



**MINUTES**

**CABINET**

**5.30 pm – 6.55 pm**

**16 March 2011**

Present: Councillors Morphew (Chair), Arthur (Vice Chair), Bremner, Brociek-Coulton, Macdonald and Waters

Also Present: Councillors Fairbairn, Lubbock, Stephenson and Wiltshire

Apologies: Councillor Westmacott

**1. MINUTES**

**RESOLVED** to agree the accuracy of the minutes of the cabinet meeting held on 16 February 2011.

**2. JOINT CORE STRATEGY FOR BROADLAND, NORWICH AND SOUTH NORFOLK – INSPECTOR’S REPORT AND ADOPTION OF STRATEGY**

**RESOLVED**, having considered the report of the director of regeneration and development, to recommend the council to formally adopt the joint core strategy, incorporating the inspector’s changes, making it part of the development plan for Norwich, providing new strategic policies superseding a limited number of replacement local plan policies and making minor amendments to the proposals map for Norwich.

**3. PLANNING OBLIGATIONS – PRIORITISATION FRAMEWORK**

Councillor MacDonald, cabinet member for environment, introduced the report.

**RESOLVED** to approve the revised version of the planning obligations framework as set out in appendix 2 to the report.

#### **4. CHANGES TO THE COUNCIL'S CONSTITUTION**

Councillor Waters, cabinet member for resources, performance and shared services introduced the report.

Councillor Bremner welcomed the proposal for the constitution working party to carry out a fundamental review of the council's constitution. Councillor Stephenson referred, in particular to the sections concerning scrutiny and civic issues which needed to be updated.

**RESOLVED** to –

- (1) approve the revised scheme of delegation as set out in appendix 8 to the report and recommend it to council for adoption as appropriate;
- (2) recommend the council to –
  - (a) appoint Philip Hyde, head of law and governance, as the monitoring officer, in accordance with section 5 of the Local Government and Housing Act 1989, with David Johnson, Victoria McNeill and Chris Skinner nominated officers at nplaw, to act as deputy monitoring officers;
  - (b) approve the changes to the scheme of delegation (appendix 8 of the constitution) for adoption;
  - (c) approve the approach to refer further changes to the constitution working party as set out in the report;
  - (d) ask the head of law and governance to amend the constitution accordingly.

#### **5. FINANCIAL INCLUSION STRATEGY PROGRESS REPORT AND PRIORITIES FOR 2011-12**

Councillor Waters, cabinet member for resources, performance and shared services introduced the report.

During discussion, Councillor Lubbock questioned whether the budget allocation for financial inclusion was set at the same level as the previous year and whether there would be a review of the viability of the money fairs. She also referred to the increase in tax thresholds introduced by the coalition government which had meant that a number of people would not be required to pay tax. Councillor Waters suggested that the aggregated impact of all of the coalition government's budget cuts and introduction of wage freezes outweighed the benefits of the increase in tax thresholds.

The head of local neighbourhood services said that the budget allocated from the general fund for financial inclusion activity was at a similar level to the previous year and that it was proposed that money fairs would be held in conjunction with other

events already scheduled to take place within the city, for example, those targeted for older people.

Councillor Stephenson asked what measures the council were taking to help people who were in debt to the council. Councillor Arthur, cabinet member for housing, pointed out that the council's rent arrears were at their lowest ever recorded level and that a number of measures were being introduced to help people retain their tenancies. The chief executive also pointed out that the council had increased its rate of collection of council tax.

**RESOLVED** to –

- (1) provide grant support to the third sector partners from the financial inclusion budget during 2011-12 as follows:-
  - (a) £43,000 to CAB for the Norwich Debt Advice project;
  - (b) £42,000 to MABS for debt management and consolidation;
  - (c) £10,500 to Age UK Norwich to enhance income generation for older people;
- (2) review the financial inclusion strategy and actions with partners during 2011 and identify future options in the light of the council's lean blueprint and commissioning strategy.

**6. REVENUE BUDGET MONITORING 2010-11**

Councillor Waters, cabinet member for resources, performance and shared services introduced the report.

**RESOLVED** to note the current financial position of the council as at 31 December 2010, as set out in the report.

**7. QUARTER 3 PERFORMANCE REPORT**

Councillor Waters, cabinet member for resources, performance and shared services, introduced the report.

