



Cabinet

Minutes

Monday, 04 March 2024 at 14:00

PRESENT:- Councillor Smith (Leader & Portfolio Holder for Finance, Governance and Major Projects) (in the Chair), Councillors Plant (Deputy Leader & Portfolio Holder for Operational Property and Asset Management); Flaxman - Taylor (Portfolio Holder for Housing Health and Communities); Candon (Portfolio Holder for Economic Development & Growth); & Wells (Portfolio Holder for Environment & Sustainability, Waste and Licensing).

Also in attendance:- Ms S Oxtoby (Chief Executive Officer); Ms C Whatling (Monitoring Officer), Ms K Sly (Executive Director - Resources), Mrs N Turner (Head of Housing Assets), Ms L Snow (Finance Manager), Mr J Wedon (Information Governance Lead), Mrs M Holland (Head of Strategic Housing); Mrs S Bolan (Enabling Homes Officer); Ms T Read (Project Manager); Mr S Hubbard (Strategic Planning Manager); Mr T Williams (Media & Communications Manager), Mr M Brett (IT Support) & Mrs S Wintle (Corporate & Democratic Services Manager).

Councillors Wainwright & Williamson attended as observers to the meeting.

01 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Bensly.

02 DECLARATIONS OF INTEREST

There were no declarations of interest declared at the meeting.

03 ITEMS OF URGENT BUSINESS

The Leader advised Cabinet that he had been made aware of an urgent item of

business as follows :-

Corporate Complaints and Compliments Policy.

Cabinet were advised that in February, the Housing Ombudsman published a new Complaints Handling Code which applies to all Registered Providers. The code becomes statutory from 1 April 2024. The Council's current Corporate Complaints and Compliments Policy is not compliant with the requirements of the new Housing Ombudsman Complaint Handling Code, meaning that the Council would be in breach of the requirements of the code from 1 April 2024.

To ensure the Council's complaint handling policies and processes are compliant with the new Housing Ombudsman Complaint Handling Code, Cabinet were asked to agree to give delegated authority to make a number of changes to the Council's Corporate Complaints and Compliments Policy to ensure that it is fully compliant with the new Housing Ombudsman Complaint Handling Code. Changes will be made through inclusion of an appendix to the Corporate Complaints and Compliments Policy which will provide the approach to complaint handling for complaints regarding the Council's landlord services.

Following this amendment, a review of the Corporate Complaints and Compliments Policy will be undertaken during 2024/5 to provide a consistent approach to complaint handling across all Council services and also make any other changes required to improve the policy and complaint handling processes of the Council.

Cabinet **RESOLVED** to :-

1. Delegate authority to the Head of Housing Assets to make revisions to the Corporate Complaints and Compliments Policy to ensure it is compliant with the requirements of the Housing Ombudsman's Complaint Handling Code.

04 MINUTES

The minutes of the meeting held on the 12 February were confirmed.

05 23-128 - QUARTER 3 PERFORMANCE REPORT

Cabinet received and considered the Information Governance Lead's report.

The Leader presented the item and advised Cabinet that the report presented an update on performance for the third quarter of 2023/24 (October to December, where progress is assessed against Targets which are set at the start of the financial year.

The report also provided an update on the position of key projects that are linked to the corporate priorities from 'The Plan 2020-2025'.

The project highlight reports detailed in Appendix 1 provided a summary of the project, milestones and achievements, alongside open issues, mitigation and a financial summary.

Each report has a current status, which can be green, amber or red. Out of the 10 project reports, 9 have a current green status defined as no problems or minor issues and 1 has an amber status, defined as having problems which have been identified but with a contingency plan in place. At the time of writing a report was not available for the Operations & Maintenance Base.

The Leader reported that performance measures, detailed in Appendix 2, give a comprehensive overview of how the authority as a whole is performing and cover most Council functions

In total there are 44 targeted and 22 monitored measures reported in the performance report. The monitored measures are reported for contextual information, this data is important information for the Council as the actions of the Council may make improvements however there is not sufficient control over the outcome to set a target.

