

Agenda Item: 4

CABINET

Minutes of a remote meeting of the Cabinet of South Norfolk Council, held on Monday 19 April 2021 at 9.00am.

Committee Members Present: Councillors: J Fuller (Chairman), Y Bendle, M Edney K Mason Billig, L Neal and A Thomas

Apologies for Absence: J Worley

Other Members in Attendance: Councillors: V Clifford-Jackson, R Ellis and T Laidlaw

Officers in Attendance: The Managing Director (T Holden), the Director of Place (P Courtier), the Director of Resources (D Lorimer), the Assistant Director Governance and Business Support (E Hodds), the Assistant Director Individuals and Families (M Pursehouse), the Assistant Director Finance (R Fincham), the Assistant Director Economic Growth (T Armstrong), the Chief of Staff (H Ralph), the Assistant Director Planning (H Mellors), the Senior Community Planning Officer (R Squires) and the Senior Enforcement Officer (K Cubitt)

Also in Attendance: Chairman of Poringland Parish Council (Mr J Joyce) and Local Resident (Mr T Williamson)

2884 DECLARATIONS OF INTEREST

The following members declared 'other' interests in the matters detailed below:

With regard to item 5, the Poringland Neighbourhood Plan, Cllr L Neal declared an interest as a member of Poringland Parish Council, and as a former member of the Parish Council's Neighbourhood Plan Panel.

With regard to item 12, Proposals for Additional Environmental Enforcement, Cllr A Thomas declared an other interest as having been personally impacted by the recent flooding.

2885 MINUTES

The minutes of the meeting of the Cabinet held on 15 March 2021 were agreed as a correct record.

2886 PORINGLAND NEIGHBOURHOOD PLAN – FINAL DECISION STATEMENT

Members considered the report of the Senior Community Planning Officer which summarised the results of a consultation in relation to Policy 2 of the Poringland Neighbourhood Plan.

The Chairman reminded members of the background to the report, explaining that a second period of consultation in relation to Policy 2 had taken place, due to the Council proposing a further minor amendment to the second examiner's proposed modifications to the Policy.

The Senior Community Planning Officer explained that a small number of representations had been received during the recent consultation, and referred in particular to an objection from Gladman Developments Ltd. Members noted that the Council had challenged the points raised and this was outlined in Appendix 1 of the report. In response to a query regarding what weight could be placed on the emerging Greater Norwich Local Plan (GNLP), which was currently at the Regulation 19 stage, the Senior Community Planning Officer explained that all evidence gathering for emerging plans could be taken in to account, which gave the emerging GNLP some material weight.

The Chairman welcomed the Chairman of Poringland Parish Council, Mr J Joyce, to the meeting. Mr Joyce thanked officers for their support during the whole process, which he believed had resulted in a Plan that met the aspirations of the whole community. He stressed that the new Plan did not seek to completely restrict new development, but to contain development to smaller scale sites. The Parish Council supported the Plan and he hoped that Cabinet would agree it so that it could proceed to a local referendum.

As local member, Cllr L Neal expressed her support for the proposals. With regard to the objections received from Gladman Developments Ltd, she pointed out that Poringland had exceeded its minimum housing allocation range, as set out in the Joint Core Strategy, and that the new GNLP did not propose further growth in the village.

In response to a query, the Senior Community Planning Officer explained that once agreed, the Council had 56 working days to conduct a referendum, and that he would be liaising with the elections team to discuss potential dates.

It was unanimously

RESOLVED

To:

1. Amend Policy 2 of the proposed Poringland Neighbourhood Plan in accordance with the Council's proposed minor amendment to the second examiner's recommended modifications.
2. Publish the final Decision Statement (Appendix 2), setting out the Council's decision in respect of each examiner's recommendations and ultimately approving that the Neighbourhood Plan should proceed to a referendum in the neighbourhood area.

The Reason for the Decision

Given the nature of the responses received as part of the consultation, it was felt appropriate to approve the minor amendment to the second examiner's modifications, to allow the Plan to proceed to referendum.

