

# Cabinet

Date: **Monday 5 December 2022**

Time: **10 am**

Venue: **Council Chamber, County Hall, Martineau Lane,  
Norwich NR1 2DH**

## Membership

<b>Cabinet Member:</b>	<b>Responsibility:</b>
Cllr Andrew Proctor	Chair. Leader and Cabinet Member for Strategy & Governance.
Cllr Graham Plant	Vice-Chair. Deputy Leader and Cabinet Member for Growing the Economy.
Cllr Bill Borrett	Cabinet Member for Adult Social Care, Public Health & Prevention
Cllr Margaret Dewsbury	Cabinet Member for Communities & Partnerships
Cllr John Fisher	Cabinet Member for Children's Services
Cllr Tom FitzPatrick	Cabinet Member for Innovation, Transformation & Performance
Cllr Andrew Jamieson	Cabinet Member for Finance
Cllr Greg Peck	Cabinet Member for Commercial Services & Asset Management
Cllr Eric Vardy	Cabinet Member for Environment & Waste
Cllr Martin Wilby	Cabinet Member for Highways, Infrastructure & Transport

## Advice for members of the public:

This meeting will be held in public and in person.

It will be live streamed on YouTube and, members of the public may watch remotely by clicking on the following link: [Norfolk County Council YouTube](#)

However, if you wish to attend in person it would be helpful if, you could indicate in advance that it is your intention to do so as public seating will be limited. This can be done by emailing [committees@norfolk.gov.uk](mailto:committees@norfolk.gov.uk).

The Government has removed all COVID 19 restrictions and moved towards living with COVID-19, just as we live with other respiratory infections. However, to ensure that the meeting is safe we are asking everyone attending to practice good public health and safety

behaviours (practising good hand and respiratory hygiene, including wearing face coverings in busy areas at times of high prevalence) and to stay at home when they need to (if they have tested positive for COVID 19; if they have symptoms of a respiratory infection; if they are a close contact of a positive COVID 19 case). This will help make the event safe for all those attending and limit the transmission of respiratory infections including COVID-19.

## A g e n d a

### 1 To receive any apologies.

### 2 Minutes

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To confirm the minutes from the Cabinet Meeting held on Monday 7 November 2022

### 3 Members to Declare any Interests

If you have a **Disclosable Pecuniary Interest** in a matter to be considered at the meeting and that interest is on your Register of Interests you must not speak or vote on the matter.

If you have a **Disclosable Pecuniary Interest** in a matter to be considered at the meeting and that interest is not on your Register of Interests you must declare that interest at the meeting and not speak or vote on the matter

In either case you may remain in the room where the meeting is taking place. If you consider that it would be inappropriate in the circumstances to remain in the room, you may leave the room while the matter is dealt with.

If you do not have a Disclosable Pecuniary Interest you may nevertheless have an **Other Interest** in a matter to be discussed if it affects, to a greater extent than others in your division

- Your wellbeing or financial position, or
- that of your family or close friends
- Any body -
  - Exercising functions of a public nature.
  - Directed to charitable purposes; or
  - One of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union);

Of which you are in a position of general control or management.

If that is the case then you must declare such an interest but can speak and vote on the matter.

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

**5 Updates from the Chairman/Cabinet Members**

**6 Public Question Time**

Fifteen minutes for questions from members of the public of which due notice has been given. Please note that all questions must be received by the Committee Team ([committees@norfolk.gov.uk](mailto:committees@norfolk.gov.uk)) by 5pm on Tuesday 29 November 2022. For guidance on submitting a public question, please follow this link: [Ask a question to a committee - Norfolk County Council](#)

Any public questions received by the deadline and the responses will be published on the website from 9.30am on the day of the meeting and can be viewed by clicking this link once uploaded: [Click here to view public questions and responses](#)

**7 Local Member Issues/Questions**

Fifteen minutes for local member to raise issues of concern of which due notice has been given. Please note that all questions must be received by the Committee Team ([committees@norfolk.gov.uk](mailto:committees@norfolk.gov.uk)) by 5pm on Tuesday 29 November 2022.

- |  |          |
|--|----------|
| <b>8 CES Compliance and Enforcement Policy – Annual Review</b>   | Page 42  |
| Report by the Executive Director of Community and Environmental Services                                     |          |
| <b>9 Better Care Fund 2022/23</b>  | Page 118 |
| Report by the Executive Director of Adult Social Services  |          |
| <b>10 Winter Capacity Planning</b>   | Page 191 |
| Report by the Executive Director of Adult Social Services  |          |
| <b>11 Terms of Reference for Transport for Norwich Advisory Committee</b>                                    | Page 201 |
| Report by the Executive Director of Community and Environmental Services                                     |          |
| <b>12 Mid-Year Treasury Management Monitoring Report 2022-23</b>   | Page 205 |
| Report by the Executive Director of Finance and Commercial Services  |          |
| <b>13 Finance Monitoring Report 2022-23 P7: October 2022</b>   | Page 239 |
| Report by the Executive Director of Finance and Commercial Services  |          |
| <b>14 Reports of the Cabinet Member and Officer Delegated Decisions made since the last Cabinet meeting:</b> |          |
| To note the delegated decisions made since the last Cabinet meeting.   |          |

**Decision by the Cabinet Member for Adult Social Care, Public Health and Prevention**

- [Adult Social Care \(ASC\) Assurance preparation exercise update](#)

**Decision by the Cabinet Member for Commercial Services and Asset Management:**

- [Great Yarmouth Third River Crossing – Land acquisition from Great Yarmouth Borough Council](#)

**Decision by the Executive Director of Community and Environmental Services**

- [Residual Waste Services – Contract Variation](#)

Tom McCabe

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## **Cabinet**

### **Minutes of the Meeting held on Monday 7 November 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 and Public Health
Cllr Margaret Dewsbury	Cabinet Member for Communities and Partnerships
Cllr Daniel Elmer	Deputy Cabinet Member for Children's Services
Cllr Tom FitzPatrick	Cabinet Member for Innovation, Transformation & Performance
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
Helen Edwards	Monitoring Officer and Director of Governance
Simon George	Executive Director of Finance & Commercial Services
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 Chair of Norfolk Safeguarding Adult Board, Heather Roach, was also present at the meeting.

**1 Apologies for Absence**

- 1.1 Apologies were received from the Cabinet Member for Children's Services (the Deputy Cabinet Member for Children's Services was substituting).

**2 Minutes from the meeting held on Monday 3 October 2022.**

- 2.1 Cabinet agreed the minutes of the meeting held on Monday 3 October 2022 as an accurate record.

**3 Declaration of Interests**

- 3.1 The Cabinet Member for Highways, Infrastructure and Transport declared an interest related to item 14 "Disposal, acquisition and exploitation of property"; he would not vote on this item.

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

4.1 There were no matters referred to Cabinet.

## **5 Update from the Chairman/Cabinet Members**

5.1 The Cabinet Member for Commercial Services and Asset Management gave an update to Cabinet:

- The path in commercial activity and asset disposal was not straightforward. Changes to the market, sales taking place across different financial years and delays in transactions could occur.
- The Cabinet Member for Commercial Services and Asset Management was pleased to confirm that Norfolk County Council had exceeded its target of £8.1m in capital receipts. £22.3m capital receipts had been achieved in this financial year, including £5m sold subject to contract, trebling the target on this ambitious programme.
- This showed the intent of the council to make the best use of assets.
- The Cabinet Member for Commercial Services and Asset Management provided an update on Holt Hall, which had been running at a £277k loss and had high maintenance costs. The Council had agreed to sell the site to Gresham School in Holt. This school is an asset to the educational environment and a key part of the local economy, and this would allow the site to be secured with a local organisation.
- There would be a period for the legal transaction to take place and for the school to undertake work on the site and integrated it into their campus.

5.2 The Cabinet Member for Adult Social Care, Public Health and Prevention gave an update on the Warm and Well campaign being launched across Norfolk:

- The Warm and Well campaign was being launched which aimed to ask people in the County prepare for Winter.
- This winter, Norfolk residents were facing challenges from the onset of cold weather, respiratory and winter illnesses including Covid-19 and flu combined with the global economic crisis caused by the war in Ukraine. This would have a major impact on the health of Norfolk residents' health and put services under greater strain.
- Partners of the Integrated Care System were launching a system wide winter prevention campaign to address the challenges of keeping people warm and well over winter and prevent excessive demand on services. The NHS, county council, district councils and health partners had raised money to pay for adverts to raise awareness of the steps residents could take to stay healthy, warm and well, which included:
  - Reminding people of the importance of their flu and Covid-19 vaccines
  - The importance of keeping active and keeping a well-stocked medicine cabinet at home.
  - Taking steps to make homes more energy efficient.
  - Take steps to look after mental health.
- Signposting to support available to those in hardship was part of the campaign, and encouraging people to use the 111 service, community pharmacies, minor injuries units and GP practices to signpost them away from A&E which would be under stress this winter.
- To become a success, the campaign would need support of partners across the county, communities and from people across Norfolk.
- For more information please see paragraph 15b.1 and 15b.2 of these minutes, and appendix C for the visuals.

## **6 Public Question Time**

- 6.1 The list of public questions and the responses is attached to these minutes at Appendix A.
- 6.2 Richard Bearman asked a supplementary question:
- Mr Bearman asked to have sight of the post design safety audit mentioned in the reply to his substantive question. He noted the response to the question from Judith Lubbock, stating that the post review would be conducted by an independent agency, and asked what cycling groups were involved in this agency and whether any Norfolk groups would be invited to take part.
  - The Cabinet Member for Highways, Infrastructure and Transport replied that all schemes carried out in Transport for Norwich and Transforming Cities Fund had extensive consultations which all groups and individuals could put comments forward for. The Cabinet Member for Highways, Infrastructure and Transport would ask what cycling groups would be involved in the audit in the future.

## **7 Local Member Questions/Issues**

- 7.1 The list of Local Member questions and the responses is attached to these minutes at Appendix B.
- 7.2 Cllr Emma Corlett asked a supplementary question:
- Cllr Corlett thanked the deputy cabinet member for the reply to her question. She felt it was shocking that the home office had not undertaken proper age assessments meaning children had arrived in Norfolk having been sent to adult education and was pleased that Norfolk has been able to protect these children. She asked what steps the Cabinet Member or Deputy Cabinet Member had taken to make the argument to government for additional funding, as referred to in the last paragraph of the written answer, to meet the additional needs, and whether they would commit to the continued use of positive language in Norfolk when caring for these children and not use the rhetoric displayed by the Home Secretary.
  - The Deputy Cabinet Member for Children's Services replied that the requirement for increased support for Local Authorities was being made by the County Councils' Network and Local Government Authority which the council fed into regularly. Regarding language, he replied that the council would continue to support Unaccompanied Asylum Seeking Children as they always had done

## **8. Transport East Transport Strategy Endorsement**

- 8.1.1 Cabinet received the report setting out the Transport East Transport Strategy, setting out the challenges and opportunities in the region, Transport East's Vision, the outcomes Transport East are seeking to achieve and the four core priorities the interventions are focussed around.
- 8.1.2 The Cabinet Member for Highways, Infrastructure and Transport introduced the report to Cabinet:
- The sub-national transport body Transport East had prepared a transport

strategy. As a partner the Council had helped develop the strategy.

- Although this was not statutory, this was an important document setting the case for long term strategic transport investment in the East. It aligned with the Council's corporate plan, Better Together for Norfolk and the fourth Local Transport Plan.
- The Plan had already been through Suffolk, Thurrock, Essex and Southend.
- It provided one voice for all of the eastern region and showed how people could work together for the good of the region.
- Paragraph 1.5 of the report showed the 4 core priorities
- The report showed Transport East's support of the West Winch Road, Norwich Western Link and Long Stratton Bypass
- The Cabinet Member for Highways, Infrastructure and Transport moved the recommendations as set out in the report.

8.2 The chairman noted the four core priorities showing that not all aims were based around road building.

8.3 The Cabinet Member for Environment and Waste noted that this was an essential element of the council's work on connectivity in the county and areas surrounding it, allowing to effectively plan employment areas and housing. This plan showed that the council was thinking of the future and he therefore endorsed it.

8.4 The Vice-Chairman represented districts on the Transport East Board, and he noted the importance of having a plan in place for the future. There were 12 goals identified against the Transport East priorities and plans set out to progress them moving forward, detailed in the report.

8.5 The Cabinet Member for Adult Social Care, Public Health and Prevention noted that this plan showed how the county was working with other local authorities to achieve priorities and good relationships. This plan would look at how to decarbonise transport while allowing the county to develop economically.

8.6 The Cabinet Member for Innovation, Transformation and Performance noted the impact of the Norfolk tourism industry on the transport network, with some areas difficult to access on public transport and noted that this report would help manage this.

8.7 The Cabinet Member for Finance welcomed the focus on active travel and step change on the amount of walking and cycling being targeted in the report.

8.8 The Chairman pointed out that while this was a sub-national transport body it was important to note the partnership and collaborative working involved, and the long term approach it would bring to securing investment in transport in the region.

8.9 Cabinet **RESOLVED** to endorse the Transport East Transport Strategy

8.10 **Evidence and Reasons for Decision**

Please see section 4 of the report.

## 8.11 **Alternative Options**

An alternative would be not to support the strategy. This is not a preferred option.

Not endorsing the strategy would weaken Norfolk's relationship with Transport East and the Department for Transport. Transport East is becoming increasingly important as a route to DfT funding including the Major Road Network and Large Local Major funding programmes. A lack of support for the strategy will impact on longer term funding through these routes.

## **9. Norfolk Safeguarding Adults Board – Annual Report 2021-2022**

- 9.1.1 Cabinet received the report summarising the key activities and achievements of the Norfolk Safeguarding Adults Board and the wider partnership's adult safeguarding activity during 2021/21.
- 9.1.2 The Chair of the Norfolk Safeguarding Adults Board introduced the report to Cabinet:
- The Norfolk Safeguarding Adults Board was a statutory board under the Care Act made up of three statutory partners; the Local Authority, Norfolk Constabulary and the Integrated Care Board, however there were 25 members supporting the work. Their role was to ensure safeguarding arrangements across the county were effective.
  - The strategy covered three areas: preventing neglect and abuse, managing the response to this and managing practice.
  - Year on year an increase in safeguarding reports had been seen, mirrored across the country. The main category of reporting was neglect and acts of omission.
  - The number of referrals for potential safeguarding adult reviews had significantly increased with 20 referrals in the last year. Each showed a commitment to learning and transparency and improving practice.
  - There was a focus on self-neglect and hoarding prevention. A new sub-group was in place and a webinar had been held, supported by someone who had been supported with this.
  - Joint events had been held with the children's partnership board around professional curiosity.
  - The video created by the Norfolk Safeguarding Adults Board about "tricky friends" had been shared with 38 other boards and translated into Ukrainian and sign language.
  - One key area for learning was that recommendations turn into action and the board sought reassurance that practice had changed.
  - One of the main safeguarding adult reviews was into Joanna, Jon and Ben at Cawston Park. This review made 13 recommendations, some of which were national and some local. A progress summit was held on the 6 September 2022 and the Board was encouraged by the work which had been undertaken locally and nationally while recognising there was still lots to do.
- 9.1.3 The chairman asked the Chair of Norfolk Safeguarding Adults Board how effective partnership working was. She replied that partnership working was excellent across Norfolk, with partners chairing subgroups and taking on pieces of work to report back on. There was enthusiasm for work to improve and for partners to provide the best service they could.

- 9.1.4 The Cabinet Member for Adult Social Care, Public Health and Prevention provided an introduction to the report:
- The Cabinet Member for Adult Social Care, Public Health and Prevention thanked the Chair of Norfolk Safeguarding Adults Board for her work. He noted that Norfolk County Council hosted and provided resources to the Board however their work was across the whole of the county and organisations including the NHS.
  - 2021-22 had been a challenging year for the Board and he congratulated the team and Chair for the exemplary work they had done and the national interest generated on their work including from the Care Quality Commission and Department of Health.
  - The Cabinet Member for Adult Social Care, Public Health and Prevention moved the recommendations set out in the report

- 9.2 The Cabinet Member for Commercial Services and Asset Management commended the work of the Norfolk Safeguarding Adults Board. As a previous Member representative on the Board he noted the excellent work they carried out, shown in the report.

- 9.3 Cabinet **RESOLVED** to
- a) Note and endorse the contents of the NSAB 2021/22 annual report
  - b) Where possible promote the work of NSAB to partner organisations and stakeholders
  - c) Where possible use media and communications channels to promote the safeguarding messages

#### 9.4 **Evidence and Reasons for Decision**

The publication of an annual report is a statutory requirement upon Safeguarding Adults Boards (14.136 Care Act Guidance 2016).

#### 9.5 **Alternative Options**

The publication of the NSAB annual report is a statutory requirement (14.136 Care Act Guidance 2016). The report has been approved for publication by the NSAB and its Business Group.

### 10. **Annual Review of Norfolk Adoption Service 2021-2022**

- 10.1.1 Cabinet received the report providing an update on the performance of and outcomes achieved by Norfolk's Adoption Service, and a summary of the Adoption Annual Report, encompassing the Statement of Purpose amended by the previous years' data.
- 10.1.2 The Executive Director for Children's Services gave an introduction to this report as well as, item 11 "Statement of Purpose and annual review Norfolk Fostering Service" and item 12 "Annual Review of NCC Residential Children's Homes" to Cabinet:
- The three reports set out at items 10, 11 and 12 of the agenda were reported to Cabinet annually.
  - Adoption services were now part of the Adopt East Alliance. The adoption support service was recognised regionally as being of the highest practice

standard.

- The fostering service had been through a transformation, allowing greater placement flexibility in matching the needs of children to carers.
- There had been a focus on reshaping care provision to respond to the growing complexity of children's emotional and mental health needs and create the greatest possible capacity. The capacity of care provision was insufficient across the country, and this was shown in budget pressures.
- A wide range of provision had been developed in Norfolk with some gaining national recognition. For example, New Roads, expanded fostering services, work with independent fostering agencies, created an enhanced fostering service, a dedicated offer to asylum seeking children, working with Break and the Department for Education to support care leavers and high-quality semi-independent care provision.

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

- Increased demand had been seen this year with an increase in adoption plans, placement plans and adopters.
- There were struggles with some significant court delays for children being placed for adoption.
- Page 259 of the report showed the number of early permanence placements was up and at its highest for the last three years.
- The Deputy Cabinet Member for Children's Services thanked the post adoption and kinship team for their national recognition.
- The data for "time to adopt" was looking more positive compared to last year.

10.2 The Chairman moved the recommendation set out in the report.

10.3 Cabinet **RESOLVED** to accept the Annual Report for the Norfolk Adoption Service for year 2021/22 and endorse the Statement of Purpose for 2022/23

10.4 **Evidence and Reasons for Decision**

N/A

10.5 **Alternative Options**

N/A

**11. Statement of Purpose and annual review Norfolk Fostering Service**

11.1.1 Cabinet received the report setting out the annual review of the Norfolk Fostering service and the Statement of Purpose, outlining the key developments of the service and setting the direction of travel by demonstrating how its aims and objectives would be achieved.

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

- 352 households were providing placements to children, there were 41 family placements and there were 27 parents providing short breaks and respite.
- The new fee structure for foster carers did not come in until the end of the

- reporting period so was not covered in the report.
- Page 314 of the report gave information on the new supporting resilience team who would support foster carers and the children they cared for.
- Page 321 set out that 96% of foster carer reviews were now running to timescale.
- Page 370 detailed recruitment activity being carried out to find new foster carers.

11.2 The Chairman noted page 306 of the report which showed that the statement of purpose would focus on a performance review for 2021-22 and that key points of focus for 2022-23 were shown on page 306-7.

11.3 The Cabinet Member for Innovation, Transformation and Performance noted that paragraph 3.1 of the report showed the key principles behind transformation which would focus on the needs of children.

11.4 The Chairman moved the recommendations as set out in the report.

11.5 Cabinet **RESOLVED** to accept the combined Annual Report and Statement of Purpose 2021/2022 for the Norfolk Fostering Service

#### 11.6 **Evidence and Reasons for Decision**

N/A

#### 11.7 **Alternative Options**

N/A

### 12. **Annual Review of NCC Residential Children's Homes**

12.1.1 Cabinet received the report providing an update on the performance of and outcomes achieved by Norfolk's Residential Children's Homes Service.

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

- Occupancy rates for homes could be deceptive as they seemed low however they reflected the needs of the children placed in them.
- Children missing from care was shown on page 343 of the report. This was not an abnormal number; there was a high bar for what constituted "missing" and most children were back in care in a reasonable time therefore this was not a cause for panic.
- The work of the New Roads team had been positive, especially for the 70 children on the edge of care who had been enabled to stay in their own homes.
- Financial impacts shown in the report compared the average cost of Norfolk residential home placements compared to the higher cost of external placements.

12.2 The Cabinet Member for Finance noted the comment related to cost of placements; external placements were a minimum of £4,300 per week compared to £3,960 per week for the Norfolk Residential Service in 2021-22. The Cabinet

Member for Finance therefore endorsed the service's drive to increase capacity in this area.

12.3 The Chairman also noted this financial benefit and therefore the benefit to increasing capacity in this service. The Chairman thanked The Executive Director for Children's Services and the teams involved in the work detailed in reports 10, 11 and 12 for their hard work.

12.4 The Chairman moved the recommendations as set out in the report.

12.5 Cabinet **RESOLVED** to accept the Annual Report for the Residential Service for year 2021/22 and endorse the Statements of Purpose as found on the Members Portal.

12.6 **Evidence and Reasons for Decision**

Please see section 4 of the report.

12.7 **Alternative Options**

N/A

13. **Finance Monitoring Report 2022-23 P6: September 2022**

13.1.1 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.

13.1.2 The Cabinet Member for Finance introduced the report to Cabinet:

- The period 6 report showed a net overspend of £938k, representing 0.2% of the net budget.
- The previously highlighted demand-led cost pressures in Children's Services continued in social care placements and Special Educational Needs home to school transport with an overspend of £8m before the use of £1m departmental reserves.
- £1.5m inflationary pressures were flagged in Community and Environmental Services, mitigated by savings on interest payable of £600k resulting in securing of long-term public works board loans at low rates last year and high cash balances, delayed the need for borrowing in 2022-23
- The main saving had been a write back of a potential liability of £6.7m minimum revenue provision. Statutory changes to the way Local Authorities were to account for loans to wholly owned LATCos (local authority trading company) were reversed before becoming law, removing the need for this provision.
- Paragraph 2.24 on page 361 showed a potential additional £6,078,000 cost due to the 2022-23 pay award. The national pay award had been agreed with unions since the writing of the report. It had been stressed that where possible, departments would absorb the additional costs associated with this in their own budgets and it was expected that an overspend would not be seen in the December monitoring report.
- Cash balances remained healthy due to a combination of close scrutiny of spending plans, slippage of the capital programme and sale of the

Norwich airport industrial estate. This had helped the council postpone capital financial borrowing for this financial year to date, contributing to the interest payable

- This cash balance with an increase in interest rates in 22-23 had resulted in additional interest receivable of £600,000 mitigating some of the revenue cost pressures mentioned previously.
- Continued vigilance of the capital programme had resulted in £50.5m removed or delayed for future years. There was an aim to ensure value for money for the council in the future, including bringing forward projects which would deliver savings for the council such as upgrading to LED street lighting and prioritising projects attracting external funding.
- The Cabinet Member for Finance moved the recommendations as set out in the report.

13.2 The Chairman noted paragraph 1.12 forecasting a 20-25% increase in cost of construction which would have an impact on ability to deliver schemes and was substantial bearing in mind the size of the capital programme.

13.3 Cabinet **RESOLVED**

1. To recommend to full Council the addition of **£33.425m** 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 as follows:
  - £0.062m uplift to Childrens Services capital projects, mainly from S106 developer contributions in the current year and £3.009m for future years
  - £0.040m uplift to ICT budgets for Fire Services IT requirements, funded by NCC borrowing
  - £22.096m grant funding updates from the Department of Transport for various capital projects, including the Great Yarmouth 3<sup>rd</sup> River Crossing and the Long Stratton Bypass
  - £1.544m uplift to S106 and developer contributions to Highways capital projects
  - £0.827m reduction in NCC borrowing for Highways capital projects
  - £7.500m for LED streetlighting upgrade to be funded by NCC borrowing in 2023-24 and 2024-25.
2. Subject to full Council approval of recommendation 1 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.
3. To recognise the period 6 general fund revenue forecast of a £0.936m overspend (0.2% of net budget), noting also that Executive Directors will take measures to reduce or eliminate potential over-spends where these occur within services
  4. To recognise the period 6 forecast of 95% 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.
  5. To note the forecast General Balances at 31 March 2023 of £23.840m, assuming the Council will mitigate the overspends reported in P6.
  6. To note the expenditure and funding of the revised current and future 2021-26 capital programmes.

#### 13.4 **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.

#### 13.5 **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.

## **14 Disposal, acquisition and exploitation of property**

- 14.1.1 Cabinet received the report setting out proposals aimed at supporting Norfolk County Council priorities by exploiting properties surplus to operational requirements, pro-actively releasing property assets with latent value where the operational needs can be met from elsewhere and strategically acquiring property to drive economic growth and wellbeing in the County.
- 14.1.2 The Cabinet Member for Commercial Services and Asset Management introduced the report to Cabinet:
- **Scole – Land to the rear of Orbit Site, Flowerdew Meadow**
    - Previously this piece of land was acquired as part of a transaction with Orbit Group who released the land for construction of affordable dwellings.
    - It was proposed that Orbit would acquire the land subject to suitable planning permission. The Council's agent was reviewing the offer to ensure it represented the best consideration
  - **Terrington St Clement – Field at Terrington Fern House Estate**
    - This land was part of the county farms estate.
    - The tenant had agreed to surrender the land from their farm business tenancy agreement. The land was not required for operational use or county council services use
  - **Property disposal programme update for 2022-23**
    - A list of capital receipts forecast was set out in appendix A of the report. These would go through the corporate strategy priority group to identify if the council had any use for the sites.
    - The target for sales for the financial year 2022-23 was £8.1m and had been exceeded 3 fold
  - The Cabinet Member for Commercial Services and Asset Management moved the recommendations as set out in the report
- 14.2 The Cabinet Member for Adult Social Care, Public Health and Prevention endorsed the work of the department, noting the statement in the Executive Summary that “adopting a “single estate” approach within the County Council and sharing property assets with public sector partners through the One Public Estate programme, the Council is aiming to reduce net annual property expenditure”. By sharing assets and buildings with partners this would reduce costs that would be used to maintain buildings, increasing funds available to spend on frontline services.
- 14.3 The Cabinet Member for Innovation, Transformation and Performance noted the importance of reviewing property assets to identify those that were redundant and no longer making an economic benefit.
- 14.4 Cabinet **RESOLVED**
1. To formally declare the Land to the rear of Orbit Site, Flowerdew Meadow, Scole (7085/018) amounting to 64m<sup>2</sup> surplus to County Council requirements and instruct the Director of Property to dispose of the property on the terms agreed. In the event of the disposal receipt exceeding the valuation figure the Director of Property in consultation with the Executive Director of Finance and

- Commercial Services and Cabinet Member for Commercial Services and Asset Management is authorised to accept the most advantageous offer.
2. To formally declare the Land at Terrington Fern House Estate (part), Terrington St Clement (2078/108A) (edged red on plan) amounting to 1.65 hectares surplus to County Council requirements and instruct the Director of Property to dispose of the property. In the event of the disposal receipt the valuation figure limits the Director of Property in consultation with the Executive Director of Finance and Commercial Services and Cabinet Member for Commercial Services and Asset Management is authorised to accept the most advantageous offer.
  3. To note the progress of the property disposal programme.

#### **14.5 Evidence and Reasons for Decision**

Declaring the sites and land holdings surplus to County Council use means that the Corporate Property Team can consider options for the disposal and exploitation of these sites.

#### **14.6 Alternative Options**

Declaring sites and land holdings surplus is a result of the sites no longer being required for service delivery. The alternative would be to retain resulting in incurring holding costs for an asset that is not contributing to service delivery.

### **15 Reports of the Cabinet Member and Officer Delegated Decisions made since the last Cabinet meeting**

- 15.1 Cabinet **RESOLVED** to **note** the Delegated Decisions made since the last Cabinet meeting

- 15b.1 The visuals for the warm and well campaign were shown; please see appendix C of these minutes. These included the main steps being suggested for people to prepare for winter and key messages to be promoted across winter. The Cabinet Member for Adult Social Care, Public Health and Prevention asked Councillors and partners to help get these messages out to people including via distributing posters, leaflets and on social media. For more information, please see paragraph 5.2 of these minutes.

- 15b.2 The Chairman noted that the main method of distribution would be through the county council but also through district councils and Councillors sharing the messages.

### **16 Exclusion of the public**

- 16.1 Cabinet **RESOLVED** not to exclude the public from the meeting

### **17 Annual Review of NCC Residential Children's Homes: Exempt Appendix**

- 17.1 Cabinet did not discuss the exempt appendix.

### **18 Disposal, Acquisition & Exploitation of Property: Exempt Annex**

- 18.1 Cabinet did not discuss the exempt appendix.

