

Overview & Scrutiny Committee

Review of Cabinet Agenda

Agenda

Date

Tuesday 27 October 2020

Members of the Overview & Scrutiny Committee

| | |
|----------------------------|-----------------------------------|
| Cllr S Riley (Chairman) | Cllr A D Adams (Vice Chairman) |
| Cllr N J Brennan | Cllr D King |
| Cllr P E Bulman | Cllr M L Murrell |
| Cllr S J Catchpole | Cllr G K Nurden |
| Cllr N J Harpley | Cllr S M Prutton |
| Cllr S I Holland | Cllr C E Ryman-Tubb |
| Cllr C Karimi-Ghovanlou | Cllr N C Shaw |
| Cllr K S Kelly | |

Time

10.00 am

Place

Virtual meeting

Substitutes

Conservative

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

Substitutes

Liberal Democrat

Cllr S C Beadle
Cllr D G Harrison
Cllr K E Lawrence
Cllr D Roper

Substitute Labour

Cllr B Cook

Contact

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@BDCDemServices

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

Public Attendance

This meeting will be live streamed for public viewing via the following link:
<https://www.youtube.com/channel/UCZciRgwo84-iPyRImsTCIng>.

If a member of the public would like to attend to ask a question, or make a statement on an agenda item, please email your request to committee.services@broadland.gov.uk no later than 5.00pm on 23 October 2020.

A G E N D A

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1 To receive declarations of interest under Procedural Rule no 8 3

2 Apologies for absence

3 Minutes of meeting held on 22 September 2020 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 follow

To consider the Cabinet reports in respect of the 3 November 2020 meeting.

N.B. the Cabinet Agenda will be published on the Council's website on 23 October 2020.

8 Exclusion of Press and Public

The Chairman will move 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.

9 Exempt Minutes 18

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.

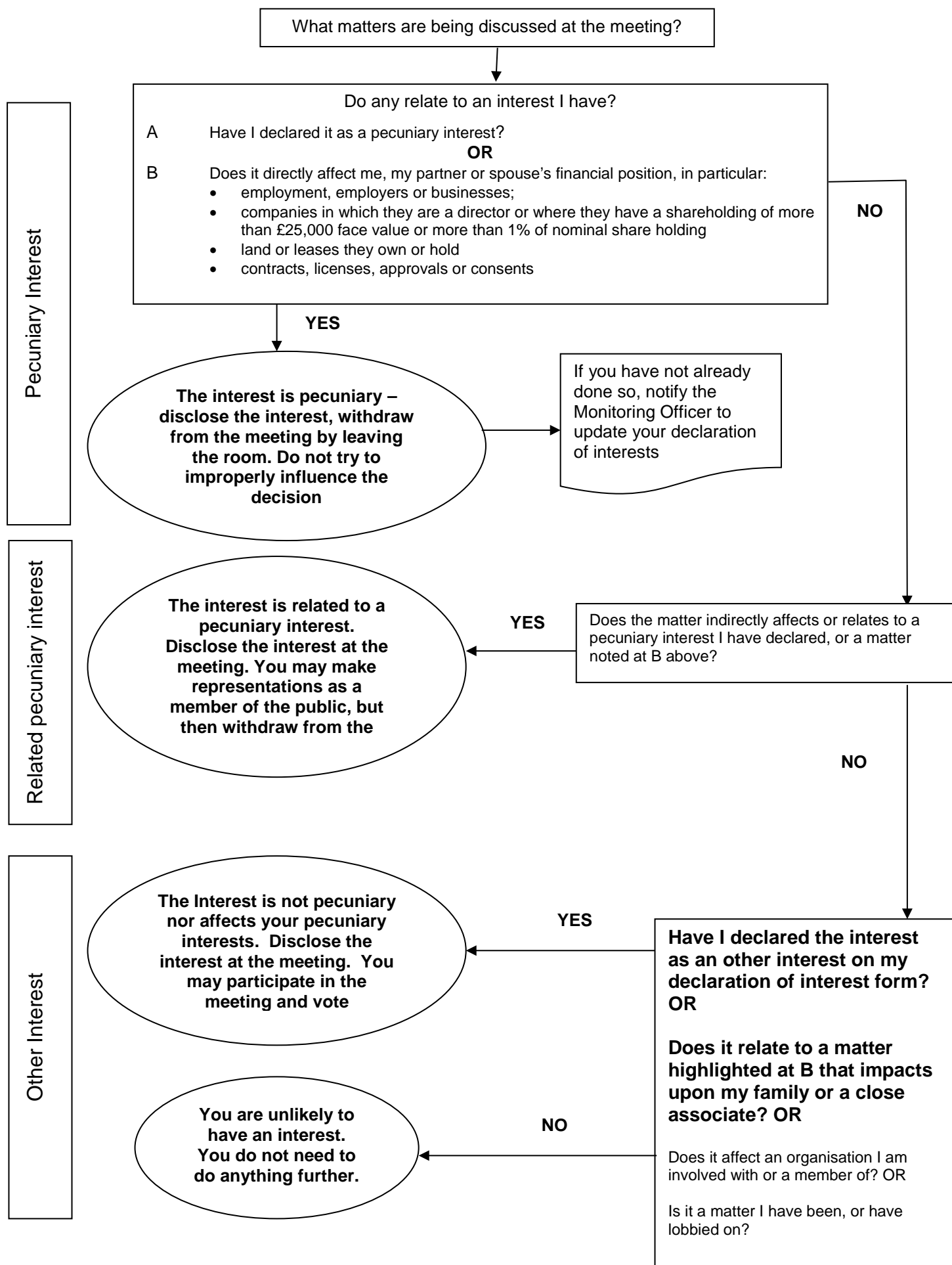
Is the interest not related to any of the above? If so, it is likely to be another interest. You will need to declare the interest, but may participate in discussion and voting on the item.

