



Council

Members of the council are hereby summoned to attend the meeting of the council to be held in the council chamber, City Hall, Norwich, on

Tuesday, 14 March 2023

19:30

Agenda

Page nos

1 Lord Mayor's announcements

2 Retiring members

To acknowledge the contribution to the council of members that are retiring at the upcoming elections.

3 Declarations of interest

(Please note that it is the responsibility of individual members to declare an interest prior to the item if they arrive late for the meeting)

4 Public questions/petitions

To receive questions / petitions from the public which have been submitted in accordance with the council's constitution.

5 Minutes

5 - 14

To approve the accuracy of the minutes of the meeting held on 21 February 2023.

6 Questions to cabinet members

(A copy of the questions and replies will be available on the council's website prior to the meeting)

7 Nominations for Lord Mayor and Sheriff

To receive nominations for the Lord Mayor and Sheriff for the 2023-24 civic year.

- 8 Appointment of the Interim Chief Executive, Head of Paid Service, Returning Officer and Electoral Registration Officer 15 - 18**

Purpose - To make interim arrangements for the critical roles of Chief Executive, Head of Paid Service, Returning Officer and Electoral Registration Officer, until a permanent Chief Executive is appointed.

- 9 Pay Policy Statement 2023-24 19 - 34**

Purpose - To consider the Pay Policy Statement 2023-24

- 10 Constitutional Amendments - Terms of Reference for the Licensing and Regulatory Committees and Sub-Committees 35 - 62**

Purpose - To seek council approval to proposed changes to the terms of reference for the licensing and regulatory committees and sub committees.

- 11 Adjustment to the HRA capital programme 63 - 68**

Purpose - To approve changes to the Council's HRA capital programme to acquire 24 dwellings and to provide homes for refugees.

- 12 Adjustment to the general fund capital budget – The Halls 69 - 76**

Purpose - To adjust the general fund capital programme to provide additional funds for major repairs and upgrades to The Halls.

- 13 Motions 77 - 94**

Purpose - To consider motions for which notice has been given in accordance with the Council's constitution.



Leah Mickleborough

Head of Legal and Procurement (Monitoring Officer)

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Information for members of the public

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Budget Council**19:30 to 22:20****21 February 2023**

Present: Councillors Maguire (Lord Mayor), Ackroyd, Bogelein, Carlo, Catt, Champion, Davis, Driver, Everett, Fulton-McAlister (M), Galvin, Giles, Grahame, Hampton, Harris, Huntley, Jones, Kendrick, Kidman, Lubbock, Oliver, Osborn, Padda, Peek, Price, Schmierer, Stonard, Stutely, Thomas (Va), Thomas (Vi), Waters, Wright and Young

Apologies: Councillors Brociek-Coulton, Button, Fulton-McAlister (E), Haynes Sands (M), and Sands (S)

1. Lord Mayor's Announcements

The Lord Mayor said that the winners of the Lord Mayor's poetry competition had been announced and he had been pleased to present prizes to the winners, as well as certificates for highly commended entries.

He had also attended the Kings Lynn Mart which was the oldest fair in the country.

Earlier in the evening, he had attended the opening of the Norfolk and Norwich festival and encouraged everyone to look at the great events that had been planned for the city.

2. Declarations of Interest

Councillors Kendrick, Kidman, Oliver, Peek, Price and Waters declared pecuniary interests in item 6 (below), the Council's 2023-24 Budget and Medium Term Financial Strategy, and had received full dispensations from the monitoring officer to remain in the room for the discussion and vote on the item.

During discussion on item 6 (below), Councillors Fulton-McAlister (M) and Stutely declared other interests as Non-Executive Directors of Norwich City Services Ltd and Councillor Stonard declared an other interest as the council's representative on the Historic Churches Trust.

3. Questions from the public / petitions

No public questions or petitions had been received.

4. Minutes

RESOLVED to approve the minutes of the meeting held on 31 January 2023.

5. Council Tax Reduction Scheme 2022-2023

Councillor Jones moved and Councillor Stutely seconded, the recommendations as set out in the report.

Following further debate, it was:

RESOLVED, unanimously,

- 1) That Council retains a maximum 100 per cent LCTRS for working age recipients.
- 2) That Council make the following changes to the LCTRS for 2023/24 by continuing with the 2022/23 scheme with the following annual modifications:
 - (a) include provision for future central and local government financial support payments (such as energy rebates/council tax support funding) to be disregarded from the scheme;
 - (b) to increase the working age applicable amounts for allowances and premiums by the September 2022 Consumer Price Index (CPI) rate of 10.1 per cent;
 - (c) to increase the level of income brackets used to decide non-dependant deductions and level of non-dependant deductions by the September 2022 Consumer Price Index (CPI) rate of 10.1 per cent;
 - (d) to increase the level of income brackets used to decide entitlement to second adult reduction by the September 2022 Consumer Price Index (CPI) rate of 10.1 per cent;
 - (e) to retain the maximum household capital limit of £16,000;
 - (f) to amend the wording of the LCTRS to use self-employed earnings figures for Universal Credit (UC) claimants as determined by the Secretary of State from 1 April 2023;
 - (g) to amend the wording of the LCTRS to take into account the prescribed regulations as notified by the Department for Levelling Up, Housing and Communities.

(Councillor Waters moved and Councillor Harris seconded the following motion without notice, and it was **RESOLVED** unanimously:

“that under section 72 (e) of the constitution the time limit for speeches for item 6 on the agenda be extended to the following:

Leader of the Council 10 minutes
 Proposer of the budget 10 minutes
 Secunder of the budget 5 minutes
 Group spokespersons 10 minutes each")

6. The council's 2023-24 Budget and Medium Term Financial Strategy

(Councillors Driver, Fulton-McAlister (M), Kendrick, Kidman, Oliver, Peek, Price, Stonard, Stutely and Waters had declared interests in this item.)

Councillor Waters introduced the item.

Councillor Kendrick moved and Councillor Harris seconded the recommendations as set out in the report.

Councillor Osborn moved and Councillor Galvin seconded the following amendment:

Proposals to increase the following revenue budget items:-

	2023/24 £000	
Investigating both the immediate commercialisation opportunities of retrofitting insulation and renewable energy in homes, and a medium-term strategy to similarly retrofit the council's housing stock ¹	60	This £0.06m would come from the invest to save reserve and would support development of the business case to demonstrate the costs and benefits from the proposed approach. We would seek to establish the principle that some of the benefits of such measures would generate commercialisation opportunities which would initially replenish the invest to save reserve and then provide a future income source for the council.
Scoping an investigation to extend the collective bidding scheme currently applied to Solar Together to other decarbonisation investments such as insulation, heat pumps and private electric vehicle charging points ²	30	The scoping investigation would be funded by £0.03m from the business change reserve and would also provide procurement activity in support of collective bidding schemes.
Capital Strategy Manager ²	80	This £0.08m would come from the business change reserve. It will provide a resource to establish a better strategic overview of capital spending

Grant to Norfolk Citizens' Advice to provide face to face advice ³	30	£0.03m would be funded from general reserves. As this would be funded from reserves this would be a one-off grant to meet the immediate additional need created by the cost-of-living crisis. Any on-going support would need to be considered as part of future years' budgets.
Ongoing tree maintenance ⁴	20	This proposal should be considered alongside the additional capital investment set out in our capital programme proposals. This £0.02m would ensure that the on-going cost of additional tree planting was included in the revenue budget on an on-going basis. It would be funded through the proposed £0.1m permanent decrease from the environmental services contract for grass cutting (See Table 4).
Total revenue budget increase	220	

The additional one-off revenue costs of the above can be met as follows

Table 1

One off items	2023/24 £000
Invest to save reserve ¹	60
Business change reserve ²	110
General reserves ³	30
Total	200

The additional on-going revenue costs of the above can be met as follows

Table 2

On-going items	2023/24 £000
Permanent budget reductions ⁴ (see Table 4)	20
Total	20

Proposals to add the following items into the capital programme:-

	2023/24 £000	2024/25 £000	
Developing a pilot project for enhanced retrofitting of social housing for 20 homes. ^{1,5,6,7} [HRA and General fund capital programme]	250	750	£0.5m would come from government Wave 2 funding. A further £0.325m would be funded by a newly-created municipal bond scheme and £0.150m would be a contribution from the invest to save reserve in recognising the opportunities for commercially retro-fitting private housing which would be unlocked. The sum drawn from the invest to save reserve would be replenished from the additional incomes generated from private sector housing. The remaining £0.025m would be saved by not having to replace so many domestic boilers. Fewer domestic boilers would need replacement as opportunities were taken to retrofit alternatives such as air source heat pumps.
Capital project to plant new trees on council-owned land and on-going from permanent reduction to grass cutting provision. [General Fund capital programme]	80	80	This £0.08m spend would be funded as a revenue contribution to capital in both 2023/24 and 2024/25 following the proposed £0.1m decrease in the environmental services contract for grass cutting on an ongoing basis. Grass cutting would be reduced in areas where biodiversity would be improved as a result and grass would continue to be cut where reducing this service would have a detrimental impact on the appearance of an area.
Total capital budget increase	330	830	

The additional capital costs of the above can be met as follows

Table 3

	2023/24 £000	2024/25 £000
Invest to save reserve ¹	150	
Wave 2 social housing funding ⁵		500
A newly-created municipal bond scheme ⁶	75	250
Permanent budget reductions ⁴ (see Table 4)	80	80
Reallocation of existing capital items ⁷	25	
Total	330	830

The capital proposals would be met by the following reallocation of items in the existing capital programme

	2023/24 £000	
HRA upgrades Heating / Boilers Domestic ⁷	(25)	Fewer domestic boilers would need to be replaced as opportunities were taken to retrofit alternatives such as air source heat pumps.
Total	(25)	

To decrease the following revenue budget items on an on-going basis:-

Table 4

	2023/24 £000	
NCSL contract for grass cutting ⁴	(100)	This sum would be used to pay for additional trees to be planted and maintained on an ongoing basis. Grass cutting would be reduced in areas where biodiversity would be improved as a result and grass would continue to be cut where reducing this service would have a detrimental impact on the appearance of an area.
Total	(100)	

On being put to the vote with 13 members voting in favour (Councillors Ackroyd, Bogelein, Carlo, Catt, Champion, Galvin, Grahame, Lubbock, Osborn, Price, Schmierer, Wright and Young) and 20 members voting against (Councillors Davis, Driver, Everett, Fulton-McAlister (M), Giles, Hampton, Harris, Huntley, Jones, Kendrick, Kidman, Maguire, Oliver, Padda, Peek, Stonard, Stutely, Thomas (Va), Thomas (Vi) and Waters) voting against, the amendment was lost.

Councillor Wright moved, and Councillor Lubbock seconded the following amendment:

Proposals to increase the following revenue budget items:-

	2023/24 £000	2024/25 £000	Comments
Car parking in parks	85	10	This proposal would write back and eliminate fully the income targets associated with the parking in parks proposals which were implemented in the 2021/22 budget (£0.05m) and the 2022/23 budget (£0.025) and the proposed 2023/24 budget (£0.01m). It also proposes the removal of the 2024/25 income target (£0.01m) included in the council's MTFS.
Total	85	10	

Proposals to re-profile the following revenue budget items:-

	2023/24 £000	2024/25 £000	Comments
Advertising on vacant land income target	50	(50)	This proposes that the £0.05m income target set out in the council's MTFS for advertising on vacant land is brought forward into the 2023/24 budget.
Review of car parking charges	35	(35)	This proposes that £0.035m of the 2024/25 car parking income target of £0.480m is brought forward into 2023/24 budget.
	85	(85)	

On being put to the vote with 3 members voting in favour (Councillors Ackroyd, Lubbock and Wright), 21 members voting against (Councillors Davis, Driver, Everett, Fulton-McAlister (M), Giles, Hampton, Harris, Huntley, Jones, Kendrick, Kidman, Maguire, Oliver, Osborn, Padda, Peek, Stonard, Stutely, Thomas (Va), Thomas (Vi) and Waters) and 9 abstentions (Councillors Bogelein, Carlo, Catt, Champion, Galvin, Grahame, Price, Schmierer and Young) the amendment was lost.

Debate followed.

It was:

RESOLVED, with 20 members voting in favour (Councillors Davis, Driver, Everett, Fulton-McAlister (M), Giles, Hampton, Harris, Huntley, Jones, Kendrick, Kidman, Maguire, Oliver, Padda, Peek, Stonard, Stutely, Thomas (Va), Thomas (Vi) and Waters), 2 members voting against (Councillors Carlo and Catt) and 11 abstentions (Councillors Ackroyd, Bogelein, Champion, Galvin, Grahame, Lubbock, Osborn, Price, Schmierer, Wright and Young) to:

A) To approve Cabinet's recommendations of 8 February 2023 for the 2023/24 financial year:

General Fund

- i. The council's net revenue budget requirement as £19.041m for the financial year 2023/24 including the budget allocations to services shown in Section 2, Appendix 2 (C) and the savings and growth proposals set out in Section 2, appendices 2 (F) and 2 (G).
- ii. An increase to Norwich City Council's element of the council tax of 2.99%, meaning that the Band D council tax will be set at £288.59 (Section 2, paragraph 2.17) with the impact of the increase for all bands shown in Section 2, Appendix 2 (E).
- iii. The prudent minimum level of reserves for the council as £5.400m (Section 2, paragraph 2.38).
- iv. Delegation to the chief finance officer (S151 Officer), in consultation with the portfolio holder for resources and the portfolio holder for safe, strong and inclusive neighbourhoods, the award of any new business rates reliefs announced by government using discretionary relief powers.
- v. The following additional Council Tax premiums be determined from 1 April 2024 (Section 2, paragraphs 22-26), or as soon as possible thereafter, subject to the required legislation being in place:
 - 100% premium for second homes;
 - 100% premium for properties which have been empty and unfurnished for a period of between 1 and 5 years.
- vi. Delegation to the chief finance officer (S151 Officer) in consultation with the portfolio holder for resources the inclusion of any minor changes consequent on additional grant allocations or other minor amendments required.
- vii. Delegate to the chief finance officer (S151 Officer) the approval of technical virements for general fund, housing revenue account and capital budgets, to make budget transfers where there is no underlying change in the budget intention.
- viii. Delegate to the chief finance officer (S151 Officer) the approval of adjustments to the 2023/24 revenue and capital budgets to reflect the inclusion of expenditure in line with the UK Shared Prosperity Fund grant.

