

## **Cabinet Scrutiny Committee**

### **Minutes of the Meeting Held on 22 December 2009**

#### **Present:**

Mr A Adams	Mr P Morse (Chair)
Mr J Dobson	Mr G Nobbs
Mr P Duigan	Mr R Rockcliffe
Mr R Hanton	Mr M Scutter
Mr C Jordan	Mr M Wilby
Mr J Joyce	Mr A White
Mr M Kiddle-Morris	Mr R Wright

#### **Substitute Members:**

Mr R Bearman

#### **Also Present:**

Mr K Cogdell, Scrutiny Support Manager  
Mr D Collinson, Head of Trading Standards  
Mr D Palmer, Emergency Planning Manager  
Mr T Palmer, Business Development Manager, Planning and Transportation  
Ms J Hannam, Head of Communications and Customer Services  
Ms K Haywood, Scrutiny Support Manager  
Mr M Langlands, Media & Public Affairs Manager  
Ms F McDiarmid, Head of Economic Development  
Mr C Walton, Head of Democratic Services

### **1. Apologies for Absence**

Apologies for absence were received from Dr A Boswell (Mr Bearman substituted), Mr J Shrimplin and Mr A Byrne.

### **2. Declarations of Interest**

#### **2.1 Members declared the following interests in Item 6 'Report on The Pitt Review':**

Mr Kiddle-Morris declared a personal interest as a member of the Internal Drainage Board.

Mr Rockcliffe declared a personal interest as Norfolk County Council's representative on the Environment Agency Central Area Flood Committee and also because his family own property in an area at risk of flooding.

### **3. Minutes**

#### **3.1 The minutes of the meetings held 24 November 2009 were confirmed as a correct record and signed by the Chair, subject to the following amendments:**

Item 2.1, Mr Hanton declared an interest in Item 7 as a Member of the Police Constabulary.

Item 6.7, third bullet, remove "Members would like".

Item 7.3, amend to read "The Committee agreed that this be referred to the Constitution Working Group so that the CCfA can be discussed and any necessary proposed amendments be made to the Constitution, before being agreed at a meeting of Full Council."

- 3.2 The minutes of the meetings held 27 November 2009 were confirmed as a correct record and signed by the Chair.

**4. Items of urgent business which the Chair decides should be considered as a matter of urgency**

- 4.1 The Chair advised Members that the draft Terms of Reference for the scrutiny of Norfolk County Council's role in commissioning and developing services for people with dementia would be taken as urgent business to enable this item to be included on the 19 January 2010 Cabinet Scrutiny Committee. The draft Terms of Reference had been circulated to members.

- 4.2 Members said that there were two issues to be considered;

- (i) The dilution of services available to older people without dementia consequent from improving services for those with dementia.
- (ii) Two TV programmes had stated the treatment dementia sufferers received in care homes was, in many cases, being provided by untrained staff and there was a complete lack of leadership.

It was agreed that these two points should be adequately expressed in the Terms of Reference.

**RESOLVED:**

Members agreed that the Chair and Scrutiny Leads should work with Officers to amend the Terms of Reference wording, to take into account both the above, and that a report would be received by the 19 January 2010 Cabinet Scrutiny Committee.

**5. Call-in Items(s)**

No items had been called-in from the 7 December Cabinet meeting.

**6. Report on The Pitt Review (NCC Progress Update)**

- 6.1 Members received the suggested approach by the Scrutiny Support Manager, together with a report by the Director of Environment, Transport and Development and the Head of Emergency Planning which looked at the current situation in Norfolk with regard to the recommendations put forward by Sir Michael Pitt in his review of the multi-agency response to the flooding nationally in June and July 2007.

