

Infrastructure and Development Select Committee

Minutes of the Meeting Held on Wednesday 15 May 2024
10.00am, held at County Hall, Norwich

Present:

Cllr Vic Thomson - Chair
Cllr Martin Wilby – Vice Chair

Cllr David Bills
Cllr Graham Carpenter
Cllr Rob Colwell
Cllr Philip Duigan
Cllr Jim Moriarty
Cllr William Richmond

Cllr Catherine Rowett
Cllr Chrissie Rumsby
Cllr Robert Savage
Cllr Barry Stone
Cllr Tony White

Also Present:

Cllr Andrew Jamieson	Deputy Leader of Norfolk County Council and Cabinet Member for Finance
Cllr Jane James	Cabinet Member for Corporate Services and Innovation
Cllr Graham Plant	Cabinet Member for Highways, Infrastructure and Transport

Also Present:

Paul Cracknell	Executive Director of Strategy and Transformation
Naomi Chamberlain	Senior Strategic Planner, Growth and Investment
Paul Harker	Place Planning Manager, Children's Services
Simon Hughes	Director of Property, Corporate Property, Infrastructure
Tom Humphries	Strategy Manager – Adult Education Budget, Growth and Investment
Nicola Ledain	Committee Officer, Democratic Services
Niki Park	Senior Passenger Transport Manager, Infrastructure
Ruth Royle	Programme Manager, Strategy and Transformation
Sarah Rhoden	Director of Community Information and Learning, Communities and Environment
Chris Starkie	Director of Growth and Investment, Strategy and Transformation

1. Apologies and substitutions

1.1 Apologies were received from Cllr Claire Bowes substituted by Cllr Philip Duigan.

2. Minutes

2.1 The minutes of the meeting held on Wednesday 13 March 2024 were agreed as an accurate record and signed by the Chair.

3. Declarations of Interest

3.1 Cllr David Bills declared an 'other' interest as he was on the Adult Learning Steering Group.

4. Items of Urgent Business

4.1 There were no items of urgent business.

5. Public Question Time

5.1 There were no public questions.

6. Local Member Issues / Questions

6.1 There were no member issues or questions.

7. Norfolk's Devolution – Norfolk Assurance Framework

- 7.1 The Committee received the annexed report (7) from the Executive Director of Strategy and Transformation which provided the Committee with a draft copy of the Local Assurance Framework. All areas in England were required by Government with devolution deals to produce, submit and publish a Local Assurance Framework, which would set out how all devolved and awarded funding and powers, and specifically the Investment Fund, would be administered.
- 7.2 In response to a question about the potential watering down of democracy by adding additional stakeholders who were non-elected to the Leaders Board, Officers explained that the new Norfolk Leadership Board would be formed from the existing Public Sector Leaders Board that has all district council leaders and the leader of the council as members and then have a broader membership. The Investment Board upholds democracy as it includes representatives from all District Councils and the leader of Norfolk County Council. The Business Board (a requirement of Devolution and LEP integration) and the Employment and Skills Board would also include democratically elected members from local councils. The structure would ensure that there will be democratically elected members included at every level. These boards are advisory and decision making would sit within the scheme of delegation of Norfolk County Council e.g. the Leader and Cabinet and consistent with the Policy Framework. All decision making remains subject to Norfolk County Council scrutiny protocols including select and other committees.
- 7.3 Having expressed concern regarding the transparency of the process, the Committee were informed that the Members Engagement Working Group had been an excellent disseminator of information and had been extremely useful in ensuring that members were fully briefed and understanding of the process. In getting the message across externally to Norfolk residents, the Deputy Leader explained that engagement sessions around the county would take place. However, these couldn't be arranged until the final decision was taken by Full Council in July 2024.
- 7.4 The Deputy Leader explained that the investment fund was part of the level 3 devolution deal and would involve £600 million. He explained that the first £10 million pounds would be available after the decision was made by Full Council to change the constitution in July 2024 and proceed with the Directly Elected Leader model. He reported that they had also been negotiating with Department for Levelling Up, Housing and Communities (DLUHC) for additionality for devolution.

The design of the Investment Fund would be considered at the meeting of the Infrastructure and Development Select Committee in July.

