

Norfolk County Council
Minutes of the Meeting Held on 19 January 2009

Present: Mr W Northam in the Chair

Mr A Adams	Mr C Joyce
Mr C Armes	Mr J Joyce
Mr J Baskerville	Mrs B Lashley
Mr D Baxter	Mr C Lloyd Owen
Mr S Bett	Ms I Macdonald
Mr R Blower	Mr I Mackie
Mrs H Bolt	Mrs S Matthews
Dr A Boswell	Ms M McKay
Mrs J Brown	Mrs R Monbiot
Mr A Byrne	Mr I Monson
Mr D Callaby	Mr P Moore
Mrs J Chamberlin	Mr B Morrey
Mr B Collins	Mr P Morse
Miss E Collishaw	Mr C Mowle
Mr J Collop	Mr S Murphy
Dr B Connell	Mr G Nobbs
Mr D Cox	Mrs T Paines
Mr S Dunn	Mrs H Panting
Mr T East	Mr J Perry-Warnes
Mrs J Eells	Mr J Pitt-Pladdy
Mrs I Floering-Blackman	Mr A Pond
Mr R Goreham	Mr R Rockcliffe
Mr J Gretton	Mr J Rogers
Mr A Gunson	Mr D Rye
Mrs S Gurney	Mr M Scutter
Mrs B Hacker	Mr N Shaw
Mr P Hacon	Mr B Spratt
Mr B Hannah	Mr M Taylor
Mrs G Harris	Mr A Tomkinson
Mr D Harrison	Miss J Virgo
Mr P Harwood	Mr T Wainwright
Mr J Holmes	Mrs C Walker
Mr C How	Mrs C Ward
Mr C Hull	Ms S Whitaker
Mr H Humphrey	Mr A White
Mrs S Hutson	Mr A Williams
Mr B Iles	Mr A Wright
Mr C Jordan	Mr M Wright

Total present: 77

Apologies:

Apologies for absence were received from Mr M Carttiss, Mrs J Howe, Mrs S Rice and Mr B Walker.

1. Minutes of previous meetings

The minutes of the meeting held on 24 November 2008 were confirmed as a correct record and signed by the Chairman, subject to the following:

Item 4.1, third paragraph – replace the word ‘health’ with ‘healthy’.

Item 9, replace the fourth sentence of the final paragraph to read: “The Cabinet Member noted the report’s statement that the Property Reference Panel had not met for a year and he confirmed that during that time the decisions taken concerning County Farms were not material in nature.”

2. Chairman’s Announcements

Mrs Frances Roualle

The Chairman announced that Mrs Frances Roualle, OBE, a former member and past Chairman of Norfolk County Council, and Mr Gordon Dawes, a former member of Norfolk County Council had both sadly passed away.

Mrs Roualle was elected to the County Council in May 1973 and she served as a County Councillor and local member for Aylsham until May 1993. Mrs Roualle was the Vice Chairman of the County Council in 1983-84 and Chairman of the County Council in 1984-85 and from May 1985 until May 1993 she was Chairman of the Education Committee.

Mr Dawes was elected to the County Council in May 1997 and he served as a County Councillor and local member for Freebridge Lynn until June 2001.

Council stood in a minute’s silence in honour of their memory.

Chairman’s Events

The Chairman announced that he had held a reception for the Pensions Team in recognition of their achievement in winning two awards at the recent Professional Pensions Awards – the Pensions Communications Public Award and the Pension Fund of the Year Award (which they were awarded for the second year running). The Chairman also attended a Topping Out ceremony at Palm Paper in King’s Lynn.

Budget Paper

The Chairman announced that the finalized Budget Paper for the 26 January Cabinet meeting would be distributed to all members later today.

Special Cabinet meeting

The Chairman announced that a special Cabinet meeting would take place in the Council Chamber following the 16 February County Council meeting.

3. Declarations of Interest

The following declarations of interest were noted:

Dr Connell declared a personal interest in paragraph 1 of the Recommendation from the Cabinet meeting of 5 January 2009, 'Dealing with Obstructions on the Highway within a Defined Area of Cromer' as he owns a property in Cromer.

Mrs Harris declared a personal interest in paragraph 1 of the Recommendation from the Cabinet meeting of 5 January 2009, 'Dealing with Obstructions on the Highway within a Defined Area of Cromer' as her husband owns a property in Cromer.