- 6.2 Mr D Palmer, Emergency Planning Manager and Mr T Palmer, Business Development Manager, Planning and Transportation, attended the meeting to answer questions.
- 6.3 The Chair reminded Members that Full Council had given this Committee responsibility to investigate the progress of the County Council's implementation of the Pitt Review and that over the past four years there had been many instances of flooding in Norfolk. As a local member the Chair had experienced a lack of coordination and accountability during incidents of flooding in his Division.
- 6.4 During discussion of the Report, the following points were noted:
  - 6.4.1 The authority was progressing well with responsibilities of how the Bill should be implemented. There was good partnership working in place with the District Councils, Environment Agency, Anglian Water, Utilities and Internal Drainage Boards (IDBs).
  - 6.4.2 Regarding flood maps, it was intended to look at what was already available and bring everything together by the December 2010 deadline. A successful £125k bid for Defra funding for Norwich has helped with this. In January, a meeting would take place between the Planning & Transportation and Emergency Planning departments to discuss resource requirements; it was considered vital that a dedicated resource must be identified to take this work forward.
  - 6.4.3 Clarity was awaited with regard to the implementation of Emergency Planning with Planning Policy Statement 25. It seemed agencies were expecting Emergency Planning Officers to be able to state categorically, based on a developers evacuation plan, whether development was suitable within flood areas. As lead authority, Norfolk County Council may well have to undertake this work itself.
  - 6.4.4 A very formal, defined system of command and control exists for the response to and recovery from a major emergency such as tidal or coastal flooding.
  - 6.4.5 When flooding occurs or when there are drainage issues most people simply want to know who was responsible and it was suggested that partnerships allow people to 'pass the buck' when flooding occurs. Members heard that currently the ultimate responsibility lay with the Environment Agency but that under the new legislation everything below river level Norfolk County Council would be the lead authority. As such, Norfolk County Council would have to make sure that the system works and if the partnership does not resolve the problems, the responsibility would fall back to the lead authority.
  - 6.4.6 Legislation already exists to enforce landowners to accept responsibility for ditches and piping on their land. It was noted that no one represents landowners on the Norfolk Water Management Partnership and it was suggested that local authorities were reluctant to make sure that people fulfil their responsibilities. Members heard that there were regulations in place to ensure that ditches were cleared and the authorities had the power to enforce this.
  - 6.4.7 Concern was expressed that local drainage issues were not being properly covered. For example, there was an incidence of flooding which had occurred because a builder had raised the level of his land, and this had caused a property situated next door to flood. Members heard that within the Flood & Water

Management Bill it was proposed that no more than two dwellings could be built without the approval of the lead authority.

- 6.4.8 It was likely that the new Bill would be enacted within months. Norfolk County Council would have to put forward and consult on a local Flood Strategy for Norfolk.
- 6.4.9 It was suggested that IDBs already had the expertise and equipment and they should be given more power.
- 6.4.10 Whilst Members recognised that additional resources might be required, the majority view was that in the current economic climate the Council should not be looking to enhance staff but should be looking for compensating reductions elsewhere to undertake this work. The authority must wait until the Bill is in place to see what needed to be done and the authority should not undertake a detailed study before the proposals were received. However, Cabinet should be made aware that there might be resource implications once the Bill became law.
- 6.4.11 Mr Nobbs suggested a Working Group should be set up to look at how Norfolk responds to flood alerts. There was no seconder for this proposal.
- 6.4.12 Mr Dobson proposed that Cabinet should be invited to read the minutes of this debate, but that as far as this Committee was concerned he suggested that the Pitt Review should be brought back to the Committee as soon as the Bill was enacted and the associated guidance published. Mr Kiddle-Morris seconded this proposal.

**RESOLVED:**

- 6.5 The proposal at 6.4.12 was carried with 11 votes in favour, none against and 2 abstentions. It was also agreed that Cabinet should be invited to read the minutes of this debate.

