adams
(Vice Chairman)

Mr S C Beadle
Mr N J Brennan
Mr P E Bulman
Ms S J Catchpole
Ms N J Harpley
Ms S I Holland
Mr K S Kelly

Mr D King
Mr M L Murrell
Mr G K Nurden
Mrs S M Prutton
Mrs C E Ryman-Tubb
Mr N C Shaw

Substitutes Conservative

Mr A D Crotch
Mr J F Fisher
Mr R R Foulger
Ms R M Grattan
Mr K G Leggett
Mr I J Mackie
Mr G F Peck
Miss J L Thomas
Mrs K A Vincent
Mr J M Ward

Substitutes Liberal Democrat

Mr D G Harrison
Mrs C Karimi-Ghovanlou
Dr K E Lawrence
Mr D Roper

Substitute Labour Mrs B Cook

Time

10.00 am

Place

Trafford Room
Thorpe Lodge
1 Yarmouth Road
Thorpe St
Andrew Norwich

Contact

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If any Member wishes to clarify details relating to any matter on the agenda they are requested to contact the relevant Director / Assistant Director

The Openness of Local Government Bodies Regulations 2014

Under the above Regulations, any person may take photographs, film and audio-record the proceedings and report on all public meetings. If you do not wish to be filmed / recorded, please notify an officer prior to the start of the meeting. The Council has a protocol, a copy of which will be displayed outside of each meeting room and is available on request.

**The Chairman will ask if anyone wishes to
film / record this meeting**

A G E N D A

Page No

1 To receive declarations of interest under Procedural Rule no 8

2 Apologies for absence

3 Minutes of meeting held on 4 February 2020

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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 Exclusion of Press and Public

The Chairman will move that the press and public be excluded from the meeting for the following item 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.

8 Review of Legal Services Provision - Call in of Cabinet Decision

17

(NOT FOR PUBLICATION by virtue of Schedule 12A Part 1 of Paragraph 3 of the Local Government Act 1972 (as amended))

The Chairman of the Overview and Scrutiny Committee has called-in the decision relating to the Review of Legal Services Provision, for the following reason:

The item was taken as a late Agenda item and is subject to scrutiny. The call-in is therefore necessary to ensure that overview and scrutiny takes place via presentation of the document and options outlined within.

Part Four of the Constitution states:

16.7 If, having considered the decision, the Overview and Scrutiny Committee is still concerned about it, then it may:

- (1) refer it back to the decision making person or body for reconsideration; or
- (2) refer the matter to the next available meeting of the full Council provided that the Committee consider that the

decision is contrary to the policy framework or contrary to or not wholly in accordance with the budget, setting out in either case the nature of its concerns and the reason for them.

- 16.8 If the matter is referred to the decision maker, they shall then consider amending the decision or not, before adopting a final decision.

9 Cabinet Reports

To follow

To consider the Cabinet reports in respect of the 10 March 2020 meeting.

N.B. the Cabinet Agenda will be published on the Council's website on 27 February 2020.

Trevor Holden
Managing Director

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.

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.

Does the interest directly:

1. Affect yours, or your spouse / partner's financial position?
2. Relate to the determining of any approval, consent, licence, permission or registration in relation to you or your spouse / partner?
3. Relate to a contract you, or your spouse / partner have with the Council
4. Affect land you or your spouse / partner own
5. Affect a company that you or your partner own, or have a shareholding in

If the answer is "yes" to any of the above, it is likely to be pecuniary.

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.

Does the interest indirectly affect or relate any pecuniary interest you have already declared, or an interest you have identified at 1-5 above?

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 must then withdraw from the meeting.

