



**Cabinet**

**17.30 – 18:40**

**12 December 2021**

**Present:** Councillors Waters (chair), Harris (vice chair), Hampton, Jones, Kendrick, Oliver, Packer and Stonard

**Also present:** Councillors Galvin and Wright

**1. Declarations of interest**

Councillor Harris declared an other interest in item 6 below as the council's appointee to the Broads Authority.

**2. Public Questions/Petitions**

A public question was received from Mr Sean Bennett who asked the deputy leader and cabinet member for social housing the following question:

"Regarding the health and safety issues raised in thousands of homes. Why did the Administration believe it was appropriate to wait until October to inform residents of the health and safety issues in their properties when the problem was known about as early as June? How can they justify keeping tenants and taxpayers in the dark for so long about such an important and potentially dangerous issue?"

Councillor Harris, deputy leader and cabinet member for social housing gave the following reply:

"We started our review in June, working with colleagues at NPS, at that early stage information was emerging. When we approached the Regulator of Social Housing to make a self-referral at the end of July we were continuing to establish the full position, we made the Regulator aware of that. Work started in July on a supporting, detailed review and that work concluded in October. We wrote to all of our tenants and leaseholders when that review had concluded. Our aim in writing at this stage was to provide as much accurate information and therefore reassurance as we could by setting out how the issues affected different types of homes. When the Regulator concluded their findings at the end of October we wrote to our tenants again to update them."

In response to Mr Bennett's supplementary question the deputy leader and cabinet member for social housing advised that a tenant's panel was in place and she would provide regular updates to this forum. Work would continue to consider further ways to increase tenant involvement.

### 3. Minutes

**RESOLVED** to agree the accuracy of the minutes of the extraordinary cabinet meeting of 12 November and the minutes of the cabinet meeting held on 17 November 2021.

### 4. Article 4 Direction to remove permitted development rights for the conversion of offices to residential

Councillor Stonard, cabinet member for inclusive and sustainable growth, presented the report. He explained the process to date which included a public consultation to which 14 responses had been received. He noted there was support in favour of removing permitted development rights due largely to concern regarding the quality of the residential conversions often achieved. The unregulated conversion of offices damaged the long term character of the city and undermined the ability of the council as the local planning authority to influence the strategic growth of the city.

If the council as the planning authority could consider applications concerning the change of use of office accommodation then matters such as the availability of office space in a given area and the quality of residential conversion of developments could be taken into account.

The removal of permitted development rights was proposed within a limited geographical area and a map showing the boundary of the area was included within the report. Confirmation from the Secretary of State was awaited as to whether he would use his powers to intervene in the proposed direction. Councillor Stonard noted that the process to introduce the Article 4 direction required a 12 month lead in period and that this could run concurrently whilst awaiting the decision.

The Sustainable Development Panel (SDP) had considered the report at its meeting on 16 November 2021 and recommended it to cabinet.

Councillor Davis, the cabinet member for social inclusion referred to appalling office conversions which had been seen in other parts of the country and emphasised that people had a right to good quality accommodation which the introduction of an Article 4 direction would help to achieve.

Councillor Jones, the cabinet member for safer stronger neighbourhoods highlighted that the city council had previously taken enforcement action against substandard office conversions and the introduction of an Article 4 direction represented a positive development.

Councillor Galvin commented that the report represented a step forward in the provision of good quality housing and office space within the city. She asked if it were possible to quantify the amount of office space the city had lost compared to the number of dwellings created. Further, she asked when granting permission to convert redundant office space how would the council ensure a decent proportion of social housing.

Councillor Stonard advised that an analysis of office space lost had been presented in an earlier report to cabinet and the executive director of development and city services could provide this information outside of the meeting. In terms of the

viability and affordability of developments the council had introduced a transparent process to calculate viability. On occasion there were legitimate cases where developments were not viable with a 30% affordable housing mix. However, the data had to be robust and transparent if this were to be the case.

The executive director of development and city services noted there was a role for officers to ensure the correct information was provided and that a robust application process was in place in order that members could critically examine applications.