The meeting ended at 11:08

**Chairman of Cabinet**

**Cabinet**  
**7 November 2022**  
**Public & Local Member Questions**

	<b>Public Question Time</b>
6.1	<p><b>Question from Eleanor Laming</b>  A decision was taken in August not to re-open the Postwick Park and Ride site permanently unless the passenger numbers on other P and R services reach 75% of pre-Covid levels. NCC is subsidising the park and ride services and would need to put an additional £100,000 - £200,000 in order to fully re-open Postwick. NCC states in the decision report that this service is important part of the transport strategy. How much in total did NCC receive from the DHSC for leasing it as a Covid testing centre?</p> <p><b>Response from the Cabinet Member for Highways, Infrastructure and Transport</b>  The County Council did not receive any money from the DHSC for the lease for the Covid testing centre as the P&amp;R sites are leased to the operator of the service, Konectbus. Konectbus run the service on a commercial basis and therefore used the income received towards running the overall P&amp;R service during the pandemic.</p> <p><b>Supplementary question from Eleanor Laming</b>  Should this money be reinvested into the Postwick Park and Ride service?</p> <p><b>Response from the Cabinet Member for Highways, Infrastructure and Transport</b>  The income from the DHSC went towards the running costs of the overall P&amp;R service and therefore helped to sustain the P&amp;R service as a commercial venture for a longer period of time during the pandemic without the County Council having to step in and provide any financial assistance. Therefore, it has already been reinvested into the service.</p>
6.2	<p><b>Question from Ruby Rae</b>  Will Norfolk County Council commit to banning the use of glyphosates in its operations and on its estate and properties?</p> <p><b>Response from the Cabinet Member for Environment and Waste</b>  A report will be presented to elected Members in January 2023 recommending adoption of an Herbicide Policy for Norfolk County Council. It will not be recommending the banning of the use of glyphosate but identify the limits of its safe and acceptable use, including training needs and how it will be carefully monitored and reported on.</p>
6.3	<p><b>Question from Sarah Eglington</b>  If an Investment Zone is located in Norfolk, will Norfolk County Council confirm that they will protect the local environment and habitats for now and the future despite the easing of planning and other legislative requirements?</p> <p><b>Response from the Cabinet Member for Growing the Economy</b>  As we have stated previously, our <i>Better Together, for Norfolk</i> strategy affirms our ongoing commitment to growth that is sustainable and a greener future for our county. We will continue to be guided by those principles. The SoS in the Dept. for</p>

	<p>Levelling Up Homes and Communities has recently stated that the policy is being reviewed and that environmental considerations would be part of that review.</p> <p><b>Supplementary question from Sarah Eglington</b> How can the development of Investment Zones be compliant with Norfolk County Council's Climate Action Plan and move towards net-zero?</p> <p><b>Response from the Cabinet Member for Growing the Economy</b> If an Investment Zone is progressed for Norfolk, the next stage is more detailed business planning. We would expect this to provide more specific detail around environmental and climate impact.</p>
6.4	<p><b>Question from David Evans</b> Kent County Council is using long term planning to protect and recover threatened species through habitat maintenance, restoration and creation. Producing a nature and ecosystem restoration plan to restore habitats, species, and ecosystem quality and function. What actions are Norfolk County Council taking to protect and restore biodiversity within the county?</p> <p><b>Response from the Cabinet Member for Environment and Waste</b> Norfolk County Council undertakes similar work to Kent County Council through its Environment Service which includes a Protected Landscapes Team and a Specialist Advice Team who are both involved with long term planning to protect and recover threatened species and habitats. Additionally, under new powers recently introduced under the Environment Act, Norfolk County Council is identified as the Responsible Authority for producing a Local Nature Recovery Strategy for Norfolk. It is expected that this strategy will be consulted on next year and be agreed on by November 2023.</p>
6.5	<p><b>Question from Stuart Thompson</b> What progress has been made developing Norfolk County Council's Climate Action Plan (CAP) - when will this be published?</p> <p><b>Response from the Cabinet Member for Environment and Waste</b> Norfolk County Council is making good progress on its strategic goal of achieving Net Zero across its own estates by 2030 and estate emission have fallen by almost half since 2016/17. Details of progress can be found on the Council's website, including the information and key performance indicators set out in our digital dashboard. As also laid out in the Council's Environmental Policy, NCC is in the process of setting out its activities and programmes in terms of climate action plans. This work is being undertaken with partners including the Integrated Care System (ICS) and the Norfolk Climate Change Partnership (NCCP). The ICS has recently completed its green plan. A number of facilitated workshops are planned over the coming months to support this partnership work. This is a complex undertaking for all involved, and is being informed by Government policy and priorities. As such, no deadline has yet been agreed for the completion of this important work.</p> <p>Once completed, this work will be considered through the Council's committee process and agreed by Cabinet.</p> <p><b>Supplementary Question from Stuart Thompson</b> Before publication will there be a consultation on the CAP?</p>

	<p><b>Response from the Cabinet Member for Environment and Waste</b> See response above</p>
6.6	<p><b>Question from Christine Wilson</b> On Norfolk CC's website it states "We have a statutory obligation under Environment Act 1995, Part IV, Section 80; Environmental Protection Act 1990 Section 7; Environment Act 1995, Part 4; Air Quality Standards Regulations 2010 to prevent the pollution from emissions to air, land or water. As the Highway Authority we are obliged to find solutions to air quality issues through the AQMA process where pollution comes from transport sources". - What actions are you taking to satisfy these obligations?</p> <p><b>Response from the Cabinet Member for Environment and Waste</b> The County Council was successful in securing funding from central government from the Zero Emission Bus Regional Area (ZEBRA) Fund for 15 zero emission electric buses that will be operated by First Bus through the AQMA in Norwich by March 2024 and replace 15 diesel powered buses. We are also in discussions with bus operators about options to increase the number of zero emission buses and our recently approved Bus Service Improvement Plan for Norfolk sets out our aspirations to reduce tailpipe emissions from diesel buses by introducing more modern buses and retrofitting older buses where appropriate and affordable and therefore to begin to decarbonise the bus fleet.</p> <p>Where Air Quality Action Plans (AQAPs) have been put in place by District Councils in response to an AQMA in their area, we work with the relevant District Council on delivery of initiatives aimed at tackling air quality issues.</p> <p>We are developing Local Cycling and Walking Infrastructure Plans (LCWIPs) across Norfolk that will facilitate investment in infrastructure and behaviour change activities that will encourage more people to travel via sustainable and active modes instead of private car.</p>
6.7	<p><b>Question from Sarah Burston</b> Norfolk County Council invests approximately £118 million in fossil fuels through their pension fund. When will the Council take the popular, moral and financially prudent decision to fully divest pension investments out of fossil fuels?</p> <p><b>Response from the Cabinet Member for Finance</b> Norfolk County Council ensures that the governance of the Norfolk Pension Fund on behalf of the participating employers is kept separate from the administrative business of the Council by delegating responsibility for Pension matters to the Pensions Committee.</p> <p>The Pension Committee is responsible for setting the Fund's investment strategy. The Norfolk Pension Fund does not have a policy of excluding any industry sector from its investment portfolios, which are held to secure the pension promises made to nearly 100,000 pension scheme members, who are current or former employees of 400+ local employers.</p> <p>The Pension Fund is currently valued at around £4.7 billion and invests its diversified portfolio globally across a range of assets classes and industry sectors. While the</p>

Fund does not recognise the value quoted by the questioner, at any given time the portfolio may include exposure to companies involved in fossil fuel production and exploration.

The Fund believes in responsible investment. Responsible investment is an approach to investing that aims to incorporate environmental, social and governance (ESG) factors into investment decisions, to better manage risk and generate the sustainable, long-term returns required to pay pensions. Responsible investment does not require ruling out investment in any sector or company but should frame the approach to making the decision to own and manage ownership of any specific assets

The Pensions Committee considers a detailed climate risk analysis of its public equity holdings as part of its overall investment review every six months and a summary is published on the Norfolk Pension Fund's website. This considers the entirety of the holdings rather than simply fossil fuel producers. For example, the highest carbon emitters in a portfolio may be utility, cement production or shipping companies. These companies themselves may be involved in or engaged in activities that support the energy transition.

Currently the Fund's public equity portfolio has a Weighted Average Carbon Intensity 47% lower and carbon emissions that are 31% lower than the benchmark global equity index. The Fund's portfolio holding of companies with links to fossil fuel production is also 38% lower than the benchmark.

#### **Supplementary question from Sarah Burston**

What, if any, investment has Norfolk County Council made in renewable energy projects?

#### **Response from the Cabinet Member for Finance**

Thank you for your question. Norfolk County Council has invested both directly and indirectly in a range of renewable energy projects. Examples include:

- A number of County Council sites already have renewable technology on site, such as Scottow Enterprise Park which hosts a significant solar park providing green energy to the grid.
- As part of the work to 'decarbonise' the County Council property estate, we are further exploring options for micro-generation, alongside addressing building fabric and performance.
- The electricity used across our estate is from a green tariff, supporting the wider renewable energy industry.
- The County Council's wholly owned company, Norse, owns and operates solar installations around the country, ranging from a significant quantity of domestic installations to a number of larger >50kW solar plants. These plants in total generate over 8,000 MWh/year and provide green electricity for third party buildings and sites. A significant quantity of generated electricity from these sites is exported back into the grid. [Note these are 2020-21 figures]
- "LCIF2 Limited" is a joint venture between the County Council and the University of East Anglia, investing in Green House Gas reducing technologies, including but not limited to renewable energy. The programme has invested approximately

	<p>£5m to date and has attracted £35m in private sector match and leverage to the East of England.</p> <ul style="list-style-type: none"> <li>While the County Council does not directly control investment decisions, the Norfolk Pension Fund holds a portfolio of infrastructure assets located in the UK and overseas. At the 30 September 2022 these assets including timberland were valued at £508 million. These diversified real asset portfolios include investment in grid infrastructure and renewable power generation including wind, solar and hydroelectric power.</li> </ul>
6.8	<p><b>Question from Judith Lubbock</b></p> <p>Now that the bus priority measures and the refurbishment of St Stephens has been completed please will the Cabinet Member reveal how the County Council will assess whether the works costing £6.1m have been value for money in terms of increasing the number of passengers using public transport?</p> <p>The length of time the works have taken, the disruption to existing bus passengers and the loss of revenue to the shops and businesses on St Stephens all need to be included in the assessment.</p> <p><b>Response from the Cabinet Member for Highways, Infrastructure and Transport</b></p> <p>A comprehensive programme of monitoring and evaluation is being undertaken as part of the delivery of the Transforming Cities Fund, which has funded the delivery of the St Stephens Street works and other bus priority and sustainable transport works in Norwich. This is being led by an external agency appointed by central government and the County Council is participating fully in this. This evaluation programme will consider a wide range of impacts, including bus patronage. We will be happy to discuss with the evaluation lead how impacts on businesses and existing passengers can be appropriately assessed.</p> <p><b>Supplementary question from Judith Lubbock</b></p> <p>Can the Cabinet Member give reassurance that the bus operators will be held to account to improve the reliability of services if not also the frequency of services each time tax payers money is devoted to roadworks to improve bus usage?</p> <p><b>Response from the Cabinet Member for Highways, Infrastructure and Transport</b></p> <p>We now have an Enhanced Partnership between the County Council and bus operators which places commitments on both sides to improve public transport in Norfolk. In addition, the County Council was one of a small number of authorities who successfully bid for and were awarded Bus Service Improvement Plan funding from government. This £50m funding will further improve bus services in Norfolk and the Enhanced Partnership Management Board will be responsible for ensuring that bus operator commitments are carried out.</p>
6.9	<p><b>Question from Willem Buttinger</b></p> <p>Does Norfolk County Council accept The Climate Change Committee's* (CCC) advice (report Feb 2022) that we in the UK should plan for 4C of global warming by 2100?</p> <p><i>*The CCC is an independent statutory body established under the Climate Change Act 2008. Their purpose is to advise the UK and developed governments, inter alia,</i></p>

	<p><i>on adapting to the impacts of climate change</i></p> <p><b>Response from the Cabinet Member for Environment and Waste</b> In the delivery of its Environmental Policy and climate change programmes, Norfolk County Council works with key authorities and organisations involved with climate change policy and environmental modelling, including national Government agencies and the Tyndall Centre, UEA.</p> <p>NCC fully appreciates the impact of climate change including sea level rises on a low-lying county such as Norfolk and, therefore, has committed to an ambitious programme of activity as set out in our Environmental Policy and to achieving our overall goal of Net Zero across our estates by 2030.</p> <p><b>Supplementary question from Willem Buttinger</b> Does Norfolk County Council have any idea of the potential effect 4C warming will have on Norfolk?</p> <p><b>Response from the Cabinet Member for Environment and Waste</b> See above</p>
6.10	<p><b>Question from Richard Bearman</b> The stage 1 safety audit for the 'saw tooth' bus bays in St. Stephens Street recommended it be redesigned as it was unfit for purpose, and now it's built Cllr. Martin Wilby is quoted in the press advising cyclists to find an alternative route. The changed sight lines for bus drivers have created a more dangerous road space for Cycling, due to the inability of bus drivers leaving those bays to see cyclists approaching from behind the bus, does Norfolk County Council accept liability due to poor design, for any future collisions involving Cyclists and buses in this street?</p> <p><b>Response from the Cabinet Member for Highways, Infrastructure and Transport</b> This design of bus stop layout operates successfully in other cities in the UK and we worked closely with bus operators throughout the design and construction of the St Stephens scheme. Bus operators have commented that the new design is a great improvement over what was in place previously in terms of both safety and accessibility. No concerns regarding the safety of those cycling were raised in the safety audit undertaken shortly after the scheme was completed. In addition to St Stephens Street, there are different cycle routes that can be taken to access the city centre and the signposting of these routes is being reviewed and improved to aid those choosing to cycle.</p>

**Cabinet  
7 November 2022  
Local Member Questions**

	<b>Local Member Issues/Questions</b>
7.1	<p><b>Question from Cllr Alexandra Kemp</b>  Latest research, from the Office of National Statistics, shows lowest-cost basic food items increased 17% in the past year. I campaigned earlier this year for NCC to continue the Free School Meals Holiday Vouchers, for children in receipt of Free School Meals. NCC reinstated the Vouchers monthly rather than for each school holiday week. NCC has announced its intention to continue the Free School Meals Vouchers. Parents say it is helpful to have the Vouchers each holiday week, when children are not being fed at school. Will the Free School Meals Vouchers be available each week?</p> <p><b>Response from the Deputy Cabinet Member for Children's Services</b>  As a council, we have continued to use a large proportion of the household support fund from central government to provide cost of living vouchers for children eligible for free school meals at a cost of £3.6m this winter. This means that 30,000 children are receiving a monthly voucher for £15 and they will also receive an additional £30 voucher at Christmas. By spreading support over the winter, not just providing support during the school holidays, we are helping families in a more flexible way and the provision of consistent regular monthly vouchers helps families to budget and plan over the whole winter. Families are able to choose how to budget and make use of the vouchers to best support their needs, whether to save vouchers up for particular periods, or use them monthly to offset other financial pressures such as utility costs.</p> <p>As a result of extending support over the winter, eligible families will receive £120 per child, rather than £75 if we only provided vouchers for the 5 weeks of school holidays between November and April.</p> <p>If families require additional financial support they can also make an application to our Norfolk Assistance Scheme, and we will also have 15 community food hubs across the county by the end of the year supporting in the region of 15,000 people.</p> <p><b>Second question from Cllr Alexandra Kemp</b>  Norfolk County Council as Transport Authority is in breach of its duties to disabled residents. West Lynn is an unparished part of Lynn, divided by the Ouse, but poorly connected. The half-hourly 505 bus (cut from every 20 minutes) only goes through the village once an hour (less when bus drivers ignore timetables). The long walk from the main road, is difficult for 80- and 90-year-old residents. This discourages bus travel and staying active.  The Ferry landing steps are too steep for many, with a single handrail and loose treads.</p> <p>Can NCC write to Stagecoach and insist every 505 bus goes through West Lynn; and renew the landing stages?</p>

	<p><b>Response from the Cabinet Member for Highways, Infrastructure and Transport</b></p> <p>The Council is not in breach of our duties as there is an hourly service, which far exceeds that in place for many parts of the county. We are reviewing the passenger numbers from West Lynn to see if it is reasonable to divert a bus through there every 30 minutes, bearing in mind that any diversion off the main route makes the service less attractive for longer distance passengers.</p> <p>A review of the ferry infrastructure is currently being undertaken to determine ownership, as we do not believe ownership lies with the County Council. Once this has been determined, we can look to see if the infrastructure can be improved and how this can be funded.</p>
7.2	<p><b>Question from Cllr Lucy Shires</b></p> <p>Can you please tell us the latest figures for the number of people on the holding list awaiting assessment, and also those on the interim care list?</p> <p><b>Response from the Cabinet Member for Public Health, Adult Social Care and Prevention</b></p> <p>Thank you for your question</p> <p>Our holding list across community social work teams, mental health teams and learning disability teams is currently at 3041. Not all the cases on here will be waiting for assessment. The holding lists are subject to rigorous review and a robust approach to risk management, led by duty teams. Recovery actions are in place to address backlogs whilst continuing to respond to the high workload, particularly brought about by continued pressure on the health system. The recent peer review noted that our policy and framework for managing risk, holding lists and complexity was transparent and robust. There are currently 434 cases on the interim care list.</p>
7.3	<p><b>Question from Cllr Brian Watkins</b></p> <p>The Council is scheduled to make over £25 million of cuts to Adult Social Care in 2023/24. Can you tell us where the Phase 2 £11.7m of cuts will come from now that it looks like Newton Europe have overestimated the value of their work?</p> <p><b>Response from the Cabinet Member for Public Health, Adult Social Care and Prevention</b></p> <p>Thank you for your question, I do not agree that your statement is correct.</p> <p><b>Second question from Cllr Brian Watkins</b></p> <p>The Council's Strategic Review talks about significant future transformation within the authority. In reality, this is likely to involve significant job reductions and trying to do more with less. What do you think will be the implications on those demand-led services upon which so many vulnerable people rely, and what would be your message to them?</p> <p><b>Response from the Leader and Cabinet Member for Governance and Strategy</b></p> <p>At a recent scrutiny meeting Cllr Watkins implied that the changes that are planned as part of the strategic review were necessary and indeed overdue.</p>

	<p>The Strategic Review is reviewing the Council's structure and roles to ensure a strong alignment to the Council's vision of Better Together for Norfolk, to continue to serve all our residents in a more efficient and effective way. It is not intended to directly impact the delivery of frontline services. Its focus is on the management structures and cross cutting functions that indirectly contributes to frontline delivery. The SR is expected to help us in two ways: firstly to support delivery of savings to decrease our budget gap and, secondly, to help become fit for the future.</p> <p>Every organisation has been through significant changes in how it works and operates over the last few years, and given that it has been 10 years since the last organisational review, it has become essential for us to undertake the Strategic Review so that we can build on the changes and be in a better position to address the challenges precisely, so we can continue to deliver the services that vulnerable people rely on.</p> <p>As proposals come forward, we will review their impact and risk assess them before making final decisions ahead of implementation</p>
7.4	<p><b>Question from Cllr Saul Penfold</b></p> <p>What specific substantial real benefits would a new county deal for Norfolk bring to each of the districts, and what do you think the public make of a council focusing on creating another expensive tier of local government when our communities are being hit so hard by the cost of living crisis?</p> <p><b>Response from the Leader and Cabinet Member for Governance and Strategy</b></p> <p>A County Deal will benefit the whole of Norfolk. It is our firm belief that developing our infrastructure, investing in public transport, joining up education, skills and jobs, providing support for our businesses, managing our land and water resilience, and taking action locally to mitigate the effects of climate change will deliver better outcomes for our residents and economy. We anticipate additional funding coming to Norfolk and gaining local decision making over funding. How we make the most of this additional opportunity will be shaped with district and other partners.</p> <p>We recognise that our ambitions will not be achieved by one organisation alone, or by any single strand of investment or action. Therefore, in approaching a deal for the whole of Norfolk, we will ensure we continue to work collaboratively and in partnership with local government, business and other sector leaders to maximise the leverage of our collective strengths, expertise, statutory responsibilities and powers.</p> <p>The most comprehensive level of deal for Norfolk would require a change of governance for Norfolk County Council, to a Directly Elected Leader. This means that there is no requirement for a separate Mayor, unlike creating a Mayoral Combined Authority, so it is incorrect to say this is about creating another expensive tier of local government . Changes to governance would only affect the County Council. I'm sure the public would welcome our approach to not putting in additional layers of government but instead to focus on bringing additional funding for infrastructure, being able to locally control functions and take decisions in Norfolk eg over Adult Education or freedom of transport budgets and to ensure Norfolk has greater influence with government.</p>

7.5	<p><b>Question from Cllr Steffan Aquarone</b> Can the Cabinet member let me know whether a decision has been reached to protect the future of mobile libraries? If not, will it be necessary to get out campaigning for the second time in four years in order to protect this vital lifeline for our most vulnerable?</p> <p><b>Response from the Cabinet Member for Communities and Partnerships</b> Any decision on the future of the mobile library service will be made in the public domain, through the Council's democratic processes.</p> <p>As you know, we have recently carried out a public consultation on the service, with nearly 1400 responses received, we now have up to date information on the views of Norfolk communities. This will inform the proposal to review the service, which will take into account the views of local residents.</p>
7.6	<p><b>Question from Cllr Rob Colwell</b> New joint research by the Resolution Foundation and LSE states that Brexit has reduced how open and competitive Britain's economy is, and will reduce productivity and wages in the decade ahead. The UK has also lost market share across three of its largest non-EU goods import markets in 2021: the US, Canada and Japan. Isn't it time for us to be mature and admit Brexit will not provide growth, growth, growth to Norfolk?</p> <p><b>Response from the Cabinet Member for Growing the Economy</b> The British people voted to leave the European Union. In a democracy it is important for us to acknowledge and accept the outcome of the vote, regardless of whether we agreed with it.</p> <p><b>Second question from Cllr Rob Colwell</b> Speeding vehicles in Gaywood (North Central and South) is a real concern to residents and something I receive huge communication on. Residents feel ignored, with the Road Safety Community Fund (RSCF) considered insufficient and schemes taking too long to implement. A letter I have received from the council described Councillor bids for work as being "oversubscribed". What changes to the Fund can you make to allow more works to be implemented and done more quickly so that residents expectations of the council's work can be met?</p> <p><b>Response from the Cabinet Member for Highways, Infrastructure and Transport</b> The recently introduced Road Safety Fund has given Members a new way to enable low cost and straightforward highway safety schemes to be delivered within local communities. Many schemes such as speed limit changes need a Traffic Regulation Order (TRO) and they follow a national, legal process. This can take around 12 months to complete (longer if objections are received during the statutory consultation process) and unfortunately cannot be shortened. Otherwise, the restrictions would not be legal or enforceable.</p> <p>To date, around half of the accepted Year 1 bids have either been completed or are currently under construction. The remaining schemes are undergoing design and consultation.</p>

	<p>This new initiative is only in its first year and it is good to see how popular it is so far. Given the wider funding situation, there are currently no plans to increase the fund from the original, significant investment of £1m.</p>
7.7	<p><b>Question from Cllr Sharon Blundell</b></p> <p>The Prince's Trust have called the Class of Covid - that living through a pandemic has been devastating for young people – crippling their self-confidence and robbing them of their futures. It has impacted their education, social lives and options for work, with those already facing disadvantage being left even further behind. Norfolk is seen as one of 55 cold spots areas nationally where education outcomes are weakest. So what hope can you give those young people about their future?</p> <p><b>Response from the Deputy Cabinet Member for Children's Services</b></p> <p>It is all our duty to ensure we offer nothing but hope for the futures of our children and young people. We all have a role to play in that. FLOURISH exemplifies are commitment to working together, across the system, including Norfolk County Council, Norfolk education providers, partners such as Health, Police, the voluntary sector and other key stakeholders to ensure that every child has the chance to flourish. <a href="#">Children and Young People Strategic Alliance - Norfolk County Council</a></p> <p>There is no denying that the pandemic has had an impact on people across the country, and that children have been adversely affected. Whilst we would not minimise the significant impact on some, it has not been all children and young people. The determination of the Education Investment Area designation for Norfolk (one of 55 'cold spots') was based on historical education data, prior to the pandemic. There was no national testing or examinations for two years across the country, until this summer 2022. This years outcomes in Norfolk are disappointing overall for 11 year olds, however some Norfolk schools have recorded their best ever academic outcomes for children. By the age of 16 our young people achieved outcomes similar to the national average and made better than national progress. We must not forget to be proud of the efforts that schools and families have made to ensure children have secured their GCSE outcomes this summer.</p> <p>We know that there has been an impact across the age ranges of children and young people and routes into employment have been affected. However there has been a concerted effort in Norfolk to ensure that young people are supported into education, employment or training. We have invested in social recovery programmes for young people at risk of becoming NEET (Not in Education, Employment and Training) and continue with our relentless effort to keep in touch and support young people, especially those most disadvantaged, in our care or vulnerable to access the right pathway. The very youngest children are widely recognised as being the most affected by lockdown. We know this has resulted in some delay in speech and language, and other early developmental milestones. Early Years providers and schools are focused on mitigating these gaps and catching children up. This year Norfolk children achieved as well as children nationally by the age of 5. We have invested more in supporting early speech and language and work with providers to support them in offering an appropriate curriculum and additional intervention and support. The youngest children will be in school for many years and they will remain the priority for our education providers to ensure gaps are closed.</p> <p>Key Stage 2 results this summer were disappointing overall for Norfolk. The average for Norfolk schools is below the national average. However, we have been pleased to</p>

	<p>see that for some schools they have returned their best ever outcomes. There is much work going on to share the best practice from schools across Norfolk who are achieving well with their children.</p>
7.8	<p><b>Question from Cllr Tim Adams</b> The footways on Lynewood Road, Lynewood and Links Avenue are among some of the worst in the County, having been substantially rebuilt in 1949. The residents have been repeatedly promised this would be done in years previously with the works even having been programmed in 2020 and then delayed due to obvious reasons. Can the portfolio holder tell me when these footways will finally be resurfaced</p> <p><b>Response from the Cabinet Member for Highways, Infrastructure and Transport</b> I am pleased to highlight that the footway on the northside of Lynewood Avenue is already included in the council's highways programme and resurfacing works should start in early 2023.</p> <p>The southside of Lynewood Avenue is also provisionally programmed for the 2023/24 financial year, with Links Avenue following in 2024/25. However, this will depend on the amount of funding received from the Department for Transport as part of their annual highways funding allocation. This is usually received in December / January and will then form part of the March Cabinet report.</p>
7.9	<p><b>Question from Cllr Jamie Osborn</b> This week yet another NHS dentist has announced it will close, in my ward. The Conservative Government is overseeing a crisis in dentistry and creating a two-tier system where some people can afford to go private while others are left to pull out their own teeth.</p> <p>Norfolk's MPs have talked about creating new dentistry training facilities, but, while welcome, that will not resolve the immediate crisis. Will the Cabinet Member commit to writing to all Norfolk MPs as well as the Government calling for a long-overdue reform of NHS dentistry contracts to ensure that we have universal access to NHS dental care?</p> <p><b>Response from the Cabinet Member for Public Health, Adult Social Care and Prevention</b> Thank you for your question.</p> <p>Norfolk County Council is not responsible for providing NHS dentistry contracts. As you are aware HOSC (Health Overview and Scrutiny Committee) is currently looking at dentistry under the Chairmanship of Cllr Alison Thomas and I would suggest that your question would be better directed at her.</p> <p><b>Second question from Cllr Jamie Osborn</b> I have seen evidence that members of staff at NCC are unable to afford holidays, will be unable to afford Christmas, and are considering applying for charity help, all because the catastrophic transfer to Oracle has left them underpaid. This issue has been going on for over 6 months now. Does the Cabinet Member accept responsibility for this failure to properly pay frontline staff, and will he issue an apology to all those affected?</p>

	<p><b>Response from the Cabinet Member for Innovation, Transformation and Performance</b></p> <p>The decision to upgrade the HR and Finance systems was made for sound operational reasons and the project team worked with Oracle and other companies throughout the period of the lockdown to ensure delivery of the system. The implementation of My Oracle which went live in April was a very large and complex technical project that has been overwhelmingly successful. The successful delivery of such a complex project as this under such challenging constraints is actually something about which I think this Council should be proud.</p> <p>There will inevitably be some anomalies when any new system is initially deployed, particularly a system such as MyOracle which undertakes hundreds of thousands of transactions. These anomalies are almost inevitable in a system of this complexity and work was done to identify these post implementation. Staff have worked hard to address the issues which were being experienced soon after the new system went live and there are no longer system wide issues with payments being processed through the payroll.</p> <p>Payroll actually only represents one element of the MyOracle system, but any errors or omissions to salary calculations will of course be problematic for any staff affected. However, if there are individuals who are experiencing problems with their pay, something which can happen for a variety of reasons, they should be encouraged to report these so they can be resolved. The relevant officers will always work with those individuals to achieve a resolution. There are actually various measures in place which can be used to ensure that there is not the type of impact as described in the question. These measures include emergency payments which are paid to individuals within 24 hours or making supplementary payments through the payroll system.</p>
7.10	<p><b>Question from Cllr Paul Neale</b></p> <p>Energy use in homes accounts for more than a quarter of all of Norfolk's carbon emissions. Virtually every house in the county will need to be retrofitted to meet climate targets, end fuel poverty, and improve energy security. With action from the Conservative Government falling catastrophically short on this, there is a need for county and district councils to work together to coordinate skills and training, assessment of need, and securing investment. Does the Cabinet Member agree that establishing a retrofit strategy for Norfolk should be a priority for the Norfolk Climate Change Partnership?</p> <p><b>Response from the Cabinet Member for Environment and Waste</b></p> <p>Members of NCC's Member Oversight Group for the Environment recently received presentations on the current national picture regarding retrofitting. The Council will be considering how it can best work with partners, including the Government and members of the Norfolk Climate Change Partnership, over the coming months, including opportunities around the development of skills and capacity building, and support for businesses involved in this work.</p> <p><b>Second question from Cllr Paul Neale</b></p> <p>The Stephens Street roadworks were planned for completion by September 2022. This has not been met and is now estimated to be completed by spring 2023. Part of the delay there is an absence of bus shelters with covered seating.</p>

	<p>Is the cabinet member putting in place temporary facilities to keep passengers dry and sheltered with some seating as it's especially important for elderly and infirm passengers during the coming winter's harsh weather?</p> <p><b>Response from the Cabinet Member for Highways, Infrastructure and Transport</b></p> <p>We understand and share the frustration caused by the delay to the new bus shelters arriving. The delays in the supply chain were out of our control and every effort was made to find a solution. Installation of different bus shelters on a temporary basis, while we wait for delivery of the new ones, is not a viable option as this would require an unplanned road closure in the run up to Christmas, causing significant additional disruption, and lead-in times to get hold of any other shelters would almost certainly extend beyond the time when the new shelters will be ready. The use of other temporary structures is not considered to be viable.</p> <p>The scheme has involved 19 new benches being installed along St Stephens Street with the majority of these being near to bus stops. We apologise for any inconvenience caused while we wait for the shelters to be installed.</p>
7.11	<p><b>Question from Cllr Ben Price</b></p> <p>Liz Truss's disastrous, uncostered plan for growth ruined the country's finances and led to her resignation.</p> <p>The leader of Norfolk County Council is similarly pursuing an ideologically-driven and financially ruinous uncostered project in the form of the Western Link, for which the costs continue to spiral.</p> <p>Will he follow Liz Truss's example by taking responsibility for pursuing a project that is impossible to determine the final cost of and resigning now?</p> <p><b>Response from the Leader and Cabinet Member for Governance and Strategy</b></p> <p>The Norwich Western Link is an important piece of Norfolk's infrastructure for the future of our economy and improving connectivity.</p> <p>Some people may be taking a narrow opposing view to the project but supporters greatly outnumber detractors.</p> <p>So the direct answer to your point about resigning is no</p> <p><b>Second question from Cllr Ben Price</b></p> <p>Discussions regarding the "County Deal" for Norfolk have been ongoing for months, while the people of Norfolk and district councils have been kept in the dark over the discussions. Will the leader agree with me that this is not open and transparent democracy, and will he ensure that Norfolk residents get a say over the future of our democracy by subjecting the final decision to a referendum by Norfolk residents?</p> <p><b>Response from the Leader and Cabinet Member for Governance and Strategy</b></p> <p>Since Norfolk County council made an expression of Interest in becoming one of the first County Deal Areas we have worked closely with District Councils, Local stakeholders and MPs to shape the Deal for Norfolk.</p>

