



Norfolk County Council
at your service

Council

Date: **Monday 23 November 2009**

Time: **10.00am**

Venue: **Council Chamber, County Hall, Norwich**

Persons attending the meeting are requested to turn off mobile phones.

Prayers

To Call the Roll

AGENDA

1. Minutes

**To confirm the minutes of the meetings of the Council held (Page 4)
on 28 September 2009.**

2. To receive any announcements from the Chairman

3. Members to Declare any Interests

Please indicate whether the interest is a personal one only or one which is prejudicial. A declaration of a personal interest should indicate the nature of the interest and the agenda item to which it relates. In the case of a personal interest, the Member may speak and vote on the matter. Please note that if you are exempt from declaring a personal interest because it arises solely from your position on a body to which you were nominated by the County Council or a body exercising functions of a public nature (e.g another local authority), you need only declare your interest if and when you intend to speak on a matter.

If a prejudicial interest is declared, the member should withdraw from the room whilst the matter is discussed unless members of the public are allowed to make representations, give evidence or answer questions about the matter, in which case you may attend the meeting for that purpose. You must immediately leave the room when you have finished or the meeting decides you have finished, if earlier.

4. **Notice of Motion**

Notice of the following motion has been given in accordance with Rule 10 of the Council Procedure Rules:-

Notice by Mr. T. East, seconded by Mr J. Joyce

“That this Council believes it is vital that Norfolk demonstrates political leadership at all levels and across all parties in response to climate change.

This Council notes the declared support of Liberal Democrat, Labour and Conservative MPs to the objective of the 10:10 campaign which calls for 10 per cent greenhouse gas emission reductions by the end of 2010; and encourages individual Members of Norfolk County Council to personally sign up to the 10:10 campaign and publicise what actions they are taking to reduce their own carbon emissions by 10% in the year 2010”

5. **Review of Norfolk County Council Members’ Allowances Scheme by Independent Remuneration Panel**

Report by Head of Democratic Services (Page 17)

6. **County Council Summary Statement of Accounts 2008-09**

Report by Head of Finance (Page 45)

7. **Appointment of Independent Members of the Standards Committee**

Report by Head of Law and Head of Democratic Services (Page 52)

8. **Reports**

Cabinet

Meeting held on 12 October 2009 (Page 56)

Meeting held on 9 November 2009 (Page 61)

Cabinet Scrutiny Committee

Meeting held on 29 September 2009 (Page 67)

Meeting held on 27 October 2009 (Page 73)

Standards Committee

Meeting held on 14 October 2009 (Page 75)

Audit Committee

Meeting held on 24 September 2009 (Page 77)

Norfolk Health Overview and Scrutiny Committee

Meeting held on 15 October 2009

(Page 82)

Planning (Regulatory) Committee

Meeting held on 16 October 2009

(Page 87)

Norwich Highways Agency Joint Committee

Meeting held on 24 September 2009

(Page 88)

Overview and Scrutiny Panels

Items considered by Panels (for information only)

(Page 93)

9 Appointments to Committees etc (Standing Item)

a) To note appointments made by the Chief Executive under delegated powers:-

- Mr A.J Byrne to replace Mr P. Wells on the Children's Services Overview and Scrutiny Panel
- Mr P. Wells to replace Mr A.J. Byrne on the Cabinet Scrutiny Committee

b) To consider any proposals from Group Leaders for changes to committee membership

10 To answer Questions under Rule 8.2 of the Council Procedure Rules

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Norfolk County Council

Minutes of the Meeting Held on 28 September 2009

Present: Mrs S C Gurney in the Chair

Mr A D Adams	Mr J M Joyce
Mr S Bett	Mr M A Kiddle-Morris
Mr W P Borrett	Mr M C Langwade
Dr A P Boswell	Mr S R Little
Mr J S Bremner	Mr I J Mackie
Mr M P Brindle	Mrs J Mickleburgh
Mr A J Byrne	Mr I A C Monson
Mr D R Callaby	Mr J Mooney
Mr J A Carswell	Mr P D Morse
Mr M R H Carttiss	Mr D Murphy
Miss C L Casimir	Mrs J A Murphy
Mrs J R M Chamberlin	Mr G Nobbs
Mrs M Chapman-Allen	Mr W J Nunn
Baron M Chenery of Horsbrugh	Mr R E Parkinson-Hare
Mr S M Clancy	Mr J H Perry-Warnes
Mrs D M Clarke	Mr P K Rice
Mr P G Cook	Mr R C Rockcliffe
Mr D Cox	Mr J D Rogers
Mr A J Dobson	Mr M J Scutter
Mr S Dorrington	Mr N C Shaw
Mr P Duigan	Mr J R Shrimplin
Mr S Dunn	Mr R A Smith
Mr T East	Mr B H A Spratt
Mr R A Edwards	Ms A Steward
Mr T S C Garrod	Dr M Strong
Mr A J Gunson	Mrs A M Thomas
Mr B J Hannah	Mrs H Thompson
Mr R C Hanton	Mr A D Tomkinson
Mr D G Harrison	Ms J S Toms
Mr D Harwood	Mrs C M Walker
Mr M Hemsley	Mr J M Ward
Mr J R Herbert	Mr A M White
Mr H A S Humphrey	Mr M J Wilby
Mrs S E L Hutson	Mr A T Williams
Mr B J M Iles	Dr F C Williamson
Mrs D Irving	Mr R J Wright
Mr C Jordan	

Total present: 74

Apologies:

Apologies for absence were received from Mr R Bearman, Mr B J E Collins, Mr N Dixon, Mr G R Jones, Mr B W C Long, Mr A J Proctor, Mr P A G Wells and Mr A J Wright.

1. Minutes of the previous meeting

The minutes of the meeting held on 20 July 2009 were confirmed as a correct record and signed by the Chairman, subject to the following amendments:

Report of the Cabinet Meeting held on 23 June 2009: Integrated Performance and Finance Monitoring Report – Year End 2008/09, paragraph 3: Add: 'Mr Williams said that Cabinet would consider all options.'

Report of the Cabinet Meeting held on 13 July 2009: Local Member Issues/ Members Questions, paragraph 2.3: second and third paragraphs, 'Police Authority' should read 'Police'.

Report of the Cabinet Meeting held on 13 July 2009: Procurement of Phase One of the Residual Waste Treatment Project – Contract A, paragraph 11: Paragraph (i), p.14, amend 'energy and waste' to read 'energy from waste'.

2. Chairman's Announcements

The Chairman reminded Council that Commander Brigadier Jim Richardson would be addressing the Council on current issues within the Armed Forces and the contribution made by troops and reservists from the Eastern Region at the close of this meeting.

The Chairman announced she had attended the following events:

- The renaming of St Margaret's House in King's Lynn to Hanse House in recognition of the fact that it was the only remaining Hanseatic building in the country.
- The launch of 'World Class Norfolk' at the Institute of Directors in Pall Mall, London; a campaign that aims to help bring 5000 high value jobs into the county.
- 'Quest Seekers' – visits to local libraries to hand out certificates to young people.

The Chairman had also hosted the following events:

- Reception for Chinese visitors from Xuhui, who were on an educational exchange.
- Battle of Britain reception at County Hall. This had been well received by all who attended and the Chairman wished to thank RAF Honington for providing the parade and also the Chairman's Officer, Catherine Wilkinson and the Democratic Support Manager, Susan Farrell.

As a point of order, the Chairman advised that the Report of the Cabinet meeting of 27 July 2009 had not been included on the original Council agenda and, as Chairman, she had agreed to accept this as an item of urgent business on the grounds that it would be inappropriate to wait until the next Council meeting in November before members were able to ask questions relating to that meeting. This item would therefore be taken as the first report under Item 6 of the agenda.

The Chairman advised Members that in relation to the declarations of interest for Item 4, the Standards Committee had considered whether members who have prejudicial interests may debate and vote on a motion to retain the status quo in Norfolk and that it had been determined that they may. Therefore, there was no

need for members to declare their interests on this matter, nor withdraw from the debate.

Mr Nobbs asked the Chairman to clarify the statement that the Standards Committee had met to determine this motion because as a member of the Standards Committee he had not attended any such a meeting. In response, the Chairman advised that the Standards Committee had met on 2 July and had given dispensation for this matter to be discussed at Full Council. Therefore, as this was a similar motion, it would be allowed. The Chairman said that her ruling on this matter was final, in accordance with Procedural Rule 22.

3. Declarations of Interest

The following Members declared interests.

Item 6, Report of the Cabinet meeting held on 27 July 2009, Flood Sirens, paragraph 1:

- Mr A Tomkinson, personal interest as a member of the Police Authority.
- Mr R Rockcliffe, personal interest as a family member owns property at North Beach, Heacham.
- Mr H Humphrey, possible personal interest (which is being considered by the Head of Law) as he is a member of the Police Authority.
- Mr P Rice, personal interest (and also the Report of the Cabinet meeting held on 10 August 2009) as he lives in the flood risk area and recently worked for Norfolk Constabulary.
- Dr M Strong, personal interest as an unpaid volunteer flood warden for Wells and unpaid volunteer representing North Norfolk senior flood wardens on the Norfolk Resilience Forum (Voluntary Sector).
- Mr R Hanton, personal interest as he is a member of the Norfolk Constabulary.
- Mr B Hannah, personal interest as a member of the Police Authority.
- Mr A Byrne, personal interest as a member of the Police Authority.
- Mr J Perry-Warnes, personal interest as a member of the Police Authority and also a member of North Norfolk District Council.
- Mr B Iles, personal interest as a member of the Police Authority.
- Mr D Harwood, personal interest as he owns a property within the flood risk area.
- Mr S Bett, personal interest as a member of the Police Authority.

Item 6, Report of the Cabinet meeting held on 10 August 2009, Shoreline Management Plan, paragraph 3:

- Mr B Hannah, personal interest as a member of the Police Authority and a Member of North Norfolk District Council.

Item 6, Report of the Cabinet meeting held on 10 August 2009, Raising Aspirations through Sport, paragraph 5:

- Mr T East, personal interest as a Norwich City Football Club Shareholder and a supporter of the Club for fifty years.

4. Motion by Mr D Cox

The Chairman said that under the Council's Constitution, the subject matter of this motion was a matter for Cabinet, rather than Full Council. However, she was content to exercise her discretion as Chairman to permit the motion to be debated at this meeting in order to assist Cabinet in its consideration of this matter.

Mr Cox then moved the following motion, which was seconded by Mr Murphy:

"The Labour Government is currently undertaking a major review of local government in Norfolk. Norfolk County Council has consistently argued that such a review is unnecessary and that any resultant proposals would involve considerable expense and administrative change at a time of economic recession.

Norfolk County Council therefore resolves to:-

- a) Support the current local government structure of Norfolk.
- b) Agree that the process of LGR in Norfolk has been flawed and as a consequence should now be shelved.
- c) Work with Borough and District councils in support of a further judicial review once the Secretary of State has received the Boundary Committee's recommendations (subject to the advice of Queen's Counsel as to the merits and chance of success).
- d) In the event that the Secretary of State should decide to bypass the LGR review process and seek to impose a politically driven solution in respect of Norwich's original unitary bid, oppose it vigorously.
- e) Pursue the spirit behind the recent Conservative Party proposals for efficient and effective local government, with all other Norfolk Councils to maximise joint working and procurement at all levels, building upon the work that originally commenced three years ago on the Norfolk Shared Services agreement, with the objective of obtaining the greatest possible value for money and simplifying the delivery of services to the public."

Mr Scutter moved an amendment to the motion that the five elements contained within the motion should be considered separately. This was seconded by Mr Joyce.

RESOLVED that following a vote on the above amendment (13 in favour, 49 against, 7 abstentions), the amendment was LOST.

Members then considered the substantive motion.

Following debate members voted on the original motion and with 52 in favour, 14 against and 5 abstentions the motion was CARRIED. **RESOLVED** accordingly.

5. Cabinet Recommendations – 13 July 2009

Norfolk Children and Young People's Plan 2009-2011

Mr Cox moved the recommendations from the Cabinet.

The Chairman said that written responses would be sent to Mr Rice concerning the costs involved in producing the publication and Mr Scutter concerning the process for producing the brochure, which Mr Scutter said contained errors.

RESOLVED:

To approve the Children and Young People's Plan 2009-2011.

6. Cabinet Recommendations – 14 September 2009

Mr Cox moved the recommendations from the Cabinet.

RESOLVED: To approve:

- 1) The establishment and role of the Overview and Scrutiny Strategy Group.
- 2) The Terms of Reference of the Overview and Scrutiny Strategy Group, as follows:
 1. Co-ordinating the scrutiny work of the County Council to avoid duplication between the Cabinet Scrutiny Committee, Norfolk Health Overview and Scrutiny Committee and the individual Overview and Scrutiny Panels and ensure that connections are made between the work of each. Notwithstanding the above, it is the intention that Overview and Scrutiny Panels will handle any items within their purview;
 2. To ensure that the scrutiny forward work programme of the Cabinet Scrutiny Committee and Overview and Scrutiny Panels are developed to reflect corporate priorities;
 3. Providing an opportunity to discuss progress and share good practice;
 4. Providing an opportunity to ensure that key Members participate in scrutiny related training;
 5. To appoint members to working groups agreed by OSPs and Cabinet Scrutiny Committee in accordance with nominations from Scrutiny Group Leads of political Groups that are entitled to the places under the political balance agreed and in doing so to consider whether there are any overlaps with other elements of the scrutiny decision making process that should be reflected in the membership appointed.
 6. To consider draft terms of reference for any working groups proposed by OSPs and Cabinet Scrutiny Committee;
 7. To consider whether any working groups established by HOSC have implications for any of the Council's Scrutiny Bodies and to make recommendations on any cross over in membership.
- 3) That the Terms of Reference of the Overview and Scrutiny Strategy Group be included in the Norfolk County Council Constitution and that the Review of the Constitution Working Group established by the Corporate Affairs Overview and Scrutiny Panel be requested to consider and make recommendations on any further implications arising from this change to the Constitution.'

7. Report of the Cabinet Meeting held on 27 July 2009

In moving the report, Mr Cox drew Members' attention to key items and invited questions.

Public Questions and Local Member Issues/Member Questions, paragraph 1.1, Flood Sirens

Dr Strong said that whilst she understood that time was at a premium, Norfolk County Council had not met the statutory requirements for consultation as it had not involved Parish Councils in discussions or the development of the Sustainable Communities Act (SCA) submission. Further, Dr Strong said that the Council should have consulted with bodies which currently perform that function, such as the Police and the Environment Agency, as to a transfer of power. Dr Strong asked whether these bodies had been consulted specifically on the SCA submission, and if so what responses had been received.

Mrs Walker asked why Parish Councils were not consulted and what the consequences of this would be.

In response, Mr Humphrey, Cabinet Member for Fire and Community Protection, advised that the deadline for the SCA submission deadline was only a few days after the Cabinet meeting of 27 July and there had not been sufficient time to consult with individual parish councils on the SCA, however parish and town councils together with the Police and the Environment Agency had been part of the flood siren consultation. Mr Humphrey said that whilst he accepted that the submission could have been delayed six months until the next round to allow for all parish councils to be consulted, it had been decided that progress needed to be made as soon as possible. During the consultation process it had been indicated that some parish and district councils might wish to have ownership of the sirens and therefore a letter had been sent to parish councils where there were flood sirens to ask if they wished to take control of these.

Flood Sirens in Norfolk, paragraph 3, 3.1.4

Mr Shrimplin suggested that any local exercise relating to the management of flooding emergencies should not simply include a test of the Environment Agency's Floodline Warning Direct service, but should also include an exercise using flood sirens as a comparison.

In response, Mr Humphrey said that the Fire & Community Protection Overview & Scrutiny Panel had voiced concern about the Floodline Warning Direct service and had requested that the Environment Agency look at the effectiveness of the service during any flooding exercise.

RESOLVED: to note the report.

8. Report of the Cabinet Meeting held on 10 August 2009

In moving the report, Mr Cox drew Members' attention to key items and invited questions.

Public Questions, paragraph 1.1

Mr Joyce asked when the Council intended to make provision for on-line access to planning applications and appeal documents. Further, he asked whether declarations of interest could be viewed on-line.

In response, Mr Cox said that on-line access to planning applications would be made available in the next twelve months and work was underway to allow applications to be viewed on-line. Mr Cox noted that declarations of interest are noted in the minutes of meetings which are already available on-line. The next

meeting of the Standards Board would be considering whether to put the Register of Interests on-line in a designated web area.

Public Questions, paragraph 1.3

In relation to the Cromer, Runton, Aylmerton and Felbrigg, 20, 40 and 50mph Speed Limit Orders 2009, Mr Perry-Warnes requested that the authority's highways engineers visit the site at some time in the future to look again at this section of the A148 from Cromer to Upper Sheringham and Bodham and he recommended that speeds be further reduced here.

In response, Mr Gunson, Cabinet Member for Planning and Transportation, said that all roads were visited regularly by engineers but decisions concerning the reduction of speed limits were not taken lightly; decisions were made only following an enormous amount of discussion.

Local Member Questions, paragraph 2.1

Mr Hemsley asked what measures had been taken to engage the community to support the Government's 'Clean Energy Cashback' scheme. Further, he said that Cambridgeshire County Council had successfully placed wind farms on their County Farms land which had generated an income of £2M and he asked what was happening concerning situating wind farms on NCC's County Farm land.

In response, Mr Williams, Cabinet Member for Corporate and Commercial Services, said that the authority's approach would be to support offshore wind farms; the review of County Farms would not include wind turbines on the land as no appetite had been detected for these. Cambridgeshire County Council had received £2M from its farms overall, including some returns from wind energy.

Overview and Scrutiny Panel Issues, paragraph 3

Dr Strong referred to the authority's Sustainable Communities Act submission; she said the principal aim of the proposal had been to compel the Environment Agency and the police to fully engage with affected parish and town councils, and the Norfolk Flood Wardens and she asked whether this Administration had any hope that these bodies would co-operate with the parishes, town councils and the Flood Wardens.

Mr Humphrey said that he hoped it had been accepted that the Environment Agency and the Police would fully engage with the communities concerned however he was sure that Dr Strong's question related to the use of sirens. The Police and Environment Agency had made their position clear and he was not confident that the flood sirens would be included as a part of the emergency flood plans. Better understanding and awareness of emergency plans was essential and funds being freed from sirens and used to enhance community awareness would help to ensure better protection for the people of Norfolk.

Mr Bremner asked the following questions:

- i) Were complaints about Care Force still being received?
- ii) It had been reported that Care Force had offered all its care staff guaranteed hours of employment sometime during July/August – why was this not part of the contract in the first place?
- iii) Why wasn't the Care Force contract monitored from the outset?

- iv) Were the Quality Assurance team meeting the Care Force users and also following care workers to make sure that they are working properly?
- v) Care Force was offering new safe slippers for all service users – does the Cabinet Member consider that this is adequate recompense?
- vi) What financial recompense is to be received by this Council from Care Force for its failure to deliver adequate services to contract?
- vii) Why did it take six months to send out questionnaires?
- viii) Why weren't the County Council prepared for difficulties with the contract's hand-over to Care Force?
- ix) Why didn't Council officers ensure that Care Force were ready?
- x) Would the Cabinet Member say sorry to those affected?

In response, Mr Harwood, Cabinet Member for Adult Social Services, said that complaints concerning Care Force were now in line with those received for all other contracts but that Care Force would be continually monitored. In February 2009, as soon as the authority became aware that there were problems, officers had started to monitor the situation. The current contract allows for the authority to receive compensation and it did put in place measures where visits to clients had been missed. The original contract had been awarded following a tender exercise, as required by law but the authority has no say on the contracts between Care Force and its employees. With reference to the slippers being supplied, this was down to Care Force; it was not an issue for this authority. Apologies had already been expressed to everyone concerned but the authority did act in the best faith. Whilst consideration was given to removing Care Force's contract, the authority was now happy with the way services were being delivered but this would be subject to continuing monitoring.

As a point of information, the Chairman confirmed that Mr Mowle, the previous Cabinet Member for Adult Social Services, had apologised to those affected and his apology had appeared on the front page of the EDP newspaper.

Mr East asked Mr Gunson whether it was true that Government Department for Transport (DfT) officials had delayed the decision on the Northern Distributor Route (NDR) until at least Christmas, as they wished to see more evidence that public transport and non-road alternatives had been fully examined. Further, he asked whether this would delay the delivery of the Joint Core Strategies of members of the Greater Norwich Development Partnership, as they were inextricably linked to the delivery of the NDR.

Mr Little asked why alternative models to the Northern Distributor Route (NDR) had not been sought.

In response, Mr Gunson said that the DfT had requested a range of further technical work be undertaken and information on what the authority had done with regard to testing alternatives to the NDR. The DfT had promised a decision concerning the NDR by Christmas but if this was not forthcoming then the Joint Core Strategy would be delayed.