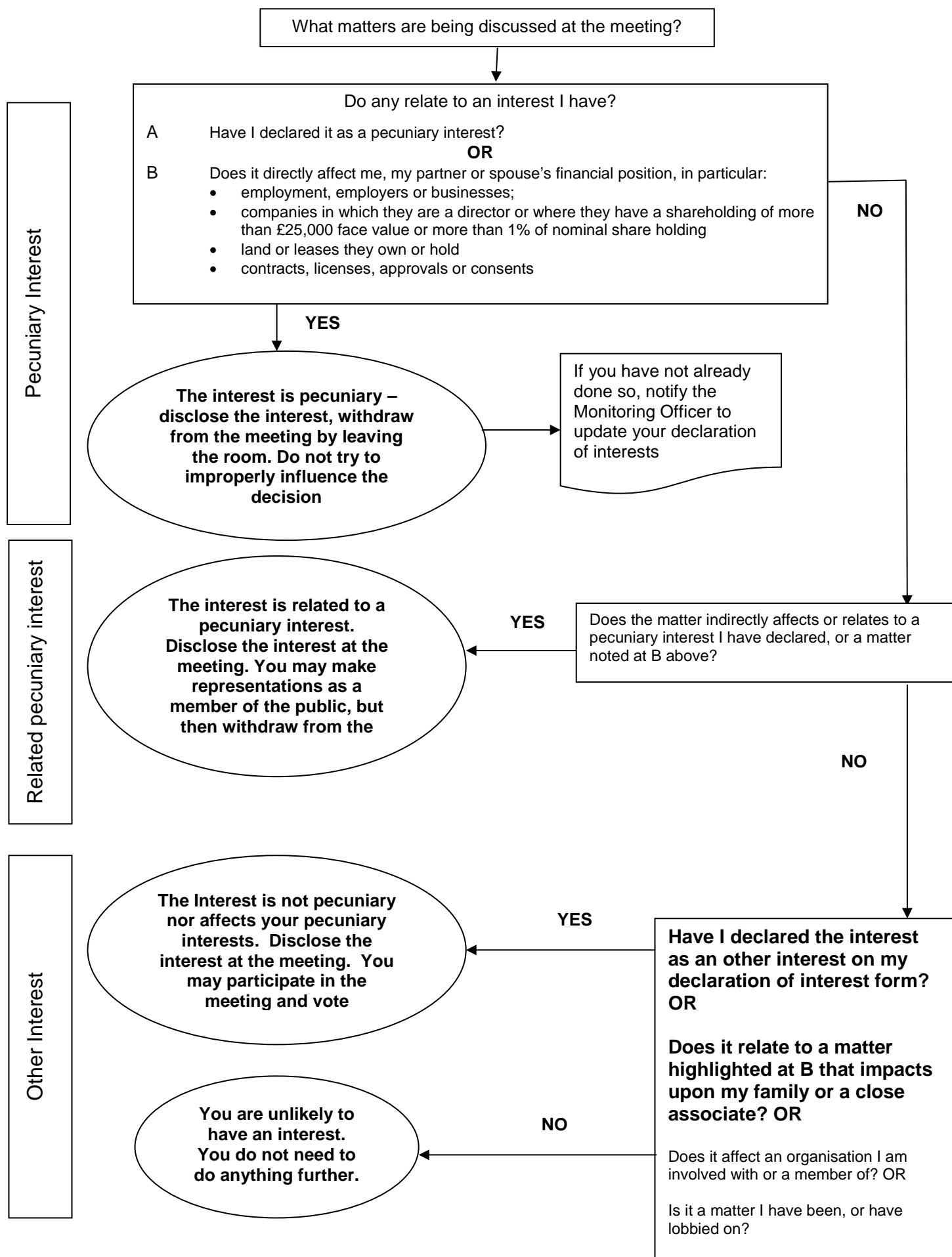
Is the interest not related to any of the above? If so, it is likely to be another interest. You will need to declare the interest, but may participate in discussion and voting on the item.

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.

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



Minutes of a meeting of the **Overview & Scrutiny Committee – Review of Cabinet Agenda** held at Thorpe Lodge, 1 Yarmouth Road, Thorpe St Andrew, Norwich on **Tuesday 4 February 2020** at **10.00 am** when there were present:

Mr S Riley – Chairman

Mr A D Adams
Mr S C Beadle
(from 10.20 to 11.40am)
Mr N J Brennan
Mr P E Bulman

Ms S J Catchpole
Ms N J Harpley

Mrs C Karimi-Ghovanlou
Mr K S Kelly

Mr D King
Mr M L Murrell

Mr G K Nurden
Mrs S M Prutton

Mrs Copplestone, Mr Emsell, Mrs Mancini-Boyle and Mr Vincent also attended the meeting for its duration.

