

Overview & Scrutiny Committee

Review of Cabinet Agenda

Agenda

Date

Tuesday 24 September 2019

Members of the Overview & Scrutiny Committee

Mr S Riley (Chairman) Mr A D Adams (Vice Chairman)

Mr S C Beadle Mr D King
Mr N J Brennan Mr M L Murrell
Mr P E Bulman Mr G K Nurden
Ms S J Catchpole Mrs S M Prutton
Ms N J Harpley Mrs C E Ryman-Tubb
Ms S I Holland Mr N C Shaw
Mr K S Kelly

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

Council Chamber
Thorpe Lodge
1 Yarmouth Road
Thorpe St Andrew
Norwich

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

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

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- | | | |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|
| 1 | To receive declarations of interest under Procedural Rule no 8 | |
| 2 | Apologies for absence | |
| 3 | <u>Minutes of meeting held on 27 August 2019</u> | 5 – 10 |
| 4 | Matters arising therefrom (if any) | |
| 5 | Chairman's Announcements | |
| 6 | Public Speaking | |
| | <p>To consider representation from the members of the public who have expressed the wish to convey their views on items on this agenda.</p> <p>In accordance with the Constitution a period of 3 minutes is allowed per member of the public.</p> | |
| 7 | Collaboration | |
| | <p>To receive a verbal update from the Managing Director on progress with the Collaboration project.</p> | |
| 8 | <u>Committee Recommendation Record Update</u> | 11 – 18 |
| | <p>To consider the Committee's recommendations.</p> | |
| 9 | Cabinet Reports | To follow |
| | <p>To consider the Cabinet reports in respect of the 1 October 2019 meeting.</p> | |

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.

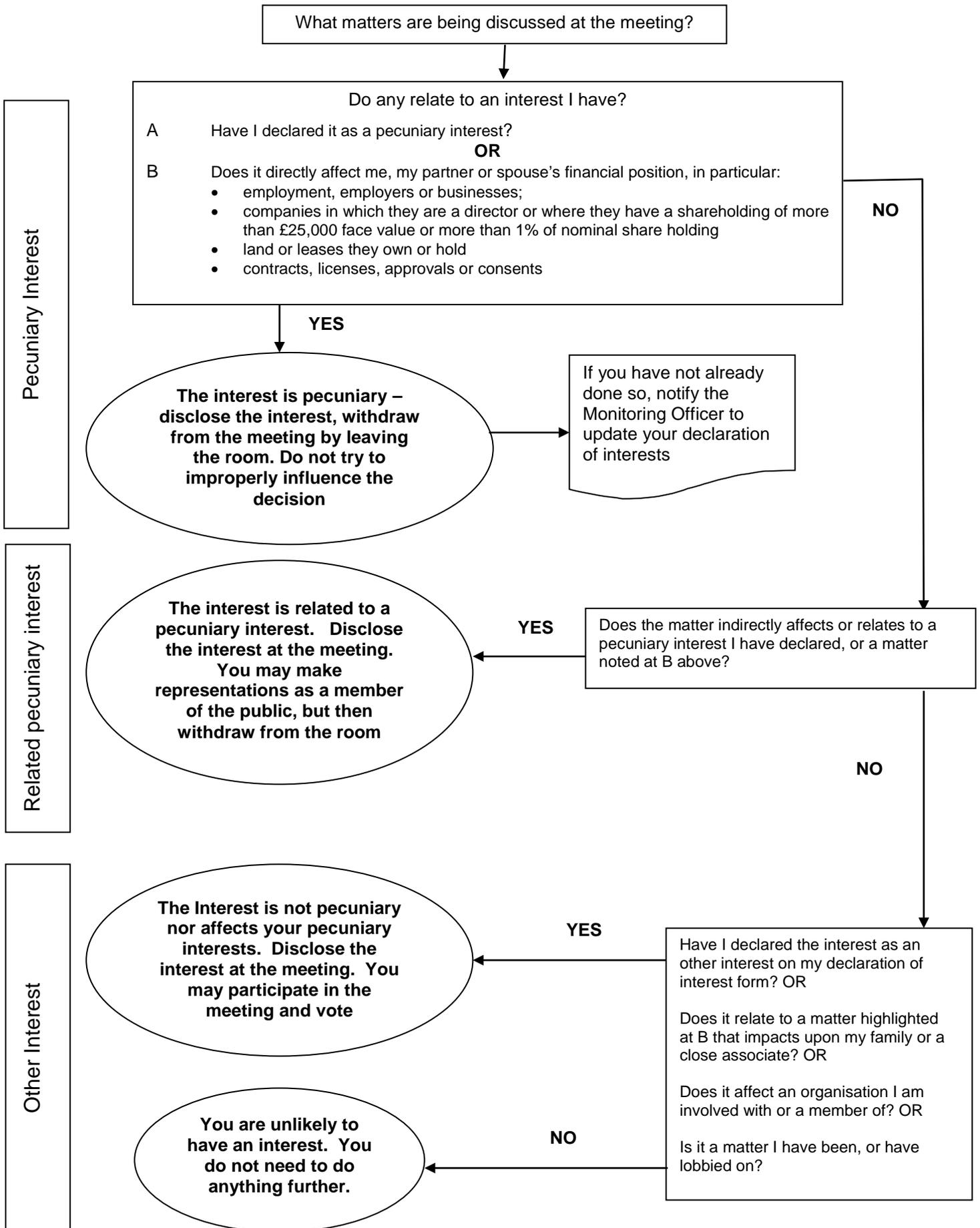
Is the interest not related to any of the above? If so, it is likely to be another interest. You will need to declare the interest, but may participate in discussion and voting on the item.

