

CABINET

Minutes of a meeting of Cabinet held at Thorpe Lodge, 1 Yarmouth Road, Thorpe St Andrew, Norwich on Tuesday 21 December 2021 at 6.00pm.

Cabinet Members Present: Councillors: S Vincent (Chairman), T Mancini-Boyle (Vice-Chairman), J Copplestone, J Emsell, S Lawn and J Leggett.

Apologies Councillor: F Whymark

Other Members in Attendance: Councillors: K Leggett and M Murrell

Officers in Attendance: The Director of Place, Director for People and Communities, Chief of Staff (Monitoring Officer), Assistant Director Finance, Assistant Director Planning, Assistant Director Regulatory, Assistant Director Economic Growth, Community Assets Manager, Business Improvement Team Manager, Internal Consultancy Lead - Waste Services and Democratic Services Officers (LA, JO).

216 MINUTES

The minutes of the meeting of Cabinet held on 23 November 2021 were agreed as a correct record; save for the correction of a typographical error to the apology for absence received from Cllr F Whymark

217 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.

218 OVERVIEW AND SCRUTINY COMMITTEE

The Vice-Chairman of the Overview and Scrutiny Committee advised Members on the views expressed by the Committee when it reviewed the Cabinet Agenda on 14 December 2021, as each item was considered.

219 SERVICE IMPROVEMENT AND EFFICIENCY COMMITTEE

Cabinet received the minutes of the Service Improvement and Efficiency Committee meetings held on 12 November and 7 December 2021.

220 PLACE SHAPING POLICY DEVELOPMENT PANEL

Cabinet received the minutes of the Place Shaping Policy Development Panel meeting held on 15 November 2021.

221 ENVIRONMENTAL EXCELLENCE POLICY DEVELOPMENT PANEL

Cabinet received the minutes of the Environmental Excellence Policy Development Panel meeting held on 18 November 2021.

222 ECONOMIC SUCCESS POLICY DEVELOPMENT PANEL

Cabinet received the minutes of the Economic Success Policy Development Panel meeting held on 22 November 2021.

223 INTRODUCTION OF DISTRICT WIDE KERB SIDE FOOD WASTE COLLECTIONS SERVICE

The Internal Consultancy Lead - Waste Services introduced the report, which set out the option for introducing a forward funded expansion of the existing food waste collection service to the whole of the District in advance of an anticipated national roll out.

Members were advised that following the award of the Strategic Environmental Services Contract in August 2021, a further 6,500 households would be added to the food waste collection service from October 2022, which should generate an additional circa 538 tonnes of food waste collected a year and an increase to the recycling rate of approximately 1 percent..

Rolling out the scheme across the whole District would generate an estimated additional 1,900 tonnes of food waste collected adding an additional 3.8 percent to the overall recycling rate, meaning it would increase to circa 55 percent, with a corresponding reduction in residual waste collected, meaning the percentage of recycled material could reach 56-57 percent.

The expansion would initially come at a cost to the base budget, but there was an expectation that beyond the initial phase the costs would be at least part funded by the Government through New Burdens funding. However, there was no timeline for the

national rollout and, therefore, a risk that if the Council decided to expand the service in advance of the Government making the collection of food waste a mandatory requirement it might not be able to retrospectively recover the additional costs.

In response to the ongoing delays in the Government finalising and introducing the new policy, the Leader of the Council had written to the Secretary of State for Environment and Rural Affairs proposing that the Council act as a pilot for the expansion of food waste collections ahead of its formal implementation.

The Director for People and Communities informed the meeting that officers had spoken to DEFRA today in response to the letter sent by the Leader and they were enthusiastic to work with the Council on the expansion of the food waste collection service out from the urban fringe into more rural areas. However, there had been no commitment to a timeline, the funding package or a pilot scheme. Subsequent to these discussions an email had been received from DEFRA confirming that they were intending to fund any revenue or capital burdens on local authorities as a consequence of their statutory responsibility. Therefore, it was considered that the proposals in the report would not be financially detrimental to the Council.