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 by video link on **Tuesday 22 September 2020** at **10.00 am** when there were present:

Cllr S Riley – Chairman

Cllr A D Adams
Cllr N J Brennan
Cllr S J Catchpole
Cllr N J Harpley

Cllr S I Holland
Cllr N C Karimi-Ghovanlou
Cllr K S Kelly
Cllr M L Murrell

Cllr G K Nurden
Cllr S M Prutton
Cllr N C Shaw

Cllr L Hemsall also attended the meeting.

Also in attendance were the Director - Place, Director - Resources, Director - People & Communities, Chief of Staff, Assistant Director - Economic Growth, Assistant Director - Planning, Assistant Director - Finance, Assistant Director - Governance & Business Support (Monitoring Officer), Strategy and Programme Manager, Governance Manager, Housing and Wellbeing Senior Manager, Senior Economic Development Officer: Funding and Strategy, Policy and Partnerships Officer, Senior Governance Officer (SE), Democratic Services Officer (LA) and the Democratic Services Officer (JO).

Mr G Everett was in attendance for item 173 - Public Speaking

169 APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr Beadle, Cllr Bulman and Cllr King.

170 MINUTES

The Minutes of the meeting held on 8 September 2020 were confirmed and signed by the Chairman as a correct record.

171 CHAIRMAN'S ANNOUNCEMENTS

The Chairman advised the meeting that as the paper on the Food Innovation Centre had been received late the Assistant Director –Economic Growth would provide a detailed presentation to the Committee.

The Chairman also welcomed Sue Elliot, the new Senior Governance Officer, to the meeting who would be providing support to the Committee.

CABINET REPORTS

172 UPDATED DELIVERY PLAN POST COVID-19

The Strategy and Programme Manager introduced the report, which set out the updated Delivery Plan for 2020/21 in the light of the updated priorities of the Council, following the recent impacts of the Covid-19 pandemic.

It was originally intended that the plan would be an interim one-year plan for 2020/21, whilst a new two-year plan was developed for 2021/22. However with the ongoing impacts of Covid-19 and the constantly changing environment, it was recommended that the development of a two-year Delivery Plan and Budget setting process be postponed for one year and allow for the development of a one-year plan for 2021/22, alongside the budget, returning to Council in February 2021.

The updated Delivery Plan for 2020/21 outlined the proposed amendments to be made to the key priority focus areas and projects for the Council. These had been revised to take account of; ongoing Covid-19 response work; impacts on timescales; adjustments resource allocations and budgetary implications.