With reference to the 360 jobs created in Norfolk, Dr Boswell asked whether consideration had been given to creating apprenticeships and jobs in green / renewable areas.

In response, Mr Iles, Cabinet Member for Economic Development advised that the 360 jobs had now been taken up and the authority would now be applying for another £2.2M for the second phase of the scheme which would lead to another 360 jobs. Mr Iles said that he would provide a written answer concerning the number of jobs in green/renewable areas.

Dr Strong thanked the Chairman of the Planning, Transportation, Environment & Waste Overview & Scrutiny Panel and the officers concerned for supporting the view that parishes and individuals should be given the time and opportunity to be appraised of how the Hunstanton to Kelling Shoreline Management Plan would impact on their stretch of the coastline.

Raising Aspirations through Sport, paragraph 5

Mrs Walker asked why the Council had agreed to fund Norwich City Football Club (NCFC) with a sponsorship agreement.

Mrs Clarke said that the £200,000 funding allocated to NCFC would have been better targeted to more vulnerable young people. Further, Mrs Clarke asked how the £100,000 being retained by the Council would be spent.

Mr Scutter asked whether, in the present economic climate, the £200,000 funding allocated to NCFC was safe and also whether the funding would be safe if the ownership of the Football Club changed.

In response, Mr Cox said that the authority must consider a number of issues such as the key Local Area Agreement National Indicator (NI) 'Obesity in Children'. Although there is much activity across the County involving Stakeholders, the growth in childhood obesity meant this indicator has had to be revised upwards. Although NCC works to reduce the rate of obesity in children through 'Active Norfolk' and PE co-ordinators in schools, he hoped that this innovative partnership with NCFC would have an impact to help the authority achieve this key NI target. NCFC would be able to deliver work through the Norwich Football Academy (NFA) and NCC's logo would be included on all posters etc alongside a statement that NFA's work was supported by NCC. The NFA would also be holding a world cup event at NCFC, touring the County and organising a football contest with a place at the Football Academy as a prize. It was hoped that this association would motivate and enable vulnerable or disadvantaged young people to become involved in sporting activities. Mr Cox confirmed that £200K would be made available over two years and a further £100K could then be made available to support the work. Mr Cox said that it must be recognised that a successful NCFC would bring economic benefits to the City and County. Finally, Mr Cox confirmed that the authority did have financial security regarding the funding allocated to NCFC and a full review would take place at the end of the football season.

Service and Financial Planning 2010/11 to 2012/13, paragraph 6

With reference to the projections for 2011-12 and 2012-13 which assumed a 0% council tax increase with no compensating income from the Government, Mr Morse asked whether the national Conservative party policy had changed, or whether this was a one-off?

In response, Mr Cox said that there had been a considerable deterioration in the country's finances over the last year and the administration had assumed a prudent and realistic flat rate Government grant for planning purposes.

Mr Morse noted that this Council has lost £97M over the last four years and he said that if this 'damping' continued it could be reasonably assumed that this would increase to £25M in 2010-11.

In response, Mr Cox said that NCC received £20M less than it needed and there had been no firm commitment from any political party to change the damping mechanism. However, a strong case would be made that this be changed.

Validation of Planning Applications: Local List of Requirements, paragraph 9

Mr Little asked how the authority intended to implement, and more particularly strengthen policy relating to climate change, to ensure it is complied with.

RESOLVED: to note the report.

9. Report of the Cabinet Meeting held on 14 September 2009

In moving the report, Mr Cox drew Members' attention to key items and invited questions.

Local Member Questions, paragraph 2.3

With reference to Chapel Road Special School, Mr Scutter asked how the authority provided up-to-date communications with schools to keep them fully informed and what arrangements were in place regarding the refurbishment of the Chapel Road Special School.

Mr Bremner asked what the outcome had been of the urgent discussions held to consider the alternative options available for the replacement of Chapel Road Special School.

Mr Brindle said that Charles Burrell High School had also been removed from the Building Schools for the Future (BFS) funding and he asked for assurance that NCC would move quickly to find a site to enable building to commence.

In response, Mrs Hutson, the Cabinet Member for Children's Services, said all members were dismayed at the loss of an opportunity to apply for funding for both the Chapel Road Special School and the Charles Burrell High School in Thetford. This funding came to the authority through Partnerships for Schools who had recently taken over all the capital funding of the Department of Children, Schools and Families and this appeared to have caused major problems similar to those previously caused by the Learning & Skills Council. Mrs Hutson said the authority kept in close contact with Special Schools, especially so as the authority was developing Special Educational Needs (SEN) Strategy proposals. As for the future, Mrs Hutson said that the Capital Priorities Group had authorised the funding of a specific feasibility study to find the right site for the new Chapel Road Special School and every possible option to find alternative funding would be considered. With regards to the Charles Burrell High School, Mrs Hutson said that the authority was working closely with the Growth Point Education Partnership; the issue was to find the right site and this still had not been settled because issues had arisen (such as stone curlews). There were some extremely enthusiastic sponsors for the Academy and Mrs Hutson assured members that there was a great deal of work ongoing and a determination to move forward on these vital projects.

Norfolk County Council Organisational Framework 2009-2012 , paragraph 5

Mr Morse noted that the Framework concurred with Liberal Democrat thinking on a number of things including devolvment and community engagement and strengthening the role of the Local Councillor and he asked when the Leader, would bring forward proposals on devolved budgets for councillors to work with Town and Parish Councils.

In response, Mr Cox said that he was very keen to devolve responsibility and County Councillors would play a key role within the devolution. Detailed work would be carried out which would include the principles on how this work would be carried out. He recognised that there could be direct benefits to communities but there must be caveats to this.

'Norfolk Forward' – Implementing a Programme of Change for Norfolk County Council, paragraph 6

With reference to an email circulated from Mr Spratt concerning a possible proposal to outsource Children's Services, Mr Morse asked whether any work had been, or would be done, on looking at the option of outsourcing Children's Services.

In response to Mr Morse's question, Mr Cox said that there were no plans whatsoever to outsource Children's Services. However, he could not give a categorical assurance that this would never be looked at as it would be wrong to rule anything out at this stage.

Mr Spratt said that that he would be meeting with the Director of Children's Services about this; he had not discussed this with the Cabinet. However, he believed that there were issues that needed to be given consideration, such as the Looked After Children overspend costs.

In response to Mr Spratt's point about looked after children, Mrs Hutson said that a lot of work had been undertaken to find ways to keep this cost down; the authority does try to avoid sending looked after children out of County.

Integrated Performance and Financial Monitoring Report – Quarter 1, 2009-2010, paragraph 7

Mr Scutter asked, as the Looked After Children budget was expected to be £5M over budget, what plans the Administration had to improve in-County provision.

Mrs Clarke sought assurances that the Cabinet was confident that its budget setting processes were adequate.

In response, Mr Williams said that the budget showed savings of £1.72M but there were signs of pressures within Adult Social Services and Children's Services and therefore Chief Officers were looking to recover this balance. The Leader and Cabinet Members would be considering the budget and reviewing processes.

10. Move to Suspend Council

At this point in the council proceedings, Mr Nobbs said that it was discourteous for the Council to keep Commander Brigadier Jim Richardson waiting any longer and he moved to suspend Council to allow the Brigadier to address Council. Mr Carttiss seconded Mr Nobbs' proposal. With 29 votes in favour of suspending Council, 26 votes against and 3 abstentions, this motion was CARRIED.

The meeting was therefore suspended at 12.33pm and reconvened at 1.10pm.

11. Report of the Cabinet Meeting held on 14 September 2009 (continued)

Residual Waste Treatment PFI Project – Shortlist Approval, paragraph 15

On behalf of Mr East, Mr Joyce asked whether Mr Monson, the Cabinet Member for Environment and Waste, believed that the evaluation scores and ranking for the short listing of Contract B, presently based on the financial status, the technical experience and other legal implications, would be reversed when later in the process the environmental considerations, planning difficulties and the social disamenity factors were taken into account. Further, he asked whether Mr Monson agreed that of the four short listed companies, only Amey/Cespa with its MBT/AD + gasification technology was a serious contender, as the other three companies were based on incinerating waste; a positive disincentive to recycling.

In response, Mr Monson said that he could not agree with either of Mr East's questions, he was confident in the authority's evaluation process. All shortlisted companies were worthy to be included and would provide more detailed plans to be evaluated.

RESOLVED: to note the report.

12. Report of the Cabinet Scrutiny Committee Meeting held on 28 July 2009

RESOLVED: to note the report.

13. Report of the Personnel Committee held on 14 September 2009

RESOLVED: to note the report.

14. Report of the Norfolk Health Overview and Scrutiny Committee held on 3 September 2009

RESOLVED: to note the report

15. Report of the Planning (Regulatory) Committee Meeting held on 11 September 2009

RESOLVED: to note the report.

16. Matters considered by the Overview and Scrutiny Panels

RESOLVED: to note the report.

17. Report of the Norwich Highways Agency Joint Committee held on 23 July 2009

RESOLVED: to note the report.

18. Appointments to Committees/Panels for the Ensuing Year

Mr Cox moved the report and noted the following appointments made by the Chief Executive under delegated powers:

- Ms A Thomas to replace Mr A Adams on the Adult Social Services Overview and Scrutiny Panel;

- Mrs M Chapman-Allen to replace Mr B Borrett on the Adult Social Services Overview and Scrutiny Panel;
- Mr S Dorrington to replace Ms D Irving on the Norfolk Health Overview and Scrutiny Committee;
- Mr J Perry-Warnes to replace Mr P Wells on the Norfolk Health Overview and Scrutiny Committee;
- Mr G Cook, Mr T Garrod, Ms D Irving and Mr J Perry-Warnes as substitutes for the Norfolk Health Overview and Scrutiny Committee;
- Mr G Jones to replace Mr P Morse on the Pensions Committee.

The meeting concluded at 1.24pm.

CHAIRMAN



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Review of Members Allowances Scheme 2009

Report by Head of Democratic Services

1.0 INTRODUCTION

- 1.1 It is for the County Council to determine its members' allowances scheme and the amounts to be paid under the scheme. Councils are required to establish and maintain an independent remuneration panel with the role of making recommendations to the Council about the allowances to be paid to its members. Councils must have regard to those recommendations when they are determining the scheme of allowances.
- 1.2 The last full review of members' allowances was carried out in the winter of 2007. In recommending a scheme, the Panel recommended that the next full review take place in 2009. The Panel has consequently carried out and now completed that review and its report is attached.

2.0 PANEL OBJECTIVES AND TERMS OF REFERENCE

- 2.1 The Panel has re-affirmed its previously agreed objective as being to make recommendations to the County Council on:-
- (i) The level of Basic Allowance to be paid to all Norfolk County Councillors;
 - (ii) The posts for which Special Responsibility Allowances (SRAs) should be paid and the level of those SRAs.
 - (iii) The appropriateness of paying a Carers' Allowance and the rate at which it should be paid.
 - (iv) Whether Members should be eligible to join the Local Government Pension Scheme.
 - (v) Whether allowances should be paid to co-opted Members and if so, at what levels.
 - (vi) The terms of travel and subsistence allowances for Members
- 2.2 The Panel's agreed terms of reference are:-

To make recommendations on a scheme of payments to councillors which:-

- (i) conforms with legislation;
- (ii) recognises that the work of a councillor is undertaken for the sake of public service and not for private gain;
- (iii) recognises the demands placed upon councillors by their differing roles and responsibilities within the Council and fairly and equitably compensates them for the time and effort they devote to their work as a member of the Council;
- (iv) is simple to administer and easy to explain and justify to the public.

3.0 PANEL'S APPROACH

- 3.1 The Panel met twice during September and October 2009. Group Leaders were invited to meet with the Panel in order to make representations on behalf of their groups and 3 of the 4 Leaders met individually with the Panel at its first meeting. The Panel reached some provisional conclusions about the issues in paragraph 2.1 above and considered these in more detail at its second meeting.
- 3.2 The Panel has now agreed its final recommendations for submission to the Council. The Panel's conclusions and recommendations are set out in the attached report and Council is invited to consider and reach decisions on those recommendations.

4.0 FINANCIAL IMPLICATIONS

Any decisions reached by Council on the Panel's recommendations may have implications for the 2010/11 Council budget and will be subject to final approval of those financial implications by Council during the budget deliberations in February 2009. The Panel's recommendations involve no additional expenditure in 2010/11 in respect of the Basic Allowance. In respect of Special Responsibility Allowances, the only financial implication of the Panel's recommendations is an additional cost of £3,917 per annum.

5.0 CONCLUSION

Council is required to consider the Panel recommendations relating to the scheme of allowances. Council is able to disagree with the recommendations and decide upon alternative actions, but it must have regard to the recommendations before taking its decisions.

6.0 RECOMMENDATION

That Council considers the Independent Remuneration Panel's report and reaches decisions upon the Panel's recommendations as set out on pages 25, 33, 36 and 39 of this agenda.

Officer Contact

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Background Documents

Guidance on Consolidated Regulations for Local Authority Allowances.
IDeA Councillor Census 2008
IDeA Survey of Members' Allowances 2008
Norfolk County Council current Members' Allowances Scheme
Role profiles of Norfolk County Councillors – Article 2 of the Council's Constitution

Independent Remuneration Panel

Review of Norfolk County Council Members' Allowances Scheme

PANEL MEMBERS

Jonathan Barclay (Chairman)
John Murfitt
Ann Polley
Moya Willson

November 2009

BASIC ALLOWANCE

1.0 BACKGROUND

- 1.1 The requirement and basis for a Basic Allowance is set out in Government Guidance. Local Authorities must include in their schemes of allowances a basic, flat rate allowance, payable to all their elected members. It must be the same for each member.
- 1.2 The guidance advises reaching a conclusion as to the number of hours that members need in order to carry out the role expected of them. The guidance also advises that some element of members' work be regarded as voluntary and consequently that not all their time should be remunerated. However the guidance advises this be balanced against the need to ensure that financial loss is not suffered by members, and to ensure that, despite the input required, people are encouraged to come forward as elected members and that their service to the community is retained. Finally the guidance advises that Panels consider rates at which it would be appropriate for remunerated time to be paid.

2.0 2007 REVIEW OF ALLOWANCES SCHEME

- 2.1 In considering the Basic Allowance in 2007, the Panel's approach was:-
 - (i) To carry out a survey of Norfolk County Councillors, seeking their views as to the time needed for Council duties
 - (ii) To look at comparative information from other local authorities relating to the setting of their Basic Allowance
 - (iii) To consider pay rate indicators.
- 2.2 The member survey last time showed an average of 23 hours per week as the amount of time needed for the basic role of County Councillor. An Improvement and Development Agency (IDeA) Census in the winter of 2006 found that the figure for County Councillors for the basic role was 21.7 hours per week. The average reply from Norfolk County Councillors in respect of the amount of time that should not be remunerated was that 26% of time ought to be discounted.
- 2.3 The position in relation to other County Councils at the time of the review in 2007 was that Norfolk's Basic Allowance was £6,763 compared to an average of £9,023 for a range of comparator authorities.
- 2.4 On the basis of the evidence gathered, the Panel concluded that there was a need to recognise a time commitment of 20 hours. The Panel confirmed its previous view that a 30% time discount was appropriate. The Panel felt that the average hourly rate for full-time employees in Norfolk identified in the

Annual Survey of Hours and Earnings (ASHE) was the appropriate rate to use in calculating the Basic Allowance.

- 2.5 The panel agreed that the level of the Basic Allowance should be increased to £8,689. This was based on an assumed time commitment of 20 hours per week for the basic role, a discount of 30% and a Norfolk pay rate indicator of £11.89 per hour.

3.0 PRESENT POSITION

- 3.1 The rate of £8,689 took effect in April 2008. It was then increased to £8,929 in line with the pay award for 2008/09 for local authority employees. It remains at that level and will do so throughout 2009/10 as the Council voted not to increase it in line with the pay award during this year. In terms of some of the key indicators which the guidance advises be considered, the present position is as follows:-

Time Commitment of Members

- 3.2 The Improvement and Development Agency (IDeA) carried out a Councillor census in the autumn of 2008, which found that on average, County Councillors spend 26.8 hours per week on Council duties, although in terms of relevance to the Basic Allowance this is a little misleading as it relates to members with and without additional special responsibilities. In terms of the basic role, i.e. without having any additional special responsibilities, the figure was 21.2 hours. This is very close to the assumption of 20 made by the Panel in the last review.

Pay Rate Indicators

- 3.3 The latest data available to the Panel was from the Annual Survey of Hours and Earnings (ASHE) in 2008. The survey shows that the average gross hourly rate for all full-time employee jobs was as follows:-

<u>Area</u>	<u>Average</u>
UK	£14.53
England	£14.79
East Region	£14.35
Norfolk	£12.22

Comparisons with other County Councils

- 3.4 Comparative figures were obtained from County Councils and are set out in Appendix 1. They compare by level of basic allowance, by population size, and by gross hourly pay rates in the ASHE Survey.
- 3.5 From these figures can be seen that Norfolk's present basic allowance (£8,929) is at a rate of 91% of the average of county councils (£9,803). The Panel has had regard to the comparison figures but does not consider that it is

appropriate to set the Basic Allowance based solely on how Norfolk's current level compares with other county councils.

Other Information

- 3.6 The numbers of candidates standing at the last four County Council Elections were as follows:-

May 1997	-	281 candidates
June 2001	-	316 candidates
May 2005	-	312 candidates
June 2009	-	322 candidates

- 3.7 At each of the above Elections there have been 84 divisions contested, so a fair comparison can be made.

Political Group Representations

- 3.8 The political group leaders were invited to make representations to the Panel regarding the Basic Allowance. In addition the group leaders were asked if they wished to meet the Panel in order to support their representations. Three of the group leaders took up the invitation and met the Panel. The only significant representation that related to the Basic Allowance was a view that the discount to reflect the voluntary element of a Councillor's role should not be mandatory and that each Councillor should be allowed to decide whether or not to apply the discount. The rationale given was that individuals should not be debarred by their personal financial circumstances.
- 3.9 The Panel believes that this view fundamentally misunderstands the principle of there being a non-remunerated element. The Panel is guided by the Regulations to reach a view on how much of a Councillor's time should not be remunerated on the basis that some element should be regarded as public service and to then discount that element. The term "voluntary" is not intended to mean that the public service element is discretionary and that individual Councillors should be able to opt in or out of it. The Panel sets its recommended level of Basic Allowance after reaching a conclusion on how much time should be discounted and then applying that discount to the number of hours it considers are needed to carry out a Councillor's role. On a practical level, to do as has been suggested would mean that the Basic Allowance would need to be set at £12,757, an additional £320,000 in total and there would of course be no guarantee that any member would voluntarily give up 30% of it. The Panel is therefore unable to support the representation made.

Other representations

- 3.10 The Panel received representations from a member of the public that the economic circumstances have changed and that the non-remunerated element of 30% used in the last review is out of line with public perception of

the role and should be increased considerably. The Panel does not consider that an assessment of the level of the public service element should depend on the economic circumstances that exist at a particular time.

- 3.11 The same member of the public also raised the issue of “twin-hatters” (Members of the County Council who are also district councillors). He questioned whether such members could dedicate sufficient time to serve on each authority and suggested as an option that the County Council set a ceiling for total allowances paid to its members, taking account of allowances that they might receive if they are also district councillors. He also suggested that members with special responsibilities should agree not to take up outside commercial interests and that twin-hatters should be asked to consider waiving the basic allowances they receive as district councillors.
- 3.12 The Panel noted that the existence of twin-hatters is not a new development. There have been twin-hatters for many years and indeed, such members are often also parish councillors. It is not for the Panel to consider whether or not the existence of twin-hatters is a good thing and it is not within the Panel’s remit to take account of allowances that are paid by other local authorities. This Panel has a very specific remit and can only address what is an appropriate level of remuneration for Norfolk County Councillors, taking into account the basic role and the roles that involve special responsibilities. Allowances schemes permit any member of a local authority to waive their right to an allowance but it is not a matter for this Panel to recommend that any particular member or group of members should consider doing so.
- 3.13 Finally, it was also suggested by the same member of the public that the Panel should invite representations from the general public and service users on the basis that this might assist the Panel on the question of whether time spent by members provides value for money. The Regulations under which members allowances operate make no requirements for Panels to carry out public consultation when conducting its reviews and the Panel is not resourced to carry out such an exercise. The Panel’s role is to look carefully at all the relevant information and data and to make recommendations. It is for the County Council to consider and decide whether or not to accept the recommendations. The Panel’s recommendations are made public and the public are then able to make representations to the Council before it reaches its decisions. The Panel believes that this is the appropriate route for any public involvement.

