CABINET

Minutes of a meeting of the Cabinet of South Norfolk District Council held at South Norfolk House, Long Stratton on Monday 6 February 2017 at 9.00 a.m.

Members Present:

Cabinet: Councillors J Fuller (Chairman) M Edney, L Hornby, C Hudson and K Mason Billig

Apologies: Councillor Y Bendle

Non-Appointed: Councillors M Dewsbury, F Ellis, D Goldson, C Gould, M Gray, T Lewis, L Neal, A Palmer and V Thomson

Also in Attendance: Mr P Milliken – Chairman of Easton Parish Council
Two members of the public

Officers in Attendance: The Chief Executive (S Dinneen), the Director of Business Development (D Lorimer), the Director of Growth and Localism (T Horspole), the Head of Environmental Services (B Wade), the Head of Resources (P Catchpole), the Accountancy Manager (M Fernandez-Graham), the Business Improvement Programme Manager (A Mewes), the Planning Policy Manager (A Nicholls), the Senior Accountant (J Brown), the Senior Governance Officer (E Goddard) and the Senior Planning Officer (C Raine).
2518  CHAIRMAN’S ANNOUNCEMENTS

The Chairman referred to the recent Peer Review, explaining that the Review Team had provided positive feedback with regard to the Council’s priorities and current projects. He looked forward to the final report, and conveyed his thanks to the Review Team, and all staff and councillors involved in the Review.

2519  MINUTES

The minutes of the meeting held on Monday 9 January 2017 were agreed as a correct record and signed by the Chairman.

2520  PERFORMANCE, RISKS, REVENUE AND CAPITAL BUDGET POSITION REPORT FOR QUARTER THREE 2016/17

The Subject of the Decision

Members considered the report of the Accountancy Manager, the Business Improvement Projects Manager and the Senior Governance Officer, which detailed the Council’s performance against strategic measures, risk position and the Council’s financial position, at the end of the first quarter for 2016/17.

Cllr M Edney introduced the report, and was pleased to report good performance across all indicators, on what were already stretched targets. He drew members’ attention to LI 613, the number of new business start-ups supported in South Norfolk, EG 1605, the number of apprenticeship placements available, and BV012a, the working days lost per FTE due to short term sickness absence.

The Business Improvement Programme Manager then presented an overview of the report to members, drawing attention to key areas of performance. Members also noted the planned changes to MI 1041, Housing Benefit and Council Tax Support claimants moving in to work, and Cabinet supported the proposed new measure regarding the amount paid in benefit to people in work.
During discussion, members referred to the Council’s recycling rates, which remained consistently high. The Chairman explained that the next step to push performance figures higher, would involve the recycling of food waste, but he stressed the need for a cautious approach, as it was very expensive to invest in the needed equipment. Cllr K Mason Billig explained that the Norfolk Waste Partnership was investigating the potential for food waste collection, with a pilot in the Broadland area. She referred to the ongoing need to educate residents, and it was suggested that smaller black bins could be provided, to encourage households to recycle more. The Chairman reminded the meeting that South Norfolk had the lowest contamination rates across the county.

The Decision

RESOLVED: To:

a) Note the 2016/17 performance for the third quarter and the combined efforts across the Directorates to deliver the Vision of the Council (detail contained in Appendix 1).

b) Note the current position with regard to risks and accepts the actions to support risk mitigation (detail contained in Appendix 2).

c) Note the capital and revenue position and the reason for the variances on the General Fund (detail contained in Appendices 3 and 4).

d) Agree the virement of £43,079 from the existing capital programme of the neighbourhood projects budget to the car park improvements budget as outlined in paragraph 3.4.

e) Delegate to the S151 Officer the amendment of the capital budget and financing for Equity Home Loans as and when these loans occur during the financial year as outlined in paragraph 3.9.

f) Agree to measure and track the amount paid in benefit to people in work and the number of people in work who are receiving benefit rather than MI 1041 ‘The number of Housing Benefit/Council Tax Support claimants moving into work’ or the number of residents on Universal Credit.
The Reasons for the Decision

To ensure processes are in place to improve performance, that the management of risks is sound, and that budgets are in place to meet the Council’s corporate objectives.