Mr Blower and Mrs Panting declared personal interests in paragraph 9 of the Report of the Cabinet meeting held on 1 December 2008, 'Expression of Interest for a new Academy to replace Earlham High School in Norwich' as Governors of Earlham High School.

Mr Cox declared a personal interest in paragraph 9 of the Report of the Cabinet meeting held on 1 December 2008, 'Expression of Interest for a new Academy to replace Earlham High School in Norwich' as a Governor of City College Norwich.

Mrs Hacker declared a personal interest in paragraph 9 of the Report of the Cabinet meeting held on 1 December 2008, 'Expression of Interest for a new Academy to replace Earlham High School in Norwich' and paragraph 10, 'The Hewett School: Proposal to Acquire Trust Status', as a Governor of City College Norwich.

Ms Whitaker declared a personal interest in paragraph 10 of the Report of the Cabinet meeting held on 1 December 2008, 'The Hewett School: Proposal to Acquire Trust Status' as a Governor of the Hewett School. Ms Whitaker also declared a personal interest in Item 12 'To Answer Questions relating to the Norfolk Police Authority' as a member of the Safer Neighbourhood Action Panel for Lakenham and Tuckswood.

Mr Williams declared a personal interest in paragraph 2 of the Report of the Cabinet Scrutiny Committee meeting held on 25 November 2008, as a Director of Norse. Mr Williams also declared a prejudicial interest in paragraph 18 of the Report of the Cabinet meeting held on 1 December 2008 'Minerals and Waste Development Framework Fourth Annual Monitoring Report' as a Director of NEWS Ltd.

The following members declared personal interests in Item 12 'To Answer Questions relating to the Norfolk Police Authority' as members of a Safer Neighbourhood Action Panel (SNAP):

Mrs Gurney - Hellesdon and Horsford SNAP

Mr Holmes - Great Yarmouth SNAP

Mr J Joyce – Reepham SNAP and the Lead Member on the Police Authority on Safer Neighbourhood Policing

Mrs Lashley - Sprowston, Old Catton and Spixworth SNAP

Mr Pitt Pladdy - Waveney Valley SNAP

Mr Shaw - Thorpe St Andrew SNAP

Mr Tomkinson – Loddon SNAP

Mrs Paines – Thetford SNAP

4. Notice of Motions

4.1 Notice of Motion by Mrs B Lashley

The following motion was proposed by Mrs B Lashley, seconded by Mr J Joyce, in accordance with Rule 10 of the Council Procedure Rules.

"This Council resolves that every report to members shall include a paragraph on the climate change issues in relation to the matters under discussion in the report.

The Climate Change Strategy, which this Council has developed and agreed with the District Councils in Norfolk, is to be launched on 6th February. It is right, therefore, that we now show we are serious about implementing our strategy. Such a reference in each report would indicate that consideration of climate change issues is embedded in our deliberations and decision-making, and would act as a prompt to both officers and members."

The Chairman indicated that under the Council Procedure Rules, the motion stood referred to Cabinet for consideration.

Mrs Lashley stated that she was disappointed that the Council's constitution does not allow the Council to debate matters of interest to everyone. She would genuinely like to have heard the views of non-executive council members on this issue. She said that this Council's interpretation of the Local Government Act 2000 is not shared by all councils and some councils such as Bradford, Bedford, Northamptonshire and Suffolk have mechanisms in place which allow council debate and help to inform their Cabinet decision-making. Mrs Lashley hoped that this Council, in reviewing its constitution, would look at ways of enabling non-executive members of the Council to articulate their views and those of their constituents so that Cabinet, in taking decisions, can be confident they are in touch with the people of Norfolk.

5. Cabinet Recommendation - 5 January 2009

Mr Cox moved the recommendation from the Cabinet.

RESOLVED: That the County Council delegate to North Norfolk District Council the powers in section 149 of the Highways Act 1980, within the areas defined in Appendix B of the Cabinet report, commencing on a date to

be determined by the Director of Environment, Transport and Development and on such terms as he shall approve in consultation with the Head of Law.

6. Standards Committee – Appointment of Independent Member

In introducing the report, the Chairman of the Standards Committee, Mrs J Middleton, advised members that following interviews on 15 January 2009 the Panel unanimously agreed to recommend to full Council that Mr Paul Bland be appointed to the vacant post of Independent Member of the Standards Committee. Mrs Middleton gave details of Mr Bland's background and experience.