Also in attendance were the Director Place, Director Resources, Chief of Staff, Assistant Director Finance, Assistant Director Governance & Business Support (Monitoring Officer), Assistant Director Individuals and Families, Principal Infrastructure and Planning Policy Officer, Strategy and Programme Manager, Housing and Wellbeing Senior Manager, Housing and Benefits Manager, Strategic Economic Growth and Funding Manager Internal Consultancy Officer (LT), Senior Governance Officer (SU) and the Committee Officer (JO).

101 APOLOGIES FOR ABSENCE

Apologies for absence were received from Ms Holland and Mr Kelly.

102 MINUTES

The Minutes of the meeting held on 28 January 2020 were confirmed and signed by the Chairman as a correct record.

103 CHAIRMAN'S ANNOUNCEMENTS

The Chairman advised Members that a cake sale for the Big C appeal, which was the Chairman of the Council's charity of the year, was being held in the foyer outside the Trafford Room.

104 PUBLIC SPEAKING

The Chairman informed the meeting that a member of the public had a question about the Revenue Budget and Council Tax item on the Cabinet Agenda. The question would be raised, when this item was considered.

CABINET REPORTS

105 COUNCIL TAX REDUCTION 2020/21

The Council was required to review its Council Tax assistance arrangements annually and the report proposed a revised scheme, which would be effective from 1 April 2020.

It was proposed to adopt a varying scheme that would protect vulnerable residents from financial difficulties, due to changes in their Universal Credit entitlement.

At present a claimant receiving Universal Credit was assessed each time their income changed. If they were claiming Council Tax Assistance from the Council, the Council was notified each time of the change to the claimant's award and where necessary, their Council Tax bill would be recalculated.

To prevent frequent changes to a claimants' bill, which might create personal budgeting issues, it was proposed that if a claimants' Universal Credit increased or decreased by a tolerance of £20 the change would not be reassessed.

The proposed scheme had received a largely favourable response during a consultation undertaken in October 2019.

It was also proposed to amend the wording to part of the Council Tax Assistance Scheme to reduce the paperwork required from a Universal Credit claimant to apply for Council Tax Assistance.

Members were advised that the proposed changes were fairly straightforward and would simplify the scheme for claimants and staff. An aligned scheme for Broadland and South Norfolk would be looked at in the future, which would be developed through a Member workshop to be arranged in due course.

In response to a query, it was confirmed that the Council also operated a Discretionary Hardship Fund that could be used to support claimants in severe difficulties.

The meeting was also advised that the Housing and Benefits Manager had devised the tolerance scheme, which was being looked at by other local authorities with interest.

Members confirmed that they were fully supportive of the scheme.

RECOMMENDED TO CABINET

Options (1 and 2)

to

1. Approve the amendments outlined in Appendix 2 and recommend to Council that the Scheme for 2020/21 is updated accordingly; and
2. Note the work officers will continue to undertake across the two Councils on processes to mitigate the wider impact of Universal Credit on Council Tax billing and collection.

106 CAPITAL STRATEGY AND CAPITAL PROGRAMME 2020/21 TO 2024/25

The Assistant Director Finance presented the Capital Strategy, which set out the Council's approach to the use of its capital assets and resources. It also outlined the Capital Programme, which detailed the capital expenditure being undertaken by the Council over the next five years.

A key element in the Capital Programme was Disabled Facilities Grants, these would total £4.5m over five years and were fully funded from the Better Care Fund.

Several projects in the Capital Programme were provisional and would require Member approval and a business case. These were: Waste Depot Refurbishment/Replacement; Waste Collection Vehicles; Bure Valley Railway; the Food Hub Project and Investment Borrowing. A programme of work for ICT infrastructure was also proposed in the report for approval.

External borrowing was anticipated to be required from 2021/22 to expand the operations of Broadland Growth Ltd to enable the company to deliver a significant number of mixed housing developments across the District. However, it was also likely that there would be slippage over the life of the programme which could delay the need to borrow.

Members had a number of queries about the budget for bridge repairs and the Bure Valley Railway and were advised that a comprehensive report on the Bure Valley Railway was to be brought to the March Cabinet, which would cover these issues. In addition the Director of Resources would email Members with clarification about the sum budgeted for the earmarked reserve for Bridge Maintenance over the past few years.