Other Options Considered

To approve the policy wording as submitted to the second examiner or to approve the policy wording as recommended by the second examiner

2887 ENDORSEMENT OF THE NORFOLK STRATEGIC PLANNING FRAMEWORK UPDATE

Members considered the report of the Place Shaping Manager, regarding an update to the Norfolk Strategic Planning Framework (NSPF).

The Chairman explained that in its role as a local planning authority, the Council had a legal responsibility to engage constructively and on an ongoing basis with other public bodies on strategic cross-boundary matters. The NSPF provided a structure for tackling cross boundary matters, and demonstrated how the Council was working with others to fulfil its obligations.

Referring to Appendix A of the report, the Assistant Director Planning advised that the NSPF had been revised to ensure that it remained up to date and effective and she drew attention to paragraphs 3.2 and 3.3 of the report which outlined the key changes that had been made.

Local resident, Mr T Williamson explained that he was speaking as a concerned resident, also advising members that he was a member of the Green Party. He expressed concerns regarding the Greater Norwich Local Plan (GNLP) and its lack of ambition with regard to climate change mitigation. He felt that the Plan failed in its legal duty to address the issues and he questioned whether Cabinet would challenge the Greater Norwich Development Partnership (GNDP) to review the GNLP against the NSPF and research findings on climate change, to ensure legal compliance and prevent possible future delays to the Plan's adoption.

The Chairman explained that the challenges of climate change had been addressed throughout the GNLP, and that any changes to the document could only now be made by the Planning Inspectorate. The decision to be made that day referred only to the NSPF and could not influence the GNLP. However, he stressed that the Council would continue to ensure that the environment was protected, explaining that work on the new Local Plan would commence as soon as the existing Plan was adopted.

The Assistant Director Planning agreed that the soundness of the GNLP would be tested when put before the Planning Inspectorate and explained that the proposed Plan included a detailed chapter on the delivery of growth and addressing climate change. She stressed that the purpose of the NSPF was to ensure that all Norfolk authorities addressed such issues in an objective and consistent way.

During further discussion, the Chairman made reference to the work regarding the GI RAMS study, which related to concerns regarding how the number of new homes would increase visitors to protected habitat sites. He explained that there was some divergence of opinion within the Forum as to how to address such issues, and that his view was that a wider approach involving additional existing groups to help manage the pressures in a more tangible way, was more appropriate than the employment of wardens on site. These issues were due to be discussed at the Forum's next meeting in early May.

Members welcomed the references made to telephone mobile signals and the clearing of footpaths and supported a more robust approach to both issues.

It unanimously

RESOLVED

TO RECOMMEND THAT COUNCIL endorses the update to the Norfolk Strategic Planning Framework and agrees to remain a signatory to the document.

The Reason for the Decision

The revised NSPF will assist the Council in fulfilling its obligations to demonstrate the Duty to Cooperate and to meet the National Planning Policy Framework requirement to have a Statement of Common Ground.

Other Options Considered

None

2888 COVID RECOVERY PLAN

Members considered the report of the Director of People and Communities and the Assistant Director Finance, which provided an update on the ongoing impact of Covid-19 on the District, and the Council's ongoing response.

The Assistant Director (Finance) highlighted the key areas of the report to members. He referred to Appendix A, which outlined the support provided to both residents and businesses, and Appendix B, which outlined the progress made on the six-point Action Plan, agreed back in July.

Members noted that much of the focus of the report was on finance; both ringfenced and un-ringfenced funds. The Assistant Director explained that agreement was sought to release £61,600 of un-ringfenced funds to the Council Tax Recovery Team, where there had been a clear increase in demand, and that a more detailed proposal on how other funds were to be allocated would follow in a further report in June.

