

Minutes of a meeting of **Cabinet** held by video link on **Tuesday 25 August 2020** at **6.00pm** when there were present:

Cllr S A Vincent – Policy (Chairman)

Portfolio holders:

Cllr J K Copplestone	Economic Development
Cllr J J Emsell	Transformation and Organisational Development
Cllr L H Hemsall	Planning
Cllr J Leggett	Environmental Excellence
Cllr T M Mancini-Boyle	Finance
Cllr F Whymark	Housing and Wellbeing

Cllr T Adams, Cllr N Brennan, Cllr S Catchpole, Cllr S Prutton and Cllr S Riley also attended the meeting.

Also in attendance were the Director People and Communities, Chief of Staff, Assistant Director Planning, Assistant Director Finance, Assistant Director Governance and Business Support (Monitoring Officer), Assistant Director Community Service, Housing and Health Manager, Internal Consultancy Lead – Waste, Governance Manager, PR Manager and the Democratic Services Officer (JO).

## **117 MINUTES**

The Minutes of the meeting held on 21 July 2020 were confirmed as a correct record, save for the following amendments:

*Minute No: 113 – Environmental Strategy*

In paragraphs 5 and 6 ‘She’ was replaced with ‘The Portfolio Holder for Environmental Excellence’.

## **118 REPRESENTATIONS FROM NON CABINET MEMBERS**

The Chairman agreed that, at his discretion, all non-Cabinet Members in attendance be allowed to join the debate at the relevant point of the proceedings on request.

**119 OVERVIEW AND SCRUTINY COMMITTEE**

The Chairman of the Overview and Scrutiny Committee advised Members on the views expressed by the Committee when it reviewed the Cabinet Agenda on 18 August 2020, as each item was considered.

**120 ECONOMIC SUCCESS PANEL**

Cabinet received the Minutes of the meeting of the Economic Success Panel held on 22 July 2020.

The Portfolio Holder for Economic Development pointed out that the percentage of properties without superfast broadband in the District was two percent, not three percent, as stated in the Minute.

**121 ENVIRONMENTAL EXCELLENCE PANEL**

Cabinet received the Minutes of the meeting of the Environmental Excellence Panel held on 23 July 2020.

**122 WELLBEING PANEL**

Cabinet received the Minutes of the meeting of the Wellbeing Panel held on 8 July 2020.

The Portfolio Holder for Housing and Wellbeing advised the meeting that the Panel had considered the Fees for Houses in Multiple Occupation, which Cabinet would consider later on in this Agenda. The Panel had robustly challenged the report, but had made no recommendation for an alternative fee level.

**123 COVID-19 RESPONSE – NORFOLK WIDE FIGHTING FUND**

The Assistant Director of Finance introduced the report, which set out a proposal by Norfolk Leaders to establish a 'fighting fund' to support local authorities and businesses adapt, restart and recover from the Covid-19 emergency situation across the County.

The County Council had agreed, in principle, to contribute £1m to the fund and was looking for this to be matched by the district councils in Norfolk contributing £150,000 each. The 2019/20 Business Rate Pool would contribute £3.7m and it was hoped that the Local Enterprise Partnership would contribute up to £2m, making a potential total of £7.7m. The Fund could help make the case to Government to support recovery by matching the local pot.

Members were advised that the £150,000 contribution could be funded from the third tranche of Covid-19 Emergency Funding that had recently been received from central Government.

It was intended that the first sector to be assisted would be tourism, which would be helped to open and adapt to the pandemic restrictions. However, there were no exact details on how the fund would be distributed, which was the reason that an in principle decision on the allocation was being sought at this stage.

The Chairman of the Overview and Scrutiny Committee advised the meeting that the Committee had proposed an amendment to the recommendation to request greater clarity regarding the budget allocation of the fund.

The Leader confirmed that he would welcome any feedback from Members regarding the allocation of the fund.

### **RECOMMENDED TO COUNCIL**

That authority be delegated to the Assistant Director Finance, in consultation with the Leader, to allocate £150,000 to the Norfolk Wide Fighting Fund.

### **Reasons for decision**

To support the recovery from the Covid-19 pandemic.

## **124 REVIEW OF MANDATORY LICENSABLE HOUSES IN MULTIPLE OCCUPATION FEES**

The Housing and Health Manager introduced the report which recommended introducing a single Houses in Multiple Occupation (HMO) licence fee across Broadland and South Norfolk to cover administration costs and reinforce the One Officer Team approach to service delivery.

Licensable HMOs were defined as; properties rented by five or more people, who formed two or more households and shared facilities such as a toilet, bathroom or kitchen.

The chargeable fee for a mandatory licensable HMO licence had been reviewed in order to ensure that the Council levied a charge that complied with central Government guidance and case law; ie they were reasonable, proportionate and did not generate a surplus.

Following a very thorough analysis of the cost of the service the following Council fees for mandatory licensable HMO's were proposed:

- £825 for a new five-year licence;
- £133 for variations on an existing five-year licence; and
- £514 for renewal of a five-year licence

Current fees were £593 for a new-five year licence, £28 for variations on an existing five-year licence. Renewal of five year licences had yet to be determined, as licences had only been mandatory since 2018.

It was noted that the Wellbeing Panel had rejected the increase at its meeting on 8 July 2020, as it had concerns that the charges would be passed on to tenants and the increase in charges for landlords was too high compared to the current fee.

Members were advised that the proposed fee equated to £12 per month per HMO and was based on a five bedroom property. It was also confirmed that licence payment by instalment could also be arranged, if required. Moreover, the proposed renewal fee of £514 was less than the five year fee that would currently be charged.