In response to a query about the Waste Collection Vehicles, it was confirmed that these would be included as an asset on the balance sheet regardless of whether an in-house solution or a contractor was used to deliver the service.

RECOMMENDED TO CABINET

Options (1 and 2)

1. Cabinet is asked to recommend to Council the Capital Programme for 2020/21-2024/25 (Appendix A) and the Capital Strategy (Appendix B).
2. Cabinet is asked to approve the programme of work for 2019/20 to align key elements of ICT infrastructure and corporate systems in use across Broadland District Council and South Norfolk Council as set out within Appendix C.

107 REVENUE BUDGET AND COUNCIL TAX 2020/21

Mr Graham Everett, Chairman of Drayton Parish Council, had the following question for officers in respect of the Special Expenses element of Council Tax where Broadland had responsibility for the footway lighting in the parishes of Drayton, Hellesdon and Great Witchingham.

‘From my understanding the decision to continue with this responsibility for footway lighting has always been made by full Council. I believe it had been resolved by full Council not to continue with this responsibility beyond the end of this current financial year 2019/20. If this was the case why, therefore, had Special Expenses to run footway lighting been set out in the budget for 2020/21?’

In response the Assistant Director of Finance advised the meeting that all budgets were estimates and it was not unusual for decisions to be made shortly before they commenced. He added that the income from the Special Expenses received from Drayton was approximately £33,000 in the current year and would be approximately £43,000 in year 2020/21. This would not only cover maintenance, but would include funds for the repair or replacement of columns when necessary. In response to a further question on the re-letting of the maintenance contract for footway lighting, the Assistant Director of Finance confirmed that negotiations with the existing supplier were underway, but not yet concluded.

Further discussion was held around the principle of applying a £5 increase to Special Expenses over the past few years and also into 2020/21 and Members were informed that this was to ensure that columns could be replaced in future years.

It was also confirmed by the Director of Resources that the income received from the Special Expenses from the residents of Drayton would only be spent on footway lighting in the parish of Drayton.

RECOMMENDED TO CABINET

Option (1, 2 and 3)

1. That Cabinet recommends to Council:

- The approval of the base budget; subject to confirmation of the finalised Local Government Finance Settlement figures which may necessitate an adjustment through the General Revenue Reserve to maintain a balanced budget. Authority to make any such change to be delegated to the Assistant Director of Finance.
- The use of the earmarked reserves as set out in Appendix D.
- That any surplus at the end of the 2019/20 financial year is transferred to a new earmarked reserve to help fund the future capital programme, particularly the IT and waste services investment.
- That the Council's demand on the Collection Fund for 2020/21 for General Expenditure shall be £5,827,894 and for Special Expenditure shall be £141,240.
- That the Band D level of Council Tax be £125.52 for General Expenditure and £3.04 for Special Expenditure.

2. That Cabinet agrees:

- Changes to the proposed fees and charges as set out in section 5.

3. That Cabinet notes:

- The advice of the Section 151 Officer with regard to section 25 of the Local Government Act 2003, contained in section 10 of this report.
- The future budget pressures contained in the Medium Term Financial Strategy.

108 TREASURY MANAGEMENT STRATEGY STATEMENT 2020/21

The report sets out the Treasury Management Strategy for 2020/21 and associated policies, which were drafted in line with the Chartered Institute of Public Finance and Accountancy (CIPFA) Code of Practice on Treasury Management 2017.

The report covered:

- the Capital Plans, (including prudential indicators);
- a Minimum Revenue Policy, (how residual capital expenditure was charged to revenue over time);

- the Treasury Management Strategy, (how the investments and borrowings were to be organised), including treasury indicators; and
- an Investment Strategy, (the parameters on how investments were to be managed).

The primary objective of the Council in its treasury management activities was the security of its cash above the liquidity of the investment. The Investment Strategy, therefore, remains prudent, reflecting the Council's risk appetite and legal obligations.

In respect of borrowing the Council would ensure that it would be affordable, sustainable and prudent. No money was invested in foreign currency and a set of prudential indicators was included in the Treasury Management Strategy in respect of capital expenditure and investment plans. The authorised limit for external debt was £4m for 2020/21.

It was confirmed that the Council supported the ethos of socially responsible investments and would actively seek to communicate this support to those institutions that it invested in by:

- encouraging those institutions to adopt and publicise policies on socially responsible investments; and
- requesting those institutions to apply council deposits in a socially responsible manner.