The Chairman referred to Appendix A of the report as a superb summary of the Council's response to the pandemic and the actions taken by the Council. He stressed the need for a fair and balanced allocation of funds through a thematic approach and suggested the following areas for consideration:

- Conflict resolution
- Getting back to work and retraining and reskilling
- Working with individual families and communities
- Debt advice
- Business Support
- Healthy recovery

The Managing Director agreed and explained that the main purpose of the report was to secure funding for Council Tax and Recovery, and to seek delegation to allow those elements that needed to move forward, to do so before June. He confirmed that further proposals on the allocation of funds would be presented at the next meeting of the Cabinet.

During discussion, members referred to the excellent work of voluntary support groups and officers explained that although about 20% of the

voluntary groups had dissolved (as was expected as people went back to work), there was still a good number of groups going forward, to provide support for communities, and build resilience, with the support of the Council.

Members also wished to place on record their thanks to officers, praising how quickly they had responded to an increase in demand in some areas, and had adapted to change over the last 12 months.

In response to a query regarding Broadland and South Norfolk Covid Safe Business awards, the Assistant Director Regulatory explained that this referred to the award of covid-safe certificates to instil public confidence in premises and venues, and was not an awards ceremony.

Members expressed their support for the proposals of the report, and it was unanimously

RESOLVED

To:

1. Note the local impact of Covid-19, together with the activities the Council is taking to mitigate those impacts.
2. Note the progress made towards delivering the actions set out in 'Our Plan for Recovery from the Covid-19 Crisis', and to recommend the update of the Recovery Plan to be considered by Cabinet in June.
3. Release the following sums to further support the Covid recovery (from the Un-Ringfenced Covid money)
 - Council Tax and Recovery Team Resource £61,600.
4. Agree a delegation to the relevant director, in consultation with the relevant portfolio holder, to release COMF funds to support activities consistent with the projects listed in this report.

The Reason for the Decision

To ensure that the Council continues to provide appropriate support to residents and businesses.

Other Options Considered

None

2889 THE DEBT RESPITE SCHEME (BREATHING SPACE AND MENTAL HEALTH CRISIS MORATORIUM) REGULATIONS 2020 AND STATUTORY DEBT REPAYMENT PLAN (FINANCIAL SERVICES BILL) – REQUEST FOR ADDITIONAL RESOURCE

Members considered the report of the Senior Enforcement Officer, which sought agreement for a temporary additional resource in the Council's Recovery Team, to deal with the anticipated additional demand, as a result of the introduction of Breathing Space Regulations, and the Statutory Debt Repayment Plan.

The Senior Enforcement Officer presented his report explaining that it was anticipated that the new regulations would result in approximately 15 new cases each day across both South Norfolk and Broadland Councils, and he outlined the proposals for a temporary additional resource.

Cabinet expressed its support for the proposals, noting that debt mitigation was a key part of the Council's role.

Discussion followed during which the Assistant Director Finance explained that the introduction of the regulations had been entirely independent of Covid-19, however, it could be argued that without Covid, the Council may have been able to absorb new workloads. Members therefore supported the recommendations and requested that officers considered further whether the funding required should be sought from reserves, or COMF Covid funds.

It was unanimously

RESOLVED

To increase the Recovery Team capacity by 1 x FTE for a period of 18 months to deal with work arising from the impact of the new Breathing Space and Statutory Debt Repayment Plan regulations in Broadland and South Norfolk. The cost to be shared 45/55 between BDC / SNC in line with the one team agreement.

The Reason for the Decision

To ensure that adequate resources are in place to meet the anticipated demand on the Recovery Team.

Other Options Considered

None

2890 REVIEW OF POLICIES

Members considered the report of the Assistant Directors Finance, and Governance and Business Support, which presented Cabinet with the Counter Fraud, Corruption and Bribery Policy, the Anti-Money Laundering Policy and the Whistleblowing Policy, for recommendation on to Council.

Officers explained that it was good practice to regularly review such policies and members noted they had recently been agreed and reviewed at a recent meeting of the Finance, Resources, Audit and Governance Committee in March.