4.0 CONCLUSIONS

- 4.1 There is a requirement to review the level of Basic Allowance.
- 4.2 When the Basic Allowance was set by the Council at £8,689 in 2008, this compared to a CIPFA (Chartered Institute of Public Finance and Accountancy) group average of £9,023. This put Norfolk’s allowance at a rate of 96% of the CIPFA Group family average. The rate now stands at 91% of the average of all County Councils, so Norfolk’s allowance appears to have

declined slightly in comparative terms. Restoring the 96% rate would require an increase of £481 to £9,410 (increase of 5.4%).

- 4.3 The Panel considers that it is important to be consistent in its approach to setting the level of Basic Allowance and that this should be done initially by applying the formula calculation and only then considering whether the resulting figure is appropriate given all the relevant factors. Making a formula calculation based on the present relevant ASHE hourly rate indicator (£12.22) and retaining the previous position on hours necessary (20) and voluntary discount element (30%) would set the allowance at £8,930, which would be almost exactly at the present level (£8,929).
- 4.4 The Panel considers that the previous position on hours necessary remains appropriate at 20 per week. The IDeA survey had a slightly higher average figure for County Councils at 21.2, but the Panel has received no evidence that the extent of the basic role has changed significantly since the previous review and considers that the 20 hours figure is a reasonable one to use. The Panel reflected carefully on what proportion of the 20 hours should not be remunerated to reflect a public service element. As indicated earlier in the report, the Panel does not believe that an assessment of the non-remunerated element should bear any relationship to the prevailing economic circumstances. On balance, the Panel considers that the 30% reduction it has recommended previously is a fair and reasonable assessment and one that members of the council and the general public would be satisfied with.
- 4.5 In terms of the hourly rate to be applied, the Panel continues to believe that the ASHE survey of average gross hourly rate for all full-time employee jobs in Norfolk is an appropriate one to use. The same formula calculation has therefore been made, resulting in an annual Basic Allowance level of £8,930, just £1 higher than the present level. The Panel consequently recommends that the Basic Allowance remains at £8,929 per annum for the financial year 2010/11. The Panel believes this is a reasonable sum, given the other factors considered, including the prevailing economic circumstances. The Panel would like to emphasise that the allowance has been set based on an assumption that members are spending approximately 20 hours per week on Council duties. Clearly some members will spend far more than that depending on their additional responsibilities but the Panel has an expectation that members should generally not be spending less than 20 hours per week on their county council duties.
- 4.6 The Panel suggests that the next full review takes place during 2013, after the next County Council elections, with any resulting changes to be implemented in 2014. This will enable the Panel to have regard to any changes to the Council's political structures that might follow those elections. The Panel is required to consider whether there should be an index-linked arrangement in place in order to set the level of the Basic Allowance in the years before the next formal review. In considering this, the Panel has had regard to the economic circumstances facing the country and the difficult financial situation that all local authorities will have to encounter over the next few years. The possibility of recommending that the level be frozen until 2014, with an interim

review during 2011 was considered. However, the Panel concluded that it was appropriate to retain the existing linking arrangement, which is to the pay award for local authority employees. This would be effective from the 2011/12 pay award.

5.0 RECOMMENDATIONS

1. That the Basic Allowance remains at £8,929 for the financial year 2010/11, with no index-linked uprating in that year
2. That in 2011/12, 2012/13 and 2013/14, the Allowance be increased at the same percentage rate as the local authority employee pay award (if one is paid)
3. That the next review be undertaken by the Panel in 2013, with any resulting changes to be implemented in 2014

Special Responsibility Allowances (SRAs)

1.0 BACKGROUND

- 1.1 In considering SRAs, the Panel must have regard to Government Guidance, in particular the following key issues:-
- (i) there must be significant additional responsibilities if an SRA is to be paid;
 - (ii) there is no limit on the number of SRAs and a member can receive more than one SRA, although in Norfolk the practice is that a member can hold more than one SRA post but is only paid for one (the highest);
 - (iii) if the majority of members receive an SRA the local electorate may question whether this is justified;
 - (iv) not all responsibilities given to particular members may involve significant additional responsibility.
- 1.2 In its previous review, the Panel followed the Guidance by first agreeing the SRA for the Leader and then grading as a percentage of the Leader figure, those posts it considered merited the payment of SRAs.

2.0 PRESENT POSITION

- 2.1 The present schedule of SRAs in Norfolk County Council is attached at Appendix 2. The schedule includes the established percentage for each SRA as against the Leader SRA.
- 2.2 With regard to the Guidance in 1.1 (iii) above, there are currently a maximum of 42 available SRA posts, exactly half of the Council's membership figure of 84. At the time of this review the number of members actually receiving an SRA was 40 (47.6% of the 84 Members)
- 2.3 In the winter of 2008, the Improvement and Development Agency (IDeA) carried out a survey of Members Allowances Schemes, to which 386 local authorities responded and the Panel received detailed data from the survey. The respondents included 27 County Councils and covered the position on Special Responsibility Allowances. The data is not completely up to date as some changes will undoubtedly have been made since it was collected. However the Panel felt that the data provided very reasonable comparative information and to illustrate this, the average basic allowance for the 27 County Councils in the survey was £9,978 and the current average for all County Councils is £9,803.

3.0 EXISTING SRA POSTS

Leader of the Council

- 3.1 The IDeA Survey showed that the SRA for the Leader in Norfolk, at £26,111 is a little below the average for County Councils (£27,290). The national picture appears to be that leaders of authorities of a similar size to Norfolk County Council generally have roles requiring a very high commitment of time and this is reflected in the SRAs paid for these posts. Amongst County Councils with populations approaching the size of Norfolk's the Leader SRAs are £32,544 in Derbyshire (pop. 758,200), £31,590 in Nottinghamshire (pop. 771,000), £30,364 in West Sussex (pop. 776,300) and £35,000 in Staffordshire (pop. 825,800). Norfolk's population is 840,700.
- 3.2 The Guidance suggests that one way of establishing the Leader SRA is to set it as a multiple of the Basic Allowance. The ratios within the IDeA Survey show an average multiple of 2.7. The Leader SRA in Norfolk is currently at a multiple of 2.9 of the Basic Allowance.

Deputy Leader

- 3.3 The current Deputy Leader SRA in Norfolk at £16,972 is close to the average of the IDeA Survey in terms of the percentage at which it is graded against the Leader SRA (67% in IDeA Survey and 65% in Norfolk). In Norfolk, the Deputy Leader is also responsible for one of the Cabinet portfolios.

Other Cabinet Members

- 3.4 The SRA is £13,055 - 50% of the Leader. This percentage is a little lower than the IDeA Survey average (57%).
- 3.5 The Panel noted that there are currently 8 other Cabinet Members (in addition to the Leader and Deputy Leader) and that the portfolio areas are:-

Adult Social Services
Children's Services
Corporate Affairs and Efficiency
Cultural Services
Economic Development
Finance and Performance
Fire and Community Protection
Planning and Transportation
Waste Management and the Environment

Opposition Group Leaders

- 3.6 The SRAs for the opposition group leaders were set in 2006. The representation in Council seats since then has been as follows:-

<u>Year</u>	<u>Conservative</u>	<u>Labour</u>	<u>Liberal Democrat</u>	<u>Green</u>	<u>UKIP</u>	<u>TOTAL</u>
2006	46	22	14	2	-	84
2007 & 2008	47	22	13	2	-	84
2009	60	3	13	7	1*	84

* There is no UKIP Group as a minimum of 2 members is required to form a Group

- 3.7 The Majority Opposition Group ((Liberal Democrat) Leader receives an SRA of £13,055 (50% of the Leader). This percentage is higher than the IDeA Survey average (41%). However, the SRA for the Majority Opposition Group Leader in Norfolk takes into account that the post holder also holds the position of Chairman of the Cabinet Scrutiny Committee, which will not necessarily be the case in all other authorities.
- 3.8 The other group leaders do not receive SRAs as their groups fall below the threshold of having 10% of the Council's seats, as previously recommended by the Panel and accepted by the Council.

Chairman of the Council

- 3.9 The Chairman SRA is £10,444 (40% of the Leader) and this is in line with the IDeA Survey average of 44%.

Vice-Chairman of the Council

- 3.10 At £1,958 and 7.5% of the Leader the Vice-Chairman SRA is below the IDeA Survey average, which stands at 17%. The Panel's view is that this post does not involve an excessive time commitment and the Panel is comfortable with the present SRA level.

Chairman of Planning (Regulatory Committee)

- 3.11 The present level is £5,222 (20% of the Leader). This is higher than the SRA paid to Chairmen of Overview and Scrutiny Panels and the Panel previously considered this reasonable given the responsibilities involved. The ratio against the Leader is a little lower than the IDeA Survey average of 25%.

Majority Group Spokesman - Cabinet Scrutiny Committee

- 3.12 The Panel recognises the importance of scrutiny and concludes that the Majority Group spokesman has a key role in leading his/her Group on this committee and in ensuring that scrutiny is effective and not subject to any inappropriate party considerations. There is no comparative post within the IDeA Survey.

Chairman of Norwich Joint Highways Agency Committee

- 3.13 The Panel has previously agreed the importance of this role and has set the SRA at a level consistent with that for the Planning (Regulatory) Committee Chairman (20% of the Leader)

Chairmen of Overview and Scrutiny Panels

- 3.14 There are now 6 Overview and Scrutiny Panels and the SRA for Chairmen is £3,917 (15% of the Leader). These figures are significantly below the average of £9,611 in the IDeA Survey. However, this is an area where caution needs to be exercised in drawing conclusions. The nature of overview and scrutiny committees and their precise roles and profiles can vary significantly from authority to authority.
- 3.15 In Norfolk, Overview and Scrutiny Panels do not have powers to call-in matters and refer them back to Cabinet. This function is carried out by the Cabinet Scrutiny Committee. Overview and Scrutiny Panels meet approximately 6 times per year. The present scheme builds in a differential with the posts of Chairmen of the Planning (Regulatory) Committee and the Joint Highways Agency Committee on the basis that these posts involve more responsibility.

Chairman of Records Committee

- 3.16 This is a post that is not easily compared with other authorities. The Panel has previously recognised that Records is an important element of the Council's service, with a very specialist nature, but felt the Chairman post did not match others in terms of workload. Hence a fairly small SRA at 10% of the Leader - now £2,611 - was agreed.

Deputy Leader of Opposition Groups

- 3.17 Deputy Leaders of Opposition Groups do receive SRAs in some other authorities, but not in sufficient numbers to make comparison meaningful. In the IDeA Survey, only 8 of the 27 County Councils paid an allowance for these posts. In Norfolk, this SRA is now only paid to the Deputy Leader of the Majority Opposition Group and as recommended by the Panel in the last review, there is a linked arrangement of 40% of the SRA of the Group Leader. This takes account of the fact that the Group Leader role also incorporates the chairmanship of the Cabinet Scrutiny Committee, a role which the Deputy Group Leader is not expected to cover.

Deputy Cabinet Members/Cabinet Support Members

- 3.18 The current scheme provides for the Leader to appoint Deputy Cabinet Members (DCM) and Cabinet Support Members (CSM). DCM posts are remunerated at 25% of the Leader SRA and CSM posts at 15%. As recommended by the Panel in the previous review and subsequently agreed by the Council, a restriction is in place whereby there can be no more than 6

such remunerated posts at any one time. This was designed to prevent a situation where the Leader could in theory appoint to an unlimited number of the posts. At the time of the review there were 6 DCM posts, as follows:-

DCM for Children's Services
DCM for Adult Social Services
DCM for Roads
DCM for Corporate Affairs
DCM for Efficiency
DCM for Tourism

Shadow Spokesmen for Cabinet Portfolios

- 3.19 In its last review the Panel carried out a detailed review of the arrangements for the remuneration of shadow spokesmen for the 9 cabinet portfolios and considered a possible reduction in the number of such SRA posts. The Panel noted that it was not widespread practice for SRAs to be payable to opposition group spokesmen, but felt that there was an issue relating to the importance of having a strong opposition to the ruling Administration. Consequently the Panel did not recommend any changes to the arrangements whereby the opposition groups are able to have up to 9 Shadow Spokesmen SRA posts. The Panel made the observation that should the Leader of the Council take a decision in future to merge and reduce the number of cabinet portfolios, it would be willing to reconsider the position regarding SRAs for opposition spokesmen.
- 3.20 One outcome of the recent elections has been that these SRAs are now only payable to the shadow spokesmen from the Liberal Democrat Group. This is because none of the other opposition groups meet the 9 member threshold for entitlement to SRAs. This was a threshold previously recommended by the Panel and agreed by the Council. In the last review, the Panel was asked to reconsider the impact of the threshold issue on the Leaders of Groups with fewer than 9 members. After that re-consideration, the Panel confirmed its previous conclusion that there should be a threshold, in order to reflect to some extent the democratic mandate received by Groups at elections and that the threshold should be set at 10% of the seats on the Council. The Council accepted the Panel's conclusions.
- 3.21 The level of SRA for Shadow Spokesmen is currently £1,958 (7.5% of Leader SRA).

Opposition Group Spokesmen on Planning (Regulatory) Committee

- 3.22 The Panel has previously felt that this role was comparable to that of shadow Cabinet Spokesmen. Hence the SRA was set at the same level.

Chairman of Health Overview and Scrutiny Committee

- 3.23 The Health Overview and Scrutiny Committee comprises County and District councillors and is responsible for scrutinising the health service in Norfolk.

The Panel set the SRA at the same level as Overview and Scrutiny Panel Chairmen (15% of Leader SRA)

Chairman of Audit Committee

- 3.24 The Panel has previously felt that this role was comparable to the post of Chairman of the Planning (Regulatory) Committee. Hence the SRA was set at the same level (20% of Leader SRA).

4. ISSUES CONSIDERED

- 4.1 The Group Leaders were invited to identify any specific SRA issues they would like the Panel to address. A small number of issues were raised and the Panel's review of SRAs has been confined to those issues. The Panel will not be recommending any general increase in the levels of SRAs.

Deputy Cabinet Members

- 4.2 As indicated earlier in this report, the present position is that the Leader can appoint a maximum of 6 Deputy Cabinet Members (DCMs) or Cabinet Support Members (CSMs). There are currently 6 DCMs, each receiving £6,528 per annum. There are no CSMs appointed.
- 4.3 The Leader made a request that the Panel consider recommending an increase in the maximum number from 6 to 7. This was on the basis that the structure of the Cabinet had changed since the June 2009 election, with the creation of a new Corporate and Commercial Services Cabinet Member, with an extensive portfolio, requiring additional support. Two DCMs had been appointed to support this portfolio and the Leader considered that he needed an extra DCM to cover the remaining portfolio areas. The Panel discussed this issue with the Leader, particularly in the context of wishing to avoid a situation where more than half of the Council members receive SRAs. The Panel considered the request was reasonable and agreed to recommend an increase to a maximum of 7 DCM/CSM posts. However, the Panel felt that the overall expenditure on DCM/CSM posts should be contained within the present sum of $6 \times £6,528 = £39,168$. The effect of this is that the Panel recommends the level of SRA for DCM posts is reduced to £5,595 per annum (21.4% of the Leader's SRA), a reduction of £933, if an additional DCM is appointed

Leader of the 2nd largest opposition group

- 4.4 The Leader of the 2nd largest opposition group (Green Group) currently receives no SRA because the group has less than 9 members and consequently does not meet the threshold for SRA payments. The Panel received representations from the Leader of the Green Group to review the threshold restriction as it applies to the group. The view was expressed that the responsibilities of the Group Leader had increased significantly since the election and that each opposition group leader should receive an SRA, perhaps based on the number of members in the group.

- 4.5 The Panel has looked at the issue of a threshold for SRAs on a number of previous occasions. The threshold of 10% of seats was chosen on the basis that this was also the threshold for determining if a group is entitled to a political assistant. The Panel remains of the view that the use of a threshold is appropriate in order to reflect the level of the mandate given to political parties at elections and that the one used at present is logical. However, the Panel noted that the Constitution requires that the Cabinet Scrutiny Committee is chaired by a member of the opposition groups and that this has always been achieved by the Chairman being the leader of the main opposition group and the Vice-Chairman being the leader of the 2nd opposition group.
- 4.6 The Panel considers that the role of a group leader, when combined with being the Chairman or Vice-Chairman of the Cabinet Scrutiny Committee represents a significant additional responsibility that merits an SRA, even if the threshold of 10% of seats is not met. The Panel is therefore minded to propose an arrangement to reflect the current composition of the opposition groups following the elections in June 2009. However, in assessing an appropriate level for an SRA in those circumstances, the Panel considers that it remains important to have regard to the fact that the threshold of 10% of seats was not achieved. Therefore, the Panel recommends an amendment to the scheme so that when the leader of the 2nd opposition group is also the Vice-Chairman of the Cabinet Scrutiny Committee, he/she receives an SRA despite there being fewer than 10 members in the group. The recommended level is £3,917 (15% of the SRA for the Leader of the Council). This compares to the 25% figure that would be payable if the group met the 10% threshold. The Panel also recommends that this SRA be paid with effect from the date when the leader of the 2nd opposition group became vice-chairman of the Cabinet Scrutiny Committee (7 July 2009). The Panel regards the link between opposition group leaders and scrutiny as very important and reserves the right to review these arrangements after the next County Council elections in 2013 in the light of the party political balance that emerges.

SRAs for Vice-Chairmen of Committees/ Overview and Scrutiny Panels

- 4.7 The Panel received representations that the role of vice-chairman of an Overview and Scrutiny Panel was important in ensuring that the Council carried out its scrutiny function effectively. It was pointed out that vice-chairmen attend pre-agenda meetings and may have to substitute for the chairman at Panel and other related meetings. Reference was made to a recent inspection having resulted in some criticisms of the Council's management of scrutiny. It was suggested that responsibilities for the vice-chairmen were commensurate with those of opposition spokesmen and that as the spokesmen in the 2nd opposition group no longer received SRAs, there was a case for re-allocating them to the vice-chairmen.
- 4.8 The Panel has considered the position of vice-chairmen during previous reviews. The Guidance is very clear that there must be significant additional responsibilities if an SRA is to be paid. The Guidance also says that if the

majority of members receive an SRA, the local electorate may question whether this is justified. The Panel is not convinced that the role of vice-chairmen of these committees carries significant additional responsibilities. Also, it is mindful that there is now a position where the number of SRAs paid is less than half the number of members. Permitting the payment of SRAs to these vice-chairmen would take the figure to over half. Consequently, the Panel is unable to recommend this change to the scheme

5.0 INDEX ARRANGEMENTS

The Panel considered recommending a freeze on the levels of SRA until the next review of the scheme. However, as with the Basic Allowance, the Panel concluded that the link to the local government employee pay award should be retained and applied from 2011/12.

6.0 RECOMMENDATIONS

1. That the limit on the number of Deputy Cabinet Member/Cabinet Support Member SRA posts is increased from 6 to 7 but that the level of the SRA for DCM posts is contained within the present sum of £39,168 (6x £6,528) so that the overall expenditure on these posts does not rise.
2. That the Scheme be amended so that when the leader of the 2nd opposition group is also the Vice-Chairman of the Cabinet Scrutiny Committee, he/she receives an SRA even though the group does not meet the 10% threshold. The recommended level is 15% (£3,917) of the Leader's SRA, to be payable from 7 July 2009.
3. That there be no increase in SRA levels in 2010/11, but that in 2011/12, 2012/13 and 2013/14, SRAs be increased in line with the pay award for local government employees
4. That SRAs next be reviewed by the Panel in 2013 with any resulting changes to be implemented in 2014.

Dependent Carers' Allowance

1.0 BACKGROUND

- 1.1 One of the Panel's responsibilities is to consider whether a Carers' Allowance should be paid and if so, at what rate.
- 1.2 The Carers' Allowance is payable towards the cost of care of dependent relatives (be they children, elderly people or people with disabilities). It is designed to enable a Councillor to carry out their County Council work.
- 1.3 It has been agreed previously that an allowance should be paid and as recommended by the Panel in 2007, it is maintained at a rate of 10% above the national minimum wage. It is currently £6.38 per hour, subject to a limit of £2,805 for any individual Councillor in a single year. In Norfolk's scheme, a carer is defined as any responsible adult who does not normally live with the Councillor as part of that Councillor's family.
- 1.4 Take-up of the allowance has been extremely low in Norfolk County Council and during the financial year 2008/09, no claims were made.

