CABINET

Minutes of a meeting of the Cabinet of South Norfolk District Council held at South Norfolk House, Long Stratton on Tuesday 7 May 2013 at 9.00 a.m.

Members Present:

Cabinet: Councillors  J Fuller (Chairman)
Y Bendle, D Bills, K Kiddie, G Wheatley
and M Wilby

Non-Appointed: Councillors  D Blake, T Blowfield, M Dewsbury, C Foulger,
D Goldson, F Ellis, M Gray, L Hornby, T Lewis,
J Mooney, L Neal, B Riches, T Palmer, R Savage,
K Weeks

Also in Attendance: Two members of the public

Officers in Attendance: The Chief Executive (S Dinneen), the Deputy Chief Executive (A Radford), the Director of Environment and Housing (A Jarvis), the Director of Growth and Localism (T Horspole), the Planning Policy Manager (A Nicholls), the Special Projects Manager and the Senior Planning Officer (S Marjoram)

2179 DECLARATIONS OF INTEREST

The following members declared interests in the matters listed below:

<table>
<thead>
<tr>
<th>Member</th>
<th>Minute No.</th>
<th>Nature of Interest</th>
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<tr>
<td>Cllr M Gray</td>
<td>2181 &amp; 2184</td>
<td>Other Interest as member of the GNDP (appointed by the Broads Authority) and the Broads Authority</td>
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<tr>
<td>Cllr R Savage</td>
<td>2182</td>
<td>Other Interest as a resident of South Wymondham</td>
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2180 MINUTES

The minutes of the meeting held 25 March 2013 were agreed as a correct record and signed by the Chairman.

2181 CONSIDERATION OF EXAMINER’S REPORT AND RECOMMENDATIONS TO THE CIL CHARGING SCHEDULE FOR SOUTH NORFOLK;

The Subject of the Decision

Members considered the report of the Director of Growth and Localism which reflected on the Examiner’s report regarding the South Norfolk Community Infrastructure Levy (CIL) Charging Schedule.

The Chairman outlined the report to members, explaining that he had been disappointed with the contents of the Examiner’s report and the recommendation to reduce the residential rate by 35%. This, he advised would result in a material shortfall over and above that already assumed in the initial proposals and would require a re-prioritisation of the Regulation 123 Infrastructure list.

Members’ attention was drawn to paragraph 2.5 of the officer’s report, which presented Cabinet with 3 possible courses of action. The Chairman considered the sensible way forward to be to adopt the charging schedule as recommended by the Examiner, but not until clarification had been sought regarding a number of outstanding matters and mitigation of the risks involved.

The Special Projects Manager stressed the importance of adopting a charging schedule by April 2014, as from there on, the regulations reduced the ability of all councils to achieve Section 106 agreements. The Director of Growth and Localism explained that Counsel’s opinion had not yet been received regarding the future uses of S106 and CIL and he hoped to be able to present this advice to the Special Council meeting scheduled for 17 June, along with other matters requiring clarification.

In response to queries, the Director of Growth and Localism explained that each partner authority of the Greater Norwich Development Partnership (GNDP) would need to adopt its own charging schedule. The Chairman added that as the nature of development in Norwich was very different to that in South Norfolk, Norwich City Council might feel it appropriate to adopt the charging schedule, as amended by the Examiner, at an earlier stage than South Norfolk. Officers agreed that it could be helpful for members to see rates adopted by other councils but stressed the need to be cautious as the data was not necessarily directly comparable.
The Decision

RESOLVED: To

1. **RECOMMEND TO COUNCIL:**

   The adoption of South Norfolk’s Community Infrastructure Levy Charging Schedule (Appendix A of the report), as modified by the Examiner’s Report (Appendix B), in accordance with Section 213 of the Planning Act 2008 and Regulation 25 of the Community Infrastructure Levy Regulations 2010 (as amended 2011 and 2012), subject to:

   a) satisfactory progress on matters listed in para. 8.3 of the report and

   b) agreement of the specified date at which the charging schedule takes effect.

2. Adopt a Community Infrastructure Levy payment installment policy (detailed at Appendix C of the report).

3. Acknowledge that under Regulation 55, Community Infrastructure Levy Regulations 2010 (as amended 2011 and 2012), discretionary relief for exceptional circumstances will **not** be granted.

4. Endorse the withdrawal of support and implementation of ‘Infrastructure, Service and Amenity Requirements for New Development Norfolk County Council Standards (updated 2013)’

5. Endorse the delegation to South Norfolk District Council of collection of Community Infrastructure Levy from Norfolk County Council on its own development matters.

The Reasons for the Decision

It is in the interests of good governance that outstanding issues are clarified before the date of implementation is set.

Other Options Considered

None
2182 CONNECTING SOUTH WYMONDHAM – A DRAFT URBAN DESIGN FRAMEWORK;

The subject of the decision

Members considered the report of the Director of Growth and Localism, which presented Cabinet with an Urban Design Framework document entitled “Connecting South Wymondham”.

The Chairman introduced the report to members, explaining the document to be valuable background evidence, complimenting the Wymondham Area Action Plan (WAAP). The Director of Growth and Localism added that the purpose of the document was to improve the connectivity of existing and proposed housing development in the town.