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 27 August 2019** at **10.00 am** when there were present:

Mr S Riley – Chairman

Mr A D Adams
Mr N J Brennan
Mr P E Bulman
Ms S J Catchpole

Ms S I Holland
Mr M L Murrell
Mr G K Nurden
Mrs S M Prutton

Mr N C Shaw
Mrs K A Vincent

Mrs Coplestone and Mr Emsell also attended the meeting for its duration.

Also in attendance were the Director People and Communities, Director Place, Assistant Director Governance and Business Support (Monitoring Officer), Economic Development Manager, Evaluation and Data Analyst and the Committee Officer (JO).

47 DECLARATIONS OF INTEREST UNDER PROCEDURAL RULE NO 8

Member	Minute No & Heading	Nature of Interest
Mrs Catchpole	37 – Options for Council Owned Land	Local Choice Non-Pecuniary Interest, Member for Aylsham.

48 APOLOGIES FOR ABSENCE

Apologies for absence were received from Mr Kelly, Mr King and Mrs Ryman-Tubb.

49 MINUTES

The Minutes of the meeting held on 13 August 2019 were confirmed and signed by the Chairman as a correct record.

Minute No. 46 – Overview and Scrutiny Committee Work Programme

It was confirmed that the ex-Member of the Eco-Cube Time and Task Limited Panel would not be permitted to attend the final meeting of the Panel.

CABINET REPORTS

50 ECONOMIC SUCCESS PANEL

The Portfolio Holder for Economic Development advised the meeting that the Economic Success Panel had considered a report on car parking in Broadland at its meeting on 19 August 2019 and had made the following recommendations to Cabinet:

- (1) initiate a comprehensive review of car parking, in consultation with Town and Parish Councils, which would provide the necessary information to fully develop a Car Parking Management Plan for Cabinet approval, to improve overall space availability and mitigate the financial impact of the Norfolk Parking Partnership; and
- (2) make an application to the Office for Low Emission Vehicles (OLEV) to take advantage of the grant funding available to extend the Electric Vehicle Charging Point network and set aside a budget of £7,500 for implementation if successful.

The first recommendation would involve a full review of car parking across the District, which would identify issues, including parking space blocking and the churn of car park usage, as well as any opportunities to increase car parking in Broadland.