RESOLVED: to approve the appointment of Mr Paul Bland as an Independent Member of the Standards Committee.

7. County Council Elections 2009 – Appointment of Returning Officer

Mr Cox moved the recommendation contained in the report of the Head of Democratic Services.

RESOLVED: to approve the appointment of David White, Chief Executive, to be the returning officer for the County Council elections scheduled for June 2009 and for any subsequent by-elections.

8. Programme of Meetings for 2009

Mr Cox moved the recommendation in the report of the Head of Democratic Services that the Audit Committee meeting scheduled for 23 July be moved to 29 June, that the Cabinet and Personnel Committee meetings scheduled for 14 December be moved to 7 December, that the Cabinet Scrutiny Committee meeting scheduled for 29 December be moved to 22 December and that the Great Yarmouth Area Committee scheduled for 7 December be moved to 30 November.

RESOLVED: to approve the proposed changes to the programme of meetings for 2009.

9. Report of the Cabinet Meeting Held on 1 December 2008

Public Question, paragraph 1.2

Dr Boswell expressed his disappointment concerning table 5.4 of the Northern Distributor Road (NDR) Business Case Report as he said the table was misleading: he said there were either errors in the spreadsheet or the figures had been calculated in a non-intuitive way. Further, he had evidence from an independent traffic consultant that the benefit cost ratio calculated for the project could not be relied upon. Following a draft letter that Dr Boswell had obtained from GO-East under the Freedom of Information Act, it appeared that Go-East's view was that much greater priority was needed on carbon reduction and complementary sustainable transport measures in the LTP. Given that probably between £4m and £10m had been spent since September 2005 on the NDR Project and there was

still not a satisfactory business case, Dr Boswell asked whether the Cabinet Member for Planning & Transportation would withdraw the business case for the NDR and resubmit it only when it reflected the quality of other work done by this Council, and it included a fully developed and, crucially, a costed plan for the associated complementary measures, and following a further vote by the Council on whether to proceed with the NDR.

In response, Mr Gunson, Cabinet Member for Planning and Transportation, said there was no proof that the business case was unsatisfactory; it had been put together in accordance with the Department for Transport (DFT) rules and the DFT would examine the major scheme business case and test the benefit cost ratio. In connection with the quality of the Planning & Transportation work generally, Mr Gunson pointed out that Go-East had complimented the authority on its local transport plan.

Mr Moore said that he hoped that the delay to this project would help to ensure our business case was sound.

In response, Mr Gunson said that a planning application would need to be submitted within a two year period and we would not wish to alter the business case. He said that there was no evidence that the figures in the business case were incorrect.

Member Question, paragraph 2

Mr Morse asked whether Mr Humphrey, the Cabinet Member for Human Resources, Finance, Property and Corporate Affairs, believed there should be a limit on how much the Council should invest in a single economy, as previously up to 16% of the Council's investments had been in Iceland. Further, Mr Morse asked whether Mr Humphrey had total confidence in Butlers as the Council's Treasury Management advisers.

In response, Mr Humphrey said that the new Treasury Management Panel would meet later this afternoon and would consider investments. With regard to confidence in Butlers, Mr Humphrey confirmed that they had served the Council well in the past but that the Treasury Management Panel would have an opportunity to question Butlers and consider their past performance.

Review Panel Issues, paragraph 3

Mr Collop said that he hoped Cabinet Members would give more detail to Overview and Scrutiny Panel members about items discussed at Cabinet meetings and that they would be willing to be questioned.

Review Panel Issues, paragraph 3.1

Mr Hull said that the number of Looked After Children (LAC) was stubbornly high and he asked if there were any measures that Mrs Monbiot, the Cabinet Member for Children's Services intended to put in place to reduce this number.

In response, Mrs Monbiot said that there was now very good data regarding the number of LAC. She said that by the end of March 2009, a considerable number of youngsters in care would reach the age of eighteen and that twelve of these children were in highly expensive residential placements

and therefore it was expected that the numbers and costs would come down significantly. However, the present economic downturn meant that there may be an increase in the number of children coming into care and that more funding would be sought. Mrs Monbiot said that there had also been children coming into care for short periods of time because they had been removed from families where there is disruption but she hoped that these children could be returned to their families or other members of the family.