Councillor Waters, the leader of the council, highlighted that 25% of office space had been lost across the city. The executive director of development and city services confirmed across the city there had been a considerable loss of office space, previously tenanted offices, which had become substandard and non-affordable residential accommodation. The city had been significantly impacted by permitted development rights.

Councillor Wright commented that it was a balance, office conversions were not being ruled out but democratic oversight would be ensured.

**RESOLVED** to confirm the Article 4 Direction to remove permitted development rights for the conversion of offices to residential within Norwich city centre, as identified on the plan attached in appendix 2.

## **5. Local Development Scheme December 2021**

Councillor Stonard, cabinet member for inclusive and sustainable growth, presented the report. He explained that the Local Development Scheme (LDS) was part of the documents which made up the local plan for the city. It was good practice to keep it up to date. He noted that the LDS had been considered at Sustainable Development Panel (SDP) at its meeting on 16 November 2021 and the panel had recommended it to cabinet.

Councillor Galvin asked what the council's approach to supporting neighbourhood plans was and how residents could be empowered to be part of the planning process. Councillor Stonard commented that a proposal had been received for a neighbourhood plan, in the Anglia Square area of the city. The membership appeared appropriate and the council would work with the group and give it every support as it was required to do. There had been an issue with the geographical boundary of the application which had been addressed and amended as advised.

The executive director of development and city services advised the council had a statutory duty to assist communities to bring plans forward for their own area. A previous application had been refused but the reason for refusal had been addressed. The council was required to have strong reasons to turn down applications and would want to support them as resources would allow.

**RESOLVED** to approve the Local Development Scheme for publication under section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by section 111 of the Localism Act 2011).

## 6. River Wensum Strategy Update 2021

Councillor Stonard, cabinet member for inclusive and sustainable growth, presented the report. He explained that the strategy was the long term result of multi-agency working. A multi-agency partnership board formed in 2014-15 was in place which Councillor Stonard chaired. It had no specific budget but each partner contributed. The value of this partnership approach was that it provided a stronger position from which to apply for funds for relevant schemes.

The Delivery Plan Document highlighted progress to date with a number of schemes successfully completed and also detailed future plans. The plan to develop the Wensum Walkway on the southern bank of the river had achieved funding and the redevelopment of Wensum Lodge were significant schemes.

Councillor Harris, deputy leader and cabinet member for social housing emphasised what an asset the river was to the city and how it had been particularly appreciated by residents during the pandemic.

Councillor Davis, cabinet member for social inclusion, referred to the plan for an increase in residential moorings and noted more people were choosing to live on the water as a more affordable means of living.

Councillor Wright asked how members of the public could submit ideas to the partnership board. Councillor Stonard advised that the public were invited to stakeholder events and a consultation process had taken place. The Planning Policy Team Leader suggested that the council's website page referring to the River Wensum Strategy could be updated with a dedicated email address which members agreed.

Councillor Galvin referred to the unique nature of the river as it was a chalk stream. She considered that biodiversity enhancement should be given a greater priority within the strategy. The planning policy team leader advised that the River Wensum Project officers were working on a biodiversity action plan with the Environment Agency who were the lead as they had available resource. It was hoped to be able to report back progress and link the work to the council's Biodiversity Strategy.

**RESOLVED** to note the progress that has been made to date on delivering the River Wensum Strategy, and the Delivery Plan which sets out priorities going forward.

## 7. Scrutiny committee recommendations

Councillor Kendrick, cabinet member for resources introduced the report and asked Councillor Wright as chair of the Scrutiny committee to present it.

Councillor Wright noted that the committee had looked at the council's Environment Strategy following Covid-19 and that the report contained a number of recommendations.

Councillor Hampton, cabinet member for climate change and digital inclusion thanked the scrutiny committee for an interesting and constructive meeting.

Councillor Waters, the leader of the council, thanked the scrutiny committee for its work and noted recommendations one and two were for the scrutiny committee. In reference to recommendation three, the most significant investment the council had was in the Norfolk Pension Fund and he would request a note be produced which would be circulated to all members of the council. As related to recommendation four he noted the 2040 vision work was looking at this; and in terms of recommendation five, work with the new climate change commission and actions were in place to address this.