2.0 COMPARISON OF RATES

- 2.1 Accurate direct comparisons with other Councils are complicated by the fact that some have differing rates depending upon whether the dependent relative is a child or an adult. Amongst the 27 County Councils responding to the IDeA Allowances Survey in 2008, the average rate was £8.06 per hour, considerably above the rate for Norfolk County Council. Within Norfolk, other hourly rates are:-

Norwich City -	£8.00
North Norfolk -	National minimum wage rate
South Norfolk -	£5
King's Lynn & WN -	£5.82
Breckland -	£5.75

3.0 SCOPE OF THE SCHEME

- 3.1 The Panel received representations that there should be some discretion to permit child care carried out by a family member to be re-imbursable in exceptional circumstances where it was not possible to employ a professional carer.
- 3.2 This led the Panel to review the terms under which the Carers' Allowance operates in neighbouring local authorities. The Panel concluded that in comparison, the provision in Norfolk's scheme was insufficiently detailed. The scheme currently provides as follows:-

“A carers’ allowance will be paid towards the cost of care of dependent relatives (be they children, elderly people or people with disabilities). The amounts which can be claimed must reflect the sum incurred in employing a carer to enable a councillor to carry out their County Council work. All claims must be accompanied by evidence that the amount claimed has been incurred in employing a carer. A carer will be any responsible adult who does not normally live with the councillor as part of that councillor’s family”.

- 3.3 This clearly precludes the payment of an allowance to family members and there is no provision for discretion to be exercised. Whilst some of the schemes in neighbouring authorities are more specific and in some sense more restrictive in terms of who should provide the care, discretion is allowed in some cases.
- 3.4 The Panel believes that the principle of not paying an allowance in respect of care provided by a family member is the right approach and is concerned that introducing discretion could put the responsible Officer in a very difficult position and could potentially lead to inappropriate exceptions being approved. However the Panel also recognises that there may be exceptional circumstances when it proves impossible to find a childminder or carer and when a family member has to be relied upon as a last resort if a member is to be able to carry out a council duty. If that family member incurs a loss of income as a consequence, by for instance having to decline a work shift, then there could be a case for re-imbursement through the Carers’ Allowance. There would however need to be a very clear audit trail to ensure the propriety of any such claims.
- 3.5 The Panel is minded to recommend that discretion be introduced, but that it is in the context of a change to the terms of the allowance. The Panel considers that the Allowances Scheme should be amended so that the provision for the payment of the Carers’ Allowance as set out in paragraph 3.2 above is deleted and replaced by:-
- A. Councillors who incur costs for the care of children for whom they have parental responsibility or for dependent relatives in order to allow them to carry out their Council duties can claim a Carers’ Allowance. The rate for the Allowance is set out in Appendix A of this scheme. A Carers’ Allowance can be claimed only in respect of approved duties as set out in Appendix C of this scheme.
- B. In the case of a Carers’ Allowance for childcare:-
- (i) The allowance is available for the care of children under 14 years of age who normally reside with the councillor
 - (ii) The allowance cannot be claimed for the care of children of compulsory school age during normal school hours except where the child is absent from school due to illness

- C In the case of a Carers' Allowance for the care of a dependent relative, the relative must normally reside with the councillor, be dependent on the councillor and require constant care
- D. Expenditure incurred will be reimbursed up to the maximum hourly rate (as set out in Appendix A of this scheme) for each hour of absence from home
- E. Payment will only be made for the period of the qualifying meeting and the travelling time to and from the councillor's home.
- F A signed receipt from the carer, showing their name, signature and address, the period worked and the amount received must be submitted with the claim.
- G. A Carers' Allowance can be paid only for care provided by a registered childminder or other statutory approved childcare provider, or to agencies or persons professionally qualified or registered to provide the care required by the dependent relative. An allowance will not normally be paid for care provided by anyone else or by someone who is a close relative of the councillor. In exceptional circumstances, where a councillor is unable to find a suitable statutory provider or registered professional carer, a claim to pay another person may be considered, subject to the approval of the Head of Finance before the expense is incurred. If an exceptional circumstances claim relates to care provided by a family member, it must be accompanied by a statement signed by the carer and the councillor verifying that the carer incurred a loss of income in order to provide the care.

4.0 CONCLUSION

- 4.1 The Panel considers that retaining the present link to the national minimum wage rate is appropriate but is prepared to reconsider this in future if the Council considers that the rate is causing problems for councillors in employing carers
- 4.2 The Panel considers that there is a need to set more specific criteria for the payment of a Carers' Allowance but that within an amended clause there should be some scope for the exercise of discretion in exceptional circumstances.

5.0 RECOMMENDATIONS

- 1. That no change is made to the current rate for the Carers' Allowance and that it continues to be maintained at a rate of 10% above the national minimum wage.
- 2. That the Allowances Scheme be amended as proposed in paragraph 3.5 of this report

PENSIONS FOR COUNCILLORS

1.0 ELIGIBILITY OF MEMBERS TO JOIN THE LOCAL GOVERNMENT PENSION SCHEME (LGPS)

- 1.1 Since 2003, elected members of local authorities have been entitled to join the LGPS at any age prior to 75. The Panel is able to make recommendations as to which elected members of the Council should be entitled to membership of the LGPS and whether the basic allowance or special responsibility allowance, or both should be pensionable.
- 1.2 The Council's scheme of allowances must set out which members of the authority are entitled to membership of the LGPS together with what part of their allowances are to be pensionable. The Council can only make membership of the LGPS available to elected members who have been recommended for membership of the LGPS by the Panel. The Council can however decide not to offer membership to some or all councillors even if the Panel makes a recommendation in favour of eligibility.

2.0 PRESENT POSITION

- 2.1 The Independent Panel has considered this issue during its previous reviews. The Panel felt unable to recommend that members be made eligible to join the LGP because it did not feel it was appropriate for the County Council as employer to contribute towards the pension funds of Councillors.
- 2.2 In the 2008 Local Government Member Allowances Survey, of 27 county councils responding, 20 had introduced pension eligibility

3.0 FINANCIAL IMPLICATIONS

A full cost scenario would be that all Members decided to join the LGPS and that both basic and special responsibilities are made pensionable. Based on the allowances totals for 2008/09 and a Council contribution of 17.3%, this would have cost £180,000 in 2008/09. However it is extremely unlikely that this would be the reality given that some members would inevitably decide not to join the scheme. It is impossible to know at this stage what the level of take-up would be.

4.0 CONCLUSION

The Panel has noted that no representations have been made to the Panel to review its previous position on this issue. The Panel has therefore decided to re-affirm its view that it will not recommend that Members be eligible to join the Local Government Pension Scheme.

CO-OPTEEES ALLOWANCE

1.0 BACKGROUND

1.1 Legislation enables local authorities to pay an annual co-optees allowance to people who are not members of the authority but who are members of a committee of the authority. In Norfolk County Council, the following posts are potentially eligible for payment:-

- Parent Governor Representatives (2)
- Person representing the Roman Catholic Diocese
- Person representing the Church of England Diocesan Board of Education
- Independent Members of the Standards Committee (5)
- Local Government Association nominees on the Pensions Committee

1.2 The current position is that co-optees allowances are paid only to Parent Governor Representatives (£1,000 per annum) and to the Independent Chairman of the Standards Committee (at 12.5% of the Leader SRA - £3,263).

2.0 PRESENT POSITION

2.1 There have been no significant changes to roles of the co-opted members since allowances were last reviewed. With regard to the position of the Parent Governor Representatives, there has been an election since the allowance was introduced and it is pleasing to note that there were 10 candidates, higher than in any previous elections.

3.0 CONCLUSION

3.1 The Panel is making no recommendations for changes to the present arrangements for the Co-Optees Allowance.

TRAVEL AND SUBSISTENCE ALLOWANCE – APPROVED DUTIES

1.0 BACKGROUND

- 1.1 Members Allowances Schemes may provide for the payment to members of an allowance in respect of travelling and subsistence in connection with or relating to such duties as are specified in the scheme. Government Regulations set out a series of categories within which such duties may lie.
- 1.2 The Panel carried out a substantial review of travel and subsistence allowances in Spring 2005 and recommended a list of approved duties (duties that attract payment of the allowance. the scheme).

2.0 APPROVED DUTIES

- 2.1 The list of approved duties includes:-

“Attendances by Cabinet Members at meetings of Informal Cabinet and at pre-arranged briefing meetings with Chief Officers/Senior Officers on matters relating to their areas of responsibility”.

- 2.2 It has been identified that there is no specific provision within the list of approved duties for duties carried out by Deputy Cabinet Members/Cabinet Support Members. The Panel is satisfied that the provision above was intended to incorporate these post holders but considers that this should now be formalised within the scheme.

3.0 RECOMMENDATION

To amend the approved duty category relating to Cabinet Members to read,

“Attendances by Cabinet Members and Deputy Cabinet Members/Cabinet Support Members at meetings of Informal Cabinet and at pre-arranged briefing meetings with Chief Officers/Senior Officers on matters relating to their areas of responsibility”.

APPENDIX 1Basic Allowance 2009 – alphabetically by County

County	Basic (£)	Population (000s)	Hourly Pay Rate (£)
Buckinghamshire	10,718	490.6	15.50
Cambs	7,610	597.4	14.66
Cornwall	11,976	531.7	11.09
Cumbria	8,031	496.9	12.63
Derbyshire	9,852	758.2	13.12
Devon	10,970	750.1	11.43
Dorset	10,185	406.8	11.87
Durham	10,782	504.9	11.56
East Sussex	10,842	508.3	12.18
Essex	10,000	1,376.4	14.48
Gloucestershire	8,800	582.6	13.75
Hampshire	11,848	1,276.8	14.89
Herefordshire	7,000	178.5	11.74
Hertfordshire	9,588	1,066.1	17.28
Kent	13,000	1,394.7	13.74
Lancashire	10,039	1,168.1	12.85
Leicestershire	10,152	641.0	13.15
Lincolnshire	7,914	673.5	11.66
Norfolk	8,929	840.7	12.22
Northamptonshire	7,086	678.3	12.83
Northumberland	12,500	310.6	12.30
Nottinghamshire	12,770	771.9	12.87
Nth Yorks	8,994	595.0	12.69
Oxfordshire	8,026	635.5	14.42
Shropshire	7,385	290.9	12.19
Somerset	9,450	522.8	12.30
Staffs	9,152	825.8	12.72
Suffolk	9,688	709.4	12.47
Surrey	11,475	1,098.2	17.33
Warwickshire	8,948	526.7	14.19
West Sussex	10,894	776.3	13.97
Wiltshire	9,875	452.6	13.59
Worcestershire	9,020	555.4	12.36
Average	9,803	696.7	13.21

Basic Allowance 2009 - by level of basic allowance in ascending order

County	Basic (£)	Population	Hourly Pay Rate (£)
Herefordshire	7,000	178.5	11.74
Northamptonshire	7,086	678.3	12.83
Shropshire	7,385	290.9	12.19
Cambs	7,610	597.4	14.66
Lincolnshire	7,914	673.5	11.66
Oxfordshire	8,026	635.5	14.42
Cumbria	8,031	496.9	12.63
Gloucestershire	8,800	582.6	13.75
Norfolk	8,929	840.7	12.22
Warwickshire	8,948	526.7	14.19
Nth Yorks	8,994	595.0	12.69
Worcestershire	9,020	555.4	12.36
Staffs	9,152	825.8	12.72
Somerset	9,450	522.8	12.30
Hertfordshire	9,588	1,066.1	17.28
Suffolk	9,688	709.4	12.47
Derbyshire	9,852	758.2	13.12
Wiltshire	9,875	452.6	13.59
Essex	10,000	1,376.4	14.48
Lancashire	10,039	1,168.1	12.85
Leicestershire	10,152	641.0	13.15
Dorset	10,185	406.8	11.87
Buckinghamshire	10,718	490.6	15.50
Durham	10,782	504.9	11.56
East Sussex	10,842	508.3	12.18
West Sussex	10,894	776.3	13.97
Devon	10,970	750.1	11.43
Surrey	11,475	1,098.2	17.33
Hampshire	11,848	1,276.8	14.89
Cornwall	11,976	531.7	11.09
Northumberland	12,500	310.6	12.30
Nottinghamshire	12,770	771.9	12.87
Kent	13,000	1,394.7	13.74
Average	9,803	696.7	13.21

Basic Allowance 2009 – by population size in ascending order

County	Population	Basic (£)	Hourly Pay Rate (£)
Herefordshire	178.5	7,000	11.74
Shropshire	290.9	7,385	12.19
Northumberland	310.6	12,500	12.30
Dorset	406.8	10,185	11.87
Wiltshire	452.6	9,875	13.59
Buckinghamshire	490.6	10,718	15.50
Cumbria	496.9	8,031	12.63
Durham	504.9	10,782	11.56
East Sussex	508.3	10,842	14.48
Somerset	522.8	9,450	12.30
Warwickshire	526.7	8,948	14.19
Cornwall	531.7	11,976	11.09
Worcestershire	555.4	9,020	12.36
Gloucestershire	582.6	8,800	13.76
Nth Yorks	595.0	8,994	12.69
Cambs	597.4	7,610	14.66
Oxfordshire	635.5	8,026	14.42
Leicestershire	641.0	10,152	13.15
Lincolnshire	673.5	7,914	11.66
Northamptonshire	678.3	7,086	12.83
Suffolk	709.4	9,688	12.47
Devon	750.1	10,970	11.87
Derbyshire	758.2	9,852	13.12
Nottinghamshire	771.9	12,770	12.87
West Sussex	776.3	10,894	13.97
Staffs	825.8	9,152	12.72
Norfolk	840.7	8,929	12.22
Hertfordshire	1,066.1	9,588	17.28
Surrey	1,098.2	11,475	17.33
Lancashire	1,168.1	10,039	12.85
Hampshire	1,276.8	11,848	14.89
Essex	1,376.4	10,000	14.48
Kent	1,394.7	13,000	13.74
Average	696.7	9,803	13.21

Basic Allowance 2009 – by hourly pay rate in ASHE Survey

County	Hourly Pay rate (£)	Basic (£)	Population
Cornwall	11.09	11,976	531.7
Devon	11.43	10,970	750.1
Durham	11.56	10,782	504.9
Lincolnshire	11.66	7,914	673.5
Herefordshire	11.74	7,000	178.5
Dorset	11.87	10,185	406.8
East Sussex	12.18	10,842	508.3
Shropshire	12.19	7,385	290.9
Norfolk	12.22	8,929	840.7
Northumberland	12.03	12,500	310.6
Somerset	12.30	9,450	522.8
Worcestershire	12.36	9,020	555.4
Suffolk	12.47	9,688	709.4
Cumbria	12.63	8,031	496.9
Nth Yorks	12.69	8,994	595.0
Staffs	12.72	9,152	825.8
Northamptonshire	12.83	7,086	678.3
Lancashire	12.85	10,039	1,168.1
Nottinghamshire	12.87	12,770	771.9
Derbyshire	13.12	9,852	758.2
Leicestershire	13.15	10,152	641.0
Wiltshire	13.59	9,875	452.6
Kent	13.74	13,000	1,394.7
Gloucestershire	13.75	8,800	582.6
West Sussex	13.97	10,894	776.3
Warwickshire	14.19	8,948	526.7
Oxfordshire	14.42	8,026	635.5
Essex	14.48	10,000	1,376.4
Cambs	14.66	7,610	597.4
Hampshire	14.89	11,848	1,276.8
Buckinghamshire	15.50	10,718	490.6
Hertfordshire	17.28	9,588	1,066.1
Surrey	17.33	11,475	1,098.2
Average	13.21	9,803	696.7

APPENDIX 2

SPECIAL RESPONSIBILITY ALLOWANCES 2009/10

POST	SRA	% OF LEADER ALLOWANCE
Leader of the Council	£26,111	100%
Deputy Leader of the Council	£16,972	65%
Cabinet Member	£13,055	50%
Leader of Majority Opposition Group	£13,055	50%
Chairman of the Council	£10,444	40%
Leader of Minority Opposition Group*	£6,528	25%
Chairman of Planning Regulatory	£5,222	20%
Majority Group Spokesman on Cabinet Scrutiny Committee	£5,222	20%
Chairman of Norwich Highways Agency Joint Committee	£5,222	20%
Deputy Cabinet Members	£6,528	25%
Cabinet Support Members	£3,917	15%
Chairman of Review Panel	£3,917	15%
Chairman of Health Overview and Scrutiny Committee	£3,917	15%
Chairman of Audit Committee	£5,222	20%
Deputy Leader of Majority Opposition Group	£3,133	40% of 60% of Group Leader SRA
Deputy Leader of Minority Opposition Group*	£2,611	40% of Group Leader SRA
Vice-Chairman of the Council	£1,958	7.5%
Chairman of Records Committee	£2,611	10%
Shadow spokesmen for Cabinet portfolios*	£1,958	7.5%
Opposition spokesmen on Planning Regulatory*	£1,958	7.5%

*SRAs are only payable to minority opposition groups that have at least 9 members.

County Council Summary
Statement of Accounts 2008-09

Report by Head of Finance

This report presents the Summary Financial Statement of Accounts for 2008-09. Details have been extracted from the 2008-09 Statement of Accounts.

1. Introduction

- 1.1 The County Council has previously agreed to delegate responsibility for approving the annual accounts to the Audit Committee. This was on the basis that a summary of the Annual Accounts is brought to a subsequent full County Council meeting. This is to facilitate wider discussion on any overall aspects of the accounts.

2. 2008-09 Statement of Accounts

- 2.1 The Audit Committee approved in detail the draft 2008-09 Statement of Accounts on 29th June 2009.
- 2.2 The External Auditor issued an unqualified opinion for the 2008-09 Statement of Accounts on 30 September 2009. The Annual Governance Letter on the accounts was reported to the Audit Committee on the 24th September.
- 2.3 Issues raised during the audit were reported to the Audit Committee and amendments made to the full Statement of Accounts and to the attached Summary Statement of Accounts to reflect the outcome of the audit.

3. Equality Impact Assessment

- 3.1 The report is not directly relevant to equality, in that it is not making proposals that will have a direct impact on equality of access or outcomes for diverse groups.

4. Section 17 Crime and Disorder Act

- 4.1 There are no implications of this report for the Crime and Disorder Act.

5. Alternative Options

- 5.1 There are no alternative options that County Council needs to consider.

6. Conclusion

- 6.1 This report and the accompanying Summary Statement of Accounts detail the final position for 2008-09.

7. Recommendation

- 7.1 The County Council is recommended to consider and note the Summary Statement of Accounts for 2008-09.

Officer Contact: Paul Brittain, Head of Finance
01603 222400
Email paul.brittain@norfolk.gov.uk

If you need this statement in large print, audio, Braille, alternative format or in a different language please contact Stephanie Mullarney on tel. 01603 223322 or textphone 0344 800801, and we will do our best to help.



Summary of Norfolk County Council Accounts 2008-2009

This leaflet is a summary of the full statement of accounts and gives a brief overview of the Council's financial performance and position for the year ending 31 March 2009. The full Statement of Accounts is prepared in accordance with national accounting rules, so to help make this summary easier to understand some of the presentation has been simplified, although the figures are consistent in both statements.

Summary of the Authority's Financial Position for 2008-09

Norfolk County Council's approved revenue budget for 2008-09 was set at £537.2m. Actual expenditure in 2008-09 was £536.2m, which was £1.0m lower than the approved budget. This reflects net underspends on service budgets of £0.5m plus an additional contribution from revenue to the General Fund of £2.1m and monies taken from the General Fund of £1.6m as agreed by Cabinet and County Council during the year.

The Council has deposits totalling £32.5m in three Icelandic banks which have now gone into administration. Based on current information and advice available, the Council is making claims to the Icelandic Bank administrators of £33.9m and is due to recover an estimated £26.0m. In accordance with guidance given, the Council has made an appropriate level of impairment loss

for each bank within the Statement of Accounts, which amounts to £9.5m. This includes an amount to recognise the anticipated loss of interest to the Council until the monies are recovered.

Spending against the cash limited budget has been monitored regularly throughout the year, and reports from Chief Officers have been received at each of the Council's Cabinet meetings.

The accounts received an unqualified audit report from our external auditor, the Audit Commission on 30 September 2009.

The full Statement of Accounts, including the accounts of the Norfolk pension fund, is available on the Council's website. Copies of the accounts are available on request (subject to availability) by telephoning 0344 800 8020.

**P.D. Brittain, CPFA, Head of Finance,
Norfolk County Council, County Hall, Norwich NR1 2DW**

What we spent in 2008-09

The following table shows the cost of running the Council's services and where the money came from to finance this expenditure. The cost of services (£619.6m) in the table includes relevant overheads, support services and adjustments for the cost of providing pensions. The exceptional item (£9.5m) is the impairment loss on deposits with Icelandic Banks referred to on the previous page.

The Council's net operating expenditure was £656.3m in 2008-09. This comprises our gross expenditure of £1,501.9m offset by fees and charges (£316.5m), specific government grants (£565.8m), and adjusted for other net additional costs of £36.7m.

The difference between net operating expenditure (£656.3m) and the Council's net expenditure (£536.2m) which was met by general government grant, non domestic rates and council tax is due to statutory accounting adjustments of £120.1m.