RECOMMENDED TO CABINET

Options (1, 2, 3, 4, 5, 6 and 7)

To recommend these to Council:

1. This Treasury Management Strategy Statement.
2. The Treasury Management Policy Statement 2020/21 (Appendix 1).
3. The Annual Investment Strategy 2020/21 (Appendix 2).
4. The Treasury Management Practice (TMP1) Credit and Counterparty Risk Management (Appendix 3).
5. The Treasury Management Scheme of Delegation (Appendix 4).
6. The Minimum Revenue Provision (MRP) Statement (Section 8) that sets out the Council's policy on MRP.
7. The Prudential Indicators and Limits for the next 5 years contained

within the report.

109 GREATER NORWICH GROWTH BOARD: JOINT FIVE-YEAR INVESTMENT PLAN

The Principal Infrastructure and Planning Policy Officer presented the draft Greater Norwich Joint Five Year-Infrastructure Investment Plan 2020/5. The five-year plan included: progress reports on previously approved projects; proposals for new projects to be funded by the Community Infrastructure Levy in 2020/21; updated forecasts of CIL income; and information on future project priorities.

Twelve new projects totalling £2.85million has been recommended to be supported through the 2020/21 Annual Growth Programme. In Broadland these were: Aylsham Sports Hub Stage 3; North-West Woodlands Project and Plumstead Road Roundabout.

In addition, it was proposed that Norfolk County Council Education receive £2m to support the development of their capital programme within Greater Norwich. This allocation would support an extensive expansion project at Ormiston Victory Academy, which would meet the growth needs of that area.

In response to a query it was confirmed that projects were evaluated in accordance with the agreed project appraisal procedure and then agreed by the Greater Norwich Infrastructure Delivery Board. In the first instance Members should contact the Place Shaping Team Manager, if they wished to explore whether a scheme could be put forward for consideration.

RECOMMENDED TO CABINET

Options (1 and 2)

that Cabinet recommend that Council:

1. Agrees the Greater Norwich Joint Five Year Infrastructure Investment Plan 2020-2025, included in Appendix 1; and,
2. Approves: the allocation of CIL to 12 specified projects, these projects will form the 2020/21 Annual Growth Programme; the allocation of £2M to support the Education Capital Programme within Greater Norwich; payment of the previously committed CIL funding of £561,760 to the Hempnall Crossroad project within 2020/21; and, the full reinstatement of the £2M IIF cash reserve.

110 BROADLAND DISTRICT COUNCIL AND SOUTH NORFOLK COUNCIL – STRATEGIC PLAN AND DELIVERY PLAN

The Committee was advised that a key element of the Feasibility Study,, agreed by Members in 2018, had been the ambition to develop joint strategic priorities and delivery plans to enable a common focus for the new one joint officer team.

The report, therefore, presented a new four-year Strategic Plan for Broadland and South Norfolk Councils, which set out the vision, ambitions and priorities for the organisations. It also proposed the adoption of a one-year interim Delivery Plan (to be two years after the interim Plan) which outlined the different activities and projects the Councils would be undertaking to meet the priority areas outlined in the Strategic Plan.

Adopting these Plans would allow for a shared strategic ambition and effective delivery of different services across the two Councils, both collaboratively and autonomously.

The Strategic Plan had been developed, through workshops and events held at the end of 2019, to understand what was important to Members to deliver leading up to 2024. The Plan had been aligned to the four-year political cycle, allowing for a period of one year at the start of a political cycle for a new plan to be developed and agreed.

The Strategic Plan was broken down into the following four key priority areas:

- Growing the economy.
- Supporting individuals and empowering communities.
- Protecting the natural and built environment, whilst maximising quality of life.
- Moving with the times, working smartly and collaboratively.

The Delivery Plan set out the key activities to be delivered within the first year of the Strategic Plan, broken down into service delivery and major projects/programmes of work. Going forward, this Plan would be a two-year plan which would be aligned to a new two-year budget setting process.

Following recommendations from the Joint Lead Members Group amendments would be made to place a greater emphasis on the environment and the delivery of the Environmental Strategy.