The Portfolio Holder for Housing and Wellbeing advised the meeting that the Wellbeing Panel had been surprised by the calculation for officer time and on-costs in administering the licensing, which appeared high. It was also recognised that the Council should not make a profit, but it was not seen as necessary to always cover costs. He added that there appeared to be a consensus amongst Members against increasing these fees and it should be recognised that both authorities were sovereign Councils, who could decide their own specific policies.

The Chairman of the Overview and Scrutiny Committee noted that there was no legal imperative for both Council's to be charging the same fees and that the Committee also raised concerns about the increase in licence fees being passed on to tenants. The Committee had recommended that the fees remain unchanged.

The Vice-Chairman of the Overview and Scrutiny Committee added that Broadland had a duty to look after its most vulnerable residents and should not support the increase in order to align with another Council.

In response to some of the comments above the Director People and Communities informed the meeting that professional advice had been taken when calculating the costs for the service and he would fully endorse these figures. He acknowledged that the fees were discretionary, but that the advice from officers was to be mindful of the Commercial Strategy and take opportunities to charge when available. He also emphasised that this service was being administered by a single officer team, with the same procedures

and costs across both Councils and that the proposal was not just about the alignment of fees.

In response to a query, the Housing and Health Manager informed the meeting that there were 14 HMOs in Broadland and 24 in South Norfolk. The next task for her team would be to identify any HMO's that were not licenced.

In summing up, the Portfolio Holder for Housing and Wellbeing acknowledged the views expressed by the Wellbeing Panel and the Overview and Scrutiny Committee and noted that the fees did not have to cover the costs of the service and, therefore, he recommended that they remain unchanged.

## **RESOLVED**

That the Council fees for mandatory licensable HMO's be maintained at their current levels.

### **Reasons for decision**

It was not considered appropriate to increase the fees for this service.

## **125 UPDATE TO LOCAL DEVELOPMENT SCHEME**

The Assistant Director Planning introduced the report which proposed amendments to the Council's Local Development Scheme (LDS) to reflect a revised Greater Norwich Local Plan (GNLP) timetable. This would allow for a further Regulation 18 Consultation, to ensure that the evidence base was robust and for further work to be undertaken in respect of viability studies and economic data. This would also allow for the opportunity to consider progress with the Western Link scheme.

The new Regulation 18 Consultation would take place over November/December 2020. This would have a knock on effect and delay the pre-submission publication of Plan (Regulation19), as well as the examination and mean that the final adoption of the Plan would occur in November/December 2022; four months later than originally intended.

Members were advised that, whilst the timetable remained unchanged at the moment, it was too soon to predict if the recently published Planning White Paper would have an effect on the Plan.

The Portfolio Holder for Planning reminded Members that they had been invited to attend a remote briefing on the Western Link on Thursday 27 August 2020.

**RECOMMENDED TO COUNCIL**

To approve the proposed amendments to the current, May 2019, Local Development Scheme.

**Reasons for decision**

To meet legislative requirements.

**126 WASTE SERVICES REVIEW**

The Portfolio Holder for Environmental Excellence advised the meeting that the production of a detailed Business Case for a Local Authority Trading Company (LATC) to provide a waste service had been agreed by Cabinet following an initial consultant's report.

The detailed Business Case enabled Members of the Environmental Excellence Panel to take an objective view on the proposal. Following a thorough consideration of the proposal and the associated risks, the Panel had concluded that the Council should not enter into a LATC, but should commence with a procurement exercise for an outsourced waste services contract.

The Portfolio Holder for Environmental Excellence proposed recommendation four, amended to include delegation of the procurement process to the Portfolio Holder for Finance.

The Assistant Director Governance and Business Support (Monitoring Officer), advised the meeting that she had concerns that Cabinet had not had the opportunity for a thorough debate and consideration of the confidential papers associated with the Waste Service Review and suggested that Cabinet went into closed session to do this and then readmit the public for the final decision. This view was endorsed by the Director of People and Communities.

In response the Leader acknowledged the officer views, but confirmed that he wished the decision to be taken at this stage of the meeting.

**RESOLVED**

- (1) To note the final business case; and
- (2) To commence a procurement exercise for the Council's waste services and street cleansing contract, and delegate the process of the procurement, up until award of contract to the Portfolio Holder for

Environmental Excellence, the Portfolio Holder for Finance and the Director of People and Communities.

**Reasons for decision**

An outsourced waste service was considered a more appropriate model for the Council, given the risks associated with setting up a LATC.

**127 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.

**128 WASTE SERVICE REVIEW (Confidential Report)**

Cabinet considered the confidential report and set out their reasons for the decision made at Minute 126 – Waste Service Review, above; as detailed in the exempt Minutes.

**129 EXEMPT MINUTE OF THE ENVIRONMENTAL EXCELLENCE PANEL**

Cabinet received the exempt Minutes of the Panel meeting held on 23 July 2020.

**130 FOOD INNOVATION CENTRE**

The Strategic Economic Growth and Funding Manager introduced the report, which provided an update on 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 COUNCIL**

- (1) To accept retrospectively the decision made by officers to accept Broadland District Council's funding allocation for the Food Innovation Centre from the *Getting Building Fund*.

It was decided to defer any decisions on recommendations 2-5 to a later meeting of Cabinet.

**Reasons for decision**

To accept the funding allocation from the Getting Building Funding and for more work to be undertaken by officers before recommendations 2-5 could be progressed.

**131 EXEMPT CABINET MINUTE**

Cabinet received the exempt Minutes of the meeting held on 21 July 2020.

*The meeting closed at 8.07pm.*