

Cabinet

Minutes of the Meeting held on Monday 5 September 2022 in the Council Chamber, County Hall, at 10am

Present:

Cllr Andrew Proctor	Chairman. Leader & Cabinet Member for Strategy & Governance.
Cllr Graham Plant	Vice-Chairman and Cabinet Member for Growing the Economy
Cllr Bill Borrett	Cabinet Member for Adult Social Services, Public Health and Prevention
Cllr Margaret Dewsbury	Cabinet Member for Communities and Partnerships
Cllr Tom FitzPatrick	Deputy Cabinet Member for Children's Services
Cllr Andrew Jamieson	Cabinet Member for Finance
Cllr Greg Peck	Cabinet Member for Commercial Services and Asset Management
Cllr Eric Vardy	Cabinet Member for Environment and Waste
Cllr Martin Wilby	Cabinet Member for Highways, Infrastructure and Transport

Executive Directors Present:

James Bullion	Executive Director of Adult Social Services
Paul Cracknell	Executive Director of Transformation and Strategy
Simon George	Executive Director of Finance & Commercial Services
Kat Hulatt	Head of Legal Services and Deputy Monitoring Officer
Tom McCabe	Executive Director of Community and Environmental Services
Sara Tough	Executive Director of Children's Services

Cabinet Members and Executive Directors introduced themselves. The Police and Crime Commissioner for Norfolk, Giles Orpen-Smellie and Director of Norfolk Fire and Rescue Service, Ceri Sumner, were also present at the meeting.

1 Apologies for Absence

- 1.1 Apologies were received from the Cabinet Member for Innovation, Transformation and Performance.

2 Minutes from the meeting held on Monday 8 August 2022.

- 2.1 Cabinet agreed the minutes of the meeting held on Monday 8 August 2022 as an accurate record.

3 Declaration of Interests

- 3.1 No interests were declared.

4 Matters referred to Cabinet by the Scrutiny Committee, Select Committees or by full Council.

- 4.1 None.

5 Items of Urgent Business

- 5.1 No items of urgent business were discussed.

6 Public Question Time

- 6.1 No Public questions were received.

7 Local Member Questions/Issues

- 7.1 The list of Local Member questions and the responses is attached to these minutes at Appendix A.

- 7.2.1 Cllr Brian Watkins asked a supplementary question:

- Cllr Watkins stated that he was shocked and disappointed at the brevity of the answer to his substantive question as this was a serious issue for the people of Norfolk.
- He felt that they deserved better and asked the Cabinet Member to provide a more detailed explanation about the true effect on the Council's budget.

- 7.2.2 The Cabinet Member for Finance replied that these were tough times for everyone, including the Council, who would do all they could to ameliorate issues once more was known about energy costs and when the new Prime Minister had been elected and given their proposals related to this. The Council would continue to adjust budgets according to the information available and the Cabinet Member for Finance was confident the budget could be delivered satisfactorily.

8. Point of Order

- 8.1 Cabinet **RESOLVED** to take item 10, "Norfolk Fire and Rescue Service – HMICFRS Improvement Plan", first, and then return to the running order of reports as set out on the agenda.

9. Norfolk Fire and Rescue Service – HMICFRS Improvement Plan

- 9.1.1 Cabinet received the report providing updates on the outcomes of the most recent inspection of the Norfolk Fire and Rescue Service by Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) and setting out the plans being put in place to respond to these findings.

- 9.1.2 The Director of Norfolk Fire and Rescue Service stated that she was looking forward to the continuing improvement journey of the service. She noted that significant progress had been, and continued to be made. The professionalism of the teams and service would be important when continuing development and for building on strengths and capabilities to support improvement.

- 9.1.3 The Police and Crime Commissioner for Norfolk stated that the constabulary were aware of the work they needed to do as a result of the inspection of the Norfolk Fire and Rescue Service and were keen to collaborate with the service. They aimed to support the service to achieve a better outcome in the next inspection.

9.1.4 The Cabinet Member for Communities and Partnerships introduced the report to Cabinet:

- In the last few weeks as we have dealt with wildfires and other issues caused by the hot weather, Norfolk saw the outstanding work of our Fire and Rescue service, responding to Norfolk communities during times of need, employing their skills and resources, usually in very difficult circumstances, to keep people safe.
- The latest inspection report provides much to be proud of and recognises several improvements implemented since the previous report. The work of the service has been recognised as good in a number of areas, as set out in the report. The work on equality, diversity and inclusion was recognised as innovative and was award nominated. The work to attract underrepresented groups to the service through recruitment activity won a national award for Innovation in Recruitment, and work with seldom heard groups was shortlisted for a national Community Involvement Award.
- When HMICFRS visited the service in 2021, the restrictions in place related to Covid-19 affected the work that the service were safely able to do, particularly work on prevention. Across the country, the pandemic brought new challenges including a changing picture of vulnerability and the need to support each other. For Fire and Rescue, this included a significant amount of work to support the East of England Ambulance Service. This required the Fire and Rescue Service to reprioritise resources and our focus, a challenge our staff rose to.
- At this time, it was considered inappropriate to increase the risk to staff and the public of face-to-face home visits and therefore we took a different approach. For example, instead of visiting people in their homes, we dealt with emergency responses via telephone or online, and visited a limited number of people. Inspectors considered this a cause for concern and said the service was not identifying those most at risk of fire
- Inspectors also said we should ensure joint reviews took place after fatal fires, so the significant risk policy was agreed by Cabinet and is now in place.
- It was identified that the most vulnerable at greatest risk of fire should be targeted; as a result, staff training on prevention, advising vulnerable people, and diversity and inclusion work had been focussed on these areas, with a target to train all staff in this and a new staff training plan.
- The overall position for Norfolk's Fire and Rescue Service is "Requires Improvement". The findings from our latest inspection were disappointing but not a complete surprise and we recognise that we, as well as the rest of the sector, have work to do to ensure we can provide the efficient and effective services that our communities expect.
- We are grateful to the HMICFRS for highlighting the areas where we need to focus our effort for improvement. In the almost 11 months since the Inspectors visited our service, we have made significant progress, as set out in the report.
- The new Director of Fire and Rescue will take the lead in continuing our improvement journey to make Norfolk safe, working with the Cabinet Member for Communities and Partnerships and Cabinet colleagues to make long-lasting changes and we look forward to hosting the inspectors again later this year to show them how much progress we have made, as well as our plans to do more.