- 7.5 In responding to a question regarding the diversity of those included on the Business Board, Officers reassured the Committee that there would be geographical, sector and size of business representation on that Board to reflect the businesses that were based in Norfolk. It was also noted that there were several industry and sector groups who sat underneath the Business Board. Members were also informed that one of these sector groups was hosting a conference in July and Officers would send out an invite to all Members. In addition, as the Economic Strategy was developed, a diagram explaining the structure of the various business groups would be shared.
- 7.6 Members questioned what the term and the associated implications of an “Unincorporated Partnership” meant. Officers would provide a written response.
- 7.7 Referring to the point in the report at page 57 regarding education providers representatives and conflict of interests, Officers explained that the primary function of the Employment and Skills Board was to review the commissioning and performance of Adult Skills funding. Therefore, it would not be appropriate for those who may benefit from that funding to discuss it and make recommendations relating to it. The Business board would be making recommendations and advising and if there were to be a case where a business on the board would or could benefit from the activity, then appropriate governance would be in place for that interest to be declared as outlined in the Local Assurance Framework and in line with NCCs existing rules around conflicts of interest.
- 7.8 The Committee were reassured that small businesses would be represented on the Business Board.
- 7.9 As part of the discussion, the Committee recommended to Cabinet that student representatives should be involved on the Education Board and union and worker representatives be involved on the Business Board.
- 7.10 Members questioned if there would be an opportunity for a Level 4 Deal. The Deputy Leader explained that conversations had been held regarding what a Level 4 deal could involve. DLUHC would want to be assured that the Level 3 Deal was a success and was working effectively. The Executive Director for Strategy and Transformation confirmed that Government has set out series of options after a Level 3 deal that can be chosen from. Other areas in the Country already had experience in these areas. There may also be an opportunity for Norfolk to be a ‘trailblazer’ in areas important to Norfolk.. This would be a decision to be held once the Directly Elected Leader was in place. The General Election due to be held this year, would also mean that the options would be reviewed when the new government sets out its approach but all main parties were supportive of extending devolution in some form. At the appropriate time, this would be considered by the Committee.
- 7.11 Having offered thoughts and feedback on the current draft and proposed next steps as outlined in the report, the Committee recognised the work carried out by all of Norfolk’s councils to develop a collaborative model of stakeholder governance to oversee the development of investment proposals for Norfolk. The following recommendation would be made to Cabinet.

- For student representatives to be involved on the Education Board and union and worker representatives be involved on the Business Board.

8. Norfolk's Devolution – Brownfield Fund Housing Pipeline

- 8.1 The Committee received the annexed report (8) from the Executive Director of Strategy and Transformation which reported that a key benefit of the Devolution Level 3 deal was access to approximately £7m of capital funding from the Brownfield Housing Fund, in 2024/25 which would help to ease the viability issues that brownfield projects faced, alongside supporting wider interventions aimed at economic development.
- 8.2 The Committee heard that there was national brownfield fund which had different criteria and a higher threshold. NCC had been able to make the application process tailored to the Norfolk market. Having more housing stock was key and having new housing of any type would help alleviate some pressure.
- 8.4 In referring to page 84, Members asked what evidence of market failure was. Officers explained that the normal test of market failure would be if the site was not suitable for developments and did not meet accepted triggers such as profitability. In detailed assessment stage, figures were interrogated to ensure that the viability argument was upheld.
- 8.5 There were risk with brownfield sites, which was why the Government had set up this scheme. There was still some expectation that the developer would take some risk, and the funding could be used to ensure that the site was developed and ensuring that the relevant surveys had taken place. If a site needed more investment, then it was expected that this responsibility would fall to the developer.
- 8.6 Members asked, with reference to page 85, if there was any attachment or condition that could be placed upon the homes to ensure that there were for the benefit of the residents of Norfolk. Officers explained that this could be possible with social housing due to the criteria that individuals would have to meet to be eligible for those homes, however in homes for the open market, there was no known legal obligation that could be used.
- 8.7 The Committee sought reassurance that there would be a fairly equal spread of housing across the County covering all districts. Officers confirmed that this was generally happening,
- 8.8 Members noted that point 5.1 on page 86 could need updating to reflect what was contained within the Local Assurance Framework. This would be actioned.
- 8.9 There was concern expressed that there was a lot of deliver in a short amount of time and the risk associated with this. There was also concern that the houses could become second homes and would not be used by the residents of Norfolk.
- 8.10 Having offered thoughts and feedback on activity to date and the proposed next steps as summarised in the report, the Committee recognised the collaborative work carried out by all of Norfolk's councils to develop the first draft pipeline of projects to benefit from Brownfield funding.