	<p>I have briefed both Group leaders and Members throughout this process and any changes to our governance will be subject to full debate and a vote of our full council, who represent the residents of Norfolk.</p> <p>We will also be undertaking a consultation that members of the Public can participate in</p> <p>Therefore it is simply untrue to say people and district councils have been kept in the dark</p>
7.12	<p><b>Question from Cllr Emma Corlett</b></p> <p>Norfolk has a strong record of welcoming and providing care and support for children and young people seeking refugee status who arrive in the UK alone. Does the Cabinet Member for Childrens Services agree that Norfolk is keen to play its part in caring for some of the children and young people currently stuck in barbaric conditions in Kent, but to do so will require additional resources from Government to help us fulfil our moral obligation and how will he make that argument to Government?</p> <p><b>Response from the Deputy Cabinet Member for Children's Services</b></p> <p>As acknowledged, Norfolk has a nationally regarded UASC service, and has been recognised for stepping up to support the Home Office and other Local Authorities to address previous pressures. We are keen to continue to do all we can to support the effort in providing care for this vulnerable cohort given the current and increasing challenges and have in the past 6-8 weeks taken in at least 40 new UASC (or Separated Migrant Children) who are being referred from the adult male dispersal hotels recently set up in Norfolk by the Home Office. There are a number of new young people referred to us every week and we know there are plans to open further hotels in the County, so we expect this situation to continue for some time yet. This is in addition to Norfolk's ongoing requirement to accept referrals from the National Transfer Scheme until our 0.1% quota is reached, (which has recently been increased from 0.07%). As of 2<sup>nd</sup> November, 2022 we have 128 UASC aged 0 – 17 and 140 aged 18 – 21.</p> <p>Whilst the Council receives fixed rate funding from the Government to cover the cost of caring for each UASC, there are significant and additional indirect costs accrued due to lack of availability of staff and sufficiency of placements to meet the demand, meaning use of agency staff and expensive private sector accommodation respectively.</p>
7.13	<p><b>Question from Cllr Mike Sands</b></p> <p>Will the Leader join me in extending a warm Norfolk welcome to those seeking refugee status who have been placed in temporary accommodation in my division, thank those faith and community groups and local policing team and health professionals who have gone above and beyond to provide a friendly welcome and ensure safety, and does he agree with me that it is an outrage there was no proper communication with local councils from Government and that Government must urgently provide resources to ensure we can continue to provide the level of support and care needed?</p> <p><b>Response from the Leader and Cabinet Member for Governance and Strategy</b></p>

	<p>Thank you for your Question. I fully support and endorse your comments about the local teams that have and continue to make sure that people coming to Norfolk have the support they need.</p> <p>Councils across the country have made it clear to the Home Office that early engagement with local authorities is essential if councils and partners are to be able to support those refugees coming to Norfolk.</p>
7.14	<p><b>Question from Cllr Brenda Jones</b></p> <p>As winter approaches the crisis in care provision facing Norfolk is getting worse. There is not enough capacity, the provision of care services in Norfolk is rated poorly by the CQC and the shortage in care workers grows as better paid jobs are available in other sectors.</p> <p>What plans are in place to address this emergency as the cost-of-living bites, temperatures drop and winter flu and covid rates rise and has the Cabinet Member for Adult Social Care, Public Health and Prevention lobbied Government specifically for extra resources in the forthcoming Autumn statement to help get Norfolk through the coming winter crisis?</p> <p><b>Response from the Cabinet Member for Adult Social Care, Public Health and Prevention</b></p> <p>Thank you for your question</p> <p>It is well known that the COVID-19 pandemic has placed strain on Norfolk's social care and health system and a risk remains of further outbreaks during winter. In addition, it often brings with it events such as widespread infectious diseases including pandemic flu affecting residents and care staff alike.</p> <p>As was the case last year, we have not experienced a summer where pressures have abated. Whilst winter is not an emergency or considered an unusual event, it is a period of increased pressure due to demand both in the complexity of people's needs, and the capacity demands on resources within social care and the wider health system. This winter will present greater challenges than in previous years.</p> <p>To respond to this challenge, both Health and Social Care here in Norfolk have developed a joint winter plan which addresses the risks posed this winter and seeks to maximise opportunities to link people with a range of services across statutory and VCSE providers, to maintain personal resilience and promote independence. Action is being taken to meet people's needs, support resilient communities and systems, support the provider market and continue with business recovery post-pandemic. This will seek to ensure a resilient system over the coming months and guide adult social care and other health and care organisations within the Integrated Care System to maintain high quality and safe services in a climate of increasing pressure that winter will inevitably bring. As part of this plan, Norfolk County Council continues to ensure targeted use of available resource to support our residents over the winter period, including working with our partners in the Norfolk and Waveney ICS to utilise funding to ensure capacity in our community that also supports our urgent and emergency care system.</p>
7.15	<p><b>Question from Cllr Terry Jermy</b></p> <p>What consultation with District Councils has the Cabinet Member for Environment and Waste undertaken in formulating proposals to cut opening times for Norfolk's</p>

	<p>recycling centres, given the increasing pressure on their budgets and the potential of increased fly tipping across the County?</p> <p><b>Response from the Cabinet Member for Environment and Waste</b> We are seeking views on our proposals from all stakeholders through our consultation process and that includes any views expressed by the District, City and Borough Councils. Any views expressed in this consultation process will be taken into account before any final decisions are made on any proposal. Fly tipping tends to be committed by criminals disposing of domestic or commercial waste rather than law abiding citizens who want to visit the local HWRC.</p> <p><b>Supplementary Question from Cllr Terry Jermy</b> If the cut to the recycling centres were to be implemented next year, would all staff see their hours cut, or would there be redundancies in order to achieve the proposed £200,000 budget saving?</p> <p><b>Response from the Cabinet Member for Environment and Waste</b> Our consultation document on the proposals explains that if changes were to be made to the opening arrangements for the recycling centre service, the changes would affect staff at recycling centres and lead to changes to shift patterns and a requirement to work fewer hours compared to previous years. If following the consultation a decision was made to make the changes, then the operator of the service would then consult its employees on how those changes could be implemented, a process which could result in some staff redundancies, and if that was to be the case then we would work closely with the operator to support them in keeping this to a minimum.</p>
7.16	<p><b>Question from Cllr Alison Birmingham</b> Can the Cabinet Member for Childrens Services confirm whether the closure of early years providers across the County has been added to the Corporate Risk Register and how many providers he is anticipating will have closed by the end of the year?</p> <p><b>Response from the Deputy Cabinet Member for Children's Services</b> Since September 1<sup>st</sup> 2022 there have been 3 childminders and 1 preschool close in Norfolk. We have also had 4 childminders and 1 preschool open. There are other settings who have closed their registration in order to reopen under different governance arrangements, for example settings located on a school site who often transfer those places over to the school. We monitor this very closely and work to mitigate any impact on families. We are aware of the challenges that some provision is facing, especially if the demand for places is not sufficient to ensure financial viability. In addition we know that Norfolk providers have been affected by the shortage of appropriately trained Managers. It is not possible to make any valid predictions of further closures, however we actively encourage providers to contact us as early as possible if they are likely to close.</p> <p>The number of registered childminders has been decreasing over a number of years. This is a countrywide issue and not specific to Norfolk. The recruitment and retention of Managers for pre-schools is also a nationwide issue.</p> <p>For any setting that closes, our Family Information Service makes a follow up call to determine the reasons for closure, if we do not already know. In these particular</p>

	<p>recent cases in Norfolk, the childminders all closed for personal reasons, including retirement. The pre-school closed due to issues recruiting both staff and new committee members.</p> <p>Whilst we recognise the impact of closure on families, and the concern this causes there are robust processes in place to support families with alternative provision where that becomes necessary.</p> <p>It is not our view that this needs to be placed on the Corporate Risk Register. However we will continue to monitor this rigorously.</p>
7.17	<p><b>Question from Cllr Mike Smith-Clare</b> Can the Cabinet Member for Children's Services confirm the total budget gap that Norfolk schools are facing this financial year from unfunded gaps created by higher-than-expected energy costs and other in-year inflationary pressures?</p> <p><b>Response from the Deputy Cabinet Member for Children's Services</b> We do not hold the financial information for all schools. As school leaders have the delegated responsibility for determining how the school budget is spent (within a regulatory framework) we would only have a partial picture, school by school. It is not possible to quantify this as a collective gap as schools make different decisions about how they use funding. As we know the impact of higher energy costs will have an impact on all of us, including schools, and the Department for Education has sent guidance to all schools about managing this. In addition Norfolk schools who purchase through a scheme already benefit from lower energy costs, and those who are not part of that scheme will benefit from the Energy Bill Relief Scheme and the government work with suppliers will reduce the wholesale energy costs and the significant rises that schools have seen.</p> <p><b>Supplementary Question from Cllr Mike Smith-Clare</b> Can the Cabinet Member confirm what actions he is taking to help schools to meet these budgetary pressures without impacting on education provision?</p> <p><b>Response from the Deputy Cabinet Member for Children's Services</b> It is the duty of Governors and Trust Boards to ensure that schools balance their budgets. Our School finance team work with Local Authority maintained schools and some Academies who purchase our services in order to help and hold them to account for managing their budgets effectively. Schools are not governed or regulated by the local authority.</p>





## Are you ready for winter?

Check in on older friends and family who may need extra support when it's cold.

For tips and advice on preparing for winter go to [winterwellnorfolkwaveney.co.uk](https://winterwellnorfolkwaveney.co.uk)

 Improving lives **together**  
Norfolk and Waveney Integrated Care System

 warm and well



## Are you ready for winter?

Check you have cold and flu remedies in your medicine cupboard to manage illnesses at home

[winterwellnorfolkwaveney.co.uk](https://winterwellnorfolkwaveney.co.uk)

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## Are you ready for winter?

You may be able to get support to make your home more energy efficient

[winterwellnorfolkwaveney.co.uk](https://winterwellnorfolkwaveney.co.uk)

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# Prevention



**Get protected this winter**

You can pass on flu and COVID-19 without having any symptoms.

Protect yourself and your loved ones this winter.

Book your vaccinations today:  
[nhs.uk/wintervaccinations](https://nhs.uk/wintervaccinations)

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## 1. Vaccines & boosters



**Stay well this winter**

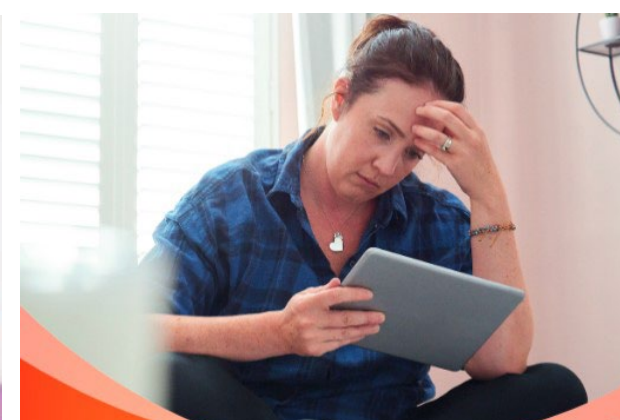
Moving your body helps to keep you warm and healthy

Find ways to get moving that suit you at  
[improvinglivesnw.org.uk/warm-and-well](https://improvinglivesnw.org.uk/warm-and-well)

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## 2. Winter wellbeing



**Worried about money?**

No one should be hungry or cold this winter.

For free help and support with money go to  
[www.norfolk.gov.uk/wintersupport](https://www.norfolk.gov.uk/wintersupport)

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## 3. Hardship



**Get help in the right place this winter**

Don't put off getting help if you are feeling unwell.

Need help? Think NHS 111 first.  
Visit [111.nhs.uk](https://111.nhs.uk) or call 111

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## 4. Health & services



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# Cabinet

Item No: 8

**Report Title: CES Compliance and Enforcement Policy – Annual Review**

**Date of Meeting: 05 December 2022**

**Responsible Cabinet Member: Cllr Margaret Dewsbury** (Cabinet Member for Communities & Partnerships), **Cllr Martin Wilby** (Cabinet Member for Highways, Infrastructure and Transport) and **Cllr Eric Vardy** (Cabinet Member for Environment and Waste)

**Responsible Director: Tom McCabe** (Executive Director of Community and Environmental Services)

**Is this a Key Decision? Yes**

**If this is a Key Decision, date added to the Forward Plan of Key Decisions: 26 January 2022**

## **Introduction from Cabinet Member**

The CES Compliance and Enforcement Policy (the Policy) provides a framework for a number of services within the CES directorate to ensure that we work in an equitable, practical, and consistent manner when undertaking regulatory activities and law enforcement.

Norfolk County Council is committed to the principles of better regulation, as set out in the Regulators' Code. This is the annual review of the enforcement policy. Regulatory services within CES are committed to protecting and supporting Norfolk residents, visitors, businesses, and the environment whilst, at the same time, responding proportionately to address identified non-compliances; so as to reduce burdens on businesses and help them to grow.

## **Executive Summary**

The Community and Environmental Services (CES) directorate is responsible for a range of regulatory functions, including Trading Standards, Planning enforcement (mineral and waste sites), Flood and Water (land drainage), Norfolk Fire and Rescue (fire safety), Highways (networks, maintenance, and blue badge enforcement) and Safety of Sports Grounds. Each area of work uses different legislation to secure its aims, and each has its own framework of regulations, codes of practice and guidance. The Policy and associated performance data are subject to annual review by Members.

The Policy has been reviewed and updated to reflect recent changes to legislation and guidance. A revised Policy (Appendix A) has been produced, with proposed changes highlighted, supported by explanatory notes.

The revised Policy, once adopted, will be published via the NCC web pages.

### **Recommendation:**

1. To approve the revised CES Compliance and Enforcement Policy at Appendix A, including its annex documents.

## **1. Background and Purpose**

- 1.1 The current Policy was first developed as a cross-departmental policy in 2013. The Policy covers the range of regulatory functions within CES, including Trading Standards, Planning enforcement (mineral and waste sites), Flood and Water (land drainage), Norfolk Fire and Rescue (fire safety), Highways (networks, maintenance, and blue badge enforcement) and Safety of Sports Grounds. It does not try to capture all the detailed, complex, and often changing background to enforcement, but instead seeks to summarise the overall approach to the use of enforcement powers, whether that is criminal prosecution at one end of the spectrum or informal warnings and advice at the other.
- 1.2 The policy is supported by detailed procedures for officers within each service area and, where necessary, additional protocols can be appended to the main policy. There are now six areas of work which appear as annex documents to the main policy; these relate to minerals and waste planning, flood and water management, the Norfolk Fire and Rescue Service, highways enforcement, Blue Badge enforcement and Safety of Sports Grounds.

## **2. Proposal**

- 2.1 The current Compliance and Enforcement Policy has been reviewed by CES regulatory services and updated to reflect recent changes to legislation and guidance. There are very few amendments this year, most for clarification. All proposed amendments are highlighted with explanatory notes.
- 2.2 Appendix C documents the stakeholders who have been consulted on and/or contributed to the CES Enforcement Policy since 2014.
- 2.3 The revised policy continues to ensure that the application of enforcement is:
  - proportionate to the offence and risks, and mindful of previous transgressions
  - transparent - persons affected understand what is expected of them, what they should expect from the local authority and the reasons for the action

- consistent in approach, and appropriate
- consistent with the Equality Act 2010 and the Council's Equalities Policies.

2.4 The revised policy, once adopted, will be published via the NCC web pages.

### **3. Impact of the Proposal**

3.1 CES regulatory activities are aimed at protecting the economic wellbeing and safety of Norfolk's residents, visitors and businesses, and protecting the environment and the CES Compliance and Enforcement Policy provides a framework within which our regulatory activities are performed.

3.2 Experience in regulatory enforcement shows that, in most cases, businesses and individuals comply with the law. Failure to do so generally stems from ignorance or carelessness, but sometimes from wilfulness or malice. Impact arising from non-compliance can therefore range from advice to prosecution.

### **4. Evidence and Reasons for Decision**

4.1 The Policy provides a framework to ensure that we work in an equitable, practical, and consistent manner in the way we deliver regulatory activities and law enforcement. Norfolk County Council is committed to the principles of better regulation, reducing burdens on business with proportionate responses and ensuring we act to protect and support residents, visitors, businesses, and the environment. A range of enforcement approaches is available to the Council but there is a need to discharge these in a consistent, fair, and transparent way, as well as ensuring that the public or environment is adequately protected.

4.2 Appendix B provides enforcement performance information in relation to those regulatory functions covered by the Policy.

### **5. Alternative Options**

5.1 A CES wide Compliance and Enforcement Policy is considered to be the most effective way to demonstrate how CES intends to fulfil its regulatory/legal responsibilities. An alternative option would be for each service area within CES to produce its own policy. However as described in section 4.1 above there is need for consistency in overall approach. The format of the draft Policy provides for additional (detailed) protocols where necessary or appropriate.

### **6. Financial Implications**

6.1 There are no direct financial implications arising from this report.

## **7. Resource Implications**

- 7.1 There are no immediate resource implications as a result of this proposal, although there is the recognition in the policy that enforcement resources are not limitless and need to be targeted at areas where risk is highest. Higher performing, more compliant businesses require less resource, with regulators focusing their efforts on rogue and higher-risk businesses.

## **8. Other Implications**

### **8.1 Legal Implications:**

There is a legal context to the deployment of enforcement powers. In 2014 the Regulators' Code (the Code) was published and seeks to provide a clear, flexible, and principles-based framework to which regulators should work. It covers how we develop and implement items such as our service standards, policies, and legal procedures, and sets out the type of information we must include in our enforcement policy. The Council has a legal obligation to have regard to the Code, including ensuring a consistent approach to enforcement. However, we are able to make changes to the policy, if these would better explain or clarify the requirements arising from the Code.

In certain instances, officers may conclude that a provision in the Code is either not relevant or is outweighed by another provision. Officers will ensure that any decision to depart from the Code is properly reasoned, based on material evidence, and documented. The Code requires the Council to publish its Enforcement Policy.

The Council must also have regard to The Code for Crown Prosecutors (CPS) guidance which requires extensive consideration of the evidence (for example is it admissible, substantial, and reliable) before a decision is made to institute legal proceedings; with any decision also considering whether it is in the public interest to prosecute. This Policy provides a clear framework and mitigates the risk of legal challenge regarding the delivery of the regulatory enforcement function within the directorate.

CES, through its public protection and regulatory functions, has an important role to play dealing with crime and disorder. This Policy will support the directorate in protecting the public and the environment in a consistent, fair, and transparent way, in line with both local and national priorities and the legal requirement arising from Section 17 of the Crime and Disorder Act 1998.

### **8.2 Human Rights Implications:**

In carrying out its enforcement role, the directorate has regard to the Freedom of Information Act 2000, the Data Protection Act 2018, Regulation of Investigatory Powers Act 2000, and the Human Rights Act 1998, in terms of the right to a fair trial, right to respect for private and family life, prohibition of discrimination and protection of property.

### **8.3 Equality Impact Assessment (EqIA):**

This Policy has been reviewed and updated in line with the requirements of the Equality Act 2010.

Having a clearly defined approach to enforcement action provides positive benefits to equality. In particular, enforcement in areas such as the misuse of blue badges helps to ensure an important and highly valued service is not abused and can continue to be available for those who need it. People with a disability frequently highlight the importance of effective blue badge enforcement.

An Equality Impact Assessment (EqIA) was produced for this Policy in 2020, in conjunction with the CES Equality and Accessibility Officer. The policy will continue to be reviewed periodically to ensure that it reflects changes to legislation and safeguards the interests and rights of all.

### **8.4 Data Protection Impact Assessments (DPIA):**

Regulators routinely obtain, store, and share information to provide advice and guidance, conduct investigations and ensure compliance with relevant laws. Some of this information is personal data, and some of it is confidential or sensitive. The information is securely stored electronically, on the County Council's Network, and in other ways such as on secure databases and in secure paper files. The information is stored and processed in accordance with the law (including the Data Protection Act 2018 and the Enterprise Act 2002) and with proper regard to The Council's privacy notices.

Previous discussions have taken place with the Information Governance Team who advise that a Data Protection Impact Assessment is not required, as there is no new processing and the relevant privacy notices relating to regulatory provision are in place and have been recently reviewed.

### **8.5 Health and Safety implications:**

Health, safety and wellbeing risk assessments are in place for all enforcement activity.

### **8.6 Sustainability implications:**

There are no direct sustainability implications to consider as part of this report. However, the policy does provide for consideration of formal enforcement action where there is a significant risk to infrastructure or the environment. The policy also includes a specific enforcement protocol for Flood and Water Management, and for planning controls.

### **8.7 Any Other Implications:**

None

## **9. Risk Implications / Assessment**

- 9.1 This Policy provides a clear framework and mitigates any risk of legal challenge regarding the delivery of the regulatory enforcement functions within CES.

## **10. Select Committee Comments**

- 10.1 The revised CES Compliance and Enforcement Policy and its annex documents have been provided to the Infrastructure and Development Select Committee, with an opportunity to review the policy and note the 2021/22 enforcement performance data and summary of stakeholder engagement.

## **11. Recommendations**

1. To approve the revised CES Compliance and Enforcement Policy at Appendix A, including its annex documents.

## **12. Background Papers**

N/A

### **Officer Contact**

If you have any questions about matters contained within this paper, please get in touch with:

**Officer name: Sophie Leney**

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**Email: [sophie.leney@norfolk.gov.uk](mailto:sophie.leney@norfolk.gov.uk)**



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**Norfolk** County Council

## **Compliance and Enforcement Policy**

**Community and Environmental Services**

**November 2022**



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## Annexes

Annex 1.....	Local Monitoring and Enforcement Protocol
Annex 2 .....	Flood and Water Management Enforcement Protocol
Annex 3.....	Fire and Rescue Service Enforcement Policy Statement
Annex 4.....	Highways Enforcement Protocol
Annex 5.....	Blue Badge Enforcement Protocol
Annex 6.....	Safety of Sports Grounds Enforcement Protocol

## **1 Introduction**

- 1.1 This document applies to the enforcement activities carried out by the Community and Environmental Services (CES) Directorate of Norfolk County Council, including Trading Standards, Highways, Planning and the Norfolk Fire and Rescue Service (Fire Safety).
- 1.2 Where appropriate, additional enforcement protocols or policy may be developed to support this policy, for example where there are national requirements regarding a particular enforcement process. These will be appended to this policy as required. When read in conjunction with Annex 1 this policy constitutes the Local Enforcement Plan for Norfolk County Council Planning Services, as recommended by Paragraph 58 of the National Planning Policy Framework.
- 1.3 This Policy has been developed in conjunction with a range of stakeholders, including business representatives and is subject to annual review and approval.
- 1.4 The purpose of this Policy is to provide a framework to ensure that local authority enforcement is delivered in an equitable, practical, and consistent manner. This is in line with the principles of good enforcement, as set out in the Legislative and Regulatory Reform Act 2006, and regard has been given to the associated [Regulators' Code](#) (the Code) in the preparation of this policy. In certain instances, it may be concluded that a provision in the Code is either not relevant or is outweighed by another provision. Any decision to depart from the Code will be properly reasoned, based on material evidence, and documented.
- 1.5 Compliance with this Policy will ensure that we will strive to be fair, impartial, independent, and objective. We are committed to ensuring that the decisions we take and the services we deliver take proper account of equality issues.
- 1.6 Within the context of this Policy, 'enforcement' includes action carried out in the exercise of, or against the background of, statutory enforcement powers. This is not limited to formal enforcement action, such as prosecution or issue of notices, and so includes inspection to check compliance with legal or other requirements and the provision of advice to aid compliance.
- 1.7 For the purposes of this document 'formal action' includes: Prosecution, Simple Caution, Injunctive Action, Enforcement Order, Issue of Notices, Monetary Penalties, Seizure, Suspension, Withdrawal, Recall, Forfeiture, Revocation/Suspension of a licence, registration or approval, Disqualification of weighing or measuring equipment, Works in Default, Criminal Behaviour Orders, Referral to another agency or any other criminal or civil/injunctive proceedings or statutory sanctions, applied either separately or in any other combination.
- 1.8 Where appropriate we will seek to recover our enforcement costs, including making formal applications for costs through the Courts.

## 2 Principles of Inspection & Enforcement

### 2.1 Proportionality

- 2.1.1 We are committed to avoiding the imposition of unnecessary regulatory burdens and will endeavour to minimise the cost of compliance by ensuring that any action taken, or advice offered, is proportionate to the seriousness of the breach, as well as the risk to people, businesses, other organisations, animals, property, the community, or the environment. In doing so we will choose approaches that are based on relevant factors including, for example, business size and capacity.
- 2.1.2 We will usually give notice of our intention to carry out routine inspection visits, unless we are otherwise required to visit unannounced, it is a reactive inspection visit, or we have a specific or legal reason for not giving prior notice. For example, this would include where the identity of the person or premises is unknown, or where it would defeat the objectives of the inspection visit to give such notice. Routine, or reactive inspections of the highway and blue badges are not normally subject to such notice.
- 2.1.3 As far as the law allows, we will take account of the circumstances of the case and attitude of the people involved when considering action. We will take particular care to work with businesses and individuals so that, where practicable, they can meet their legal obligations without unnecessary expense, to support and enable economic growth.
- 2.1.4 The most serious formal action, including prosecution, will be reserved for serious breaches of the law.

**Commented [A1]:** To clarify those cases where we are not required to give notice for legal reasons.

**Commented [A2]:** Added to clarify that formal action is reserved for the most serious breaches of the law.

### 2.2 Accountability

- 2.2.1 We will actively work with businesses and individuals to advise and to assist with compliance and requests for help. Contact points and telephone numbers will be provided for business and public use.
- 2.2.2 We will aim to carry out visits and inspections at a reasonable time and where appropriate to do so. In most cases our staff will show their identification (and authority if requested) at the outset of every visit and explain the reason for the visit. However, so that we can see things from the point of view of a customer or ordinary member of the public, we may carry out informal visits or arrange to buy goods or services and not introduce ourselves. Where we must use a young person to carry out work on our behalf, such as in attempting to purchase age-restricted products, we will always have regard to the latest guidance and Codes of Practice.
- 2.2.3 Out-of-hours contact for services will be provided where there is a need for an immediate response/risk to public health, safety or damage to property, infrastructure, or the environment.
- 2.2.4 The whole range of enforcement activities will be dealt with as promptly and efficiently as possible in order to minimise time delays.
- 2.2.5 Where appropriate, feedback questionnaires will be used to gather and act upon information about the services we provide.

**Commented [A3]:** Clarified that we must have regard to relevant guidance and Codes of Practice

2.2.6 Where possible we will include information to highlight new legal requirements, via our social media platforms and/or website, with reports or letters provided after an inspection or visit; and/or by providing or signposting advice and information to help businesses and individuals keep up to date.

2.2.7 We will have regard to fairness and individuals' human rights in all of our enforcement work through conforming to the European Convention on Human Rights (as implemented by the Human Rights Act 1998).

### **2.3 Consistency**

2.3.1 All officers are required to act in accordance with this Compliance and Enforcement Policy and our published service standards.

2.3.2 We will carry out our enforcement and advisory functions in an equitable, practical, and consistent manner. We will adopt and adhere to relevant policy and guidance and will ensure that our officers are suitably trained, qualified, and authorised to undertake their enforcement duties, and understand the principles of good regulation.

2.3.3 Where appropriate, we will publish clear service standards providing information on:

- a) How we communicate and how we can be contacted
- b) Our approach to providing information, guidance, and advice
- c) Our risk assessment methodology used to determine inspection activity, clearly setting out what can be expected from us at the time of visit
- d) Any applicable fees and charges; and
- e) How to comment or complain about the service provided and the routes to appeal.

### **2.4 Transparency**

2.4.1 In most circumstances we will seek to ensure that people affected by formal action are informed of what is planned and allow for discussion and time to respond before the action is taken. We will also give them a named officer's contact details. These arrangements must have regard to legal constraints and requirements.

2.4.2 When a notice is served it will say what needs to be done, why, and by when, and that in the officer's opinion a breach of the law has been committed and why the notice is necessary. We will also make a clear distinction between legal requirements and recommended works.

2.4.3 As part of our commitment to equality we will communicate in a clear, accessible, concise, format using media appropriate to the target audience, in plain language. We offer translation/interpretation services (language and British Sign Language) where English is not the first language.

2.4.4 This Compliance and Enforcement Policy is published via the Norfolk County Council website, and we may also publish further guidance about specific/technical areas, such as the use of civil sanctions.

2.4.5 The publicity generated by legal proceedings acts as a deterrent to others and reassures the general public that we take a serious view of illegal

behaviour. We therefore publish the outcome of court proceedings and other enforcement actions such as undertakings; as part of this we include the name of the defendant(s), unless directed not to do so by the Courts.

**Commented [A4]:** This is to clarify that undertakings, when given outside court proceedings, may still be published.

2.4.6 We will routinely publish the names and trading addresses of traders subject to enforcement actions, including prosecutions, enforcement orders, undertakings, or the administrative issue of penalties/fines.

**Commented [A5]:** Clarified that this applies to a range of enforcement actions

2.4.7 We may also publish the names and trading addresses of traders who act in ways that represent a significant risk to consumers or the interests of legitimate businesses, subject to the following conditions:

- There is no risk of prejudice to legal proceedings or other formal enforcement action, and
- The evidence of unfair or illegal trading is conclusive, and
- It is in the public interest to do so, taking into account the personal circumstances of the offender and community cohesion, and
- To do so does not breach Human Rights or Data Protection Law, or the Children and Young Persons Act 1933.

2.4.8 Examples of the current published enforcement action is via the [Norfolk Trading Standards web pages](#).

2.4.9 We obtain and process information in the course of our enforcement functions. Some of this information is personal data, and some of it is confidential or sensitive. We will process information in accordance with the law (including the Data Protection Act 2018 and the Enterprise Act 2002) and with proper regard to our [privacy notices](#).

## 2.5 Targeted (Intelligence and Risk Led) Enforcement

2.5.1 Enforcement will be primarily targeted towards those situations that give rise to the most serious risks, and against deliberate/organised crime. Other determining factors will include local priorities, Government targets and priorities, new legislation, national campaigns, and public concerns.

2.5.2 By having a coherent and risk-based intelligence system, effective strategies can be formed to enable and co-ordinate solutions to particular problems. This enables the identification of new, current, and emerging issues, allowing provision of strategic and tactical direction on how the issues can best be tackled. Subject to the provisions of Data Protection and Human Rights Law, we may also refer cases and/or share information and intelligence with other law enforcement agencies.

## 2.6 Supporting the local economy

2.6.1 We recognise that a key element of our activity will be to facilitate and encourage economic progress against a background of protection.

2.6.2 Wherever possible, we will work in partnership with businesses and individuals, and with parish councils, voluntary and community organisations, to assist them with meeting their legal obligations without unnecessary expense.

## 2.7 Reducing enforcement burdens

- 2.7.1 If there is a shared enforcement role with other agencies, e.g., the Police, Environment Agency, or other local authorities, we will consider co-ordinating with these agencies to minimise unnecessary overlaps or time delays and to maximise our overall effectiveness. We will also liaise with the other regulators to ensure that any proceedings instituted are for the most appropriate offence.
- 2.7.2 We will follow the principle of “collect once, use many times” and, where legally permitted, share information that we collect with other local authority regulatory services to minimise business impact.
- 2.7.3 When conducting farm visits, we will have due regard to the [Farm Regulators’ Charter](#), which makes sure visits are carried out consistently across regulators. The charter covers all inspection types and visits of agricultural and aquaculture activities carried out by Farm Regulators.