Housing Revenue Account

- ix. The proposed Housing Revenue Account gross expenditure budget of £71.540m and gross income budgets of £77.070m for 2023/24 (Section 3, paragraph 3.25).
- x. The use of the estimated surplus of £5.530m along with a further £1.210m of HRA general reserves to make a revenue budget contribution of £6.740m towards funding the 2023/24 HRA capital programme (Section 3, paragraph 3.25).
- xi. A 7.0% increase in dwelling rents for 2023/24, in accordance with the government cap. This will result in an average weekly rent increase of £5.85 for Norwich social housing tenants (Section 3, paragraphs 3.30 to 3.36).
- xii. That garage rents increase by 10.1%, based on CPI in September 2022 (Section 3, paragraph 3.37).
- xiii. That the setting of tenants' service charges is delegated to the executive director of community services in consultation with the portfolio holder for Social Housing after engagement with tenant representatives (Section 3, paragraph 3.38)
- xiv. The prudent minimum level of Housing Revenue Account reserves as £5.848m (Section 3, paragraph 3.55 and table 3.4).
- xv. The use of £0.500m of the HRA underspend in 2022/23, to increase an existing earmarked reserve formed to fund costs associated with HRA service transformation linked to a programme of review and improvement, with the release of funds being approved in accordance with paragraph 26 of the Council's Financial Regulations.

Capital and Commercial Strategy

- xvi. The proposed general fund capital programme 2023/24 to 2027/28 (2023/24: £28.545m; 5 years: £48.543m) and its method of funding as set out in Section 4, table 4.2, table 4.4 and Appendix 4 (B).
- xvii. The proposed HRA capital programme 2023/24 to 2027/28 (2023/24: £35.606m; 5 years: £182.181m) and its method of funding as set out in Section 4, table 4.2, table 4.5 and Appendix 4 (B).
- xviii. The capital strategy, as required by CIPFA's Prudential Code.
- xix. Delegating to Cabinet, approval to include in the capital programme, additional capital schemes funded wholly by grant where it meets the Council's aims.
- xx. Delegating to the chief finance officer (S151 officer) in consultation with the executive director of development and city services and executive director of community services, approval of adjustments to the 2023/24 and future capital programmes to reflect the funding requirements of projects funded from the Towns' Deal and UK Shared Prosperity Fund (UKSPF).

Treasury Management Strategy

- xxi. The borrowing strategy 2023/24 through to 2027/28 (Section 5, paragraphs 5.25 to 5.29).

- xxii. The capital and treasury prudential indicators and limits for 2023/24 through to 2027/28 contained within Section 5, paragraphs 5.29 to 5.59 and table 5.3, including the Authorised Borrowing Limit for the council.
- xxiii. The Minimum Revenue Provision (MRP) policy statement described in paragraphs 5.38 to 5.42 and contained in Appendix 5 (Section 5)
- xxiv. The (financial) Investment Strategy 2023/24 including changes to counterparty limits (Section 5, paragraphs 5.69 to 5.104).

Summary of key financial indicators

- xxv. The indicators for 2023/24 through to 2027/28 as contained in section 6.

B) To approve the Cabinet's recommendations arising from the Budget Scrutiny meeting on 2 February 2023:

- xxvi. Pilot a whole house approach to decarbonisation of our council homes. Use data, information and practice gathered from the pilot, alongside stock condition data and thermography surveys to support the development of the Housing Revenue Account Decarbonisation Plan

C) To approve an amendment recommended by Cabinet at the meeting on 8 February 2023:

- xxvii. Increase the general fund and HRA capital programmes to create a "Love Norwich" fund of £0.100m in order to support key local ward priorities and respond to those priorities effectively; funded through a £0.050m contribution from HRA capital receipts and £0.050m from general fund capital receipts.

D) To approve that the total of all the precepts of the collection fund is calculated in accordance with Sections 32-36 of the Local Government Finance Act 1992 as amended by the Localism Act 2011(as shown in Annex B) taking into account precepts notified by Norfolk County Council and the Office of the Police & Crime Commissioner for Norfolk.

LORD MAYOR



Committee name: Council

Committee date: 14/03/2023

Report title: Appointment of the Interim Chief Executive, Head of Paid Service, Returning Officer and Electoral Registration Officer

Portfolio: Councillor Waters, Leader of the council

Report from: Head of legal and procurement

Wards: None

OPEN PUBLIC ITEM

Purpose

The purpose of this report is to make interim arrangements for the critical roles of Chief Executive, Head of Paid Service, Returning Officer and Electoral Registration Officer until a permanent Chief Executive is appointed

Recommendation:

It is recommended that:

- 1) As of 25 March 2023, Louise Rawsthorne is appointed as Interim Chief Executive and Interim Head of Paid Service
- 2) With immediate effect, Louise Rawsthorne is appointed as Returning Officer and Electoral Registration Officer
- 3) With immediate effect, the executive scheme of delegation is amended in line with the change in responsibilities as outlined in paragraph 6;
- 4) Council notes the arrangements in place for the appointment of a permanent Chief Executive and Head of Paid Service, and that an extraordinary meeting of Council will be convened in due course to confirm the appointment

Policy framework

The council has five corporate priorities, which are:

- People live independently and well in a diverse and safe city.
- Norwich is a sustainable and healthy city.
- Norwich has the infrastructure and housing it needs to be a successful city.
- The city has an inclusive economy in which residents have equal opportunity to flourish.

- Norwich City Council is in good shape to serve the city.

This report meets the Norwich City Council is in good shape to serve the city corporate priority

Report details

1. In January 2023, the Council's Chief Executive, Stephen Evans, confirmed that he would be leaving on 24 March 2023.
2. The Chief Executive plays a critical leadership role within the Council, as well as performing a range of statutory functions including acting as the Head of Paid Service with responsibility for ensuring that all the authority's functions are properly co-ordinated, organising staff and appointing appropriate management. They also act as the Returning Officer, overseeing local elections, and the Electoral Registration Officer, with responsibility for management of the electoral register.
3. This report seeks to ensure that these important roles are fulfilled on an interim basis whilst a permanent appointment is recruited to, and outlines the arrangements being put in place for that recruitment.

Interim Arrangements

4. On a temporary basis it is proposed to appoint Louise Rawsthorne, the Council's Executive Director for Communities, to the Interim Chief Executive and Head of Paid Service from 25 March. Louise joined the Council permanently in April 2021, bringing a wealth of leadership experience across local government.
5. During the period of interim arrangements, the Council will be undertaking elections, and it is important that a returning officer and electoral registration officer is appointed to oversee the effective and sound running of the election and management of the register. With the nominations due to open on 27 March, Council is being requested to transfer the returning officer and electoral registration officer functions to Louise Rawsthorne with immediate effect to ensure there is clarity on roles as we approach the pre-election period. The Electoral Registration Officer is the Acting Returning Officer in the event of Parliamentary elections or by-elections.
6. To support the Executive Director whilst acting as Interim Chief Executive, it is proposed that the functions relating to IT, Digital and Customer Services and Strategy, Engagement and Culture will transfer to the Interim Director of Transformation, whilst the Interim Head of Housing and Community Safety will lead on the housing elements of the Directorate. This report proposes that the necessary constitutional amendments to the executive scheme of delegation also come into effect immediately to allow focus on transition of the Chief Executive role. Both officers have considerable senior experience in similar roles and bring with them the necessary expertise to carry out these functions.

Appointment of a new Chief Executive

7. The Council has commissioned Gatenby Sanderson as a partner to support the recruitment of a permanent Chief Executive. At the time of producing this

report, the process and timeline are being finalised albeit it is anticipated that a special meeting of Council may need to be convened shortly before the election to confirm the appointment.

Consultation

8. Regulations require that prior to appointing the Head of Paid Service (and other senior officers), consultation must take place with the Cabinet, who have the right to raise concerns regarding the proposed appointment. This process has taken place regarding the interim arrangements and no concerns have been raised.

Implications

Financial and resources

9. Any decision to reduce or increase resources or alternatively increase income must be made within the context of the council's stated priorities, as set out in its Corporate Plan 2022-26 and budget.
10. The arrangements for the interim Chief Executive and consequent changes to posts in support of that are estimated to cost approximately £0.067m less over a 6 month period than the substantive structure. This arises primarily as there is no like for like backfilling of the Executive Director for Communities post which will be covered by existing resource taking on additional duties on an interim basis as set out in the report.

Legal

11. This report ensures that the Council has the necessary arrangements in place to ensure statutory posts are fulfilled whilst recruitment takes place for a permanent chief executive.
12. Appointment to the role on a permanent basis must take place in line with The Local Authorities (Standing Orders) (England) Regulations 2001, which are reflected in the Council's constitution.

Statutory considerations

Consideration	Details of any implications and proposed measures to address:
Equality and diversity	There are no specific implications arising from this report
Health, social and economic impact	There are no specific implications arising from this report
Crime and disorder	There are no specific implications arising from this report
Children and adults safeguarding	There are no specific implications arising from this report

Consideration	Details of any implications and proposed measures to address:
Environmental impact	There are no specific implications arising from this report

Risk management

Risk	Consequence	Controls required
The council fails to make adequate interim arrangements until a permanent postholder is appointed	Ineffective leadership arrangements and lack of clarity regarding roles and responsibilities	The proposals in this report seek to ensure that there is effective leadership arrangements in place

Other options considered

13. The Council could elect to appoint alternative officers; however, the proposals in this report have been subject to thorough consideration and have the support of the current political and senior officer leadership

Reasons for the decision/recommendation


14. This recommendation is being made to ensure the Council has effective leadership and its statutory roles are fulfilled on a temporary basis

Background papers: None

Appendices: None

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Committee name: Council

Committee date: 14/03/2023

Report title: Pay Policy Statement 2023/24

Portfolio: Councillor Waters, Leader of the council

Report from: Head of HR and organisational development

Wards: All wards

OPEN PUBLIC ITEM

Purpose

To consider the pay policy statement for 2023/24.

Recommendation:

To approve the Council's pay policy statement for 2023/24.

Policy framework

The council has five corporate priorities, which are:

- People live independently and well in a diverse and safe city.
- Norwich is a sustainable and healthy city.
- Norwich has the infrastructure and housing it needs to be a successful city.
- The city has an inclusive economy in which residents have equal opportunity to flourish.
- Norwich City Council is in good shape to serve the city.

This report meets the Norwich City Council is in good shape to serve the city corporate priority

This report helps to meet the modernising the council objective of the COVID-19 Recovery Plan.

Report details

1. Section 38 (1) of the Localism Act 2011 requires the Council to consider, approve and publish a pay policy statement for each financial year. The pay policy statement must be approved by a resolution of the full Council by 31 March each year.
2. The pay policy statement must as a minimum set out the council's policies relating to:
 - a) the remuneration of its chief officers
 - b) the remuneration of its lowest paid employees
 - c) the definition of the lowest paid employees adopted by the council for the purposes of the pay policy statement and the reasons for adopting that definition
 - d) the relationship between the remuneration of its chief officers and employees who are not chief officers
 - e) the publication of and access to information relating to remuneration of chief officers

It must also comply with the statutory and supplemental guidance issued by the Department for Levelling Up, Housing and Communities.

3. The pay policy statement for 2023/24 is attached as Appendix A.
4. The pay policy statement for 2023/24 incorporates the following changes:
 - a. Updated salaries to reflect the Joint Negotiating Committee (JNC) for Chief Executive and Chief Officer pay award effective from 1 April 2022 to 31 March 2023, para 2.5 of the pay policy statement. This represents an increase of £1,925 per annum on all pay points.
 - b. Updated salaries to reflect the National Joint Council (NJC) for local government services pay award effective from 1 April 2022 to 31 March 2023, para 1.6 of the pay policy statement. This represents an increase of £1,925 on all pay points.
 - c. Amendment to paragraph 3 in relation to deputy chief officers
 - d. Additional clarification has been provided at 6.5 of the pay policy statement regarding reimbursement for use of cycles on official council business.
 - e. Pay multiples have been updated in para 5. The ratio between the highest paid employee and other employees based on the median earner has remained stable and is 1:4.68. The ratio of the highest and lowest pay points has improved from 1:7.45 to 1:6.86.
5. Pay claims have been submitted to the national employers by the trade unions for 2023/24. Agreements on pay increases for 2023/24 have not been reached. The pay rates detailed in the pay policy statement will be updated in line with any agreed pay increase for 2023/24.

6. The pay policy statement meets the statutory requirements of the Localism Act 2011.
7. The councils first pay policy was approved by full Council on 20 March 2012, and in each subsequent year.

Consultation

8. The remuneration and terms of condition of employment contained in the pay policy statement have been subject to formal consultation with Unison, the council's recognised trade union. The pay policy statement for 2023/24 was presented to the Joint Consultative and Negotiating Committee on 6 March 2023.

Implications

Financial and resources

9. Any decision to reduce or increase resources or alternatively increase income must be made within the context of the council's stated priorities, as set out in its Corporate Plan 2022-26 and budget.
10. There are no proposals in this report that would reduce or increase resources. The pay policy statement sets out current remuneration arrangements and there are no additional or increased financial implications arising from the pay policy statement.
11. The salary scales are based on the 2022/23 financial year. The council adopts the nationally negotiated local government pay agreements. The national pay negotiations have not been concluded and increases for 2023/24 have not been agreed and therefore the financial implications are unknown at this time. An assumption of a 4% increase in staffing budgets covering inflation and incremental drift was included in the budget assumptions for 2023/24. The pay claim received by the trade unions for most employees is for RPI plus 2%. Should the nationally negotiated pay agreements exceed the budget assumptions the financial implications will need to be given further consideration.

Legal

12. It is a legal requirement under the Localism Act 2011 for the council to have and publish an annual pay policy statement.

Consideration	Details of any implications and proposed measures to address:
Equality and diversity	The council applies the National Joint Council (NJC) job evaluation scheme. Decisions on pay are fair, equitable and transparent. An equality impact assessment was carried out when the current pay structure was introduced and equality impact assessments are carried out on policies impacting on employees and on an action specific basis, as appropriate

Consideration	Details of any implications and proposed measures to address:
Health, social and economic impact	The councils pay policy and adoption of living wage foundation living wage supports financial inclusion and is likely to have a health, social and economic impact.
Crime and disorder	None
Children and adults safeguarding	None
Environmental impact	None

Risk management

Risk	Consequence	Controls required
The Council does not fulfil the requirements of the Localism Act 2011 in agreeing and publishing the pay policy statement.	The Localism Act is not complied with.	The pay policy statement will be considered at full Council before 31 March and published on the Councils website within 21 days of approval.

Other options considered

13. None – the production and publication of a pay policy statement is a statutory requirement under the Localism Act.

Reasons for the decision/recommendation

14. To meet the requirements of the Localism Act 2011

Background papers:

None

Appendices:

Appendix A - Pay Policy Statement 2023/24

Contact officer:

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If you would like this agenda in an alternative format, such as a larger or smaller font, audio or Braille, or in a different language, please contact the committee officer above.