During discussion, Councillor Lubbock referred to the inclusion of sheltered housing properties within the calculation of re-let times for council housing and to the difficulties in letting upper floor properties to older people. Councillor Arthur, cabinet member for housing, said that the forthcoming sheltered housing review would address difficulties in letting of certain properties but said that there had been a considerable overall reduction in re-let times for void properties. The chief executive officer said that it was important for members to be aware of the details behind the headline figures when considering performance reports and commented on the much improved turn round times for void properties.

Councillor Stephenson expressed disappointment that the sum allocated for economic development projects as set out in priority SPC06 had not been spent. The chair said that priorities within the economic development service had been funded from other sources and it was therefore appropriate to keep this budget

allocation in reserve to be used for job creation or other measures to support the local economy when appropriate.

Councillor Bremner welcomed the progress on empty shop fronts (priority SPC02) and the efforts of the leader of the council and the chief executive officer in ensuring successful completion of the memorial gardens project. He also welcomed the considerable improvements in recycling rates which were enhanced by the introduction of food waste recycling.

**RESOLVED** to –

- (1) note the progress against the corporate plan priorities as set out in the report;
- (2) agree that an annual performance review is published alongside the council's statement of accounts.

#### **8. CORPORATE GOVERNANCE FRAMEWORK FOR WORKING IN PARTNERSHIPS: ANNUAL REVIEW OF PARTNERSHIPS REGISTER**

Councillor Waters, cabinet member for resources, performance and shared services introduced the report.

**RESOLVED** to endorse the partnerships register for 2010-11 as set out in the report.

#### **9. BRACONDALE, HEIGHAM GROVE AND CITY CENTRE CONSERVATION AREAS**

Councillor MacDonald, cabinet member for environment, introduced the report.

Councillor Fairbairn, ward councillor for Lakenham ward, referred to representations made by the Bracondale Residents' Association which had expressed concern about the removal of the county hall car park from the conservation area, particularly in view of the possibility of any future development of the site. The association had also expressed concern that the appraisals had only resulted in minor changes to the conservation areas. Councillor MacDonald said that the county hall car park did not add value to the integrity of the conservation area. The head of planning said that he would ask the arboricultural officer to establish whether any tree preservation orders were required on the site but reminded members of the purpose of the conservation area in preserving the character and appearance of an area of special architectural or historic interest and that this did not prevent appropriate future development of parts of the area.

**RESOLVED** to approve –

- (1) as planning policy guidance the conservation area appraisal and management and enhancement plans for Bracondale conservation area and Heigham Grove conservation area following public consultation;
- (2) boundary changes to the conservation areas as detailed in appendix 1. For Heigham Grove the boundary will be amended to include parts of Park Lane, Parker Road, Doris Road and Cambridge Street and exclude

parts of Heigham Road. For Bracondale the boundary will be amended to include Conesford Drive and Churston Close, and to exclude parts of the county hall car park on the Martineau Lane and Bracondale roundabout;

- (3) the addition of buildings listed in appendix 2 to the local list of buildings of architectural or historic interest;
- (4) the serving of article 4 directions for Bracondale, city centre and Heigham Grove conservation areas in order to remove permitted development rights to properties identified in appendix 3 to the report.

## **10. CLASSIFICATION OF HOUSING STOCK**

Councillor Arthur, cabinet member for housing, introduced the report.

**RESOLVED** to approve the appropriation of 113 dwelling properties used for general residential purposes to use for local authority housing purposes under part 2 of the Housing Act 1985.

## **11. SCRUTINY COMMITTEE'S RECOMMENDATIONS ARISING OUT OF WORK BY SCRUTINY CYCLING TASK AND FINISH GROUP**

Councillor MacDonald, cabinet member for environment, introduced the report.

During discussion, Councillor Lubbock expressed concern about the limited recommendations arising from the task and finish group. In particular, she questioned why the improvements to the city hall cycle shed could not take place at an earlier date and was disappointed that other measures including pool cycles and cycle hire scheme were only to be included within a future review of the council's travel plan. The head of city development services said that other measures would be investigated as part of an overall review of the travel plan which would include use of the council's pool car fleet. He referred to the financial and health and safety implications which needed to be considered in detail should other measures be introduced and reiterated that repairs were required to the roof of the cycle shed prior to introduction of improvements.

**RESOLVED** to –

- (1) consider the suggestions made by the scrutiny cycling task and finish group to introduce a cycle to work scheme, pool cycles and provide cycle training as part of a review of the council's travel plan within the 'work styles review';
- (2) note that improvements to the city hall cycle shed are planned for 2011-12.