## 3 Primary Authority Partnerships

- 3.1 Primary Authority is a statutory scheme established by the Regulatory Enforcement and Sanctions Act 2008. It allows an eligible business to form a legally recognised partnership with a single local authority in relation to the provision of tailored advice, guidance and assistance relating to regulatory compliance. The single local authority (known as the “Primary Authority”) is registered with the [Office for Product Safety & Standards](#) (OPSS), via the Primary Authority Register.
- 3.2 The Primary Authority then acts as the single point of contact between its partner business and the local authorities that regulate it. The Primary Authority can issue assured advice upon which the business can rely and can also, where appropriate, devise inspection plans for businesses. The inspection plan can place specific requirements on other local authorities and can require feedback on their checks to be given to the Primary Authority.
- 3.3 Where an enforcing local authority is considering enforcement action against a business that has a Primary Authority it is required to make a statutory notification to the Primary Authority. In most cases, this notification must be made before the action can be taken. However, in certain circumstances the notification can be retrospective, including where a compliance issue is identified that requires urgent action in order to avoid a significant risk of harm to human health, the environment, or the financial interests of consumers.
- 3.4 If another local authority proposes enforcement action which the Primary Authority deems to be inconsistent with the assured advice, the Primary Authority may seek to block the enforcement action. Where this is the case but is disputed, or there is a need for further considerations, the matter would be referred to the [Office for Product Safety & Standards](#) (OPSS) for their consideration/determination.

## 4 Enforcement Actions

- 4.1 Nothing in this policy shall be taken to compel us to take enforcement action. In certain instances, we may conclude that an enforcement response is not appropriate given the circumstances.
- 4.2 In deciding what enforcement action to take, we will have regard to the following aims:
- to change the behaviour of the offender
  - to eliminate financial gain or benefit from non-compliance
  - to be responsive and consider what is the most appropriate sanction for the particular offender and the regulatory issue concerned
  - to be proportionate to the nature of the offence and the harm/potential harm caused
  - to repair the harm caused to victims, where appropriate to do so
  - to deter future non-compliance.
- 4.3 The Key approach in seeking compliance is to:
- Engage
  - Explain
  - Encourage
  - Enforce
- 4.4 The prime objective is to obtain compliance by consent - it is anticipated that, in the vast majority of cases, businesses will comply with the legal requirements further to the provision of advice.
- 4.5 Any decision to undertake formal enforcement action will be taken in the context of operational priorities, this policy and the [Council Constitution and scheme of delegations](#). Such decisions will include the use of intelligence in determining the nature of any response, as well as being subject to ongoing monitoring and review.
- 4.6 Where a right of appeal against a formal action exists other than through the courts, advice on the appeal mechanism will be clearly set out in writing at the time the action is taken.
- 4.7 All investigations into alleged breaches of legislation will be conducted in compliance with statutory powers, time limits and other relevant legislation (and relevant Codes of Practice), including:
- Police and Criminal Evidence Act 1984 (PACE)
  - Criminal Procedure and Investigations Act 1996 (CPIA)
  - Regulation of Investigatory Powers Act 2000 (RIPA)
  - Investigatory Powers Act 2016 (IPA)
  - Criminal Justice and Police Act 2001 (CJPA)
  - Human Rights Act 1998 (HRA).
  - Consumer Rights Act 2015 (CRA)
- 4.8 As part of any criminal investigation process, persons suspected of having committed a criminal offence will, wherever possible,

- be formally interviewed in accordance with PACE
  - be given the opportunity to demonstrate a statutory defence
  - have the opportunity to give an explanation or make any additional comments about the alleged breach
  - be offered translation/interpretation services (language and British Sign Language) where English is not their first language
- 4.9 As part of our enforcement function, we may exercise a wide variety of powers, including the power to enter premises and inspect goods, to require the production of documents or records and, when necessary, the power to seize and detain such material where we believe it may be required as evidence.
- 4.10 We may also take with us such other persons as may be necessary as part of our enforcement function. This may include Police Officers where there is the possibility of an arrest, or a breach of the peace situation. In certain cases, we may exercise an entry warrant issued by a Justice of The Peace to gain access to premises and may use police assistance to effect entry.
- 4.11 We may also use investigation equipment whilst undertaking our duties, including handheld and Body-Worn Video (BWV) cameras. BWV devices are capable of recording both visual and audio information and can provide a number of benefits to enforcement agencies, including a deterrent to aggressive, verbal, and physical abuse towards officers, and in providing additional evidence to support investigations. BWV will usually be deployed on an overt basis for a specific purpose, and where it is necessary and proportionate to do so. Any decision to deploy BWV or other investigation equipment on a covert basis will be made in accordance with the Regulation of Investigatory Powers Act (RIPA), related legislation, Codes of Practice, and associated Council Policy.
- 4.12 **Immediate Formal Action**
- 4.12.1 Whilst recognising that most people want to comply with legal requirements, we also recognise that some will operate outside the law (both intentionally and unintentionally). Where possible, a staged approach to enforcement will be adopted, with advice and informal action explored to achieve compliance in the first instance. However, we will consider taking immediate formal action for the most serious breaches, including any of the following circumstances:
- Where the infringement causes or is likely to cause actual or emotional damage, or substantial loss or prejudice to people, businesses, or other organisations
  - Where there is a significant risk to public health, safety or wellbeing, or damage to property, infrastructure, or the environment.
  - Fraud, aggressive or misleading practices/equipment, or practices seeking an unfair 'competitive advantage'.
  - Illegal practices targeted at vulnerable people, including young people and the elderly.
  - For matters where there has been recklessness or negligence, or a deliberate or persistent failure to comply with advice, warnings, or other enforcement action.
  - Where food fails food safety requirements.

**Commented [A6]:** Clarified this will apply to other investigation equipment as well as BWV.

- Any act likely to affect animal health or welfare, disease prevention measures, or the integrity of the food chain.
- Obstruction or assault (including verbal assault) of an officer in the execution of their duties.

#### **4.13 Advice, Guidance and Support**

- 4.13.1 We are committed to using advice, guidance, and support as a first response to the majority of breaches of legislation, subject to any need to take immediate formal action for the most serious breaches (see paragraph 4.12 above).
- 4.13.2 Any initial requests for advice from individuals or businesses on non-compliance will not necessarily trigger enforcement action. In such cases we will seek to assist in rectifying such breaches as quickly and efficiently as possible, where there is a clear willingness to resolve the matter.
- 4.13.3 Any correspondence will clearly differentiate between legal requirements and good practice, and indicate the regulations contravened and the measures which will enable compliance.
- 4.13.4 Follow up checks will be carried out on a risk and intelligence-led basis and where a similar breach is identified in the future, previous advice will be taken into account in considering the most appropriate enforcement action to take on that occasion.
- 4.14 Where more formal enforcement action has previously been taken, such as a simple caution or prosecution, we recognise that, in some cases, there may be a need for additional compliance advice and support, to prevent further breaches.

#### **4.15 Verbal or written warning**

- 4.15.1 Compliance advice can be provided in the form of a verbal or written warning. In doing so we will clearly explain what should be done to rectify the problem, and how to prevent re-occurrence. Warnings cannot be cited in court as a previous conviction but may be presented in evidence. Failure to comply with warnings or advice could result in more serious enforcement action being taken.

#### **4.16 Statutory (Legal) Notices**

- 4.16.1 Statutory Notices are used as appropriate in accordance with relevant legislation. Such notices are legally binding. Failure to comply with a statutory notice can be a criminal offence and may lead to prosecution and/or, where appropriate, the carrying out of work in default.
- 4.16.2 A statutory notice will clearly set out actions which must be taken and the timescale within which they must be taken. It is likely to require that any breach is rectified and/or prevented from recurring. It may also prohibit specified activities until the breach has been rectified and/or safeguards have been put in place to prevent future breaches. Where a statutory notice is issued, an explanation of the appeals process for such notices will be provided to the recipient.

#### 4.17 Monetary penalties

4.17.1 Fixed or variable monetary penalties, or penalty charge notices may be issued where there is a specific power or delegated authority to do so and under the following circumstances:

- To provide an effective and visible way to respond to less serious crimes without going to court
- As a response to particular issues or as part of a wider enforcement strategy.

**Commented [A7]:** To clarify the other circumstances in which a monetary penalty may be issued

4.17.2 Specific guidance for legislation, which includes the power to issue monetary penalties, may be produced to support this policy. Such guidance will be published via our website. Some examples of these can be found on the [Trading Standards Policies webpage](#).

4.17.3 Where the offender fails to discharge their liability resulting from any monetary penalty issued, alternative enforcement action will automatically be considered under this policy (including prosecution of the initial offence). Where prosecution is brought, an assessment will be made of other offences that may also have been committed in order that those charges may be considered at the same time.

**Commented [A8]:** To clarify this may include prosecution of the initial offence

Consideration will be given to the adoption of alternative remedies to the issue of a monetary penalty, such as those involving dedicated advice and training sessions, which aim to change the behaviour of the offender, whilst remaining proportionate to the nature of the offence and the harm/potential harm caused.

#### 4.18 License's, registrations, and approvals

Local authorities have a role to play in ensuring that appropriate standards are met in relation to licences, registrations, and approvals. We may refuse to grant, seek to review, temporarily remove, suspend, or revoke any licence, registration, or approval if we are made aware that actions have been carried out which undermine scheme objectives and/or would be unlawful. This includes those issued by other agencies.

#### 4.19 Seizure and Destruction

4.19.1 Some legislation permits our Officers to seize items such as goods and documents that may be required as evidence. When we seize goods, we will give an appropriate receipt or other record of seizure to the person from whom they are taken. On some occasions we may also ask a person to voluntarily surrender and transfer ownership of illegal goods to us.

4.19.2 Where we seize food for failing food safety requirements, or animal feed for non-compliance with feed law, an application will be made to the Court for a condemnation order, for the illegal product to be destroyed. We will provide details of where and when this application will be made to allow interested parties to attend the hearing.

4.19.3 Where products are found to present a serious risk, we may seek to destroy or otherwise render them inoperable, where permitted by law.

**Commented [A9]:** Plainer English

- 4.19.4 We may seek to recover costs of destruction, including through the Courts as may be necessary.

**Commented [A10]:** Clarification on seeking to recover costs of destruction, through the Courts, as may be necessary.

#### 4.20 Detention

- 4.20.1 Where food is suspected of failing food safety requirements, or where animal feed does not comply with specified feed law, it may be detained to allow further investigation.

- 4.20.2 When food or animal feed is detained, a notice of detention will be provided, detailing the detention arrangements, including the location where the product(s) will be detained.

#### 4.21 Forfeiture or Deprivation

- 4.21.1 Where a person has not agreed to surrender infringing goods, we may apply to the court for forfeiture or deprivation of the goods whether or not we start a prosecution or bring other proceedings.

- 4.21.2 We may also seek to recover costs of these proceedings from the defendant(s).

**Commented [A11]:** This section has been clarified and is a simpler way of conveying the same information.

#### 4.22 Injunctive Actions, Enforcement Orders etc

- 4.22.1 We will consider formal civil enforcement action in pursuance of breaches of law which have a detrimental impact on the collective interests of consumers or businesses.

- 4.22.2 When considering formal civil enforcement action, an Officer will, where appropriate, first discuss the circumstances with those suspected of a breach and, through consultation, attempt to resolve any issues. Alternatively, we will look to redress detrimental practices via a range of enforcement actions. These include the following:

- undertakings to us or the court
- interim and other court orders
- contempt proceedings.

We may ask the Court to consider other remedies as part of any proceedings, including compensation for victims.

#### 4.23 Other Sanctions or Interventions

- 4.23.1 We will consider other sanctions or interventions where legally available and appropriate to do so, including criminal behaviour orders under the Anti-Social Behaviour, Crime and Policing Act 2014, injunctions under the Local Government Act 1972, restriction orders under the Children & Young Persons Act 1933, and/or equivalent orders to disrupt and/or prevent activities that may contribute to crime or disorder. This may also include arranging for the removal of websites where it is clear they are being used for illegal purposes.

#### 4.24 Taking animals into possession/disqualification orders

- 4.24.1 Under the Animal Welfare Act 2006, if a veterinary surgeon certifies that 'protected animals' are suffering or are likely to suffer if their circumstances do not change, we will consider taking them into our

possession and applying for Orders for re-imbursement of expenses incurred and subsequent disposal. We may also look to other legislation where appropriate to ensure that similar standards of care and/or control of animals are properly maintained. In some circumstances we will also consider applying to the Court to deprive persons of the animals seized and/or disqualify them from keeping animals.

#### 4.25 Simple Cautions

4.25.1 In certain cases, a simple caution may be offered as an alternative to a prosecution, for example for first time offending. The purpose of a simple caution is to deal quickly with less serious offences, to divert less serious offences away from the Courts, and to reduce the chances of repeat offences.

4.25.2 Officers will comply with the provisions of relevant Home Office Circulars. The following conditions must be fulfilled before a caution is administered:

- The offender has made a clear and reliable admission concerning all elements of the offence(s) in question
- There is a realistic prospect of conviction
- It is in the public interest to offer a simple caution; and
- The offender is 18 years old or older at the time that the caution is to be administered.

4.25.3 A simple caution may appear on the offender's criminal record. It is likely to influence how we and other enforcement agencies deal with any similar breaches in the future and may be cited in court if the offender is subsequently prosecuted for a similar offence. If a simple caution is issued to an individual (rather than a corporation) it may have consequences if that individual seeks certain types of employment or wishes to travel or move to certain countries. Simple cautions will be issued with regard to Ministry of Justice and Crown Prosecution Service guidance.

**Commented [A12]:** Clarified on the specific guidance we will have regard to.

#### 4.26 Prosecution

4.26.1 We may prosecute in respect of serious or recurrent breaches, or where other enforcement actions, such as statutory notices have failed to secure compliance. The Council recognises that the decision to prosecute is significant and could have far reaching consequences on the offender.

4.26.2 Before any decision is taken, the alleged offence(s) will be fully investigated, and a report will be compiled by the Investigating Officer/Officer in Charge of the case. The file will then be reviewed by a Senior Manager, who will consider whether the sufficiency of the evidence and the public interest falls within the guidelines as laid down by the Attorney General and Crown Prosecution Service [Code for Crown Prosecutors](#).

4.26.3 Any decision to prosecute will be taken:

- where it is expedient for the promotion or protection of the interests of the inhabitants of Norfolk to do so (Section 222 of the Local Government Act 1972), or

- where we have another express power to prosecute, and the use of that power is appropriate to the circumstances.

Before deciding whether or not to prosecute, consideration will also be given to:

- How well the prosecution supports our aims and priorities
- The factors contained in paragraphs 4.2 and 4.12 of this policy
- Action taken by other enforcement agencies for the same facts
- The nature and extent of any harm or loss, including potential harm and loss, and any offer of redress made by the offender to victims
- The willingness of the alleged offender to prevent a recurrence of the infringement
- The likelihood of the alleged offender being able to establish a statutory defence
- The calibre and reliability of witnesses
- The probable public benefit of a prosecution and the importance of the case, e.g., the possibility of establishing legal precedent
- Cost effectiveness of a prosecution
- The scope for alternative routes for redress for 'victims' and their likelihood of success
- The impact of the intervention on small businesses in particular, to ensure action is proportionate.

Commented [A13]: Error correction from 4.10 to 4.12

4.26.4 A conviction can result in a criminal record and the court may impose a fine and, for particularly serious breaches, a prison sentence. The court may order the forfeiture and disposal of non-compliant goods and/or the confiscation of assets. Prosecution may also lead, in some circumstances, to the disqualification of individuals from acting as company directors (see 4.28 below).

4.26.5 Norfolk County Council may also act as prosecuting authority for joint investigations with partner agencies, including those which are supported by National Trading Standards (NTS). NTS works in partnership with local Trading Standards authorities, regional investigation teams, and other enforcement agencies to maximise effectiveness. NTS funding supports major investigations that are detrimental to consumers or businesses that occur on a regional, cross boundary or national level, in areas such as doorstep crime, counterfeiting, and consumer and business fraud. NTS investigations are subject to the same best practice principles found in legislation and codes that are outlined within this Compliance and Enforcement Policy. Any decision to prosecute in such cases will be made in accordance with paragraph 4.26 of this Policy.

#### 4.27 Proceeds of Crime Actions

4.27.1 Where appropriate, we will seek to recover the benefit that the offender has obtained from their criminal conduct through financial investigation.

4.27.2 Financial investigations will be undertaken in accordance with the Proceeds of Crime Act 2002. Such investigations may include applications to the Court requiring financial information to be provided (production orders) or in serious cases applications to freeze and/or confiscate criminal assets (restraint and confiscation orders). Where appropriate, consideration will also be given to seeking compensation for victims or recovery of financial investigation costs as part of this process.

Any funds recovered as part of the Asset Recovery Incentivisation Scheme (ARIS) will be used to support further asset recovery work, or crime reduction and community projects.

#### 4.28 Directors

On the conviction of a director connected with the management of a company the prosecutor will, in appropriate cases, draw to the Court's attention their powers to make a Disqualification Order under the Company Directors Disqualification Act 1986.

### 5 Complaints, Compliments and Comments

5.1 If you are unhappy with the service you have received, or we have failed to live up to our promises, managers are always willing to discuss with you the cause of your dissatisfaction and will try to find a solution.

5.2 If you wish to make a complaint or send us a compliment or comment about our service, please use our online procedure by going to:

[www.norfolk.gov.uk/compliments-and-complaints](http://www.norfolk.gov.uk/compliments-and-complaints)

Complaints can also be submitted by telephone to 0344 800 8020 or in writing to:

**Compliments and Complaints Team, Norfolk County Council,  
County Hall, Martineau Lane, Norwich, NR1 2DH.**

If you are still not satisfied, and feel you have been caused injustice, our complaints process explains how the matter will be escalated, including how to complain to the Local Government Ombudsman.

5.3 If you wish to appeal against enforcement action taken or have other comments, you should write to: The Executive Director, Community and Environmental Services, using the address in 5.2 above.

### 6 Conflict of Interest in Enforcement Matters

6.1 Where a breach is detected in which the enforcing authority is itself the responsible operator, the following protocol will be followed:

- Where a breach of law is sufficiently serious to warrant more than the provision of advice, information, assistance, or a written warning, or where the response to remedy the breach is considered insufficient, an additional authorised officer from another local authority will be requested to assist in the decision-making process. Senior Managers of the Council will be informed without delay.
- The additional officer's role is to assist and challenge the decision-making process to ensure that appropriate, proportionate, and consistent action is taken to remedy the breach, prevent re-occurrence and to minimise the risk of 'conflict of interest' for the

enforcing authority. An auditable record of the additional officer's involvement will also be kept.

## **7 Where to get further information**

- 7.1 Copies of this document and other information/advice are available by writing to the Trading Standards Service using the address in 5.2 above.
- 7.2 We will make this policy available on tape, in Braille, large type, or in another language on request



**Norfolk** County Council

## **Local Monitoring and Enforcement Protocols**

**For the Extraction and Processing of Minerals, Waste Management  
Facilities and for County Council Development under Regulation 3 of the  
Town and Country Planning General Regulations 1992**

**November 2022**

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## 1.0 Background

- 1.1 This document provides supplemental guidance to the County Council's Compliance and Enforcement Policy (Community and Environmental Services) and is provided in the context of specific requirements arising from planning legislation and the National Planning Policy Framework (NPPF) and associated guidance contained in the Planning Practice Guidance.
- 1.2 Paragraph 59 of the National Planning Policy Framework, July 2021 (NPPF) states,  
'Effective enforcement is important as a means of maintaining public confidence in the planning system. Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control. They should consider publishing a local enforcement plan to manage enforcement proactively, in a way that is appropriate to their area. This should set out how they will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development and take action where it is appropriate to do so.' In conjunction with the overarching CES Compliance and Enforcement Policy, this Annex represents Norfolk County Councils Local Enforcement Plan for planning.
- 1.3 Schedule 1 to The Town and Country Planning Act 1990 as amended sets down the responsibilities for Town Planning within a two-tier Planning Authority in England and Wales. Regulation 3 of The Town and Country Planning General Regulation 1992 authorises an authority to determine (subject to regulation 4), an application for planning permission by an interested planning authority to develop any land of that authority, or for development of any land by an interested planning authority or by an interested planning authority jointly with any other person, unless the application is referred to the Secretary of State under section 77 of the 1990 Act for determination by him.
- 1.4 The Development Plan for the County comprises the Norfolk Core Strategy and Minerals and Waste Development Management Policies Development Plan Document (DPD) 2010 -2026 (Adopted 2011), Norfolk Waste Site Specific Allocations DPD adopted 2013, Norfolk Minerals Site Specific Allocations DPD adopted in 2013 and updated in 2017. The adopted Borough and District wide Local Plans, including Development Plan Documents and Area Action Plans. Adopted Neighbourhood Plans which have been developed by local communities, also form part of the Development Plan. The County Council maintains an up-to-date list of local planning authority policy documents and Neighbourhood Plans.

## 2.0 General Statement

- 2.1 Section 19 of The Waste (England and Wales) Regulations 2011 makes it a duty that where a Planning Authority has planning functions in relation to establishments or undertakings carrying on disposal or recovery of waste, the Planning Authority must ensure that appropriate periodic inspections of those establishments or undertakings are made.

- 2.2 There are two elements within this plan. The first being periodic inspections (Section 3.0), the second being the investigation and enforcement of planning breaches (Sections 4-8).
- 2.3 Planning breaches are normally not criminal offences, and no sanction can usually be imposed. However, failure to comply with a formal notice is a criminal offence and making the person committing the breach liable to prosecution.
- 2.4 Where a planning breach occurs a Local Planning Authority (LPA - 'the Authority') is required to consider the expediency of formal enforcement action. Formal enforcement notices may be issued, including a Breach of Condition Notice, Enforcement Notice, Temporary Stop Notice, Stop Notice, Injunction, or Direct Action (following failure to comply with an Enforcement Notice). Enforcement action may result from any of the above or a combination of the above.
- 2.5 The Service of a Planning Contravention Notice constitutes formal action but does not in itself constitute enforcement. Rather it is a request for information relating to interests in the land and the nature of the alleged planning breach, although failure to comply with notice may lead to formal enforcement action as may the information contained in the response.
- 2.6 Similarly, the serving of a notice requesting information on land ownership and occupation under Section 16 of Local Government (Miscellaneous Provisions) Act 1976 is not considered to be enforcement.
- 2.7 The taking of formal enforcement action is discretionary. The Authority may choose to take no action but will need to justify any decision not to enforce, and equally, any decision to take proportionate enforcement action. Any decision will be taken in line with this document and the County Council's Communities and Environmental Services policy on enforcement.
- 3.0 **Monitoring Inspections**
- 3.1 To ensure confidence in the planning control system it is essential that the public and operators are conscious of a fair and effective system of monitoring all authorised and unauthorised development.
- 3.2 Monitoring of permitted sites is an essential tool of controlling development and preventing problems from developing. It is this 'pro-active' approach that often enables officers to anticipate likely breaches of planning control arising before they occur. It enables them to take immediate action to ensure that deterioration in the situation does not arise.
- 3.3 There are currently over 200 operational and active mineral and waste sites in Norfolk. As there are no reserves of hard rock in Norfolk recycling of concrete and other rubble is a significant source of sub-base and fill material. The scale of an operation being undertaken at a site is not an accurate yardstick for allocating resources; experience will often

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show that small recycling and waste transfer sites can give rise to more complaints and the need for more officer time, in comparison with large sites.

- 3.4 Pro-Active monitoring will also vary over the lifetime of mineral extraction sites with greater emphasis taking place during the extraction and restoration phases. Once a site has been restored it will be inspected annually until the aftercare scheme has been successfully established. This is typically a five year period, although longer periods can be specified depending on the restoration scheme. In some cases, a restoration scheme can be linked to permanent changes in the way the site used. Examples of this can be provision of public open space and recreation facilities. In these cases, proactive inspection will only continue for a limited period until the restoration scheme has been established. After this, inspections will be on a reactive basis, should we receive reports of suspected non-compliance.

**Commented [A14]:** Addition and clarification as to timescales for proactive monitoring for mineral extraction sites

- 3.5 Following an inspection of the site and relevant planning permissions, a report shall be prepared and copied to the operator/owner usually within two weeks of such inspection taking place. The report shall amongst other matters detail any breaches identified and specify timescales for compliance with conditions that have been breached.

### Monitoring Fees

- 3.6 The Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (England) Regulations 2006 as amended, enables Mineral and Waste Planning Authorities (MWPAs) to charge operators, where sites have planning permissions for mineral extraction and/or waste landfill, for the re-imbursement of the average costs calculated over all MWPAs providing a monitoring service.
- 3.7 The Authority has agreed a guidance note with minerals and waste operators on the charging regime for minerals and waste site inspections. The guidance note sets out the categories of sites and associated fees, the methodology for agreeing the number of site visits and the monitoring regime.

### 4.0 Investigation and Enforcement

- 4.1 In seeking to secure the highest possible level of compliance with relevant legislation whilst conforming with The Human Rights Act 1998, The Police and Criminal Evidence Act 1984 (P.A.C.E.) the Enforcement Concordat, the Code for Crown Prosecutors the principal enforcement activities of the Authority are directed towards avoidance of infringements. It is nevertheless inevitable that breaches and offences will occur, and the purpose of this protocol is to ensure that they are resolved in a consistent, transparent, balanced, and fair manner.
- 4.2 Similarly, where an operator carries out development without complying with the conditions attached to a planning permission and this gives rise

to problems leading to an unacceptable injury to amenity, the County Council's approach will be to seek to remedy the injury in the first instance by negotiation and persuasion.

- 4.3 All enforcement action, be it verbal warnings, the issue of written warnings, statutory notices, or prosecution, is primarily based upon assessment of risk to public health, public safety, harm to amenity, economic wellbeing, or the environment.
- 4.4 Where appropriate, this Authority will endeavour to recover money under the Proceeds of Crime Act 2002.
- 4.5 This Authority will ensure that all clients subject to any enforcement action are informed of what is expected and the procedures that will be followed. This is to aim to avoid any misunderstandings and ensure transparency of all enforcement action.
- 4.6 This Authority, in exercising its function of ensuring compliance with planning control will:
  - where there is serious harm caused to the amenity, take immediate action against a breach of planning control to stop further damage;
  - in all other instances, seek to resolve any problems within a reasonable timescale by discussion and negotiation without the need to resort to legal action;
  - only take enforcement action where it is necessary to do so to protect the public interest or to protect the environment, people and transport systems and the amenity of the area in accordance with the provisions of the local development framework;
  - ensure that action is always commensurate with the breach of planning control;
  - Give due regard to current legislation, policy framework, instructions, appeal decisions and relevant judicial authority;
  - where appropriate take into account comments made by the general public and consultees;
  - enable acceptable development to take place, even though it may initially have been unauthorised;
  - maintain the integrity of sites having interests of acknowledged importance;
  - where appropriate maintain liaison and contact with the general public, and mineral and waste operators.

## 5.0 The Relevant Enforcing Authority

- 5.1 There is often an overlap of enforcement of activities involving waste disposal and recycling between the Authority, the District and Borough Councils' Environmental Health Departments (EHO) and the Environment Agency (EA). Where the unauthorised activity results in, or has the potential to result in, pollution, the EA will normally be the lead Authority. Where the activities involve a statutory nuisance the District Council EHO may be better placed to take action. In all cases that potentially involve the above bodies, consultations and discussions will take place to see

which Authority is in the better position to lead the investigation and if necessary, take action.

- 5.2 The Authority will have regard to the fact that unauthorised development and some breaches of planning conditions involving wastes may be a criminal offence under legislation enforced by the EA and the Authority will liaise with the EA accordingly. The EA may be in a stronger position to ultimately remedy harm to amenity by way of prosecution and enforcing cessation of the harmful activities. In cases where unauthorised development causes or has the potential for serious harm to human health the Authority will have regard to the fact that it may be more appropriate for the HSE to be the lead Authority and will liaise with them accordingly.
- 5.3 At the request of the Local Planning Authorities, the County Council will consider whether to enter into an agreement, to act as the Enforcing Authority for planning applications approved by the Local Planning Authority, in order to secure the compliance with planning conditions and other obligations associated with the planning permission. Unless specially agreed with the relevant district council, the County Council will not routinely monitor the compliance of the district council but will respond to notifications provided by the district planning authority that enforcement interventions are required.
- 5.4 In deciding whether to act as the Enforcing Authority, the County Council will have regard to:
- The Local Planning Authority's ownership of the site.
  - Whether the duration of the Enforcing Authority role being during such time as the Local Planning Authority has an interest in the site.
  - The purpose being to avoid any suggestion of a conflict of interest or other improper motive or conduct by the Local Planning Authority.
- 5.5 Norfolk County Council is a two-tier Authority with seven District, Borough and City Councils; King's Lynn and West Norfolk Borough Council, Breckland District Council; North Norfolk District Council; South Norfolk District Council; Broadland District Council; Norwich City Council and Great Yarmouth Borough Council. All of whom are also planning authorities. In addition to these councils the Broads authority also has planning responsibilities for the Norfolk and Suffolk Broads area.
- 5.6 It is the intention of the County Council to work closely with other regulatory bodies when investigating and remedying an alleged breach of planning control. The County Council in dealing with all complaints concerning an alleged breach of planning control will identify the authority responsible for taking action and redirect complaints to other regulating bodies where necessary.
- 6.0 **General Guidance**
- 6.1 The County Council will have regard to the provisions of the development plan (see paragraph 1.4) and any other material considerations in the enforcement of planning control.

**Commented [A15]:** Added to confirm that, where required, the County Council may act as the Enforcing Authority for planning applications approved by district/borough councils

- 6.2 This Authority remains committed to fostering business enterprise and prosperity, provided that the necessary development can take place without unacceptable harm to local amenity. Whilst the Authority has a general discretion to take enforcement action when they regard it expedient, it does not condone wilful breaches of planning law. Moreover, in some cases effective enforcement action is likely to be the only appropriate remedy where a breach is causing unacceptable harm. The Authority will be guided by the following considerations: -
- (i) The Commissioner for Local Administration (the local ombudsman) has held, in a number of investigated cases, that there is "maladministration" if an Authority fails to take effective enforcement action which was plainly necessary or where an Authority fails to consider whether to take formal enforcement action or not and be able to show their reasoning for not initiating formal action, often resulting in an award of compensation payable to the complainant for the consequent injustice.
  - (ii) The planning regulatory provisions are to ensure proper land use and to resolve breaches of planning control by removing unacceptable impacts on the environment and the amenity of the area. This ensures a 'level playing field' for legitimate businesses to develop and prosper.
  - (iii) Enforcement action should always be commensurate with the breach of planning control to which it relates (for example, the Authority would usually consider it inappropriate to take formal enforcement action against a trivial or technical breach of control which causes no harm to amenity in the locality of the site); and
  - (iv) Where the Authority's initial attempt to persuade the owner or occupier of the site voluntarily to remedy the harmful effects of unauthorised development fails, negotiations will not be allowed to hamper or delay whatever formal enforcement action may be required to make the development acceptable on planning grounds, or to compel it to stop.
- 6.3 It is not an offence to carry out development without first obtaining planning permission for it. If the Authority's initial assessment indicates it is likely that planning permission would be granted for development which has already taken place, the person responsible will be asked to submit a retrospective planning application. However, this initial assessment is not binding on the Authority's subsequent decision to grant or not grant planning permission.
- 6.4 While it is clearly unsatisfactory for anyone to carry out development without first obtaining the required planning permission, an enforcement notice will not normally be issued solely to "regularise" development which is acceptable on its planning merits, but for which permission has not been sought. This would only apply to development which would be granted without any planning conditions being attached to control the development.