The Portfolio Holder for Environmental Excellence welcomed this news and noted that the proposals would help the Council towards its 60 percent recycling target. She added that she wished to add a further recommendation 1a; 'That a District-wide food waste collection service commence in October 2022'. This was duly seconded and following a show of hands it was unanimously:

RESOLVED

To

1. Delegate the authority to the Assistant Director Finance and Assistant Director Community Services in consultation with the Portfolio Holder for Environmental Excellence and the Portfolio Holder for Finance to agree a contract variation to the Strategic Environmental Services contract to roll out a forward funded food waste collection service to the whole district funded from the Refuse Vehicle Replacement / Waste Reserve, in advance of any confirmation of the Government's future strategy and potential new burdens funding; and
- 1a. That a District-wide food waste collection service commence in October 2022; and
2. Delegate the authority to the Assistant Director Finance and the Assistant Director Community Services in consultation with the Portfolio Holder for Environmental Excellence and Portfolio Holder for Finance to agree to forward fund the capital costs of the food waste expansion scheme from the Refuse Vehicle Replacement / Waste Reserve, in advance of any confirmation of the Government's future strategy and potential new burdens funding; and
3. Note that a request has been made to DEFRA for them to forward fund the extension of the scheme and that the expansion is undertaken on the basis that beyond this initial phase the costs will be met by new burdens funding.

Reasons for Decision

To roll out a food waste collection service across the District.

224 ENVIRONMENTAL WASTE CONTRACT AND HYDROGENATED VEGETABLE OIL FUEL

The Internal Consultancy Lead - Waste Services introduced the report, which outlined the positive environmental impacts that using 100 percent Hydrogenated Vegetable Oil (HVO) in place of mineral diesel would have upon the delivery of the new Strategic Environmental Services contract from April 2022.

Cabinet was informed that the Council had undertaken a trial with an electric waste vehicle, but that the battery technology was not yet at a stage where a full collection round could be completed, which made this option unviable.

As an alternative means of reducing the amount of CO₂ that would be produced, the Council introduced an annual match funding pot of up to £50,000 to encourage bidders for the Strategic Environmental Services contract to utilise 100 percent HVO fuel.

HVO was typically 13-15 percent more expensive than diesel (currently £1.20, as opposed to £1.16 for diesel).

In the first year of the contract moving to 100 percent HVO fuel the cost to the Council would be an additional £12,800. These costs were likely to increase in future years, as the price of HVO increased. However, this would result in a direct reduction of some 10,490 tonnes CO₂ over the ten years of the contract. Moreover the use of a mixed aged fleet of waste collection vehicles would allow for some vehicles to be replaced during the contract when electric vehicles became cheaper and more operationally reliable.

The Leader noted the huge reduction in CO₂ emissions and the Portfolio Holder for Environmental Excellence emphasised how proactive the Council was in terms of recycling and reducing its carbon footprint.

RESOLVED

To note the positive environmental impacts that result from the Council providing match funding of up to £50,000 per annum to support the use of 100% Hydrogenated Vegetable Oil in the delivery of the Strategic Environmental Services Contract from April 2022.

Reasons for Decision

The report was a factual account.

225 HOUSING ALLOCATION POLICY REVIEW

The Housing and Wellbeing Manager introduced the report, which presented a review of the Council's Housing Allocations Policy and recommended updates reflecting learning since it was implemented in April 2021.

Members were informed that the Housing Team had been working with the new housing system and allocation policy since April 2021 with considerable success. This was despite it being implemented during a period of increasing demand, as well as a shortage of properties both in the private and social sector.

However, it was now felt that parts of the Policy needed modification now that it had been exposed to real cases and to ensure understanding by residents and stakeholders and in the interests of fairness and transparency. Changes were, therefore, proposed in the following three specific categories:

- A small number of changes to the core Policy, which were not working now that the Policy had been put into practice.
- Updating and rewording to clarify the Policy, as it has been found that residents were confused around what the policy means, or there was too much ambiguity in the policy, which affected interpretation.
- Splitting guidance from the core Policy to enable a clearer understanding. The policy document previously amalgamated the guidance, procedural document, and Policy. This had caused confusion as customers struggled to find the key information they needed.

An example of these changes was to modify the rules for non-qualification if the applicant had gifted, transferred, or spent assets and worsened their housing situation in order to access social housing.

It was also proposed to change the Housing Priority Bands from 1, 2, 3 and 4 to Emergency Band, 1, 2 and 3. This would more accurately reflect that the Emergency band was for people with an urgent medical need, including hospital discharge.

The Portfolio Holder for Economic Development advised the meeting that the Portfolio Holder for Housing and Wellbeing had sent in the following comments about the report:

When the Policy was agreed it was acknowledged that (like any policy) it may need finessing when put to use. It has come to light that there was some ambiguity and the proposed amendments seek to give clarity, both for our residents and the One Team.

One major change is the need for an Emergency banding. Currently many residents

in Band 1 are not in need of immediate accommodation. This gives clarity to the resident that they are our priority and we will find accommodation for them and this will also be true of our staff working on their behalf.