- The Cabinet Member for Communities and Partnerships moved the recommendations as set out in the report.

- 8.2 The Chairman noted the important work of the service in addressing flooding, fires and working with communities. It was now important to look forward as the service had lots more to offer.
- 8.3 The Cabinet Member for Environment and Waste noted that during the heatwave in July 2022, on one day, the Norfolk Fire Service received 4688 calls and attended 280 incidents. On this day 17 homes were destroyed and 19 were damaged; sadly 5 fire fighters were injured. The Cabinet Member for Environment and Waste felt that the service dealt with this serious incident in Norfolk admirably.
- 8.4 The Cabinet Member for Children's Services stated that Norfolk had a fire service to be proud of and noted that the report identified how issues would be addressed. Covid-19 had made it difficult to visit people in their homes, but work provided to the community during this time had been exemplary. The service had met their targets for attending fires which was noted as positive.
- 8.5 The Cabinet Member for Adult Social Care, Public Health and Prevention noted the exemplary response of the fire service in fighting fires and congratulated them on their work, especially on the day of the Ashill fire in testing circumstances.
- 8.6 The Vice-Chairman noted the other services Norfolk Fire Service provided in addition to fighting fires and the duties they performed during the pandemic to support other services to help the vulnerable.
- 8.7 Cabinet **RESOLVED** to:
1. Note the progress already made, and the further actions being progressed, to address the Cause of Concern recommendations through the Community Safety Development Plan (Appendix A of the report).
 2. To agree that the delivery of the Community Safety Development Plan is a priority for the service.
 3. To review and endorse the work carried out to implement and develop actions to address the identified Areas for Improvement (Appendix B of the report).
 4. Agree to receive a further update on progress against these plans at a Cabinet meeting in early 2023.
 5. Agree to amend the terms of reference of the Strategic Development Oversight Group, Chaired by the Cabinet Member, to task them to oversee the work to develop and deliver the Community Safety Development Plan (Appendix A of the report) and the Improvement Plan (Appendix B of the report).

8.8 **Evidence and Reasons for Decision**

The HMICFRS have clearly set out in their inspection report the areas where they have assessed that the service is performing well and the areas where improvement is needed. There is a statutory duty on the service to demonstrate efficiency and effectiveness and therefore it is important to ensure that we address the areas identified by the HMICFRS in their report.

8.9 **Alternative Options**

Cabinet may wish to amend or make additions to the Plans set out in Appendices A and B of the report.

9. **Norfolk Youth Justice Plan**

9.1.1 Cabinet received the report setting out the updated Norfolk Youth Justice Strategic Plan.

9.1.2 The Executive Director for Children's Services gave an introduction to the report:

- It was a requirement to annually update the Youth Justice Strategic Plan. Paragraph 4.6 of the report detailed the legislation behind this requirement.
- The Strategic Plan looked forward setting out priorities for the coming year, but also looked at improvements made.
- The Plan had been endorsed by the independent Chair who had been appointed to strengthen accountability.
- There was a child first policy in place within the Plan
- The Executive Director for Children's Services noted the dedication and skill of staff working in this service, working long hours and building good working relationships with children and families.

9.1.3 The Chairman endorsed the Executive Director for Children's Services' comments about the good work of the staff working in this service.

9.1.4 The Police and Crime Commissioner for Norfolk gave his support for this report stating that he was encouraged by the direction of travel shown. The constabulary would report that 24% of crime is related to domestic abuse, showing the importance of breaking the cycle for children. Paragraph 4.3 of the report discussed evidence related to black, Asian and minority ethnic children; the constabulary were looking at distortion of these figures caused by the number of children arrested related to County Lines who were not Norfolk Residents.

9.1.5 The Cabinet Member for Children's Services introduced the report to Cabinet:

- The report was about putting children first, tying in with the strategy of early intervention, noting that children are influenced by what they experience in their home.
- There was an aim for all young people of Norfolk to enter adulthood with no criminal record.
- All stakeholders involved in the Youth Justice Strategic Plan worked well together to help children avoid having a criminal record.
- The Norfolk Youth Justice Strategic plan would be taken to Scrutiny and then to Full Council for approval.
- Page 47 of the report showed that the number of first-time entrants to the criminal system in Norfolk was lower than the Eastern and National average.
- The strategy focussed around hearing the voice of the child.
- Some of the data used was 2 years old and there was an aim to address this; this was a national issue which affected the ability to identify trends.
- The Cabinet Member for Children's Services moved the recommendations as set out in the report.