- 6.5 The Authority will not normally invite an owner or operator to submit a planning application if the unauthorised development is contrary to development plan policies or if it appears that any actual or potential harm cannot be made acceptable by the imposition of planning conditions; however, we cannot prevent a landowner who is determined to apply for permission retrospectively.
- 6.6 If an operator or owner submits a planning application that the Authority has requested, the Authority will not normally consider formal enforcement action whilst the application is being considered. If agreement can be reached between the operator and the Authority about the operation being reduced to an acceptable level (e.g., hours of operation, use of plant and equipment, routing of vehicles etc) during any period between a planning application being submitted and its determination, and the person concerned honours the agreement, formal enforcement action may be avoided.
- 6.7 Where the Authority considers that development has been carried out without the requisite planning permission, but the development could be made acceptable by the imposition of planning conditions the owner or occupier of the land will be invited to submit an application, and pay the appropriate application fee, voluntarily. However, if, after a formal invitation to do so, the owner or occupier of the land refuses or fails to submit a planning application in these circumstances within a reasonable timescale, the Authority will consider whether to take formal enforcement action.
- 6.8 Accordingly, where an owner or occupier of land refuses or fails to submit a planning application which would enable the LPA to grant conditional planning permission, the Authority will be justified in issuing an enforcement notice if, in their view, the unauthorised development has resulted in any harm, or has the potential to cause harm, which can only be satisfactorily removed or alleviated by imposing conditions on a grant of planning permission for the development.
- 6.9 If the location of the unauthorised development is unacceptable, but relocation is feasible, it is not the Authority's responsibility to seek out and suggest an alternative site to which the activity might be satisfactorily relocated. However, if an alternative site has been suggested, the Authority will make it clear to the owner or occupier of the site where unauthorised development has taken place that he is expected to relocate to the alternative site within a reasonable timescale. In such circumstances the Authority will usually agree a reasonable time-limit within which relocation should be completed.
- 6.10 What is reasonable will depend on the particular circumstances, including the nature and extent of the unauthorised development; the time needed to negotiate for, and secure an interest in, the alternative site; submit a planning application (if required) for the alternative site; consultation timescales; and the need to avoid unacceptable disruption during the relocation process. If the owner or operator fails to provide justification for a suggested timescale, the Authority will set a timescale it considers reasonable. If a timetable for relocation is ignored, or it is

evident that appropriate steps are not being taken to progress the relocation, the Authority will consider formal enforcement action. In that event, the compliance period in the notice will specify what the Authority regard as a reasonable period to complete the relocation.

- 6.11 Nevertheless if the unauthorised development is causing unacceptable harm to the environment or amenity, the Authority will consider issuing an Enforcement Notice and/or Stop Notice even if an alternative site has been identified and steps have been made towards relocation. The Authority considers that any difficulty or delay with relocation will not normally be a sufficient reason for delaying formal enforcement action to remedy unacceptable unauthorised development.
- 6.12 Where the Authority considers that unacceptable unauthorised development has been carried out, and there is no realistic prospect of its being relocated to a more suitable site, the owner or occupier of the land will be informed that the Authority is not prepared to allow the operation or activity to continue at its present level of activity, or (if this is the case) at all. If the development nevertheless provides valued local employment, the owner or occupier will be advised how long the Authority is prepared to allow before the operation or activity must stop or be reduced to an acceptable level of intensity. If agreement can be reached between the operator and the Authority about the period to be allowed for the operation or activity to cease, or be reduced to an acceptable level, and the person concerned honours the agreement, formal enforcement action may be avoided. However, the Authority will have regard to the possibility of intensification of the development after expiry of the statutory period for enforcement action. If no agreement can be reached, the issue of an enforcement notice will usually be justified, allowing a realistic compliance period for the unauthorised operation or activity to cease, or its scale to be acceptably reduced.

## 7.0 Investigation Priorities

- 7.1 Investigating and remedying alleged breaches of control is labour intensive and the level of service provided is directly proportional to the resources available for regulating planning control. The demand for resources in this area naturally fluctuates over time and while the service will endeavour to match resources to demand, the level of service provided may vary over time.

### Complaints

- 7.2 A complaint/incident is an event or matter that is either brought to the Authority's attention or that monitoring, and control officers may become aware of as part of their duty, and which may have a planning related impact. The type of complaints/incidents received by the Authority are split into 3 priorities:

#### Priority 1

Immediate or irreparable harm to the environment or immediate and substantial harm to amenity. Harm would be assessed in relation to impact on the environment. E.g., the impact of mineral, waste and

Regulation 3 development would often be greater in an area close to residential amenities than it would be in the open countryside. The Authority will respond to the complainant within 24 hours and investigate the complaint within 3 working days. It should be noted that in cases giving rise to immediate and substantial harm there are often more appropriate regulatory regimes outside the planning system. Officers will work cooperatively with other agencies in such cases (see paragraphs (5.1 to 5.6))

### **Priority 2**

On-going low-level harm to amenity or moderate and reparable impact on the environment. E.g., HGV's occasionally going in the wrong direction and causing the road verge to break up. The Authority will respond to the complainant within 3 working days and investigate the complaint within 1 working week.

### **Priority 3**

Occasional harm to amenity or the raising of long-standing issues leading to low level impact on the environment e.g., concerns about the permitted type of material (sand or waste) stored on a site with permission, but in the wrong place or slightly higher than the agreed height. The Authority will respond to the complainant within 3 working days and investigate the complaint when the relevant officer is next in the area, but no later than one month of the receipt of complaint.

### **Investigation of Breaches**

- 7.3 A response to an alleged breach will also require a record of the outcome of investigation. Where there is continued non-compliance, and this results in further visits and investigation then these should additionally be recorded. However, where the operator is taking known action to resolve the problem then this is classified as an ongoing event. It is not necessary to record this as a new breach.
- 7.4 Where separate members of the public report complaints/incidents about different issues relating to a site then these should be recorded as separate breaches. Where multiple residents complain about the same incident then this is recorded as a single breach.
- 7.5 As part of our regular monitoring of planning permissions there are matters identified by officers that if reported to us separately would have been dealt with and recorded as a breach. These will be recorded, and information captured. The same applies as above in that, where there is continued non-compliance then this will be reported as a single breach.
- 7.6 The Monitoring and Control Team will liaise with the Legal Services; Environment Agency; District Council or any other relevant Authority as necessary throughout the investigation.
- 7.7 When complaints about alleged breaches of planning control are received, they will be properly recorded and investigated. If the Authority decides to exercise its discretion not to take formal

## Annex 1

enforcement action it should be prepared to explain its reasons to the complainant, including where complaints are attributable to repeated allegations from vexatious complainants, and they have been previously proved unsubstantiated.

- 7.8 The Authority will ensure that anyone who does complain about a breach of planning control is dealt with in a polite, efficient and responsive way. All complaints that are received will be recorded and stored on a complaints register, which is an electronic and paper based system. The complaints register will enable the receiving officer to detail both the nature of the complaint and the action the Authority has taken to resolve it. Keeping a record of complaints will enable the Authority to assess and improve its overall service.
- 7.9 It may not always be necessary to visit sites to satisfactorily resolve a complaint. However, in most cases it may be necessary to establish whether there has been a breach of planning control by visiting the site. Where, following the investigation of a complaint, the Authority decides not to take formal enforcement action to resolve a substantive issue, the matter being satisfactorily resolved by other methods, the reason for this decision will be explained to the complainant upon request. If, however, the Authority elects to instigate enforcement proceedings against the offender the complainant will be notified of the progress of that action.
- 7.10 The County Council in dealing with all complaints concerning an alleged breach of planning control within their responsibility will:
- treat them confidentially as far as practical;
  - ensure that they are acknowledged and actioned within the timescales prescribed in the priority rating;
  - deal with them expeditiously in a professional and efficient manner;
  - visit the site where necessary, and establish whether there has been a breach of planning control;
  - notify the complainant upon request of the progress of any action taken to resolve substantive matters forming the basis of the complaint;
  - notify the complainant if the authority elects to commence enforcement action against the alleged breach of planning control and be prepared to explain the reason in the event formal enforcement action has not been taken.

## 8.0 Prosecutions

- 8.1 Subject to the Evidential and Public Interest tests Persons who fail to comply with formal notice will normally be prosecuted.

## 9.0 Monitoring of Regulation 3 Development

A procedure has been agreed between Norfolk County Council's Children's Services Department and the Monitoring and Control Team whereby Schools development which falls within Regulation 3 of The Town and Country Planning General Regulation 1992 can be monitored and a fee levied. Developments where planning permission was granted

for permanent external substantial building works will be subject to this regime.

- 9.1 Prior to the inspection taking place, notification will be passed to the applicant informing them that an inspection will be scheduled for a given school. An initial list of developments has been agreed with Children's Services and notification of future inspections will be sent out to individual applicants.
- 9.2 Where a development has been permitted on an open school an appointment will be made prior to inspection. This generally ensures that the school will allow the officer onto the site without issue and, if required, allocate a member of staff to accompany the officer. This will also allow the inspecting officer to check that work has begun prior to going on site.
- 9.3 Where a planning permission is found not to have been implemented it will be removed from the list and an invoice will not be raised. It is generally agreed that a single chargeable inspection will be required for smaller developments such as extensions, although a second non-chargeable visit may be required after completion of the development.
- 9.4 For major developments, such as new schools, two chargeable visits per year for the life of the construction phase will be required. A final chargeable visit to check completion and landscape implementation will also be required.
- 9.5 Failure to comply with all planning conditions could result in further chargeable visits being undertaken until full compliance is achieved. There will be a maximum of two chargeable visits per school in any one financial year.
- 9.6 Once the report has been completed, it will be sent to the applicant along with a copy of the planning permission and an invoice for payment.

## **10. Member Protocol**

- 10.1 Local Norfolk County Council members will be informed when an Enforcement Notice is served in their division.
- 10.2 Members of the Council will be presented on a regular basis of not less than once per year with a report detailing the decisions made under delegated authority, performance statistics and enforcement update for the work of the Monitoring and Control Team.



**Norfolk** County Council

## **Norfolk County Council Flood and Water Management Enforcement Protocol**

November 2022

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## 1.0 Introduction

This document provides supplemental guidance to Norfolk County Council's Community and Environmental Services (CES) Compliance and Enforcement Policy and is provided in the context of specific requirements arising from the Flood and Water Management Act 2010 and the Land Drainage Act 1991.

Norfolk County Council (NCC) is the Lead Local Flood Authority (LLFA) for the county. This role is fulfilled by the Flood and Water Management team.

This Protocol and guidance note has been adapted from best practice identified within local authorities in England. It is intended for use as guidance by Risk Management Authorities, developers and landowners.

## 2.0 Regulation of Ordinary Watercourses

The Lead Local Flood Authority has powers under the Land Drainage Act 1991 to exercise its regulatory powers in relation to watercourses outside of Internal Drainage Board areas and where they are not Environment Agency designated main rivers.

The Lead Local Flood Authority will take a risk-based and proportionate approach to exercising its regulatory powers under the Land Drainage Act 1991, taking into account the location and nature of any nuisance caused by;

- the failure to repair or maintain watercourses, bridges or drainage works
- un-consented works
- impediments to the proper flow of water

This approach will take into account whether the contraventions have or are likely to increase flood risk and what the consequences of any increase in risk may be. Where works are un-consented the Lead Local Flood Authority would require the landowner, person and/or Risk Management Authority responsible for the works to prove that the un-consented works would not cause a nuisance or increase flood risk.

With regards to the causes of the nuisances described above, the Lead Local Flood Authority has powers under Sections 21, 24 and 25 of the Land Drainage Act 1991 to serve notice on individuals who have caused contraventions.

In issuing a notice the Lead Local Flood Authority may set out the works required to resolve the contravention to an acceptable standard and the date by which the works should be completed.

If the works are not completed by the date set out in the notice, the Lead Local Flood Authority may take action to remedy the effect of the

contravention or failure and seek to recover the costs incurred, as well as pursue any necessary prosecution.

### 3.0 Guiding Principles

Enforcement under the Land Drainage Act, 1991 will be carried out using the guiding principles as set out in the CES Compliance and Enforcement Policy.

### 4.0 Process

#### a) *Initial response*

Where the Lead Local Flood Authority receives a complaint in relation to an ordinary watercourse, we will carry out an initial assessment to establish whether the actual or potential flood risk meets our threshold for intervention. We aim to complete this assessment within 21 days. However, there will be occasions when it is necessary to extend the period of assessment for more complex matters and/or to accommodate exceptional circumstances e.g. weather, flood conditions, etc. At the outset the complainant will be informed of the case officer who will follow up the enquiry and of the outcome of the assessment.

#### b) *Initial assessment*

The threshold for intervention will be based on the Lead Local Flood Authority's [impact criteria](#).

To assess the potential impact the initial assessment will consider the on-site conditions, any available historical data and high-level indicators of potential risk, such as Environment Agency (EA) Flood risk maps for surface water flooding and flooding from rivers. It will also consider any other status of land e.g. conservation designations, common land etc.

To substantiate incidents of actual flooding as part of the initial assessment we will need to be provided with one or more of the following types of evidence:

- I. An insurance claim
- II. Records from Risk Management Authorities i.e. Anglian Water, District Councils
- III. Dated photos of the event
- IV. Written report from a Risk Management Authority

The evidence supplied will be determined in line with the guiding principles as set out in the CES Compliance and Enforcement Policy.

The Lead Local Flood Authority may close an enforcement case file, where there is a lack of physical evidence to corroborate the impact of a flood event. If further relevant evidence was to come forward, then the Lead Local Flood Authority may re-open the case file and undertake a further investigation.

**C) Further Investigation** Where the initial assessment has identified an actual or potential risk of flooding that exceeds the adopted impact criteria, but where a site inspection has failed to identify the primary cause of the problem the authority may;

- consult with other organisations including other local authorities, Highway Authorities, Environment Agency, Natural England as appropriate.
- require or commission appropriate site surveys and inspections.

In deciding whether or not to carry out the above steps the LLFA will consider whether it is in the public interest to do so. Having regard to the actual and potential impacts of the flooding, the costs of carrying out the works and the likelihood of obtaining sufficient evidence to enable enforcement activity. Where the Lead Local Flood Authority is made aware of breaches of other legislation it will advise the appropriate authorities.

**D) Outcome of initial assessment/Further Investigation**

Once an initial assessment/further investigation has been carried out the complainant will be informed in writing as to the next course of action and this may include;

- I. Informing relevant party(s) of works that are required to be undertaken within the set timescale OR
- II. No further action by the LLFA and:
  - Providing advice to those affected on referral to the [First Tier Tribunal \(Property Chamber\), Agricultural Land and Drainage \(AL&D\)](#) or other relevant organisation, where appropriate
  - Informing relevant parties of their [riparian responsibilities](#)

Where it is considered that further action needs to be taken by the relevant landowner, person and/or Risk Management Authority responsible this will be explained within the letter that sets out the outcome of the initial assessment/further investigation. This will include the following:

- An explanation of the problem and the remedy required in accordance with the Land Drainage Act 1991.
- Depending on the nature of the problem we aim to ensure that remedial work is carried out within the timeframe specified in the letter (between 7 and 21 days of the date of the letter). However, there will be occasions when it is necessary to extend the period of compliance for more complex matters and/or to accommodate exceptional circumstances e.g. weather, flood conditions, etc. The time allowed will be reasonable in the circumstances. The extent of the work required will be proportionate to the scale of the problem.
- In certain circumstances practicalities may not allow for works to be done within the timeframe specified in the letter. The Lead Local

Flood Authority will assess the circumstances with regards to enforcement and whether any works need to be deferred or amended to take into account the impacts of any works on wildlife. Examples where this may occur include:

- Seasonal farming practices and Environmental Schemes can restrict access or time schedules to carry out works;
- The nesting season for some birds occurs between the 1 March and 31 August and works might cause disruption if nests are present;
- Presence of protected species will influence when it is most appropriate to carry out work.

### ***Seeking resolution prior to serving notices***

The Lead Local Flood Authority will seek to resolve the situation by means of negotiation with the person responsible and obtain compliance with a request to satisfactorily undertake the work required.

### ***Serving notices under the Land Drainage Act 1991***

If a positive response to the Lead Local Flood Authority's letter has not been received within the timescale specified and on inspection no work has been satisfactorily undertaken as required, a notice under the relevant section of the Land Drainage Act 1991 will be served. The notice will include the nature of the work to be carried out, the period within which it is to be carried out and any relevant right of appeal to a magistrates' court within 21 days of service of the notice (where applicable). A Notice under the Land Drainage Act 1991 is a legal document formally requiring specific work to be carried out within a set timescale.

A letter will accompany the notice and inform the responsible person that in the event of their failure to satisfactorily undertake the work, the Lead Local Flood Authority may carry out the work itself and recover from the person responsible the expenses reasonably incurred in doing so which will include recovering the costs of pursuing the case.

### ***Enforcement of notices***

Following service of the notice, one of four things will happen: -

- The responsible person will carry out the work to the satisfaction of the council.
- The responsible person may appeal the notice.
- The responsible person will fail to carry out the work to the satisfaction of the Lead Local Flood Authority and the Lead Local Flood Authority will seek to recover their expenses; and /or
- The Lead Local Flood Authority will, where appropriate, decide whether to take a prosecution against the responsible person, in addition to carrying out the work and seeking to recover the costs of that work.

### **Completion of proceedings**

If the responsible person complies with the notice and completes the work to the satisfaction of the Lead Local Flood Authority, the Lead Local Flood Authority will write to the responsible person confirming the closure of the case and the end of the action.

### **No further action**

The Lead Local Flood Authority may take no action where:

- there is no actual or potential risk to properties or infrastructure; and/or
- that the matter complained of is not the cause of the drainage problem; and/or
- the matter is trivial in nature

If this is the case, the complainant will be advised accordingly, and a written communication will be sent to the complainant explaining the reason why no action is to be taken. The complainant will also be referred, where appropriate, to the [First Tier Tribunal \(Property Chamber\)](#), [Agricultural Land and Drainage \(AL&D\)](#) or other relevant organisation. The riparian owner will also be informed, as appropriate.

Examples of matters not requiring action may include minimal silting of the watercourse, slight vegetation overgrowth, the accumulation of a small quantity of debris etc

### **Advice**

The Lead Local Flood Authority will provide basic information and advice to individuals of their riparian ownership responsibilities and of the route for appeal against other riparian owners where appropriate. The Lead Local Flood Authority may suggest that independent legal and/or technical advice is sought, where appropriate.

### **Data Protection**

Information may be shared with [Risk Management Authorities](#) under Section 13 and 14 of the Flood and Water Management Act 2010 in order to exercise flood and coastal erosion risk management functions. This information will be held securely, and any processing will be performed in line with the requirements of the Data Protection Act 1998 and the General Data Protection Regulation from 25 May 2018. Norfolk County Council is registered as a Data Controller with the Information Commissioner's Office. Further details about how we process personal data can be found in our [Privacy Notice](#).

### **Further Information**

Please consult the [Glossary of terms](#) document which supports this protocol.



**Norfolk** County Council

# **Norfolk Fire and Rescue Service Enforcement Policy Statement (England and Wales)**

## **Fire Safety Policy Directive**

**November 2022**

### Introduction

We are approachable and want to engage with and hear from you. The following pages explain our enforcement policy. This document is supported by other documents required by the Regulators Code, namely our Service Standards and our Challenges, Appeals and Complaints procedure. This guidance has been produced in consultation with the Better Regulation Delivery Office (now Regulatory Delivery). This policy aims to explain our approach to our regulatory functions in relation to fire safety and public safety in our communities. It also explains the behaviours that business can expect receive from us and legal constraints and frameworks under which we operate.

## Quick guide

### 1. Introduction

The Norfolk Fire and Rescue Service (and its officers) will exercise its regulatory functions in accordance with the principles of better regulation and will comply with all relevant laws. Business should have a mainly positive experience of being regulated by the Service.

### 2. Principles

The Service is tasked with seeing that people are safe in case of fire and believes that deaths and injuries caused by fire in regulated premises are preventable, if the right measures are taken. The Service and its officers will engage and work with business, in preference to enforcing fire safety standards.

### 3. Regulation

The purpose of enforcement action is to bring about improvements in safety and in attitudes to providing safety. While the Service has laid down procedures for its officers, we will take each case on its merits.

### 4. Helping Those We Regulate (Transparency)

The Service aspires to help regulated businesses and to work with them to resolve fire safety problems but will robustly enforce where the risk to people is highest and when those responsible refuse to help them.

### 5. Targeting

The regulatory policy of the Service focuses on risk in case of fire and in places where we will be most effective in saving life.

### 6. Accountability to Those We Regulate

The Service is accountable for its actions and is open to analysis and questioning of our regulatory work.

### 7. Principles of Enforcement Action

A range of relevant factors will be considered before any enforcement action is taken by the Service. When action must be taken to improve safety, the Service will be clear about what is required.

### 8. Our Enforcement Action

The Service would rather work with business to make places safe than enforce against them. When enforcement is needed; we will be clear about what must be done. Letters or notices may be sent to confirm what business needs to do to. All enforcement will be proportional to the risk.

## **9. After Enforcement Action**

The Service encourages dialogue and open communication during and after the enforcement process. Requirements for safety and how to challenge what we are asking for will be made clear.

## **10. Failure to Comply with Requirements**

When the Service makes an enforcement decision, there might be a route to appeal or challenge what we have said. How to do this (and how to complain about our behaviour) will be made clear. Business can talk to us.

## **11. Simple Cautions and Prosecution**

If an offence has been committed, it means the law has been broken and the Service can take the matter to court. In addition to going to court, there are other actions that the Service can take.

## **12. Public Register**

The Service must enter details of certain notices (called “relevant notices”) into a register to which the public have access. (In accordance with the Environment and Safety Information Act 1988). Further details are available on request or from the [Enforcement Register](#)

## **13. Other Duties of the Service**

As well as ensuring that people are kept safe in case fire, the Service is also responsible for some other laws relating to public safety.

## **14. Data Protection**

The Service will comply with data protection laws.

## **15. Freedom of Information**

The Service is subject to the Freedom of Information Act, which provides a right of access to regulatory information held by the Service.

## More on the Introduction

1.1 This statement sets out the service that business and others being regulated by the Norfolk Fire and Rescue Service can expect from its regulatory and enforcement function and its appointed inspectors. It goes some way to satisfying the Regulators' Code by committing the Service and appointed inspectors to the principles of good enforcement with the assistance of effective procedures and clear guidance, which can be viewed by businesses and members of the public.

[Policy](#)

1.2 This Enforcement Policy Statement has been prepared with regard to the following legislation and statutory guidance:

- The Regulators Code
- The Regulatory Enforcement and Sanctions Act 2008
- The Legislative and Regulatory Reform Act 2006
- The Legislative and Regulatory Reform (Regulatory Functions) Order 2007
- The Environment and Safety Information Act 1988
- The Regulatory Reform (Fire Safety) Order 2005
- The Licensing Act 2003
- The Explosive Regulations 2014
- The Petroleum (Consolidation) Regulations 2014

1.3 The primary function of the regulatory part of the Service is to achieve safety in case of fire (in premise to which fire safety law applies).

## More on Our Principles

2.1 Fire safety regulation is founded on the principle that people should be kept safe in case of fire. We regulate to help secure this safety and through our regulation, we aim to provide a consistently high quality service to those we regulate. Our regulatory activity generally extends to premises in which there is a trade, business or other undertaking.

2.2 Non-compliance with fire safety law will mean that, in our view, people are at risk in case of fire. Where we identify people at risk in case of fire, we will respond proportionately to that risk; taking account of the likelihood and severity of the risk, in line with our service standards.

2.3 The Service believes in firm but fair enforcement of fire safety standards. We aim to achieve this by:

- proportionally applying the law to secure safety;
- being consistent in our approach to regulation;
- targeting our resources and enforcement action on the highest risk;
- being transparent about how we operate and regulate; and
- being accountable for our actions.

2.4 We will have regard to the Regulators Code when developing the policies and procedures that guide our regulatory activities. We will encourage and promote fire safety while minimising the associated costs of providing safety from fire.

2.5 We believe that by fostering good relationships with our business community and by working with them, we can improve public safety, business resilience, and can remove any unnecessary burdens of complying with fire safety law.

2.6 The Service will endeavour to engage with the business community, to seek their views about our policies and practices. (Details of engaging with us are available on request and on our website)

2.7 In the most serious cases of danger in case of fire, we will take immediate and decisive action to secure safety, for example by serving a prohibition notice that can stop people from using the premises.

For more information see [CFOA fire safety law web pages](#)

### **More on the way we approach regulation**

3.1 In accordance with the Regulators Code, the Service takes enforcement action (and imposes sanctions and penalties) to:

- (a) change the behaviour of the offender;
- (b) change societal attitudes to the risks from fire;
- (c) eliminate financial gain or benefit from putting people at risk in case of fire;
- (d) exercise a proportionate response to the nature of the offence and the harm caused;
- (e) restore safety to premises where fire safety risks were found; and
- (f) encourage fire safety to be secured in future.
- (g) impose an appropriate sanction for the particular offender, which can include punishment through the courts (and the public stigma that should be associated with a criminal conviction);

For further details please review [Information on the Regulators Code](#)

3.2 Avoiding fires is better than protecting people when fire occurs. Where fire is likely and / or the consequences of fire pose a hazard to people, it becomes necessary for us to take action (against the responsible person / duty holder) to reduce the risk. We have a wide range of enforcement action available to us. The actions we may take include:

- (a) no action;
- (b) providing advice;
- (c) informal action;
- (d) formal action (including enforcement, alterations and prohibition notices);
- (e) taking samples of dangerous materials or extracts of recorded information; and
- (f) securing information to prepare for prosecutions.

3.4 The enforcement actions listed above are not written in an absolute order of escalation. Enforcement action taken by the Service is scalable and appropriate to the risk to people in case of fire.

3.5 When formal enforcement action is necessary, each case will be considered on its merits. All enforcement decisions will be fair, independent and objective. They will not be influenced by issues such as ethnicity or national origin, gender, religious beliefs, political views or the sexual orientation of the suspect, victim, witness or offender. Such decisions will not be affected by improper or undue pressure from any source.

3.6 All enforcement activities, including investigations and formal actions, will always be conducted in compliance with the statutory powers of the officer and all other relevant legislation, including but not limited to the Police and Criminal Evidence Act 1984, the Criminal Procedure and Investigations Act 1996, the Human Rights Act 1998, and the Regulation of Investigatory Powers Act 2000, and in accordance with any formal procedures and codes of practice made under this legislation so far as they relate to the regulatory activity of the Service.

### **More on helping those we regulate**

4.1 We will help those responsible for delivering safety in case of fire (responsible persons and duty holders) to understand what is expected of them and what they should expect from the Service. Legal requirements will be clearly distinguished from best practice or non-statutory fire safety advice. We will publish guidance in a clear, accessible, concise, format using media appropriate to the target audience, in plain language.

4.2 (Details are available on request and on our website).

### **More on Targeting**

- 5.1 Our policy on inspections will be to focus primarily on those whose premises and activities give rise to the most serious risk to life in case of fire. In making an assessment of risk, we will take into account the fire safety record of those we regulate and the current risks to people in case of fire.
- 5.2 We will maintain a strategy that will identify and evaluate risks in premises as well as to the wider community and allocate resources to carry out inspections accordingly. We want to see fire safety provided in buildings and may take action against those regarded as putting people at risk in case of fire.
- 5.3 Earned recognition may be awarded to businesses for assurance of safety, including for example external verification of safety systems / practices.
- 5.4 Our Service Standards and plans including details of our risk-based approach to risk and are available on request.

### **More on our Accountability**

- 6.1 The Service is accountable to its community for its actions. This means we must have policies and standards against which we can be judged, and an effective and easily accessible mechanism for dealing with comments and for handling complaints.
- 6.2 Details are available on request and on our website [Complaint](#)

### **More on the Principles of Enforcement Action**

- 7.1 In assessing necessary and proportionate enforcement action, consideration will be given to (amongst other things):
- the safety history at the premises,
  - the history of operational attendances and false alarms at the premises,
  - safety referrals to the premises from other authorities / interested parties,
  - any Primary Authority relationship that might be in place with the business,
  - the adequacy of fire safety arrangements at the premises,
  - the attitude of the responsible person / duty holder to providing safety,
  - statutory guidance,
  - codes of practice, and

- legal advice.

7.2 Certain enforcement action, such as the decision to use a Simple Caution and / or the decision to investigate for prosecution, is further and specifically informed by those matters set out below at section 11

7.3 In every case, when we require action to remedy unsafe conditions, we will explain the nature of the unsafe conditions to those responsible and will confirm the same in writing.

7.4 Because, subject to any letter or notice we give, work must be done to improve or secure the safety of people in case of fire; we will agree reasonable timescales within which the work must be completed that are agreed with those responsible.

### **More on Our Enforcement Action**

8.1 The Service will offer duty holders information and advice both verbally and / or in writing. This will include an explanation of why any specified work is necessary and a time period within which the specified work should be completed. Educating, informing and advising responsible persons and duty holders about their duties under fire safety legislation will form a fundamental element of our enforcement regime. The Service will fulfil its obligation under section 6(2) of the Fire and Rescue Services Act 2004 to give on request, advice on fire safety free of charge.

8.2 Where we find risks to safety, we may deal with them by informal means or (where appropriate) we may take formal action by serving alterations, enforcement and / or prohibition notices. We may also issue Simple Cautions, and (in the most serious cases) may prosecute. Before formal enforcement action is taken, inspectors will provide the person responsible with an opportunity to discuss the circumstances of the case and, if possible, resolve points of difference without recourse to formal enforcement action (unless immediate action is required to reduce the risk to life or to prevent evidence from being destroyed).

8.3 In certain circumstances, after evaluating the safety at premises, no action may be required. This will be the case when the safety of people in case of fire has been adequately secured.

### Annex 3

- 8.4 If the likelihood of fire is high and the consequences in case of fire are low, advice may be given on how the likelihood can be reduced. Advice may also be given where the consequences of fire might cause harm to people but can be simply avoided. Advice can also be given to point out good practice or to signpost business continuity advice or other business protections, for example protection from flooding.
- 8.5 Where the likelihood of fire is low / medium or the consequences of a fire are slight, informal action will be taken. Informal action will take the form of a letter, pointing out that people are at risk in case of fire, where in the building they are located and what has led to them being put at risk as well as what should be done to provide safety and how to prevent the same danger from recurring. Informal action may also be taken, if those responsible have displayed clear intentions to undertake corrective action. Failure to respond to informal action can result in escalation to formal enforcement action.
- 8.6 Formal action will take the form of serving a Notice (alterations, enforcement, and / or prohibition notices). Formal action will be taken when the consequences of fire are such that people are likely to be harmed, suffer serious injury or death. It can require specific action to be taken or certain activities to cease.
- 8.6.1 Where a reasonable known change to premises or to the use of premises could result in a significant increase in the risks to people on the premises, we may serve an Alterations Notice, which requires the responsible person / duty holder to notify us, before making that known change.
- 8.6.2 Enforcement Notices require improvements in safety and will point out: that people are at risk in case of fire; where in the building they are located; and what has led to them being put at risk, as well as what should be done to provide safety and how to prevent the same danger from recurring. Enforcement Notices include a reasonable period of time for safety to be put in place. Failure to respond to a formal Notice can result in escalation to an investigation for prosecution.
- 8.6.3 Where immediate action is considered necessary to keep people safe from fire, a Prohibition Notice, which can prohibit or restrict the use of premises, can be served. An explanation of why such action is required will be given at the time and confirmed in writing. Whereas a Prohibition Notice requires action to remove

imminent and immediate risks in case of fire, an Enforcement Notice might also be served to deal with less imminent risks in case of fire.