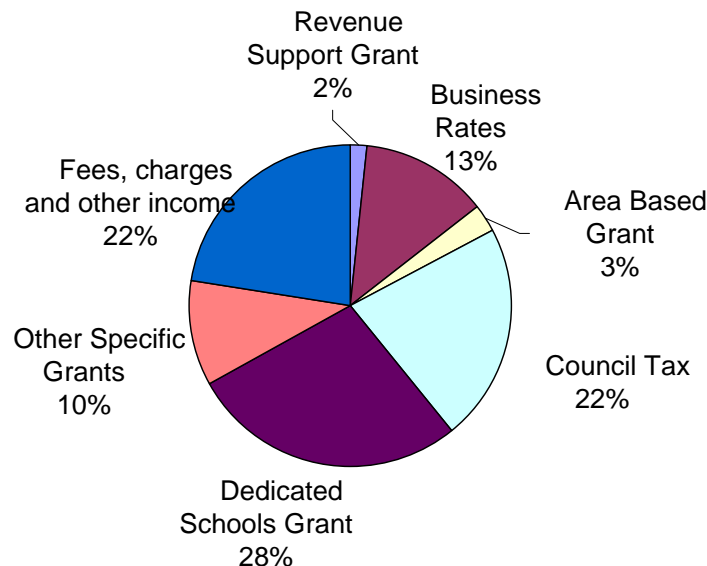
The net accounting adjustments relate principally to depreciation and impairment of the Council's fixed assets and adjustments for pension costs which are not required to be taken into account when raising council tax.

The surplus for the year of £1.0m has been added to the Council's General Fund.

	Net Expenditure £m
Children's Services	192.6
Adult Social Services	218.8
Highways, Roads and Transport Services	56.3
Fire and Rescue Services	30.0
Adult Education	0.7
Coroners' Service	1.4
Libraries and Museums	22.1
Cultural Services	2.7
Waste	28.7
Environmental and Planning services	12.4
Economic Development	2.2
Trading Standards	3.4
Central Services to the Public	0.9
Corporately Managed Services	22.5
Other Services	15.4
Exceptional items not included in costs of specific services	9.5
Net Cost of Services	619.6
Repayment of loans and interest on loans	31.2
Interest and investment income	(13.5)
Other operating expenditure	19.0
Net Operating Expenditure	656.3
Revenue Support Grant (from Central Government)	(26.1)
Area Based Grant (from Central Government)	(37.8)
Business Rates (redistributed & received from Central Government)	(187.7)
Council Tax	(323.3)
Net accounting deficit for the year	81.4
Net accounting adjustments	(82.4)
Net General Fund surplus for the year	(1.0)

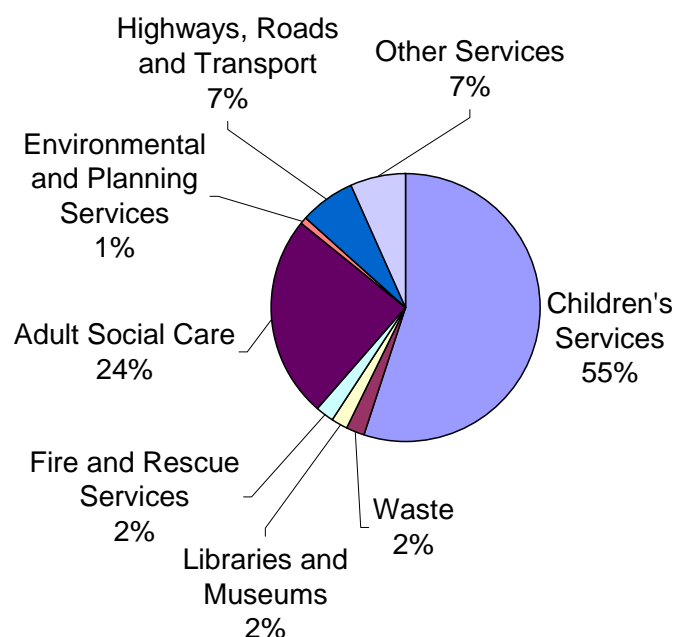
Where our money came from

In 2008-09, the Council's service income was £1,470.7m. This is made up of fees and charges of £316.5m, specific government grants of £565.8m, interest and investment income of £13.5m and Revenue Support Grant, Area Based Grant, Business Rates and Council Tax (as shown in the table above) totalling £574.9m. The proportion of income raised from each of these sources is shown in the diagram below.



Gross Spending across Services

In 2008-09, the Council's accounts show that £1,501.9m was spent across the county to deliver its services. This figure includes statutory adjustments for the costs of financing capital, FRS17 pension adjustments and transfers to reserves. These adjustments are not reflected in the total of "where our money came from" as they have no impact on the raising of council tax. Children's Services includes spending on schools (funded largely by Dedicated Schools Grant and other specific grants), as well as social care for children. 'Other Services' includes Economic Development, Trading Standards and other corporately managed services.



The County Council's Balance Sheet as at 31 March 2009

The balance sheet shows the end of year financial position for the County Council as a whole. It presents the financial value of land, buildings and other assets owned by the Council and the value of borrowings and other debts owed by the Council.

	31 March 2009 £m
Fixed Assets	1,574.2
Stock	2.7
Cash at Bank and Investments	280.2
Money owed to the Council	100.4
	<hr/> 1,957.5
Less	
Money owed by the Council	1,143.6
Net Assets before Pension Adjustment	<hr/> 813.9
Less	
Pension Liability	472.1
Net Assets	<hr/> 341.8
Financed by:	
Capital Accounts	713.7
Earmarked Reserves	63.2
LMS balances	21.9
General Fund	15.1
Financing before Pension Adjustment	<hr/> 813.9
Less	
Pension Reserve	472.1
Total Financing	<hr/> 341.8

Fixed Assets include land, buildings, roads, bridges, furniture, vehicles and equipment.

Money owed to the Council - amounts due from people and organisations including sums not due to be paid for more than 12 months from the Balance Sheet date.

Money owed by the Council includes payments due to people and organisations, amounts borrowed to fund capital investment, provisions set aside to meet liabilities that may be incurred, leasing and grants not yet utilised.

The **Pension Liability** shows the current value of pensions that the Council is required to provide for existing and former employees. Because these pension costs do not have to be met in full in the short term, they are offset by a notional **Pension Reserve**.

Capital Accounts represent the amount of the Council's fixed assets that have been funded to date. The unfunded balance is covered by long term borrowing.

The **General Fund** is money held to meet unplanned or unforeseen spending demands. It is kept at the minimum level considered necessary to protect the Authority from unexpected cost pressures.

Earmarked Reserves are amounts set aside by the Authority to meet specific future spending requirements. They include money for future capital investment projects, building maintenance and replacement of IT equipment.

LMS balances represent accumulated unspent surpluses or deficits held by schools.

Capital Investment 2008-09

Capital investment generally represents money spent by the Council on purchasing, upgrading and improving assets such as buildings and operational equipment.

In 2008-09, £153.6m was spent on the capital investment programme against a programme of £188.2m. The underspend of £34.6m represents planned expenditure, which is being carried forward to the next financial year

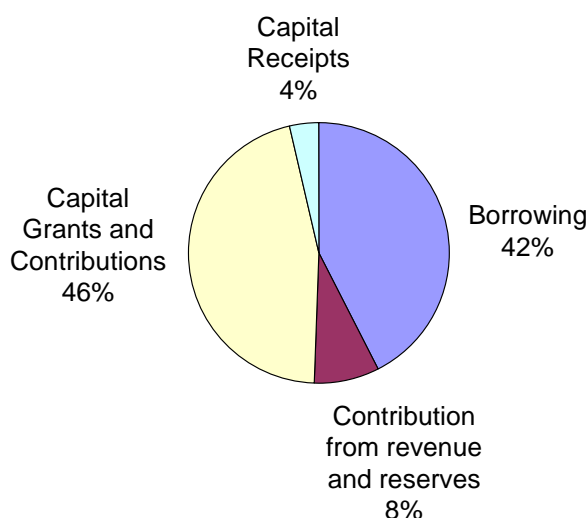
Capital expenditure during 2008-09 included the following major projects:

Capital Expenditure 2008-09		£m
Children's Services	Devolved Formula Capital Schemes	14.3
	Norfolk Schools Project	10.3
	ICT Schemes	6.8
	Other Schemes	45.0
Planning and Transportation	Structural Maintenance	25.2
	Highways Improvements*	22.9
	Other Schemes	4.5
Adult Social Services	Community Homes Resettlement Grants	2.2
	Huntingfield Reprovision	1.8
	Other Schemes	2.7
Corporate Resources	Great Yarmouth Outer Harbour	3.1
	Other Schemes	5.5
Fire Service		0.8
Cultural Services		3.0
Economic Development		3.4
Waste and Environment		2.1
		153.6

* This includes schemes for road improvements, bridge strengthening, bus priority schemes, park and ride and cycle routes.

Funding the Investment

This diagram shows how the capital investment of £153.6m was funded in 2008-09



**Standards Committee – Appointment of Independent Members
Report of the Selection Panel**

1.0 Introduction

- 1.1 The terms of office of the present Independent Members of the Standards Committee will end on 31 December 2009. There will therefore be 5 vacancies from 1 January 2010.

2.0 Recruitment Process

- 2.1 A recruitment process has taken place and a selection panel nominated by the Group Leaders has overseen that process. Following advertisement of the vacancies, 16 applications were received and the panel considered them to be generally of a very high standard.
- 2.2 Interviews were conducted on 28 October 2009, after which the Panel agreed to recommend that the following be appointed:-

Mr Paul Bland
Ms Lesley Cunneen
Mr Peter Gibbs
Mr Jocelyn Goodey
Mr Stephen Revell

- 2.3 The Panel also agreed that Mr Revell should be appointed Chairman of the Committee and Mr Gibbs Vice-Chairman. Finally, the Panel considered that it would help with continuity if the terms of office of the Independent Members provides for some overlap and is therefore recommending 3 and 4 year-terms. Brief resumes of the curricular vitae of the recommended candidates are appended.
- 2.4 The Relevant Authorities (Standards Committee) Regulations 2001 state that a person may not be appointed as an Independent Member of a Standards Committee unless the appointment is approved by a majority of the members of the Council

3.0 Recommendation

The selection panel **RECOMMENDS** that Council approve the appointments of:-

Mr Paul Bland – 3 year term - 1 January 2010 to 31 December 2012

Ms Lesley Cunneen – 4 year term - 1 January 2010 to 31 December 2013

Mr Peter Gibbs – 3 year term as Vice-Chairman – 1 January 2010 to 31 December 2012

Mr Jocelyn Goodey – 4 year term – 1 January 2010 to 31 December 2013

Mr Stephen Revell – 4 year term as Chairman – 1 January 2010 to 31 December 2013

Selection Panel

Mr Graham Jones (Chairman)
Dr Andrew Boswell
Mrs Jennifer Chamberlin

Officer Contact

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Brief resumes of the curricular vitae of the recommended candidates

Paul Bland

- 40 years with Eastern Electricity, from apprentice to engineer to senior manager
- 20 years as a magistrate in West Norfolk
- Chairman of the West Norfolk Bench
- Deputy Chairman of the Norfolk Magistrates' Association
- Former Chairman of the Youth Panel for Central, South and West Norfolk
- Former President of West Norfolk Chamber of Commerce
- Independent Member of the Norfolk County Council Standards Committee since January 2009

Lesley Cunneen

- 23 years local authority experience including
 - 5 years as a senior schools' inspector in Norfolk
 - 8 years as a Chief Inspector and Director of Education and Leisure Services in a London Borough
- Former Chair of Norfolk Mental Health Care Trust
- Former lay magistrate
- Member of the General Dental Council

Peter Gibbs

- 1971 to 2001 – Police Officer with the Hertfordshire Constabulary, including:-
 - 1994-2001 Superintendent Divisional Commander
 - 2000-2001 Acting Assistant Chief Constable (Operations)
- Independent Member of the Norfolk County Council Standards Committee since June 2005

Jocelyn Goodey

- 1972-2008 – Owner of Norwich Organ Services
- Member of Sprowston Parish Council for 11 years including 5 as Chairman
- Member of Community Health Council for 6 years

- Panel member of Police Lay Visitor scheme for 6 years
- Member of Norfolk and Norwich Hospital Ethics Committee for 5 years
- Non-Executive Director of Broadland Primary Care Trust for 4 years

Stephen Revell

- Self-employed farmer
- Independent Chair of the Norfolk Connexions Service 2003-2009
- Independent Member of the Broads Authority Standards Committee – re-appointed for a 2nd term in 2008
- Independent Member of the Police Authority Standards Committee – re-appointed for a 2nd term in 2009
- Member of Norfolk County Council 1985-2001, including 14 years as Group Leader and 7 as joint Leader of the Council

**REPORT OF THE CABINET MEETING
HELD ON 12 OCTOBER 2009**

1. Public Questions

- 1.1 Ms Willcocks asked questions in relation to the construction of a waste compost plant on land at Wood Farm, Marsham. In reply, the Cabinet Member explained that he understood it was still NEWS' intention to construct a waste composting plant at Wood Farm, Marsham and the company was currently finalising its design to comply with the planning requirements. Once this design work was completed and costed the company would be able to make a final decision as to the commercial viability of the proposed operation, but clearly this would be a decision for the company to make. The company was mindful of the concerns of local residents and hoped to confirm its position in the near future.
- 1.2 Mr Charlton had asked a question in relation to disposals of land from the County Farms Estate. In reply, the Cabinet Member explained that over the past five years the Council had released 1,625 acres (9%) of the Estate which had realised just over £16m of capital receipts, which had been reinvested in the Authority's capital programme.
- 1.3 Mr Charlton had also asked whether the principles contained in a report by the government's Sustainable Farming and Food Adviser into the importance of County Farms Service to the rural economy (Nov 2008) would be applied in Norfolk. In reply, the Cabinet Member explained that the principles had been reflected in the Cabinet Scrutiny Committee Working Group's recommendations and remained the policy framework for the on-going management of the Farms Estate.

2. Local Member Questions

- 2.1 George Nobbs, Local Member for Crome Division, had asked how much had been spent during the past 5 years on Conferences and Seminars and Awaydays attended by officers and/or councillors of this Authority. In reply, the Cabinet Member explained that it was not possible to answer this question as it asked for information stretching back 5 years and covered many thousands of individual members of staff. Information was not aggregated in this way on a computer system.
- 2.2 Andrew Boswell, Local Member for Nelson Division, had asked for a summary of annual expenditure on the Norwich Northern Distributor Road (NDR) and Norwich Area Transport Strategy (NATS) over the last ten years including a total spend figure. In reply the Cabinet Member provided a breakdown of the projects and their individual costs

that had already been delivered. He also agreed to provide Dr Boswell with a more detailed breakdown of costs.

- 2.3 Colleen Walker, Local Member for Magdalen Division, had asked whether the Cabinet considered that the Audit Commission's Comprehensive Assessment fulfilled a useful purpose in evaluating Council's Performances. In reply, the Cabinet Member explained that the Comprehensive Area Assessment (CAA) was more focussed on assessing how outcomes for local people were improving. It was less focussed on processes, which was welcomed. The assessment not only looked at existing achievements, but also prospects for future improvement.

As a supplementary point, Mr Nobbs (who had put the question to Cabinet on Mrs Walker's behalf) commented that the assessment had scored highly in all areas save for two – customer service and scrutiny - and he queried whether this could illustrate that the matter of scrutiny in particular was seen as nothing more than a nuisance. He asked, therefore, what was the Cabinet's view on the proposed decision to alter policy with regard to County Farms. In reply, the Chairman reminded Mr Nobbs that consideration of the Management Strategy for Rural Estates had been deferred to allow more time to consider the various comments and representations which had been made to him and to review what the Cabinet Scrutiny Committee had discussed at its recent meeting.

3. Overview and Scrutiny Panel Issues

Cabinet Members made the following comments:

- The Cabinet Member for Environment and Waste advised that the consultation period for the Hunstanton Shoreline Management Plan had been extended to allow the public, parish councils etc more time to submit their views. A report would now be presented to the November Cabinet meeting.
- The Cabinet Member for Economic Development explained that 12 October was a Red Letter Day as Jason Leverett from Gorleston was the first person to find work as a result of a £2.2 million grant to create some 330 more jobs in the county from funding via the Norfolk County Strategic Partnership "Securing Future Jobs" fund.
- The Cabinet Member for Cultural Services commented on the very positive visit by Sir Keith Mills to the Whitlingham Outdoor Education Centre. He also referred to the recent successful launch of the Norfolk 2012 web-site at Fusion in the Forum in Norwich. In addition, he announced that the Great Yarmouth Library had been officially reopened just 9 days ago, following a comprehensive refit both internally and externally – providing an excellent benefit for the area.

4. 2009-2010 Finance Monitoring Report

The Cabinet has agreed to:

1. Receive the latest 2009-10 monitoring information.
2. Approve the write-off of one debt totalling £8,173.62 (Annex B to the Cabinet report).

5. Organisation of Norfolk's Coroners Service

The Cabinet has agreed to approve the process set out in paragraph 4.3 of the Cabinet report, for consulting on the proposed amalgamation of the present two Coroners Districts into one.

6. Local Government Review – Motion to the Council

The Cabinet has agreed the motion as presented to and agreed by Council.

7. Strengthening Norfolk County Council's Commissioning from the Third Sector

The Cabinet has agreed to:

1. The areas for improvement set out in section 4.4 of the Cabinet report.
2. Ask officers to develop a detailed implementation plan and to consult with the Joint Health, Social Care and Voluntary Sector Strategic Forum on its implementation.

8. Submission of an Outline Business Case to the Department for Children, Schools and Families for the City Academy Norwich

The Cabinet has:

1. Approved the Outline Business Case for submission to the Department for Children, Schools and Families for the proposed Open Academy and the project cost estimated at £375,000.
2. Approved the inclusion within the Outline Business Case of a specialist resource base and the Local Authority funding for its establishment estimated at £370,000.
3. Authorised the Director of Children's Services to approve the issue of an invitation to tender to Kier Eastern in accordance with paragraphs 3.1 (c) (i) and (h) of Contract Standing Orders.

9. Consultation from the Department of Communities and Local Government on Detailed Proposals an Draft Regulations for the Introduction of a Community Infrastructure Levy

The Cabinet has agreed the recommendations and comments in the Cabinet report and attached Appendix, and that comments raised by the Cabinet be sent to the Department of Communities and Local Government as the County Council's formal response to the Government's proposals for the introduction of a Community infrastructure Levy.

10. Norwich Area Transport Strategy (NATS) Update including Norwich Northern Distributor Road (NDR)

The Cabinet has:

1. Noted progress made on NATS including the NDR and noted that it would receive a further report in Spring 2010.
2. Approved revised spend profile, set out at paragraph 5.1 and Appendix 5 of the Cabinet report.
3. Agreed to underwrite the cost of continued detailed design of Postwick Hub as set out at paragraph 3.2.3 of the Cabinet report.
4. Reaffirmed its support for the Eastern Blue Route, previously adopted at its meeting on 19 September 2005, subject to the modifications referred to in Sections 3.3 and 3.4 of the Cabinet report.

11. Update on the Developments within the Safeguarding Adults Structure

The Cabinet has:

1. Approved the appointment of an Independent Chair as outlined at paragraph 9.2 of the Cabinet report.
2. Noted the results of the audit and progress made.

12. Norfolk's Draft Joint Dementia Commissioning Strategy

The Cabinet has agreed that the draft Norfolk Dementia Strategy be released for a three month period of public consultation from the beginning of November 2009.

13. County Farms – Comments of the Cabinet Scrutiny Committee held on 29 September 2009

The Cabinet has received and noted the draft minutes for the Cabinet Scrutiny Committee on 29 September 2009 in relation to a report entitled "Update on Progress Regarding the Recommended Changes to the Norfolk County Council County Farms Policy".

14. Management of Norfolk County Council's Rural Estate Review of Management Strategy

The Cabinet has agreed to defer consideration of this report.

15. Award of Contracts for Norwich Park and Ride

The Cabinet has agreed to award contracts for Norwich Park and Ride to:

- Konectbus Ltd, three sites at Costessey, Harford and Thickthorn
- CT Plus, three sites at Airport, Postwick and Sprowston

Details of the full discussion on any of the matters above can be found in the minutes for this meeting.