- 9.2 The Cabinet Member for Commercial Services and Asset Management noted, as trustee of a charity who had an aim to keep children out of the criminal justice system, the importance of empowering children to fulfil their potential and supported the recommendations.
- 9.3 The Cabinet Member for Environment and Waste noted the policy of putting children first was positive, treating children as individuals to reduce their risk of offending and also of becoming a victim of crime.
- 9.4 The Cabinet Member for Adult Social Care, Public Health and Prevention pointed out that the focus on prevention fits within the council's strategies in other areas and provided the best outcomes. He was pleased to note the section on health and wellbeing, the clear way objectives were laid out and how success would be measured.
- 9.5 The Cabinet Member for Communities and Partnerships supported and applauded the plan for early intervention and support for children to start adulthood without a criminal record, which would support them to gain employment and have a better future.
- 9.6 The Chairman noted that this was a strategic document and also a systemwide set of plans aligning with the Flourish framework with a collaborative approach. The Chairman particularly noted the focus on restorative justice within the Plan.
- 9.7 Cabinet **RESOLVED** to:
1. recommend that Council adopts the updated Norfolk Youth Justice Strategic Plan as part of the policy framework
 2. endorse the Youth Justice Board's vision for a child first youth justice system as follows:
 - Prioritise the best interests of children, recognising their particular needs, capacities, rights and potential and ensure all work is child focused, developmentally informed, acknowledges structural barriers, and meets responsibilities towards children.
 - Promote children's individual strengths and capacities to develop their pro- social identity for sustainable desistance, leading to safer communities and fewer victims. All work is constructive and future focused, built on supportive relationships that empower children to fulfil their potential and make positive contributions to society.
 - Encourage children's active participation, engagement and wider social inclusion, making sure meaningful collaboration with children and their carers is at the heart of our work with them.
 - Promote a childhood that avoids coming into contact with the criminal justice system, using pre-emptive prevention, diversion and minimal proportionate intervention, minimising criminogenic stigma.
- 9.8 **Evidence and Reasons for Decision**
- See section 4 of the report.
- 9.9 **Alternative Options**
- None are proposed.

10. Long Stratton Bypass

- 10.1.1 Cabinet received the report providing an update on the Long Stratton Bypass project, outlining the next stages for the project including revisions to the budget and delivery programme, and seeking Cabinet's approval to the proposed delivery of detailed design services, the procurement process for the construction works, the use of section 203 of Housing and Planning Act 2016 and the making of the Side Roads Order (SRO) to the timescales as set out.
- 10.1.2 The Cabinet Member for Highways, Infrastructure and Transport introduced the report to Cabinet:
- In December 2016, the Council agreed a motion which stated '...Council recognises the vital importance of improving our transport infrastructure and that this will help to deliver the new jobs and economic growth that is needed in the years ahead.' The motion also stated that the 'Council also recognises the importance of giving a clear message of its infrastructure priorities to the government and its agencies, and so ensure that there is universal recognition of their importance to the people of Norfolk.'
 - The Long Stratton Bypass was included as one of three priority infrastructure schemes and is in the Norfolk Infrastructure Delivery Plan 2017-2027.
 - In December 2020, after the project was confirmed as a regional priority by Transport East, an Outline Business Case was submitted to the Department for Transport (DfT) for consideration and in July 2021 the DfT approved this, awarding funding of £26.2m to deliver the project subject to Full Business Case approval. Since then, several factors have impacted on the project, in particular timescales for delivery and the budget provision, which include ongoing national and worldwide impacts such as the pandemic and the war in Ukraine, which has affected world markets and caused inflation, notably within the construction sector. National announcements related to 'nutrient neutrality' have impacted on the project's delivery timescales.
 - The proposals set out in the report are built upon the learning and experience gained from other major projects, taking into consideration the reduced scale and complexity associated with the Long Stratton Bypass. The report also sets out the details relating to the highways Side Road Orders processes and how land acquisition will be dealt with.
 - Cllr Alison Thomas was present at the meeting, who had raised the opportunity about installing quiet lanes. The Long Stratton Bypass would bring about notable opportunities for walking and cycling; there were two overbridges planned, one for walking and cycling and one with this provision included. Connections were being made to ensure public rights of way could continue to be used. The provision of quiet lanes was not included in the project, but the Cabinet Member for Highways, Infrastructure and Transport was pleased to continue discussion with the Local Member about the project.
 - The Cabinet Member for Highways, Infrastructure and Transport moved the recommendations as set out in the report.
- 10.2 The Cabinet Member for Finance noted the financial implications set out at paragraph 6 of the report. Paragraph 6.2 noted that the budget position for Norfolk County Council was neutral as 70% of the estimated cost would be covered by the Department for Transport, with a balance of £11.23m split between Community Infrastructure Levy funding via the Greater Norwich Growth Board (GNGB) and Developer contributions underwritten by South Norfolk Council. An additional £8.8m was now looking to be funded; it was inferred in the report that

this would in part be funded from the GNGB, and the Cabinet Member for Finance would work with the Cabinet Member for Highways, Infrastructure and Transport and the Executive Director for Community and Environmental Services to ensure the balance could be found with minimal recourse to the Council's capital borrowing.

- 10.3 The Cabinet Member for Children's Services supported the report, noting the amount of time that this project had been planned to be provided.
- 10.4 The Vice-Chairman noted that traffic currently causing tailbacks in Long Stratton would be reduced by building the bypass.
- 10.5 The Chairman noted that this was one of the three priority schemes in Norfolk, with wide recognition that it was needed to facilitate growth and reliability of the major road network. The project objectives were set out on page 99 of the report, and the impact on net zero was shown on pages 101-102 of the report. There would be a positive impact on carbon in the area from this project by removing slow moving vehicles and reducing carbon emissions in the town. The project was predicted to result in a drop in carbon emissions of "109,000 tonnes of carbon over the 60-year appraisal period".
- 10.6 Cabinet **RESOLVED** to:
1. Take account of the details presented in this report and approve the continued delivery of the LSB (Long Stratton Bypass) project.
 2. Delegate to the Executive Director of Community and Environmental Services, in consultation with the Cabinet Member for Highways, Infrastructure & Transport, the authority to approve the details of the award criteria associated with the procurement of the preferred Contractor.
 3. To approve the contracting strategy outlined in this report noting that a further report will be presented to Cabinet prior to the award of the contract.
 4. To approve the strategy for delivery of the detailed design of the LSB project.
 5. To agree the proposed approach to social value.
 6. To authorise the making of a SRO under sections 14 and 125 of and in accordance with Schedule 1 of the Highways Act 1980 to enable the improvement and stopping up of existing highways, to construct new highways and to stop up and provide replacement private means of access where necessary for the construction of the LSB.
 7. To delegate authority to the Executive Director of Community and Environmental Services to:
 - a. Determine the form and contents of the Schedules to the SRO and the associated plans which identify the highway to be improved, stopped up and constructed and the private accesses to be stopped up and where necessary replaced with a new access
 - b. Determine the form and contents of the statement of reasons accompanying the SRO (Side Roads Order) and to finalise the same.
 - c. Take all necessary steps to secure the making, submission for confirmation to the DfT and implementation of the SRO including (but not limited to) the publication and service of all statutory notices on relevant parties, the investigation of and response to objections (including the negotiation and completion of any necessary agreement and undertakings in order to secure removal of the