Local member, Cllr R Savage stressed that access through the railway bridge was the major obstacle to achieving improved connectivity and was disappointed that the document failed to highlight this as a priority. He felt the solutions proposed required short term timescale if they were in any way, to influence current planning applications in the area and he suggested that solutions for vehicular access needed to be more explicit.

In response, the Director of Growth and Localism explained that the proposal to create a pedestrian subway would, once complete, allow for the whole width of the existing road to be widened for traffic. He reminded members that this document was completely separate from the development management process although it was hoped, depending on the timescale of the planning applications, that one could inform the other. Following a brief discussion, members agreed that the underpass and impact on the road should be made more explicit within the document.

Cllr K Weeks welcomed the document but advised Cabinet that he, along with other members of the Local Planning Steering Group had felt that its emphasis was too much on pedestrians and cyclists, and did not sufficiently concentrate on road traffic vehicles. He also expressed concerns with regard to the costs and viability of some of the proposals.

Officers stressed that all proposals had been worked through with Norfolk County Council and that Network Rail had been consulted and members noted that the document would strengthen the Council’s position when bidding for additional monies to fund the proposals.

The Decision

RESOLVED:

1. To agree that the ‘Connecting South Wymondham’ document, subject to minor changes, be sent out for public consultation for a period of eight weeks, and form part of the background evidence base for the WAAP;

2. That any minor amendments following Cabinet be agreed by the Director of Growth and Localism in consultation with the relevant Portfolio Holder, prior to public consultation.
The Reasons for the Decision

To provide an integrated solution to deliver improved connectivity and accessibility between existing and new development in South Wymondham and the town centre and wider town, forming a valuable background evidence document to support the WAAP.

Other Options Considered

- Not to use the document as background evidence to the WAAP
- To use the document to compliment the WAAP, but not to go out for consultation.

The subject of the decision

Members considered the report of the Planning Policy Manager, which presented Cabinet with a Draft Supplementary Planning Document (SPD) providing guidance for the delivery of a Food and Agriculture Hub for Broadland, Norwich and South Norfolk.

The Chairman introduced the report, explaining that the Joint Core Strategy (JCS) referred to the development of a flagship food and farming hub, but did not specify a particular size or location of site, or the variety of uses a food hub could encompass. It was felt that an SPD would provide a guide to landowners and developers on these issues.

Cllr M Dewsbury was concerned that the document limited the proximity of the hub to only one area and she referred to tailbacks on the A47 Longwater junction and the allocation of 900 houses at Easton in the Joint Core Strategy (JCS). She did not feel that the document did enough to encourage people from further afield to put land forward.

The Chairman agreed that the consultation specified that the location needed to comply with certain criteria, which derived from existing policy in the JCS. The submission of a potential site to the west of Easton had raised a number of concerns, but the consultation process was an opportunity to identify any alternative sites.
The Decision

RESOLVED: To:

a) Approve the draft Supplementary Planning Document on ‘Guidance for the Delivery of a Food and Agriculture Hub for Broadland, Norwich and South Norfolk’, attached as Appendix A, and to instruct the officers to proceed with public consultation of at least six weeks during summer 2013, jointly with Broadland District Council; and

b) Delegate authority to the Director of Growth and Localism to make necessary minor changes to the document (including grammatical corrections and factual updates) prior to publication for consultation.

The Reasons for the Decision

An SPD, providing “Guidance for the delivery of a food and Agriculture Hub for Broadland, Norwich and South Norfolk” is seen as the most appropriate way to help guide and evaluate proposals in a consistent way across the JCS area,

Other Options Considered

- Not to develop a SPD.

2184 MEMORANDUM OF UNDERSTANDING WITH BROADS AUTHORITY TO FORMALISE THE TREATMENT OF HOUSING AND EMPLOYMENT NEEDS AND DELIVERY IN AND AROUND THE BROADS;

The subject of the decision

Members considered the report of the Director of Growth and Localism, which presented Cabinet with the Memorandum of Understanding with the Broads Authority, as evidence of the duty to cooperate between South Norfolk Council and the Broads Authority.

The Director of Localism and Growth introduced his report, explaining that the Memorandum of Understanding formalised arrangements that were already in place. The document was necessary to ensure compliance with the “Duty to Cooperate”, as part of the Localism Act 2011.

In response to a query from Cllr M Gray, the Chairman confirmed that the Broads Authority would receive the New Homes Bonus monies resulting from development in the Broads Authority area.
The Decision

RESOLVED: To:
   a) Approve the Memorandum of Understanding at Appendix 1 of the report, and to delegate the authority to sign the document to the Director of Growth and Localism;
   b) Delegate to the Director of Growth and Localism in consultation with the relevant portfolio holder, authority to update the document in future, as necessary.

The Reasons for the Decision

To provide a formalised agreement in order to comply with the “Duty To Co-operate” under the Localism Act 2011.

Other Options Considered

None

2185 PROPOSED NEW STRUCTURE FOR THE MANAGEMENT OF SOUTH NORFOLK COUNCIL FUNDING SCHEMES

The subject of the decision

Members considered the report of the Funding Manager regarding a proposed new structure for the management of South Norfolk Council’s funding streams.