Recommendation 2 was time sensitive and would need to be acted upon more rapidly to access grant funding.

A Member noted that it would need to be clarified if any leases would require renegotiation where Vehicle Charging Points were to be installed.

RECOMMENDED TO CABINET

Options (1) and (2)

- (1) initiate a comprehensive review of car parking, in consultation with Town and Parish Councils, which would provide the necessary information to fully develop a Car Parking Management Plan for Cabinet approval, to improve overall space availability and mitigate the financial impact of the Norfolk Parking Partnership; and
- (2) make an application to the Office for Low Emission Vehicles (OLEV) to take advantage of the grant funding available to extend the Electric Vehicle Charging Point network and set aside a budget of £7,500 for implementation if successful.

51 JOINT INCLUSIVE GROWTH STRATEGY

The report presented a Strategy Framework that aimed to improve social mobility and inclusive growth in Broadland and South Norfolk, by building the foundations for a strong and prosperous community with a healthy environment, low-crime and good-quality sustainable housing.

Broadland and South Norfolk were the two best performing authorities in Norfolk when measured against the Social Mobility Index, but both authorities were keen to improve this figure further and the Framework would assist in this aim. The Framework would also clarify how both Councils could ensure that resource was better directed at priority areas for the long term in a co-ordinated approach. The Framework would then feed into a Norfolk-wide Inclusive Growth Coalition.

A joint Inclusive Growth Member workshop was held on 1 July 2019 to develop the Framework and the policy proposals. The Workshop produced a number of topics for inclusion in the Framework and the following five priority areas:

- Access and Transport
- Business Development and Productivity
- Aspiration and Career Routes
- Supportive Home Environments
- Supporting Low Paid Workers

In response to a query about the Apprenticeship Levy leading to a greater number of higher apprenticeships, but a reduction in lower level apprenticeships, it was confirmed that this was a national, as well as a problem, which could be explored within the Framework under skills and training.

The Chairman noted that whilst there were a lot of good statistics for Broadland there were also pockets of deprivation in the District. He requested that a tracker be established to better understand how collaborative work through the joint Framework was performing in comparison with current performance.

In response, Director of People and Communities emphasised that the Framework was a long-term project and that the statistics generated would be compiled on a Norfolk-wide basis. However, data could be collated at a District level and brought to the Committee at some time in the future.

He also confirmed that the Framework would be subject to a periodic review by Members.

The Director of People and Communities also confirmed that as both authorities had different, but complementary, offers they could both benefit from sharing best practice and expand services across each District if required.

A Member suggested that the recommendation in the report be amended to allow Member input into the development of Action Plans and the direction of resources for the Framework.

RECOMMENDED TO CABINET

Option (1) as amended.

That Cabinet recommend Council to agree to adopt the Inclusive Growth Framework as a Council Strategy, to allow officers to direct resources and continue to develop action plans, in consultation with respective Portfolio Holders *and Members*.

52 OPTIONS FOR COUNCIL OWNED LAND

The report set out the initial stages of a proposal to enter into a new Partnership Agreement with BVR Ltd to secure investment in the Bure Valley Railway.

The Director of Place advised the meeting that the decision by Cabinet in June 2017 to agree to the conditional transfer of the Bure Valley Railway and Path to the BVR Ltd had been delayed due to a number of factors, including a requirement for an Act of Parliament to make the transfer.

During this delay it has become apparent that a sale of the asset might not be the most suitable approach, not least because the County Council had secured £1.2m of funding from an Interreg Visitor Economy Programme that could be used to deliver green infrastructure improvements at the Bure Valley Railway and Path.

It was, therefore, proposed that a partnership agreement be negotiated by the Director of Place, in consultation with the Leader and Portfolio Holder for Economic Development, which when fully developed would be brought back to Council for final determination.

The draft Heads of Terms for the initial negotiations were the following:

- (i) allow BVR Ltd to secure a 'break even' return on its significant investment into the asset;
- (ii) seek cost neutrality to the Council for the maintenance of its remaining liability, (excluding bridges); and
- (iii) where appropriate the rental income could be reinvested back into the asset using BVR Ltd as a preferred contractor.