9. Norfolk's Devolution – Strategic Skills Plan and Readiness Conditions for the Adult Education Budget (now known as Adult Skills Funding)

- 9.1 The Committee received the annexed report (9) from the Executive Director of Strategy and Transformation which informed the Committee that as part of the level 3 Devolution deal, devolution of the Adult Skills Budget (formerly known as the Adult Education Budget) would be made to Norfolk County Council. This would enable education provision to be aligned to meet the needs of Norfolk. Adult Skills funding was an important component of the Norfolk deal, it included £12.85m of devolved funding per annum to fund statutory learning for residents aged 19+, as well as work with industry and education providers to commission training locally.
- 9.2 With regards to the Strategic Skills Plan, Members questioned if it included quality of life outcomes which in turn would improve the economy rather than vice versa, such as diversity and inclusion, measures of health and wellbeing, culture and quality of life. Officers explained that some of these points are indicated in the strategic skills plan, however, the plan was designed to be a high level strategic plan from which the implementation plan would be formed. It would be co-designed and co-developed by taking decisions locally using the District Councils skills forums and the localised priorities to develop implementation for Adult Skills funding. It would be a shared collaborative design using the relationships with FE colleges and other establishments.
- 9.3 A Directly Elected Leader had imposed a precept in other areas of the Country because he had the power to do so. It was explained to the committee that there was a power for them to do this because it was a new authority, and they needed the precept to fund the infrastructure of a new organisation. The DEL of NCC would not need that power due to the organisation currently existing.
- 9.4 Some adult learners from Norfolk learn elsewhere in the country due to certain education provision not being available locally. The devolved arrangement would allow provision to be reviewed and adapted according to learner and employer demand. This potentially allows the development of this provision in partnership with providers in Norfolk.
- 9.5 Strategic skills plan requirement for the specific tranche of funding, but it was being developed in collaboration with the wider Economic Strategy which would include a few data sets. The strategic skills plan is a requirement of Department for Education's readiness conditions. Norfolk must meet the timescale for submission to government in order to access the funding. The Committee would be kept informed of the progress and status of Adult Education in the future.
- 9.6 Having offered thoughts and feedback on the proposal and associated information in the report, and having reviewed the NCC Adult Skills readiness condition status, the Committee supported the collaborative and evidenced based approach undertaken across Norfolk to build and develop our Strategic Skills Plan to date.

10. Planning Obligations Standards 2024

- 10.1 The Committee received the annexed report (10) from the Executive Director of Strategy and Transformation which informed the Committee that Norfolk County Council was a statutory consultee on housing and other commercial planning applications, which were determined by District Councils, as local planning

authorities. The County Council as a statutory consultee could seek to secure necessary infrastructure and services needed to directly mitigate the impact of any proposed new development, through planning obligations. Planning obligations provided a clear and effective mechanism for securing developer funding towards infrastructure needed to support and mitigate the impact of new residential development. The Planning Obligation Standards focused on developer funding towards County Council infrastructure such as education, library, green infrastructure, and fire service provision (fire hydrants secured through planning condition) required as a consequence of new residential development. These obligations are only sought for housing development of 20 dwellings or over.

- 10.2 Further to point 3.1 on page 186, Officers explained that a viability assessment was carried out by the developer based on the projected sale of the site. The District Council would review the amount that had been requested by NCC and the District Council as the planning authority would take an approach to decide how much of that request was agreed. There were opportunities through a viability clause and an open assessment of the finances of the site which would state that if the site became more viable more funding could be sought.
- 10.3 In response to a question from the Committee regarding infrastructure for a community in the immediate vicinity of the development being agreed at planning stage, Officers explained that when development applications were received, the requests were reviewed to assess what a reasonable request was and endeavoured to agree it in each case. It was important for local members to be involved at the planning stage so conditions could be placed upon the development then.
- 10.4 If the reduction of payments by the developer was occurring, Officers agreed that there was no reason why the Local Member could not be made aware. It was suggested that parish council were normally keen for the monies to be spent and by engaging with the parish councils, it would help ensure that money was spent on infrastructure in the community.
- 10.5 Having reviewed and commented on the amended 2024 Planning Obligations Standards prior to consideration by Cabinet, the Committee NOTED the report.

11. Forward Work Programme

- 11.1 The Committee received the annexed report (11) by the Interim Executive Director of Community and Environmental Services, which set out the Forward Work Programme to enable the Committee to review and shape.
- 11.2 Members requested that a report regarding apprenticeships could be considered by the Committee.
- 11.3 The Select Committee **agreed** the Forward Work Programme for the Select Committee, as set out in Appendix A.

The meeting closed at 12.14pm

Vic Thomson, Chair



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