Other Options Considered

None.

2521 BUDGET CONSULTATION 2017/18

The Subject of the Decision

Members considered the report of the Senior Accountant which detailed the results of the 2017/18 budget consultation for residents and businesses.

Cllr M Edney introduced the report, explaining that the survey had produced some interesting results.

The Senior Accountant then summarised the results of the survey, explaining that the results had been updated since the production of the report. Members noted that there was more support for a £5.00 or £3.00 per year rise in Council Tax, but less support for a £4.00 increase. Respondents also strongly supported charging for discretionary services and supporting the business community by reinvesting business rates income.

The Decision

RESOLVED: To note the feedback received during the consultation exercise.
The Reasons for the Decision

To take in to account the issues raised when determining the budget and level of council tax for 2017/18.

Other Options Considered

None

2522 2017/18 BUSINESS PLAN

The Subject of the Decision

Members considered the report of the Business Improvement Programme Manager, which presented the Annual Business Plan for 2017-18.

Cllr M Edney introduced the report, referring to the member-led Scrutiny workshops and the 10% challenge, where staff had been fully engaged in finding additional income and efficiency savings for the Council.

The Business Improvement Programme Manager outlined the Plan to members, and drew members’ attention to recommendation of the Scrutiny Committee regarding the proposed dog bin charges, detailed at paragraph 1.2 of the report.

Mr P Milliken, Chairman of Easton Parish Council, addressed the Cabinet in relation to the proposed increase in dog bin charges. He expressed his concern at the increase in charges, explaining that this had resulted in a £500 (50%) increase for Easton Parish Council. This increase had come to the attention of the Parish Council only days after the precept had already been set, and he suggested that a 25% phased increase would be a fairer approach.

The Chairman explained that the Council had a duty to recover costs wherever possible, and to ensure that smaller parishes were not subsidising the larger ones. However, he accepted that there had been an issue with the timing of the communications, and he proposed a compromise to the proposals, which would see those bins not previously charged for, attracting a lesser fee of £50.00
for 2017/18, rising to the full fee in 2018/19. He suggested that those bins where there was current charge, would attract a £100 fee for 2017/18. Cabinet members indicated their support for these proposals.

Cllr K Mason Billig stressed that the delay in communicating the increase in charges to all parish councils was regrettable, and she urged parish councils to review dog bin usage to ensure that they were value for money and placed appropriately.

The Decision

RESOLVED: 1. To approve the 2016-17 Business Plan
2. That the proposed new charges relating to dog bin services, are phased in as follows:
   • For those not previously charged, that the fee be £50.00 from 2017/18, increasing to the full charge in 2018/19
   • For those currently being charged, that the fee increases to £100 from 2017/18

The Reasons for the Decision

To ensure that a sound business planning process is in place, as a mechanism for the vision and priorities set by members.
To ensure that the Council maximises its income, with a fair and transparent approach.

Other Options Considered

None
2523  REVENUE BUDGET, CAPITAL PROGRAMME AND COUNCIL TAX 2017/18

The Subject of the Decision

Members considered the report of the Section 151 Officer and the Accountancy Manager, which detailed the proposed revenue and capital budgets for 2017/18, and the proposed level of council tax.

Cllr M Edney commended the report to members. He referred to the new combined report for revenue and capital, suggesting that this was more helpful and easier to understand.

The Section 151 Officer outlined the key issues arising from the report. Members noted in particular that the changes to the New Homes Bonus were more severe than anticipated, with the Council receiving £807,000 less for 17/18 than planned for in the October Medium Term Financial Strategy. The Section 151 Officer advised that as a high performer, the Council was one of the hardest hit, and the Council was continuing to campaign for transitional relief. Members’ attention was also drawn to the healthy level of revenue reserves, and the deficit of almost £2 million forecast by 2021/22.

Turning to the capital programme, the Section 151 Officer explained that the programme continued to concentrate on projects that supported the Council’s 3 priority areas, with many projects linked to economic growth.