## **12. USE OF ADDITIONAL HOMELESSNESS GRANT**

Councillor Arthur, cabinet member for housing, introduced the report.

**RESOLVED** to agree the allocation of the additional grant funding as set out in the report to –

- (a) extend the sub regional empty homes project officer post for 12 months from 1 April 2010;
- (b) finance the cost of the rough sleeper co-ordinator post.

### **13. GRANTS TO THE VOLUNTARY AND NOT FOR PROFIT SECTORS**

(Councillor Brociek-Coulton declared an interest in this item because of her membership of Norwich in Bloom, and left the meeting during consideration of the report.)

Councillor Morphew, leader of the council, introduced the report.

Councillor Lubbock questioned how information on the level of grants would be made available to the public. The head of communications and cultural services said that the decisions on the award of the grants would be published on the council's website, following approval, and information would also be provided by the individual organisations in receipt of grants.

**RESOLVED** to award the following grants for 2011-12 totalling £415,909 –

- (1) £18,000 to Britten Sinfonia;
- (2) £5,000 to Community Music East (CME);
- (3) £100,000 to HEART (Heritage and Regeneration Trust);
- (4) £10,000 to Norwich Community Law Service (NCLS);
- (5) £6,000 to Norfolk Education and Action for Development (NEAD);
- (6) £14,758 to the Norfolk and Norwich Heritage Trust (Dragon Hall);
- (7) £15,000 to Norfolk Dance;
- (8) £1,500 to the Norwich Access Group;
- (9) £37,000 to Norwich Arts Centre;
- (10) £10,000 to Norwich in Bloom;
- (11) £12,977 to the Norwich Puppet Theatre;
- (12) £1,500 to Norwich Shop Mobility;
- (13) £5,000 to Norwich and Norfolk Community Arts (NORCA);
- (14) £4,000 to Sexual Violence Alliance (SeVA) (formerly Norwich Rape Crisis);

- (15) £5,000 to the Garage Trust;
- (16) £63,000 to Visit Norwich;
- (17) £36,614 to Voluntary Norfolk;
- (18) £37,800 to the Writer's Centre Norwich (WCN);
- (19) £32,760 to Norwich Door to Door.

#### **14. COMMITMENT TO AWARD A CONTRACT FOR REPLACEMENT PVCu WINDOWS**

(The chair agreed to take this item as urgent business because of the need to commit funds to enable the award of the contract prior to the next scheduled meeting.)

Councillor Arthur, cabinet member for housing, introduced the report.

**RESOLVED** to approve the commitment to spend £10 million over a two year period on replacement pvcu windows and to delegate to the director of regeneration and development, in consultation with portfolio holders, authority to award the contract subject to a satisfactory evaluation process and the successful tender price being within the investment plan forecast.

#### **15. COUNCILLOR STEVE MORPHEW**

The vice chair said that this would be the last cabinet meeting to be chaired by Councillor Steve Morphey as he had decided not to seek re-election to the council. She referred to the considerable achievements and commitment to the work of the council during the leadership of Councillor Morphey over the past five years, illustrated by the opening of the memorial gardens that day.

Councillor Morphey responded to the vice chair's comments and expressed his appreciation for the support of cabinet members and the hard work and dedication of the senior management and staff of the council.

**RESOLVED** to record the cabinet's appreciation of the work of Councillor Steve Morphey during his period of service on the city council.

#### **\*16. EXCLUSION OF THE PUBLIC**

**RESOLVED** to exclude the public from the meeting during consideration of items 17-24 below on the grounds contained in the relevant paragraphs of schedule 12A of the Local Government Act 1972.

**\*17. COMPULSORY PURCHASE OF PRIVATE DWELLING (PARAGRAPH 3)**

Councillor Arthur, cabinet member for housing, presented the report.

**RESOLVED** to –

- (1) authorise the director of regeneration and development to engage the services of nplaw to obtain the compulsory purchase order under section 226(1)(a) of the Town and Country Planning Act 1990 against the property identified on the map at appendix 1 to the report;
- (2) in the event of the successful compulsory purchase, to authorise the head of city development services to dispose of the council owned properties, detailed in the report, by means of sale or auction to achieve the market value.

**\*18. AWARD OF AN INTERIM CONTRACT FOR STRUCTURAL REPAIRS AND IMPROVEMENTS (PARAGRAPH 3)**

**RESOLVED** to note that the report of the director of regeneration and development had been withdrawn.

**\*19. AWARD OF THE CONTRACT FOR PROVISION OF BUS SHELTERS (PARAGRAPH 3)**

Councillor MacDonald, cabinet member for environment, introduced the report.