Overall, in light of the ongoing implications and challenges of Covid-19, the Plan ensured that organisationally, the Council had a clear overview of its priorities and the right resources and plans in place to support the recovery effort for the District.

In response to a query, it was confirmed that the Delivery Measures in the Delivery Plan would be reported to Cabinet thorough Performance Reports in Quarters 2, 3 and 4. The Delivery Plan also aligned with the annual budget setting process, which was adjusted as necessary and which in turn fed into the Medium Term Financial Plan.

In answer to a question about the delivery of services by staff working from home, the Committee was advised that working from home had worked very well for the majority of staff and Thorpe Lodge had been adapted to accommodate staff who needed to be in the office. The Council would continue to monitor the situation and be guided by the Government.

The Committee was also informed that the measures in the Delivery Plan had been agreed by Council and that whilst some measures would cover both Broadland and South Norfolk (in matters such as staff) others would be bespoke for Broadland. Members were reminded that the Council also reported on issues such as employment and homelessness over Greater Norwich, as this was the larger geographical area over which plans were drawn up.

The Committee noted that the Delivery Plan included tracked changes to highlight where amendments had been made and it was confirmed that when the final version was agreed by Council a clean version would be published.

In respect of measures taken to assist market towns to respond to the pandemic, Members were advised that actions had to be taken very quickly and it would have been difficult to consult with Ward Members during this period. However, consultation exercises were being planned to determine future need on the high street and Members would be fully involved in the process.

It was confirmed that an informal workshop of the Service Improvement and Efficiency Committee, Joint Lead Members Group and South Norfolk's Commercial Trading and Customer Focus Committee was to be held soon to consider the single website and domain and, in response to a Member's request, officers confirmed that a website chat function would be considered.

In answer to a query about the increase in the revenue budget for the Senior Management Team and Executive Support, the Assistant Director – Finance confirmed that this was due to increased costs arising from the pandemic.

RECOMMENDED TO CABINET

Options (1 and 2)

1. To recommend that Council approves the adoption of the updated Delivery Plan for 2020/21.
2. To recommend that Council approves the development of a one-year plan for 2021/22, returning to Councils in February 2021.

173 PUBLIC SPEAKING

Mr Graham Everett, the Chairman of Drayton Parish Council, addressed the meeting in respect of the planning consultations to be considered at Minute 174 below (Response to Ministry of Housing, Communities and Local Government (MHCLG) Consultations). He advised the Committee that he was very supportive of the consultation responses proposed by the Place Shaping Panel at its meeting on 18 September 2020, particularly those in respect of the affordable housing threshold and Neighbourhood Plans and also by the comments regarding the importance of community engagement if development was to be front loaded.

He had the following two questions for officers:

- 1. Will the proposed transition from S106 and Community Infrastructure Levy payments to the new Infrastructure Levy come into force when the Local Plan is adopted in 30 months' time, and if current applications were delayed by the pandemic would they be entered into the new scheme or remain in the current one?*

Officer response:

There was no detail available at this consultation stage about how the Infrastructure Levy would work and if there would be a transition period or whether current planning applications would be subject to the new Levy.

- 2. It was proposed that the Infrastructure Levy would be paid out on completion of a dwelling. Were there any safeguards against a developer not completing a dwelling and therefore delaying payment of, which could have financial consequences if a council had borrowed against it?*

Officer response:

There was currently a time limit on the commencement of a development once planning permission had been granted, but there was no suggestion that a time limit on completion would be introduced.

Members were advised that officers would also be sending a written response to Mr Everett, who confirmed that he would be happy to share this information with the Committee.

174 RESPONSE TO MINISTRY OF HOUSING, COMMUNITIES AND LOCAL GOVERNMENT (MHCLG) CONSULTATIONS

The Assistant Director Planning introduced the report which informed Members of the key changes proposed by MHCLG on the future of the planning regime and proposed consultation responses to two planning related documents: a White Paper entitled 'Planning for the Future' and a consultation paper on 'changes to the planning system'.