In response to a query, officers advised that the tax base had increased by 1.9%.
The Decision

RESOLVED: 1. TO RECOMMEND TO COUNCIL

(a) the approval of the base budget; as shown in para 7.1, subject to confirmation of the finalised Local Government finance settlement figures which may, if significant, necessitate an adjustment through the General Revenue Reserve to maintain a balanced budget.
(b) the use of the revenue reserves as set out in section 15.
(c) that the Council’s demand on the Collection Fund for 2017/18 for General Expenditure shall be £6,596,800 and for Special Expenditure be £76,806;
(d) that the Band D level of Council Tax be £140.00 for General Expenditure and £1.63 for Special Expenditure.
(e) that the assumptions on which the funding of the capital programme is based are prudent.
(f) the approval of the capital programme for 2017/18 to 2020/21.

2. To Agree

(a) the charges for garden waste as set out in para 6.2
(b) the pricing for leisure services from 1st April 2017 as set out in paras 6.5 to 6.9 and Appendix B Table 1.
(c) the associated refund and cancellation policy changes for leisure as set out in paragraph 6.10

3. To note

(a) the pricing changes made in accordance with the Charging Policy in section 6
(b) The advice of the section 151 Officer with regard to section 25 of the Local Government Act 2003
(c) The future budget pressures contained in the Medium Term Strategy as set out in Appendix C
The Reasons for the Decision

To provide a budget which meets the Council’s priorities and to set a council tax affordable to residents
To ensure that the Capital Programme for 2017/18 is affordable and complies with Council policies.

Other Options Considered

None

2524 TREASURY MANAGEMENT STRATEGY 1 APRIL 2017 TO 31 MARCH 2020

The Subject of the Decision

Members considered the report of the Accountancy Manager, which detailed the proposed Treasury Management Strategy, the Prudential Indicators, the Minimum Revenue Provision Statement and the Treasury Management Policy Statement for 2017/18 to 2019/20. Cabinet was also presented with the Annual Investment Strategy for 2017/18.

Cllr M Edney commended the report to members and the Accountancy Manager outlined the salient points of his report to members.

The Decision

RESOLVED: TO RECOMMEND TO COUNCIL:

b) The Prudential Indicators and Limits for the next 3 years contained within Appendix A of the report, including the Authorised Limit Prudential Indicator.
c) The Minimum Revenue Provision (MRP) Statement (section 8) sets out the Council’s policy on MRP.
The Annual Investment Strategy 2017/18 (section 5 of the report) contained in the Treasury Management Strategy, including the delegation of certain tasks to the Section 151 Officer


The Reasons for the Decision

To ensure the security of the Council’s cash above the liquidity of the investment and that the Council’s Investment Strategy remains prudent and complies with statutory requirements.

Other Options Considered

None

2525 CAPITAL FINANCING FOR BIG SKY DEVELOPMENTS

The Subject of the Decision

Members considered the report of the Head of Resources, which provided an update on the developments at Poringland and Long Stratton, and sought approval for an “overdraft” facility to support the cashflow of Big Sky Developments.

Cllr M Edney referred to the delays in construction on the development sites, some of which were due to utilities, and he hoped that the Government’s White Paper would go some way in addressing issues such as these.

The Decision

RESOLVED: To agree to the temporary overdraft, as detailed in paragraph 4.1 of the report.
The Reasons for the Decision

To ensure that the cash flow for Big Sky Developments Ltd (BSD) remains positive, allowing it more flexibility.

Other Options Considered

None

2526  LDO GREATER NORWICH FOOD ENTERPRISE ZONE: BROADLAND DISTRICT COUNCIL

The Subject of the Decision

Members considered the report of the Director of Growth and Localism, which sought Cabinet’s views on a proposed Local Development Order (LDO) for the Greater Norwich Food Enterprise Zone, as part of a consultation from Broadland District Council.

The Chairman briefly outlined the background to the report, explaining that although the LDO fell wholly within the Broadland area, the eastern boundary lay adjacent to the parish of Easton. He advised that as part of the Food Enterprise Zone Programme, the Department for the Environment, Food and Rural Affairs (DEFRA) had provided finance to support the development and implementation of an LDO, and that an LDO was required as part of all designated Food Enterprise Zones. Members therefore noted that “not having an LDO” was not an option.