It was also confirmed that the Strategic Plan had been developed utilising the priorities in the existing Broadland Business Plan, which it would replace, and was aligned with the proposed budget for 2020/21.

RECOMMENDED TO CABINET

Options (1 and 2)

1. To recommend that Council approves the adoption of the Strategic Plan 2020-2024;
2. To recommend that Council approves the adoption of the Interim one-year Delivery Plan for 2020/2

111 EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED:

to exclude the press and public from the meeting for the remaining business because otherwise, information which was exempt information by virtue of Paragraph 3 of Part I 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.

112 INVESTMENT PROPOSITION FOR THE FOOD INNOVATION CENTRE

The Strategic Economic Growth and Funding Manager presented her report, which recommended an investment proposal to fund a project which would deliver a Food Innovation Centre located within the Food Enterprise Park (Honingham) and an innovation support programme for the agri-food sector. The proposal would act as a catalyst for unlocking the site, as well as enhancing the agri-food sector to provide economic benefits including new jobs, business growth and an increased spend on research and development.

In addition the proposals would support the delivery of the ambitious Food Enterprise Zone (FEZ), which had been established in March 2015 to create additional value from the Norfolk's agricultural base. Detailed evidence had been secured by the Food and Drink Forum and by a number of partner organisations which identified the lack of provision for food grade space for rent for food and drink businesses as well as the need for bespoke innovation support for this sector.

Following work to improve the robustness of the business case for the project, an expression of interest funding application had been submitted and approved by the Ministry for Housing Communities and Local Government for European Regional Development Funding (ERDF). A full application, demonstrating that the project was achievable and fit for purpose was due by March 2020. Due to the tight timescales involved, some elements of the proposal were incomplete at this moment in time or still to be finalised and were subject to change. Work was ongoing to develop the project, rework the building design and costings to create a viable funding proposition. A number of potential tenants had already been identified.

Members noted the Council's experience with the Rackheath EcoCube project and questioned whether the risks associated with this development had been carefully explored and the lessons learned from the Time and Task Panel's investigation of the EcoCube had been implemented to ensure that this was not repeated.

In response the Director of Place confirmed that the Food Innovation Centre was a very different kind of project from the EcoCube and the projected occupancy rates for it were very conservative. Members could also be reassured that a very robust business case had been put in place to support the project, as well as strong governance measures, as were required by the ERDF.

The Director of Place also emphasised that the project was not just being invested in to secure a commercial return, but as a driver of innovation in the agri-food sector and the provision of a world class cluster to support this.

In summing up the Chairman noted that the scheme had a good business case and would generate economic growth and add value to the agri-food sector by promoting the processing of food in the same area that it was being grown in. He also noted that while there were risks with the project; good governance arrangements were in place to mitigate against them.

RECOMMENDED TO CABINET

Option (1, 2, 3, 4 and 5)

To recommend Council to:

1. Allocate from capital reserves, the sum as set out in the report, for the delivery of Food Innovation Centre project. Final costings and funding agreements will be signed off through delegated authority by the Director of Resources in consultation with both the Portfolio Holder for Economic Development and the Portfolio Holder for Finance.
2. Final costings and funding agreements will be signed off through delegated authority by the Director of Resources in consultation with the Portfolio Holder for Economic Development.
3. Use the European Regional Development Fund (ERDF) compliant Scape Procurement Framework to design and build the Food Innovation Centre giving delegated authority to the Director of Resources to initiate all pre contract work.
4. Continue propriety work, up to and including but not beyond the signing of the funding contracts with the Ministry for Housing

Communities and Local Government (MHCLG) and other funders.

5. To release the sum, as set out in the report, for pre contract work which is not eligible under ERDF and therefore 100% at risk if ERDF funding is not secured from MHCLG.

The meeting closed at 12.42 pm.

DRAFT

NOT FOR PUBLICATION BY VIRTUE OF SCHEDULE 12A OF PART 1 PARAGRAPH 3 OF THE LOCAL GOVERNMENT ACT 1972 (AS AMENDED) BY THE LOCAL AUTHORITIES (ACCESS TO INFORMATION) (VARIATION) ORDER 2006 (contains information relating to the financial or business affairs of any particular person (including the authority holding that information))

Pages 17 to 64 are not available to the public because the information is confidential as it includes exempt information about the financial or business affairs of a person