**CHAIRMAN
DANIEL COX**



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**REPORT OF THE CABINET MEETING
HELD ON 9 NOVEMBER 2009**

1. Public Questions

- 1.1 Mr Martin had put two questions to the Cabinet, asking it to consider cutting costs through sharing senior officer posts with other authorities and reviewing staffing levels within its Planning and Transportation Department. The Cabinet Member for Corporate Affairs and Efficiency provided some examples to show that the County Council already shared senior posts and that he hoped to see more of this. The Cabinet Member for Planning and Transportation also explained that staffing levels were kept under constant review and examined every year in detail as part of the budget planning process.
- 1.2 Mr Saunders had asked the Cabinet to urge fellow members of the Greater Norwich Development Partnership (GNDP) to demonstrate their long term support for Connect2 by budgeting for on-going facilities. In reply, the Cabinet Member for Waste and Environment explained that the GNDP had already provided significant new resources to support the access management within the Park. It had a limited amount of money for projects and individual partner authorities were facing major financial constraints.
- 1.3 Mrs Goodall had asked for the Cabinet's assurance that traffic management measures to discourage rat-running through Weston Longville would be given equal priority to addressing HGV traffic through Hockering. The Cabinet Member for Planning and Transportation explained that the proposed scheme sought to provide benefits to both communities and that a separate feasibility study was being carried out in Weston Longville looking at whether any additional traffic management measures could be beneficial.

2. Local Member Questions

- 2.1 Jennifer Toms, Local Member for Sewell Division, had asked the Cabinet to follow the recommendations of the Adult Social Services Overview and Scrutiny Panel to hold a consultation before deciding whether to decommission the in house care centres at the Silver Rooms, Essex Rooms and Hempnall Mill. The Cabinet Member for Adult Social Services confirmed that he would ask the Cabinet to agree a consultation process on the service changes arising from the proposal and that it should consider the findings before making a final decision.
- 2.2 Paul Morse, Local Member for North Walsham East Division, had asked the Cabinet to re-consider whether a new flood siren system

would be a viable option, having provided indicative costings obtained by the Liberal Democrats. The Cabinet Member for Fire and Community Protection explained that it was unlikely that the Environment Agency and/or the Police would be supportive and that it was not currently a viable option.

- 2.3 Mervyn Scutter, Local Member for Eaton Division, had asked the Cabinet to spell out what action it intended to take, as a matter of urgency, to rectify the performance in examination results for Norfolk's pupils. The Cabinet Member for Children's Services explained that analysis of the 2009 results were still based on non-validated data and that a full report would be made when validated data was available.
- 2.4 Stephen Little, Local Member for Town Close Division, had asked for the Cabinet's assurance that the level of resources reaching frontline care would not be reduced as a result of the additional costs arising from closure of day care centres. The Cabinet Member for Adult Social Services assured Mr Little that the proposals would not result in a reduction in the level of purchased care which, subject to final budget decisions, was projected to rise. He also confirmed that if the Cabinet agreed to consult, that this would the consultation would include the financial implications.
- 2.5 George Nobbs, Local Member for Crome Division, had asked how much the Council and its agents had spent on Consultants over the last five years. The Leader provided costs for the past four financial years and provided positive examples of how using outside expertise could provide concrete benefits for organisations. He also emphasised that the Consultants provided specialist skills that were not otherwise available within the organisation.

3. Overview and Scrutiny Panel Issues

The Cabinet Member for Children's Services highlighted that at it's meeting later in the week, the Children's Services Overview and Scrutiny Panel would consider a performance report which showed improved levels of attendance in schools, particularly in the east of the County.

The Cabinet Member for Cultural Services, Customer Services and Communications highlighted that two of the County's libraries had won architectural awards (Poringland and Wymondham) and that a guest speaker was due to open a Norfolk Record Office exhibition on Parliamentary records.

The Cabinet Member for Adult Social Services reported that the Adult Social Services Overview and Scrutiny Panel had agreed that full consultation should be undertaken on community care day services before the Cabinet made a decision on the future use of all in house day services. He supported that approach and recommended it to the Cabinet.

4. 2009-10 Finance Monitoring Report

The Cabinet has:

- 1) Received the latest 2009-10 monitoring information.
- 2) Approved the write-off of three debts totalling £29,605.91, as reported at Annex B of the Cabinet report.
- 3) Recognised that the development of the Norwich Northern Distributor Road (NDR) and potential land purchases should be managed as one complete scheme and to increase the funding within the P&T Highways capital programme for 2009-10 by £1.250m for development costs of the NDR.

5. Future Commissioning Models – Community Care In House Day Services

The Cabinet has agreed:

- 1) To implement the proposal to re-focus in house services on dementia care and reablement services over a five year interim period from 2009 to 2014.
- 2) To consult with people currently using the Essex Rooms, Silver Rooms and Hempnall Mill and their carers and families and other centres where a change in role is proposed and that no final decision would be made until consultation had taken place and it (the Cabinet) had considered the findings.
- 3) To seek strategic partners for all centres to support the future development of services.

6. Norfolk County Council's response to the Green Paper 'Shaping the Future of Care Together'

The Cabinet has agreed the proposed response, subject to removal of the following wording at bullet point 5 of the response to consultation question 2: "feeding from central government downwards."

7. Annual Report of the Norfolk County Council Adoption Agency and Adoption & Performance Panels

The Cabinet has received and welcomed the report.

8. Implications of the Carbon Reduction Commitment for Norfolk County Council

The Cabinet has:

- 1) Considered the financial implications and risks identified in the Cabinet report and approved the inclusion of these as part of the current budget planning process.

- 2) Agreed to encourage the Council to embed carbon reduction strategies within policy and project decision-making, including within existing and planned capital projects such as Building Schools for the Future.
- 3) Acknowledged the impacts from current schools buildings and recognised that there would be a need to encourage responsibility at the individual school level.
- 4) Approved the need to develop a model that would provide a consistent approach to the evaluation of school obligations under the CRC, not just cost recovery for non-compliance. This would provide the necessary quality assurance and be equitable so that confusion is avoided and any potential opportunities are maximised.

9. Waste Procurement Strategy

The Cabinet has agreed to:

- 1) Adopt the adjustment to the Waste Procurement Strategy outlined in the Cabinet report.
- 2) Trade Landfill Allowances in accordance with the agreed strategy, up until 2015 and beyond.
- 3) Introduce a new Recycling Credit rate up to the avoided cost of disposal from April 2010.
- 4) Extend its existing waste disposal contracts for up to one year from April 2010, with the exception of Edgefield landfill.
- 5) Extend Edgefield landfill contract as a Service Level Agreement for 3 years from April 2010, with a gate fee agreed under an open book arrangement.

19. Norfolk Minerals and Waste Development framework: Core Strategy and Development Control Policies Development Plan Document: Publication of Pre-Submission Document

The Cabinet agreed to withdraw the item from the agenda.

11. Hunstanton to Kelling Shoreline Management Plan – Consultation Response

The Cabinet has agreed:

- 1) That the County Council's response needed strengthening in relation to reservations about pilot projects, such as that proposed for the Wells east bank, and to highlight local concerns.

- 2) To delegate amendment to the proposed response to the Cabinet Member for Environment and Waste.

12. A47/A1067 Link Road

The Cabinet has agreed that:

- 1) The works to the southern sections 4, 5, 6 and 7 (as set out in the Cabinet report) should be undertaken, which were estimated to cost between £1.8m and £2.3m, plus a further £300,000 to £1m for maintenance work on the Stone Road / Lyng Road route. This work was to be phased as part of the Highways Capital Programme.
- 2) The following financial provision to take forward the scheme on a phased basis:
 - A £50,000 allocation in 2009/10 from the highway Improvements Programme to enable detailed design, consultation and land negotiations to commence;
 - Upgrade the southern sections 4, 5, 6, and 7 (as set out in the Cabinet report) through annual allocations from the Highways Capital Programme as resources permit;
 - Splitting this annual allocation between the Improvements budget and Structural Maintenance budget in the ratio two-thirds to one-third respectively.
- 3) HGV restrictions in Hockering should be introduced to prevent HGVs from using the village centre, following the improvements to sections 4, 5, 6 and 7 (as set out in the Cabinet report).
- 4) The C road should be reclassified to a B road on completion of the improvements.
- 5) It should wait until the Highways Agency review of the Mattishall Roundabout is completed before making a decision on whether to consult on a proposal to modify Berry's Lane.

13. East of England Plan Review to 2031 – EERA consultation on scenarios for housing and economic growth

The Cabinet has agreed the proposed response to EERA's consultation on scenarios for housing and economic growth up to 2031.

14. The Office of Fair Trading Investigation into Anti-Competitive Bid-Rigging Activities and its impact on the NCC Capital Framework

The Cabinet has agreed to continue with the Framework with all 6 of the contractors selected from the tendering process in 2007.

Details of the full discussion on any of the matters above can be found in the minutes for this meeting.

**CHAIRMAN
DANIEL COX**



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**Report of the Cabinet Scrutiny Committee meeting held on
29 September 2009**

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

The Chair advised members that he had agreed that the following item should be taken as a matter of urgent business as a decision was required prior to the next meeting of the Cabinet Scrutiny Committee. The Chair said that the Joint Bus Scrutiny between Norwich City Council, South Norfolk District Council and Norfolk County Council was due to reconvene for a final meeting on 22 October. Norwich City Council managed this scrutiny which included a member of the Cabinet Scrutiny Committee.

Members agreed that Dr Boswell, as the only remaining member of the Joint Bus Scrutiny currently on the Cabinet Scrutiny Committee, should represent members at the final meeting.

2. County Farms Policy: Update regarding the progress of the recommendations of the Cabinet Scrutiny Committee Working Group

- 2.1 Members received the report which set out the suggested approach by the Scrutiny Support Manager, together with a report from the Group Managing Director, NPS Property Consultants Ltd.
- 2.2 Mr A Williams, Director of NEWS Ltd (Norse Group) Board and Cabinet Member for Corporate and Commercial Services and Mr M Britch, Group Managing Director, NPS Property Consultants Ltd, attended the meeting to answer members' questions.
- 2.3 The Chair said there had been conjecture in the press about the future of County Farms and it was important that the Committee did not scrutinize speculation. A paper would be received by the Cabinet at the 12 October meeting which would put forward proposals concerning the County Farms policy and members of this Committee would then have the option to call-in the proposals for scrutiny. He also said that he had been a Member of the Working Group and he had, in the last few days, spoken with other members of that Group who were still Councillors; they had confirmed they still supported all the recommendations.
- 2.4 Mr Williams stated that the authority was not pursuing a policy of the wholesale sell-off of County Farms. The majority of the County Farms report has been accepted but in the present economic climate the authority was looking at the probability of reducing expenditure by 20 – 25% over the next three to four years and therefore, the authority had to consider every option for continuing the Capital Programme and they were therefore looking at amendments to the County Farm policy which would be considered by the Cabinet at its next meeting.

2.5 During discussion of the recommendations, as set out in the report, the following points were noted:

2.5.1 Recommendation 1

With regard to the Rural Estates Team identifying opportunities for individual County farms to help schools and colleges, members considered that it was important for all children to have the opportunity to learn about agriculture and the countryside and this should not simply be about the delivery of 14 – 19 diplomas. Members questioned whether there was sufficient staffing within NPS to allow this to happen so it was suggested consideration should be given to staff involvement from within the authority itself. Mr Britch said that this would need commitment from other areas of the authority.

2.5.2 Recommendation 3

It was noted that as part of the Strategic Review Estate, there had been a recent review of the Mautby Farm Estate and members asked for details of this review. In response, Mr Britch said that details of the Mautby review had been received by the Property Advisory Panel but he agreed to circulate details of the Mautby review to members of the Committee.

It was suggested that the County Farms land was an extremely valuable asset for the people of Norfolk and consideration should be given to small scale agriculture, such as allotments and to the economic production of food. Also, consideration should be given to placing wind turbines on the County Farms estate land. In response, Mr Williams said that tenant farmers were entitled to decide for themselves what they wished to grow and, as landlords, the authority could not impose its will upon tenants. Tenants also had security of tenure so the land does not become available for allotments. Mr Williams advised that he had detected no appetite to situate wind turbines on the land.

2.5.3 Recommendation 4

Mr Scutter noted the conclusion reached that in order to provide opportunities for new entrants to farming, a way had first to be found to enable older tenants to retire with dignity and he suggested that officers contact Leicestershire County Council who had introduced a very successful scheme.

It was suggested that there should be a monitoring process put in place concerning career progression for tenants. In response, Mr Britch said that this was proving a difficult issue to tackle. Whilst there were a number of starter tenancies, the tenants had nowhere to move on to. Conversations were taking place with older tenants to seek ways of helping them to retire with dignity but some tenants who were in their seventies or eighties had stated they wished to continue farming and the needs of the older tenants must be balanced with the availability of opportunities for new tenants. Mr Williams said a major problem for the Estate was that tenants put down roots and do not wish to move on. Members noted the lack of an effective strategy to enable older tenants to leave and free-up tenancies for younger people. Further, it was suggested that clarity was needed with regard to where members would be involved in making decisions, specifically around the issues of succession and moves from single to joint tenancies.

2.5.4 Recommendation 8

Members asked what progress had been made concerning the development of the Management Strategy Plans and further, which members had agreed the Management Strategy Plans. In response, they were informed that members of the Property Advisory Panel had agreed the Plans. Mr Britch advised that there had

been no progress made concerning outsourcing because this would need to be undertaken by a body other than NPS and would therefore require additional resources. In the interim period, a Management Plan had been produced and approved by members of the Property Advisory Panel which was a cross-party panel. Mr Williams confirmed that there was an issue concerning the costs of outsourcing as going out to tender would cost a six figure sum. Members were concerned that outsourcing the Management Strategy Plans had not been progressed. This was a separate issue to the management of County Farms as described in Recommendation 33.

2.5.5 Recommendation 10

Members asked about the progress concerning the policy 'that disposals in future should only be considered in terms of selling to invest back into the Estate, or further rationalisation, and should be neutral in terms of the total land assets of the Estate', and they were advised that this policy had been adopted in full. Mr Williams confirmed that no farms had been re-let or sold.

2.5.6 Recommendation 12

Mr Williams confirmed that there had been several exception sites and that members had allowed the sales of these sites to go ahead for affordable housing.

2.5.7 Recommendations 14 and 15

Members asked whether sitting tenants would receive first refusal on any land that became available. In response, Mr Williams said that no land had been identified for disposal but, prior to this where land had been identified, adequate compensation had been agreed with tenants.

2.5.8 Recommendation 16

In response to a question about a programme of investment to ensure that infrastructure was fit for purpose and properly maintained (the establishment of a co-operative grain storage facility was welcomed), members suggested that careful consideration should be given to infrastructure investment. Mr Britch said that the current economic climate was not conducive to NCC investing in infrastructure but NPS would be part of the due process of the authority and feed into the budget planning for 2010-11. Mr Rockcliffe requested a list of capital requirements as he felt it was important that members are made aware of these. Members requested a comprehensive list of capital funding required to support the County Farms infrastructure and Mr Britch reported that he would provide an outline of the investment required to maintain the estate.

2.5.9 Recommendation 18

With reference to tenancies in a particular part of the Estate, members heard that the tenancies were grouped together and reviewed as part of a geographical area.

2.5.10 Recommendation 20

With reference to the number of tenants who wished their tenancy to continue into the next generation, members heard that there were a number of existing tenants whose parents had been the previous tenants.

2.5.11 Recommendation 21

Mr Adams questioned why joint tenancy requests should be referred to Members for consideration. In response, Mr Williams said that it would be inappropriate to leave decisions such as this to officers and further this would lead to legal

implications which members should be made aware of (this also related to recommendation 20).

2.5.12 Recommendation 24

Dr Boswell voiced concern about the proposed membership of the Steering Group and Mr Williams confirmed that this had been structured in line with Widdicombe proposals. The Chair confirmed that some members were concerned about this and some debate was taking place. Members expressed dismay that the Steering Group had not been established. It was suggested that when new governance arrangements, if any, are put in place then members should be clear what groups of members make decisions. Mr Britch confirmed that references in the report to 'Members' should be taken to refer to the Property Advisory Panel.

2.5.13 Recommendation 25

Members asked what was happening concerning regular tenant meetings. In response, Mr Britch confirmed that a series of tenant meetings had been held, details of which had been included in the County Farms Briefing, distributed to all members. Mr Rockcliffe confirmed that he had attended meetings at Easton College and Downham Market which had proved very useful and informative. Tenants were supported and able to advertise through the County Farms publication. Members welcomed the programme of individual visits but requested details of the frequency of tenant meetings and local member involvement and further, how details of forthcoming County Farms tenant meetings were communicated to members (including local members).

2.5.14 Recommendation 29

With reference to the social housing for older tenants on lifetime tenancies who could not make provision for themselves, Mr Britch advised that a solution was being sought but this was a national problem and to date no one had come up with a solution. Whilst it was recognised that action needed to be taken, the authority was bound by the rules of social housing.

2.5.15 Recommendation 31

As Chairman of the Corporate Affairs Overview and Scrutiny (CAOS) Panel, Mr Jordan asked how the County Farms Panel would report progress and concerns to the CAOS Panel; the recommendation lacked clarity. Mr Britch suggested that an annual/bi-annual report could be received by the CAOS Panel which would include performance indicators and updates on policy. Members suggested that the links between the Steering Group, Property Advisory Panel and the CAOS Panel needed to be clearly stated.

2.5.16 Recommendation 32

Members heard that 'member involvement' for dealing with any grievances or complaints from tenants would be through the County Farms Steering Group who would refer all complaints to members. Mr Williams said that he had personally been involved regarding a recent dispute and had visited the farm and the issue had subsequently been resolved. Many times officers are able to manage small issues but when there are larger issues members do become involved (including local members). Mr Britch advised that the current grievances and complaints procedure for tenants had been conveyed to tenants and that the Property Advisory Panel currently dealt with complaints and grievances (in the absence of the Steering Group). Members suggested that currently, there was no system to allow tenants to take their complaints to an independent panel (which included members) and they requested a copy of the current procedure.

2.5.17 Recommendation 33

Mr Nobbs said that the administration had no intention of setting up a steering group and he noted that no progress had been made in the last six months concerning either the Steering Group or putting the management contract out to tender. He felt it was clear the Committee remained dissatisfied on this and other matters given the critical comments of members about the responses given. He said that the Cabinet had accepted the recommendations contained within the report which had also been received by Full Council. The Chair commented that the tendering process could not be managed by NPS; responsibility lay with the County Council. Mr Williams said that, as stated earlier, putting the management contract out to tender would cost a six figure sum and the Cabinet had been reluctant to commit the Council to this level of expenditure.

- 2.6 The Committee agreed that their scrutiny of this issue was not complete and that the above issues should be relayed to the Cabinet through the minutes of this meeting for consideration, alongside the County Farms report that is to be discussed at the 12 October Cabinet meeting.

3. Comprehensive Area Assessment (CAA)

- 3.1 Members received the report by the Scrutiny Group Leads which presented their views on the role of Cabinet Scrutiny Committee in relation to the new Comprehensive Area Assessment (CAA) Performance Framework.
- 3.2 The Senior Policy and Performance Officer gave a brief overview presentation on the CAA.
- 3.3 After the presentation, the following points were noted:
- No additional resource implications had been identified for the County Council and the current team would work on the CAA.
 - The previous Comprehensive Performance Assessment process had been in place for eight years.
- 3.4 Members recognised that this was very new territory and there was a lot to be learned. Care must be taken to safeguard the authority.
- 3.5 The Committee agreed the following suggested approach:
- 3.5.1 Following the publication of the first CAA report on 10 December and thereafter on an annual basis, that a review is undertaken, at an appropriate stage, of the effectiveness of:
- The County Council's response to any NCC red flags
 - The County Council's approach to sharing good practice or green flags
 - The County Council in influencing other partners on shared improvement areas
- 3.5.2 In addition to this, it would be useful to carry out a review of what had been learnt from the first year of the new CAA process and that a combination of the above would provide effective scrutiny and challenge and contribute to the ongoing improvement agenda for Norfolk.
- 3.5.3 That Cabinet Scrutiny Committee should set up a Working Group to take this forward and that the Working Group should meet in January 2010, following the publication of the first CAA report, to consider and agree a programme of work. The establishment of this Working Group would be discussed by Scrutiny Leads.

4. Cabinet Scrutiny Committee Working Groups: Response from Cabinet

- 4.1 The Chair said that, together with the officers, he was reviewing the scrutiny website to make sure it gave sufficient information concerning how members of the public could suggest scrutiny topics.
- 4.2 With reference to the suggested scrutiny concerning the Remuneration Panel, members heard that this was an established Panel and at the present time it was not appropriate for the Committee to look at this area. However, it was an issue that could be considered at some point in the future.
- 4.3 With reference to the possible questions for the scrutiny of waste procurement, the Chair confirmed that Committee Members could ask questions additional to those listed in the report.
- 4.4 Members heard that the MEPs Stuart Agnew, Richard Howitt, Andrew Duff and Vicky Ford had all confirmed their availability to attend a meeting on 27 November.
- 4.5 Members agreed that:
 - The Chair should meet with officers to consider ways of improving the scrutiny website and report back to the Committee.
 - The meeting with MEPs should take place on 27 November 2009.
 - The four Scrutiny Leads should meet to agree the order of preference for the suggested scrutiny topics.