The Director of Growth and Localism presented his report, explaining that an LDO would allow developers to carry out proposals without the need for planning permission applications, unless proposals fell outside of the prescribed permissions/definitions provided by the LDO. He outlined the Council’s proposed response, detailed at paragraph 3 of the report.

Cllr M Dewsbury, local member for Easton, questioned whether the site was an appropriate location for a Food Hub, explaining that local people had expressed a number of concerns. She referred in detail to a number of issues that had caused concern, including the access to the site off the A47, which was, she suggested, already a dangerous and busy junction. She raised issues relating to flooding, access to the church, noise and odours, and explained that health and safety and pollution were real concerns. She stressed the need for an Environmental Impact Assessment (EIA) to be undertaken, explaining that local residents were
disappointed that Broadland Council had concluded that an EIA was not necessary. Whilst Cllr Dewsbury understood that an LDO would allow greater flexibility for new business related development, she stressed the importance of considering all eventualities.

Mr P Milliken, Chairman of Easton Parish Council then addressed the Cabinet. He explained that Easton Parish Council could not support the current LDO, due to a number of reasons. He referred to the roundabout at Easton which was already considered dangerous due to the heavy amounts of traffic, the lack of an alternative access point, flood risks, the visual impact on the countryside, pollution and air quality. He was concerned that the development would severely affect the setting of the local church, and that the proposed route past the church would become dangerous and would become cut off from residents. He felt the timing of the proposals to be premature, believing that they would be better placed to tie in with infrastructure improvements to the A47, scheduled for 2020. He understood that the development would become a material consideration for Highways England, when considering a Norwich Western Link Road, but did not believe that this justified rushing the development through.

During discussion, officers explained that the site did not fall in to the mandatory category for an EIA, and that EIAs were usually conducted where it was judged that significant effects were likely on a larger site than the one proposed. Broadland District Council had identified the need to screen the site, accepting that there was some impact, but had concluded that an EIA was not required. Officers stressed that the decision to undertake an EIA was a decision made by Broadland Council, not South Norfo.

Cabinet agreed with the proposed amendments detailed within the report, however, it also felt it was necessary to ask Broadland to reassess the need for an EIA, taking in to account the responses received from the consultation exercise. It was also suggested that officers from Broadland District Council should be invited to a meeting of the Council’s Scrutiny Committee, to provide more details regarding the proposals.

The Decision

RESOLVED: To make the following representations to Broadland District Council:

1. That South Norfolk Council supports the principle of the draft Local Development Order, on the condition that Broadland District Council incorporates all the amendments to the draft order as set out in Section 3 of this report;
2. Request that Broadland District Council assess the need to undertake a full Environmental Impact Assessment of the proposals and in making the reassessment, take in to account the responses received from the consultation exercise;
3. Invite officers from Broadland Council to attend a meeting of the Scrutiny Committee, and/or consider a joint Scrutiny Committee meeting, to provide more details regarding the proposals.

**The Reasons for the Decision**

To support the creation of a Food Hub, in line with Policy 5 of the Joint Core Strategy, but to also ensure that the views and concerns of local residents are fully taken in to account.

**Other Options Considered**

None.

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**2527 GREATER NORWICH JOINT FIVE YEAR INFRASTRUCTURE PLAN 2017-18 TO 2021-22**

Members noted that this report would be considered at a future meeting of the Cabinet.

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**2528 SOUTH NORFOLK COUNCIL PROPOSED RESPONSE TO THE BROADS LOCAL PLAN PREFERRED OPTIONS CONSULTATION**

**The Subject of the Decision**

Members considered the report of the Planning Policy Manager, which sought approval of South Norfolk Council’s response to the Broads Authority Preferred Options Local Plan Consultation.

The Planning Policy Manager outlined the key areas of the Council’s response to members.

The Chairman explained that Local Member for Chedgrave, Cllr J Larner, was unable to attend the Cabinet meeting, but had contacted him to make representations regarding the proposed designations of Local Green Space (LGS), near the boat yards in
Chedgrave, and had asked that these objections be recorded at the meeting. Cllr Larner was concerned that the Broads Authority had not contacted the relevant land owners in advance of the assessment process, and that this process appeared to have taken no account of the potential economic damage to the boatyards and other local businesses. He also questioned whether other LGS designations had been subject to the same systemic failures.