Of the 44 targeted measures 28 are Green whereby performance had been met or exceeded target, 6 are Amber whereby performance is below target but within tolerance and 10 are red whereby performance is below target and tolerance. Each of the red measures has a commentary explaining the reasons behind the performance and the actions being taken to bring performance back on target.

Councillor Candon asked with regard to the Marketplace Public Realm and the construction end date and sought clarification as to whether this project had been delayed. The Chief Executive Officer advised that work was still ongoing with this project with tenders currently being evaluated, she advised that the intended completion date had not been delayed and was anticipated January 2025.

Councillor Wells asked with regard to PR03 and the court dates being delayed by a month, whether these had now been held and caught up. The Information Governance Lead advised that this had been a one off incident where the court could not accommodate the Borough Council but have since caught up by bigger courts being held.

Councillor Wells further asked with regard to PR15 Corporate Property Portfolio which advised that 6 companies had unpaid invoices relating to £150,000 of arrears, he commented that this was a substantial amount of money and asked what process was followed to clear outstanding arrears. The Information Governance Officer advised on the process undertaken for arrears recover.

Councillor Flaxman-Taylor asked with regard to PR12 and 13 and whether there had been any improvement shown in these areas. The Information

Governance Lead advised that there had been issues with information being received from Internal Audit therefore, this matter had been referred to the Audit and Risk Committee to be addresses. The Executive Director, Resources advised that this matter would be discussed at Audit and Risk in April and Heads of Service would be called in to discuss any outstanding Audit recommendations.

The Leader asked with regard to PR10 which related to sickness levels and asked if more information could be provided on this measure, the Information Governance Lead advised that he would request further information and circulate following the meeting.

The Leader asked with regard to void costs and commented that this measure appeared to continually increase, he asked if this was purely due to the cost of refurbishing or the state properties are left in. The Head of Housing Assets advised that it was a real mix with a majority being standard void properties, she advised that a number of voids had required re-plastering work to be completed therefore this has increased the costs and also garden clearances. Councillor Plant asked if void costs were recovered from the previous tenant and it was confirmed that this was the case but at times had proved difficult due to no forwarding addresses being given. the Head of Housing Assets advised that pre-void checks were being looked into which would allow for checks to be completed prior to tenants vacating properties.

Councillor Plant asked if tenants were required to give notice on properties if they were transferring to another council property. The Head of Housing Assets confirmed that 4 weeks notice was required.

Councillor Wells asked with regard to the plastering work that had been completed and whether this was due to damp and mould issues or tenant damage, it was advised that some had been in need of repair due to the age of the plaster.

The Leader asked with regard to garden clearances as he believed that the policies in place mean that tenants were expected to maintain a clear garden, this was confirmed.

Councillor Wells asked if the required standards for tenants renting Council Properties could be sent to Members for information.

Cabinet **RESOLVED** to :

1. Agree that all measures be monitored during the next quarter.
2. Agree that all key projects continue to be monitored over the next quarter with the aim of maintaining a green status and where possible attaining a green status for those key projects which are currently amber.

Cabinet received and considered the Project Manager's report.

The Portfolio Holder for Economic Development and Growth, Councillor Candon advised Cabinet that this report was to update Members on progress of the e-scooter trial and set out recommendations to approve the extension of the e-scooter trial to May 2026, appoint a new e-scooter operator for the remainder of the trial, to extend the geographical service area to the Borough Council boundary.

Councillor Candon advised that the report also asked for consideration to be given to the increasing of the fleet numbers to 400 to cover the expanded geographical service area, as well as the introduction of e-bikes to expand the Great Yarmouth micro mobility offer and encourage greener transport options.

To continue the trial, a new operator would need to be appointed for the duration of the trial extension. There are a further 11 operators approved by DfT for the UK trials, all of which will have the opportunity to tender for the Great Yarmouth trial operation. Councillor Candon reported that the E-Scooter Officer Working Group would evaluate the tenders, in conjunction with the portfolio holder, with a final report and recommendation taken to the Infrastructure Members Working Group for final approval of operator.

Councillor Candon asked for Cabinet's support on the recommendations of the report and advised that he felt this was an important scheme for Great Yarmouth as it played a crucial role in maintaining accessibility and promoted active lifestyles including leisure and commuting to and from work.