The Policy will have regular reviews, where we will seek to refine it further and ensure it is fit for purpose. As with this review we will seek to learn from real situations encountered by residents and staff.

In response to a query from the Portfolio Holder for Transformation and Organisational Development, it was confirmed that the new single data system for the service would provide savings of £72,987 over the next four years.

In answer to a query from the Leader it was confirmed that the Council's Local Lettings Policy remained unchanged.

The Portfolio Holder for Economic Development proposed amending the recommendation to:

To approve the proposed changes to the Housing Allocation Policy, *as set out in Appendix 2 and to review the Policy on an annual basis.*

This proposal was duly seconded and following a show of hands it was unanimously:

RESOLVED

To approve the proposed changes to the Housing Allocation Policy, as set out in Appendix 2 and to review the Policy on an annual basis.

Reasons for Decision

To improve and enhance the Council's Housing Allocation Policy.

226 REVIEW OF USABLE RESERVES

The Assistant Director Finance introduced the report, which provided an update on the Council's Usable Reserves position.

Cabinet was informed that the report was mainly for information and that the only actions proposed were to rename the 'Bridge Maintenance – Bure Valley Railway' reserve to 'Bure Valley Railway' reserve to reflect the Council's wider obligations and to delegate authority for additional environmental projects to be funded from the Environmental Projects Reserve.

The Assistant Director Finance suggested that, at this stage, it would be prudent to wait before making any other changes to the usable reserves.

In answer to a query raised by the Portfolio Holder for Finance, the Portfolio Holder for Economic Development confirmed that she had received an email from the Assistant

Director Finance that confirmed that each year £20,000 was set aside from the revenue budget to fund bridge maintenance. In 2021/22 £110,000 would be used to fund fencing works, whilst the £30,000 in future years was to help fund the expenditure on bridges in the Capital Programme. The £30,000 in rent received from the BVR covered the Council's operating costs, not bridge maintenance.

In answer to a question from the Portfolio Holder for Planning about the Greater Norwich Local Plan (GNLP), the Assistant Director for Planning confirmed that the £145,000 contribution in the 2022/23 revenue budget was correct. This was in order to cover any modifications required to the GNLP, but that this sum would be returned to the Council if it was not required.

The Leader noted that the final sum would go to the Greater Norwich Development Partnership for approval.

Following a show of hands it was unanimously:

RESOLVED

To

1. Note the Usable Reserves Position; and
2. Rename the 'Bridge Maintenance – Bure Valley Railway' reserve to 'Bure Valley Railway' reserve; and
3. Agree that the Assistant Director Regulatory, in consultation with the Portfolio Holder for Environmental Excellence, has the authority to agree additional Environmental projects to be funded from the Environmental Projects Reserve (each project to be no more than £100,000 in value).

Reasons for Decision

To review the Council's usable reserves.

227 REVIEW OF ENVIRONMENTAL ENFORCEMENT PENALTIES

The Assistant Director Regulatory introduced the report, which requested that Cabinet determine the amounts of fixed penalty notice charges for specified environmental and anti-social behaviour offences (both full charge levels and early payment reduced charge levels).

Members were advised that the Council, as a regulatory authority, had arrangements in place for enforcement by way of serving fixed penalty notices (FPN) to deal with specific offences stipulated in current legislation.

The purpose of FPN enforcement was to secure efficient, timely and decriminalised ways of addressing and dealing with offenders, whilst avoiding court action, which was more resource-intensive and costly.

The Council, as a regulatory authority, had arrangements in place for enforcement by serving fixed penalties and ensuring the penalties were set at a correct level was a key factor in this. For example, setting them too high could result in the fines being challenged in court, and setting them too low would reduce their impact. During 2021 there had been ten FPNs in Broadland and South Norfolk so far.

It was also emphasised that FPNs were seen as deterrents, not reparations for the costs of dealing with the incident, however in line with DEFRA guidance, it was proposed that the proceeds of paid FPN charges be reinvested in the respective service area's revenue expenditure budgets to support further service delivery.

In answer to a query from the Portfolio Holder for Finance the meeting was advised that as the service became more successful FPNs would decrease, so there was little likelihood that the money reinvested to support service delivery would exceed what was required.

Following a show of hands it was unanimously:

RESOLVED

To

1. Agree the setting of Fixed Penalty Notice charge levels for specified environmental and anti-social behaviour offences as proposed in Appendix 1; and
2. Agree that the proceeds of paid fixed penalty notice charges be reinvested in the respective service area's revenue expenditure budgets to support further service delivery.