Cllr M Wilby introduced the report, briefly outlining the new proposed processes for the Neighbourhood Fund and Capital and Affordable Grants.

With reference to paragraph 3.7 of the report, Cabinet agreed that the procedures should stipulate that funding assessments were delegated to the Director of Growth and Localism in consultation with the Cabinet member for Communities and Localism (not Cllr M Wilby as detailed in the report).

During discussion, Cllr M Gray suggested as decisions on Neighbourhood Funding should be made on a non-political basis, that a member of the opposition should be consulted in addition to the Neighbourhood Chairman and local member when assessing grant applications. Cllr Wilby explained that this proposal had already been rejected by the Scrutiny Committee. Cabinet considered that as local members were already to be consulted, involving the opposition in the process was not necessary.

Cllr F Ellis commented on what she felt to be a very impressive piece of work with very structured criteria, whilst Cllr K Weeks was concerned that decisions were being taken away from members.
Cllr D Goldson fully understood that due to a reduction in funding from partners, it was not possible for the Council to continue to offer the same level of grants. However, he was disappointed that the Grants Panel was to be disbanded, in favour of going back to a system that had previously failed.

In response, the Chairman suggested that the proposals would lead to more speedy decision making, cutting out unnecessary bureaucracy. He reminded members that the Director of Growth and Localism would not be approving grant applications which failed to attract member support.

The Decision

RESOLVED:

a) To adopt the proposals on the future of funding streams as set out in paragraph 3 of the report;
b) That the Grants Panel is discontinued and no further funding awards are made through this group;
c) That good practice is captured from the Grants Panel and where appropriate, incorporated within the new processes going forward;
d) That further work is undertaken to determine the baseline of current and proposed South Norfolk Council service level agreements with initial considerations to be presented to the Localism Committee in July;
e) That a discreet piece of work is undertaken with the Localism Committee to clearly define and provide guidance on social action projects;
f) That the outcome of the work undertaken on SLAs and SAPs is presented to the Scrutiny Committee on the 18th December 2013 as part of the Council funding review.
g) To brief district and parish councillors once funding schemes are implemented, regarding the structure, channels of communication and contacts within the Council.

The Reasons for the Decision

To create a more efficient and streamlined approach to the management of funding schemes.

Other Options Considered

None

2186 CABINET CORE AGENDA

Members noted the latest version of the Cabinet Core Agenda
2187 EXCLUSION OF PUBLIC AND PRESS

After a short debate, it was proposed, seconded and

RESOLVED: that under Section 100A (4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 1 of Part 1 Schedule 12A of the Act (as amended).

2188 REVIEW OF PERSISTENT COMPLAINANT STATUS

The subject of the decision

Members considered the exempt report of the Compliance and Risk Manager, which sought Cabinet approval with regard to dealing with two of the Council’s persistent complainants.

The Compliance and Risk Manager outlined the background to the report and members noted that the two complainants had requested a review of the special measures put in place back in 2006 and 2008 with regard to their contact with the Council.

The Chairman invited one of the residents concerned to address the meeting, to explain why the Council should review his persistent complainant status. The resident concerned raised some unrelated issues that, according to the Council, had been raised numerous times before and had either been resolved or closed some time ago.

Cabinet did not consider that any good reason had been given to remove the serial complainant status and it was agreed that members, in addition to officers should not enter into communications with the residents concerned.

RESOLVED:

To:

1. Suspend the Council’s standard complaints procedure in respect of the residents concerned;

2. Authorise the Chief Executive to instruct officers and all members that, apart from any communications in connection with the receipt and determination of statutory applications and submissions, they shall not accept or enter into any communications from or to the residents concerned, but shall refer any attempt at contact or dealing with the Council to the Chief Executive. Staff shall take no further action unless instructed to do so by the Chief Executive;
3. Authorise the Head of Business Improvement to block all known e-mail accounts relating to the residents concerned, and to block all future e-mail accounts which purport to be from them;

4. Authorise the Chief Executive to notify the complainants of this decision

The Reasons for the Decision

No evidence was presented to members that would leave them to believe that a relaxation of the persistent claimant status was justified.

Other Options Considered

- To remove the persistent claimant status with regard to the two residents in question.

2189 PROCUREMENT OF WASTE COLLECTION VEHICLES;

The subject of the decision

Members considered the exempt report of the Head of Environmental Services, which sought approval for the letting of a contract to supply refuse vehicles following completion of an EU Procurement law compliant procurement, to purchase vehicles as part of a rolling programme of replacement.

The Head of Environmental Services outlined his report, drawing attention to the outcome of the tender exercise, outlined at paragraph 2 of the report.

The Decision

RESOLVED: To agree the award of the vehicle supply contract, as recommended at paragraph 7.1 of the report.

The Reasons for the Decision

To ensure value for money, in accordance with the Council’s standing orders and EU procurement law.
Other Options Considered

- Not to procure all or any of the vehicles.

(The meeting concluded at 11.02 am)

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Chairman