Councillor Plant commented that the scheme was needed in his opinion in order to ensure that the green agenda was being delivered. He further commented that the scheme provided a cheap alternative way for residents to commute to work and move around the town.

Councillor Wells asked for assurances that through the procurement process we would ensure that a provider who followed the similar complaints process as previous.

Councillor Candon advised that although the fleet was to be increased to 400 vehicles these would not all be out at one time.

Councillor Wainwright commented on the need to procure a new provider promptly as he felt that whilst the scooters were not available to hire it was encouraging people to use illegal scooters.

Cabinet **RESOLVED** to :-

1. Note the progress of E-Scooter trial
2. Note the extension of the trial to 31st May 2026
3. Approve the procurement of a new operator
4. Approve the expansion of the geographical service area
5. Approve the expansion of the e-scooter fleet
6. Approve the introduction of e-bikes

**07 23-169 - FIRST DRAFT LOCAL PLAN AND COMMUNITY
INFRASTRUCTURE LEVY - APPROVAL FOR CONSULTATION**

Cabinet received and considered the Strategic Planning manager's report.

The Portfolio Holder for Economic Development and Growth advised Members that the report recommended that Cabinet approve the First Draft Local Plan and publish it for consultation under Regulation 18 of the Town and Country Planning (Local Planning) Regulations 2012.

Councillor Candon advised that the Local Plan is a key policy document for the Council, setting out the amount of development which needs to be planned for, where that development should go and how it should be delivered. It sets out planning policies which the Council will use to determine planning applications. It forms part of the 'development plan' for the area which the Council has a statutory duty to keep under review and up to date.

He further advised that the First Draft Local Plan was a consultation document which took the form of what the final Local Plan would look like. It sets out a preferred approach to planning for future development based on the evidence collected to date and the responses to previous consultations on the plan.

It was noted that a further consultation on gypsy and traveller provision would take place in June which will be put before Cabinet for approval.

The results of both consultations will be used to inform a final draft version of the Local Plan.

The Final Draft Local Plan will be put before Cabinet and Full Council for agreement to conduct a further six-week consultation before being submitted to the Secretary of State for independent examination. Following this, the Local Plan will be presented to Cabinet and Full Council for adoption. It is expected that the Local Plan will be adopted in early 2026.

This report also requests approval to undertake a preliminary consultation on potential rates of Community Infrastructure Levy alongside the consultation on the Local Plan.

If a decision is made to progress with the levy following this consultation, a formal consultation on rates in a Draft Charging Schedule will take place alongside the Final Draft Local Plan. It is expected that the Charging Schedule would be submitted for examination alongside the Local Plan and adopted at the same time.

The Leader thanked the Strategic Planning Manager for all the work that had gone into the report.

The Portfolio Holder for Operational Property and Assets, Councillor Plant sought clarification on the use of the CIL monies, the Strategic Planning Manager advised would could be achieved with CIL monies and advised that the Council would hold all the monies except for the percentages which would be given tot he Parish Councils. It would then be for the Council to decide where these monies would go.

Councillor Candon commented that he felt having the CIL monies would broaden the opportunities on what the Council would be able to spend.

Cabinet **RESOLVED** to :

- 1) Approve the First Draft Local Plan (Appendix 1) and authorise it to be published for consultation under Regulation 18 of the Town and Country Planning (Local Planning) Regulations 2012 together with a 'call for sites' for gypsy and traveller provision and local green spaces.
- 2) Approve the publication of a preliminary consultation on potential rates of Community Infrastructure Levy (CIL) as set out in Appendix 2.
- 3) Approve the consultation plan in Appendix 3.
- 4) Delegate authority to the Head of Planning, to:
 - publish on the website the First Draft Local Plan and preliminary CIL consultation, without any material alteration to the content, in an interactive format using appropriate software and mapping, for the purposes of consultation.
 - publish a formatted hard-copy version of the first Draft Local Plan and preliminary consultation on CIL document.
 - make any factual corrections and minor changes to finalise the consultation documentation

08 24-010 - EMPTY HOMES STRATEGY

Cabinet received and considered the Empty Homes Enabling Officer's report.