**7. Supporting People in Economic Difficulties**

- 7.1 Members received the annexed report by the Scrutiny Support Manager
- 7.2 Mr D Collinson, Head of Trading Standards, Mr M Langlands, Media & Public Affairs Manager and Ms F McDiarmid, Head of Economic Development, attended the meeting to answer questions.
- 7.3 The Chair commented that at the start of the recession the Cabinet Scrutiny Committee wanted to see what steps Norfolk County Council were taking to support people facing economic difficulties and received regular reports. This report was a mixture of the big strategic picture and specific actions implemented as a response to the recession and it was the latter that was the origins for this piece of scrutiny.
- 7.4 During discussion of the Report, the following points were noted:
  - 7.4.1 It was suggested that the report contained only those things that Norfolk County Council should be doing regardless of the recession, and the question was asked, what the authority was doing over and above this - for example invoices should always be paid within thirty days. In response, the Head of Economic Development acknowledged that the report might not have captured all those activities Members were expecting to find. However, Norfolk County Council did guarantee to pay all invoices within thirty days and those companies

experiencing financial difficulties could request earlier settlement. £280k of capital work had been brought forward. In terms of addressing recessionary issues there were things the authority was doing that would have a positive impact on the recession. The Head of Economic Development agreed to provide a list to all Members of the Committee showing specific achievements, over and above what the authority would normally do, since the Committee last looked at this. Members heard that this information was also received by the Economic Development & Cultural Services Overview & Scrutiny Panel on a regular basis.

- 7.4.2 It was requested that future releases include wider information on credit unions throughout Norfolk and the Media & Public Affairs Manager agreed to include this information in future press releases.
- 7.4.3 With reference to accelerating the capital programme, it was noted that there had been slippage in the schools capital building programme and the question was asked how much emphasis had been put on this speed things up. In response, Members heard that officers were very aware of the impact of delays but the Head of Economic Development could not respond to this particular point as it was beyond her brief.
- 7.4.4 It was noted that there had been 6186 redundancies notified to JobCentrePlus in Norfolk since July 2008 and it was suggested that this figure would be much higher if the level of unemployment in the building trade, where many were self employed, was taken into account.
- 7.4.5 It was suggested that Norfolk County Council was a small player in the economic downturn, a national and global issue, and it should be acknowledged that the authority could not end the recession on its own; but what it was currently doing was playing an important part. Whilst accepting the aforementioned it was also commented that the authority needed to use its resources in the best way to mitigate the circumstances, particularly those of young people, to make sure work or training was made available for them. There might be a point in the future when the Public Services Leaders' Board is able to address this, for example through the County's public sector building programme.
- 7.4.6 Concern was expressed about the level of 18 – 24 year old unemployment, which appeared to be higher than that of other counties. It was suggested that young people in this age group often had no work experience and until demand for staff increased it was unclear how this could be rectified. Members heard there was nothing to indicate why Norfolk's figures were worse but some areas had been hit in different ways, depending on local industries. It was noted that in terms of age and duration of unemployment, Norfolk had considerably higher levels of long term JSA claimants (over 12 months) than both the regional and national averages.
- 7.4.7 It was commented that the authority was active in trying to reduce unemployment but nevertheless Members stressed there was no room for complacency.
- 7.4.8 Mr Scutter proposed that further investigation should take place to look behind the 18 – 24 year old unemployment figures and that this could be done as a brief report in the first instance. Mr Nobbs seconded this proposal.

**RESOLVED:**

- 7.5 With 3 votes in favour and 7 against, this proposal was lost.

**8. Meeting with MEPs**

8.1 Members received the suggested approach by the Scrutiny Support Manager.

8.2 It was agreed that any future meeting with MEPs should be publicized more widely.

**RESOLVED:**

8.3 Members agreed that there should be a further meeting with MEPs next year. They asked that officers work up a proposal for a 'Question Time' format with MEPs not knowing the questions in advance.

**9. Forward Work Programme**

9.1 Members received and agreed the annexed report.

[The meeting closed at 12 noon]

**PAUL MORSE, CHAIR**



If you need these minutes in large print, audio, Braille, alternative format or in a different language please contact Vanessa Dobson 0344 800 8020 or 0344 800 8011 (textphone) and we will do our best to help.