8.7 Fire Safety law gives power to warranted inspectors to take samples of dangerous materials or extracts of recorded safety information and documents. When we take materials or documents we will provide an appropriate receipt.

8.8 In the most serious of cases we will gather information and conduct an investigation to prepare for a prosecution. The decision to prosecute a case will be taken by those with authority to do so in accordance with our Scheme of Delegations.

8.9 All our members of staff that make enforcement decisions will be required to follow the Regulators Code.

### **More about After Enforcement Action**

9.1 When the Service takes enforcement action, we will discuss what is required to achieve safety for relevant persons with the responsible person / duty holder (taking into account the circumstances of the case if they have been explained to us).

9.2 The Service will clearly explain any advice, required actions or decisions taken at the time of our visit and will be willing to discuss such matters on any future occasion to ensure those responsible have clarity of what must be done.

9.3 Our letters and notices will provide details in writing of what must be done and how to appeal against any of our regulatory decisions. Our letters and notices will also explain what will happen next, especially if you do not undertake the work. Our web-site has details of how to complain about our conduct, if you should feel it necessary. [Complaint](#)

9.4 We encourage those responsible for providing safety in case of fire to contact us, especially if there are any questions or comments about our regulatory activity. We will also maintain regular communication (where required) until safety has been provided.

### **More on a Failure to Comply with Requirements**

10.1 Rights of and routes to appeal will be clearly set out in writing and issued with our letters.

10.2 The failure to comply with an alterations, enforcement or prohibition notice constitutes an offence and may result in prosecution.

10.3 We can withdraw alterations, enforcement, and prohibition notices at any time, but they will generally be deemed to be in force until such time as the notice is complied with, withdrawn, or cancelled by the court.

### **More on Simple Cautions and Prosecution**

11.1 There are a number of offences that can be committed under Fire Safety law. Among the foremost of these are failure to comply with a formal notice and failing to provide safety in case of fire to such extent that one or more people are put at risk of death or serious injury in case of fire.

11.2 The Service can deal with offenders through prosecution and Simple Cautions. These legal actions are important ways to bring to account those responsible for alleged legal offences. Where appropriate, we will use one of these measures in addition to issuing a formal notice.

11.3 A prosecution may be taken following full consideration of the many factors arising for the alleged breaches of the law. Penalties for offences are awarded by the courts and can include fines, imprisonment or both.

11.4 A Simple Caution will only be used where a prosecution could be properly brought and there is a realistic prospect of conviction. A Simple Caution includes a written submission from the person responsible that an offence has been committed.

11.5 A record of a Simple Caution will be kept on file for three years and if a conviction for a further offence is brought within that period, the written submission of the previous offence will be introduced to the court for consideration.

### **More about the Other Duties of the Service**

13.1 In addition to Fire Safety law the Service is also responsible for the following regulations.

- Licensing authority for the Petroleum Consolidation Regulations 2014
- The Explosive Regulations 2014.

13.2 The Service can request a review of a premises license under Section 51 of the Licensing Act 2003. The options available to the Licensing Committee are:

- i. Modification of the conditions of the Licence
- ii. Exclusion of Licensable activity from the scope of the Licence
- iii. Removal of the Designated Premises Supervisor
- iv. Suspension of the Licence for a period not exceeding three months
- v. Revocation of the Licence
- vi. Issue of a Warning Letter
- vii. No Action

13.3 The Service enforces the requirements of Explosive Regulations 2014 through application of the Health and Safety at Work (etc) Act 1974 and the serving of improvement notices and prohibitions orders.

#### **More on Data Protection**

14.1 The Service will comply with the principles of the Data Protection Act 1998 governing the use of personal data received or obtained and will respect the rights and freedoms of those individuals when processing their details. The following document Information Management Strategy lays out our strategic approach to meeting these legal requirements. (Details are available on request and on our website [Information Management Strategy](#))

#### **More on Freedom of Information**

15.1 Under the Freedom of Information Act 2000, individuals are given 'a general right of access to information held by public authorities in the course of carrying out their functions subject to certain conditions and exemptions'. Under Section 19 of that Act, public authorities are required to produce a publication scheme setting out details of the information routinely published or made available, how the information is made available (in hard copy and on-line), and whether it is available free of charge or on payment.

15.2 Details of The Service's publication scheme are available on request and on our website [Publication Scheme](#).

#### **The Regulators Code**

The Regulators Code is a statutory code of practice for regulators and makes six broad requirements:

- i. To carry out their activities in a way that supports those they regulate to comply and grow;
- ii. To provide simple and straightforward ways to engage with those they regulate and to hear their views;
- iii. To base their regulatory activity on risk;
- iv. To share information about compliance and risk;
- v. To ensure clear information, guidance and advice is available to help those they regulate meet their responsibilities to comply; and
- vi. To ensure their approach to regulatory activity is transparent.

The service has taken regard of the Regulators Code in producing this policy statement.

For the full version see the: [The Regulators Code](#)

### **The Regulatory Enforcement and Sanctions Act**

The Regulatory Enforcement and Sanctions Act (The RES) established The Local Better Regulation Office (later renamed as the Better Regulation Delivery Office (BRDO)). It also imposed a duty on Regulators to: (a) have regard to any guidance issued by BRDO, (b) a duty to comply with guidance where the Regulator is directed to do so by BRDO, and (c) a duty to have regard to any list of enforcement priorities published by BRDO. As a listed Regulator, the Service is committed to these duties.

For the full version click here: [The Regulatory Enforcement and Sanctions Act](#)

### **Legislative and Regulatory Reform Act**

Part 2 of the Legislative and Regulatory Reform Act requires the Service to have regard to the Principles of Good Regulation. We recognise that our regulatory activities should be carried out in a way which is: (i) proportionate; (ii) accountable; (iii) consistent; (iv) transparent; and (v) targeted to situations which need action. When we exercise a regulatory function, which for the Service includes: the Regulatory Reform (Fire Safety) Order, [The Petroleum \(Consolidation\) Regulations 2014](#), [Explosives Regulations 2014](#) and the [Health and Safety at Work \(etc\) Act](#) we have regard to the Regulators Code.

For the full version see the [Legislative and Regulatory Reform Act](#)

### **The Legislative and Regulatory Reform (Regulatory Functions) Order 2007**

The Legislative and Regulatory Reform (Regulatory Functions) Order imposes a duty on the Service to have regard to the Regulators' Code when determining general policies or principles. It requires that the regulatory activities of the Service are carried out in a way which is transparent, accountable, proportionate and consistent, as well as being targeted only at cases in which action is needed.

For the full version see the: [Legislative and Regulatory Reform \(Regulatory Functions\) Order](#)

### **The Environment and Safety Information Act**

The Environment and Safety Information Act requires the Service to make a publicly accessible record of formal enforcement action that we have taken.

For the full version see [The Environment and Safety Information Act 1988](#)

### **The Regulatory Reform (Fire Safety) Order**

The Regulatory Reform (Fire Safety) Order 2005 principally imposes a general duty on responsible persons and duty holders to take general fire precautions to keep people safe in case of fire and establishes enforcing authorities to enforce the provisions of the Order. The Service is an enforcing authority under the Order and is empowered to inspect premises and serve notices to improve safety standards (among others).

For the full version see [The Regulatory Reform \(Fire Safety\) Order](#)

### **The Licensing Act 2003**

The Licensing Act establishes the Service as a 'responsible authority' with whom the Licensing Authority must consult in connection with Licensable activities, including the sale or supply of alcohol or the provision of regulated entertainment or late night refreshment. The licensing objectives are to promote: the prevention of crime and disorder; public safety; the prevention of public nuisance; and the protection of children from harm.

For the full version see [The Licensing Act](#)

### **The Explosive Regulations 2014**

The Service is the local authority for the purposes of dealing with applications for registration or for a licence to store explosives (under certain prescribed conditions).

For the full version see [The Explosive Regulations 2014](#)

### **The Petroleum (Consolidation) Regulations**

The Service is the 'petroleum enforcement authority' and can grant 'storage certificates' for premises at which petrol is dispensed and enforces The Petroleum (Consolidation) Regulations in premises to which those regulations apply.

For the full version see [The Petroleum Consolidation Regulations](#)



**Norfolk** County Council

## **Norfolk County Council Highways Enforcement Protocol**

**November 2022**

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## 1.0 Introduction

The Highways area teams receive a significant number of customer enquiries each year relating to enforcement matters. These range from trading on the highway, such as car sales on verges, caravans / motorhomes being parked on the highway, blocked public footpaths and trailer or van mounted advertising hoardings.

The CES Compliance and Enforcement Policy is followed, although priority is given to highway safety matters. Increasingly, the teams work with District and Borough Councils and on a more local level with Town and Parish Councils to achieve successful outcomes.

In the majority of cases, the legal processes relating to enforcement are well established, such as dealing with public rights of way issues under various sections of the Highways Act. The following processes are less well established and have been the subject of recent Local Member interest.

## 2.0 Vehicles for sale on the Highway

When an enquiry is received or issue identified, the Highways Area team will notify the owner and ask them to remove it immediately. A phone call will suffice provided that a record is kept of the time and date.

The Highways Area team will re-inspect the site at least twice within the next calendar month, taking photos and noting the date and time of the inspections. If the problem persists after 4 weeks, the Highway Engineer and Area Manager will assess situation and identify a way forward.

## 3.0 Advertising Boards and Trailers on the Highway

At joint authority meeting, which included Nplaw, it was concluded that the most appropriate way forward in addressing the issue of illegal advertising boards and trailers was to use the Town & Country Planning Act 1990 rather than the Highways Act 1980, as this offered the best chance of a successful prosecution combined with deterrent fines. In these cases, District and Borough Councils would take be the Lead Authority.

However, where an enquiry is received and the issue identified is likely to cause a danger to other highway users, the Highways Area team will:

- Check whether route is subject to an advertising ban by-law (generally District/Borough Council imposed)
- Laminated notices can be attached to towable hoardings if they are found to be on Highway land, illegal and causing a safety issue for highway users.
- If the contact details for the trailer owner are known, they can be contacted direct to remove the trailer. This can be by either telephone or the use of letter
- If letter is sent or contact details are unknown, a formal notice must be attached to the advertising hoarding. All fees charged should recover all costs incurred including Officer time, administration costs and hoarding collection costs.

#### Annex 4

- Officers can request the removal of unauthorised A Boards. Photographic records can be taken, and re-inspection may be required
- Request for removal, by formal letter, should be made to the offending party, in their absence, immediate removal can be arranged, and cost recovered.
- If there is a significant problem with a particular shopping area, precinct, or high street it may be helpful for the Highways Engineer to arrange a meeting with the traders, town Councillors or Town Centre Managers to explain the procedure and our Duty of Care for all highway users
- In exceptional cases Area Managers can consider whether offenders should be prosecuted in Magistrates Court.



**Norfolk** County Council

## **Blue Badge Enforcement Protocol**

November 2022

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## 1.0 Introduction

In November 2011 Norfolk was designated as a Civil Enforcement Area and, following the commencement of the Disabled Persons' Parking Badges Act 2013, local authority enforcement officers are now able to inspect and retain a blue badge without police presence, if they have reasonable grounds for believing that an offence has occurred. Wrongful or misuse of a Blue Badge is a strict liability offence. The County Council employs a Blue Badge Investigator to carry out follow up investigations and prepare the evidence in support of enforcements – including giving written warning, or recommendations for formal prosecutions or simple cautions.

The Community and Environmental Services Compliance and Enforcement Policy is followed, and this protocol is to be read in conjunction with that document. The Blue Badge Investigations service forms part of the Infrastructure and Development Section. There is a close working arrangement with Trading Standards, who process the legal disposals, and with the Customer Services Centre (CSC) who administer the Blue Badge Scheme.

There is close liaison with District Councils who employ Civil Enforcement Officers (CEO), including guidance on the policy requirements for evidence-gathering and operational arrangements.

The misuse of the Blue Badge Scheme can have serious consequences for legitimate users by denying them access to essential services and facilities. Norfolk County Council are committed to reducing the level of misuse and increasing compliance with the scheme in pursuit of our traffic management duties and aims, and to support vulnerable people in Norfolk.

## 2.0 Identifying Offences

Blue Badge Offences are identified in 3 ways –

- Reports by members of the public via the online form or the CSC
- Badge Inspections and seizures by CEOs as part of normal patrol duties.
- Badge Inspections and seizures by the Blue Badge Investigator during specific patrols.

The County Council publicised the commencement of work by the Blue Badge Investigator and continues to publish on its website the results of enforcement action where a person is taken to court.

[See further information on Blue Badge Enforcement](#)

We have provided guidance to Civil Enforcement Officers who have the power to inspect and retain Blue Badges. This includes when and when not to inspect/retain badges, what offences are likely to have been committed. How they should interact with members of the public in what is a stressful situation and the type of questions to ask to gather evidence.

The Investigative process will also follow good practice guidance related to how those with hidden disabilities interact with the Criminal justice system.

### 3.0 Investigation Process

All investigations into alleged offences are conducted in accordance with statutory powers, relevant legislation, and codes of practice.

Persons suspected of committing an offence will always where possible be formally interviewed in accordance with Police and Criminal Evidence Act 1984 (PACE). This is undertaken in 3 ways –

- Roadside interview by the Blue Badge Investigator
- Interview in person with the Blue Badge Investigator
- Postal Interview

The method chosen is dependent on how the alleged offence was identified. The opportunity to demonstrate a statutory defence and offer mitigating information is, where possible, always offered during the PACE interview. Unsolicited information may also be recorded and used as part of the decision making process. We will also give an additional opportunity to offer mitigation following a roadside interview by writing to the alleged person providing them with a copy of their responses.

### 4.0 Disposal

We are committed to giving advice, guidance, and support to all those persons suspected of committing an offence and will do so at all stages of an investigatory process. Mitigating information where supplied will be used during the decision making process but, a formal disposal may still be the likely outcome. There are four methods of disposal available to use in relation to the misuse of a Blue Badge.

1. No further Action (NFA) – the alleged offence may fall outside our jurisdiction, there may be insufficient evidence or formal action not in the public interest.
2. Written warning – The alleged offence was within our jurisdiction but there is insufficient evidence or formal action would not be in the public interest.
3. Simple Caution – In certain cases a simple caution may be offered instead of prosecution. When offering a simple caution, we will comply with relevant Home Office Circulars and the offender will be made aware of the impact the simple caution may have on their life.
4. Prosecution - We may prosecute using different pieces of legislation depending on what offences are alleged. The legislation we use is:
  - Section 115/117 of the Road Traffic Regulation Act 1984
  - The Fraud Act 2006
  - Forgery and Counterfeiting Act 1981
  - The Theft Act 1968
  - Proceeds of Crime Act 2002
  - Sec 21 of the Chronically Sick and Disabled Persons Act 1970
  - Sec 44 Magistrates Court Act 1980

**Commented [A16]:** Additional legislation now included here

## Annex 6

A person could also be issued with a penalty charge notice for any parking contravention that occurs. We also have the power to immobilise and remove vehicles in certain circumstances.

In cases where a badge holder lets a third party use a badge, the issuing local authority can withdraw the badge under regulation 9(2)(a) of the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 after a relevant conviction has been obtained.

In certain circumstances involving prolific offenders Courts are able to disqualify drivers for a period of time under section 163(2) of the Sentencing Act 2020.

**Commented [A17]:** Updated legislation - s46 PCC(S)A 2000 has been repealed and replaced with s163(2) of the Sentencing Act 2020.



**Norfolk** County Council

## **Safety at Sports Grounds Enforcement Protocol**

**November 2022**

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## Introduction

This Enforcement Protocol is supplementary to and published as part of the County Council's Compliance and Enforcement Policy (Community and Environmental Services). It sets out the arrangements that Norfolk County Council has put in place for enforcement action in relation to its statutory duties concerning safety at sports grounds.

## Legislation and Guidance

This protocol should be read in conjunction with the following legislation and guidance that applies to the safety of those present at sports grounds:

- Safety of Sports Grounds Act 1975 (the 1975 Act)
- Fire Safety and Safety of Places of Sport Act 1987 (the 1987 Act)
- Safety of Sports Grounds Regulations 1987
- Safety of Places of Sport Regulations 1988
- Regulatory Reform (Fire Safety) Order 2005 (enforced by Norfolk Fire and Rescue Service)
- Health and Safety at Work etc. Act 1974 (enforced by Health and Safety Executive / District/Borough Councils)
- Licensing Act 2003 (enforced by District/Borough Councils)
- Home Office Circular 71/1987 – which provides guidance relating to the issuing of prohibition notices
- Further advice contained in "Guide to Safety Certification of Sports Grounds" (known as the Green Guide) published by the Sports Grounds Safety Authority.

## Scope

The sports grounds currently covered by these arrangements are listed below:

**Designated Sports grounds** in Norfolk requiring a General Safety Certificate:

- Norwich City Football Club (Carrow Road)

**Regulated Stands** in Norfolk requiring a safety certificate:

- Fakenham Racecourse
- ~~Gorleston Football Club~~
- Great Yarmouth Greyhound Stadium

**Commented [A18]:** Gorleston FC are no longer based at Emerald Park and so this venue is not currently required to be regulated

- Great Yarmouth Racecourse
- King's Lynn Town Football Club (The Walks)
- King's Lynn Speedway (Norfolk Arena)
- Wellesley Stadium

The 1975 Act defines a sports ground as a place where sports or other competitive activities take place in the open air, where accommodation has been provided for spectators, consisting of artificial structures or natural structures artificially modified for the purpose.

Under the provisions of section 1 of the 1975 Act the Secretary of State for Culture, Media and Sport may designate as requiring a safety certificate any sports ground that has accommodation for more than 10,000 spectators, or 5,000 in the case of Premier League and Football League grounds in England and Wales. These sports grounds are referred to as designated grounds.

A Regulated Stand is defined in the 1987 Act as any covered stand at a sports ground with accommodation for 500 or more spectators, whether seating or standing.

Under the provisions of section 10 of the Safety of Sports Grounds Act 1975 the Council has the power to issue a prohibition notice to limit the capacity, or totally prohibit the admittance of spectators to any sports ground within the County of Norfolk.

### **Choices of Enforcement Action**

There are several courses of action open to the council's enforcement officers depending on the different circumstances that may be encountered or apply to the situation. The choices of enforcement action are:

- Informal Warning
- Reduction in Capacity
- Simple Caution
- Prohibition Notice
- Prosecution

### Reduction in Capacity

Reducing the capacity of all, or part of, a sports ground is a formal action which would be appropriate in the following situations:

#### Annex 6

- if an incident suggests that the management of a sports ground is performing poorly; or
- if the Council's inspecting officers identify any deficiencies in the fabric, equipment, records, or management systems, which the authority has not already taken into account when accepting calculation of the permitted capacity

Any new capacity should be properly calculated having regard to the change in circumstances and the procedures to be followed will be the same as during the routine annual review of the safety certificate. Ground management should be invited to submit its proposed revised (P) or (S) factor, but the Council reserve the right to overrule this if appropriate.

When reducing a capacity, it is important that:

- officers act reasonably and in accordance with due process, not least because the certificate holder has a right of appeal against any reduction in capacity; and
- a formal amendment to the safety certificate is issued.

#### Prohibition Notice

Unlike the other provisions of the 1975 and 1987 Acts, the power to issue a prohibition notice applies to all sports grounds, as defined in section 17 of the 1975 Act, including those that are neither designated nor contain a regulated stand.

Section 10 of the 1975 Act empowers the Council to issue a prohibition notice in respect of all or part of any sports ground if it considers that "the admission of spectators to a sports ground or any part of a sports ground involves or will involve a risk to them so serious, that, until steps have been taken to reduce it to a reasonable level, admission of spectators to the sports ground or that part of the sports ground ought to be prohibited or restricted".

A prohibition notice is therefore a measure of last resort and should only be used where an amendment of the safety certificate (where issued) is not considered an effective way of dealing with the risk(s).

When issuing a prohibition notice consideration should be given as to whether the risk to spectators is or may be imminent and if so, the notice should take effect as soon as it is served. In all other cases it should come into force at the end of the period specified in the notice.

A prohibition notice must specify:

- the nature of the risk to spectators; and
- the number of spectators that may be admitted to the sports ground, or any part of the sports ground, until appropriate steps have been taken to address those risks.

The notice may also include directions as to the steps which will have to be taken to reduce the risk to a reasonable level.

### **Appeals**

Appeals against a reduction in capacity imposed by way of an amendment to a safety certificate or against a prohibition notice are to a Magistrates Court. Where an appeal is made against an amendment to a safety certificate the amendment cannot take effect until the appeal is heard. However, in the case of an appeal against a prohibition notice any reduction in capacity remains in place until the appeal is heard.

### **Penalties**

It is an offence for any responsible person, not merely the certificate holder, to contravene the terms and conditions of a safety certificate or a prohibition notice. These offences and associated penalties, along with the defences of absence of consent and due diligence, are listed in section 12 of the Safety of Sports Grounds Act 1975 and section 36 of the Fire Safety and Safety of Places of Sport Act 1987.

## Performance Data 2021/22

In response to a member request in 2018, this appendix provides compliance and enforcement performance information in relation to those regulatory functions covered by the CES Compliance and Enforcement Policy; Trading Standards, Planning enforcement (mineral and waste sites), Flood and Water (land drainage), Highways (networks, maintenance, and blue badge enforcement) and Norfolk Fire and Rescue Service.

### 1. Trading Standards

#### Outcomes of investigations and prosecutions

Number of defendants convicted	7
Number of offenders to whom simple cautions issued	0
Number of months imprisonment (immediate and suspended sentences)	64
Fines awarded	£822
Costs awarded from court cases	£11,104
Community Punishment Orders (hours)	200
Proceeds of Crime Act (POCA) benefit ordered to be paid in the year	£50,369
Proceeds of Crime Act (POCA) benefit paid in the year	£6,244.90

#### Redress obtained/detriment prevented by service actions

(£) not handed over to criminals (e.g., rapid response outcomes)	£27,758
Total number of Scam victims subject to interventions by the Service	314
Detriment (£) over the following 12 months prevented by service actions	£466,620

#### Business compliance

Percentage of businesses that were compliant when visited, brought into compliance at the time of the visit or brought into compliance during the period, subsequent to the visit	98%
Number of counterfeit items/products removed from or prevented from entering the supply chain and value	0 £0
Number of unsafe items/products removed from or prevented from entering the supply chain and value	22,619 £792,344
Number of businesses identified as supplying misdescribed food, or not correctly declaring allergens, or selling food containing toxic or illegal components, or involved in fraud involving food	108
Number of businesses found in breach of animal health and welfare legislation	106

#### Businesses tested for compliance with the law utilising underage volunteers or compliance with mandatory Challenge 21/25 conditions

Number of individual premises tested for Alcohol	1
Failure rate (%)	100%
Number of individual premises tested for Tobacco	1
Failure rate (%)	100%
Number of individual premises tested for Other Products	0
Failure rate (%)	0%

**Tackling the availability of illegal tobacco (data is for the period 2018 – 2021)**

Number/weight	3.4 tonnes of illegal cigarettes and hand rolling tobacco seized.
Value	<p>Illegal cigarettes seized amount to an approximate street value of £810,000. If the cigarettes were legal this would amount to an approximate value of £1,485,000. The lost tax duty amounts to approximately £939,272.</p> <p>The illegal hand rolling tobacco seized amounts to an approximate street value of £59,000. If the tobacco was legal this would amount to an approximate value of £212,500.</p>

**2. Planning Services**

For much of 2021/2022 pro-active site monitoring was suspended in line with the Council's Covid-19 risk assessment; inspections resumed in October 2021. Chargeable inspections resumed in January 2022.

The number of complaints received has continued to reduce compared to previous years with 23 new complaints reported. During the reporting period 29 complaints were resolved (some resolved complaints were received in a previous reporting year).

The Monitoring and Control Team has continued to attempt, where appropriate, to resolve complaints through negotiation and exchange of correspondence rather than face-to-face site meetings. 38 inspections were undertaken as the result of complaint investigations; in addition, 189 other actions, including telephone calls, e-mails, letters and online meetings were undertaken in attempts to resolve complaints without the need for face-to-face site visits.

The chargeable site monitoring regime generated £5,161 of income during 2021/22.

Enforcement Notices were served in relation to breaches of planning control at sites in West Winch, Hilgay, Weeting and Heacham. Three Breach of Condition Notices were served at the same site in West Winch. All sites are being monitored to ensure compliance with the notices.

No prosecutions were undertaken during 2021/22.

Planning Services has agreed to act as the enforcing authority for planning matters in relation to housing developments promoted by the district / borough council(s). To date, agreement has been reached in relation to five housing developments in the county.

**3. Flood and Water team**

No enforcement action, beyond advisory letters being sent, has been required due to a) matters being resolved or b) not meeting the required thresholds for action.

November 2022

#### **4. Norfolk Fire and Rescue Service\***

280 Fire Safety Audits (FSA) were completed in 2021-22. Of these:

- 63 premises were issued with informal notices for deficiencies.
- 5 premises were issued with formal notices for deficiencies.
- 0 formal prosecutions were concluded.

\*Norfolk Fire and Rescue Service is required to provide detailed operational statistics to the Home Office on an annual basis. Further information regarding this is available from Jon Wilby, Group Manager – Fire Protection, Norfolk Fire and Rescue Service.

#### **5. Highways**

##### **5.1 Highway obstructions**

No enforcement action taken beyond advisory letters being sent, following which matters were resolved.

##### **5.2 Highways development**

Enforcement action covering development management is all undertaken by the District Council as part of their remit. Enforcement action for highway obstructions (highway boundaries) is undertaken by area.

### 5.3 Blue badge enforcement

Total investigations by disposals, reporting, location of incident and residency of badge-holder (latest 2 years):

<b>Investigations of Blue Badge Infringements</b>	<b>2020-2021</b>	<b>2021-22</b>
<b>Disposals:</b>		
Formal prosecution including caution*	4	7
Advisory/warning letter or verbal advice from BBI	21	53
Details forwarded to parking team for CEO awareness	8	17
No action required (including insufficient or incorrect information to pursue further)	13	14
Investigation in progress/pending	-	-
<b>Reporting:</b>		
Reports from others (incl. public)	30	36
Identified by CEO	19	64
Identified by BBI	5	1
<b>Location of incident:</b>		
Norfolk	51	94
Outside Norfolk	2	0
Insufficient information to determine	-	1
<b>Residency of badge-holder:</b>		
Norfolk resident badge-holder	43	73
Non-Norfolk resident badge-holder	4	12
Insufficient information to determine	3	11
Not BB related	4	5
<b>Total investigations:</b>	<b>54</b>	<b>101</b>
* A summary of all prosecutions is available to view on the NCC website under Blue Badges		

### Summary of Stakeholder Engagement

Since 2014 the following have been consulted on and contributed to the development of the CES Enforcement Policy:

1. Norfolk County Councillors
2. Local businesses
3. Business organisations/forums
4. Members of the public
5. Charity or community organisations/groups
6. Suffolk County Council Trading Standards Service
7. Other Local Authorities
8. Enforcement partners such as the Police and HMRC
9. Planning Services (NCC)
10. Highways Maintenance (NCC)
11. Blue Badge Enforcement (NCC)
12. Norfolk Fire and Rescue Service
13. Trading Standards Service (NCC)
14. Flood and Water Management Team (NCC)
15. Economic Development (NCC and other local authorities)
16. Nplaw (Chief Legal Officer)
17. CES Equalities representative

# Cabinet

Item No: 9

**Report Title: Better Care Fund 2022/23**

**Date of Meeting: 05 December 2022**

**Responsible Cabinet Member: Cllr Borrett** (Cabinet Member for Adult Social Care, Public Health & Prevention)

**Responsible Director: James Bullion, Executive Director of Adult Social Services**

**Is this a Key Decision? Yes**

**If this is a Key Decision, date added to the Forward Plan of Key Decisions: 3 November 2022**

## **Executive Summary / Introduction from Cabinet Member**

We are proposing that Cabinet delegate the completion and execution of the Better Care Fund (BCF) section 75 agreement ("the s75") to James Bullion, Executive Director Adult Social Services.

It is a requirement that the BCF funding is placed into a pooled fund governed by an agreement under s75 of the NHS Act 2006.

This year the BCF Plans will be assured and agreed in November 2022. We are asked to have the BCF s75 finalised by 31 December 2022.

By delegating authority to complete and execute the BCF s75 to the Executive Director of Adult Social Services, this will allow the agreement to be finalised, within these timelines, as required by the BCF Planning Requirements.

## **Recommendations:**

- 1. Cabinet delegate the authority to complete and execute the Better Care Fund (BCF) section 75 (s75) agreement to James Bullion, Executive Director Adult Social Services.**

## **1. Background and Purpose**

The Better Care Fund (BCF) is a nationally mandated programme, launched in 2013 with the aim of joining up health and care services, so that people can manage their own health and wellbeing and live independently. Delivered locally under a statutory requirement of Norfolk Health and Wellbeing Board, it is jointly prepared and delivered by LA and NHS partners.

The BCF is executed through three funding streams under the BCF 'banner':

- Core BCF - bringing Local Authority and NHS partners together to agree integrated priorities, pool funding and jointly agree spending plans.
- Disabled Facilities Grant (DFG) - Help towards the costs of making changes to a person's home so they continue to live there, led by District, Borough and City Councils in Norfolk.
- iBCF - Available social care funds for meeting adult social care needs, ensuring that the social care provider market is supported, and reducing pressures on the NHS.

Each year BCF Planning Requirements are issued which set out the requirements for use of the BCF by NHS and LA partners. This includes:

- The overall objectives of the BCF and its purpose
- Any specific areas of service that must be funded. For example, in 2022/23 we were required to spend a minimum of £20,713,533 on Out of Hospital services.
- Any metrics which the funding should support and how our performance against them should be calculated.
- Details of the return we must make to assure NHSE of our BCF plans.

To ensure Norfolk and Waveney Integrated Care System is meeting the Planning Requirements we are required to make an annual return to NHSE detailing our BCF plans. This plan is co-developed between Norfolk County Council and NHS Norfolk and Waveney.

The plan must be agreed by Norfolk Health and Wellbeing Board as part of the national conditions on the BCF. This year a covering paper and the overall BCF plan went to Norfolk Health and Wellbeing Board on 9 November 2022, who agreed it. The detail of this report, including the Core BCF, DFG and iBCF spend can be found in Appendix A.

Once the Norfolk Health and Wellbeing Board have agreed the BCF Plan it can be assured by NHSE. When NHSE have assured the BCF plan this means that they approve our BCF plans and they meet the BCF Planning Requirements.

In November it was also announced that the new Adult Social Care Discharge Fund would come through the BCF and need to be included in our s75. Whilst the overall fund will need to be jointly agreed, as the rest of the BCF is, funding is split with 40%

coming directly to Norfolk County Council and 60% going to the Integrated Care Board. Norfolk County Council's allocation is £3,482,232.