**RESOLVED** to consider the recommendations as detailed in the scrutiny report.

## **8. The Emerging Budget 2022/23 and Budget Consultation**

Councillor Kendrick, cabinet member for resources presented the report. He noted that the results from the public consultation would be made available before the budget was presented to full council for approval.

The Local Government Settlement was published last month covering a one year period and it left the council with a significant funding challenge which required £10.6m of savings to be found. Work to develop a full range of options to be considered was underway. The council was committed to maintaining services for as long as possible.

Councillor Davis, the cabinet member for social inclusion, commented that local government had been told in the autumn budget statement to expect a three year funding settlement. She asked if the public consultation document for the budget was available in an easy read format.

Councillor Kendrick, cabinet member for resources, confirmed the government had originally agreed a three year funding settlement but that unfortunately there now appeared to an element of doubt regarding this.

The executive director of corporate and commercial services advised an easy read version of the document was not available but the council was looking to work with partners to develop this.

Councillor Galvin referred to the public consultation document which she considered was pitched at an unsuitable level for most of the public to be able to understand. Further, the consultation period closed on 19 January 2022 which gave little time to respond. She asked how could public engagement in the council's budget setting process could be improved.

The executive director of corporate and commercial services emphasised the short notice the council received from central government regarding the settlement. This gave little time before budget setting to enable a consultation but the best had been achieved in the given timeframe and with the information available. If a three year funding settlement was received this would aid longer term planning and enable improved public engagement in the budget setting process.

Councillor Waters, the leader of the council highlighted the unpredictable nature of the local government financial settlement which significantly impacted on the council's ability to consult. He emphasised that the council required greater clarity

and stability in relation to funding from central government in order to manage the budget.

**RESOLVED** to note:

- 1) the latest financial information and the financial strategy principles incorporated into the report, which enable the Council to set a balanced budget for 2022/23; and
- 2) the budget principles used for consultation and agree that budget consultation with businesses, residents and other interested stakeholders commences to inform the Council's budget setting decisions in February 2022.

### **9. Treasury Management Mid-Year Review Report 2021/22**

Councillor Kendrick, cabinet member for resources, presented the report which provided data for the first six months of the financial year. He highlighted proposed changes to reporting requirements.

Councillor Galvin referred to the change to the code in relation to communal assets and noted that the council could not be obliged to sell off recently acquired investments. She asked what was the process to keep this under review.

The executive director of corporate and commercial services confirmed there was no requirement to sell properties; these were deemed part of the council's portfolio and the code allowed these to be maintained. As regards to the process to review the portfolio, the Asset Management Strategy detailed how assets would be reviewed, valued, and their purpose.

**RESOLVED** to:

- 1) Note the contents of the report and in particular the treasury management activity undertaken in the first six months of the 2021/22 financial year.
- 2) Note the impact of proposed changes to the Treasury Management Code; and
- 3) Propose that this report be considered and agreed by full council.

### **10. To award a contract for the installation of a new air source heat pump system at City Hall - supplementary agenda item**

(The chair referred to the supplementary agenda which had been circulated).

Councillor Kendrick, cabinet member for resources, presented the report. He emphasised how exciting the project was and that it would result in a reduction in the council's CO<sub>2</sub> admissions. Due to the timing constraints of the grant funding for the scheme there was a degree of urgency to get the project underway.

The major works and services manager, NPS, said the installation would result in the city hall building being 50% fuelled by renewable energy. The system was a gas - air hybrid and eventually when funding became available it was hoped to become 100% renewal.

Councillor Galvin noted there had been a disappointing and limited response to the tender for the contract. The head of legal and procurement acknowledged that there were supply chain issues with the rapid 'greening up' agenda.

**RESOLVED** to delegate approval to the Executive director of development and city services in consultation with the Portfolio holder for resources to award a contract for the installation of a new air source heat pump system at City Hall, Norwich on the provision that it is fully funded from the SALIX grant.

**11. Minutes – exempt (para 3)**

**RESOLVED** to agree the accuracy of the exempt minutes of the extraordinary cabinet meeting of 12 November 2021.

CHAIR