Cabinet was supportive of the policies, however, queried whether there was a separate policy to consider vexatious complainants. Officers explained that this would be covered in the Council's Complaints Policy, which was due for Cabinet consideration in either June or July.

During discussion the Assistant Director Governance and Business Support advised that the Member Model Code of Conduct would be presented to a future meeting and would address issues such as the use of social media and bullying.

It was unanimously

RESOLVED

- 1. TO RECOMMEND TO COUNCIL** adoption of the:
 - a) Counter Fraud, Corruption and Bribery Policy
 - b) Anti-Money Laundering Policy
 - c) Whistleblowing Policy
- 2.** That the Complaints Policy be presented to members, if possible, at 1 June meeting of the Cabinet

The Reason for the Decision

To ensure that the Council's Policies remain in line with best practice within a sound governance framework.

Other Options Considered

None.

2891 PUBLIC SECTOR EQUALITY DUTY ANNUAL REPORT

Members considered the report of the Governance Manager, which summarised the progress made by Broadland and South Norfolk Councils during 2020, in complying with their duty under the Public Sector Equality Duty, as required by the Equality Act 2010.

The Senior Governance Officer presented the report and referred members to Appendix A, the Council's Public Sector Equality Annual Report. Members noted that this was a statutory requirement and had had been produced jointly with Broadland District Council. It highlighted some of the activities and work which was undertaken by both Councils during 2020, to demonstrate compliance with the Public Sector Equality duty.

The Portfolio Holder, Cllr K Mason Billig commended the report to members, stressing that it was the Council's duty to ensure equality throughout all of its work. She suggested that it might be useful to provide some data, to provide evidence of compliance.

The Chairman agreed that although the report had identified the relevant issues, additional data would strengthen the Report and provide more evidence of compliance. Cabinet agreed that data should be provided in appropriate areas and that final agreement of the Report should be delegated to the Assistant Director Governance and Business support, in consultation with the Portfolio Holder for Governance and Efficiency, before it was published on the Council's website.

It was unanimously

RESOLVED:

To approve the joint Public Sector Equality Duty Annual Report, subject to minor amendment, with final approval being delegated to the Assistant Director of Governance and Business Support, in consultation with the Portfolio Holder for Governance and Efficiency.

The Reason for the Decision

To ensure compliance with the Council's Public Sector Equality Duty and to ensure that the report is fully evidenced.

Other Options Considered

None

2892 IN PERSON MEETINGS

Members considered the report of the Assistant Director Governance and Business Support, which proposed a way forward with in person meetings, following the announcement from the Ministry of Housing, Communities and Local Government, that the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 would not apply to meetings on or after 7 May 2021.

The Assistant Director Governance and Business Support reminded members of the background to the report, and outlined its proposals. Members noted that a more detailed report would be considered at the Council's AGM meeting on 26 April 2021.

Members' attention was drawn to paragraph 5.2 of the report, and the need to consider whether the use of dividing screens was an appropriate way forward.

During discussion, the Chairman reminded members that any future hybrid meetings would result in a more complex environment, that would require careful consideration, and he suggested that the need for capacity restrictions and social distancing would continue after 21 June. With this in mind, he felt it would not be appropriate to reconsider the numbers of members on the Development Management Control Committee, until September.

The Assistant Director confirmed that all meetings would take place in the Council Chamber, although the Council would reserve the right to move to an alternative venue, in exceptional circumstances.

In response to queries, the Assistant Director explained that when the current regulations expired on 7 May, there would be no provision to suspend the six-month attendance rule for councillors. The Managing Director stressed that the Council would provide a Covid secure and safe environment for both members and staff at meetings. With regard to the member working group for in-person meetings, the Chairman confirmed that it had and would continue to be a cross-party group.

Attention was drawn to Appendix A of the report and the changes to the standing orders, and the Assistant Director confirmed that both the public and members would need to register to speak two full working days in advance of the meeting, to allow time for Democratic Services to make the necessary arrangements.