In the White Paper, the Government proposed the most radical changes to the planning system since 1947 and sought to simplify the role of Local Plans, so that they focused on identifying land under one of three categories: Growth Areas, Renewal Areas and Protected Areas.

Local Plans would set clear rules, rather than general policies for development. The proposed response to the frontloading of the local plan process was to ensure that there was significant community engagement at the development allocation stage.

In addition housing numbers would no longer be set locally, but by Government. The Local Plan process would be restricted to 30 months and would be based on a more digitally accessible format. It was also proposed to replace the Community Infrastructure Levy and S106 agreements with a new Infrastructure Levy. This proposal was lacking in detail about how the transition between the two systems would work and this had been raised in the response as a concern.

The second key topic in the White Paper was Development Management, which was proposing that where land had been allocated in a more detailed way there would be a presumption in favour of planning permission. Whilst the principle of generic policies to cover the majority of subject areas was accepted, it was suggested in the Council response that consideration needed to be given to local characteristics and constraints as well.

Proposals for web based digitised local plans were welcomed, but the Council had also made the point in its response that not all members of the public had access to IT.

Government would also seek to strengthen enforcement powers to ensure planning standards were maintained.

The consultation on the White Paper would run until 31 October 2020.

The second consultation: 'Changes to the current planning system', proposed changes to the standard methodology for assessing local housing need and introduced a new set of proposals to secure First Homes, which would be available at a 30 percent discount in perpetuity. It was also proposed to lift the small sites threshold, below which affordable housing was not required, from 10 homes to either 40 or 50 homes and extend the current Permission in Principle provisions to major developments.

The proposed changes to the standard methodology was a concern, as under the current system there were around 2,000 homes being delivered in Greater Norwich per year, but if the revised methodology was adopted this would rise to 3,256 per year. This figure was seen as unreasonable and it was hoped that the Government would modify this proposal in light of the rate of delivery already being achieved in Greater Norwich.

The paper proposed that 25 percent of all affordable housing should be First Homes, which would be homes for first-time buyers with a minimum 30 percent discount against market value in perpetuity.

First Homes would be calculated as part of the affordable housing allocation for Greater Norwich.

Of particular concern was a proposal to temporarily raise the threshold for contributions to affordable housing from 10 dwellings to 40 or 50 homes, for 18 months. In Greater Norwich a significant percentage of affordable homes were delivered through small sites, whereas larger sites sometimes failed to deliver as many affordable homes as infrastructure requirements could reduce viability and the number of affordable homes delivered. The officer response was, therefore, to object to this proposal.

The final change proposed in the paper was to extend the current Permission in Principle consent regime to major developments.

The Committee were advised of the amendments and suggestions proposed by the Place Shaping Panel at its meeting on 18 September 2020, when it had considered this report.

For question 1 of the Planning for the Future White Paper response it was suggested by the Panel that the three words they most associated with the planning system were:

Fragmented, overly complicated and time-consuming.

The Panel's top three priorities for planning (question 4) were:

1. Increasing the affordability of new housing.
2. The environment, biodiversity and action on climate change needs to be addressed as part of the design and location of new homes and places.
3. Supporting the local economy with more or better local infrastructure.

However, it was noted that the choice of priorities was from a prescribed list and that if only these were available when the online consultation was completed, the priorities should be:

1. The environment, biodiversity and action on climate change.
2. Supporting the local economy.
3. Increasing the affordability of new housing.

For question 8a, page 107 it was agreed that figures should be included to

show clearly that the increase in housing numbers in Broadland would not be deliverable, if the standard methodology for housing need was revised.

A Member of the Committee raised a concern about developers building poor quality dwellings to meet their targets and suggested a better threshold would be 25 dwellings and above.

A Member suggested and officers agreed that the proposed response to question 16 in the White Paper regarding the Council's priorities for sustainability was vague and should include some examples.

A Member disagreed with the response to question 18, in the same paper, regarding support for establishing a new body to support design coding and building better places, as well as a chief officer for design and place making.

In response the Director – Place, confirmed that the chief officer's post was likely to be simply a realignment of an existing officer's role. A new body would be acceptable if its aim was support and guidance, rather than imposition of design standards.