Corporate Assessment and Joint Area Review 2008, paragraph 4

Mr Morse said that the Corporate Assessment stated that the County Council wished to strengthen its scrutiny function but that the County Farms Working Group report, which was finalised in September 2008 had been dismissed by Cabinet and would not be considered until March 2009. He asked what the Cabinet would be doing about scrutiny given the way the County Farms report had been treated.

Mr East noted that none of the recommendations had been adopted from either the 'Disabled Access to Norwich City' scrutiny or the 'Joint Bus' scrutiny.

Mr Cox said that there had been considerable improvements in the Council's scrutiny processes in recent months. A scoring priority process had been introduced, a scrutiny protocol was in place and there was now a Co-ordinating Group and the new Overview and Scrutiny Panels had achieved important results. Improvements in Adult Social Services had been achieved, much of this down to the work of the Panel and similarly with the Children's Services Overview & Scrutiny Panel through their thorough monitoring of performance.

Integrated Performance and Finance Monitoring Report, paragraph 5

Mr Collop asked whether the Cabinet Member was confident that there would be no overspend this year given the present financial situation. In response, Mr Humphrey said that the Council was heading for an underspend and he said this showed that the measures taken during the year had kept the Council within its limits. Chief Officers had been working very hard to achieve a projected underspend for the current financial year and he commended the Officers for keeping within, or close to, their allocated budgets.

Expression of Interest for a new Academy, paragraph 9

Mr Blower and Mrs Panting welcomed the expression of interest for a new Academy to replace Earlham High School in Norwich. Mrs Monbiot said that the GCSE results at Earlham High School had improved considerably this year and she was very pleased to note the community support for this development.

The Hewett School – Proposal to Acquire Trust Status, paragraph 10

Mr Scutter was concerned that if the Hewett School acquired Trust Status the school would have reduced accountability to the Council. He confirmed the Liberal Democrats' opposition to the proposal as the Council should be seeking to raise standards in the sector by constructive collaboration rather than a chaotic diversification. Mrs Monbiot advised that the Council would

have a voting representative on the Hewett School Trust Board and would continue to have an element of control.

The 14 – 19 Agenda – Changes to Arrangements for 16-19 Education and Training, paragraph 15

Mr Morse welcomed the national changes to the commissioning of education and training provision for 16-19 year olds and he asked whether there was any news about the Learning and Skills Council funding arrangements to support the transition period in 2009. Further, he asked how members would be kept involved and informed about developments. He suggested that links would need to be strengthened between the Economic Development department and Children's Services.

In response, Mrs Monbiot said that the funding arrangements for the transition were still uncertain but the Council was working closely with the Learning & Skills Council (LSC). Mrs Monbiot said she is a member of the 14-19 Strategy Board and that she had asked the Director of the 14-19 Strategy Board to attend the next meeting of the Children's Services Overview & Scrutiny Panel to report on progress. The Economic Development department were working closely with Children's Services. £5m had been requested to develop a showcase diploma in connection with Hethel and Lotus. Conflicts of interest would be dealt with in the usual way.

Phase 2 Residual Waste Treatment Project – Reference Project & Affordability Assessment, paragraph 17

Mr East said that he hoped the affordability gap for the Residual Waste Treatment Project would not lead to environmentally damaging options being considered.

Mr Monson assured members that the Council was retaining a completely open mind on Contract B and would consider all the bids on their own merits.

10. Report of the Cabinet Meeting Held on 5 January 2009

Making Libraries a Safe and Welcoming Place, paragraph 5

Mrs Lashley said that she understood that some of the evidence gathered by the working group which carried out this scrutiny exercise was removed from the report by the Head of Law because it was deemed it may be attributable, although no-one was named in this material. She was concerned that this evidence was withheld and questioned why it could not have been put on pink paper.

Mr Gretton said that he had full confidence in the advice provided by the Head of Law. He said that the advice given was that staff could potentially claim a breach of confidentiality if information was published which enabled them to be recognised individually.

Mr Goreham asked why Mr Gretton had not been willing to circulate, in writing to all members, the update he had given to the Overview and Scrutiny Panel. In response, Mr Gretton said that there had been some confusion regarding the meaning of 'acknowledge' in the context of the

Cabinet having acknowledged the recommendations. He advised members that many of the recommendations set out in the scrutiny report reflected current practice. The vast majority of the recommendations had been accepted and Mr Gretton said that he would send an email to all members detailing the responses to the recommendations. Mr Gretton said that the Administration valued scrutiny and that this scrutiny had been a very useful exercise.