Reasons for Decision

To review and update the charge levels for environmental and anti-social behaviour offending enforcement.

228 STREET NAMING AND NUMBERING POLICY AND INTRODUCTION OF CHARGES

The Business Improvement Team Manager introduced the report, which proposed updating the policy for the street naming and numbering functions and introducing charges for the service.

It was confirmed that the Place Shaping Panel had considered the report and had

supported the recommendations, as had the Overview and Scrutiny Committee, with the exception of a charge for changing the name of existing properties.

The following amendments were proposed to be made to the Street Naming and Numbering Policy following the meetings above:

- Reference would be made to parish and town councils throughout the policy.
- An additional paragraph at 1.5 to state 'It is recommended that parish and town councils consider proposals for street names in advance of developments commencing, i.e. where local plan allocations, neighbourhood plan allocations or planning applications are approved and discuss these with developers'.
- The first bullet point at paragraph 6.1 to read 'Main roads should be numbered so that when travelling away from the centre of the settlement, odd numbers are on the left and even numbers are on the right'.
- Paragraph 1.1 would refer to Broadland District Council or 'the Council'.

Cabinet was informed that over the last 12 months, the Council had received 170 applications for the naming and numbering of properties and new roads. These requests ranged from single properties to large housing developments. If the charges proposed in the report were implemented they could generate approximately £34,000 towards the recovery of administrative costs. The report also contained comparison charges from neighbouring authorities.

Members were advised that, as part of the introduction of charges, it was also proposed to update and amend the existing Street Name and Numbering Policy.

The Portfolio Holder for Planning emphasised that the introduction of charges was not for profit, but to recover costs and that the fees would be reviewed regularly.

Cabinet was also informed that the Council had arrangements in place to encourage engagement between developers and parish and town councils and would be introducing a checkbox to the application form to establish that they had taken place.

The Portfolio Holder for Finance noted the amendment proposed by the Overview and Scrutiny Committee in respect of renaming existing houses, but did not see this as an issue, as it was the choice of the householder if they wished to change the name of their home.

The Leader concurred with this view, as this was a choice that would incur costs for the Council.

Following a show of hands it was unanimously:

RECOMMENDED TO COUNCIL

1. The introduction of charges from 1 April 2022 as set out in Appendix 1; and
2. The adoption of the Street Naming and Numbering Policy as set out in Appendix 3 with effect from 1 April 2022.

Reasons for Decision

To implement charges and update the Policy for the service.

229 S106 AGREEMENTS MONITORING FEES

The Business Improvement Team Manager introduced the report, which recommended the introduction of monitoring fees on developers to cover the Council's cost of overseeing compliance with legal obligations under section 106 agreements. This proposal reflected the changes enacted by the Community Infrastructure Levy (Amendment) (England) (No2) Regulations 2019, which came into force on 1 September 2019.

Cabinet was informed that currently Broadland was actively monitoring 43 S106 agreements on commenced development sites. These involved the monitoring of 137 obligations with approximately 667 triggers. Fees were not currently charged to cover the costs of ensuring compliance with these developer obligations.

Members' attention was drawn to section four of the report, where the proposed charges were set out. Based on the agreements currently monitored (excluding sites over 400 dwellings and multi-phased agreements), a total sum of £41,200 could have been received for the monitoring of the 37 agreements.

An answer to a query about development of over 400 dwellings, which were proposed to have bespoke fees, it was confirmed that these would be negotiated on a case by case basis using charges for smaller developments as a model, but to allow variations according to their complexity.

The Portfolio Holder for Planning noted that the introduction of charges would align the Council with Government guidance and proposed the recommendation in the report.

Following a show of hands it was unanimously:

RECOMMENDED TO COUNCIL

That the monitoring fees for section 106 agreements, as set out in Appendix 1, are adopted from 1 April 2022.

Reasons for Decision

To implement charges to cover the costs of monitoring S106 obligations, in line with Government guidance.

230 FORWARD PLAN

Cabinet received the Forward Plan. It was noted that the February Cabinet had a lot of items and that the Monitoring Officer was trying to move some items to a later date to make this meeting more focused on the budget.

231 EXCLUSION OF THE 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.

232 FINANCE CASH RECEIPTING SYSTEM BUSINESS CASE

The Assistant Director Finance introduced the exempt report, which set out a business case for a joint cash receipting system.