- objections to the SRO), and the presentation of the Council's case at any public inquiry or via written representations
- d. Take all appropriate actions for making amendments, modifications and deletions to the SRO and plans including updates and corrections to the draft as necessary to finalise and secure the confirmation of the SRO.
8. To authorise the Executive Director of Community and Environmental Services to take all appropriate actions necessary for the purpose of negotiating the terms and conditions for the acquisition by agreement of the land and new rights over land (permanent and temporary) which are needed to allow the construction, operation and ongoing maintenance of the LSB.
9. To authorise the Executive Director of Communities and Environmental Services to use the Council's powers under Section 203 of the Housing and Planning Act 2016 to override the existing rights and covenants on land that would be infringed by or impede the construction, operation or maintenance of the LSB.

10.7 Evidence and Reasons for Decision

The August 2020 Cabinet report set out the evidence and reasons for the project as contained within the Outline Business Case. These have not changed since that time.

10.8 Alternative Options

The August 2020 Cabinet report outlined the requirement for the bypass and that without it there would be a resultant failure in delivering the scale of housing and employment growth as set out in the JCS, and tested and adopted as part of the LSAAP, as well as not delivering the highway improvement and relief to Long Stratton Town.

11. Finance Monitoring Report 2022-23 P4: July 2022

- 11.1.1 Cabinet received the report giving a summary of the forecast financial position for the 2022-23 Revenue and Capital Budgets, General Balances, and the Council's Reserves at 31 March 2023, together with related financial information.
- 11.1.2 The Cabinet Member for Finance introduced the report to Cabinet:
- Last month, it was reported that service pressures continued due to the pandemic resulting in continued demand led pressures and increased costs generally, partly in Children's Services transport and placements.
 - Pressures were not specially identified in this period and the forecast revenue outturn for 2022-23 was a £3.888m overspend.
 - Children's Services and Adult Social Services were indicating a number of key inflationary pressures including wage pressures, and fuel costs, which would ensure that 2022-23 would be challenging. These pressures were not solely under the control of or able to be solved by Norfolk County Council but would require a collaborative effort by Local Authorities, the public and private sector to achieve a joined-up approach to service delivery.
 - The Cabinet Member for Finance was pleased to note Adult Social Services were working with the Integrated Care System and Children's

Services working on safety valve project with the Department for Education to achieve a sustainable solution to funding the high needs block.

- Recommendation 1 related to an additional £9.158m Disabled Facilities Grant funding received from the Department of Health and £86.764m grant funding from the Department of Transport for various capital projects including £14.6m for the 3rd River crossing
- Rising infrastructure costs meant the overall project budget to deliver the Yarmouth Operations and Maintenance Campus had increased £3.4m to £21.4m. Norfolk County Council would underwrite this cost initially, and it had been agreed that £2.4m would be provided from future business rates income, with the balance of £1m being shared 50/50 between the County and Yarmouth Borough Council.
- The Cabinet Member for Finance moved the recommendations as set out in the report

- 11.2 The Vice-Chairman noted the MMO wanting a different waste management system had given an unforeseen additional cost to the Great Yarmouth Operations and Maintenance Campus. Funding identified from the enterprise zone was from business rates raised in Great Yarmouth Borough and the County Council was working with the Borough Council to see how this could be transferred across. The benefits would outweigh the costs which would be seen over the next 30 years as the offshore industry built up.
- 11.3 The Cabinet Member for Children's Services noted the issues related to Children's Services discussed on pages 183-84. The service was monitoring how these issues progressed through the year. Continuing pressures from court system delays which built up during the pandemic had not yet been resolved, impacting on the budget and children who were not able to move into new places as quickly as hoped. The transformation programme was performing well, making improvements, identifying savings and seeing better outcomes for children.
- 11.4 The Cabinet Member for Adult Social Care, Public Health and Prevention noted the outlook at the end of the period for Adult Social Services was a prediction to break even. The report discussed that 70% of the Adult Social Care budget was spent with independent providers, therefore it was right to state the financial risk placed on providers due to the current economic conditions. Continued economic uncertainty may have a continued risk on providers and partners.
- 11.5 The Chairman noted that the Executive Director of Finance and Commercial Services was forecasting a balanced budget. Page 186, paragraph 2.23 of the report spoke about the pay settlement, which was not yet finalised, and the report recognised that this would be a pressure. Page 190 of the report referenced the household support fund which would run until mid-October 2022. Additional funding was planned to be allocated from this time onwards and planning was underway to develop the scheme to help people in the current difficult financial situation.
- 11.6 Cabinet **RESOLVED:**
1.To recommend to County Council the addition of **£95.952m** to the capital programme to address capital funding requirements funded from various

external sources as set out in detail in capital Appendix 3, paragraph 4.1 of the report as follows:

- Disabled Facilities Grant funding received from the Department of Health £9.158m
 - £86.764m grant funding from the Department of Transport for various capital projects include £14.6m for the 3rd River crossing
2. To note the key member decision and to recommend to County Council the addition of £3.4m to the capital programme to fund the additional costs for the Great Yarmouth Operations and Maintenance Campus as outlined in paragraph 4.3 of the report and that the County Council's contribution towards this is £0.5m.
 3. Subject to County Council approval of recommendation 1 and 2 to delegate:
 - 3.1) To the Director of Procurement authority to undertake the necessary procurement processes including the determination of the minimum standards and selection criteria (if any) and the award criteria; to shortlist bidders; to make provisional award decisions (in consultation with the Chief Officer responsible for each scheme); to award contracts; to negotiate where the procurement procedure so permits; and to terminate award procedures if necessary;
 - 3.2) To the Director of Property authority (notwithstanding the limits set out at 5.13.6 and 5.13.7 of Financial Regulations) to negotiate or tender for or otherwise acquire the required land to deliver the schemes (including temporary land required for delivery of the works) and to dispose of land so acquired that is no longer required upon completion of the scheme;
 - 3.3) To each responsible chief officer authority to:
 - (in the case of two-stage design and build contracts) agree the price for the works upon completion of the design stage and direct that the works proceed; or alternatively direct that the works be recompeted
 - approve purchase orders, employer's instructions, compensation events or other contractual instructions necessary to effect changes in contracts that are necessitated by discoveries, unexpected ground conditions, planning conditions, requirements arising from detailed design or minor changes in scope
 - subject always to the forecast cost including works, land, fees and disbursements remaining within the agreed scheme or programme budget.
 - That the officers exercising the delegated authorities set out above shall do so in accordance with the council's Policy Framework, with the approach to Social Value in Procurement endorsed by Cabinet at its meeting of 6 July 2020, and with the approach set out in the paper entitled "Sourcing strategy for council services" approved by Policy & Resources Committee at its meeting of 16 July 2018.
 4. To recognise the period 4 general fund revenue forecast of a £3.888m overspend (0.86% of net budget), noting also that Executive Directors will take measures to reduce or eliminate potential over-spends where these occur within services;
 5. To recognise the period 4 forecast of 97% savings delivery in 2022-23, noting also that Executive Directors will continue to take measures to mitigate potential savings shortfalls through alternative savings or underspends;

6. To note the forecast General Balances at 31 March 2023 of **£23.840m**, assuming the Council will mitigate the overspends reported in P4.
7. To note the expenditure and funding of the revised current and future 2021-26 capital programmes.
8. To approve the appointment of Tom Thornley as an Independent (Non-Executive) Director of Independence Matters CIC.

11.7 Evidence and Reasons for Decision

Three appendices are attached to this report giving details of the forecast revenue and capital financial outturn positions:

Appendix 1 of the report summarises the revenue outturn position, including:

- Forecast over and under spends
- Changes to the approved budget
- Reserves
- Savings
-

Appendix 2 of the report summarises the key working capital position, including:

- Treasury management
- Payment performance and debt recovery.
-

Appendix 3 of the report summarises the capital outturn position, and includes:

- Current and future capital programmes
- Capital programme funding
- Income from property sales and other capital receipts.

Additional capital funds will enable services to invest in assets and infrastructure as described in Appendix 3 section 4 of the report.

11.8 Alternative Options

To deliver a balanced budget, no viable alternative options have been identified to the recommendations in this report. In terms of financing the proposed capital expenditure, no further grant or revenue funding has been identified to fund the expenditure, apart from the funding noted in Appendix 3 of the report.

12 Notifications of Exemptions Under Contract Standing Orders

- 12.1.1 Cabinet received the report setting out exemptions to standing orders granted for the award of contracts valued in excess of £250,000, which are required to be reported to Cabinet.
- 12.1.2 The Cabinet Member for Finance introduced the report to Cabinet:
 - The exemption detailed in the report related to a contract with Norfolk community foundation to explore funding for small and medium organisations to deliver prevention and mental wellbeing interventions in the community.
 - The Cabinet Member for Finance moved the recommendations as set out in the report.

- 12.2 Cabinet **RESOLVED** as required by paragraph 10.b of Contract Standing Orders, to note the exemptions over £250,000 that have been granted under paragraph 10.a.ii of those orders by the Director of Procurement and Director of Governance in consultation with the Leader of the Council.
- 13. Reports of the Cabinet Member and Officer Delegated Decisions made since the last Cabinet meeting**
- 13.1 Cabinet **RESOLVED** to **note** the Delegated Decisions made since the last Cabinet meeting

The meeting ended at 11:02

Chairman of Cabinet

Cabinet
5 September 2022
Local Member Questions

Appendix A

	Local Member Issues/Questions
7.1	<p>Question from Cllr Alexandra Kemp Is NCC is about to repeat its historic mistake of signing a major contract that leaves Council open to financial risk? Cabinet's delegated decision of 22 August approved the purchase of the old Argos shop for a replacement Library in King's Lynn before due diligence is complete. The report says "vendor is in administration and being managed by receivers who do not know the property well. They have been unable to answer many of the standard legal enquiries and this creates additional risk for NCC". NCC could purchase property, in an area of abnormal ground conditions, that is not fit for purpose.</p> <p>Response from the Cabinet Member for Commercial Services and Asset Management Cllr Kemp's question is misleading as it has not provided the full quote, as the report goes on to say</p> <p>"However, given the nature of the property and NCC's proposed redevelopment and use, this is not considered to create a material risk."</p> <p>NCC are seeking to retain the building's sub and super structure, demolishing the exterior façade and therefore will not be undertaking ground works.</p> <p>CPSEs are a standard legal document, best used for new occupiers of an existing occupied building and therefore a risk-based approach is taken, when there are fundamental refurbishment works to be undertaken.</p> <p>The new library will provide a fantastic facility for Kings Lynn residents, delivering a number of social and environmental benefits; as well as providing a modern library and adult learning facility within the heart of the town.</p> <p>Second Question from Cllr Alexandra Kemp Council's Strategic Priorities include HEALTHY, FULFILLING AND INDEPENDENT LIVES and • STRONG, ENGAGED AND INCLUSIVE COMMUNITIES. My visits to the Clenchwarton, West Lynn, South Lynn and West Winch stops, show the Mobile Library Service is a community lifeline, especially for families, and older and disabled residents who cannot drive or use tablets – there are Large Print Books, Talking Books for the Visually Impaired, Assistive Technology, Warm and Well Packs, Blue Badges forms, leaflets about Health Checks. The Librarian looks out for vulnerable residents and can be the only person they see all week. Can Cabinet withdraw its planned £200,000 cut to the £422,000 service budget and expand the service's remit?</p> <p>Response from the Cabinet Member for Communities and Partnerships A public consultation on the mobile library service is underway. We will be carefully reviewing the feedback from the consultation to help us to develop a proposed way forward for the service. It would be premature of me to comment any further as the public consultation has not closed yet.</p> <p>If you have not done so already, I would encourage you to submit your views as part of the consultation so that they can be taken into account.</p>