The portfolio Holder for Housing, Health and Communities reported that the Empty Homes Strategy provided a policy framework, setting out the Council's current and new priority actions for bringing empty homes back into use; highlighting support and guidance for owners of empty homes; summarising legislation relating to empty homes and how the Council ensures that it follows best practice; and provided a comprehensive Action Plan.

Councillor Flaxman-Taylor advised that although it was not a statutory duty to have an Empty Homes Strategy, it is considered good practice to have one in place. The Strategy being considered by Members was proposed to replace the existing policy.

Councillor Flaxman-Taylor advised that the Empty Homes Policy was last updated in 2018, with the updated version being an Empty Homes Strategy. It provided an overview of the numbers of empty homes in the borough of Great Yarmouth, why homes can become empty and how, especially long-term empty homes, are a wasted resource, so it is important that they are brought back into use.

The review of options included in the 2018 policy is proposed as part of this Strategy, with the intention of ensuring these options are financially viable in the current economic climate, while making them attractive to empty homeowners. Revised proposals in relation to loans and leasing products will be presented to Cabinet in due course.

The Strategy also proposed to offer an annual empty homes event to bring together internal departments and external organisations to address empty homes, with the aim of increasing awareness and the enforcement options available to the Council.

Members were advised that the proposed Action Plan demonstrates the timeline for implementation of the Strategy elements.

Cabinet **RESOLVED** to :-

- (1) Approve the Empty Homes Strategy contained at Appendix I.
- (2) Delegate authority to the Executive Director – People and Head of Strategic Housing to undertake any minor and/or consequential amendments to the Empty Homes Strategy for the purpose of ensuring it is up to date, clarifying its content or interpretation, correcting any errors or omissions, updating it in accordance with changes in legislation, and/or caselaw, or with changes in the management structure.

09 23-181 - 2023/24 BUDGET MONITORING REPORT - PERIOD 9

Cabinet received and considered the Finance Manger's report.

The Leader advised that this report presented the budget monitoring forecast position for the General Fund and Housing Revenue Account and their respective capital programmes for the financial year 2023/24 as at December 2023.

He advised that this report compares the actual expenditure and income position at the end of December 2023 to the general fund budget for 2023/24 and presented a forecast position for the current year. The forecast for the year was now at a deficit position of £128k on the General Fund following a one-off reallocation from earmarked reserves of £1.3m. The forecast however did not include an allocation of £144k from the unallocated balance of the Norfolk Business Rates Pool, which is due this financial year which will improve the yearend position to a surplus of £16k.

Secondly the Leader advised, in respect of the HRA, that there had been an increase in the numbers of void repairs and there is currently forecast to be an overspend in the level of planned repairs due to the responsive element of the budget which is demand led. The forecast position is a £6.6m deficit however work to mitigate this is underway so potentially could be improved by outturn.

Thirdly it was advised that the report included the updated spend and financing position on the capital programme for both the General Fund and Housing Revenue Account, including updated forecast roll forwards for future years for projects. The HRA programme now included £1.3m for the Local Authority Fund Acquisitions project.

The Leader reminded Members that the report and the appendices to the report provided details on the more significant variance against the budget.

Lastly the Leader advised that, an administration error had been identified for the daily electricity charge for the market place within the Fees and Charges 2024/25 approved by Cabinet in January 2024. Members are asked to approve the charge of £6.70 daily, which is an increase of 70p from the charge last year which is in line with the fees and charges policy

The Leader confirmed he had written to the Minister regarding the fair funding review and that he was in the process of setting up a meeting with the Chief Executive Officer, MP and himself to discuss this matter in the near future.

Cabinet **RESOLVED** to :-

1) note the content of the report and the revised forecast for the General Fund and Housing Revenue Account for 2023/24.

2) approve the updated General Fund capital programme (Appendix E).

3) approve the amendment to the 2024/25 Fees & Charges as outline in section 3.

4) approve the charge of £6.70 daily, which is an increase of 70p from the charge last year which is in line with the fees and charges policy.

10 EXCLUSION OF PUBLIC

Cabinet **RESOLVED** :-

"That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 3 of Part I of Schedule 12(A) of the said Act."