It was unanimously

RESOLVED

To:

1. Note the guidelines and protocols for In Person meetings from the 7 May 2021.
2. **RECOMMEND TO FULL COUNCIL** the subsequent amendments to the standing orders as a result of adopting this approach and as outlined in Appendix A.
3. Note the proposal to set up a cross party member working group to manage capacity/priority, and to keep procedures, policies and standing orders under review.
4. **RECOMMEND THAT FULL COUNCIL** delegates to the Monitoring Officer, in consultation with the Committee member working group the ability to amend the standing orders as required in this regard.

The Reason for the Decision

To ensure that in person Committee meetings can return with a Covid secure and safe environment for councillors, staff and the public.

Other Options Considered

To consider mitigating the risks further through the use of dividing screens.

2893 PROPOSALS FOR ADDITIONAL ENVIRONMENTAL ENFORCEMENT

Members considered the report of the Assistant Director Regulatory, regarding proposals for the delivery of additional Environmental Enforcement capacity and a corresponding additional allocation of £50k in the revenue budget.

The Assistant Director Regulatory presented his report to members and referred to the two options identified, outlined at paragraphs 4.2 and 4.3 of the report.

The Portfolio Holder, Cllr M Edney had noted that the current Flood Management Officer was leaving the authority, and he queried whether this would create additional options for the way forward. He stressed that he favoured an option with a Case Support Officer and suggested that the role of the Environmental Enforcement Officer could be redefined, and that riparian rights and other environmental functions further considered.

The Chairman felt that Cabinet was not in a position to make a decision and wanted to see redefined proposals which would cover the breadth of both the natural and built environment. He stressed the need for coordination between

enforcement activities to ensure that “our” environment was protected, maximising the quality of life for residents.

Members agreed to defer the decision to allow officers time to rework the options.

It was unanimously

RESOLVED:

To defer the item for consideration, to allow time for officers to re-work the proposals.

The Reason for the Decision

To ensure a broader approach to enforcement, covering the full breadth of both the built and natural environment.

Other Options Considered

None

2894 SOUTH NORFOLK STRATEGIC FUND

Members noted that this item had been deferred to a future meeting.

2895 CABINET CORE AGENDA

Members noted the latest version of the Cabinet Core Agenda.

2896 EXCLUSION OF THE PUBLIC AND PRESS

It was **RESOLVED** to exclude the public and press from the meeting under Section 100A of the Local Government Act 1972 for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Act (as amended)

2897 MANAGED SERVICE - PAYROLL

Members considered the exempt report of the Assistant Director Governance and Business Support, which provided future options for the management of the payroll service.

The Assistant Director outlined the proposals and referred to the budget implications of each of the options available.

It was unanimously

RESOLVED:

To approve the recommendations of the report, as outlined in paragraphs 6.1 and 6.2.

The Reason for the Decision

To ensure efficiency and value for money for the Council.

Other Options Considered

As outlined in the report

2898 GROWTH OF THE INTERNAL AUDIT CONSORTIUM

Members considered the exempt report of the Assistant Director of Governance and Business Support, regarding the growth of the Internal Audit Consortium.

The Assistant Director outlined the salient points of the report, and members indicated their support for the proposals.

It was unanimously

RESOLVED:

To approve the recommendations of the report, as outlined in paragraphs 8.1 and 8.2.

The Reason for the Decision

To continue to provide a high-quality audit service across Norfolk

Other Options Considered

As outlined in the report.

2899 ELLA MAY BARNES BUILDING

Members considered the exempt report of the Assistant Director Economic Growth and the Senior Economic Development Officer for Funding and Strategy, regarding the Ella May Barnes Building.

Members discussed the proposals and it was unanimously

RESOLVED:

To approve the recommendations of the report, as outlined in paragraphs 8.1 and 8.2

The Reason for the Decision

To maximise the future commercial opportunities provided by the building.

Other Options Considered

None.

(The meeting concluded at 11.31am)

Chairman