The Portfolio Holder for Planning advised the meeting that the most critical issue being faced was what would happen to the Greater Norwich Local Plan as a result of the proposed changes.

A Member noted the importance of building social housing rather than affordable housing, which was not necessarily affordable for many.

RECOMMENDED TO CABINET

Option (1, *as amended* and 2)

1. To agree the draft responses to the following MHCLG consultation documents as outlined in appendices 2 and 3 of this report, *subject to the inclusion of the amendments proposed by the Place Shaping Panel and the inclusion of examples in the response to question 16 in the White Paper:*

Changes to the current planning system

White Paper: Planning for the future

2. Delegate any updates to these responses to the Director of Place in consultation with the Leader and Portfolio Holder for Planning.
- 3.

The Committee adjourned at 11.28 am and reconvened at 11.35 am, when all of the Committee Members listed above were present.

**175 GREATER NORWICH HOMELESSNESS STRATEGY 2020-2025
SOUTH NORFOLK AND BROADLAND ROUGH SLEEPER STATEMENT 2020-2022.**

This report presents the Greater Norwich Homelessness Strategy

2020-2025 and the South Norfolk and Broadland Rough Sleeper Statement 2020-2022 for publication.

This was the fourth iteration of the Homelessness Strategy, which was produced in partnership with Norwich City Council and South Norfolk Council. Also presented for approval was the Rough Sleeper Statement, which it was proposed that from 2022 would be developed into a Greater Norwich Rough Sleeping Strategy.

Homelessness Strategy sets out the following four priorities under which sit a series of actions which are ambitious in scope, realistic to achieve and reflects the urban/rural context within which the Strategy is located.

1. Domestic Abuse
2. Preventing Homelessness
3. Single and Youth Homelessness
4. Financial Inclusion, Welfare Reform and Economic Growth

The priorities were developed using an evidence and data based approach in consultation with partners. There was a desire to look to alleviate the drivers of homelessness i.e. low income, skills training and accessing affordable housing. The Covid-19 pandemic had delayed progress with development of the Strategy but had provided an opportunity to review the priorities to see if they were still relevant and had concluded that they were even more important post Covid-19.

With regard to rough sleeping, at the beginning of lockdown, the Council had been able to offer accommodation to all rough sleepers in the District, as per the Government's 'Everyone In' emergency measure. There was a desire to continue this work to ensure those accommodated could continue to secure accommodation suitable to their needs.

The ban on evictions had ended and the Housing Team was already taking around 2,000 calls per week from people worried about their housing

situation. During normal times this figure was around 750, which demonstrated the extent of concern being felt by residents in the District.

In summary the Strategy and Statement aimed to further develop the existing joined up working with partners on homelessness and rough sleeping which fed into the work underway to redesign the housing offer across Broadland and South Norfolk to take a person centred approach to increasing resilience and offering background support.

A Member advised the meeting that he fully supported the aims of both documents, but he was concerned that the Rough Sleeper Statement was being drafted for both local authorities. He confirmed that he would prefer to see reference to South Norfolk removed.

In response, the Housing and Wellbeing Senior Manager informed the meeting that there was significant overflow of homelessness and rough sleeping between all three Greater Norwich authorities. It was also financially advantageous for local authorities to work together, as joint strategies and statements could attract additional Government funding.

In response to a query about actions the Council could take to prevent evictions, it was confirmed that officers negotiated with landlords if tenants were in difficulties and could also assist with Discretionary Housing Payments.

The Committee was informed that the Discretionary Housing Payments budget was kept under review and if it was felt that it needed to be increased it would be brought to Members for determination.

In respect of a query about housing ex-prisoners, it was confirmed that the Council had a joint protocol with the probation services. Officers advised that most ex-prisoners opted to reside in Norwich, due to the amenities available, but that figures for those housed in Broadland would be forwarded to Members following the meeting.

RECOMMENDED TO CABINET

Option (1)

Cabinet to approve adoption of the Greater Norwich Homelessness Strategy 2020-2025 and the South Norfolk and Broadland Rough Sleeper Statement 2020-2022.