PAY POLICY STATEMENT 2023-24

Introduction

This pay policy statement is provided in accordance with Section 38 of the Localism Act 2011 and is effective from 1 April 2023. The pay policy statement was approved at a meeting of full Council on *(date to be added when agreed by Council)*.

Scope

This document sets out the council's pay and reward arrangements for the whole workforce including senior pay arrangements. The pay policy statement excludes pay arrangements and terms and conditions of employment of employees who have transferred into the council and are protected under the Transfer of Undertakings (Protection of Employment) regulations.

1. Employee remuneration up to and including heads of service

- 1.1 Employees up to and including head of service grades are subject to the National Joint Council (NJC) for local government services national agreement on pay and conditions of service. These are supplemented by locally agreed collective agreements reached with trade unions recognised by the council.
- 1.2 The council's pay structure commences at spinal column point (SCP) 4 up to SCP 59L. SCP's 4 to 43 reflect the NJC national pay points, SCP's 44L to 59L are locally agreed pay points.
- 1.3 There are 14 grades within the pay structure. Grade 1 is the lowest grade and grade 14 is the highest grade. Grades 13 and 14 apply to head of service posts.
- 1.4 Salaries in the pay grades 1 -14 are updated in line with pay awards notified from time to time by the NJC for local government services.
- 1.5 Posts are allocated to the pay grades through a process of formal job evaluation using the NJC job evaluation scheme.

1.6 Pay and grading structure – pay rates 1 April 2022 – 31 March 2023*

Grade	JE score	SCP	Annual salary	Hourly rate
Grade 1	Up to 260	4	£21,189	£10.98
		5	£21,575	£11.18
Grade 2	261 - 291	6	£21,968	£11.39
		7	£22,369	£11.59
Grade 3	292 - 332	8	£22,777	£11.81
		9	£23,194	£12.02
		10	£23,620	£12.24
		11	£24,054	£12.47
		12	£24,496	£12.70
		13	£24,948	£12.93
Grade 4	333 - 373	14	£25,409	£13.17
		15	£25,878	£13.41
		16	£26,357	£13.66
		17	£26,845	£13.91
		18	£27,344	£14.17
		19	£27,852	£14.44
Grade 5	374 - 414	20	£28,371	£14.71
		21	£28,900	£14.98
		22	£29,439	£15.26
		23	£30,151	£15.63
		24	£31,099	£16.12
Grade 6	415 - 455	25	£32,020	£16.60
		26	£32,909	£17.06
		27	£33,820	£17.53
		28	£34,723	£18.00
Grade 7	456 - 501	29	£35,411	£18.35
		30	£36,298	£18.81
		31	£37,261	£19.31
		32	£38,296	£19.85
Grade 8	502 - 547	33	£39,493	£20.47
		34	£40,478	£20.98
		35	£41,496	£21.51
		36	£42,503	£22.03
Grade 9	548 - 593	37	£43,516	£22.56
		38	£44,539	£23.09
		39	£45,495	£23.58
		40	£46,549	£24.13
Grade 10	594 - 644	41	£47,573	£24.66
		42	£48,587	£25.18
		43	£49,590	£25.70
		44L	£51,153	£26.51

Pay and grading structure – pay rates 1 April 2022 – 31 March 2023* (continued)

Grade	JE score	SCP	Annual salary (FT)	Hourly rate
Grade 11	645 - 695	45L	£52,149	£27.03
		46L	£53,480	£27.72
		47L	£54,845	£28.43
		48L	£56,249	£29.16
Grade 12	696 - 751	49L	£56,956	£29.52
		50L	£59,165	£30.67
		51L	£60,683	£31.45
		52L	£62,240	£32.26
Grade 13	752 - 812	53L	£63,119	£32.72
		54L	£65,479	£33.94
		55L	£67,164	£34.81
		56L	£69,257	£35.90
Grade 14	813+	57L	£70,477	£36.53
		58L	£72,487	£37.57
		59L	£74,357	£38.54

*To be updated in line with national pay agreement for 2023/24 when agreed.

1.7 Employees on Grade 1 are defined as our lowest paid employees.

1.8 The council pays employees no less than the Living Wage Foundation living wage rate. The rate is reviewed and updated by the Living Wage Foundation annually, normally in November for implementation within six months. If the council's lowest pay grade falls below the living wage rate, a supplement will be paid to equate to the living wage rate from 1 April following any increase.

2. Chief executive and chief officer pay

2.1 The council's chief executive is the head of paid service, and the executive directors are chief officers. The roles of director are deputy chief officers, however, the pay arrangements for chief officers have also been applied to director roles.

2.2 The current pay arrangements are locally determined and operated. Salaries in these pay grades are updated in line with pay awards notified from time to time by the Joint Negotiating Committee (JNC) for Chief Executives and Chief Officers.

2.3 The pay and grading structure for chief officers was agreed by full Council on 22 September 2020.

2.4 New appointments to be paid a salary package of £100,000 per annum or above are approved by full Council.

2.5 Chief executive and chief officer and director grading structure

Grade	SCP	1 April 2022 – 31 March 2023*	
		Annual Salary (FT) £	Hourly rate £
Chief Executive	150	£133,521	£69.21
	151	£136,511	£70.76
	152	£139,502	£72.31
	153	£142,493	£73.86
	154	£145,483	£75.41
Executive Director	110	£97,736	£50.66
	111	£101,423	£52.57
	112	£105,109	£54.48
Director	106	£79,313	£41.11
	107	£82,998	£43.02
	108	£86,683	£44.93
	109	£90,368	£46.84

*To be updated in line with national pay award for 2023/24 when agreed

- 2.6 The terms and conditions of employment for the chief executive and chief officers are determined in accordance with collective agreements, negotiated from time to time, by the JNC for Chief Executives and the JNC for Chief Officers, as set out in the Scheme of Conditions of Service. These are supplemented by local agreements reached with trade unions recognised by the council and by the rules of the council.

3. Heads of service

- 3.1 In accordance with the Local Government and Housing Act 1989 a non-statutory chief officer for the purposes of this pay policy statement is defined as a person who reports directly to or is accountable directly to the head of paid service. A deputy chief officer is defined as a person who reports directly to or is directly accountable to a statutory or non-statutory chief officer. This definition excludes secretarial, clerical and support services.
- 3.3 These heads of service are not subject to the pay and conditions of service determined by the JNC for Chief Officers of local authorities but are employed under NJC terms and conditions and are paid in line with the pay structure detailed in 1.6.
- 3.4 The head of legal and procurement holds the statutory role of monitoring officer. This role is also subject NJC terms and conditions and the pay structure detailed in 1.6.

4. Other arrangements

4.1 Election fees

The Returning Officer has overall responsibility for the conduct of elections and is appointed under the Representation of the People Act 1983. The role of returning officer is carried out by an employee of the council but is carried out in a personal capacity and is distinct and separate from their duties as an employee. Election fees are paid for the additional duties and are paid separately to the normal salary arrangements.

The chief executive is the council's Returning Officer.

Fees for Parliamentary, Police Commissioner, Referendum and European elections are set by parliamentary statutory order.

Fees for undertaking County and District elections are calculated in accordance with a formula agreed annually by the Norfolk Chief Executives' Group, based on a recommendation by the County Electoral Officers' Group.

The setting of Returning Officer fees is considered by a meeting of the Chairpersons of the Norfolk authorities' member remuneration panels.

Other employees of the council, including senior officers within the scope of this policy may receive additional payment for specific election duties.

5 Lowest and highest paid employees

- 5.1 The council's lowest paid employees are paid on Grade 1 of the pay structure. The minimum pay point paid to any employee is SCP 4 of the pay structure. This equates to a basic salary of £21,189 per annum. The salary range for Grade 1 is £21,189 to £21,575 per annum.

The council's highest paid employee is the chief executive. The chief executive salary scale ranges from £133,521 to £145,483 per annum.

5.2 Pay Multiples

The ratio between the highest paid employee and other employees based on the median earner is 1:4.68

The ratio of the highest and lowest pay point, based on full time equivalent salaries at 31 March 2023 is 1:6.86

In calculating the pay ratios, full time equivalent salaries and basic pay have been used. Basic pay excludes overtime, additional hours and other additional salary related payments.

- 5.3 The council does not have a policy on maintaining or reaching a specific pay ratio between the highest and lowest paid employees.

6 General principles applying to remuneration of all employees

6.1 Living wage

The council is an accredited Living Wage Foundation living wage employer and has adopted a living wage policy for employees and agency workers and contractors engaged through the council's procurement processes.

6.2 Pay on appointment

Starting salary on appointment is determined by assessment of relevant experience and competence to undertake the job role and taking account of current salary level. Salary on appointment will be within the salary range for the post.

6.3 Pay progression

All employees are remunerated on a pay range. The pay policy recognises that movement through defined pay ranges should continue as employees increase their effectiveness and expertise through knowledge and experience and most employees will normally receive an annual increment on 1 April each year up to the maximum point of the pay grade

Employees appointed between 1 October and 31 March receive their first increment after 6 months in post and any subsequent increments on 1 April each year.

Accelerated increments can be awarded based on special merit or ability, subject to the maximum of the scale not being exceeded.

6.4 Relocation and disturbance

Relocation expenses may be granted where new employees are required to move to the area to take up employment and their circumstances meet the criteria laid down in the relocation assistance scheme.

Existing employees required to move home for their employment or who incur additional costs because of a decision of the council in respect of their employment may be eligible for reimbursement of some expenses depending on the circumstances.

6.5 Expenses and Travel

- **Travel for work**

Employees are not required to provide a car for work purposes and pool cars are available for official business travel.

Employees may choose to use their own transport for official business travel and are reimbursed at the following rates:

Mileage per mile first 8,500 miles	46.9 p
Mileage per mile after 8,500 miles	13.7 p

Employees who choose to use a cycle for official business purposes and have not obtained the cycle through the cycle to work scheme, will be reimbursed in line with the mileage rate applicable for motorised vehicles.

Employees required to have access to a vehicle, because of the nature of their duties are classified as operational users. Operational users have access to pool cars but may use their own vehicle and be reimbursed mileage.

- **Car Parking**

Operational users who work in or from city hall and use their own vehicle for work purposes are provided with a city centre car park pass.

Employees who are required to remain at work or return to work to attend an evening meeting will be provided with a city centre car park pass to enable them to attend the evening meeting.

Employees working at other council buildings may use the parking at the site, where this is available.

- **Subsistence**

Subsistence will be paid to employees who necessarily incur additional expense in the course of their work. Claims will generally be supported by a receipt. Actual expenditure is reimbursed, subject to locally agreed maximum amounts.

6.6 **Bonus scheme**

The council does not operate a bonus scheme.

6.7 **Performance related pay**

The council does not operate a performance related pay scheme.

6.8 **Professional fees and subscriptions**

The council reimburses professional fees and subscriptions as follows:

- employees undertaking approved studies towards a professional qualification, which require professional membership. The subscription is paid for the period of the studies, subject to satisfactory progress being made.
- specified professions where there are proven recruitment difficulties as a recruitment and retention incentive.
- statutory chief officers where the professional membership is a requirement in accordance with their statutory function.

6.9 **Overtime and enhancements**

Some posts within the council attract enhancements and/or overtime payments. Overtime and enhancements are applied in accordance with set criteria which are nationally and locally agreed.

6.10 Honoraria

If it is appropriate for an honorarium to be paid, this will be in accordance with agreed criteria for payment of honoraria.

6.11 Severance arrangements

On ceasing to be employed by the council, employees will only receive compensation where this is appropriate as outlined below:

- i. Employees who are dismissed on the grounds of redundancy and who have a minimum of two years' continuous service with the council will normally be entitled to be paid statutory redundancy pay, which is calculated according to the individual employee's age, length of service and gross weekly pay subject to a statutory maximum.

The Local Government (early termination of employment) (Discretionary Compensation) England and Wales Regulations 2006 enable local authorities to pay discretionary compensation in certain circumstances above the statutory entitlement. The council has exercised its discretion to increase the redundancy payment as follows:

- the statutory upper pay limit will be disregarded when calculating a week's pay for the purposes of the statutory redundancy payment and will calculate redundancy payments based on actual week's pay.
- the redundancy payment will be enhanced by a factor of 1.5.

Redundancy calculation is the same across the council irrespective of position and pay grade.

Employees aged 55 and over and who are redundant and are members of the local government pension scheme immediately become entitled to receive their pension benefits. Pension benefits are not increased or augmented in these circumstances.

- ii. In exceptional circumstances and where the business case supports it, the council may agree to a severance package in relation to termination of employment, to avoid or settle a legal claim.
- iii. Severance packages of £100,000 or more will be considered at full Council.

6.12 Pension

All employees who have a contract of employment for at least 3 months and are under age 75 are eligible to join the Local Government Pension Scheme. Employees who are eligible for membership automatically become members of the scheme unless they opt out.

The council contribute to the employee's pension, expressed as a percentage of the employee's pensionable pay. The contribution rate is assessed and set every three years following an actuarial valuation of the Norfolk Pension Fund.

The employee also contributes to their pension. The employee contribution rates vary from 5.5% to 12.5% of actual pensionable pay.

The council auto enrolls all eligible employees into the Local Government Pension Scheme in accordance with legislative requirements.

6.13 Flexible retirement

The council considers requests for flexible retirement from employees aged 55 and over who reduce their grade and/or hours of work. This enables the employee to have immediate access to their Local Government Pension Scheme benefits whilst retaining employment.

Requests are normally only granted when the overall financial impact is neutral or results in savings for the council.

The council does not waive any actuarial reductions resulting from early payment of pension benefits for flexible retirement.

6.14 Market supplements

The council will consider the payment of market pay supplements in exceptional circumstances and where there are significant external market pressures impacting on recruitment and retention. Market supplements are applied, reviewed and withdrawn in accordance with the council's market supplement policy.

6.15 Re- engagement

All posts are advertised in accordance with the council's recruitment policies. Appointments and any decision to re-employ a former employee, who left employment in receipt of a severance or redundancy payment, will be made on merit.

6.16 Contracts for services

The council will seek to appoint individuals to vacant posts using the recruitment procedures on the basis of contracts of employment and apply direct tax and national insurance deductions from pay through the operation of PAYE.

Interim appointments are made in accordance with the council's procurement policies and the provisions for contract for services.

Consultants and agency workers are not employees of the council and are not covered by this pay policy statement but may be appointed as an officer of the Council by the Chief Executive or an Executive Director for the purposes of delegating functions and decisions.

Where there is a need for consultant/interim support, the council will seek to avoid contractual arrangements which could be perceived as being primarily designed to significantly reduce the rate of tax paid by that person, such as paying the individual through a company, effectively controlled by him or her.

