

Minutes of a meeting of the **Cabinet** held at Thorpe Lodge, 1 Yarmouth Road, Thorpe St Andrew, Norwich on **Tuesday 15 January 2019** at **9.00 am** when there were present:

Mr S A Vincent – Policy (Chairman)

Portfolio holders:

Mrs J K Copplestone	Economic Development
Mr J F Fisher	Environmental Excellence
Mr R R Foulger	Housing and Wellbeing
Mrs T M Mancini-Boyle	Finance
Mr I N Moncur	Planning
Mr G Peck	Transformation and Organisational Development

Mrs Bannock, Mr D Harrison and Mr Riley also attended the meeting for its duration.

Also in attendance were the Managing Director, Deputy Chief Executive, Head of Democratic Services and Monitoring Officer, Head of Finance and Revenue Services, Head of Planning, Head of Economic Development, Corporate Finance Manager, Economic Development Manager, Community Infrastructure Coordinator, Economic Development Project Officer and the Committee Officer (JO).

Nick Adams, Chairman of Ringland Parish Council addressed Cabinet at item 86 – Public Speaking.

Ian Kinghorn and Giles Margaron from Bure Valley Railway Ltd addressed Cabinet at item 88 – Public Speaking.

## 78 MINUTES

The Minutes of the meeting held on 18 December 2018 were confirmed as a correct record and signed by the Chairman.

## 79 PUBLIC SPEAKING

The Chairman advised the meeting that the members of the public who were addressing Cabinet today would speak before the relevant items.

**80 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.

**81 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 8 January 2018, as each item was considered.

**82 BUDGET AND MEDIUM TERM FINANCIAL PLAN 2019-24**

The report presented a detailed summary of Broadland's draft 2019/20 Budget for net revenue and capital expenditure, as well as a schedule of proposed fees and charges for the year.

The Government's Financial Settlement for 2019/20 had been announced on 13 December 2018, with a final settlement to be confirmed in early February 2019.

Anticipated growth for 2019/20 was £718,000. This included additional costs of £150,000 for the Growth Delivery Team and new clinical waste collection costs of £80,000. There was also an average uplift in salary costs in respect of inflation and performance related pay of two percent.

Predicted savings of £350,000 through collaboration with South Norfolk Council were not included in the base budget calculations. However, a contribution to the collaboration cost reserve of £87,000 for 2019/20 was factored into the MTFP.

The Council would not receive a Revenue Support Grant for the next year, however, additional Business Rates were being retained, as a result of the Council taking part in a pilot of 75 percent Business Rate Retention. The surplus forecast from the pilot was not factored into the MTFP, although a Business Rates levy surplus distribution of £43,000 from the national pot was included.

New Homes Bonus legacy payments would continue to be paid, but any new payments after 2020 would be dependent on the Spending Review in 2019.

Special Expenses for street lighting were still included in the MTFP, although discussions were still being held as to a way forward. Any changes would be reflected in future iterations of the MTFP, if timely.

The Business Rates Collection Fund remained in deficit as a result of previous years' appeals provisions. The predicted deficit for 2019/20 was £500,000. There was a lot of uncertainty over Business Rates appeals, as there were legal challenges going through the courts, which if successful could be subject to backdating. The Council had a Business Rates Appeal Reserve of approximately £1m. NHS Trust appeals were a national issue and it was hoped that Government assistance in funding this would be provided. Some successful appeals from doctors' surgeries had already been paid out.

Members were advised that the majority of the budget should remain unchanged, but as the final settlement was still not known any changes that arose would be brought back to Cabinet in February 2019.

Appendix B set out the budget by Portfolio and Appendix C showed all budget items in greater detail. Appendix D listed the fees and charges levied by the Council. These had risen by inflation, as the Council was only allowed to recover its costs for the services that it provided.

Appendix E showed the proposed capital programme for the next three financial years. The draw on the General Fund to finance the capital programme had been minimised as much as possible.

There was no proposed Council Tax rise in 2019/20, although there was a proposed £5 increase for each of the following four years.

The Head of Finance and Revenue Services advised the meeting that, in her opinion, the budget would remain on target and would not be overspent, but would require careful monitoring.

## **RECOMMENDED TO COUNCIL**

- (1) Amendments to be included in the Budget for 2019/20 – which would be brought back to February Cabinet (attached at Appendix 1 to the signed copy of these Minutes);
- (2) Proposed changes in discretionary fees and charges (attached at Appendix 2 to the signed copy of these Minutes);
- (3) The capital programme for 2019/20 to 2021/22 (attached at Appendix 3 to the signed copy of these Minutes);
- (4) The provisional Band D Council Tax level for 2019/20 from the options given in Appendix 4 to the signed copy of these Minutes;
- (5) General Reserves draw for 2019 to 2024 (Paragraph 5.2 of the report, attached at Appendix 5 to the signed copy of these Minutes).