176 LOANS TO PARISH COUNCILS

The Assistant Director – Finance introduced that report, which set out the governance arrangements for the distribution of loans of under £25,000 to parish and town councils, which had been agreed as a response to the Covid-19 pandemic at the 16 June 2020 Cabinet.

The report recommended that the agreement of any Covid-19 related loans to parishes under £25,000 and repayable within five years be delegated to the Assistant Director – Finance, in consultation with the Portfolio Holder for Finance. Any loan request above £25,000 would be subject to a report to Members.

It was also proposed that loans under £25,000 should be charged at base rate plus one percent.

RECOMMENDED TO CABINET

Option (1)

To delegate to the Assistant Director Finance, in consultation with the Portfolio Holder for Finance, authority to agree Covid-19 related loans to parish councils of up to £25,000 provided these are repayable within five years.

177 COUNCIL TAX COVID-19 HARDSHIP FUND 2020-21 EMERGENCY PROCEDURES/POLICY

The Housing and Wellbeing Senior Manager introduced the report, which asked for retrospective authority to continue administering the Covid-19 Hardship Fund 2020-21.

In March 2020 as a response to the Covid-19 Pandemic the Government announced local authorities would receive a grant to support working age economically vulnerable residents.

Broadland received £637,216 to administer the fund and following the instruction from central Government officers took immediate action to ensure the money was provided to reduce Council Tax bills and support working age vulnerable residents as soon as possible.

It was now necessary to request authorisation from Cabinet to retrospectively consider the policy, so that officers could align Council Tax policy to reflect the instruction.

Those residents eligible for the grant were: all working age residents who received Council Tax Reduction during the financial year 2020-21. If the resident's liability was less than £150.00 their liability would be reduced to nil.

As part of the fund Broadland had also allocated £100,000 to a Covid-19 Severe Hardship Fund for working age residents who were experiencing severe hardship due to the Coronavirus pandemic.

RECOMMENDED TO CABINET

Option (1)

Cabinet retrospectively agrees the policy for Council Tax COVID-19 Hardship Fund 2020-21, so we can continue to administer hardship fund following the central Government guidelines.

178 RISK MANAGEMENT POLICY AND STRATEGY

The Assistant Director – Governance and Business Support (Monitoring Officer) presented the report that consisted of two elements: the Risk Management Policy and the proposed risk appetite with the Policy.

The Risk Management Policy had been drafted by the Internal Audit Manager and developed through the Audit Committee and brought the Council in line with best practice.

The Risk Management Policy included the following key features:

- The Policy now outlines the Risk Management framework.
- A process for the management of risk was outlined.
- Roles and responsibilities and governance arrangements for the reporting of risk are outlined.
- The risk appetite statement and accompanying scoring system was provided.
- Guidance was provided on the scoring of risk in line with the risk appetite.

The Chairman of the Audit Committee commended officers for their hard work as well as his predecessor who had initiated the production of the Risk Management Policy.

A Member drew attention to the Risk Impact in Appendix B of the report and suggested that a financial loss of £0k-<£10k was not 'insignificant' and should

not be termed so; he suggested that the five categories should be listed as 'minor' to 'extreme'.

The Assistant Director – Governance and Business Support (Monitoring Officer) explained that the categories used standard auditing terminology and had been written in line with best practice with the values being drawn down from the Council's Constitution.

The Chairman of the Audit Committee added that 'insignificant' in this respect applied to the impact it would have on the delivery of services, not the financial loss.

It was agreed that the title of the table should be amended to 'Impact on Delivery of Services' to clarify this matter.

RECOMMENDED TO CABINET

Option (1, as amended and option 2)

1. To consider and approve the proposed Risk Management Policy and recommend this to Council for approval, *as amended*.
2. To consider and approve the proposed risk appetite within the Risk Management Policy.

179 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

180 UPDATING THE FOOD INNOVATION CENTRE BUSINESS CASE

The Assistant Director - Economic Growth introduced the report, which provided an update of the proposed new financial arrangements and conditions to deliver the capital element of the Food Innovation Centre, as detailed in the exempt Minutes.

RECOMMENDED TO CABINET

Options (1-5), as set out in the exempt Minutes

The meeting closed at 1.24pm.

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 18 to 19 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