

Agenda Item: 4

CABINET

Minutes of a meeting of the Cabinet of South Norfolk Council, held on Tuesday 4 January 2022 at 9.00am.

Committee Members Present: Councillors: J Fuller (Chairman), A Dearnley, G Minshull, L Neal and A Thomas

Apologies: Councillors: K Mason Billig and R Elliott

Other Members in Attendance: Councillors: D Bills, J Hornby and T Laidlaw

Officers in Attendance: The Managing Director (T Holden), the Director of Place (P Courtier), the Assistant Director Chief of Staff (E Hodds), the Assistant Director Individuals and Families (M Pursehouse), the Assistant Director Regulatory (N Howard), the Assistant Director Planning (H Mellors), the Business Improvement Team Manager (S Pontin), the Strategic Growth Projects Manager (N Cunningham) and the Internal Consultancy Officer (L Tiernan)

2955 DECLARATIONS OF INTEREST

Cllr J Fuller declared an other interest with regard to minute 2968, Planning, Regulatory, Housing Standards And Waste Team Services It Migration, in that he owned a small number of shares in IDOX

2956 MINUTES

The minutes of the meeting of the Cabinet held on 22 November 2021 were agreed as a correct record.

2957 HOUSING ALLOCATION POLICY REVIEW

Members considered the report of the Assistant Director of Individuals and Families, which recommended updates to the Housing Allocation Policy.

The Assistant Director of Individuals and Families, presented the report, advising that the Housing team had been working with the new Housing system and Allocation Policy since April 2021. Now that officers had been exposed to real cases, and could see the impact of the new Policy, it was felt

appropriate and timely to undertake an early review, and to propose a number of changes.

The Internal Consultancy Officer outlined the proposals as detailed in the report and drew attention to a number of areas where amendments were proposed.

During discussion, members welcomed the early review of the document and the proposed changes, but stressed the need to ensure a pragmatic approach and were concerned that some wording might deter people from applying. It was suggested that more clarity was required in some areas, with more details on what mitigations could apply and when. This was required particularly in cases of relationship breakdown, domestic abuse, and where residents were in debt to the Council.

In response, officers agreed that additional caveats could be provided, and also stressed the need to ensure officer discretion in some cases. It was agreed that the required amendments would be made through consultation with Cllr A Thomas, the portfolio holder for Wellbeing.

Referring to the recommendation from the Scrutiny Committee regarding the renaming of housing bands to “Emergency Band, Band 2, Band 3 and Band 4” (option 2 at paragraph 4.2.1), Cabinet took into account the views of the Focus Group, and agreed that its preferred option was Option 1, “Emergency Band, Band 1, Band 2 and Band 3”.

In response to a query from the Chairman regarding the need to ensure the best use of adapted properties, the Internal Consultant explained that this issue was addressed through the match bidding process.

RESOLVED:

1. To agree the proposed changes to the Housing Allocation Policy, subject to minor amendments
2. That final approval of the amendments be delegated to the Assistant Director of Individuals and Families in consultation with the Portfolio Holder for Better Lives.

The Reason for the Decision

To ensure a fair and consistent policy to those who need housing support.

Other Options Considered

To review the policy in 6 months, as originally planned.

2958 MINIMUM ENERGY EFFICIENCY STANDARDS

Members considered the report of the Housing Standards Senior Manager, which sought approval for a Minimum Energy Efficiency Standards Enforcement Procedure, to tackle landlords who abused the regulations, and failed to provide homes that were energy efficient.

The Assistant Director of Individuals and Families outlined the background to the report, and the requirement for landlords to no longer let properties that had an Energy Performance Certificate (EPC) rating below E. He explained that the team would work on a principle of education first, and that officers would work with landlords to explain the legislation and encourage them to make the necessary changes.

Members noted that following a joint bid, £72k had been awarded to South Norfolk and Broadland Councils to support this work and to deliver a compliance and enforcement scheme.

The portfolio holder, Cllr A Thomas welcomed the initiative, however felt that the document failed to stress that enforcement really was a last resort. Referring to paragraph 2.4, she felt that there was a need to explain the reasons why the regulations did not apply to social housing.

Members discussed the need to seek legal advice when issuing financial penalties, and the Assistant Director explained that this would only be sought when necessary. Members suggested that this needed to be made clearer within the procedures.

The Chairman expressed his support for the principles of the scheme, which he felt had been outlined at Appendix 1 of the report. However, he felt that the report had failed to provide a proposed procedure, or process, on which Cabinet approval was sought. He therefore suggested that a proposed process and procedure be considered at a future meeting of the Cabinet.