In line with the Agency Workers Directive, the council will aim to pay workers engaged through a contract for services at a rate consistent with the pay and reward of the councils directly employed workforce. In some instances, there may be a need to consider market factors in determining an appropriate pay level.

Where interim workers are employed by the Council, an assessment will be completed to establish whether they fall within the scope of IR35 legislation using the HMRC status tool. Workers that fall within scope will have income tax and national insurance contributions deducted.

6.17 Salary sacrifice

The council provides salary sacrifice arrangements for childcare vouchers and the cycle to work initiative.

6.18 Gender pay gap

The Government implemented mandatory gender pay gap reporting for employers with 250 or more employees in April 2017.

Gender pay gap information for the council can be viewed on the gender pay gap service.

<https://gender-pay-gap.service.gov.uk>

7 Amendment and review of pay policy

The council's pay policy statement will be reviewed and agreed by full council on an annual basis and before 31 March each year.

If it is necessary to amend the pay policy statement during the year that it applies, any amendment will be by resolution of the full Council.

The policy and any subsequent amended policy will be published on the council's website within 21 days of full council approval.



Committee name: Council

Committee date: 14 March 2023

Report title: Constitutional Amendments: Terms of Reference for the Licensing and Regulatory Committees and Sub-Committees

Portfolio: Councillor Kendrick, cabinet member for resources (constitution); Councillor Jones, cabinet member for safe, strong and inclusive neighbourhoods (licensing)

Report from: Head of legal and procurement and Head of Planning and Regulatory Services

Wards: All wards

OPEN PUBLIC ITEM

Purpose

The purpose of this report is to seek Council approval to proposed changes to the terms of reference for the licensing and regulatory committees and sub-committees

Recommendation:

It is recommended that Council agrees to:

- 1) Establish the Regulatory Committee;
- 2) Agrees to the terms of reference for the Regulatory Committee, and to amend the terms of reference for the Licensing Committee, Licensing Sub-Committee and Regulatory Sub-Committee as attached at Appendices A-D of this report
- 3) That the Constitutional changes shall have effect from the date of 23 May 2023, being the Council's Annual General Meeting;
- 4) The principle that the membership of the Regulatory and Licensing Committees should be the same Councillors, and that the Chair and Vice-Chair of both Committees should be the same

And:

- 5) Amend Council Procedure Rule paragraph 82 to state that "Amendments to motions set out in the council agenda shall only be considered if they have been delivered in writing to Democratic Services **and the proposer of the motion** by 5pm on the day before the meeting."

Policy framework

The council has five corporate priorities, which are:

- People live independently and well in a diverse and safe city.
- Norwich is a sustainable and healthy city.
- Norwich has the infrastructure and housing it needs to be a successful city.
- The city has an inclusive economy in which residents have equal opportunity to flourish.
- Norwich City Council is in good shape to serve the city.

This report meets the Norwich City Council is in good shape to serve the city priority

Report details

1. The regulatory services have been undertaking a service review to assess how the service operates to most effectively licence businesses and operators in Norwich. This was supported by a specific peer review of the service that took place in 2022. The peer review recommended that the terms of reference and operation of the licensing and regulatory committee and sub-committees were reviewed to reflect good practice.
2. At present, the Constitution sets out the following structure:
 - a. A Licensing and Regulatory Committee, which has specific terms of reference. Its remit is to review licensing and regulatory related policies (albeit such policies usually require cabinet or council approval) and to appoint sub-committees to consider licence applications and variations.
 - b. A licensing sub-committee, which reviews applications and variations under the 2003 Licensing Act. The sub-committee is stated as operating in line with the 2005 Licensing Act Hearing Regulations
 - c. A regulatory sub-committee, which reviews applications and variations under all other relevant legal frameworks. There are no formal terms of reference albeit there are established working practices

Licensing and Regulatory Committee

3. In reviewing the way forward, the Council's legal team at nplaw were engaged. They highlighted previous counsel's opinion provided to local authorities regarding the status of licensing committees. In principle, the licensing committee itself should only consider matters related to the licensing act and all other regulatory matters should be considered by a separate regulatory committee.
4. With this in mind, it is proposed to establish both a licensing committee and a separate regulatory committee. Recognising the synergies between the committees, it is recommended that the membership of both committees

should be the same, and that they would share a chair and vice-chair. However, when reviewing policies relevant to the licensing act, they would meet as the licensing committee, but if reviewing policies related to matters such as taxi licensing, they would meet as the regulatory committee. The terms of reference for both committees would mirror each other.

Sub-Committees

5. It is proposed to continue to operate with two sub-committees as at present. Nonetheless, it was felt helpful to review the terms of reference for the sub-committees.
6. At present, the constitution does not clearly set out which applications can be determined by officers, and which applications need to be referred to committee. The new procedures include schedules, based on the legal framework, as to the circumstances in which decisions are determined by committee.
7. As above, the licensing sub-committee operates to the 2005 hearing regulations. These regulations set out the legal framework, such as the number of members that must sit on a committee, and the dates by which notifications of meetings must be given. However, they do not get into the more detailed mechanics of how hearings operate.
8. The regulatory sub-committees seemingly do not have formal procedures at present. Clearly, it would be beneficial to review this to ensure that meetings operated in a consistent way. In reviewing procedures, officers have sought legal advice and reviewed examples from other authorities.
9. First, the procedures will provide opportunity to dispense with hearings in two specific circumstances:
 - a. Providing clear delegation to Heads of Service to dispense with a hearing where all parties agree (there has sometimes been confusion over authority to do so in the past)
 - b. Providing a “beyond reasonable doubt” ability for officers to determine an application that would ordinarily be referred to the committee but there is no reasonable prospect of the licence being granted. In such situations, officers would consult with the Chair and Vice-Chair of the Licensing and Regulatory Committees for their thoughts on the application and whether it should be referred to Committee. An example of this is where applicants have failed to provide paperwork that is critical for determining the application despite a number of chasers to do so. This would not apply where there is a statutory requirement for a hearing.
10. The new procedures introduce clear pre-hearing processes. This will encourage applicants and relevant representatives to engage with the Council before the hearing as to whether they will be present, whether they wish to present additional material or bring witnesses. The Council will then be able to brief committee members and manage expectations relating to material and timings of meetings.

11. The procedures also set out how the committee will expect to operate. Whilst this reflects current operational practices, it should assist in providing applicants and representatives a clearer understanding of process. Tables are included to outline the relevant notification time limits as reflected in legislation.
12. Finally, the procedures introduce guidance to applicants and representatives regarding speaking times. It has been provisionally suggested that applicants and representatives should expect to present their case in relation to the application for no more than 15 minutes, with the provision that this may be varied either in more complex cases or to support reasonable adjustments in cases where individuals have protected characteristics. We have not proposed any limits with respect to the amount of time available for questioning or cross-examination.
13. The revised procedures are attached to this report as follows:
 - a. **Appendix A** the terms of reference for the licensing and hearing committees;
 - b. **Appendix B** Licensing committee procedures, which set out the scheme of delegation for licensing decisions and pre-hearing process;
 - c. **Appendix C** Regulatory committee procedures, which set out the scheme of delegation for regulatory decisions and pre-hearing process
 - d. **Appendix D** Licensing and Regulatory hearing procedures, which set out how hearings should operate

Bringing the changes into effect

14. From a practical perspective, the Council will shortly be entering into a pre-election period albeit regulatory and licensing decisions may still be made in this time. Nonetheless, the Council's Annual General Meeting (AGM), which is approaching in May, provides the practical opportunity to bring these changes into effect.
15. As a result, the recommendations in this report seek to bring these into effect on the day of the Council's AGM. This will then allow Council to make appointments to the Committee when considering its political balance.
16. Given this, Council is being asked to specifically support the principle that the membership, Chair and Vice-Chair of both licensing and regulatory committees are drawn from amongst the same members (as referenced in paragraph 4 above). This will assist officers in preparing the political balance report for Council.

Amendment to Council procedure rules

17. The constitution working party were asked to consider an amendment to the Council procedure rules. If an amendment is proposed to a motion, it has to be delivered to Democratic Services by 5pm the day before Council. It has been suggested that as well as Democratic Services, the proposer of the motion should also be informed of any amendments.

18. The constitution working party were unanimous in their support for this proposal, recognising it as an eminently sensible change as it may reduce unnecessary passing of e-mails between officers and members.

Consultation

19. Ahead of the Constitution Working Party, the Portfolio Holder and Chair of the Licensing and Regulatory Committee were both briefed on the proposals relating to licensing and regulation and were supportive of them. The Constitution Working Party considered the proposals at their meeting in February 2023 and have agreed to recommend these to Council.
20. A key matter of debate at the Constitution Working Party related to whether there needed to be further clarity given to relevant representations “in the vicinity” of the premises. However, on balance, the Constitution Working Party accepted that the legislation deliberately allowed discretion to be applied on this matter given that different types of licenses and venues can have a different scale of impact on the local vicinity.

Implications

Financial and resources

21. Any decision to reduce or increase resources or alternatively increase income must be made within the context of the council’s stated priorities, as set out in its Corporate Plan 2022-26 and budget.
22. The proposals in this report do not have any financial consequences.

Legal

23. The proposals in this report have been developed in consultation with nplaw and taken into account the various licensing and regulatory requirements including the Licensing Act 2003; Gambling Act 2005, the Licensing Hearing Regulations 2005 and the Miscellaneous Provisions Act 1976
24. Statutory considerations

Consideration	Details of any implications and proposed measures to address:
Equality and diversity	The purpose behind these changes are to ensure that there is clarity on the procedures followed. To ensure there is not adverse impacts, the pre-hearing process will ask applicants to make the Council aware of protected characteristics so that their needs can be accommodated into the specific hearing procedure.
Health, social and economic impact	None
Crime and disorder	Whilst effective regulation reduces the risk of crime and disorder, the proposals in this report do not specifically impact.

Consideration	Details of any implications and proposed measures to address:
Children and adults safeguarding	None
Environmental impact	None

Risk management

Risk	Consequence	Controls required
Failure to ensure hearings take place in a manner that is consistent, fair and transparent could lead to increased risk of challenge to decisions	The Council's decisions are overturned at appeal stages	Introducing clearer procedures to support licensing and regulatory hearings can help to ensure consistency and clarity of approach

Other options considered

25. The procedures have been developed with regards to approaches taken by other authorities and current practices in Norwich. There is scope to make further amendments (in the expectation that any such amendments would still need to be compliant with applicable regulations and the principles of fairness and transparency in decision making).

Reasons for the decision/recommendation

26. At present, the Council's constitution is limited in the information it provides as to how licensing and regulatory committees should operate. Further, concern has been raised as to the current meetings of the main licensing committee and the need to separate this into two meetings.

27. The constitution working party is therefore requested to review the proposals in this report and appendices to present their recommendations to Council.

Appendices:

Appendix A the terms of reference for the licensing and hearing committees;

Appendix B Licensing committee procedures, which set out the scheme of delegation for licensing decisions and pre-hearing process;

Appendix C Regulatory committee procedures, which set out the scheme of delegation for regulatory decisions and pre-hearing process

Appendix D Licensing and Regulatory hearing procedures, which set out how hearings should operate

Contact officer: Leah Mickleborough, Head of Legal and Procurement

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Appendix A: Licensing and Regulatory Committees

Licensing Committee

Within the policies laid down by the council, scheme of delegations and within the Corporate Plan to exercise the following powers of the council:

Licensing Act 2003

1. issue Premises Licences under the Licensing Act 2003
2. issue Club Premises Certificates under the Licensing Act 2003
3. issue Counter Notices (Temporary Event Notice) under the Licensing Act 2003
4. issue Personal Licences under Licensing Act 2003
5. take enforcement proceedings under the Licensing Act 2003

The election of the chair is made at the Annual Council meeting. The Annual Council meeting also determines the number of members on the committee, which may vary from year to year. It is expected that the membership and Chair of the Committee shall be the same members and Chair as appointed to the Regulatory Committee.

Gambling Act 2005

1. All powers under the Gambling Act 2005 other than those reserved to the council

Licensing Sub-committee

Determines licensing functions in accordance with the council's Licensing Policy and as set out in the licensing procedures in this constitution

Applications considered by the Licensing Sub-Committee are subject to the Licensing Act 2003 (Hearings) Regulations 2005.

Three members from the pool of Licensing Committee members are appointed to the Licensing Sub-Committee.

The sub-committee meets on an ad-hoc basis and must comply with the statutory hearing regulations and the hearing procedures in this constitution.

Regulatory Committee

Within the policies laid down by the council, scheme of delegations and within the Corporate Plan to exercise the following powers of the council:

2. issue licenses authorising the use of land as a caravan site (site licences)

3. license the use of moveable dwellings and camping sites
4. license hackney carriages and drivers and private hire vehicles and drivers and private hire operators
5. issue permits for the operation of minibuses
6. register pool promoters
7. grant track betting licences
8. license inter-track betting schemes
9. register societies wishing to promote lotteries
10. license sex establishments
11. license performances of hypnotism
12. license premises for acupuncture, tattooing, ear piercing and electrolysis
13. license pleasure boats and pleasure vessels
14. license market and street trading
15. license dealers in game and the killing and selling of game
16. register and license premises for the preparation of food
17. to grant or renew a licence for a licensable activity under the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 (selling animals as pets, providing or arranging for the provision of boarding for cats or dogs, hiring out horses, breeding dogs or keeping or training animals for exhibition).
18. license zoos
19. license dangerous wild animals
20. license guard dogs
21. license slaughter houses and knackery yards
22. license houses in multiple occupation (HMOs)
23. license to collect for charitable and other causes
24. functions under any "relevant statutory provision" within the meaning of Part 1 (Health, Safety, and Welfare in Connection with Work, and Control of Dangerous Substances) of the Health and Safety at Work, etc, Act 1974
25. Any function relating to contaminated land

26. control pollution
27. protect important hedgerows
28. serve abatement notice in respect of statutory nuisance
29. resolve that Schedule 2 to the Noise and Statutory Notice Act 1993 is to apply in the authority's area
30. inspect area to detect statutory nuisance
31. investigate statutory nuisance complaints
32. grant consent for the operation of a loudspeaker
33. issue street litter control notices
34. enforcement of legislation relating to straw and stubble burning, etc
35. license the placing of facilities on the highway for recreation or refreshment

The election of the chair is made at the Annual Council meeting. The Annual Council meeting also determines the number of members on the committee, which may vary from year to year. It is expected that the membership and Chair of the Committee shall be the same members and Chair as appointed to the Regulatory Committee.