7.2

Question from Cllr Paul Neale

The internal auditors 2021/22 report highlighted several suspected frauds and three cases of unauthorized access to databases by council staff. These data breaches resulted in one resignation after investigation, another resignation before undergoing investigation and a third resulting in sanctions. Random sampling is usually done in auditing, then when concerns come to light, they drill down further on those particular issues which means that only a percentage of possible wrongs come to light. Could the cabinet member confirm that only random sampling has taken place and if so, what is planned to widen the scope of auditors to reassure us that there are not others in the closet missed.

Response from the Cabinet Member for Finance

We cannot comment on individual cases. Where relevant some Council employees are allowed access to third party databases under strict rules to protect the information from misuse or inappropriate access. Full training is provided on the rules, what is expected of those that use the system and what the consequences of any breaches can be. Those systems often have security features that flag when inappropriate access has been attempted or taken place. Two types of check are performed by the third party, one automatic the other random, which we consider is sufficient. The automatic check covers the employee, their family or close links. The other check is a frequent direct (real-time) random request to a system user to ask for details and justification for accessing that record. The access justification is then passed to a manager to review and then compared to a report from the third party. The Council is notified of any incidents and we investigate them fully, as per our internal disciplinary procedures. Once the investigation is complete a decision is made whether further steps are appropriate and the outcome is reported back to the third party. The third party may apply a sanction themselves such as suspending access temporarily or permanently for a particular user. It is worth noting that the reported cases did not relate to fraud concerns.

Second Question from Cllr Paul Neale

Commenting on the sale of Norwich Airport Industrial Estate, Cllr Peck stated that the sale would help “deliver a sustainable future for existing and new businesses.” Considering that we are in a climate emergency, with wildfires at the fringe of the airport estate just a few weeks ago, can Cllr Peck confirm whether the capital receipts from the sale will be ring fenced for investment to decarbonise Norfolk, and not for the carbon-intensive Western Link?

Response from the Cabinet Member for Commercial Services for Asset Management

As Cllr Neale will be aware, Norfolk County Council does not normally ring-fence receipts, rather they fund our overall capital programme.

This funds a number of priorities as set out in the Council's Capital Strategy and fund investment into a number of areas.

Cllr Jamieson, as the Cabinet Member for Finance has set out the priorities for Capital spend in some detail to both Cabinet, Scrutiny, and Full Council – addressing specifically the work NCC is doing around the environment.

7.3

Question from Cllr Brenda Jones

How many care homes closures in Norfolk is the council planning for over the winter period and what emergency arrangements are in place to ensure any displaced residents are kept safe?

Response from the Cabinet Member for Adult Social Services, Public Health and Prevention

Thank you for your question.

As you are aware Care Homes are independently owned and run businesses, they are not run by Norfolk County Council. However, the Council does monitor risks across the sector and works collaboratively with providers where viability concerns are raised. The monitoring of risk within the Residential and Nursing Care market is supported by a Provider Risk dashboard, which takes into account key information to help understand the challenges providers are facing. This information is then reviewed by a multi-disciplinary group of officers, from across Commissioning, Procurement, Market Development and the Integrated Quality Service.

The current challenges around occupancy, workforce and costs are increasing the business risks for care providers. We are aiming to support the private providers by to commission care home energy assessors to help identify any opportunities to reduce energy usage. To help mitigate financial risks, the Council undertakes an annual review of price uplifts each year and for older people residential and nursing conducted a cost of care exercise, which helped set the fee rates in April this year. Quality of provision is another key factor and the Integrated Quality Service works with providers to help support and sustain care quality improvement. Where planned closures are notified to the council we try and work closely with providers, individuals and their families to identify alternative care and support people with moves. Normally, there is a reasonable notice period ahead of any closure and people will be able to make a considered choice. Occasionally there are emergency arrangements required where care cannot be delivered safely, and additional staff or temporary management support may be put in place to manage the transition to alternative care provision.

Second Question from Cllr Brenda Jones

Non residential care services are experiencing a sharp rise in fuel costs on top of staffing vacancy pressures and rising levels of need. What steps are the council providing to protect people from care breakdown, support care services, oversee the risks of rising costs, and provide political oversight so that all members can be kept informed?

Response from the Cabinet Member for Adult Social Services, Public Health and Prevention

Thank you for your question.

As you will know because it has been discussed in Full Council, the Council responded to the immediate fuel cost rises experienced in early spring with any further increase in the home care hourly rates, on top of the planned annual uplift. As with all councils, we have been undertaking a fair cost of care exercise with the domiciliary care market, which will be reported to members within the Council's market sustainability plan and as part of the preparations towards social care reform.