Cllr C Gould, local member for Loddon, supported the views of Cllr Larner, expressing concern at the lack of consultation with the local community and the adverse effect the LGS designation would have on the viability of the local boatyards and Loddon as a whole.

The Chairman then invited some local businesses directly affected by the proposed green space allocations, to comment. Mrs F Husband, from a local boat hire company, explained that local land owners had not been contacted in advance of the assessment process, and the whole section of land in question was used for storage. Mr Greenway, from a local boatyard, explained that the income of his business would be significantly reduced, should he not be able to store boats on that area of land. He added that he believed that the land could never be developed, due to underground electrical cables.

Members were satisfied with much of the Council’s existing response to the consultation, and welcomed in particular the Council’s comments relating to the need to better align the Plan, with the Council’s Visitor Economy Initiative. However, Cabinet was also concerned at the apparent lack of consideration of the potential economic impacts of Local Green Space designations, in particular the designation proposed at Chedgrave, and requested that these concerns also be recorded in the Council’s response.

The Decision

RESOLVED: To agree the South Norfolk Response to the Broads Local Plan Preferred Options consultation, subject to objecting to the apparent lack of appropriate consideration of the potential local economic impacts of Local Green Space designations in the Broads and surrounding areas, and in particular to object to the proposed Chedgrave Local Green Space and request that it be “de-allocated” from the Local Plan.

The Reasons for the Decision

To try to protect local businesses and to ensure that the Broads Authority has adequately considered the potential local economic impacts of Local Green Space designations.
Other Options Considered

To agree the Council’s response, unaltered.

2529 ARTICLE 4 DIRECTION FOR DWELLINGS WITHIN TROWSE WITH NEWTON CONSERVATION AREA

The Subject of the Decision

Members considered the report of the Senior Conservation and Design Officer which sought authorisation for an Article 4 direction to remove permitted development rights from selected dwellings in the Trowse with Newton conservation area.

The Senior Conservation and Design Officer outlined his report to members, explaining that the original suggestion for the Article 4 suggestion had come from Cllr T Lewis. Members viewed photographs that clearly illustrated how modifications over the years had affected the character of the area.

Cllr Lewis welcomed the report and hoped that residents in the area would support the proposals. He noted that applications for planning permission required as a consequence of any Article 4 Direction, would be free, and he wondered if this would extend to pre-application advice. The Chief Executive explained that officers would provide advice but it would be unrealistic to expect this to be unlimited.

Members noted that a work experience graduate had carried out the required detailed survey on the relevant properties, and Cabinet felt this felt to be a great example of when work experience staff can add value to the organisation.

The Decision

RESOLVED: 1. To authorise making an article 4 direction for dwelling houses within Trowse with Newton as prescribed in the Schedules at Appendix A (I) and shown on the map at Appendix A (II);

2. To agree that the direction can be confirmed within 6 months by the Director of Growth & Localism unless there are significant representations which result in a material change to the direction notice, upon which an amended notice will be reissued and re-consulted upon.
The Reasons for the Decision

To protect the architectural character of the area.

Other Options Considered

Not to authorise an Article 4 Direction.

2530 CABINET CORE AGENDA

Member noted the latest version of the Cabinet Core Agenda.

2531 EXCLUSION OF PUBLIC AND PRESS

It was

RESOLVED: that under Section 100A (4) of the Local Government Act 1972, the public and press be excluded from the meeting on the grounds of the likely disclosure of exempt information as defined in paragraph 3 of Part 1 Schedule 12A of the Act (as amended).
2532 WHEELED BIN PROCUREMENT

The Subject of the Decision

Members considered the exempt report of the Head of Environmental Services, which sought approval for the award of a contract for wheeled bin supplies.

The Head of Environmental Services outlined the key issues, and responded to questions from members on points of detail.

The Decision

RESOLVED: To agree the award of the contract, subject to contract and a ten day standstill period, as proposed in the report.

The Reasons for the Decision

That the contract is awarded in line with the Council’s Contract Standing Orders and is the most efficient approach for the Council.

Other Options Considered

None

(The meeting concluded at 12.00 pm)