Regulatory Sub-Committee

Determines consideration of licences or the issue of permits in relation to Hackney and private drivers' vehicles and licences, Statement of Gambling Policy and Statement of Sex Establishments, and other regulatory functions under the terms of such as structures on the highway and charitable collections and as set out in the hearing procedures in this constitution

Five members from the pool of Regulatory Committee members are appointed to the sub-committee on rotation.

The sub-committee meets monthly and must comply with the hearing procedures in this constitution

Appendix B: LICENSING COMMITTEE PROCEDURE RULES

Terms of Reference

1. The terms of reference for the licensing committee are set out in Part 2 ,Section 8 of the council's constitution.

Scheme of Delegation

2. The committee's scheme of delegations is as follows:

A Licensing committee and Licensing sub committee

Applications made under the Licensing Act 2003

All applications will be determined by the head of planning and regulatory services in accordance with the scheme of delegations set out in Appendix 6 of the council's Licensing Policy, with the exception of those matters which cannot be delegated under s10(4) Licensing Act 2003 or matters reserved for the licensing committee or licensing sub-committee:

Matter to be dealt with	Licensing Sub-committee	Officers
Application for personal licence	If a police objection made	If no objection made
Application for personal licence, with unspent convictions	All cases	
Application for premises licence/club premises certificate	If a relevant representation made and not withdrawn	If no relevant representation made
Application for provisional statement	If a relevant representation made and not withdrawn	If no relevant representation made
Application to vary premises licence/club premises certificate	If a relevant representation made and not withdrawn	If no relevant representation made
Application to vary designated premises supervisor	If a police objection made	All other cases
Request to be removed as designated premises supervisor		All cases
Application for transfer of premises licence	If a police objection made	All other cases

Matter to be dealt with	Licensing Sub-committee	Officers
Application for Interim Authority Notice	If a police objection made	All other cases
Decision on whether a representation is relevant or irrelevant, frivolous, vexatious, etc.		All cases
Decision to object when local authority is a consultee and not the relevant authority considering the application	All cases	
Determination of an objection to a temporary event notice	All cases	
Determination of application to vary premises licence at community premises to include alternative licence condition	If a police objection made	All other cases
Decision whether to consult other responsible authorities on minor variation application		All cases
Determination of minor variation application		All cases with discretion to refer to sub-committee

B Applications made under the Gambling Act 2005

All applications will be determined by the head of planning and regulatory services in accordance with the scheme of delegations set out in Appendix 2 of the council's Gambling Statement of Policy, except those reserved for full council or the regulatory committee.

Matters to be dealt with	Full Council	Committee or sub-committee	Officers
Final approval of three year licensing policy	All cases		
Policy not to permit casinos	All cases		
Fee setting (when appropriate)		As appropriate	All cases

Matters to be dealt with	Full Council	Committee or sub-committee	Officers
Application for premises licences		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Application for a variation to a licence		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Application for a transfer of a licence		Where representations have been received from the Commission	Where no representations received from the Commission
Application for a provisional statement		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Review of a premises licence		All cases	
Application for club gaming /club machine permits		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Cancellation of club gaming/ club machine permits		All cases	
Applications for other permits			All cases
Cancellation of licensed premises gaming machine permits			All cases
Consideration of temporary use notice			All cases
Decision to give a counter notice to a temporary use notice		All cases	

Pre-hearing Process

3. Applications relating to the licensing of activities taking place at premises, that are made under the Licensing Act 2003, are advertised by the applicant displaying a Public Notice on the premises and placing a Public Notice in a local newspaper.
4. The licensing team will notify applicants and interested parties of hearings. This will include details of:
 - The rights of parties to attend the hearing and nominate legal or other representatives to present their case.
 - Parties' abilities to address the committee/sub-committee, to give information and call witnesses.
 - The consequences of non-attendance.
 - This hearings procedure.
 - A separate schedule detailing points about which the licensing authority requires clarification.
 - The requirement that all parties notify the licensing authority:
 - If they are attending or will be represented at the hearing;
 - If they consider the hearing to be unnecessary;
 - Of any request for permission for a witness to appear at the hearing, the name of the witness and a brief description of the point or points on which that person will be able to assist the hearing.
 - The time frame for notification (see paragraph 5 below)
 - Any information to accompany the notice will be sent out in accordance with regulations.
 - Parties will also be requested to inform the Council of any particular needs they have in order that the Council may plan to make reasonable adjustments in respect of this, for example if the party requires a translator
5. Parties will be notified of hearings in accordance with the notice periods required by the Licensing Act 2003 (see table 1 below). Committee agenda papers will be dispatched at least five working days prior to a hearing (except where regulatory time frames make this impracticable).
6. If the head of planning and regulatory services or the head of legal and procurement, following consultation with the chair and vice chair, consider that beyond reasonable doubt the outcome of the committee/sub-committee would be the application or appeal would be refused, then the matter should normally be determined by officers unless there is a statutory requirement for a hearing to take place.
7. Hearings will be dispensed with if all parties making relevant representations agree a hearing is unnecessary. In such circumstances a decision will be taken

by the head of planning and regulatory services or head of legal and procurement to cancel the meeting.

8. Meetings of the licensing committee and sub-committee will be conducted in accordance with the Committee Procedure Rules, except when the committee or sub-committees sits as a hearing, in which case the Hearing Procedure Rules will apply.
9. Hearings will normally be held in public. The committee may exclude the public from all or part of a hearing where it considers that the reasons for holding a meeting in private outweigh the public interest in holding it in public.
10. The committee will hold its deliberations in private accompanied by the legal officer and committee officer.
11. A chair will be appointed by the members of the sub-committee unless the committee chair or vice chair is present, and they agree to chair the meeting.
12. The Hearing Procedure Rules for hearings under the Licensing Act 2003 are set in Appendix A.

Table 1

Licensing Act 2003 Timetable for Hearings

Types of hearing	Licensing Act Section	Working days within which hearing must be held	Working days within which interested parties must be notified of hearing	Working days within which parties must notify authority attending/and witness details	Persons to whom notice must be given	Minimum additionally required documentation for the hearing*
Premises licence	18(3)(a)	20	10	5	(a) applicant (b) all persons making relevant representations	Applicant receives all relevant representations
Provisional statement	31(3)(a)	20	10	5	a) applicant (b) all persons making relevant representations	Applicant receives all relevant representations
Premises licence variation	35(3)(a)	20	10	5	a) applicant (b) all persons making relevant representations	Applicant receives all relevant representations
Designated premises supervisor	39(3)(a)	20	10	5	(a) the holder of the premises licence (b) Police (c) the individual proposed to be the designated premises supervisor	Police objection notice

Table 1

Types of hearing	Licensing Act Section	Working days within which hearing must be held	Working days within which interested parties must be notified of hearing	Working days within which parties must notify authority attending/and witness details	Persons to whom notice must be given	Minimum additionally required documentation for the hearing*
Premises licence transfer	44(5)(a)	20	10	5	(a) applicant (b) Police	Police objection notice
Cancellation of interim authority notice	48(3)(a)	5	2	1	(a) any person with a prescribed interest in the premises or is connected to the former	Police objection notice
Review of premises licence	52(2)	20	10	5	(a) the premises licence holder (b) all persons making relevant representations (c) applicant	Applicant receives all relevant representations
Grant of a club premises certificate	72(3)(a)	20	10	5	(a) the applicant/club (b) all persons making relevant representations	Applicant receives all relevant representations
Variation of club premises certificate	85(3)(a)	20	10	5	(a) the applicant/club (b) all persons making relevant representations	Applicant receives all relevant representations

Table 1

Types of hearing	Licensing Act Section	Working days within which hearing must be held	Working days within which interested parties must be notified of hearing	Working days within which parties must notify authority attending/and witness details	Persons to whom notice must be given	Minimum additionally required documentation for the hearing*
Review of club premises certificate	88(2)	20	10	5	(a) the club holding the certificate (b) all persons making relevant Representations (c) the person requesting the review	Applicant receives all relevant representations
Counter notice following Police objection	105(2)(a)	7	2	1	(a) premises user (b) Police	
Personal licence	120(7)(a)	20	10	5	(a) applicant (b) Police	Police objection notice
Personal licence renewal	121(6)(a)	20	10	5	(a) applicant (b) Police	Police objection notice
Convictions discovered after grant or renewal of personal licence	124(4)(a)	20	10	5	(a) the licence (b) Police	Police objection notice
Review of premises licence following closure order	167(5)(a)	10	5	2	(a) the premise licence holder (b) all persons making relevant representations	Applicant receives all relevant representations

Table 1

Types of hearing	Licensing Act Section	Working days within which hearing must be held	Working days within which interested parties must be notified of hearing	Working days within which parties must notify authority attending/and witness details	Persons to whom notice must be given	Minimum additionally required documentation for the hearing*
Conversion of existing licence	Schedule 8 para 4(3)(a)	10	5	2	(a) applicant (b) Police	
Conversion of existing club certificates	Schedule 8 para 16(3)(a)	10	5	2	(a) applicant (b) Police	
Personal licence for holders of a justices licence	Schedule 8 para 26(3)(a)	10	5	2	(a) applicant (b) Police	

*The Licensing Act 2003 (Hearings) Regulations 2005 (Regulation 7) require all hearing notices to explain:

- The rights of a party to attend, be assisted or represented (Regulation 15)
- The party's rights at the hearing (Regulation 16)
- The consequences if a party does not attend or is not represented (Regulation 20)
- The procedures to be followed at the hearing
- Any particular points on which the authority considers that it will want clarification at the hearing from a party.

REGULATORY COMMITTEE PROCEDURE RULES

Terms of Reference

1. The terms of reference for the regulatory committee are set out in Part 2 ,Section 8 of the council's constitution.

Scheme of Delegation

2. The committee's scheme of delegations is as follows:

A Applications for the consideration of licences or the issue of permits in relation to Hackney Carriage Vehicles and Drivers, Private Hire Vehicles and Drivers, and Private Hire Vehicle Operators

The regulatory committee/subcommittee will consider applications which are contrary to policy or where the applicant or licensee has disclosed a conviction that would normally lead to refusal of a licence as detailed in the Guidance on Determining the Suitability of Applicants and Licensees in the Hackney and Private Hire Trades.

B Applications for Tables and Chairs and other licences falling under the terms of reference for the committee

Applications where objections have been received are referred to the regulatory committee/subcommittee.

D Applications for sex establishments under the Local Government (Miscellaneous Provisions) Act 1982

Applications will be determined by the head of planning and regulatory services where the application is valid and no objections have been received and there are no other statutory grounds for refusal

In cases where objections have been received; or if there are concerns regarding the characteristics of the locality; or any other discretionary ground of refusal exists, including that if the application were granted then any maximum number of premises in a relevant locality would be exceeded as set out in the Statement of Policy for Sex Establishments, Section 4, Location of Licensed Premises, then the application will be referred to the regulatory committee for a hearing and determination of the application.

Pre-hearing Process

3. Applications relating to the licensing of activities taking place at premises, that are made under the Local Government (Miscellaneous Provisions) Act 1982 (Sex Establishments), are advertised by the applicant displaying a Public Notice on the premises and placing a Public Notice in a local newspaper.

4. For applications made under s.115A of the Highways Act 1980 (Tables and chairs and other structures that are placed on the highway), these are advertised by the licensing authority placing Public Notices in the vicinity of the proposed licensed area.
5. The licensing team will notify applicants and interested parties of hearings. This will include details of:
 - The rights of parties to attend the hearing and nominate legal or other representatives to present their case.
 - Parties' abilities to address the committee/subcommittee, to give information and call witnesses.
 - The consequences of non-attendance.
 - This hearings procedure.
 - A separate schedule detailing points about which the licensing authority requires clarification.
 - The requirement that all parties notify the licensing authority:
 - If they are attending or will be represented at the hearing;
 - If they consider the hearing to be unnecessary;
 - Of any request for permission for a witness to appear at the hearing, the name of the witness and a brief description of the point or points on which that person will be able to assist the hearing.
 - Any information to accompany the notice will be sent out in accordance with regulations.
 - Parties will also be requested to inform the Council of any particular needs they have in order that the Council may plan to make reasonable adjustments in respect of this, for example if the party requires a translator
6. If the head of planning and regulatory services or the head of legal and procurement, following consultation with the chair and vice chair, consider that beyond reasonable doubt the outcome of the committee/subcommittee would be the application or appeal would be refused, then the matter should normally be determined by officers unless there is a statutory requirement for a hearing to take place.
7. Hearings will be dispensed with if all parties making relevant representations agree a hearing is unnecessary. In such circumstances a decision will be taken by the head of planning and regulatory services or head of legal and procurement to cancel the meeting.

Procedure for Regulatory Committee and Subcommittee Hearings

8. Meetings of the committee and subcommittee will be conducted in accordance with the Committee Procedure Rules, except when the committee or sub-committees sits as a hearing, in which case the Hearing Procedure Rules will apply.
9. The committee may exclude the public from all or part of a hearing where it considers that the public interest outweighs the public interest in the hearing, or that part of the hearing taking place in public.

10. The committee will hold its deliberations in private accompanied by the legal officer and committee officer.
11. The subcommittee will appoint a chair for the meeting unless the chair or vice chair are present.
11. The Hearing Procedure Rules are set out at Appendices A and B.

Appendix D

Licensing Committee/Subcommittee : Procedure for Determining Licensing Act 2003 Cases/Applications Made Under The Gambling Act 2005

Regulatory Committee/Subcommittee: Procedure for Determining Applications for Tables and Chairs/Applications For Sex Establishments Made Under The Local Government (Miscellaneous Provisions) Act 1982

Time limits on Representations

1. In normal circumstances, the committee/subcommittee will expect each party (applicant v objectors) to present their case within a maximum of 15 minutes, although this time limit may be varied by the committee/subcommittee, either on the application of a party to the hearing or at the sub-committee's own instigation. Should this need arise then all parties will be afforded the same allotted time to speak.
2. Where there are several interested parties whose representations reveal similar grounds of concern, the interested parties are strongly urged to appoint a spokesperson to avoid repetition of the same points.

Cross Examination

3. Regulation 23 states that the authority generally leads the hearing, and that cross-examination cannot take place unless specified by the local authority.
4. A decision to allow cross-examination will be taken on a case-by-case basis, with a presumption to allow.

Behaviour during the Hearing

5. Any person attending the hearing who is deemed by the sub-committee to be behaving in a disruptive manner will be asked to leave the hearing.

Late papers

6. If documentation is produced for the first time at the hearing, it can only be considered if all parties agree to accept it. Information must be relevant to the representations already made and to the promotion of the licensing objectives.

Step 1 Introduction

At the start of the hearing the chair should read out a statement declaring under which capacity the committee/subcommittee is sitting, ie

This subcommittee is sitting to consider matters under the Licensing Act 2003.