The above Heads of Terms were intentionally brief, as they represented only the starting point of the negotiation process, but they were intended to give Members and indication of the desired outcome.

In answer to a query about the potential of a rent review being re-visited and backdated to 2016 in September 2021, it was confirmed that a new rent level would be part of the negotiations for a new agreement and this would negate the need for a rent review.

Members were advised that investing rental income back into the asset, with BVR Ltd as the preferred contractor, could provide joint benefits through reduced costs and greater value for money due to their range of skills and large volunteer workforce.

The Chairman noted that BVR Ltd had significant reserves and the Council must ensure that the public purse was protected when negotiating the agreement.

It was confirmed that the draft Heads of Terms, which would allow BVR Ltd to secure a 'break even' return on its significant investment into the asset; was for future, not past investments. Members were also advised that an increase in the resource provided by the Council under any new arrangements was likely to increase as a result of a partnership agreement.

The Chairman requested that the recommendation reference paragraph 5.2 to clarify that any additional resource implications would be brought back to Members for further consideration in due course.

Members also requested that the BVR Ltd be asked to remove the 'railway users only' signs from the carpark as it was also for use by users of the Bure Valley Path.

RECOMMENDED TO CABINET

Options (1) and (2) *as amended*.

Cabinet is recommended to recommend to Council to:

- (1) Retain the freehold asset of the Bure Valley Railway and Path; and
- (2) Enter into negotiations to establish a partnership agreement with the BVR Ltd having regard to the draft Heads of Terms in paragraph 3.6 *and the resource implications in paragraph 5.2.*

53 NORFOLK STRATEGIC PLANNING FRAMEWORK – JUNE 2019 UPDATE

The report presented an updated Norfolk Strategic Planning Framework. The Framework was not a statutory planning document, but set out a Norfolk-wide foundation for strategic matters to be taken account of in the production of Local Plans, including the emerging Greater Norwich Local Plan.

RECOMMENDED TO CABINET

Options (1) and (2)

That Cabinet **recommend that Council** agree to:

- (1) Be a signatory to the updated Norfolk Strategic Planning Framework (June 2019); and
- (2) Support the continued work of Members and Officers to ensure that the NSPF remains up to date.

The meeting closed at 11.14 am.

COMMITTEE RECOMMENDATION RECORD UPDATE

Report Author:	Emma Hodds Assistant Director of Governance and Business Support (Monitoring Officer) tel: 01508 533791 email: emma.hodds@broadland.gov.uk
Portfolio Holders:	All
Wards Affected:	All
Purpose of the Report:	This report provides an update on progress made against the Committee's recommendations between November 2018 and August 2019 providing an opportunity for the Committee to revisit recommendations if necessary

Recommendations:

1. The Committee is requested to consider the recommendation record update and
 - (1) note the contents of the record, and
 - (2) identify any recommendation where a more detailed update is required.
2. The Committee is requested to consider a standing item on the Agenda, which provides a regular update on progress with recommendations through a tracker record.

1 SUMMARY

- 1.1 The Overview and Scrutiny Committee keeps a record of recommendations made during their meetings; except scrutiny of Cabinet papers, in order to monitor the progress of recommendations. The record is reported to the Committee on a regular basis to ensure recommendations are followed up promptly and efficiently. The record was last presented to Committee in March 2019.
- 1.2 Monitoring of recommendations made against Cabinet reports is recorded separately in the Committee's Annual Report. The Call-In procedure is in place to follow up any decision made by Cabinet that significantly differs from the Committee's recommendation.
- 1.3 This report provides an update on progress made against the Committee's recommendations between November 2018 and August 2019 providing an opportunity for the Committee to revisit recommendations, if necessary.