Details of the full discussion can be found in the minutes of the meeting.

Paul Morse
Chair, Cabinet Scrutiny Committee

**Report of the Cabinet Scrutiny Committee meeting held on
27 October 2009**

1. County Farms update

The Chair reported that the Cabinet had noted the Committee's comments in relation to the progress of updating the County Council's County Farms policy at its October meeting. He also reported that the Cabinet had deferred discussion about the management of Norfolk County Council's Rural Estate Review of Management Strategy at the same meeting. He was concerned that the points the Committee had raised would get overlooked and it was agreed he should write to the Leader on the Committee's behalf seeking clarity on when those matters would be dealt with. A further update report was requested for February 2010.

2. Forward Work Programme

- 2.1 Members received the report, noted the forward work programme and additionally agreed the Scrutiny Leads should schedule the topics.
- 2.2 The Chair referred the Committee to the paper prepared by Mr Martin, a member of the public, requesting the Committee scrutinise issues around 'twin hatters' and summarised the background that he had detailed at the previous meeting. He then invited views from the committee on whether these issues should form part of the forward work programme.
- 2.3 Mr Dobson then moved a motion, seconded by Mr Jordan, that the Committee should move on from this item without further discussion because, taking each issue in turn:
 - a) Allowances had already been looked at by the Remuneration Panel.
 - b) Time commitment - Members had been elected to those roles by the public.
 - c) Conflicts of interest –there was already clear statutory guidance.
- 2.4 Messrs Boswell, Joyce, Nobbs and Scutter spoke in opposition to the motion. Their concerns included public perception and that discussion should not be stifled.
- 2.5 The Committee, with 11 votes in favour, 4 against and 1 abstention (the Chair), voted to move on from the item without further discussion and hence the issues raised by Mr Martin would not be included in the forward work programme.

3. Meeting with MEPs

- 3.1 Members received the reports which set out a suggested approach together with an introduction to the role of MEPs, an outline of European funding previously received in Norfolk, and an indication of the opportunities open to Norfolk over the next few years.
- 3.2 The Chairman reported that all political parties would be represented.
- 3.3 The Committee agreed the approach for the meeting.

4. Councillor Call for Action (CCfA) Guidance

- 4.1 Members received a report by the Scrutiny Support Manager together with a guide for members and officers which met the requirement to have a scheme in place.
- 4.2 Mr Dobson suggested that the scheme should be legitimised by including it in the Constitution.
- 4.3 The Head of Democratic Services explained that this scheme had originated as a 'Community Call for Action' and had been complicated by two pieces of legislation – the Police and Justice Act 2006 and the Local Government and Public Involvement in Health Act 2007. He suggested it would be helpful to include more detail about how it should operate in respect of crime and disorder matters, particularly the role of Norfolk County Council in scrutinising Crime and Disorder Reduction Partnerships which operated at District level.
- 4.4 The Committee agreed that it should receive a further report at the 24 November meeting, which should include a recommendation to Cabinet (to recommend to Full Council) that the scheme be included in the Constitution.

Details of the full discussion can be found in the minutes of the meeting.

Paul Morse
Chair, Cabinet Scrutiny Committee

**Report of the Standards Committee
Meeting of 14 October 2009**

1. Report on Issues Pertaining to the Register of Members' Interests (the Register)

- 1.1 The report by the Head of Law and Monitoring Officer was received. The report requested the Committee to review a number of issues connected with the Register of Members' Interests.
- 1.2 The Committee was asked to consider publication of the Members' declarations of interests on the internet. Members generally felt that it would enhance transparency and openness and that, in any event, they had already given their consent that the information be in the public domain by completing declarations for inclusion in the Register. However, two Independent Members felt that details provided by Independent Members, who were appointed not elected, should not be published on the internet.
- 1.3 It was resolved to:
- Look into the costs of on-line publication.
 - Recommend to the Council that Members be invited to consent to their individual entries being published on the internet, subject to it being affordable.
 - Respond to the questioner, Mr Martin, with a copy of the minutes once prepared.

Recommendation

That Members be invited to consent to their individual entries being published on the internet, subject to it being affordable.

- 1.4 The Chairman reported that she had carried out an inspection of the Register of Interests on 3 September 2009 and noted that following the June elections all Members had completed and submitted their registration forms. As many of the Members elected were new to the Authority she asked that a reminder be sent to them by the Monitoring Officer to ensure that their declarations were complete and up to date.

2. Monitoring Officer's Update

- 2.1 The report by the Head of Law & Monitoring Officer was received. The report updated the Committee on standards related matters that had arisen since the last full meeting. The Committee reviewed the Terms of Reference for the assessment of complaints at Appendix 1 and the Assessment Criteria at Appendix 2 and agreed some changes.

2.2 Independent Members

It was explained that all the Independent Members had been appointed up to the 2009 County Council elections. The County Council had previously agreed to extend these terms of office until 31 December 2009. Any Independent Member having only served one term was eligible to stand for re-appointment. Members having served two terms would not be eligible to stand again. It was noted that as a result the Committee would be losing two very experienced Independent Members.

2.3 Standards for England Annual Assembly

Mr Callaby, Mr Bland and the Deputy Monitoring Officer gave a brief report back on their experiences of the Annual Standards Assembly which took place in Birmingham on 12 and 13 October 2009.

2.4 It was suggested that the Chairman of the Committee write to the Cabinet Scrutiny Committee to ask if the issue of governance of local partnerships could be considered as part of the forward work programme.

2.5 Annual Returns

It was reported that the Monitoring Officer had completed the Authority's annual return to the Standards Board for England in relation to financial year 1 April 2008 to 31 March 2009, during which there were no formal complaints and no reportable incidents.

2.6 Quarterly Returns

It was reported that two returns had been made to date for the financial year 1 April 2009 to March 2010 and the second quarter saw two complaints made to the Committee as contained in the report.

3. Any Other Items of Business which the Chairman decides should be considered as a matter of urgency pursuant to Section 100B(4)(b) of the Local Government Act 1972

Canon Turner wished to record his thanks to officers for their help, support and guidance over the years. He also extended his thanks and gratitude to the Chairman saying that it was a pleasure to serve the Committee and the public under her.

The Chairman thanked the Committee Officer for her help and support over the last eight years, she also thanked the Assistant Head of Democratic Services for being able to sort out any problems that she had encountered. She went on to thank the Head of Law and Monitoring Officer and said that she had enjoyed working with her.

MRS JACQUELINE MIDDLETON

CHAIRMAN

STANDARDS COMMITTEE

**Report of the Audit Committee Meeting
Held on 24 September 2009**

1. Chairman's Commentary

- 1.1 The Chairman noted that the Audit Committee was trying to make its business understandable to all Members of the Council and to demonstrate the impact of its work.
- 1.2 Member Training - Mr M Brindle, Mr J Herbert, Mr J Mooney, Mr G Plant and Mr R Smith would all be attending a training event on 9 November entitled 'Improving Audit Committee Effectiveness'.

The Chairman recommended Members attend one of the current risk management training sessions if they had not already done so.

2. Corporate Risk Register

- 2.1 Members received and considered the report which provided the latest update on the Corporate Risk Register and the management of risk across the Council.
- 2.2 The Risk & Insurance Manager reported that Risks 0207 (failure to match supply to the increased demand for Adult Social Services) and 3389 (see following reference) were significant risks. Members agreed that Risk 3389 should be amended to read "the level of commissioning partners contributions to services, through the Learning Difficulties Pooled Fund and Continuing Care System, could fail to meet actual needs".
- 2.3 Members heard that progress continued to be made and risks were being actively managed; new risks were being identified for Chief Officers to consider and as a result three new risks had been included on the register. These concerned Learning Difficulty savings targets, climate change related unforeseen weather events, and resources to reduce our carbon footprint. None of these three new risks had as yet a prospects assessment.
- 2.4 Members questioned whether they or portfolio holders held ownership for the risks. The Head of Finance advised that risks were managed by Chief Officers and reported to Overview and Scrutiny Panels. In addition, all reports received by Cabinet contained risk management information. Chief Officers held ultimate responsibility for the risks (mitigation and resolution) and they in turn were responsible to Members and would draw Members' attention to risks. It was suggested that risks should be assigned to an appropriate Cabinet Member on each report and that the risk register should also show an appropriate Cabinet Member. It was further suggested that the risk register should include the date that each risk had been included on the register and also the date by which it was hoped to reduce the risk.
- 2.5 Some risks showed that the prospect of risks meeting targets as 'not on target' and Members suggested that this did not give sufficient information. The Risk & Insurance Manager agreed to discuss this with Chief Officers and amend the register accordingly.
- 2.6 Risk 8680 referred to the risk of NCC's investments in financial institutions not being fully repaid and the Head of Finance explained that this risk would remain on the register even though action had been taken to mitigate the current risk, such as the authority setting up

the Treasury Management Panel. One element which caused this risk to remain on the register was that the authority might not recover all outstanding monies from Icelandic Banks. The second element was that a similar situation could recur due to the extremely uncertain financial situation throughout the world.

- 2.7 The Committee noted that there was a strong corporate commitment to risk management and this continued to be embedded further within service departments. Risks continue to be identified as part of the on-going review process and were actively managed once on the register.

3. Amendments to the Council's Annual Statement of Accounts 2008-09

- 3.1 The Committee received and considered the report which detailed issues identified since the approval of the 2008-09 Statement of Accounts by the Audit Committee at the meeting held on 29 June 2009. The report set out the required adjustments to the Accounts arising from the further review by officers and the formal audit. Members heard that one material adjustment and several non-trivial adjustments were required to the Draft Statements. With these adjustments made, the Head of Finance anticipated that the Council would receive an unqualified audit opinion concerning the 2008-09 Statement of Accounts. During discussion on the amendments it was noted that a review will be carried out to identify processes and controls to either prevent or minimise their recurrence in future.
- 3.2 The Chairman thanked all officers involved in the production of the Statement of Accounts and the Audit Commission District Auditor.
- 3.3 The Audit Committee endorsed the changes to the 2008-09 Statement of Accounts recommended by the Head of Finance.

4. Letter of Representation from the Council to the Audit Commission

- 4.1 The Committee received and considered the report and the Letter of Representation in connection with the audit of the financial statements for 2008-09.
- 4.2 The Chairman noted that the letter of representation included specific representations concerning the Norfolk Pension Fund. He said he was concerned that the Norfolk Pension Fund draft accounts had been circulated on 1st June 2009, during the election time and he questioned their inclusion in the Statement of Accounts (which the Audit Committee was required to endorse). In response, the Head of Finance advised that the draft Norfolk Pension Fund accounts were normally received by the Pension Committee prior to being received by the Audit Committee and next year the Pension Committee would consider and recommend the accounts to the Audit Committee. The Head of Finance confirmed that he was satisfied that the Norfolk Pension Fund accounts had been correctly signed off. The Pension Committee would, in future, receive a similar briefing to that received by the Audit Committee for the Statement of Accounts. In response to a question to the District Auditor concerning whether the Audit Committee could be reassured about the inclusion of the Norfolk Pension Fund accounts within Norfolk County Council's Statement of Accounts, the District Auditor responded that whilst this was an issue for the Council, the Audit Commission had begun to recognise that Pension Fund accounts should be treated slightly differently. He expected further clarification of this matter in the future.

- 4.3 The Committee endorsed the Letter of Representation and requested that the Leader of the Council and the Head of Finance sign it on behalf of the Council.

5. Audit Commission - Annual Governance Report Audit 2008-09

- 5.1 The Committee received and considered the Annual Governance Report for the Council and an update letter of 21 September 2009. The report set out the key issues that the Council should consider based on the District Auditor's work to date and noted that the District Auditor planned to issue an unqualified opinion on the Council's financial statements (including the Local Government Pension Fund and the Firefighters' Pension Fund accounting statements) for 2008/09.
- 5.2 The Audit Committee considered the matters raised in the report and noted the satisfactory value for money conclusions and use of resources scores. It also noted that a separate use of resources report for the Fire and Rescue Service was awaited the Norfolk Pension Fund was a separate audit engagement for which the audit fee was £49,137 to 2008/09, and that the Auditor had yet to review the Norfolk Pension Fund annual report before he concludes his audit.
- 5.3 Members noted that the 'Use of Resources' scored judgement was 3, a very good result, especially considering that the new Use of Resources assessment score bar had been raised this year. The District Auditor reported that a level 4 score would require the authority to show high level examples of best practice and that investment would be associated with attaining level 4. The Chairman said that it would be for members to decide whether this investment would be worthwhile.
- 5.4 The District Auditor thanked all officers involved in the production of the Statement of Accounts. The Chairman reiterated his thanks to the audit team.
- 5.5 The Audit Committee approved the letter of representation on behalf of the Council and those charged with governance, before the Audit Commission issue their opinion.

6. Audit Commission – Norfolk County Council 2009-10 Audit Plan and Fees

- 6.1 The Committee received and considered the report by the Head of Finance which briefed members on the Audit Commission's Annual Audit Fees and Audit Plan for 2009-10.
- 6.2 Members noted that as a result of the Audit Commission subsidy for first-time implementation of International Financial Reporting Standards (IFRS), there would only be a net increase in audit and inspection fees (after subsidy) of 1.25%. This was after allowing for efficiency savings of 3% in 2010-11. The Audit Commission's planned scale fee for 2009/10 for an organisation such as Norfolk County Council is £311,960. The fee chargeable is proposed to be £273,300, which is 12% below the scale fee. The Audit Commission's planned outputs would be reported to the Committee when they became available.
- 6.3 The Committee agreed the Annual Audit Fee letter for 2009-10 and the planned outputs, the Annual Inspection fee 2009-10, the new arrangements from 2009 to meet the Comprehensive Area Assessment (CAA) requirements, and the proposed work programme and scales of fees 2010-11, including the subsidy arrangements.

7. Norfolk Audit Services Quarterly Report for the Quarter ended 30 June 2009

- 7.1 The Committee received and considered the report by the Head of Finance which summarised the results of recent work by Norfolk Audit Services (NAS), to give an overall opinion on the adequacy and effectiveness of risk management and internal control within the Council.
- 7.2 Members noted that the total available auditing days was projected to be 13% lower (at 2830 days) than the 3260 days originally calculated. The Chief Internal Auditor reported that he would bring a revised audit plan to the 28 January 2010 meeting to demonstrate how the audit days allocated had been used – this would demonstrate how the audit plan was being delivered. Every audit had its own issues and some audits would take longer than expected; it was difficult to prejudge what was likely to be found during an audit. The Head of Finance advised that a relatively small number of auditing days would be deferred - on a risk assessed basis - until early 2010.
- 7.3 The Head of Finance said that the Cabinet had been very supportive in the past when additional staffing resources were required. The Audit Team participate in a managed audit approach with the authority's external auditors who placed some reliance upon the systems of internal audit. This had been reflected in the 12% reduction in Audit Commission fees for the Council compared with the standard.
- 7.4 The Chairman requested that further quarterly reports include a paragraph that requests Members to consider risk management and also to confirm that they were satisfied that the report had been produced in conjunction with the Anti-Fraud and Corruption Strategy.
- 7.5 The Audit Committee approved the changes to the 2009-10 Internal Audit Plan and noted the overall opinion on the effectiveness of risk management and internal control being 'Acceptable', and that feedback from quality questionnaires received from clients during the quarter was positive.

8. Norfolk Audit Services – Records Management

- 8.1 The Committee received and considered the report which informed members of recent work on Records Management, including numbering and protective marking of records and the Follow Up audit work on the recommendations and actions for the Records Management audit completed in 2008-09.
- 8.2 The Chief Internal Auditor advised that this was an update report, as requested by previous members of the Audit Committee and he confirmed that the Council did have a Corporate Retention and Records Scheme in place. Mr T. Williams confirmed that he was a member of the Information Management Board to which guidance would be submitted and he advised that it was hoped that a system of electronic scanning of documents would eventually be put in place.
- 8.3 The Committee noted the Records Management 2008-09 Follow-up Audit outcome that actions for all of the recommendations were satisfactory and noted that guidance had been drafted for the numbering and protective marking of records.

9. Norfolk Audit Services Report for the Audit on Members and Chief Officers Expenses and Allowances

- 9.1 The Committee received and considered the report by the Head of Finance which summarised the findings for the audit on Member and Chief Officers Expenses and allowances requested by the Committee.
- 9.2 Members noted the Norfolk Audit Services summary and conclusions contained within the report and the opinion that, based on the evidence seen during the course of the audit and the review of the systems and processes in place, that risk management and internal controls for Members and Chief Officers Expenses and Allowances were 'Acceptable' and that the payments made were appropriate. Ongoing reminders on procedures to those claiming expenses would be issued.

10. ICT Internal Audit Strategy 2009-10 to 2011-12

- 10.1 The Committee received and considered the report by the Head of Finance which introduced the ICT Internal Audit Strategy.
- 10.2 PricewaterhouseCoopers had been appointed to undertake ICT audit work for Norfolk Audit Services and a budget to allow for approximately 100 days of auditing had been set aside for that purpose. This budget had been included in the 2009-10 Internal Audit Plan. The results of the ICT audit work would be reported to the Audit Committee on completion of the reports.
- 10.3 The Committee considered the ICT Strategy 2009-10 to 2011-12 and recognised the importance of the strategy and the recommended approach.

11. Audit Committee Work Programme

- 11.1 The report by the Head of Finance was received and noted.
- 11.2 The Committee agreed to include the following to the forward work programme:
- 28 January 2010 meeting to include a review of the Audit Committee's terms of reference, including relevant Financial Regulations
 - 28 January 2010 meeting to include an assessment of further opportunities to be gained from considering the Audit Commission's report on "Governing Partnerships – bridging the accountability gap" (2005) and the subsequent work done by Norfolk Audit Services in this area.

Details of the full discussion can be found in the minutes of the meeting.

Mr R Smith
Chairman

**Report of the Meeting of the
Norfolk Health Overview and Scrutiny Committee
Held on 15 October 2009**

1 The New Dementia Intensive Care Unit at the Julian Hospital Site in Norwich – Design and Reference Group

- 1.1 The Committee appointed Steve Dorrington to be its representative at the Design and Reference Group which was being established by Norfolk and Waveney Mental Health NHS Foundation Trust as part of the Design and Build Working Team for the new dementia intensive care unit on the Julian Hospital site in Norwich.

2 East of England Specialised Commissioning Group Strategic Planning Event

- 2.1 The Committee appointed Michael Carttiss to attend a one-day “Accelerated Solutions Environment” event on 4 November 2009. The East of England Specialised Commissioning Group was running the event to obtain input to help shape its strategic plan for the next five years.

3 East of England Health Scrutiny Conference

- 3.1 Members were invited to attend the East of England Health Scrutiny Conference which was to be held at Newmarket Racecourse on 20 November 2009.

4 Great Yarmouth and Waveney Health Trainers and Mobile Food Store

- 4.1 The Committee received two PowerPoint presentations on the work of Health Trainers and the Mobile Food Store in the NHS Great Yarmouth and Waveney area. The presentations were given by Sarah Barnes, Advanced Health Improvement Manager, NHS Great Yarmouth and Waveney, and Dr Tim Winters, Public Health Information Analyst, NHS Great Yarmouth and Waveney.

- 4.2 In hearing from the presenters, and in answer to Members’ questions, the Committee noted the following:

- Health Trainers worked with individuals and groups located throughout the Great Yarmouth and Waveney area and could offer help to schools, local businesses and community groups.
- The Health Trainers undertook follow-up sessions after six and twelve months.
- The Mobile Fruit and Vegetable Store was not about selling fruit and

vegetables for profit, it was about motivating, encouraging and sustaining health behaviour changes. The van travelled a regular route around the NHS Great Yarmouth and Waveney area and went to where those people who were most likely to eat less than one portion of fruit and vegetables per day lived and worked. The Health Trainers accepted Healthy Start vouchers which were available from the NHS to certain low income families.

- It was estimated that 60% of service users were unemployed.
- The Health Trainer service had begun in 2006 and had expanded across the NHS Great Yarmouth and Waveney area in 2009/10. It was hoped eventually to set the service up as a food co-operative.
- Members commended the forward thinking of NHS Great Yarmouth and Waveney in running the Health Trainer and Mobile Food Store service and suggested that NHS Norfolk should look to provide a similar service in its area.

4.3 The Committee noted the presentations and commended the work of NHS Great Yarmouth and Waveney Health Trainers and the Mobile Food Store.

5 Cromer Hospital Redevelopment

5.1 The Committee considered Norfolk and Norwich University Hospitals NHS Foundation Trust's redevelopment of Cromer Hospital and revision of services to be provided on the Cromer Hospital site. The Committee received a PowerPoint presentation about the proposed changes.