RESOLVED:

To:

1. Agree the principles as outlined at Appendix 1 of the report;
2. That a proposed process and procedure be considered at a future meeting of the Cabinet.

The Reason for the Decision

To ensure a proactive procedure for enforcement, whilst protecting vulnerable residents.

Other Options Considered

None.

2959 REPORT OF THE CHAIRMAN OF SCRUTINY COMMITTEE

Members considered the report of the Chairman of the Scrutiny Committee, which proposed an amendment to the Member-Led Grant rules, to allow all

underspend to be rolled over into the next financial year's Community Action Fund budget.

The Chairman of the Scrutiny Committee, Cllr J Hornby, outlined the Committee's proposals to Cabinet. He explained that the Scrutiny Committee was keen to ensure that any uncommitted funding was not lost to general savings, and was ring fenced to support community projects.

Referring to the member grant underspend, he advised that this stood at £24,500 on 8 December, however, due to assistance from officers, had reduced to £3,800 by the end of the year.

Discussion followed regarding the potential to use unspent funds to support unsuccessful CAF applications, however, it was agreed that this would require a meeting of the Panel, and that the most cost efficient option was to roll funds over in to the new financial year.

RESOLVED:

That the Member-Led Grant Rules be amended to allow all underspend to be rolled over into the next financial year's Community Action Fund budget.

The Reason for the Decision

To ensure that funds are safeguarded for community projects.

Other Options Considered

To retain the current rules.

2960 REVIEW OF ENVIRONMENTAL ENFORCEMENT PENALTIES

Members considered the report of the Assistant Director of Regulatory Services, which sought to determine fixed penalty notice charge levels, for specified environmental and anti-social behaviour offences.

The portfolio holder, Cllr G Minshull commended the report to members, referring to enforcement penalties as a deterrent to offenders, but also stressed the need to ensure that the level of penalty charges was not too high, as this might result in more court proceedings.

The Assistant Director of Regulatory drew attention to the key proposals in his report, explaining that the Economy and Environment Policy Committee had reviewed the report and was satisfied with all the proposals. He explained that he did not expect the future number of penalty notices to be high, and that proceeds from those issued would be reinvested in the respective services. In response to a query regarding the rationale for the setting of early payment reductions, he explained that where offences were primarily committed by residents, a 40% reduction for early payment was proposed, and where offences were typically committed by a trade or business, a reduction of 20% was proposed.

Cabinet welcomed the proposals and it was

RESOLVED:

To agree:

1. The setting of fixed penalty notice charge levels for specified environmental and anti-social behaviour offences as proposed in Appendix 1 of the report.
2. 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.

The Reason for the Decision

To prevent and minimise environmental crime.

Other Options Considered

To make no changes to existing charges.

2961 STARSTON NEIGHBOURHOOD PLAN SUBMISSION

Members considered the report of the Senior Community Planning Officer, which sought agreement to take the proposed Starston Neighbourhood Plan through to the next stages of consultation and independent examination.

The portfolio holder, Cllr L Neal, welcomed the submission from Starston Parish Council, and acknowledged the amount of work that had gone in to the production of the Plan.

In response to a query, the Assistant Director of Planning explained that some inconsistencies in the policy wording when referring to the number of dwellings, had been identified by officers, and would be submitted as part of the Council's response to the consultation. However, she advised that the Plan could quote numbers of dwellings, as opposed to hectares, despite South Norfolk choosing to do the latter throughout the Greater Norwich Local Plan. She advised that the Plan had met all the assessment criteria and that the next step was to accept the Parish Council's submission and to start preparations for the Regulation 16 consultation.

The Chairman congratulated Starston Parish Council on the production of a high quality Plan.

It was

RESOLVED:

To agree:

1. That the submitted Starston Neighbourhood Plan meets the requirements of Part 6 of Schedule 4B of the Town and Country Planning Act 1990.
2. That the Neighbourhood Plan can therefore proceed to consultation, in accordance with Regulation 16 of the Neighbourhood Planning (General) Regulations 2012, and subsequently to an independent examination.
3. That the proposed South Norfolk Council response, as detailed in Appendix 2 of the report, is formally submitted as part of the Regulation 16 consultation.

The Reason for the Decision

The Plan has met all the assessment criteria and in accordance with the regulations, should proceed to consultation.

Other Options Considered

None.