11. Report of the Cabinet Scrutiny Committee Meeting Held on 25 November 2008

RESOLVED: to note the report.

12. Report of the Cabinet Scrutiny Committee Meeting Held on 16 December 2008

Mr Scutter expressed concern that there appeared to have been an attempt to delay the County Farms Working Group report which would not now be received by Cabinet until 9 March. He said that proceeding in this way devalued the scrutiny process which was particularly important in the light of the Corporate Performance Assessment (CPA). The Chair of the Cabinet Scrutiny Committee, Ms Whitaker, said that officers from NPS had been interviewed on three occasions during the scrutiny.

RESOLVED: to note the report.

13. Report of the Health Overview and Scrutiny Committee Meeting Held on 27 November 2008

RESOLVED: to note the report.

14. Report of the Standards Committee Meeting Held on 20 November 2008

RESOLVED: to note the report.

15. Report of the Personnel Committee Meeting Held on 1 December 2008

RESOLVED: to note the report.

16. Report of the Planning (Regulatory) Committee Meeting Held on 14 November 2008

RESOLVED: to note the report.

17. Report of the Planning (Regulatory) Committee Meeting Held on 19 December 2008

RESOLVED: to note the report.

18. Report of the Joint Highways Agency Committee Meeting Held on 27 November 2008

Norwich Park and Ride Fare Changes

Mr Hull asked if businesses would be consulted and if it would be possible for park and ride buses to pick up passengers at regular bus stops in off-peak periods. In response, Mr Gunson said that there were business travel plans. He also said that picking up passengers at regular stops would slow the service down.

RESOLVED: to note the report.

19. Report of the Joint Museums and Archaeology Committee Meeting held on 21 November 2008

RESOLVED: to note the report.

20. Report of the Norfolk Records Committee Meeting held on 21 November 2008

RESOLVED: to note the report.

21. Matters considered by Review Panels

RESOLVED: to note report.

22. Appointments to Committees etc (Standing Item)

RESOLVED: to note the appointments made by the Chief Executive under delegated powers:

Mrs S A F Rice to replace Mr B H A Spratt on the Adult Social Services Overview and Scrutiny Panel

23. To Answer Questions relating to the Norfolk Police Authority

Notice of the following question had been given in accordance with Rule 9 of the Council Procedure Rules:-

Question by Mrs C M Ward to the appointed person to respond – Mr Stephen Bett:

“A recent survey showed that few people are aware of the opportunity to participate in making decisions about the way crime is tackled in their ‘communities’ through the network of Safer Neighbourhood Action Panels. Additionally, 44% of respondents said that they were dissatisfied or very dissatisfied with community policing. What action will be taken to improve participation and what, if anything, can Norfolk County Council do to assist?”

In response, Mr Bett gave the following answer:

“As part of the NPA’s community engagement strategy for 2008/09 the Authority commissioned the Norfolk Rural Community Council to carry out

research on the perceived effectiveness of Safer Neighbourhood Team (SNT) policing in six rural Norfolk communities. The Authority's Citizen Focus Committee received this small-scale research report (sample size of 175) on 12 January.

The Authority's Committee agreed last week with the Constabulary to consider and take forward the issues raised in the research report, such as developing links to parish plans, contributions to community newsletters and using "SNT post boxes", as part of the ongoing programme to support the development of SNTs in Norfolk. The Authority will monitor these developments.

Although the direct relationship between policing activity and satisfaction surveys results is really not clear, the Authority has invested heavily in additional Police Community Support Officers and police officers in 2007/08 and has continued that investment through to 2008/09, along with other developments such as an extensive community volunteer programme for 2009.

The Authority would of course welcome support from the County Council for Safer Neighbourhood Teams throughout Norfolk. This is primarily a matter for the County Council to discuss with the Norfolk Constabulary and we would welcome such dialogue and assistance."

The meeting concluded at 11.30am.

CHAIRMAN



If you need these minutes in large print, audio, Braille, alternative format or in a different language please contact Vanessa Dobson on 01603 223029 or minicom 01603 223833 and we will do our best to help.