5.2 The Committee received evidence from the following witnesses:

Krishna Sethia	Medical Director and Consultant Urologist, Norfolk & Norwich University Hospitals NHS Foundation Trust
Julie Cave	Director of Resources, Norfolk & Norwich University Hospitals NHS Foundation Trust
Hilary Thompson	County Councillor for Cromer
Michelle Nash	Cromer Hospital Action Group
Patrick Thompson	Norfolk LINK

5.3 On hearing from the witnesses, and in answer to Members' questions, the Committee noted the following:

- In 2007 the redevelopment of Cromer Hospital was envisaged to be at a maximum price of £24.5m, but in June 2009 this was reduced to £15m because of the difficult economic circumstances that were expected to face the NHS in coming years
- The project was funded by the Sagle Bernstein and Phyllis Cox legacies. Witnesses from NHS Norfolk said the legacies could not be spent anywhere other than in Cromer.
- The plan for the new hospital included providing the following services:

Outpatients
Eye Surgery
Minor procedures
Renal Dialysis
Paediatric Audiology
Imaging
DEXA Scanning
Mammography

General surgery
Orthopaedics
Plastics
Dermatology
Urology
Ophthalmology

- The proposal meant the services provided at Cromer Hospital would be high volume, low risk and short stay.
- Some services, currently based at Cromer would need to be provided from Norwich. Services to be transferred were GA Surgery and Endoscopy.
- There were currently 95,000 patients a year at Cromer Hospital. The new services were expected to result in 8,500 extra patients. The transfer of services to Norwich was expected to mean a reduction of 3,000. Thus, the expected number of patients was 100,500.
- The current timetable for the new hospital envisaged construction work would start next year and be completed in 2012. The next step so far as the Norfolk and Norwich University Hospitals NHS Foundation Trust was concerned, involved taking views from the Town Council, local GPs, Members, the General Public, and examining planning considerations.
- Hilary Thompson, Norfolk County Councillor for Cromer, said that the redevelopment of the hospital site would secure its future and this was generally welcomed by people living in the locality. There was, however, concern locally about the transfer of the endoscopy service to Norwich and they wanted this service to remain at Cromer.
- Krishna Sethia said that while there had been no problems with contamination of ethnology cases at Cromer Hospital, following legislative changes on this subject, endoscopy would have to transfer to the NNUH. It was not possible to include provision in Cromer for the decontamination of endoscopy equipment. He said that to provide such a service in the town would mean having to find an additional £750,000 to build a new decontamination unit and spending approximately £3m per annum to continue to provide the service. This would be an uneconomic use of NHS resources because approximately £2m had recently been spent on updating the decontamination unit at the NNUH.

5.4 The Committee agreed that the Norfolk and Norwich University Hospitals NHS Foundation Trust proposals were a substantial variation in service under the Health and Social Care Act 2001. The NHS Foundation Trust was asked to report back to the Committee on 21 January 2010 with analysis and response to the issues raised at the Committee meeting that day and at a public meeting to be held in Cromer that evening. The Committee agreed that it would then give its response to the NNUH Consultation.

6 Midwifery and Maternity Services

6.1 The Committee considered plans by NHS Norfolk and NHS Great Yarmouth and Waveney to deliver the level of midwifery and maternity services promised in “Towards the Best Together”, the East of England Strategic Health Authority’s clinical vision for 2009 – 2019.

6.2 The Committee received evidence from the following witnesses:

Clive Rennie	Assistant Director, NHS Norfolk
Elaine Mash	Commissioning Manager, Children and Maternity, NHS Great Yarmouth and Waveney

6.3 In hearing from the witnesses and in answer to Members’ questions, the Committee noted the following:

- The targets set out in the clinical vision needed to be met by March 2011
- NHS Great Yarmouth and Waveney was expected to meet a 1 midwife : 30 Mothers standard by the end of 2009. NHS Norfolk was expected to meet a 1:31 ratio by 2010.
- Both PCTs did not foresee any particular problems in recruiting the necessary additional midwives. Recruitment campaigns were being actively pursued.
- Steps were being taken to reduce the number of caesarean operations at the NNUH and the QEH, and increase the number of natural births.
- Members suggested that the NHS should carefully consider the incentives that were made available to qualified midwives who were willing to return to the NHS.

7 Diabetes – Children’s Services and Foot and Eye Screening Services

7.1 The Committee received a report of the Diabetes Working Group which was presented by Shirley Weymouth, the Vice Chairman of the Group. The Committee also received evidence from Shelagh Hutson, Cabinet Member for Children’s Services.

7.2 The Committee noted that the Working Group’s findings had been complemented by that of a Rapid Action Team (RAT) convened by NHS Norfolk that involved representatives of many other organisations, including the Norfolk Local Involvement Network. The RAT’s recommendations had been agreed by NHS Norfolk’s programme board for women and children’s services. The next step was to develop a joint action plan to take forward both sets of recommendations.

7.3 The Committee noted that Children’s Services had issued “Guidelines for School Staff”. However, schools need not provide care to children in taking medication, carrying out checks on what children had eaten, etc. This task was not the responsibility of the County Council; it was the responsibility of school governing bodies.

7.4 The Committee approved the working group's report and referred it to the relevant two organisations for response. It was agreed that these organisations should be asked to say whether each of the recommendations was accepted in full, accepted in part, or rejected. They should be asked to give an explanation for any recommendations they rejected, or only partially accepted. It was further agreed that each of the organisations should be asked to respond in time for a report to be taken to the March 2010 meeting of the Committee.

7.5 The Committee recognised that some of the recommendations contained in the Working Group's report would present financial challenges and that in the case of the recommendations regarding services in schools the finance was under the control of school governors rather than Children's Services. Nevertheless, the Committee acknowledged the real need that prompted all of these recommendations and urged the organisations involved to seriously consider ways in which they could be addressed. It was agreed to add an addendum to the Working Group's report to this effect.

8 Medicine shortage

8.1 The Committee noted a follow up to its letter to the Parliamentary Health Committee and the response from the Department of Health.

9 Department of Health Consultation on Quality Accounts

9.1 The Committee agreed to respond to a national consultation by the Department of Health that healthcare providers should not be required to ask Health Overview and Scrutiny Committees to comment on their Quality Accounts. The Committee's response was conditional on healthcare providers being required to give LINK the opportunity to comment. LINKs had rights of access to healthcare providers' premises which put them in a better position to comment on the Quality Accounts. The relationship between Norfolk LINK and Norfolk Health Overview and Scrutiny Committee was such that the Committee were confident they would be kept informed of LINK's findings, as and when necessary.

10 Joint Health Scrutiny Committee on Neo-Natal Services with Cambridgeshire, Peterborough and Suffolk

10.1 The Committee agreed that the Authorities participating in the Joint Health Scrutiny Committee on Neo-Natal Services could waive political balance when appointing Members to the joint committee.

Michael Carttiss
CHAIRMAN

**REPORT OF THE PLANNING (REGULATORY) COMMITTEE MEETING
HELD ON 16 OCTOBER 2009**

1. Developments by the County Council

1.2 Y/2/2009/2015: Downham Market: Clackclose Primary School, Construction of a Two Storey and Single Storey Extension to Provide New Teaching Facilities, Erection of External Canopies and Construction of an Extension to the Car Park, New Pathways and Hardstanding Play Area

The Director of Environment, Transport and Development was authorised to grant planning permission subject to conditions including:

- Three year time limit within which the development must be commenced;
- Development is built in accordance with approved plans;
- Landscaping scheme to be implemented in first available planting season;
- Landscaping scheme to be retained and managed for five years;
- Provision and retention of car parking areas;
- Prior to commencement of any works, a Construction Traffic Management plan to be submitted;
- Compliance with the approved Construction Traffic Management Plan;
- Contractor access constructed in accordance with County Council specification and be closed and land reinstated when construction finished;
- Development shall be carried out in accordance with requirements of Arboricultural assessment report;
- Scheme to be submitted prior to commencement to show that at least 10% of the energy is derived from decentralised and renewable or low carbon sources.
- In accordance with submitted flood risk assessment.

John Rogers

**Chairman
Planning (Regulatory) Committee**

**Report of the Norwich Highways Agency Committee
Meeting Held on 24 September 2009**

1. Petition

- 1.2 A petition was presented on behalf of local residents requesting that safety improvements be made, as a matter of urgency, on either side of the "safe" pavement area on Telegraph Lane East at the entrance to Stan Petersen Close, so that pedestrians were made aware that they were about to cross a "shared surface" with vehicles entering and exiting Stan Petersen Close.
- 1.3 The Head of Transportation and Landscape was asked to consult with the Chair and Vice-Chair and respond to the Councillor who presented the petition in due course.

2. PUBLIC QUESTIONS

2.1 Hellesdon Road

- 2.2 A question was asked on behalf of Councillor Read and residents of Wensum Ward regarding the long term future of the route using the bridge over the Wensum between Marlpit and Hellesdon/Mile Cross. It was noted that any closure of Hellesdon Road would need to be looked at as part of the Norwich Area Transport Strategy.

2.3 Carrow Road

- 2.4 A question was asked regarding the lack of protection from traffic travelling along Carrow Road and particularly at the junction with King Street for spectators leaving Carrow Road Stadium after a Saturday afternoon football match and why there was no police control over the traffic as there has been in the past. The Transport Programme and Asset Manager, Norfolk County Council stated that one of his colleagues would be attending the next Football Ground Safety meeting on 15 December 2009 and that he would also be arranging a meeting with the police as soon as possible to discuss this matter. The Committee noted this response and the actions being undertaken to raise this matter with the police.

2.5 Traffic Calming – Gurney Road, Mousehold Heath

- 2.6 A letter from the Chair of Mousehold Heath Conservators Committee requested that the Norwich Highways Agency Committee consider providing speed reducing measures on Gurney Road. The Conservators felt that it was essential, in order to preserve the safety and tranquillity of the heath, that vehicle speeds were reduced. It was also requested that any solution be sympathetic to the heath land setting and not create an urban environment.
- 2.7 The Transportation Manager, Norwich City Council explained that funding was allocated first to high accident areas based on statistical information. She had researched the possibility of funding being available from sources other than the Local Transport Plan (LTP) but could not identify any and would like a steer from this Committee to see if an exception could be made in this case. As part of the NATS, Gurney Road had been identified as a bus rapid transit route and if this went ahead in the long term general traffic other than for access would be removed from this road.
- 2.8 It was agreed that the Chairman would provide a written response to the Chair and Members of the Mousehold Heath Conservators on behalf of the Committee.

3. NORWICH AREA TRANSPORT STRATEGY (NATS) IMPLEMENTATION PLAN

- 3.1 The Committee noted the dates of the NATS Implementation Plan consultation.

4. REVIEW OF LITTLE BETHEL STREET HIGHWAY AND FOOTPATH

- 4.1 The Transportation Manager informed members of a recent development that affected Little Bethel Street. St Peters Street would be one way as far as Gaol Hill for 1 year during the works on the Memorial Gardens. A proportion of traffic would therefore be taken away from Little Bethel Street, which would just have traffic from Cleveland Road.
- 4.2 The Committee agreed:
- to note that since the scheme was in Little Bethel Street was implemented the number of large vehicles using the street has decreased;
 - to note that there are still on-going issues surrounding large vehicles using the street for both local people and coach operators;
 - with Councillor Little dissenting, to ask the Head of Transportation and Landscape to amend the carriageway markings and parking restrictions on Bethel Street;

- to ask the Head of Transportation and Landscape and Head of Legal, Regulatory and Democratic Services to carry out the necessary statutory procedures associated with introducing a no loading at any time restriction on Bethel Street outside Numbers 48 to 54 and a loading bay outside no 51 Bethel Street, as shown on plans on the agenda.
- to note that the long term solution for Little Bethel Street involves creating an alternative route to Theatre Street;
- to agree that until an alternative route to Theatre Street can be secured no further work is undertaken in Little Bethel Street;
- to reinstate the tall bollard;
- to ask the Head of Transportation and Landscape to investigate the possibility of changing the traffic regulation order associated with the changes to loading arrangements shown on the plans on the agenda as part of the temporary traffic regulation order associated with St Peter's Street and to ask the Head of Legal, Regulatory and Democratic Services to make the necessary arrangements.

5. USE OF NEWMARKET ROAD BUS LANES BY FREIGHT CONSOLIDATION CENTRE VEHICLES

- 5.1 The Consultations Officer, Norwich Cycling Campaign said that Norwich Cycling Campaign supported efforts to reduce the number of HGV movements in the City, but was concerned about the proposal to make permanent the use of the Newmarket Road bus/cycle lane by heavy goods vehicles (HGVs) from consolidated freight. She asked the following questions:-
- 5.2 Given the few HGVs using the Newmarket Road bus/cycle lane (1-3 a week), at a cost to the County Council from February 2009 to September 2009 of £5,500pm and £2350pm from October 2009 to March 2010, with a gain in time for a consolidated freight HGV of between only 0.5 to 4.5 minutes in a 25-30 minute journey, and with Foulgers indicating that the continuation of this operation is uncertain when County Council subsidy stops, does the Committee accept that the economic, environmental and safety effects within the transport system of encouraging cycling and increased availability of public transport are likely to be greater than the unsubstantiated economic and environmental benefits of allowing HGVs to use the bus/cycle lane?
- 5.3 Did the committee agree that the subsidies provided by the public purse to private operators had shown themselves to be insufficient economic incentive to attract custom to the consolidated freight, and that such subsidies could have greater environmental benefit (the declared major intention of the scheme) if directed towards encouraging cycling and more use of public transport?'
- 5.4 The Committee agreed:

- to ask the Head of Transportation and Landscape and the Head of Legal, Regulatory and Democratic Services at the City Council to carry out the necessary processes to make permanent the experimental Traffic Regulation Order allowing the use of the inbound Newmarket Road bus lanes and the bus/loading only route through Castle Meadow/Red Lion Street, with an amendment that the Consolidation Centre is now branded as Portal Norwich;
- to ask the Head of Transportation and Landscape and the Head of Legal, Regulatory and Democratic Services at the City Council to carry out the necessary processes associated with including an exemption for Portal Norwich vehicles in the extension to the Newmarket Road bus lane (agreed at the July 2009 meeting, but not yet implemented);
- that the potential interventions that could help the Consolidation Centre and the consolidation of freight deliveries in general be explored as part of the future NATS Implementation Plan.

6. 20 MPH LIMITS IN NORWICH

6.1 A member of the public, representing residents of Mount Pleasant, commented on the report and set out objections to the proposals. He pointed out that the speed limit in Mount Pleasant was being breached by 80% of cars doing more than 20 mph. A speed limit of 20 mph could not be enforced. Discussion followed on the trial of the scheme and the Committee agreed:-

- (1) to note the key messages from the 20mph trial project, which were:
 - i) before the 20 mph speed limits were introduced average vehicle speeds in the pilot areas were well below the 30mph limit;
 - ii) the introduction of a 20mph speed limit has little or no effect on speeds in the majority of roads;
 - iii) the majority of people want to see 20mph speed limits introduced on residential roads;
 - iv) the majority of people think that 20mph speed limits are ineffective;
- (2) to await further advice from the Department for Transport on the use of 20mph speed limits in residential areas before deciding whether the signed only 20mph speed limit should be rolled out across the City;
- (3) once advice has been published, to ask the Head of Transportation and Landscape to report back with a recommendation for speed management both in residential areas and on the A, B and C class network.

7. LEOPOLD ROAD FOOTWAY

7.1 The Committee agreed:

- (1) to widen the existing footway on the south west side of Leopold Road to a width of 1.8m;
- (2) to ask the Head of Transportation and Landscape and the Head of Legal, Regulatory and Democratic Services to carry out the necessary statutory procedures associated with the introduction of a 20mph speed limit on a section of Leopold Road.

8. ON STREET PARKING ENFORCEMENT MONITORING REPORT

8.1 The Committee received the available performance results and noted that income and issuing of Penalty Charge Notices (PCNs) were above budget, however, there had been a down turn in the number of PCNs issued and on street income received from the ticket machines.

9. HIGHWAY PERFORMANCE MONITORING OF THE HIGHWAYS AGENCY AGREEMENT

The Committee noted the available performance results.

10. MAJOR ROADWORKS – REGULAR MONITORING

The Committee noted the report.

Tony Adams

Chair

Matters Considered by Overview & Scrutiny Panels

Adult Social Services Overview & Scrutiny Panel 3 November 2009

1. Public Question Time
2. Local Member Issues/Member Questions
3. Cabinet Member Feedback
4. Compliments and Complaints Annual Report 1 April 2008- 31 March 2009
5. Further Update Report- CareForce and the Provision of Home Care Services in Norwich
6. Scrutiny
7. 2009-10 Revenue and Capital Budget Monitoring Report
8. Service and Budget Planning 2010-13
9. Future Commissioning Models – Community Care In-House Day Services
10. Norfolk County Council's Response to the Green Paper "Shaping the Future of Care Together"
11. Adult Social Services Capacity and Winter Planning
12. Carers' Services

Children's Services Overview & Scrutiny Panel 11 November 2009

1. Public Question Time
2. Local Member Issues/Member Questions
3. Cabinet Member Feedback
4. Demonstration of Foster Carers web systems
5. Scrutiny Programme
6. Children's Services Performance Quarter 2 2009-10
7. Budget Monitoring
8. Service and Budget Planning 2010-13
9. Subsidised Letting Charges/Users
10. School Organisation Issues: 3-year Junior Clusters and Cringleford CEVA Primary
11. Consultation on a set of principles to consider when investing in Norfolk Schools for the 21st Century

12. Strategy for Special Educational Needs (SEN): Complex Needs Schools (Change of Designation) and Specialist Resource Bases (Implementation) – Statutory Public Notices
13. DCSF consultation on proposed changes to first admission to school

<p>Corporate Affairs Overview & Scrutiny Panel 18 November 2009</p>

1. Public Question Time
2. Local Member Issues/Member Questions
3. Cabinet Member Feedback
4. Great Yarmouth Local Strategic Partnership (LSP)
5. Shared Services
6. Forward Work Programme: Scrutiny
7. Compliments and Complaints during 2008/09
8. Performance and Resources Monitoring Report
9. Service and Budget Planning 2010-13
10. Corporate Health & Safety Mid-Year Report for 2008/2009
11. Risk Management within Norfolk County Council and the Departments of Chief Executives and Corporate Finance
12. ICT Plan 2010/11

<p>Economic Development & Cultural Services Overview & Scrutiny Panel – 12 November 2009</p>
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1. Public Question Time
2. Local Member Issues/Member Questions
3. Cabinet Member Feedback
4. Economic Development Integrated Performance, Risk and Finance Monitoring Report
5. Economic Development Service and Budget Planning 2010 - 13
6. Local Economic Assessment
7. Nar Ouse Regeneration Area – Proposed variation to previous agreement to support utilities' diversions
8. Cultural Services Performance and Budget Monitoring Report
9. Cultural Services Service and Budget Planning 2010 – 13
10. The Contribution of Culture to the Economy of Norfolk
11. Forward Work Programme: Scrutiny
12. Business and the Climate Change Agenda

**Fire & Community Protection Overview & Scrutiny
Panel – 10 November 2009**

1. Public Question Time
2. Local Member Issues/Member Questions
3. Cabinet Member Feedback
4. Presentation from Sue Lambert on Domestic Abuse
5. Scrutiny Forward Work Programme
6. Trading Standards Performance Review April – September 2009
7. Monitoring Norfolk County Council's Health Objectives
8. Revenue Budget, Capital Programme and Performance Monitoring 2009/10
9. Service and Budget Planning Report 2010-13

**Planning, Transportation, the Environment and Waste
Overview & Scrutiny Review Panel – 9 September 2009**

1. Public Question Time
2. Local Member Issues/Member Questions
3. Cabinet Member Feedback
4. Forward Work Programme: Scrutiny
5. Hunstanton to Kelling Shoreline Management Plan – Consultation Response Programme
6. Department for Transport "A safer way ahead" Consultation
7. Residual Waste Treatment PFI Project – Shortlist of Bidders
8. Procurement of Phase One of the Residual Waste Treatment Project – Contract A

**Planning, Transportation, the Environment and Waste
Overview & Scrutiny Review Panel – 4 November 2009**

1. Public Question Time
2. Local Member Issues/Member Questions
3. Cabinet Member Feedback
4. Street Lighting
5. Partnership Working
6. HGV Route Hierarchy
7. Forward Work Programme: Scrutiny

8. Integrated Performance and Finance Monitoring Report
9. Service and Budget Planning 2010-13
10. East of England Plan Review to 2031: EERA Consultation on Scenarios for housing growth
11. Waste Procurement Strategy
12. Norwich Area Transportation Strategy (NATS) Update including Norwich Northern Distributor Road (NDR)
13. Review of 'Probity in Planning' Guidance Note
14. A47 to A1067 Link Road
15. Norfolk's 3rd Local Transport Plan (LTP3)