2 BACKGROUND

- 2.1 Appendix 1 attached to this report outlines the recommendations made by the Committee.
- 2.2 The use of shading has been applied to draw attention to recommendations that have been completed inside the monitoring period and are ready to move to an archive record. Those recommendations are presented to Committee for information. It is the intention to use the archive record to compile content for the Committee's Annual Report.

3 PROPOSED ACTION

- 3.1 The Committee is asked to take note of the content of the recommendation record and highlight any outstanding recommendations they wish to have followed up or reported back to a future Committee meeting.
- 3.2 The Committee is also asked to feedback any changes they wish to make to any outstanding recommendation or to clarify any points recorded.
- 3.3 The Committee is also asked to adopt a more frequent and regular approach to review of recommendations made through the inclusion of a tracker as a standing Agenda item for each meeting. This ensures that the Committee is kept up to date in a more timely manner in terms of the progress being made by officers, this would remove the need for a regular report to be provided.

4 ISSUES AND RISKS

- 4.1 **Resource implications** – The recommendation record is updated after every Committee meeting and reviewed on a regular basis in order to record

progress and outcomes of each recommendation. This is achieved within existing resources.

However, if individual recommendations require resources for their implementation, an assessment will need to be made to see if they can be accommodated within the budget agreed by Council.

4.2 **Legal implications** – There are no legal implications within this report.

4.3 **Equality implications** – There are no equalities implications within this report.

5 RECOMMENDATIONS

5.1 The Committee is requested to consider the recommendation record update and

(1) note the contents of the record, and

(2) identify any recommendation where a more detailed update is required.

5.2 The Committee is requested to consider a standing item on the Agenda, which provides a regular update on progress with recommendations through a tracker record.

Background Papers

None

Overview and Scrutiny Committee Recommendations Record

Topic	Date at Committee	Recommendation/ Agreement	Responsible officer	Progress	Outcome
Resilience Update	18 April 2017	During the regular update report the Committee suggested the Emergency Planning Manager attend parish and town council meetings regularly to provide advice on establishing a local Community Resilience Group or to discuss any aspect of Emergency Planning	Emergency Planning Manager	<p>I have continued to attend meetings where requested including Hevingham Laurel Club, Horsford Parish Council and Booton Parish Council.</p> <p>As co-chair of the Norfolk Resilience Forum Voluntary, Faith & Community Resilience Group I have also been working with other agencies to build on our links with volunteers and community groups. This has included work with BERG The Business Emergency Resilience Group which is part of Prince Charles' Business in The Community.</p> <p>BERG exists to offer support from big businesses such as AVIVA, Barclays, ASDA, BT etc. to small businesses when an emergency happens. Discussions with our local BERG rep have proven very productive and there is a lot of resources we can tap into if we need to.</p>	Completed

Appendix 1

Topic	Date at Committee	Recommendation/ Agreement	Responsible officer	Progress	Outcome
Committee Work Programme: Resilience Update	30 May 2017	Requested the next Resilience Update include information about tackling cyber security	Emergency Planning Manager	Work on cyber security continues at local and multi-agency level and was very high on both the local and national risk register.	Completed
Corporate Equalities Group Update	19 Sept 2017	Enquired whether the Fawcett Society “Does local government work for women” report had been considered alongside the women’s mentoring programme and if opportunities of women staff and councillors collaborating had been explored.	CEG representative	The first meeting of a new joint equalities group should be meeting in late September. This subject could be put forward as an action to meet the group’s objectives .	
Norfolk Health Overview and Scrutiny Committee update	19 Sept 2017	Requested that the NHOSC consider how they can work with the Health and Wellbeing Board to investigate gaps in Mental Health support and how those gaps can be resolved.	Councillor Representative	New representative on NHOSC to raise this issue when settled into her role.	
Health and Wellbeing Update	19 Sept 2017	Requested representatives from both CCG’s serving Broadland are invited to future meeting to explain how they are addressing demand due to development how they are ensuring sustainable provision of healthcare within the district explain their approaches to recruiting and retaining healthcare professionals explain provision of healthcare in the district what they understand that BDC are delivering that complements their commissioning.	Committee Officer	The Deputy Chief Executive gave a presentation on 11 September 2018 on the two Clinical Commissioning Groups (CCG) in the Broadland area (Norwich CCG and North Norfolk CCG), which sought to address the questions raised by the Committee and identify the issues that were affecting both CCGs. attend Committee	Complete
Review of NEWS JVC	14 Nov 2017	(1) request the Board of Directors to review the accuracy of the JVC papers, specifically payments to Directors’ fees which are	Environmental Protection Manager	Following consideration by Cabinet on 28 November 2017 and 9 January 2018	Completed