2962 REDENHALL WITH HARLESTON NEIGHBOURHOOD PLAN SUBMISSION

Members considered the report of the Senior Community Planning Officer, which sought agreement to take the proposed Redenhall with Harleston Neighbourhood Plan through to the next stages of consultation and independent examination.

The portfolio holder, Cllr L Neal commended the report and drew attention to the comments made by South Norfolk Council, outlined at paragraph 4.4.

The Assistant Director of Planning confirmed that the Plan had met all the assessment criteria and that the next step was to accept the Town Council's submission and to start preparations for the Regulation 16 consultation. She explained that South Norfolk had proposed very few representations.

Referring to Appendix D of the Plan, and the Justification for Local Green Spaces, the Chairman referred to a piece of land owned by South Norfolk Council (grassland off Rushall Road), and he queried the soundness of allocating land owned by others.

In response, the Assistant Director of Planning explained that the time to comment on whether the Council agreed with the designation of land as a local green space, would be through the Reg.16 consultation, and that the purpose of the current stage was for the Council to comment on policy. She reminded members that through the Local Plan process, South Norfolk also proposed the allocation of land owned by others.

The Chairman congratulated Redenhall with Harleston Town Council on the production of such a high quality and comprehensive plan.

RESOLVED:

To agree:

1. That the submitted Harleston Neighbourhood Plan meets the requirements of Part 6 of Schedule 4B of the Town and Country Planning Act 1990.
2. That the Neighbourhood Plan can therefore proceed to consultation, in accordance with Regulation 16 of the Neighbourhood Planning (General) Regulations 2012, and subsequently to an independent examination.
3. That the proposed South Norfolk Council response, as detailed in Appendix 2 of the report, is formally submitted as part of the Regulation 16 consultation.

The Reason for the Decision

The Plan has met all the assessment criteria and in accordance with the regulations, should proceed to consultation.

Other Options Considered

None.

2963 UPDATE TO THE LOCAL DEVELOPMENT SCHEME

Members considered the report of the Place Shaping Manager, which proposed amendments to the current Local Development Scheme (LDS), to reflect changes to the timetable for the South Norfolk Village Clusters Housing Allocations and also introduced proposals for the adoption of the East Norwich Masterplan Supplementary Planning Document (SPD).

The Assistant Director of Planning reminded members that it was statutory requirement to update the LDS accordingly. The Chairman added that whilst it was regrettable that the timetable for the Village Clusters Allocation had slipped, it was important that officers had time to consider all the responses received.

RESOLVED:

TO RECOMMEND THAT COUNCIL approves the proposed amendments to the current Local Development Scheme.

The Reason for the Decision

To ensure that the LDS reflects the amended timetable for the production of the South Norfolk Village Clusters Housing Allocation Plan, and also the proposed timetable for the production of the East Norwich Masterplan SPD

Other Options Considered

None.

2964 INTRODUCTION OF MONITORING FEES FOR S106 AGREEMENTS

Members considered the report of the Business Improvement Team Manager, which recommended the introduction of monitoring fees on developers in relation to developments granted planning permission, to cover the Council's cost of overseeing compliance with legal obligations under section 106 agreements.

The portfolio holder, Cllr L Neal commended the report recommendations and drew attention to the proposed charges at section 4 of the report.

The Business Improvement Team Manager outlined the background to the report, referring to the legislation allowing authorities to change a monitoring fee through section 106 planning obligations. Members noted that fees needed to be proportionate and reasonable and would allow the Council to cover costs, but not make a profit.

Members also noted that the Council currently had in place 37 agreements, which involved the monitoring of some 107 obligations with an approximate total of 513 triggers. The Business Improvement Team Manager advised that monitoring sec 106 agreements required considerable officer time and precision and he explained that larger developments resulted in more complex monitoring requirements.

The Chairman referred to the £500 obligation charge from Norfolk County Council and queried whether there would be an element of double charging. Officers explained that the Norfolk County Council charge did not include South Norfolk costs. It was agreed that the South Norfolk charging schedule would clearly indicate that it only covered costs associated with South Norfolk Council.

Cabinet agreed that the proposed charges were fair and reasonable, and it was

RESOLVED:

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

The Reason for the Decision

To cover the costs involved in overseeing compliance with obligations and to align the Council's practice with recent legislation and Government guidance.

Other Options Considered

None.

2965 STREET NAMING AND NUMBERING POLICY

Members considered the report of the Business Improvement Team Manager, which proposed updates to the Council's Street Naming and Numbering Policy.