	<p>NCC is working closely with the Integrated Care Board (ICB) to explore options to help increase care capacity. Over the last year Norfolk First Response reablement service has helped provide continuity of care, where care has ceased and alternative provision has not been readily available. Clearly this has reduced capacity for reablement and additional actions are being put in place this winter to strengthen this service. Brokerage sourcing and commissioning teams are regularly in contact with providers discussing capacity and risks, these are reported to internal capacity updates and director oversight meetings. You will also know that we already regularly report provider risks to Members as part of the Performance Review Panel and People and Communities Select Committee.</p>
7.4	<p>Question from Cllr Chrissie Rumsby Who has been contracted to supply grab and go bags available from libraries and what are their profit margins on the packs?</p> <p>Response from the Cabinet Member for Communities and Partnerships There is no contract. Libraries staff have worked hard to source supplies direct from wholesalers and put bags together on site to ensure we can get the best value possible.</p>
7.5	<p>Question from Cllr Julie Brociek-Coulton A response to a cabinet question about the state of verges, flower beds and roundabouts in the city referred only to verges and money to the city council for work in the inner areas of the city. Will he now explain why roundabouts, flower beds, and verges outside the central areas of Norwich are being so badly neglected?</p> <p>Response from the Cabinet Member for Highways, Infrastructure and Transport Countywide, highway verges are the responsibility of the County Council.</p> <p>Planting schemes within verges such as flower beds usually are the responsibility of the local Borough, District or City Council.</p> <p>Grass cutting on all urban highway verges and roundabouts is the responsibility of the County Council and if there are specific issues to highlight at certain locations, please can you make your local highways team aware. In these areas, there is always a balance to achieve between highway safety and environmental benefits</p>
7.6	<p>Question from Cllr Emma Corlett Small businesses, arts and charitable organisations are facing uncapped fuel price increases that may drive them under. What support should the government provide to help them and what can the council do to help?</p> <p>Response from the Cabinet Member for Growing the Economy Businesses have lobbied hard for support with their energy bills, and both candidates for prime minister are considering the measures they will announce, if successful. The support the Council can provide is, in conjunction with partners such as the LEP, to signpost organisations to any support that the government introduces, through our websites and Growth Hub business advisers.</p>

7.7	<p>Question from Cllr Terry Jermy In the last two years heating oil has trebled in price. Many Norfolk residents particularly in rural areas rely on oil for heating. What steps is the council taking to ensure they are not overlooked when support is considered for those experiencing huge increases in gas and electricity prices?</p> <p>Response from the Cabinet Member for Growing the Economy The County Council has developed a comprehensive hardship offer, making full use of the Household Support Grant provided by central government, as well as allocating additional funding locally. The Norfolk Assistance Scheme is able to provide help with energy costs and we have worked proactively with partners in the public and voluntary sector to identify need and target support</p> <p>I appreciate that many residents, particularly in rural areas, rely on heating oil as their main heating source, and I am aware that there have been significant increases in heating oil prices, as there has been with electricity and gas prices. We remain committed to supporting those who face financial hardship through our Norfolk Assistance Scheme and we continue to work with colleagues in the voluntary and community sector to enable people to access the various support and guidance available.</p>
7.8	<p>Question from Cllr Steffan Aquarone Please answer this question from last month with the information that you were asked to provide - Can you tell us of your analysis of by how much social isolation will be increased by a substantial reduction in mobile library routes and how much in additional costs this is likely to cost Adult Social Care?</p> <p>Response from the Cabinet Member for Communities and Partnerships A public consultation on the mobile library service is underway. We will be carefully reviewing the feedback from the consultation to help us to develop a proposed way forward for the service. It would be premature of me to comment any further as the public consultation is not yet finished.</p> <p>To repeat what I said to you last month, Norfolk Library Service is committed to reducing social isolation in the county and has been a national leader in developing offers like “just a cuppa” within branch libraries.</p>
7.9	<p>Question from Cllr Rob Colwell Please answer this question from last month with the information that you were asked to provide - If the energy costs reach the anticipated levels that are predicted in the national press with the average bill cost potentially hitting £5,300 in April how many people are you anticipating will be pushed into poverty and severe poverty in Norfolk as a result of these increases?</p> <p>Response from the Leader and Cabinet Member for Governance and Strategy Thank you for your question. I would reiterate my response from the last cabinet meeting that NCC are working hard to support residents who face the possibility of</p>

	<p>not being able to pay their food and energy bills, especially with winter on the horizon. I would also emphasise that NCC is working on developing further measures to help support those who need assistance with cost of living to avoid people falling into poverty and severe poverty and will do all we can in conjunction with help given so far from government and hopefully more to come in the future.</p> <p>NCC has and continues to develop a comprehensive hardship offer, making full use of the Household Support Grant provided by central government, as well as allocating additional funding locally. The Norfolk Assistance Scheme is able to provide help with energy costs and we have worked proactively with partners public and voluntary sector to identify need and target support</p>
7.10	<p>Question from Cllr Lucy Shires</p> <p>We are hearing howls of complaints from officers about how poor myOracle is functioning with staff not being paid the right amount or even not being paid at all. Please confirm exactly how much it has cost the council to implement the myOracle system so far and what further payments there will be to right all the problems?</p> <p>Response from the Cabinet Member for Innovation, Transformation and Performance</p> <p>The MyOracle programme is a major transformation that not only looks to replace our HR/Payroll, Finance, Budgeting and Procurement software but will also introduce significant new ways of working including Employee, Manager and Customer self service. Over the period of the long term contract efficiencies and savings will be achieved with these new ways of working. There have been challenges with some elements of the implementation and the teams responsible for these services have worked incredibly hard together to resolve matters as quickly as they could. Progress has continued to be made in improving these services and reducing issues on a month by month basis and steps continue to be made to improve the use of the technology across the organisation. We are clearly sorry for the impact that this has had to those who have suffered difficulties during this time and want to make it clear we are committed to continually improve how we operate the system.</p> <p>This programme has been a large investment for the organisation which will deliver significant improvements to service over the coming years. The overall programme had a budget of £19.5m which includes ongoing support and development through to the financial year 2024/25. At this point in time £17m has been spent on the system and its implementation.</p> <p>Second Question from Cllr Lucy Shires</p> <p>I would welcome your support for using the Libraries as warm hubs during this winter and would encourage you to make sure that this is a key part of the council's new cost of living scheme?</p> <p>Response from the Cabinet Member for Communities and Partnerships</p> <p>I agree that Libraries can offer a warm place for people to meet, learn, read, get support and many other things; the service will continue to be 'Warm and Welcome'. We have already extended the opening hours for libraries by putting in place Open Library technology that enables library users to access the building for longer periods of time, including evenings, weekends and when not staffed.</p>