This means that in 2022/23 the Better Care Fund totals a minimum of £125,290,673 between the four funding streams. It is a requirement that this funding is placed into a pooled fund governed by an agreement under s75 of the NHS Act 2006.

## **2. Proposal**

Each year there is a requirement that the BCF funding is placed into a pooled fund governed by an agreement under s75 of the NHS Act 2006. This agreement covers the legal responsibilities of Norfolk County Council and NHS Norfolk and Waveney in developing and managing the BCF and outlines the planned spend on services.

The BCF Plans must be assured by NHSE before we are able to sign off the BCF s75. The BCF s75 must then be signed by the Chief Executive of NHS Norfolk and Waveney, and sealed by Norfolk County Council. The authority to seal the BCF s75 sits with Cabinet.

We propose that Cabinet delegate the completion and execution of the BCF s75 to the Executive Director of Adult Social Services.

## **3. Impact of the Proposal**

This year the BCF Plans will be assured and agreed in November 2022. We are asked to have the BCF s75 finalised by 31 December 2022.

By delegating the completion and execution of the contract, it will allow the agreement to be finalised, within these timelines, as required by the BCF Planning Requirements.

## **4. Evidence and Reasons for Decision**

Given the tight timelines that exist to seal the BCF s75, it is difficult to do this by coming to Cabinet for final approval. By delegating this task to the Executive Director of Adult Social Services this means the BCF s75 can be finalised within these timelines. We have been advised that Executive Director is an appropriate level for this decision to be delegated to.

## **5. Alternative Options**

An alternative option would be to bring the draft BCF s75 to Cabinet to be agreed. For 2022/23 this would mean sealing and finalising the BCF s75 after the required date. For future years we would be able to bring a draft of the BCF s75 to be agreed by Cabinet, and then sealed once assurance by NHSE has been completed.

## 6. Financial Implications

There is no financial cost as a result of this proposal. Whilst jointly agreed, the funding is controlled by each organisation as follows:

	Core BCF, DFG and iBCF funding	Adult Social Care Discharge Fund
Norfolk County Council	£75,666,203	£3,482,232
NHS Norfolk and Waveney ICB	£36,984,456	£6,963,372.73 to cover Norfolk and Waveney
District and Borough Councils	£9,157,782	
Total	£121,808,441	£10,445,604.73

£121,808,441 is the continuation of funding inline with previous years allocations. The Adult Social Care Discharge Fund, £10,445,604.73 is new funding announced in November 2022.

The BCF s75 creates a pooled fund of a minimum of £125,290,673. The agreement covers the legal responsibilities of Norfolk County Council and NHS Norfolk and Waveney in developing and managing the BCF and outlines the planned spend on services. Having an agreed and sealed BCF s75 helps secure NCC's contributions and benefits from the fund in a legal agreement.

## 7. Resource Implications

### 7.1 Staff:

There are no staffing implications foreseen.

### 7.2 Property:

There are no property implications foreseen.

### 7.3 IT:

There are no IT resource implications foreseen.

## 8. Other Implications

### 8.1 Legal Implications:

The BCF s75 outlines both NCC's and NHS Norfolk and Waveney's legal responsibilities in developing and managing the BCF. Delegating this authority does not add any legal implications.

No personal data is included in the BCF s75.

### 8.2 Human Rights Implications:

There are no Human Rights implications foreseen.

### **8.3 Equality Impact Assessment (EqIA):**

We do not consider this decision relevant to equality, as it will not impact residents, staff or vulnerable people.

### **8.4 Data Protection Impact Assessments (DPIA):**

No personal data is included in the BCF s75, and no processing of personal data will be needed as a result of this decision.

### **8.5 Health and Safety implications:**

There are no Health and Safety implications foreseen.

### **8.6 Sustainability implications:**

This proposal should have a neutral environmental impact.

### **8.7 Any Other Implications:**

Officers have considered all the implications which members should be aware of. Apart from those listed in the report (above), there are no other implications to take into account.

## **9. Risk Implications / Assessment**

If Cabinet do not delegate the authority to complete and execute the Better Care Fund (BCF) section 75 (s75) agreement to James Bullion, Executive Director Adult Social Services this may delay the process of completing the BCF s75 agreement.

There is a small risk in delaying signing of the BCF s75, as for the delay period we will not have a legal agreement which outlines both NCC's and NHS Norfolk and Waveney's legal responsibilities in developing and managing the BCF. We will also not have met the BCF Planning Requirements.

This would be resolved when the draft BCF s75 was brought to Cabinet and agreed. This is not considered to be a significant risk.

## **10. Recommendations**

**Recommendations:** Cabinet delegate the authority to seal the Better Care Fund (BCF) section 75 (s75) agreement to James Bullion, Executive Director Adult Social Services.

## **11. Background Papers**

Better Care Fund Planning Requirements -

<https://www.england.nhs.uk/publication/better-care-fund-planning-requirements-2022-23/>

9 November 2022 – Norfolk Health and Wellbeing Board Papers –

<https://norfolkcc.cmis.uk.com/norfolkcc/CalendarofMeetings/tabid/128/ctl/ViewMeetingPublic/mid/496/Meeting/1987/Committee/39/Default.aspx>

**Officer Contact**

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

## Appendix A

### Report title: Norfolk's Better Care Fund: 2022/23 Submission (agreed at 9 November 2022 Health and Wellbeing Board)

#### Report summary

The Better Care Fund (BCF) is a nationally mandated programme, launched in 2013 with the aim of joining up health and care services, so that people can manage their own health and wellbeing and live independently. Delivered locally under a statutory requirement of HWBBs, it is jointly prepared and delivered by LA and NHS partners.

For 2022/23 we are asked to submit three documents to NHSE&I split across a narrative plan, an excel template and a Capacity and Demand Plan. Our BCF plans, and these documents, have been created using the five priorities for the BCF and the principles agreed by the Norfolk Health and Wellbeing Board.

The reports cover the BCF income and spend, our expected performance against the four BCF metrics, our approaches to keeping people well at home and supporting discharge, how we're supporting carers and addressing inequalities. For the first time we have also been asked to submit a Capacity and Demand Plan, which looks at our system capacity for supported discharge and intermediate care, and expected demand for these services.

The Health and Wellbeing Board signed off the BCF submission for 2022/23 which included:

- A narrative plan, describing our approach to integration, discharge, housing and health inequalities
- An excel template, describing the BCF income and expenditure, our planned performance against the four key metrics and affirmation that we are meeting the national conditions as set out in the current BCF Planning Guidance.
- A Capacity and Demand plan for supported discharge and intermediate care services.

## 1. Background

1. The Better Care Fund (BCF) is a nationally mandated programme, launched in 2013 with the aim of joining up health and care services, so that people can manage their own health and wellbeing and live independently. Delivered locally under a statutory requirement of HWBBs, it is executed through three key funding streams under the BCF 'banner':
  - Core BCF - bringing LAs and NHS partners together to agree integrated priorities, pool funding and jointly agree spending plans.
  - Disabled Facilities Grant (DFG) - Help towards the costs of making changes to a person's home so they continue to live there, led by District Councils in Norfolk.
  - iBCF - Available social care funds for meeting adult social care needs, ensuring that the social care provider market is supported, and reducing pressures on the NHS.
2. Partners in Norfolk have long utilised the BCF to fund and develop critical services that support the health and wellbeing of our population, including care from the provider

market, key health and care operational teams, and community-based support from the VCSE sector.

3. In 2020/21 NHS and LA partners completed a review of the Core BCF, engaging with partners across the system. This review set out our five priorities for the BCF which are:
  - Prevention
  - Sustainable Systems inc. Admission Avoidance
  - Person Centred Care and Discharge
  - Inequalities and Support for Wider Factors of Wellbeing
  - Housing, DFGs, and overarching pieces of work
4. The review also set a number of principles for developing the BCF in place including:
  - The BCF is rebaselined, to create a series of 'buckets' that contain the funding pots for services/projects based around the recommended Norfolk BCF priorities, improving joint financial working and drivers for integration and focus on system & place priorities.
  - The BCF is developed to encompass both system and place priorities and processes.
  - The BCF fully funds projects to improve our understanding of the impact of the funding.

This year's BCF has been developed with these principles and priorities at the fore.

## **2. BCF Delivery Priorities in 2022/23**

For 2022/23 we are asked to submit three documents to NHSE&I split across a narrative plan, an excel template and a Capacity and Demand Plan. The contents are summarised below.

### **Narrative Plan**

The BCF Narrative Plan follows the template given to us by NHSE&I and details:

- How we engaged stakeholders in developing and preparing the plan
- Our priorities for 2022/23 and key changes made to the previous BCF Plans
- The governance routes for the BCF
- Our overall approach to integration in Norfolk, including: joint priorities; joint commissioning; and how BCF funded services are support this.
- Our overall approach to discharge in Norfolk, including: plans for supporting people to remain at home; the approach in our area to improving outcomes for people being discharged from hospital; and how BCF funded services are support safe, timely and effective discharge.
- How we are supporting carers using the BCF funding.
- Our approach to the Disabled Facilities Grant and wider housing services
- Our priorities for addressing health inequalities and equality for people with protected characteristics (under the Equality Act 2010)

### **Excel Template**

The Excel Template takes a more detailed look at the income and expenditure associated with the Better Care Fund, and our expected performance against the metrics. A summary of the information included within each tab is:

- **Tab 1 Guidance:** Guidance to completing the document
- **Tab 2 Cover:** A cover page for the document, including who is submitting the return and contact details of key stakeholders
- **Tab 3 Summary:** A brief summary of the information within the template document
- **Tab 4 Income:** Details of the BCF income for 2022/23, including the core Better Care Fund, improved Better Care Fund, and Disabled Facilities Grant
- **Tab 5a Expenditure:** A very detailed summary of the services and projects funded by the income on Tab 4, including where the money has come from, a description of the schemes being funded, which sector the commissioner and provider come from, and the category of the scheme being delivered
- **Tab 5b Scheme Type:** Details the scheme types that can be picked, and how to allocate them on Tab 5a
- **Tab 6 Metrics:** Looks at the four key metrics, our past performance against these, and our expected performance moving forward. It is worth noting that the Length of Stay metric has been removed for this year.
- **Tab 7 Planning Requirements:** Asks us to confirm that we have met the National Conditions set out in the BCF Planning Requirements document.

### Capacity and Demand Template

The Capacity and Demand Template looks at expected capacity in our system to support people being discharged from acute hospital. It also looks at expected demand for these services. A summary of the information in each tab is:

- **Tab 1:** Guidance for completing the document
- **Tab 2:** A cover page for the document, including who is submitting the return and contact details of key stakeholders
- **Tab 3.1:** Summarises expected demand for supported discharge by discharge pathway from our acute hospitals
- **Tab 3.2:** Summarises expected demand in to intermediate care services from community sources
- **Tab 4.1:** Looks at expected capacity for supported discharge by discharge pathway.
- **Tab 4.2:** Looks at expected capacity for referrals from community sources
- **Tab 5:** Considers spend on these services – primarily via the BCF.

## BCF narrative plan template

This is a template for local areas to use to submit narrative plans for the Better Care Fund (BCF). All local areas are expected to submit narrative BCF plans but use of this template for doing so is optional. Although the template is optional, we encourage BCF planning leads to ensure that narrative plans cover all headings and topics from this narrative template.

These plans should complement the agreed spending plans and ambitions for BCF national metrics in your area's BCF Planning Template (Excel).

There are no word limits for narrative plans, but you should expect your local narrative plans to be no longer than 15-20 pages in length.

Although each Health and Wellbeing Board (HWB) will need to agree a separate excel planning template, a narrative plan covering more than one HWB can be submitted, where this reflects local arrangements for integrated working. Each HWB covered by the plan will need to agree the narrative as well as their Excel planning template.

An example answers and top tips document is available on the Better Care Exchange to assist with filling out this template.

**Cover**

**Health and Wellbeing Board(s)**

Norfolk
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**Bodies involved in preparing the plan (including NHS Trusts, social care provider representatives, VCS organisations, housing organisations, district councils)**

The key groups involved in preparing the BCF Plan for 2022-23, via the engagement process described below include:

- Norfolk and Norwich University Hospital NHS Foundation Trust
- Queen Elizabeth Hospital Kings Lynn NHS Trust
- James Paget University Hospitals NHS Foundation Trust
- Norfolk Community Heath and Care NHS Trust
- East Coast Community Health CIC
- Norfolk and Suffolk NHS Foundation Trust
- Primary Care Networks
- General Practice Partnership Organisations
- VCSE Representation Organisations
- District Councils
- Norfolk County Council (NCC)
- NHS Norfolk and Waveney Integrated Care Board (NHS N&W/NWICB)
- Norfolk Pharmacies
- District Councils
- Healthwatch Norfolk
- System partners from the voluntary, community and social enterprise (VCSE) sector
- Norfolk police and the Police and Crime Commissioner (PCC)
- Main providers of health and care services in Norfolk.

### **How have you gone about involving these stakeholders?**

System partners in Norfolk have long utilised the Better Care Fund (BCF) to fund and develop critical services that support the health and wellbeing of our population, including care from the provider market, key health and care operational teams, and community-based support from the VCSE sector.

In 2022-23, with the launch of statutory Integrated Care Systems (ICS) and a new local approach to Place-based working in development, Norfolk has been further building engagement with system partners in the BCF's development. The aim has been to develop an ambitious BCF programme which meets the future needs of our population. There is the opportunity to shape the BCF to further deliver local priorities by aligning with local and national strategic directions, strengthening joint commissioning and service design, and focusing the Norfolk BCF strategy and funding on the most important emerging priorities for integration across the Norfolk and Waveney system.

In 2020-21, Norfolk County Council (NCC) and NHS Norfolk and Waveney (NHS N&W) worked in partnership to jointly develop the future priorities for the BCF and led an initial review with partners of the Core BCF. The Norfolk BCF now acts as a delivery arm for integrated working across the system and supports Place-based priorities. Engagement with a wide range of system and Place stakeholders was integral to this process, including attending Place-based fora across the county to directly engage with representatives from:

- Norfolk and Norwich University Hospital NHS Foundation Trust
- Queen Elizabeth Hospital Kings Lynn NHS Trust
- James Paget University Hospitals NHS Foundation Trust
- Norfolk Community Heath and Care NHS Trust
- Norfolk and Suffolk Foundation Trust
- Primary Care Networks
- General Practice Partnership Organisations

for planned spend by adult social care, with outcomes that must contribute to the BCF aims (national and local).

The key aim of this new approach is to develop collaborative proposals that best support the delivery of the BCF metrics / aims and work together at Place. The Health & Wellbeing Partnerships have formed Task & Finish Groups to lead the development of collaborative proposals.

Proposals will be developed through the HWB Partnerships for each Place to build ideas and gain consensus on the proposals. They will be evaluated at Partnership level to ensure local decision making and that the core BCF requirements are met. The BCF will also be signed off by the Norfolk Health and Wellbeing Board which includes membership from

- District Councils
- NHS Norfolk and Waveney Integrated Care Board (NHS N&W)
- Healthwatch Norfolk
- Representatives from the voluntary, community and social enterprise (VCSE) sector
- Norfolk police and the Police and Crime Commissioner (PCC)
- Main providers of health and care services in Norfolk.

District Councils were also specifically engaged and involved in developing priorities and plans for the Disabled Facilities Grant.

## Executive summary

This should include:

- Priorities for 2022-23
- Key changes

In 2018, the Norfolk Health and Wellbeing Board (HWBB) launched a joint Health and Wellbeing Strategy which detailed its key priorities as follows.

- A single sustainable system – working together, leading change and using resources in the most effective way.
- Prioritising prevention – supporting people to be healthy, independent and resilient throughout life. Early help to prevent and reduce demand for specialist services.
- Tackling inequalities in communities – providing support for those who are most in need and addressing wider factors that impact on wellbeing, such as housing and crime.
- Integrating ways of working – collaborating in the delivery of people-centred care to make sure services are joined up, consistent and make sense to those who use them.

These priorities remain relevant in 2022-23 as Norfolk and Waveney continues to recover from the Covid pandemic and to support Norfolk's residents to live happy, healthy and independent lives in their own home for as long as possible.

The Norfolk and Waveney Integrated Care System (NWICS) has a common purpose, which aims to

- make Norfolk and Waveney the best place to work in health and care
- make sure that people can live as healthy a life as possible
- make sure people only have to tell their story once.

These remain the overall priorities and purpose of the Norfolk system. However, there is also now a specific set of priorities for the BCF programme which is based on the lessons learned from previous BCF submissions and discussions with system partners from across Norfolk. For part of the Norfolk BCF review, the key strategies and policies that affect the system both nationally and locally have been utilised including the national BCF Directives, the Norfolk Joint Health and Wellbeing Strategy, our Integrated Care System aims, Ageing Well, Promoting Independence and the local emerging Place-based priorities. The Norfolk BCF is focused on the following priorities

- Prevention, including admission avoidance
- Sustainable systems
- Person-centred care and discharge
- Inequalities and support for the wider factors of wellbeing
- Housing, DFGs and overarching pieces of work.

These priorities are being translated into the delivery of the BCF

- strategically - through engagement with the new ICS system partners, Place structures and the ICS' system governance,
- tactically - as the core requirement for any future funding for the Core BCF and re-baselining the BCF utilising these priorities, and
- operationally - through developing a monitoring and outcomes delivery approach to the BCF which is shaped around these priorities.

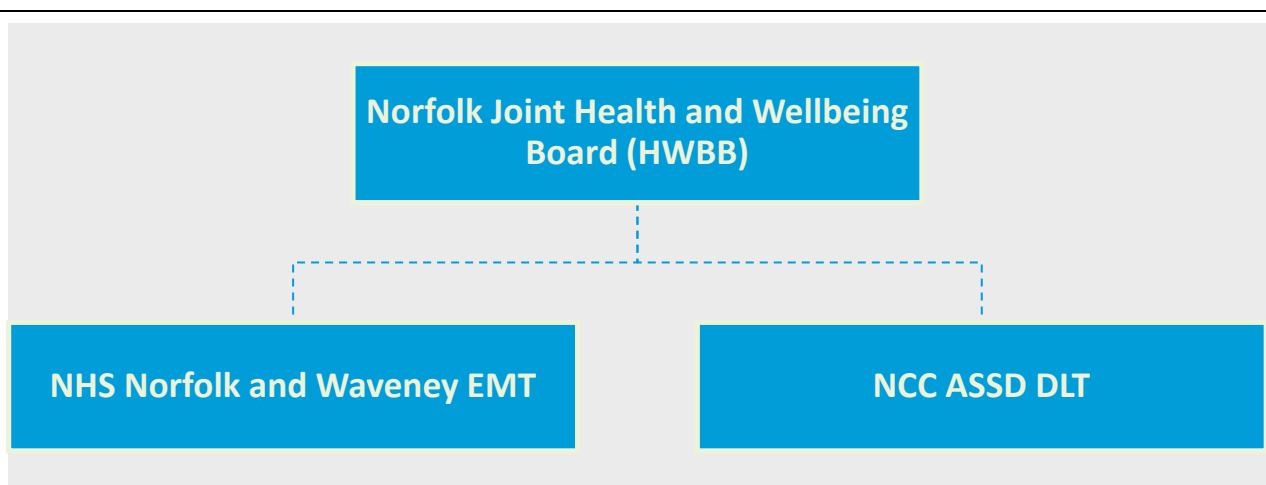
Following the review in 2021-22, the HWBB agreed a new plan for Norfolk's BCF which detailed revised priorities for the BCF programme moving forward and proposed a new set of Principles for how the BCF should be developed in the future. This will support us to increase the direct impact of the fund on our priorities and improve integration across the system. The BCF principles are

- funding programmes - which benefit from joint funding and deliver joint impact across health and social care, although they may not currently be jointly funded
- funding fewer whole schemes - so we can more closely monitor their impact on the system
- encompassing system and Place priorities and processes - via the local approach to the 2022/23 planning process which includes increased engagement with Place partners, theme leads such as intermediate care and discharge, and service leads responsible for the delivery of all services funded through the BCF
- creating an Impact Review - which details the aims, KPI's and expected benefits of each BCF funded service – including developing a BCF dashboard for reporting on these services

In this way, Norfolk hopes to have a more cohesive BCF programme, which better reflects Norfolk's integration priorities and will help us to understand the impact the BCF fund is having across Norfolk. By focussing on these four principles, the BCF programme is being targeted towards schemes, projects, workstreams and services which will best achieve the aims of the local health and social care system.

## Governance

Please briefly outline the governance for the BCF plan and its implementation in your area.



The Better Care Fund (BCF) in Norfolk is governed by the Norfolk Joint Health and Wellbeing Board, who agree the approach to the BCF and sign off plans and submissions.

The BCF is also governed by the NHS Norfolk and Waveney (NWICB) Executive Management Team (EMT) and the Norfolk County Council (NCC) Adult Social Services Directorate (ASSD) Leadership Team (DLT). These groups include the ICB's Chief Executive Officer, Tracey Bleakley, and the Director of Adult Social Services, James Bullion.

The development of the approach, plan and submission brings Local Authority and ICB commissioners and finance colleagues together to make integrated financial and commissioning decisions, engaging with partners across the health and care system in those decisions.

An Integrated Commissioning Steering (ICS) Group brings together membership from NCC, NWICB and Suffolk County Council (SCC) to lead the Core BCF. Membership from SCC also

ensures that Norfolk has a forum to strengthen joint working within our ICS footprint that includes two separate BCF plans (Norfolk and Suffolk)

Chair and Vice-Chairs (which includes the HWBB chair and lead member), the ICP chair, the ICB Chair and ICB Chief Exec, DASS – agreed the priorities and the BCF planning approach.

The development of the BCF plan has brought together a single strategic approach to the local and national themes it must deliver against, the services/schemes it funds and the Places and their priorities.

For 2022-23, funding through Norfolk's annual BCF uplift has been identified to support delivery of the BCF priorities at Place. There is £574,000 total, recurrent, or £82,000 per Health & Wellbeing Partnership area in Norfolk. This portion of the BCF is drawn from the Core BCF's annual uplift for planned spend by adult social care, with outcomes that must contribute to the BCF aims (national and local).

The BCF Plan was also discussed at the NWICS' Transformation Board – which aligns with the multi-themed BCF approach.

### **Overall BCF plan and approach to integration**

Please outline your approach to embedding integrated, person-centred health, social care and housing services including:

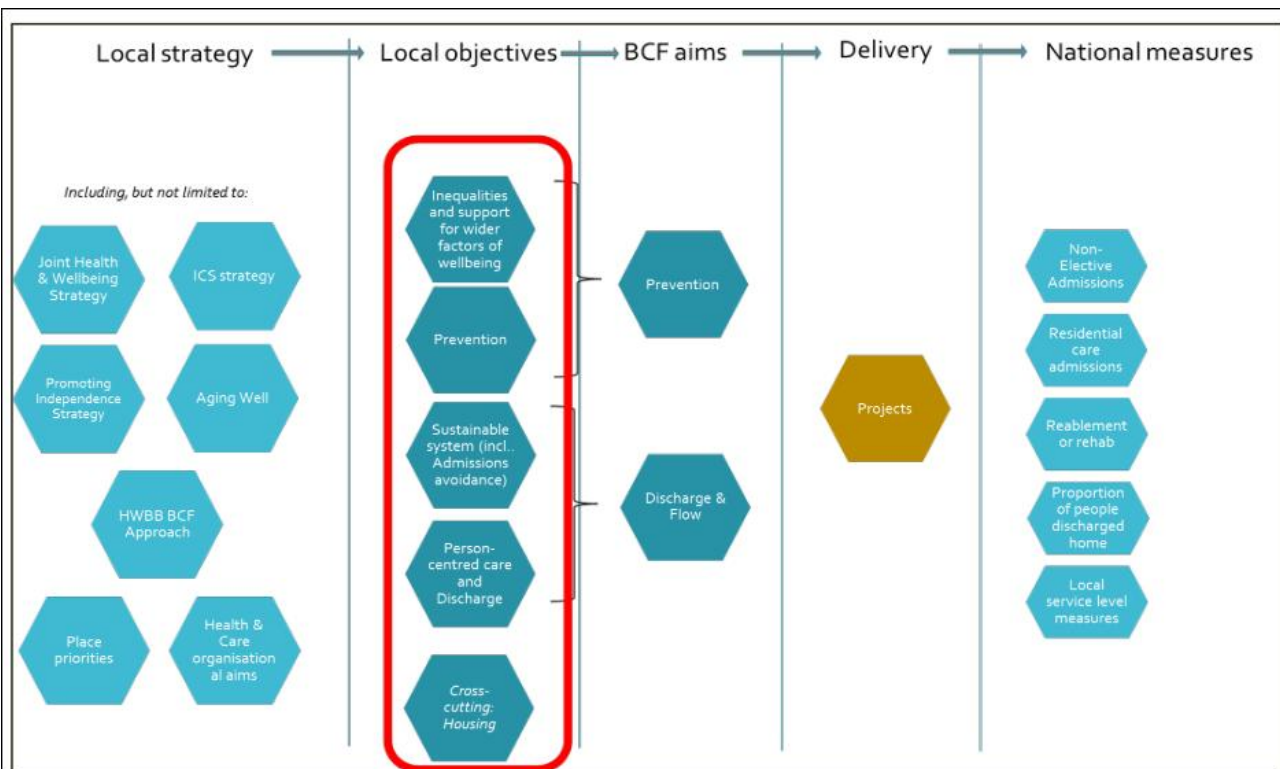
- Joint priorities for 2022-23
- Approaches to joint/collaborative commissioning
- How BCF funded services are supporting your approach to integration. Briefly describe any changes to the services you are commissioning through the BCF from 2022-23.

#### **Our Joint Priorities 2022-23**

To build our BCF Programme we worked with system partners across health and social care to capture our priorities for the system. We agreed five key priorities:

- Prevention
- Sustainable Systems inc. Admission Avoidance
- Person Centred Care and Discharge
- Inequalities and Support for Wider Factors of Wellbeing
- Housing, DFGs and overarching pieces of work.

The illustration below shows the alignment of system priorities with the BCF priorities.



It was also agreed to focus the Norfolk BCF on projects that were either jointly funded, or would benefit strongly from integrated oversight, or had outcomes that would positively impact the health and social care system. The Norfolk BCF programme was then built with these priorities in mind.

Alongside this the NWICS has developed the following common purpose and aims, to support the people of Norfolk – to make

- Norfolk and Waveney the best place to work in health and care
- sure that people can live as healthy a life as possible
- sure you only have to tell your story once.

### Approaches to joint/collaborative commissioning

Norfolk is committed to integrated working and joint commissioning across the health and social care system. This is reflected in the governance routes and the number of joint funded and cross organisational teams in the system.

One of the longest running examples is the joint/integrated senior management structure for NCC and NCH&C operational teams - the teams which are focused on supporting discharges and preventing unplanned admissions by supporting individuals to remain safely at home are managed by integrated NCC/NCHC leaders.

Norfolk has a jointly funded Social Care and Health Partnerships Team and jointly funded Quality Assurance and Market Development functions. These teams work across health and social care to commission and monitor services.

Many of the BCF services are also jointly funded and commissioned, including:

- A Social Impact Bond for Carers – support carers with information, advice, support and Carers Assessments to improve their wellbeing and help them maintain their caring role. This is joint funded by NCC and NHS N&W, with joint membership at the Strategic Board.

- Norfolk Advice Network and Advocacy Partnership – this is a new service jointly funded by NCC and NHS N&W, which aims to provide a single point of contact for information, advice and advocacy in Norfolk.
- Intermediate Care – NCC and NHS N&W are working together to deliver appropriate, integrated intermediate care both preventing hospital admission and supporting discharge.

**How BCF funded services are supporting your approach to integration. Briefly describe any changes to the services you are commissioning through the BCF from 2022-23**

As the local Integrated Care System develops, the integrated BCF team has worked with the seven Norfolk Health and Wellbeing Partnerships to fund prevention services/schemes specific to each Place. They have developed services/schemes which meet both the BCF aims and their own local Place priorities. In this way the BCF can support the NWICS to deliver services relevant to Place. The integrated BCF team will continue to support the Places to measure the impact of these new schemes and the outcomes that they deliver to support the needs of the local population.

A new approach has been implemented for sharing intelligence with Places about the existing BCF services/themes. There is also a new joint approach to working with the Places, which will continue to be used in the future. We have worked with our seven Norfolk Health and Wellbeing Partnerships to develop project proposals for the Core BCF that will deliver the five key objectives for the Norfolk BCF and the four key national metrics. Place-facing system partners were invited to submit proposals for the funding, to meet our national and local BCF aims and improve people's health and social care outcomes. As these services/schemes start their delivery, the integrated BCF team will be working with the Places to help identify and understand their impact on the BCF metrics.

**Implementing the BCF Policy Objectives (national condition four)**

National condition four requires areas to agree an overarching approach to meeting the BCF policy objectives to:

- Enable people to stay well, safe and independent at home for longer
- Provide the right care in the right place at the right time

Please use this section to outline, for each objective:

- The approach to integrating care to deliver better outcomes, including how collaborative commissioning will support this and how primary, community and social care services are being delivered to support people to remain at home, or return home following an episode of inpatient hospital care
- How BCF funded services will support delivery of the objective

**Plans for supporting people to remain independent at home** for longer should reference

- steps to personalise care and deliver asset-based approaches
- implementing joined-up approaches to population health management, and preparing for delivery of anticipatory care, and how the schemes commissioned through the BCF will support these approaches
- multidisciplinary teams at place or neighbourhood level.

**Plans for improving discharge and ensuring that people get the right care in the right place,** should set out how ICB and social care commissioners will continue to:

- Support safe and timely discharge, including ongoing arrangements to embed a home first approach and ensure that more people are discharged to their usual place of residence with appropriate support.
- Carry out collaborative commissioning of discharge services to support this.

Discharge plans should include confirmation that your area has carried out a self-assessment of implementation of the High Impact Change Model for managing transfers of care and any agreed actions for improving future performance.

**Overarching approach to supporting people to remain independent at home and how BCF services are supporting this approach.**

Norfolk's overarching approach to supporting people to remain independent at home focuses on three key ambitions

- Promoting Independence – supporting people to stay at home for longer through linking in with their communities
- Preventing Crisis – offering additional targeted and tailored interventions to prevent crises occurring
- Rapid Response – taking action to divert people away from hospital or long-term care admissions.

In Norfolk, there is a strong focus on supporting people to make links into their communities to enable them to stay at home for longer. As part of the BCF, we fund both community connector roles and universal services to support people to remain independent. This includes:

- Integrated Care Coordinators – ICCs work differently across each Place according to the local need. For example, in North Norfolk ICC's will receive referrals, primarily from GPs, for people who need community services to meet their needs. ICC's will work with the person to look at their strengths and needs, then if appropriate they will refer or signpost them to relevant community resources.
- Social Prescribing – a community wellbeing service that focuses on improving wellbeing. A free and confidential service that provides support to get healthier and feel better.
- Carers' Support Services – the key service 'Carers Matter Norfolk' offers information, advice, and assessment to unpaid carers.
- Norfolk Volunteer Services – encourages and enables people to use their time, skills, and talents to find meaningful and enjoyable volunteering roles, for their own benefit and for the benefit of their local community.
- Transport schemes – due to Norfolk's rural nature we fund transport services to support people to attend health, social care, and wellbeing appointments.