Topic	Date at Committee	Recommendation/ Agreement	Responsible officer	Progress	Outcome
		<p>contrary to the Articles of Association and to identify who authorised those payments;</p> <p>(2) request that at least six monthly updates are made to the Overview and Scrutiny Committee from Broadland's Operational Liaison Board Member in relation to the latest financial position and what measures are being put into place to address financial losses;</p> <p>(3) request to the Board that they clarify why flexibility was not applied to the six percent administration fee in all years where turnover against budget was not achieved as requested by the councils as part of their due diligence process;</p> <p>(4) request the Head of Housing and Environmental Services to raise with NEWS Ltd the need for further transparency of how the administration fee seeks to recover costs, charged against all turnover as this is preventing the company from being profitable. This needs to be challenged as it is impacting on the potential for the local authorities to derive a share of profits from the JVC;</p> <p>(5) Overview and Scrutiny Committee to receive progress updates on the procurement managed by Norwich City Council in relation to Marsham recycling arrangements.</p>	(Special Projects)	all matters have been processed. An update report will be presented in the Autumn.	
Joint Venture Arrangements	16 Jan 2018	That a set of priorities be drafted that would clearly identify the Committee's financial, legal and qualitative expectations for any future JVC, so that it could be fully assessed against these criteria and allow Members to give a steer to Cabinet.	Senior Governance Officer and Deputy Monitoring Officer	The Senior Governance Officer and Deputy Monitoring Officer advised that the approval of a JCV, would be expected to have all relevant information	Complete

Appendix 1

Topic	Date at Committee	Recommendation/ Agreement	Responsible officer	Progress	Outcome
				available in the report for Members to make an informed decision, on a case by case basis.	
Review of Neighbourhood Plans	17 July 2018	<p>(1) Spatial Planning Officers to review the agendas for Neighbourhood Plan Forum meetings to build in more workshop based sessions. Enabling Neighbourhood Plan Groups to share their expertise with each other and sessions are worthwhile to all types of groups – whether new or nearing the completion of their Plans.</p> <p>(2) To focus on explaining the planning process as a whole and how Neighbourhood Plans fitted within that. This could also mean discussing the possibility of pursuing other community planning tools if a Neighbourhood Plan was not the right tool to use for a particular community's needs.</p> <p>(3) Targeting more parishes to see if they would like to get involved in NPs or other community led planning initiatives.</p> <p>(4) Explore relationship with neighbouring districts and share good practice amongst colleagues.</p> <p>(5) Consider creating the Council's own bespoke guides / templates where a need was identified and if the opportunity presented itself share with Ministry of Housing, Communities and Local Government.</p>	Senior Community Planning Officer		Completed
Economic and Tourism Update	16 October 2018	To commend the work being carried out by Economic Development and to recommend to Cabinet that greater effort be made to communicate to residents and businesses the	Communications and Engagement Manager / Head of Economic	Confirmed as part of the day to day job of the Communications Team at 6 November 2018 Overview	Completed

Appendix 1

Topic	Date at Committee	Recommendation/ Agreement	Responsible officer	Progress	Outcome
		valuable services that the Department provided.	Development	and Scrutiny Committee.	
Council Tax Good Practice Protocol	13 August 2019	To recommend that the Council adopt the Citizens Advice Council Tax Good Practice Protocol.	Revenues and Benefits Manager	To be considered by Cabinet at its 1 October 2019 meeting.	