	<p>We of course welcome any residents into libraries during the colder winter period. As well as offering warm spaces, we are extending our provision of hot drinks and provide bags of essential items 'To Go'. There are also many opportunities to use the library facilities, learn and get involved in community activities whilst there. I would encourage residents to sign up for Open Library access (anyone over the age of 16 can sign up and families can come in together).</p>
7.11	<p>Question from Cllr Tim Adams Can the portfolio holder for finance inform me of the Conservative's plan to lower the level of debt that Norfolk County Council has to an acceptable amount?</p> <p>Response from the Cabinet Member for Finance I do not accept the premise of the question that the County Council's level of debt is unsustainable. The level of debt will continue to be reviewed as part of the budget setting process to ensure that there is investment in the council's services and the servicing of the debt remains affordable.</p>
7.12	<p>Question from Cllr Brian Watkins Is the provision in the budget for the council's energy costs and the pay award for its staff sufficient as both are expected to be higher than originally budgeted for due to the country's financial crisis?</p> <p>Response from the Cabinet Member for Finance Some inflationary pressures are currently higher than those provided for in the 2022-23 budget. These will be managed in the first instance by savings or one-off use of departmental reserves in 2022-23. The additional inflationary pressures will be reflected in the 2023-24 budget as part of the Medium-Term Financial Strategy.</p>
7.13	<p>Question from Cllr Sharon Blundell It is starting to look as if the council's improvement in performance in getting education, health and care plans completed within statutory timescales has now stalled. Whilst the council's performance is now closer to the national average it will need at least another 30% of improvement to meet its 90% target. Do you consider that a further increase in resources is needed for the council to meet this stated target?</p> <p>Response from the Cabinet Member for Children's Services We continue to work hard to improve our EHCP processes to increase performance, particularly in light of a rising level of demand. An additional 5 EHC Coordinators have been secured for the next year.</p>
7.14	<p>Question from Cllr Ben Price At a recent councillor briefing, councillors were informed that Norfolk was likely to run out of water between 2030 and 2040. Supply would be met through demand reduction (25%), piping in water from elsewhere, new reservoirs, and energy-intensive desalination plants. Anglian Water is currently losing 180 million litres of water a day due to poorly maintained infrastructure. Last year, its Chief Executive earned £1.3 million, and paid out £93 to its shareholders. Does the Cabinet Member agree that privatisation of water has failed, that it is putting water sustainability in Norfolk at risk, and that the solution is for the government to renationalise this precious commodity and natural monopoly?</p>

	<p>Response from the Cabinet Member for Environment and Waste Anglian Water is required by Government to publish its water management plans on a five-year cycle. With regulatory oversight provided by Ofwat, Anglian Water's proposed strategy outlines plans which aim to ensure water security for homes and businesses until 2050. This strategy recognises known risks and offers a range of costed measures to ensure we know the means by which water security is maintained. This is an open and transparent process involving consultation with all interested stakeholders.</p> <p>Second Question from Cllr Ben Price The UK's average land temperatures have risen by around 1.2C from pre-industrial levels, UK sea levels have risen by 16cm since 1900 and episodes of extreme heat are becoming more frequent. Only this summer we have seen temperatures exceed 40 degrees. Norfolk residents need to see NCC taking their public safety responsibilities seriously. Will the cabinet member agree to set up a working group with partners to develop a Hot Weather Plan for Norfolk?</p> <p>Response from the Cabinet Member for Environment and Waste The County Council's response to the hot weather is being addressed through those NCC Services directly involved with this work, including Norfolk Fire & Rescue Service, and also through the work of the Norfolk Resilience Forum.</p> <p>Our broader actions in terms of climate change have been recently reported to Cabinet and are also being addressed through the development of a Norfolk Climate Action Plan which the County Council will be developing in partnership with all the members of the Norfolk Climate Change Partnership (NCCP).</p>
7.15	<p>Question from Cllr Jamie Osborn Since the Conservatives took power in 2010, energy bills are up nearly 200%, council tax is up 31% and food prices are up 36%. Meanwhile, local government pay is down 27.5%.</p> <p>Rocketing inflation of up to 18% is only going to make this worse. Norfolk County Branch of Unison is campaigning against the local government pay offer for this year as it would yet again be a real-terms pay cut for frontline workers.</p> <p>Does the county council accept that another real terms pay cut for essential workers is unacceptable?</p> <p>Response from the Leader and Cabinet Member for Strategy and Governance The pay and terms and conditions of local government services' staff is determined by the National Joint Council (NJC) for Local Government Services.</p> <p>For 2022-23 the National Employers have made a one year offer of £1,925 increase on all NJC pay points which is currently being considered by the trade unions and their members.</p> <p>A balance has to be found between increasing pay and the ability of local government to accommodate the additional cost when balancing the budget and the impact on council taxpayers. If there is insufficient funding available to meet a pay increase, this is likely to come at a cost of jobs or service provision.</p>

Second Question from Cllr Jamie Osborn

Businesses from corner shops and chippies to manufacturers are warning they may have to close due to energy bills tripling, including in my division.

The Conservatives are failing small businesses. What action are you taking to help businesses, especially SMEs, reduce their energy bills? For example, I have previously called for a retrofit taskforce to help cut bills through insulation (the fastest way of cutting bills) and installing renewable energy.

Response from the Cabinet Member for Growing the Economy

We are working with the networks who support businesses, such as the Chamber, Federation of Small Businesses and New Anglia Local Enterprise Partnership, to look at solutions, including within the supply chain. As mentioned earlier, we, and our partners, will signpost organisations to any support that the government introduces, through our websites and Growth Hub business advisers.

Longer term, as part of the Council's Green Skills approach, we are exploring a strategic partnership with The Retrofit Academy (TRA). In partnership with ourselves, TRA will draw together and manage the Norfolk Retrofit Training Consortium. The consortium will include employers, contractors and training providers, and will deliver a training development plan, to meet the demand for retrofit interventions.

More broadly, we are supporting the development of renewable energy, through our partnership with Great Yarmouth Borough Council, to build the Operations & Maintenance campus for the offshore wind sector, at Great Yarmouth.