The chair will introduce themselves and the members of the committee / subcommittee.

The chair will then introduce and explain the respective roles of:

- (a) the licensing officer;
- (b) the legal adviser to the committee/subcommittee;
- (c) the committee officer (where applicable).

The chair invites all those present to introduce themselves and ask them to indicate if they wish to speak during the hearing. (Only those persons who have made representations may address the committee/subcommittee.)

Each party (the applicant and the objectors) will be asked by the chair whether 15 minutes is sufficient for the presentation of their case. (Agreement on the length of time given for each speaker is at the discretion of the chair. If there are a large number of relevant objections to a particular application the licensing authority (council) may ask an appropriate number of representatives or a spokesperson to put forward their views.)

Please note that at any time during the hearing the legal adviser or the licensing officer may be asked or may offer advice to the committee/subcommittee or other parties or ask questions of any party.

The legal adviser outlines the order of business.

Step 2: Presentation by Licensing Officer

The licensing officer outlines the application; confirms the application details with the applicant or applicant's representative, introduces the report and provides an update on any recent changes.

The chair will invite questions from all parties to clarify the content of the licensing officer's report.

Step 3: Applicant's Evidence

The applicant or their representative presents their case and brings forward any supporters or witnesses, after which the chair will invite questions to the applicant and their representatives from:

- (1) Members of the committee/subcommittee
- (2) The Responsible Authorities (or their representative);
- (3) Interested parties¹ (e.g. objectors);
- (4) the licensing officer.

The chair will also invite questions to any witnesses where present from all parties.

Questions should be relevant to the application and repetition will be discouraged.

Step 4: Responsible Authorities who are objecting present their case

Responsible authorities present their case and are questioned (if necessary) in turn by:

- (1) Members of the committee/subcommittee
- (2) The applicant;
- (3) Interested parties (e.g. objectors);
- (4) the licensing officer.

The chair will also invite questions to any witnesses where present from all parties listed above.

Questions should be relevant to the application and repetition will be discouraged.

Step 5: Interested Parties introduce their case

Each of the interested parties or their representatives wishing to address the committee/subcommittee may do so in order determined by the chair. They too must be willing to be questioned by other parties as listed above. Interested parties may not however question each other.

Questions should be relevant to the application and repetition will be discouraged.

Interested parties present their case and bring forward any witnesses, who are questioned (if necessary) in turn by:

- (1) Members of the committee/subcommittee
- (2) The Applicant;
- (3) Responsible authorities;
- (4) Licensing officer.

¹ An **interested party** is defined an interested party is anyone who has made a relevant representation as defined in the Licensing Act 2003 or Gambling Act 2005, and may include:

1. A person living in the vicinity of the premises in question.
2. A body representing persons living in the vicinity of the premises in question e.g. a Residents' Association.
3. A person involved in a business in the vicinity of the premises in question
4. A body representing persons involved in such business e.g. a Trade Association.

Step 6: Closing Statements

The chair will invite closing statements from the Responsible Authorities/Interested Parties and the applicant. Each party will be given a maximum of 5 minutes to sum up their representation(s).

Step 7: Members of the committee/subcommittee seek clarifications on any outstanding points

Members of the committee/subcommittee have a final opportunity to seek clarification on any points raised.

Step 8: Members of the committee/subcommittee retire to deliberate

The committee/subcommittee accompanied only by their legal adviser (and committee officer) will retire to make its decision in private.

Step 9: Decision notification

The committee/subcommittee usually readmits the applicant and other parties and the chair announces the decision. The legal adviser will provide the reasons for the decision and advises the parties that the decision will also be sent to them in writing and the rights of appeal. There can be no further questions or statements.

If the committee/subcommittee is unable to reach a decision, the chair will explain that all parties will be notified as soon as possible (but within 5 working days) of the decision and the reasons for such.

Procedure for Regulatory Committee/subcommittee Hearings

All regulatory committee/subcommittee hearings where the subject is not exempt from publication, e.g., applications for tables and chairs on the highway, and are held in public follow the licensing sub-committee procedures, above.

Members of the public will be excluded for the consideration of licences or the issue of permits in relation to Hackney Carriage Vehicles and Drivers, Private Hire Vehicles and Drivers, and Private Hire Vehicle Operators. The hearing will be conducted by a subcommittee of the regulatory committee.

The procedure is:

Step 1: Introduction

The chair introduces themselves and the members of the subcommittee. The chair then introduces the legal adviser, committee officer and the licensing officer and explains their roles.

The chair welcomes the licensee/applicant and establishes the identity of all who will be taking part and advises the applicant of their right to be accompanied. The legal adviser outlines the order of business.

Step 2: Presentation by Licensing Officer

The licensing officer outlines the application; confirms the application details with the applicant or applicant's representative, introduces the report and provides an update on any recent changes.

The licensing officer may call witnesses to support the council's case.

Members of the subcommittee and the applicant/their representative may ask the licensing officer questions for clarification.

Step 3: Applicant's Evidence

The applicant or their representative presents their case and brings forward any supporters or witnesses, after which they are questioned (if necessary) by members of the subcommittee.

Step 4: Members of the committee/subcommittee seek clarifications on any outstanding points

Members of the subcommittee have a final opportunity to seek clarification on any points raised.

Step 8: Members of the committee/subcommittee retire to deliberate

The subcommittee accompanied only by their legal adviser (and committee officer) will retire to make its decision in private.

Step 6: Decision notification

The subcommittee usually readmits the applicant and other parties and the chair announces the decision. The legal adviser will provide the reasons for the decision and advises the parties that the decision will also be sent to them in writing and the rights of appeal. There can be no further questions or statements.

If the subcommittee is unable to reach a decision, the chair will explain that all parties will be notified as soon as possible (but within 5 working days) of the decision and the reasons for such.



Committee name: Council

Committee date: 14/03/2023

Report title: Adjustment to the HRA capital programme

Portfolio: Councillor Kendrick, cabinet member for resources

Report from: Interim head of finance, audit and risk (Section 151 Officer)

Wards: All Wards

OPEN PUBLIC ITEM

KEY DECISION

Purpose

This report seeks approval to changes in the Council's HRA capital programme to acquire 24 dwellings and to provide homes for refugees.

Recommendation:

It is recommended to approve the following adjustments to the HRA capital programme:

1. An increase to the HRA capital programme of £3.916m in 2022/23, £3.282m in 2023/24 and £0.963m in 2024/25 to provide the necessary funding to acquire 24 dwellings
2. An increase to the HRA capital programme of £0.090m in 2022/23 and £0.210m in 2023/24 to undertake major works to properties to provide accommodation for Ukrainian and Afghan refugees

Policy framework

The council has five corporate priorities, which are:

- People live independently and well in a diverse and safe city.
- Norwich is a sustainable and healthy city.
- Norwich has the infrastructure and housing it needs to be a successful city.
- The city has an inclusive economy in which residents have equal opportunity to flourish.
- Norwich City Council is in good shape to serve the city.

This report meets the 'Norwich has the infrastructure and housing it needs to be a

successful city' corporate priority

This report addresses the following priority or action in the Corporate Plan

- Provide and encourage others to provide new homes, open spaces and infrastructure for residents
- Secure and manage funds from a range of sources to invest in the city

This report helps to meet the housing strategy, adopted policy of the Council

This report helps to meet housing, regeneration and development objective of the COVID-19 Recovery Plan

Report details

1. At its meeting of 8 February, cabinet considered a report, entitled Department of Levelling Up, Housing and Communities (DLUHC) funding opportunities for housing.
2. Cabinet resolved to:
 - a. Delegate authority to the executive director of communities, in consultation with the council's Section 151 officer, and the cabinet member for social housing, to acquire 24 properties for the council's Housing Revenue Account (HRA).
 - b. Delegate authority to the executive director of communities, in consultation with the council's Section 151 officer, and the cabinet member for social housing, to determine the appropriate rent level subject to any approval required by the Secretary of State or the Regulator of Social Housing.
 - c. Delegate authority to the executive director of communities, subject to business case and in consultation with the council's Section 151 officer and the cabinet member for social housing, to approve the acceptance of funding from the Department for Levelling Up, Housing and Communities (DLUHC).
 - d. Recommend to Council, the adjustment of the 2022-25 HRA capital programme, to fund the acquisition of the dwellings as set out in the report.
3. Following the cabinet decision officers have continued to negotiate the acquisition of 24 dwellings and have agreed in principle the terms of a purchase.
4. Further work to build the business case for the homes for Ukrainian and Afghan refugees will be undertaken in co-production with DLUHC.
5. DLUHC have indicated acceptance of our bid for the two projects with final details and grant agreements to be confirmed over the coming month.

Consultation

6. Officers have consulted with cabinet and labour group councillors on the proposals to acquire the 24 dwellings, with broad approval to accept the funding on offer subject to confirmation by DLUHC.

Implications

Financial and resources

7. Any decision to reduce or increase resources or alternatively increase income must be made within the context of the council's stated priorities, as set out in its Corporate Plan 2022-26 and budget.
8. The financial implications of the council approving the recommendations are an increase to the HRA capital programme of £4.006m in 2022/23, £3.492 in 2023/24 and £0.963m in 2024/25

Legal

9. Full details of the legal implications are included in the report to cabinet (Cabinet, 8 February 2023) "Department of Levelling Up, Housing and Communities funding opportunities for housing and the associated exempt appendix.

Statutory considerations

Consideration	Details of any implications and proposed measures to address:
Equality and diversity	<p>If successful with the LAHF funding the council will consider its duties to prospective residents under the Equality Act 2010.</p> <p>Refugees are defined and protected in international law. The 1951 Refugee Convention defines a refugee as 'someone who is unable or unwilling to return to their country of origin owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion.</p>
Health, social and economic impact	<p>The acquisition of 24 new affordable homes will provide much needed accommodation for residents on the waiting list.</p> <p>The provision of sufficient and high-quality housing is essential to health and well-being of residents.</p> <p>The provision of homes designed to high environmental standards and let at affordable rents will advance financial inclusion by helping to improve affordability for residents.</p> <p>This development has provided employment opportunities, with the construction being undertaken by local contractors, supported by local suppliers, and has generated local spending for the benefit of the wider economy. Providing more housing is important in supporting sustainable economic growth and prosperity</p>
Crime and disorder	<p>The properties are designed along secure by design principles</p>
Children and adults safeguarding	<p>Providing homes for refugee families will positively impact upon their safeguarding.</p>

Consideration	Details of any implications and proposed measures to address:
Environmental impact	<p>The 24 properties being acquired meet a high environmental standard that will help to address fuel poverty for the tenants.</p> <p>Consideration has also been given to amenity space and biodiversity on the development.</p>

Risk Management

10. Full details of risk management implications are included in the report to cabinet (Cabinet, 8 February 2023) "Department of Levelling Up, Housing and Communities funding opportunities for housing and the associated exempt appendix.

Other options considered

11. Full details of all options considered are included in the report to cabinet (Cabinet, 8 February 2023) "Department of Levelling Up, Housing and Communities funding opportunities for housing and the associated exempt appendix.

Reasons for the decision/recommendation

12. To provide the financial budget to take forward the two projects identified with Department of Levelling Up, Housing and Communities funding.

Background papers:

None


Appendices: None

Contact officer:

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	<p>If you would like this agenda in an alternative format, such as a larger or smaller font, audio or Braille, or in a different language, please contact the committee officer above.</p>
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Committee Name: Council

Committee Date: 14/03/2023

Report Title: Adjustment to the general fund capital budget – The Halls

Portfolio: Councillor Giles, Cabinet Member for Community and Wellbeing

Report from: Executive director of development and city services

Wards: Mancroft

OPEN PUBLIC ITEM

Purpose

To adjust the general fund capital programme to provide additional funds for major repairs and upgrades to The Halls.

Recommendation:

Following consideration at cabinet on 8 March 2023, to recommend to Council to increase the general fund capital programme by £1.848m (£0.450m in 2023/24 and £1.398m in 2024/25) to enable pressing major repair and upgrade works to The Halls.

Policy Framework

The Council has five corporate priorities, which are:

- People live independently and well in a diverse and safe city.
- Norwich is a sustainable and healthy city.
- Norwich has the infrastructure and housing it needs to be a successful city.
- The city has an inclusive economy in which residents have equal opportunity to flourish.
- Norwich City Council is in good shape to serve the city.

This report meets the Norwich City Council is in good shape to serve the city corporate priority

This report meets the treasury management strategy policy adopted by the Council.

Report Details

Background

1. The Halls is a multi-use cultural venue owned and run by Norwich City Council; it is a Grade I Listed Ancient Monument. The building passed into public ownership during the Reformation in 1538 and is the most intact Medieval friary in England in secular use. For 600 years the Halls, St Andrews and Blackfriars have been used for trading, worship and cultural purposes. Today it is a successful receiving house and the largest concert venue in the city, consisting of:
 - **St Andrews** has an auditorium seating 800 people and a stage and choir stalls which can accommodate orchestras of 100 musicians and choirs of 250. It also has considerable flat floor space, which is used for civic functions, dinners, book fairs, flea markets, parties, conferences and weddings.
 - **Blackfriars** is smaller and can accommodate up to 200 diners for a formal banquet, wedding ceremony, reception, concert or meeting. It has a small stage area.
 - **Becket's Chapel** dates back to 1258. It is a beautiful semi-outdoor space, which retains many interesting Medieval architectural features. The size and dimensions of the space lend it perfectly to wedding ceremonies but it can also be used for many other types of event.
2. This building is the only venue of its kind in the city. It is flexible and has the largest flat floor space of any cultural venue in Norwich. As a vital part of the city's cultural, economic and community life it promotes a mix of professional, amateur and community use and its multi-purpose use is seen as a strength. The Halls are located in the heart of the city and have been a focal point of the Creative Quarter since the 14th century.
3. It has the potential to become a change vehicle for how the city's cultural partners operate together, encouraging more creative practice and joint working. For this reason, it became one of the 8 Towns Fund projects approved in July 2021, receiving a total of £3.7m including match funding.
4. The Towns Fund project will install the improvements that enable the transformation of the Halls as a multi-venue arts centre. The technical and building improvements, including modern raked and gallery seating (already completed), increased digital capacity, high-quality audio-visual equipment, improved sound transfer and café/bar provision, as well as major redesign to improve flow and accessibility will make The Halls a modern, fit-for-purpose arts centre with the opportunity for a wide variety of events to be held there greatly improving the users experience and the revenue generated which ensures the space can be maintained

The Halls Building Condition

5. During the design preparations for the Towns Fund The Halls project, a high-level condition survey was undertaken in August 2022. This survey identified a range of works that were necessary to enable the Towns Fund investment to be

delivered. These were estimated at £950k and provision for these have been built into the budget recently agreed.