### **Reasons for decision**

To meet the Council's statutory requirements for setting a budget.

## **83 JOINT FIVE YEAR INFRASTRUCTURE INVESTMENT PLAN 2019-24**

The report presented the Draft Greater Norwich Joint Five Year Infrastructure Investment Plan 2019-24 and the Greater Norwich Joint Five Year Investment Plan 2019-20 for agreement.

The projects identified within the 5YIIP for 2019/20, were considered to be a priority for delivery to assist in achieving the growth ambitions, as set out in the Joint Core Strategy and the Greater Norwich City Deal.

Income received from the Community Infrastructure Levy (CIL) was less than had been forecast since 2014, due to the introduction of additional CIL exceptions by the Government and lower than expected growth. Therefore, in order to safeguard existing commitments it had been agreed to temporarily suspend the inclusion of any new projects in the five year Investment Plan. Urgent items, however, would be considered and reviewed independently to assess their inclusion.

Notable delivery in 18/19 included £1million of Infrastructure Investment Fund support for phase two of The Nest in Horsford, which was a large strategic sports project in the district.

In response to a query the Head of Planning confirmed that although a deficit in the Infrastructure Investment Plan was recognised for 2019/20, it was anticipated that careful programme management could prevent this from happening.

### **RECOMMENDED TO COUNCIL**

to

- (1) agree the Greater Norwich Joint Five Year Investment Plan and 2019/20 Annual Growth Programme (attached at Appendix 6 to the signed copy of these Minutes) and
- (2) agree that the cash reserve should be reallocated into the Infrastructure Investment Fund to support the delivery of previously agreed annual growth programmes and support the establishment of a new cash reserve to be forward planned in future versions of this Plan.

**Reasons for decision**

To facilitate the delivery of strategic growth in Greater Norwich.

**84 BID TO THE COMMUNITY INFRASTRUCTURE FUND FROM DRAYTON PARISH COUNCIL**

The report presented a bid from Drayton Parish Council to borrow £75,000 from the Community Infrastructure Fund (CIF).

The Council provided a £400,000 borrowing facility for parish and town councils to draw down the cost of delivering local infrastructure projects with the knowledge that it would be underwritten by future Community Infrastructure Levy (CIL) receipts.

The Parish Council wanted the loan to enhance the play equipment on the Florence Carter Memorial Playing Field in the village centre, including fencing; a small contribution to a community venue to renew their kitchen and to replace Parish Council noticeboards in the village. Any remaining funds would be used to improve facilities at the King George V Playing Field.

It was considered that the projects/costs listed in the bid complied with the CIF criteria and, therefore, the bid could be justified. Moreover, the level of growth in Drayton meant that the money would be more than adequately underwritten by local CIL receipts.

It was, therefore, recommended that the loan be approved and that work commence to draft a legal agreement which (a) set the interest rate at a percentage equivalent to base rate, (b) required all CIL receipts received by the Parish Council to be repaid to Broadland District Council until the loan and any interest was paid in full and (c) in the event that the anticipated local CIL receipts were not forthcoming the agreement would set a backstop date of five years for the loan and interest to be repaid in full, unless an extension of time was agreed by this Council acting reasonably.

**RESOLVED**

to agree to a loan from the Community Infrastructure Fund to Drayton Parish Council for £75,000.

**Reasons for decision**

To assist the delivery of local infrastructure in the District.

**85 NORFOLK STRATEGIC INFRASTRUCTURE DELIVERY PLAN**

The Council had been invited to formally endorse the Norfolk Strategic Infrastructure Delivery Plan (NSIDP), which had been produced under the auspices of all Norfolk councils and identified the key strategic infrastructure projects required to deliver economic growth in Norfolk. The Delivery Plan would help to co-ordinate implementation, prioritise activity and respond to any funding opportunities.

Broadland Council Planning and Economic Development Officers had been involved in the production of the document and informed the content of it.

The projects set out within the NSIDP accorded with the ambitions of the Norfolk and Suffolk Economic Strategy, the Joint Core Strategy, the Broadland Growth Triangle AAP, the Site Allocations DPD, the Greater Norwich Infrastructure Plan and the Norfolk Strategic Planning Framework. The NSIDP, therefore, incorporated the strategic priorities that were relevant to Broadland.

**RESOLVED**

to endorse the Norfolk Strategic Infrastructure Delivery Plan.

**Reasons for decision**

To meet the key strategic infrastructure needs of the Council.

**86 PUBLIC SPEAKING**

Mr Nick Adams, the Chairman of Ringland Parish Council, advised the meeting that Broadland's response to the Norwich Western Link Options Consultation contained some incorrect information.