The Business Improvement Team Manager briefly outlined his report and advised that the proposed amendments were minor and mainly looked to expand on engagement with Town and Parish Councils on the naming of streets. He also explained that the Regulation and Planning Policy Committee had recommended that the list of local historic names at paragraph 5.3, be added to the other street naming conventions at para 5.1, and Cabinet agreed to this proposal.

The Chairman also raised the use of apostrophes and other special characters. The Business Improvement Team Manager explained that as a general rule, apostrophes, and other characters were not used, and the Chairman suggested that a reference to this should be made within the Policy.

RESOLVED:

To agree the Street Naming and Numbering Policy as set out in Appendix 1 of the report, subject to minor amendment, with effect from 1 April 2022.

The Reason for the Decision

To provide further clarity to the process.

Other Options Considered

To continue with the current policy

2966 CABINET CORE AGENDA

Members noted the latest version of the Cabinet Core Agenda.

2967 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)

2968 PLANNING, REGULATORY, HOUSING STANDARDS AND WASTE TEAM SERVICES IT MIGRATION

Members considered the *exempt* report of the Business Improvement Team Manager, which set out the options to align the IT systems used by the Planning, Land Management, Regulatory, Housing Standards and Waste teams, and sought approval on the way forward.

The Assistant Director of Planning presented the report and outlined the options, as detailed in section 4. She drew attention to the preferred option (Option 2), which officers considered to be the most cost effective and would be undertaken as a single project.

The Assistant Director of Regulatory informed members that aligning the systems would enable the OneTeam to realise significant efficiencies and members noted how Council services would benefit from the proposals.

Members expressed support for the proposals, suggesting that aligning the system on to one platform would not only benefit staff, but residents too.

It was

RESOLVED:

To agree the recommendations as outlined at paragraph 8 of the report.

The Reason for the Decision

To ensure benefits and efficiencies to Council services.

Other Options Considered

To agree alternative options as detailed in the business case.

2969 FINANCE CASH RECEIPTING SYSTEM BUSINESS CASE

Members considered the *exempt* report of the Assistant Director of Finance, which presented Cabinet with a business case for a joint cash receipting system, for both South Norfolk and Broadland Councils.

The portfolio holder, Cllr A Dearnley explained that moving to a single Cash Receipting system for South Norfolk and Broadland Councils would bring

operational benefits and efficiency savings. He drew members' attention to the preferred option (Option 3), as outlined in the business case.

Members noted that following discussions with the proposed contractor, the Assistant Director of Finance was confident that the new system could go live on 1 April 2022.

RESOLVED:

To approve the recommendations as outlined at paragraph 4 of the report.

The Reason for the Decision

To deliver operational benefits and financial savings to the Council.

Other Options Considered

To agree alternative options as outlined in the Business Case.

2970 BROWICK INTERCHANGE INFRASTRUCTURE LOAN REQUEST

Members considered the *exempt* report of the Strategic Growth Projects Manager, which proposed the fast tracking of the delivery of Browick Interchange employment site by providing a short-term loan to the Browick Interchange to deliver the first phase of infrastructure to open up the site.

The Strategic Growth Projects Manager outlined the background to the proposals and drew attention to the economic benefits of the site, once complete.

Members noted the summary of the Heads of Terms (subject to contract), outlined at paragraph 3.1 of the report. The Strategic Growth Projects Manager assured members that any loan agreement would be carefully structured, to ensure low risk to the Council.

RESOLVED:

That after clarification regarding the terminology at paragraph 3.3 of the report, to approve the recommendations of the report, outlined at paragraph 8, subject to satisfactory due diligence being completed.

The Reason for the Decision

To bring forward the development of the site so that its economic benefits can be recognised sooner.

Other Options Considered

To wait for market forces to bring forward the site.

2971 FOOD ENTERPRISE PARK (SOUTH NORFOLK) LOCAL DEVELOPMENT ORDER

Members considered the *exempt* report of the Strategic Growth Projects Manager, which sought Cabinet approval to forward fund the preparation of a Local Development Order (LDO) on land within the Greater Norwich Food Enterprise Zone, owned by Food Enterprise Park Ltd.

The Strategic Growth Projects Manager outlined her report and the benefits the proposals would bring.

The portfolio holder, Cllr L Neal, felt this was an exciting opportunity for South Norfolk, and would bring economic benefits to the district.

It was

RESOLVED:

To approve the recommendations as outlined at paragraph 8 of the report.

The Reason for the Decision

To bring forward the development of the site so that its economic benefits can be recognised sooner.

Other Options Considered

To wait for a planning application to come forward.

(The meeting concluded at 11.30 am)

Chairman