**RESOLVED** to approve the selection of the preferred bidder referred to in the report to supply and maintain bus shelters in Norwich for the next 15 years.

**\*20. IMPLEMENTATION OF SINGLE STATUS AND A NEW PAY AND GRADING SYSTEM (PARAGRAPH 4)**

Councillor Waters, cabinet member for resources, performance and shared services, introduced the report.

The Unison branch secretary welcomed the recommendations of the report and referred to the considerable time taken to reach agreement on the single status proposal.

**RESOLVED** to implement the single status proposal, with provision for up to six months back pay and six months pay protection as set out in paragraph 8 of the report.

**\*21. BOWTHORPE THREE SCORE – SELECTION OF DEVELOPER PARTNER FOR EXEMPLAR FIRST PHASE (PARAGRAPH 3)**

Councillor Morpew, leader of the council, introduced the report.

**RESOLVED** to –



- (1) agree to select the preferred developer partner stated in the recommendations of the report to deliver the exemplar first phase of development and main infrastructure for the whole Threescore development;
- (2) ask the Norwich and HCA strategic partnership strategic board to provide further guidance on the contract, specifically to -
  - (a) define the way in which code for sustainable homes level 4 should be achieved (and whether or not rainwater harvesting should be a requirement for every dwelling on the site);
  - (b) negotiate a reasonable settlement sum for piling based on ground investigations to be commissioned by the preferred development partner on an open book basis;
  - (c) decide whether the £2 million Bowthorpe funding should be used to fund infrastructure and agree the final infrastructure specification;
  - (d) advise whether a contract should be made on either a cash, tranche or deferred payment basis;
- (3) delegate to the director of regeneration and development in consultation with the leader of the council, to conduct the further detailed negotiations required to conclude the contractual arrangements.

**\*22. MANAGING ASSETS – MANCROFT WARD (PARAGRAPH 3)**

Councillor Arthur, cabinet member for housing, introduced the report.

**RESOLVED to –**

- (1) approve the option to re-settle the council tenants and to dispose of the freehold interest in the assets on the open market; the method of disposal to be delegated to the head of city development services;
- (2) approve an application, where necessary, to the Secretary of State for Communities and Local Government for consent to the disposal of the assets detailed in the report;
- (3) agree the capital receipt from the disposal be reinvested in the housing capital programme for improving, repairing and maintaining our housing stock or enabling new affordable housing;
- (4) delegate to the director of regeneration and development authority to take all necessary and ancillary steps to achieve the above.

**\*23. REMOVAL OF RESTRICTED COVENANTS AT THE FORMER CANARY PUBLIC HOUSE (PARAGRAPH 3)**

Councillor Arthur, cabinet member for housing, introduced the report.

**RESOLVED** to approve the removal of restricted covenants at the former Canary public house to enable a development of 25 new affordable dwellings.

**\*24. APPROPRIATION OF LAND AT BOWERS AVENUE (PARAGRAPH 3)**

(The chair agreed to take this item as urgent business because of the need to approve the appropriation of land prior to the next scheduled meeting.)

**RESOLVED**, having considered the report of the director of regeneration and development –

- (1) in accordance with section 122 of the Local Government Act 1972 to appropriate land at Bowers Avenue for the use of planning purposes as defined in section 226 of the Town and Country Planning Act 1990 as it is no longer required for the housing use for which it is currently held;
- (2) in accordance with section 237 of the Town and Country Planning Act 1990 to extinguish the rights to use and enjoy access routes, communal gardens and landscaped areas within the land show in pink in appendix 1;
- (3) to authorise the director of regeneration and development to make compulsory purchase orders under section 226(1)(a) of the Town and Country Planning Act 1990 (as amended by the Planning and Compulsory Purchase Act 2004) and the Acquisition of Land Act 1981 to secure the compulsory acquisition of land edged red in appendix 2 in accordance with the proposals set out in the report;
- (4) to authorise the appointed solicitor to take all the ancillary and necessary steps, including the publication and service of all statutory notices and presentation of the council's case at any public inquiry, to secure the confirmation of the compulsory purchase orders by the Secretary of State and the vesting of the land in the city council;
- (5) to delegate authority to the director of regeneration and development to deal with all matters incidental to these land transactions.

CHAIR