The Parish Council agreed with Broadland that Options A and B should be discounted, as A was only single carriageway and would not deliver the required reduction in local road use and both versions of B were too close to Weston Longville, with some 80 households within 750m of the route.

The Parish Council considered Option C to be the best choice as only 32 households were within 750m of the route. It would take the most cars off local roads and cost less than route D. Noise mitigation would also prove to be easier to achieve for route C.

Option D was the most expensive of the routes and was not the shortest, as had been incorrectly stated in Broadland's response. Noise from the road

would also severely affect all of Ringland, with 133 households being within 750m of the route. The route would also have the greatest environmental impact due to the two river crossings and its route along the edge of Ringland Common. Route D should therefore be discounted on the basis of the lower cost benefit ratio and significant negative impact on households throughout the area.

In summary, Ringland Parish Council recommended the adoption of route C, as it was clearly the most cost effective solution and also had a negative effect on the least number of households in the Wensum Valley area.

## **87 NORWICH WESTERN LINK OPTIONS CONSULTATION RESPONSE**

The report set out a suggested response from the Council to the consultation on four shortlisted Norwich Western Link (NWL) route options, proposed by the County Council.

The development of a NWL, to connect the new Broadland Northway from the A1067 to the A47 west of Norwich, was one of Norfolk County Council's top infrastructure priorities and it was currently aiming to start construction in 2022.

The four shortlisted road options were three new dual carriageway roads and a single carriageway upgrade of the B1535. The majority of the new roads would be built at or near ground level, but viaduct-style bridges over river flood plains were included in some options. All routes included improvements to the A1067 Fakenham Road

The options also took account of Highways England's plans to dual the section on the A47 between North Tuddenham and Easton. A Norwich Western Link would need to join the dualled A47 at one of its proposed junctions.

The options had been carefully considered by the Economic Success Panel which had indicated that option D was its preferred route, with option C as a suitable alternative. The Head of Economic Development advised the meeting that the local Press had incorrectly stated that the option had been chosen by officers and he wished to make it clear that the proposed response to the consultation had been a Member decision.

The Portfolio Holder for Economic Development advised the meeting that she considered that route C was a more environmentally friendly option than route D. As a consequence she recommended that Options C and D should be supported equally.

It was also noted that Option D had a greater impact on listed buildings than the other options.

**RESOLVED**

to submit a response to the Norwich Western Link consultation in support of Options C and D equally.

**Reasons for decision**

To respond to a consultation.

**88 PUBLIC SPEAKING**

Mr Ian Kinghorn informed the meeting that he was very disappointed and frustrated to learn that the Council had decided to review its decision to sell the freehold of the Bure Valley Railway to the company. The company had spent £15,000 in legal fees for a Light Railway Order, which was a requirement for the acquisition of the line and it would want recompense for this expenditure if the Council backed out of the sale.

He advised the meeting that the company had a sustainable business model and wanted to grow further, but needed the certainty of freehold ownership of the railway in order to take this forward.

Mr Giles Margaron advised Members that the company had hoped to acquire the Railway since 2011. BVR Ltd had a good relationship with the Council and had spent a lot of time and resource on the acquisition of the line. The company was very disappointed with the decision to review the sale, which had occurred with little notice and no clear reason why.

It was confirmed that BVR Ltd had 97 years remaining on its lease, but it was also explained that some major investments could take up to 50 years to be recouped.

**89 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.

**90 DISPOSAL OF COUNCIL OWNED LAND**

The report presented options for the disposal of the Bure Valley Railway and path. These were: to retain the asset; sell the asset to Bure Valley Railway Ltd or to enter into a partnership arrangement with Norfolk County Council.

The Council had agreed to sell the Railway to Bure Valley Railway Ltd in June 2017, however Brexit had delayed the process of transferring the Light Railway Order and during this period Norfolk County Council had approached the Council about entering into a partnership arrangement. Such a partnership could be a way of securing new funding streams for the maintenance of the railway, as well as supporting important green infrastructure in the district.

Members noted that the footpath was permissive and could, therefore, be closed by the landowner. However, it was also noted that the Council could designate it a Right of Way before a sale went through to ensure its continued use.

The Managing Director emphasised that Members should be sure about what they were seeking to achieve by the disposal of the railway and how that fitted with the objectives of the Council.

A Member suggested that the business case for the sale of the railway was not good and suggested that a partnership arrangement with the County Council would be the best option.

**RESOLVED**

to

- (1) defer the sale of the Bure Valley Railway and Path;
- (2) explore a Partnership Agreement with Norfolk County Council; and
- (3) consider a report at the Cabinet meeting on 13 March 2019 setting out options in greater detail for consideration.

**Reasons for decision**

To ensure that all the options for the disposal of Council owned land were thoroughly explored.

*The meeting closed at 10.37am*