6. The high-level condition survey recommended further intrusive surveys be carried out. These detailed surveys were completed, and received in January 2023, after the budget papers were written, and identified works required to the roof and windows. This information means that further works of £1.848m have now been identified.
7. The detailed condition surveys received in January 2023, not only developed the likely costs in more detail, but also identified an urgent Health and Safety risk in relation to some windows in St Andrews Hall. Areas around these windows, including a section of St George's Street, have been cordoned off and at the time of writing, protection is being installed directly in front of the windows to mitigate these risks until the works can be completed.
8. If these works are not completed within the next 12 to 24 months, it is possible that it will lead to a complete failure of external walls and roof, which in turn will lead to the closure of the buildings, and costs that are substantially higher than those previously identified. It also renders the Towns Fund project undeliverable.
9. The detailed condition survey highlighted the following works, as urgent (to be done or mitigated immediately):
 - Repair and upgrade of rainwater goods
 - Urgent Repair of stained-glass windows in St Andrews and Blackfriars (this cost is included in the £0.95m request in the February cabinet paper)
 - Repair of areas of masonry
 - Urgent repair of retaining boundary wall in Chapter House
10. It also highlighted the following works to be completed within 24 months (within the Towns Fund project programme):
 - Extensive replacement of roof flashing
 - Repair of timber decay in St Andrews and Blackfriars roof structure
 - Replacement and upgrade of copper roof to St Andrews Hall
 - Replacement and upgrade of secondary glazing in St Andrew's Hall to improve noise transfer and ensure ventilation
 - Repair to collapsed drainage
11. The procurement for these works will be included within the main Towns Fund The Halls project procurement. The consultant team already appointed for The Halls will also manage these works. Therefore, there will not be additional procurement required for these works.

Conclusion

12. The City Council has an obligation to ensure continued preservation of the Listed Building and Scheduled Ancient Monument. Not doing these works puts the longevity of this building at risk, and will likely require the closure of the

building, removing an important facility from the community and the revenue to the Council.

13. Undertaking these works will enable that the building to achieve the revenue forecast, following the Towns Fund project.

Implications

Financial and Resources

14. Any decision to reduce or increase resources or alternatively increase income must be made within the context of the council's stated priorities, as set out in its Corporate Plan 2019-22 and Budget.
15. Prior to the detailed condition survey works being completed, based on the high-level condition survey completed in August 2022, £0.950m was included within the 2023/24 general fund capital programme approved by Council on 21st February 2023.
16. The detailed building condition surveys and costs, received after the publication of the budget Cabinet report, have subsequently revealed that the cost of the works is significantly higher due to the deterioration of the building. The expected cost of works, including contractor costs, consultant costs, NCC staff costs and 25% contingency is now £2.798m.
17. Although the cost of these repairs are unexpected, we have an opportunity to combine these works with the Towns' Deal funded redevelopment of the Halls. The works will be overseen by The Halls Towns' Fund project team enabling the utilisation of existing internal project team members and professional consultants. It will also reduce the cost of these works if they are combined with refurbishment and tendered to one contractor, saving on prelims and overhead costs (this has been assumed in the cost calculations).
18. The Towns' Deal Funding must be spent and works completed by 31st March 2025. The structural works identified in this report, must be completed as part of the Towns' Fund The Halls project or there is a risk of significant delay or potential loss of the Towns' Deal funding for The Halls project.
19. Delivering these works as part of the Towns' Fund project is the most cost-effective approach.
20. A prudent contingency has been allowed due to the age and nature of the building and further survey work, especially around mechanical and engineering elements, which is currently underway.
21. In order to deliver all the necessary works, it is proposed that the general fund capital programme is increased by £1.848m (£0.450m 2023/24 and £1.398m 2024/25). Although it is proposed to fund the additional expenditure from existing general fund capital receipts, these are limited and not currently anticipated to increase beyond the level reflected in the budget report in the foreseeable future. It is likely that there will be a requirement to fund additional projects from this resource in the medium term, which may then necessitate the need to undertake additional borrowing if there are insufficient capital receipts available.

22. Consideration should also be given to funding some of the additional costs from the Towns Fund resource subject to the agreement of DLUCH and there being funding headroom within that source.

23. The financial position is summarised in the table below.

<i>The Halls Capital Cost as at February 2023</i>	
Description	Total £000's
Construction Works	1,653
Contractor OHP and Preliminaries	330
Consultant Fee's	156
NCC Staff Costs	50
Surveys	50
Total Costs	2,238
Contingency 25% of above costs	560
Total Costs (inc. Contingency)	2,798
Funding already agreed	(950)
Capital Funds being requested	1,848

Legal

24. Legal advice has been provided in the areas of health and safety, listed buildings, duty of care and procurement.

25. Legal will continue to be involved in any necessary advice.

Statutory Considerations

Consideration	Details of any implications and proposed measures to address:
Equality and Diversity	There is not a direct impact on the equality and diversity, but these works enable the access improvements developed by Towns Fund project that will benefit a greater range of people.
Health, Social and Economic Impact	The Towns Fund improvements to the Halls will improve the economic sustainability of the building by widening its use.
Crime and Disorder	No implications
Children and Adults Safeguarding	No implications

Consideration	Details of any implications and proposed measures to address:
Environmental Impact	Improvements to the overall building including the Towns Fund project will improve the environmental efficiency of The Halls

Risk Management

Risk	Consequence	Controls Required
Risk of delay to Towns Fund The Halls project.	The Consequence will be that Towns Fund investment cannot be made as they are directly affected by the structural works that need to be carried out beforehand.	The risk assessment should consider: Additional investment within the Towns Fund project programme
Risk of delay to revenue generated by The Halls.	The possibility of the building closure due to safety and/or structural issues, if the works are not done during the Towns Fund project works.	If the works are combined with the Towns Fund project, the building will only need to be closed for the planned period and therefore removing further the impact on revenue.

Other Options Considered

26. Consideration was given to postponing all works until alternative funding is sort, however doing this causes a high Health and Safety risk and neglects the Council's responsibilities of the Listed Building and Scheduled Ancient Monument, this risk is increased an alternative funding source is not currently obvious. Delay also puts at risk the Towns Fund project, as the project works should not be carried out prior to the structural works.
27. Consideration was given to only carrying out the immediate works within the Towns Fund project, however this would mean that The Halls as a venue would then need to be closed down in 18-24 months (likely to be just after the completion of The Halls project). This would not only impact significantly on the revenue generated by the Halls but would also affect the community users and add cost to the build programme.

Reasons for the decision/recommendation

28. The reason for recommendation is to ensure The Halls are improved and maintained to safeguard their future, and to ensure that any identified Health and Safety risks are adequately resolved. The funding will also ensure that all of the Towns Fund project remains viable.

Background papers:

None

Appendices:

The detailed condition survey referred to in this report, can be accessed [here](#).

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Motion to: Council

Item 13

14 March 2023

Subject: Contacting the council

Proposer: Councillor Bogelein

Seconded: Councillor Lubbock

Contact with the council through consultations and everyday communication is vital for the citizens it serves. Councillors have been made aware of many instances where this has been difficult or unsatisfactory. This motion asks for a review and actions to make sure that all citizens are served and inequalities issues are addressed.

Both the council and its citizens benefit from efficient, fair, trusted two-way communication and it is especially important that no one is left out of this process and that issues are dealt with quickly when problems arise.

In December the council took 8096 calls on the telephone alone, the average wait time was over 10 minutes, and over 3488 people were rung back as they were not answered first time. There were just 49 face to face appointments in this time but evidence shows that these are effective and needed especially in complex cases.

Council **RESOLVES** to ask cabinet:

- 1) To improve the mechanism of consultations by:
 - a) Providing a clear statement of intent with each consultation which explains how the results of the consultation and the data collected will be used (e.g. how will a majority of consultees objecting to the consultation change the plans).
 - b) Replying to each consultee with the results of the consultation after it has concluded and outline changes that have been made as a result of consultation returns.
- 2) To improve engagement by:
 - a) Having a plan showing how engagement data (such as the Community Connectors' data) is used before it is collected. This should include worked up logic mapping of how the engagement exercise will translate into tangible and measurable outcomes.
 - b) Planning a clear impact evaluation of big engagement pieces before the engagement happens to enable objective evaluation

Item 13(a)

of the impact achieved. Where possible, a progress evaluation should be included throughout the engagement.

3) To improve customer contact by:

- a) Reviewing the provision of face-to-face appointments and the ease of requesting and being granted these appointments.
- b) Exploring the use of video appointments to enable the sharing of documents and a better assessment of the overall situation.
- c) Reviewing and monitoring the equalities impact of the customer contact and advice service.
- d) Ensuring that if the timing out of websites cannot be removed as a feature that a clear warning is provided before a form times out.
- e) Assessing the customer journey for a range of customer engagements, and conducting regular spot checks and mystery shopper exercises.

4) To improve communications with council housing tenants by:

- a) Reinstating named housing officers, so tenants can build up a relationship and have a named contact.
- b) Trialing distinctive uniforms for housing officers, so they can be approached by tenants when in the field.
- c) Reinstating regular Estate Audits and sharing the dates of these audits in advance.
- d) Reviewing the tenant involvement panel to ensure it is representative of different kinds of tenancies and diversity of council tenants.

5) To improve responses to complaints by:

- a) Achieving the set targets for responding to complaints in time within the next three months.
- b) Exploring automated progress updates to residents' enquiries and complaints.
- c) Exploring ways for residents to escalate reports and complaints that have had no or inadequate responses with the council.

Item 13(a)

6) To improve communication via letters by:

- a) Including a name, job title and telephone number of the person sending the letter.
- b) Adhering to readability best practice guidelines, or where that is not possible, including an easy read sheet.

7) To improve contact with contractors by:

- a) Ensuring that the council keeps an overview of work passed on to contractors and trials a system of being able to mark contractor work as completed and follow up work that is not being marked as completed in a set time target.
- b) Ensuring that contractors are part of the 'no wrong door' policy.

Motion to: Council

14 March 2023

Subject: The Local Electricity Bill

Proposer: Councillor Grahame

Seconder: Councillor Osborn

The Local Electricity Bill is a private members' bill with cross-party support that was introduced unopposed in June 2020. If this Bill was passed in Parliament it would give the energy regulator, Ofgem, a duty to create a Right to Local Supply. This would enable local community energy groups to achieve their vision of supplying generated energy back to the local area, help us as a council to meet our carbon reduction aspirations for the city and also bring multiple benefits to the local community. It is supported by many stakeholders, local authorities, and town councils and currently has the backing of 317 MPs.

Council acknowledges the efforts that this council has made to reduce greenhouse gas emissions and promote renewable energy;

1) Council notes:

- a) There needs to be a fundamental change in how we generate and consume energy in all aspects of our lives. Both electricity generation and distribution are undergoing rapid evolution, in both shape and scale.
- b) The distribution grid must now cope with power flows in both directions. In scale, electrification of heat and transport will require a quadrupling of electricity capacity. Local, community-based energy schemes can make a significant contribution to addressing both issues and encourage a sense of local empowerment to tackle climate change.
- c) Community schemes encourage local generation and storage to match local demand thus relieving pressure on the grid. Local schemes would be given new impetus and be able to contribute more renewable energy if local people could buy their electricity directly from local suppliers. But the disproportionate cost of meeting regulatory approvals makes it impossible to be a local energy supplier at a local scale and so, under the current system, this local energy gets sold back to the central grid.
- d) In June 2019, council unanimously passed a motion committing to "Ask the cabinet member for sustainable and safe city environment to present a report detailing how Norwich City Council might develop new models of finance to support the local solar industry whilst also helping residents and businesses

Item 13(b)

to benefit from renewable energy via the use of power purchase agreements (PPAs) and innovative behind-the-meter services.” The report requested never came to cabinet or to any committees.

2) Council agrees to ask cabinet to:

- a) work with partners to encourage investment in the electricity grid to increase capacity and improve capacity for two-way flows
- b) investigate potential partnership with Community Energy Pathways to support the development of local community-owned renewable energy
- c) explore ways to increase options for energy efficiency and renewable energy retrofitting measures in conservation areas
- d) work with partners, as opportunities arise, to develop the skills and infrastructure needed by local providers to rapidly upscale the transition to a zero carbon economy, e.g. by providing training placement programmes, developing a highly skilled retrofit team that could work initially on council homes, then commercially
- e) publicly announce its support for the Local Electricity Bill (LEB)
- f) present a report within 6 months outlining potential sites for development of local renewable energy in Norwich and how the council can engage with communities to encourage community ownership of energy; and
- g) present a report on finance models for local solar, and extend this to other forms of local renewable energy including hydropower, as requested in June 2019.

Motion to: Council

14 March 2023

Subject: Minimum unit pricing

Proposer: Councillor Schmierer

Seconded: Councillor Young

The number of alcohol-related deaths has hit an all-time high, rising by 30.2% in the East of England over the past five years. Experts have blamed the rise on the pandemic, claiming that people who were already drinking at higher levels before the pandemic were the most likely to have increased their alcohol consumption during this period.

In 2020/21 Norwich had the highest proportion of alcohol-related hospital admissions in the region.

Minimum Unit Pricing (MUP) sets a minimum price, per UK unit, below which alcohol cannot be sold.

The Alcohol (Minimum Pricing) Scotland Act 2012 paved the way for the introduction of MUP. A minimum unit price of 50p per unit has been in place since 1 May 2018. Research has showed it has had a lasting impact in both Wales and Scotland, having reduced consumption in some of the heaviest drinking.

Council therefore calls on cabinet to:

- 1) Write to the Secretary of State calling for the introduction of MUP in England in line with the devolved authorities in Scotland and Wales.
- 2) Ask the licensing committee to consider ways in which off premise licensed shops could be discouraged from selling super strength alcohol and other discounted alcohol when the licensing policy is next updated.
- 3) Continue to work with partners to support those who are struggling with alcohol dependency; and
- 4) Include reference to the impact that high levels of alcohol consumption can have on the public health profile of the city in the next corporate plan.

Motion to: Council

14 March 2023

Subject: Energy For All campaign

Proposer: Councillor Hampton

Seconder: Councillor Padda

The failure of Conservative-led governments to invest in renewables, retrofit homes and regulate the energy market has caused the current energy and cost of living crises. At the same time, the climate crisis is the biggest existential threat to our society with urgent action needed. There are numerous synergies between tackling the cost of living, energy, and climate crises; these must be addressed simultaneously to achieve true social, economic, and environmental justice.