Currently two different systems were used across both Councils, which required two licences, two log-in procedures and separate upgrades. A single system would simplify these processes significantly and deliver a five year saving of £59,370 compared to current costs.

Members were advised that the costs set out in the business case were based on current prices and that these might increase after 1 April 2022. However officers were confident that the system could be delivered by this date, as they remained in close contact with the provider.

It was noted that the Service Improvement and Efficiency Committee had made an amended recommendation that, in principle, the contract should be awarded, if it could be entered into before 1 April 2022. Cabinet concurred with this view and following a show of hands it was unanimously:

RESOLVED

To award a contract for a single Cash Receipting system for both Broadland District Council and South Norfolk Council, with an implementation date of 1 April 2022.

Reasons for Decision

To move to a single system in order to secure operational benefits and financial savings.

233 PLANNING, REGULATORY, HOUSING STANDARDS AND WASTE TEAM SERVICES IT MIGRATION

The Assistant Director for Planning introduced the exempt report, which proposed aligning the IT systems used by the Planning, Land Management, Regulatory, Housing Standards and Waste Teams.

Members were advised that the existing IT contracts for the above systems were either due to expire in 2022 or were (or would become) unsupported. The business case put forward four options for aligning the IT systems. Option 2 was the most cost effective and was recommended for approval.

Cabinet was informed that aligned IT systems would make significant non-cashable savings from a range of activities including, the time switching between systems, dual reporting and increasing the use of automated processes. It was estimated that this would total 2,223 staff hours per year.

Cabinet generally expressed concern regarding non-cashable savings being cited as part of the business case, as if they were actual savings it should be possible to cash them in.

In response it was confirmed non-cashable savings would be avoided in business cases in future. However, it was emphasised that the new IT system would make for much more efficient services across the Council that would allow officers more time to deliver and enhance services in other areas.

The Portfolio Holder for Transformation and Organisational Development noted that the annual savings after implementation of the new system would be £110,783.

In proposing the recommendation the Portfolio Holder for Planning emphasised that the new IT system would be of benefit to the whole Council.

Following a show of hands it was unanimously:

RESOLVED

To

1. Agree to the recommendations as set out in paragraphs 3.14 to 3.20 in Appendix 1, to approve option 2; and
2. Agree to the award of the contract as set out in paragraphs 3.15 and 3.21 to 3.23 in Appendix 1.

Reasons for Decision

To move to a single IT system in order to secure operational benefits and financial savings.

234 BROADLAND FOOD INNOVATION CENTRE- DYNAMIC PURCHASING SYSTEM

The Assistant Director Economic Growth introduced the exempt report, which sought approval for a contract award of a Dynamic Purchasing System (DPS) to serve the Broadland Food Innovation Centre project (BFIC).

It was explained that a DPS was an electronic procurement tool that was used to purchase goods, works and services that were commonly used by organisations or bespoke services.

If awarded, this system would efficiently facilitate the provision of relevant support services and technical capability to eligible businesses participating in Broadland Food Innovation Centre project.

It was emphasised that all funding for the DPS had been secured through a grant from the Ministry of Housing, Communities and Local Government.

Following a show of hands it was unanimously:

RESOLVED

To

1. Award the first set of suppliers (listed in Annex 2) which meet the specified procurement requirements a place on the BFIC DPS; and
2. Agree the process of selecting additional suppliers and awarding subsequent contracts as set out in Annex 1; and
3. Delegate authority to the Director of Place to make any required amendments to Annex 1 to ensure its continued appropriateness for the duration of the project; and
4. Delegate authority to the Director of Place to award individual contracts in line with the process set out in Annex 1.

Reasons for Decision

To facilitate the provision of relevant support services and technical capability to businesses at the Broadland Food Innovation Centre.

235 FUTURE MANAGEMENT OF STREETLIGHTS IN DRAYTON – DRAYTON PARISH COUNCIL

The Community Assets Manager introduced the exempt report, which sought approval for the transfer of streetlights in Drayton to Drayton Parish Council.

Cabinet was informed that the proposal followed ongoing discussions with Drayton Parish Council, which wanted to take over responsibility for the streetlights.

Following a show of hands it was unanimously:

RESOLVED

To

1. Agree to transfer Drayton Streetlights to Drayton Parish Council; and
2. Agree to transfer the special expenses balance collected from households in Drayton to Drayton Parish Council for the purpose of improving and maintaining streetlights in Drayton.

Reasons for Decision

To transfer Drayton streetlights management to Drayton Parish Council.

(The meeting concluded at 8.18 pm)

Chairman