1) Council notes that:

- a) Residents in Norwich and across the country are being hit hard by the cost of living crisis, with too many falling into fuel poverty.
- b) The Government's Energy Price Guarantee is socially unjust and fails to lay the path to an energy secure future.
- c) Norwich City Council's Sustainable Warmth Strategy sets out this council's approach to supporting residents who are experiencing fuel poverty, in a just and sustainable manner. It states our aim of ultimately eradicating fuel poverty in Norwich within the timescale of the 2040 City Vision.
- d) But national, systemic change is needed to guarantee energy security and the eradication of fuel poverty in the long term.
- e) The Energy Equity Commission Bill, and Fuel Poverty Action's corresponding Energy For All campaign, calls for the energy price cap system to be replaced with a free universal basic energy allowance, alongside a national retrofitting strategy. Everyone would receive a basic free amount of energy: enough to cover essentials like heating, eating, lighting and connectivity.
- f) If enacted, this policy would largely eradicate fuel poverty in Norwich and the UK.

2) Council **RESOLVES** to:

- a) Write to Fuel Poverty Action affirming our support for the Energy Equity Commission Bill and Energy For All campaign.
- b) Ask the Leader to write to the Secretary of State for Business, Energy and Industrial Strategy, copying in Norwich's two MPs, to alert them to this motion and request that they lend their support to the Energy Equity Commission Bill.
- c) Continue to support residents experiencing fuel poverty, deliver retrofit measures, promote clean energy and work towards a net zero city by delivery of our Environmental Strategy, Sustainable Warmth Strategy and other related policies.

Motion to: Council

14 March 2023

Subject: National Housing Crisis

Proposer: Councillor Jones

Seconded: Councillor Huntley

The worst cost of living crisis since the 1950s is coinciding with a national housing crisis. The result of this will be an increasing number of our residents deprived of one of the most fundamental pillars to a healthy and happy life – a secure, stable, and affordable home.

Homeownership is in decline following a period of rising house prices that has made buying a home unaffordable for too many. This combined with a drastic depletion in social housing stock has forced an increasing number of Norwich residents into the private rented sector and at the mercy of rising rents and under-regulated tenancies. Worse still, many are left without a permanent residence at all, as levels of homelessness remain high.

Whilst this Council has welcomed the Norwich Council Housing Strategy 2020-26 it is now calling for the acceleration of its delivery to increase the provision of affordable, secure, high-quality, and energy-efficient housing across the city to tackle the root of the housing crisis locally.

However, in the face of a worsening national economic crisis, urgent action is needed to protect our residents, especially those in the most precarious living circumstances, from its severest impacts.

To support residents through the immediate and acute period of the cost-of-living crisis, this Council **RESOLVES** to call upon Government to:

- 1) Increase Local Housing Allowance rates in line with rising private market rents - making these more affordable and reducing the proportion of income spent on rent at a time when household budgets are increasingly squeezed.
- 2) Introduce rent reforms and delegate powers to local authorities to set rent caps to protect private tenants from further rental increases or exploitative charges at a time of crisis.
- 3) Legislate a no winter evictions guarantee to protect private tenants from homelessness through the most challenging period of the cost-of-living crisis.

Item 13(e)

- 4) Abolish the Right to Buy in favour of expanding the provision of high-quality, energy-efficient, and environmentally sustainable social housing stock providing homes for residents and their families.
- 5) Expand pathways to homeownership so that owning a home can still be a realistic aspiration for any residents.
- 6) Prioritise the passing of the Renters' Reform Bill that seeks to improve standards and regulations across the private rented sector to better protect tenants.

Motion to: Council

14 March 2023

Subject: Norwich Bus Fares

Proposer: Councillor Stonard

Seconder: Councillor Harris

This council recognises the vital importance of affordable, reliable, and high-quality public transport to the functioning of Norwich. We therefore strongly welcome the recent IPPR research on public transport, published on 6 October 2022 under the title “To support low-income households, it’s time to reduce the cost of daily bus travel”. While the report makes clear that reducing fares is not the only issue needed to increase bus patronage – interventions to improve speed, reliability and the experience of passengers are all required as well - reductions in the costs of public transport for passengers are essential for a fair transport system.

Council **RESOLVES** to

- 1) note that; -
 - a) Low-income households are the most likely to use buses, while research by the RAC Foundation shows that since 2013 the cost of bus travel has risen by a greater extent than all other forms of transport. It is the poorest households, without access to other forms of travel, that have borne the brunt of these increases driven by de-regulation and lack of long-term funding.
 - b) Any reduction in bus fares would therefore be of the greatest benefit to those least well off. Capping bus fares at no more than £1 per day would save the poorest 20% of households in England £0.8bn a year. Making all bus fares in England free would save the poorest 40% of households £1.5bn a year.
 - c) This Council notes that a policy of making bus fares in England entirely free would cost £2.3bn a year, with the greatest benefits going to the least well off. For comparison, the recent ‘fiscal event’ in September 2022 proposed £40bn worth of tax cuts, mostly to the most well off. The current proposed Government funding for new roads is £27bn, for schemes that are likely to increase pollution and make the climate and biodiversity crises worse. For the same money, bus travel could be made free for at least ten years, helping to reduce car journeys, and making progress towards a net zero transport system.

Item 13(f)

- 2) ask that the Leader of the Council writes to the Secretary of State for Transport, the Shadow Secretary State for Transport, Norwich's two MPs and to the Leader of the county council expressing this Council's support for making public transport in Norwich free of charge; and
- 3) Use its existing partnerships and relationships with the county council and bus operators, to work to promote this objective.

Motion to: Council

14 March 2023

Subject: Plant-based food

Proposer: Councillor Catt

Seconder: Councillor Osborn

It is increasingly recognised that meat and dairy production is a significant contributor to climate breakdown, with the livestock sector accounting for at least 14% of global greenhouse gas emissions, as well as being a major contributor to global deforestation. The catastrophic effects of climate breakdown mean climate and risk experts predict a world with systemic cascading risks related to food insecurity including food shortages, societal tensions, hunger and malnutrition, unrest and conflict (according to a Chatham house report from 2021), which furthermore predicts a 50% chance of synchronous crop failure in the decade of the 2040s. Producing a kilo of beef creates, on average, 12 times more CO₂ than a kilo of tofu or other soya based proteins. Meanwhile, producing a litre of dairy milk uses, on average, at least four times as much land as producing a litre of plant milk. Growing numbers of people are adopting plant-based diets, which do not include meat or dairy.

As well as a smaller carbon footprint, eating more plant-based foods also reduces the land footprint of our diets and would improve UK food security and self-sufficiency, thereby making our diets more local. As a country, we currently import much more food than we export. In 2021 we had a trade deficit for all dairy products of £1.04 billion and a trade deficit for just beef, pork and lamb of £1.7 billion. Only 55% of the world's crop calories feed people directly with 36% going to feed livestock; only a fraction of the calories in feed given to livestock make their way into the meat and milk that we consume which is a huge food waste issue on top of making our food production much more carbon intensive. While some people criticise people who follow a plant-based diet for eating imported soy, the vast majority of soy - 77% - goes to feeding livestock, which research has shown is an inefficient use of resources. East Anglia has predominantly arable farming and there are many local predominantly plant-based food businesses we could support.

Henry Dimbleby, in the Government-commissioned National Food Strategy concluded that a 30% reduction in meat consumption is necessary for future food security. The National Food Strategy also states that obesity alone accounts for 8% of annual health spend in the UK, or £18bn. Savings to the NHS will come from healthier, plant-based diets. Sustain estimates that meat over-consumption costs the NHS directly £1.2 billion, and is responsible for 45,000 deaths annually. Over 40% of

Item 13(g)

Britons are trying to reduce their meat consumption and 14% already follow a flexitarian diet, but plant-based food options are not consistently available at all events or food venues. Other countries have taken a stance; for example, in Portugal it is a legal requirement for all public catering – including local authority facilities – to provide plant-based food options, and other local authorities such as Oxfordshire County Council and Cambridge City Council have decided to promote plant-based food via serving a fully plant-based menu at Council meetings and events, where cost-effective. Locally, the University of Cambridge Catering Service reduced food-related greenhouse gas emissions by a third via replacing beef and lamb with plant-based products.

In September 2021, Norwich City Council formally adopted the Glasgow Declaration on Food and Climate which committed the council to try to reduce greenhouse gas emissions associated with food. Norwich City Council can build on its achievements to date and lead by example to promote and normalise consumption of plant-based food, recognising that plant-based meals are frequently nutritious and low-cost food options. This is in line with its vision for Norwich City to be net-zero carbon by 2045.

Council therefore **RESOLVES** to:

- 1) Follow the lead of other councils around the country in ensuring that food and drink provided at all meetings and events hosted by the city council, including those hosted by the Mayoralty, is plant-based, and where possible, is provided by a local caterer paying the Real Living Wage and sourcing sustainable local ingredients.
- 2) After exploring a wide variety of catering options (including consideration of social enterprises), use Norwich City Council civic events to promote and showcase environmentally friendly plant-based food and drink options, alongside displayed information about the climate and health benefits and relative cost of different protein/food sources and informing people about how to achieve a balanced plant-based diet.
- 3) When events occur on City Council open spaces, and where catering is provided, ensure that environmentally friendly plant-based options are available (i.e., minimum from at least one caterer), secured through the use of terms and conditions of hire (where reasonably possible).
- 4) Secure through a contract specification when re-tendering for suppliers that environmentally friendly, locally sourced plant-based food and drink options are to be available at providers on City Council open spaces (where reasonably possible). Similarly, when possible, via future contract specification when re-tendering for suppliers for council-run cafes, kiosks or leisure centres, specify that vegetable/legume rich plant-based options are listed prominently on menus, above non-plant-based options.
- 5) Continue to use council communications channels to promote sustainable (and affordable) food and drink practices throughout the city, including details of the climate and health benefits of plant-based food and drinks and educating people on the best ways to achieve a balanced plant-based diet, while also appropriately highlighting the

Item 13(g)

crisis of ever-increasing food poverty in this city and the support available to respond to it.

6) Write to Norfolk County Council requesting that they assess the carbon impact of meat and dairy industries on the county and ask what steps are being taken to reduce this in line with the target to achieve net zero carbon emissions by 2030.

7) Work with community groups across the city to promote the establishment of new community gardens, especially on sites that have been previously derelict or contaminated, so that these sites can be quickly brought back into beneficial use to meet the wider demands posed by the social, economic, and environmental crisis, including that of supporting the growth of cheap and accessible plant-based food and drinks for all our communities.

8) Continue to recognise Norwich as a city with businesses leading the way in the provision of plant-based foods and drinks. Continue to engage with Norwich BID and the Norwich Market Traders' Association to investigate the opportunities to promote the benefits of plant-based foods, give people information about the best ways to achieve a balanced plant-based diet, and improve the availability of plant-based options at Norwich businesses; and

9) Write to the Secretary of State for Environment, Food and Rural Affairs supporting UK endorsement of the Plant Based Treaty and invite all Party Group Leaders to sign the letter.

Motion to: Council

14 March 2023

Subject: Walk-in Centre

Proposer: Councillor Jones

Seconder: Councillor Giles

1) This Council Notes:

- a) That the Norfolk and Waveney Integrated Care Board has begun a consultation on proposals for general medical services provision in Norwich when the current contract for the Walk-in Centre, the GP practice on Rouen Road and the Vulnerable Adults Service expires on 31st March 2024
- b) That this consultation proposes three options for the provision of these three services after 31 March 2024:
 - i. No change – reprocure (buy again) all three services, meaning the current location and services provided would not change
 - ii. Reprocure (buy again) the Vulnerable Adults Service and GP practice at Rouen Road (and allow the Walk-in Centre service to expire)
 - iii. Reprocure (buy again) the GP practice and the Vulnerable Adults Service under one contract and commission (buy) the health service capacity that is provided at the Walk-in Centre in a different way to improve health outcomes in underserved communities across the Norwich area
- c) That the consultation, in Option ii, explicitly proposes the closure of the Walk-in centre
- d) That the Walk-in centre treated 7632 patients in December 2022 and 6,836 in January 2023 and that this equates to a total of 78,255 patients treated in a twelve month period

Item 13(h)

- e) That the Walk-in Centre offers face-to-face appointments outside normal GP surgery hours, from 7 am to 9 pm seven days a week, which is more accessible and convenient for working people than their GP surgery
 - f) That GP practices in Norwich, faced with recruitment and retention problems, on the back of twelve years of Tory austerity, are struggling to respond to patient demand. Patients may be expected to wait many weeks for a face-to-face GP appointment and, according to local press reports, some GP practices are only able to offer a face-to-face encounter for 40% of their appointments.
 - g) That a proportion of patients who use the Walk-in Centre would otherwise have attended the Accident and Emergency department at the Norfolk and Norwich University Hospital and that the Walk-in Centre therefore helps reduces pressure on the A&E department as well as saving the NHS money by offering a more cost-efficient service. The consultation does not include an economic analysis of the cost and service implications, of closing the Walk-in Centre, for the rest of the local NHS
 - h) That Norfolk Healthwatch has stated that if the Walk-in Centre was to close: "Even with an enhanced service provision, neither the primary nor secondary care system would be able to cope with this demand."
 - i) That the walk-in centre is available to those without a registered practice, some of which are particularly vulnerable.
- 2) This Council Believes:
- a) That the Norwich Walk-in Centre is a valuable, vital, and accessible health service for the people of Norwich, which treats many tens of thousands of people every year
 - b) That it's closure would be disastrous for both local people and the local NHS. Other local health services would not be able to provide for the patients that currently are treated by the Walk-in Centre, meaning many would be forced go to A&E, which would cost the NHS much more and would add to the pressure on that service, or would be forced to wait many weeks to see a GP, during which time their health condition could deteriorate significantly
 - c) The Walk-in Centre is a more efficient and cost-effective way of supplementing local GP services than the alternative of providing additional funds to individual GP practices, because, as a single point of access, it benefits from economies of scale. Norfolk Healthwatch has noted: "Spreading equivalent funding across Norwich GP practices can never be able to provide same level/quantity of service provision to so many people."

Item 13(h)

- d) That the Walk-in Centre is a vital resource for many vulnerable people who may not be registered with a local GP
 - e) That Option iii. in the consultation document is vague and does not describe in any way the replacement service which would be provided and that the public is being asked to support an alternative option while not knowing what it is
 - f) That the threat of closure of the Walk-in Centre must be removed
- 3) This Council **RESOLVES** to:
- a) clearly state its support for the continuation of the existing Walk-in Centre service
 - b) write to the Integrated Care Board stating this support
 - c) write to the two MP's for Norwich asking them to step up their support and make every effort to ensure the Walk-in Centre's continuation
 - d) encourage people to participate in the consultation to make sure the commissioners hear their voice