Importantly, the prevention and admission avoidance schemes in Norfolk work in a joined-up way across system partners – examples include

- Eating Matters service - which counsels individuals living with mild to moderate eating disorders below the criteria for Statutory services, working closely with NHS Eating Disorders services and GPs to ensure every individual receives safe and appropriate care.
- Norfolk Medications Support Service – which works collaboratively with community pharmacies to implement practical, patient-friendly solutions to increase medications compliance (e.g. dosing regime, least intrusive intervention) and GP surgeries (e.g. repeat items no longer required, medicines taken more/less than prescribed).

- Early Help Hub in Great Yarmouth – which is multi-agency model with 20+ system partners working together to achieve better outcomes for local people and supporting individuals with issues such as social care, homelessness, welfare benefits and mental health. During 2022-23, the Community Marshals within the Early Help Hub team are focusing on engaging with vulnerable and seldom heard communities to help reduce inequalities in health and wellbeing.
- Dementia Support Service (DSS) – which has been recommissioned in 2022 as a three tier service providing Information, Advice & Guidance, non-clinical and clinical support to individuals, unpaid carers and family members pre-diagnosis and for those with a formal diagnosis of dementia/Alzheimer's. The DSS works closely with the Memory Assessment service and the mental health dementia support team. GPs can submit a joint referral to the Memory Assessment service and the Dementia Support Service.

There are many multi-disciplinary/multi-agency teams which work to identify people who would benefit from targeted and tailored interventions. Our Early Help Hubs, GP led MDT's, NEAT and Discharge Hubs are all multi-disciplinary, integrated collaborative teams. These teams make use of the diverse skillsets in the team to triage cases and take a holistic view of the person's needs to identify how to provide appropriate and proportionate support to the individual – promoting independence and, where possible, preventing a health/social care crisis.

We also fund specific services aimed at preventing an escalation of need – which include:

- Assistive Technology and Integrated Community Equipment – by providing assistive technology and equipment into people's own homes (e.g. detectors (smoke, heat, carbon monoxide), access (key safe, video doorbells) and personal alarms (falls detection, assistance alarms)) we help the individual, and the people that care for them, to manage their health and social care needs. The technology can be used to alert family, friends or call aid services to a crisis developing in someone's home, allowing them to intervene quickly and where possible prevent a hospital admission.
- Specialist Dementia Nurses – who provide expert practical, clinical and emotional support to individuals and their families living with dementia.
- Community Nursing and Occupational Therapy – working in the community to help maintain quality of life and support people to live as independently as possible.
- Community Stroke Support Services – a variety of services to support people to recover after a stroke and prevent the recurrence of further strokes.

Where crisis does occur, rapid response and intervention can prevent a hospital admission and enable the person to recover at home – or, where an admission has been necessary, early intervention in a crisis can help to reduce the person's length of stay in hospital. Some of the services our communities draw on are:

- Norfolk First Response Swifts and Night Owls – are a 24-hour/7-day service which is directly accessible by residents in Norfolk who have an urgent, unplanned need at home that doesn't require emergency medical services. The teams can support people who have had a non-injury fall that doesn't require attention from emergency medical services, using specialist lifting equipment and providing help and reassurance. The Swifts and Night Owls liaise with GPs, 111 and where required 999 services. They make onwards referrals, for example to a Falls Prevention service, if agreed by the individual. A follow-up welfare call is also offered to the individual/family to provide further support following a fall.
- In My Place Carers Emergency Planning – Unpaid Carers can register a contingency and emergency plan with NCC. This both prepares them for what to do if they have an emergency or crisis, but also supports carers in case they have an emergency which leaves them unable to care. This reduces the number of cared for people entering hospital or emergency respite care in a crisis.

## **Discharge and support post hospital stay**

Across Norfolk, there is an Urgent and Emergency Care governance structure which includes

- daily multi-agency, integrated system calls to discuss and drive discharge plans at tactical and operational levels
- a 24/7 escalation route to senior ICS staff to help resolve live issues related to discharges
- a multi-agency, integrated D2A Board for Norfolk which is accountable for the strategic direction and tactical development of the operational models for discharge management
- a multi-agency, integrated UEC Strategic Transformation Steering Group for the Norfolk & Waveney system which drives UEC transformation and continuous improvement for the system.

Norfolk has continued to implement the High Impact Change Model for Transfers of Care, alongside the national guidance on discharge models, to design and embed the HomeFirst/D2A operational models for East, Central and West Norfolk. In April 2022, a system review was completed against the HICM for Transfers of Care. This assessment was led by the Integrated Discharge Director for NWICB and involved system partners from across Norfolk & Waveney at operational, tactical and strategic levels. An action plan was developed against each of the domains based on a maturity model and Task & Finish Groups have been established to deliver against the actions. Progress has been overseen by the system-wide Discharge Steering Group and at Locality/Place level by the System Operations and Transformation (SORT) groups. The operational models are increasing the efficiency and effectiveness of the discharge processes and aim to improve the person's experience whilst on their discharge journey. Several schemes in the BCF Plan contribute to the delivery of these operational models – more information on these schemes can be found later in this section.

Norfolk has also been utilising the new 'Reducing preventable admissions' High Impact Change Model, including holding workshops at Place level facilitated by the LGA (Local Government Association). The outcome of those workshops has been used to shape the next steps to further develop prevention activity supported by the Better Care Fund, including new schemes developed for the 2022/23 BCF.

Across Norfolk, Transfer of Care/HomeFirst (ToC/HF) Hubs have been established using integrated health and social care resources to triage cases and determine the most appropriate and proportionate discharge pathway and response to the person's needs. These ToC/HF Hubs make good use of IT systems and digital technology to work proactively with acute and community discharge teams to discuss and determine the next steps for each case.

A single Transfer of Care Form was agreed for the Norfolk & Waveney system in November 2021. All acute and intermediate care bed-based services received extensive training on the form before it was introduced. Acute hospital providers are working hard to reinforce the 'describe not prescribe' ethos with staff who complete the forms and good progress has been seen over the months on improving the quality of referral information. The contents and format of the Transfer of Care Form will be reviewed in November 2022.

As a system, we are focused on continually improving the discharge model and ensuring that there are the right resources and the right skills, available at the right time, to respond to discharge demands.

There are a range of BCF-funded schemes specifically designed to support discharges from the acute hospitals and the intermediate care bed-based recovery services, alongside other services funded through wider core NHS and local authority budgets and national funding schemes supporting discharge. Examples include

- a Home from Hospital Service (VCSE) for individuals leaving on Discharge to Assess (D2A) Pathway 0, delivered via the British Red Cross. This service ensures that homes are safe and warm to return to, that there is food available and that neighbours, family networks and local community - where appropriate - know when the person is being discharged.

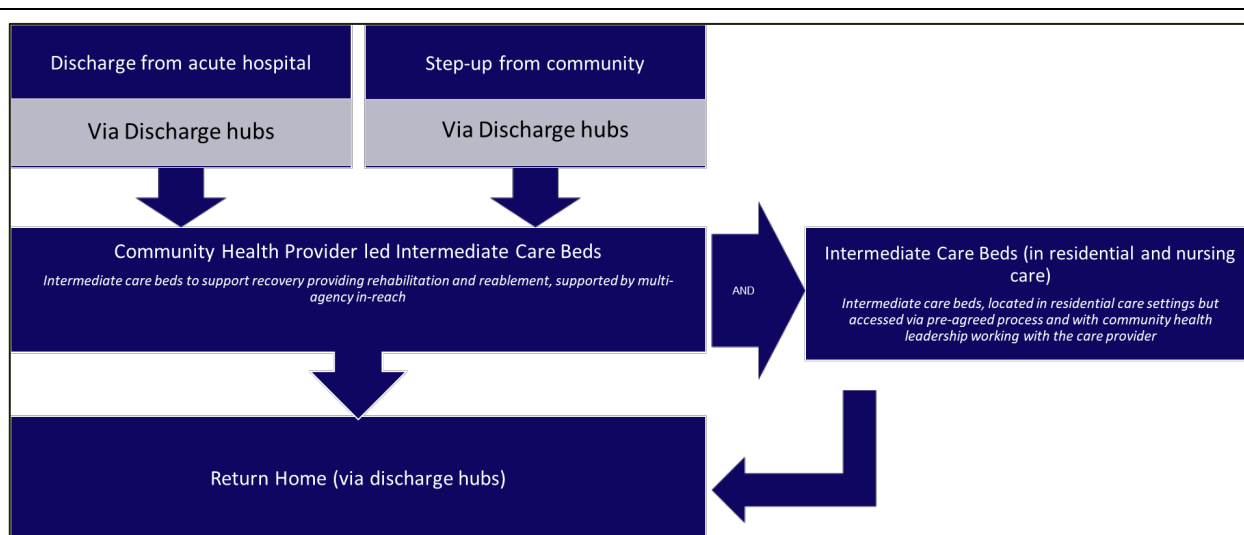
- each of the acute hospitals in Norfolk have commissioned services which call and check-in on individuals post discharge to ensure they have settled in well at home and have appropriate support.
- Age UK have a presence in the dedicated discharge ward at the Norfolk & Norwich Hospital providing cognitive stimulation activities and identifying needs that can be supported post-discharge by the Complex Community Support Team or the Befriending service to support with low mood, anxiety, connecting to community services and widening friendship circles.
- MIND provide a Psychiatric Liaison Service which receives referrals from the NSFT Mental Health Trust Liaison Teams within the Queen Elizabeth Hospital and James Paget Hospitals. They respond to these referrals within 72 hours and provide post discharge support to people with mental health diagnoses leaving those hospitals.

For individuals leaving on D2A Pathway 1, services include

- intermediate care reablement services provided by Norfolk First Response – delivering support to enable the person to regain their independence and functional capabilities for up to six weeks post-discharge.
- intermediate care rehabilitation services such as HomeWard in Norwich and the Primary Care Home teams in East Norfolk - multi-disciplinary clinical teams, including therapy, to support the person to recover and regain their independence for up to six weeks post-discharge
- assistive technology (AT) 'take home' packs – provided at point of discharge for individuals who would benefit from AT to enable them to remain safe at home prior to a full assessment of AT needs whilst at home – for example, an alarm which alerts in case of falls, smoke detectors, carbon monoxide detectors and light/movement sensors.
- community equipment services (ICES) – which provide equipment in the home to support the person post-discharge, such as beds, raisers, walking frames etc.
- District Direct housing services – which work with the acute hospitals whilst the person is on the ward to assist with housing issues that could otherwise delay the discharge and work with the Transfer of Care/HomeFirst Hubs to identify the need at point of triage to undertake housing adaptations for individuals being discharged to support independent living e.g. grab rails.
- Integrated Care Co-ordinators - within the Transfer of Care/HomeFirst Hubs who can help resolve issues at home or support the person's needs, such as referrals to the Men's Shed scheme or to the Age UK Community Support Service for assistance with daily living e.g. gardening, shopping etc.
- Social care teams – which support the person's social care needs post-discharge and undertake Care Act and Carer's Assessments to identify a person's longer-term needs after the initial six weeks period of intermediate care, such as an ongoing package of care.

During 2022, the ICS has been developing and activating a new shared plan to implement a single Intermediate Care bed offer for individuals on D2A Pathways 2 and 3. The provision will be led by community health, in partnership with other ICS organisations, and will provide a single consistent pathway across Norfolk. Evidence and best practice demonstrates that this will lead to improved outcomes for local people, as well as value for money across the system. The offer will have a focus on 'recovery', as specified in national policy guidance, with wraparound services - which include therapy – being provided to support the person's needs during their recovery and, where possible, enable the person to regain their independence. In East and West Norfolk there has been for several years dedicated community healthcare teams that deliver inreach into the intermediate care beds. A similar model has been piloted on a small scale in Central Norfolk and the learning from this model is helping to inform the new single Intermediate Care bed offer.

The illustration below shows a high-level flow diagram of the proposed discharge and step-up model.



In order to smooth the discharge process from the acute hospitals to the intermediate care services run by the community healthcare provider, the Community Access Team (CAT) also working with system partners, including the HomeFirst Hub in Central Norfolk, to streamline the D2A2 step-down pathway with the aim of improving operational flow for transfer of care discharges and other D2A2 services as they come online.

Work is ongoing with care homes to improve discharges for individuals, including supporting people to returning to their usual place of residence after an acute admission. This includes actively supporting the formation of the Norfolk Care Association to improve the system's engagement with care providers.

## Supporting Carers.

Please describe how BCF plans and BCF funded services are supporting Carers, including how funding for carers breaks and implementation of Care Act duties in the NHS minimum contribution is being used to improve outcomes for unpaid carers.

Carers play a vital role in the health and wellbeing of Norfolk. They are key to maintaining the independence of people with care needs. However, providing care can have a major impact on carers' lives and we all have a duty to support them. There are almost 100,000 people in Norfolk providing essential support to a family member or friend. They may not think of their role as a 'carer' or know that support is available to them.

In Norfolk, the BCF funds the Social Impact Bond for Carers. This service, which was launched in September 2020, delivers an enhanced offer for carers in Norfolk. Under the brand name "Carers Matter Norfolk" it provides our carers with a single place to go for any support they need in their caring role.

Norfolk has delegated its Carers Assessment function to Carers Matter Norfolk, meaning it can offer support from one-off queries from carers to its advice line all the way up to a full Carers Assessment with ongoing support from a Family Carer Practitioner. The range of support offered by the service allows it to be flexible to meet carers needs, wherever they are in their carers journey. As part of this support, they can also offer carers access to a Health and Wellbeing Fund and Carers Breaks.

In the first 21 months of the service, there have been 4,417 new carers who were not previously known to Carers Matter Norfolk, registered with the service. 1,964 carers have had a Carers Assessment, and 700 have received high-level support. This represents a success story for the

BCF in funding carers support and gives a platform to build on to develop further support for carers in our county.

The service has also supported the following.

- 361 people to sustain their caring role for 6-months post assessment  
This represents 85% of all 6-month checks
- 171 people to sustain their caring role for 12-months post assessment  
This represents 84% of all 12-month checks
- 291 people to increase their wellbeing after 6-months post assessment
- 89% of people who complete a carers star two increased their score by at least two points from carers star 1.
- 149 people to increase their wellbeing 12-months post assessment
- 93% of people who completed a carers star three increased their score by at least 2 points from carers star 1.

We also deliver support to our carers outside of the BCF funded services through

- a recently launched Carers Passport scheme with all three acute hospitals in Norfolk – allowing carers a way to identify themselves as carers when their cared for person is in hospital, and to discuss extended visiting hours to support their cared for person.
- In My Place Emergency Planning – support carers to develop an emergency plan held by NCC which can be enacted in the case they have an emergency to make sure their cared for person still received the necessary care.
- Carers Charter – a charter coproduced between NCC and carers to outline both our ambitions and commitments to all age carers across Norfolk.
- Carers Assessment and Support Plans – Some carers still receive their support primarily through Norfolk County Council, including Carers Assessments, Support Plans, Direct Payments and Carers Breaks.

### **Disabled Facilities Grant (DFG) and wider services**

What is your approach to bringing together health, social care and housing services to support people to remain in their own home through adaptations and other activity to meet the housing needs of older and disabled people?

The Government is committed to person-centred integrated care, with health, social care, housing and other public services working together to provide better joined up care. Enabling people to live healthy, fulfilled, independent and longer lives will require these services to work ever more closely together towards common aims. The response to the COVID-19 pandemic has accelerated the pace of collaboration across many systems and the government is keen to maintain momentum and build upon positive changes.

The BCF is one of the Government's national vehicles for driving health and social care integration. It requires integrated care boards (ICBs) and local government to agree a joint plan, owned by the health and wellbeing board (HWB). These are joint plans for using pooled budgets to support integration, governed by an agreement under section 75 of the NHS Act (2006).

The right home environment is essential to health and wellbeing throughout our life. Disabled Facilities Grants (DFG) adaptations for people with disabilities provide a lifeline to thousands of people every year. They allow people to continue living in their homes independently. The Care Act requires Local Authorities to promote the wellbeing of individuals by

- supporting them to remain living in suitable accommodation
- preventing, reducing or delaying the need for care and support, and

- to work with statutory partners, including Local Authority housing departments.

One of the recommendations from the 2018 BCF Review was to improve alignment of the BCF to the policy objectives that reflect the priorities for health and social care integration, including a link to the prevention agenda. BCF plans must include a clear approach for delivery against the following two policy objectives in 2022-23:

- enable people to stay well, safe and independent at home for longer
- provide the right care in the right place at the right time

Plans formulated by the seven Norfolk Local Housing Authorities detail how they will meet the challenges of delivery in a post pandemic landscape.

Work is ongoing to improve consistency and reporting of performance information.



locality plan 22-23  
final.docx

## Equality and health inequalities

Briefly outline the priorities for addressing health inequalities and equality for people with protected characteristics under the Equality Act 2010 within integrated health and social care services. This should include

- Changes from previous BCF plan
- How these inequalities are being addressed through the BCF plan and BCF funded services
- Where data is available, how differential outcomes dependent on protected characteristics or for members of vulnerable groups in relation to BCF metrics have been considered
- Any actions moving forward that can contribute to reducing these differences in outcomes

The Norfolk Health and Wellbeing Board's joint Health and Wellbeing Strategy details "tackling inequalities in communities – providing support for those who are most in need and address wider factors that impact on wellbeing, such as housing and crime" as one of its key priorities.

Alongside this, the High Impact Change Model for prevention requires the use of Population Health Management to identify which population groups are at risk of preventable admissions and assess the effects of health and wider inequalities and local levels of deprivation on admission rates.

As part of this the Place Boards - which bring together partners across each of the five Places in Norfolk - have been focusing on identifying the specific health inequalities experienced in their area and how the demography, geography and community support available impacts on this. This work is still in its early stages of development, but it has been seen as an important factor in the decision to involve the Norfolk Places in the development of the system's BCF priorities.

Data recently provided by Public Health colleagues has shown that there are 42 communities across Norfolk and Waveney where some or all the population live in the 20% most deprived areas in England, including 40% of the populations of Great Yarmouth and Norwich (<https://www.norfolkinsight.org.uk/jsna/health-inequalities/>).

The Core20plus5 approach in Norfolk system is being used to develop a strategic programme of work to help address these inequalities and to underpin a framework for Health Inequalities improvement. There is a Norfolk Health Inequalities Oversight Group (HIOG) which has wide participation from the ICS system partner organisations.

There are Place-based data packs for Norfolk which have a focus on the Core20plus populations, and the 5 clinical areas, to help target interventions to improve on health outcomes in selected populations. This is further being developed at both PCN-level and Practice-level to support the approaches at Place to address Health Inequalities.

A systemwide Core20plus5 dashboard is under development to provide an 'at a glance' view of key performance indicators related to the approach. A Practice-level version of this dashboard is soon to become available via the Eclipse tool.

We are supporting Core20plus5 Ambassador applications in our NHS Providers and are currently recruiting into 5 GP Fellowships in Health Inequalities, who will have a Core20plus5 improvement framework focus. The Fellowships will link with Place and system Clinical Pathways for individuals with Autism, a Learning Disability, SMI and in respect of maternity personalised care to address Health Inequalities.

A 6-month secondment has been approved for a resource to be hosted by NWICB and to work with the Local Authority partners to provide dedicated support for Asylum Seekers coming to Norfolk. It is hoped that this role will be a forerunner to a dedicated Health Inclusion Team in Norfolk.

It is acknowledged that there is a potential gap between the initiatives identified through the emerging understanding of the Core20plus5 approach in Norfolk and the current BCF-funded schemes/services. As the Core20plus5 approach becomes more fully embedded in Norfolk, it presents us with the opportunity to review some of the BCF-funded schemes/services through the Core20plus5 'lens'. The ambition of this review will be to ensure that BCF allocations can be targeted on those communities in greatest need and equally that any targeted interventions don't unintentionally exacerbated inequalities.

Currently, as part of our BCF programme we have specific information and advice services targeted at those with protected characteristics and those groups/individuals know experience health inequalities, such as people with disabilities, older people, and unpaid carers. As the Place-based work on health inequalities develops and the system's understanding matures over time, Norfolk can start to use this knowledge to influence a more comprehensive targeting of BCF services to tackle inequalities.

Our services are also developed with Equality Impact Assessments, which aim to understand and mitigate the potential inequalities experienced by people with protected characteristics as a result of new services or service changes. Many of our services seek to positively target inequalities, for example, by offering additional support to people with protected characteristics.

We are also developing a comprehensive dashboard on the impact of our BCF programme, as detailed in the 'Executive Summary'. This alongside the 2021 census data, once it is published, will enable us to better identify and evidence inequality of outcomes related to how we deliver the BCF national metrics locally and their expected impacts on the people of Norfolk.

## BCF Planning Template 2022-23

### 1. Guidance

#### Overview

##### Note on entering information into this template

Throughout the template, cells which are open for input have a yellow background and those that are pre-populated have a blue background, as below:

Data needs inputting in the cell

Pre-populated cells

##### Note on viewing the sheets optimally

For a more optimal view each of the sheets and in particular the drop down lists clearly on screen, please change the zoom level between 90% - 100%. Most drop downs are also available to view as lists within the relevant sheet or in the guidance sheet for readability if required.

The details of each sheet within the template are outlined below.

#### Checklist (click to go to Checklist, included in the Cover sheet)

1. This section helps identify the sheets that have not been completed. All fields that appear as incomplete should be completed before sending to the Better Care Fund Team.
2. The checker column, which can be found on the individual sheets, updates automatically as questions are completed. It will appear 'Red' and contain the word 'No' if the information has not been completed. Once completed the checker column will change to 'Green' and contain the word 'Yes'
3. The 'sheet completed' cell will update when all 'checker' values for the sheet are green containing the word 'Yes'.
4. Once the checker column contains all cells marked 'Yes' the 'Incomplete Template' cell (below the title) will change to 'Template Complete'.
5. Please ensure that all boxes on the checklist are green before submission.

#### 2. Cover (click to go to sheet)

1. The cover sheet provides essential information on the area for which the template is being completed, contacts and sign off.
2. Question completion tracks the number of questions that have been completed; when all the questions in each section of the template have been completed the cell will turn green. Only when all cells are green should the template be sent to the Better Care Fund Team: [england.bettercarefundteam@nhs.net](mailto:england.bettercarefundteam@nhs.net) (please also copy in your Better Care Manager).

#### 4. Income (click to go to sheet)

1. This sheet should be used to specify all funding contributions to the Health and Wellbeing Board's (HWB) Better Care Fund (BCF) plan and pooled budget for 2022-23. It will be pre-populated with the minimum NHS contributions to the BCF, Disabled Facilities Grant (DFG) and improved Better Care Fund (iBCF). These cannot be edited.
2. Please select whether any additional contributions to the BCF pool are being made from local authorities or ICBs and enter the amounts in the fields highlighted in 'yellow'. These will appear as funding sources in sheet 5a when you planning expenditure.

3. Please use the comment boxes alongside to add any specific detail around this additional contribution.
4. If you are pooling any funding carried over from 2021-22 (**i.e. underspends from BCF mandatory contributions**) you should show these on a separate line to the other additional contributions and use the comments field to identify that these are underspends that have been rolled forward. All allocations are rounded to the nearest pound.
5. Allocations of the NHS minimum contribution (formerly CCG minimum) are shown as allocations from ICB to the HWB area in question. Mapping of the allocations from former CCGs to HWBs can be found in the BCF allocation spreadsheet on the BCF section of the NHS England Website.
6. For any questions regarding the BCF funding allocations, please contact [england.bettercarefundteam@nhs.net](mailto:england.bettercarefundteam@nhs.net) (please also copy in your Better Care Manager).

## 5. Expenditure (click to go to sheet)

This sheet should be used to set out the detail of schemes that are funded via the BCF plan for the HWB, including amounts, type of activity and funding source. This information is then aggregated and used to analyse the BCF plans nationally and sets the basis for future reporting.

The information in the sheet is also used to calculate total contributions under National Conditions 2 and 3 and is used by assurers to ensure that these are met.

The table is set out to capture a range of information about how schemes are being funded and the types of services they are providing. There may be scenarios when several lines need to be completed in order to fully describe a single scheme or where a scheme is funded by multiple funding streams (eg: IBCF and NHS minimum). In this case please use a consistent scheme ID for each line to ensure integrity of aggregating and analysing schemes.

On this sheet please enter the following information:

### 1. Scheme ID:

- This field only permits numbers. Please enter a number to represent the Scheme ID for the scheme being entered. Please enter the same Scheme ID in this column for any schemes that are described across multiple rows.

### 2. Scheme Name:

- This is a free text field to aid identification during the planning process. Please use the scheme name consistently if the scheme is described across multiple lines in line with the scheme ID described above.

### 3. Brief Description of Scheme

- This is a free text field to include a brief headline description of the scheme being planned. The information in this field assists assurers in understanding how funding in the local BCF plan is supporting the objectives of the fund nationally and aims in your local plan.

### 4. Scheme Type and Sub Type:

- Please select the Scheme Type from the drop-down list that best represents the type of scheme being planned. A description of each scheme is available in tab 5b.

- Where the Scheme Types has further options to choose from, the Sub Type column alongside will be editable and turn "yellow". Please select the Sub Type from the drop down list that best describes the scheme being planned.

- Please note that the drop down list has a scroll bar to scroll through the list and all the options may not appear in one view.

- If the scheme is not adequately described by the available options, please choose 'Other' and add a free field description for the scheme type in the column alongside. Please try to use pre-populated scheme types and sub types where possible, as this data is important in assurance and to our understanding of how BCF funding is being used nationally.

- The template includes a field that will inform you when more than 5% of mandatory spend is classed as other.

#### 5. Area of Spend:

- Please select the area of spend from the drop-down list by considering the area of the health and social care system which is most supported by investing in the scheme.
- Please note that where 'Social Care' is selected and the source of funding is "NHS minimum" then the planned spend would count towards National Condition 2.
- If the scheme is not adequately described by the available options, please choose 'Other' and add a free field description for the scheme type in the column alongside.
- We encourage areas to try to use the standard scheme types where possible.

#### 6. Commissioner:

- Identify the commissioning body for the scheme based on who is responsible for commissioning the scheme from the provider.
- Please note this field is utilised in the calculations for meeting National Condition 3. Any spend that is from the funding source 'NHS minimum contribution', is commissioned by the ICB, and where the spend area is not 'acute care', will contribute to the total spend under National Condition 3. This will include expenditure that is ICB commissioned and classed as 'social care'.
- If the scheme is commissioned jointly, please select 'Joint'. Please estimate the proportion of the scheme being commissioned by the local authority and NHS and enter the respective percentages on the two columns.

#### 7. Provider:

- Please select the type of provider commissioned to provide the scheme from the drop-down list.
- If the scheme is being provided by multiple providers, please split the scheme across multiple lines.

#### 8. Source of Funding:

- Based on the funding sources for the BCF pool for the HWB, please select the source of funding for the scheme from the drop down list. This includes additional, voluntarily pooled contributions from either the ICB or Local authority
- If a scheme is funded from multiple sources of funding, please split the scheme across multiple lines, reflecting the financial contribution from each.

#### 9. Expenditure (£) 2022-23:

- Please enter the planned spend for the scheme (or the scheme line, if the scheme is expressed across multiple lines)

#### 10. New/Existing Scheme

- Please indicate whether the planned scheme is a new scheme for this year or an existing scheme being carried forward.

This is the only detailed information on BCF schemes being collected centrally for 2022-23 and will inform the understanding of planned spend for the iBCF grant and spend from BCF sources on discharge.

#### 6. Metrics (click to go to sheet)

This sheet should be used to set out the HWB's ambitions (i.e. numerical trajectories) and performance plans for each of the BCF metrics in 2022-23. The BCF policy requires trajectories and plans agreed for the fund's metrics. Systems should review current performance and set realistic, but stretching ambitions for 2022-23.

A data pack showing more up to date breakdowns of data for the discharge to usual place of residence and unplanned admissions for ambulatory care sensitive conditions is available on the Better Care Exchange.

For each metric, areas should include narratives that describe:

- a rationale for the ambition set, based on current and recent data, planned activity and expected demand
- the local plan for improving performance on this metric and meeting the ambitions through the year. This should include changes to commissioned services, joint working and how BCF funded services will support this.

1. Unplanned admissions for chronic ambulatory care sensitive conditions:

- This section requires the area to input indirectly standardised rate (ISR) of admissions per 100,000 population by quarter in 2022-23. This will be based on NHS Outcomes Framework indicator 2.3i but using latest available population data.
- The indicator value is calculated using the indirectly standardised rate of admission per 100,000, standardised by age and gender to the national figures in reference year 2011. This is calculated by working out the SAR (observed admission/expected admissions\*100) and multiplying by the crude rate for the reference year. The expected value is the observed rate during the reference year multiplied by the population of the breakdown of the year in question.
- The population data used is the latest available at the time of writing (2020)
- Actual performance for each quarter of 2021-22 are pre-populated in the template and will display once the local authority has been selected in the drop down box on the Cover sheet.
- Exact script used to pull pre-populated data can be found on the BCX along with the methodology used to produce the indicator value:  
<https://future.nhs.uk/bettercareexchange/viewdocument?docid=142269317&done=DOCCreated1&fid=21058704>
- Technical definitions for the guidance can be found here:  
<https://digital.nhs.uk/data-and-information/publications/statistical/nhs-outcomes-framework/march-2022/domain-2---enhancing-quality-of-life-for-people-with-long-term-conditions-nof/2.3.i-unplanned-hospitalisation-for-chronic-ambulatory-care-sensitive-conditions>

## 2. Discharge to normal place of residence.

- Areas should agree ambitions for the percentage of people who are discharged to their normal place of residence following an inpatient stay. In 2021-22, areas were asked to set a planned percentage of discharge to the person's usual place of residence for the year as a whole. In 2022-23 areas should agree a rate for each quarter.
- The ambition should be set for the health and wellbeing board area. The data for this metric is obtained from the Secondary Uses Service (SUS) database and is collected at hospital trust. A breakdown of data from SUS by local authority of residence has been made available on the Better Care Exchange to assist areas to set ambitions.
- Ambitions should be set as the percentage of all discharges where the destination of discharge is the person's usual place of residence.
- Actual performance for each quarter of 2021-22 are pre-populated in the template and will display once the local authority has been selected in the drop down box on the Cover sheet.

## 3. Residential Admissions (RES) planning:

- This section requires inputting the expected numerator of the measure only.
- Please enter the planned number of council-supported older people (aged 65 and over) whose long-term support needs will be met by a change of setting to residential and nursing care during the year (excluding transfers between residential and nursing care)
- Column H asks for an estimated actual performance against this metric in 2021-22. Data for this metric is not published until October, but local authorities will collect and submit this data as part of their salt returns in July. You should use this data to populate the estimated data in column H.
- The prepopulated denominator of the measure is the size of the older people population in the area (aged 65 and over) taken from Office for National Statistics (ONS) subnational population projections.
- The annual rate is then calculated and populated based on the entered information.

## 4. Reablement planning:

- This section requires inputting the information for the numerator and denominator of the measure.
- Please enter the planned denominator figure, which is the planned number of older people discharged from hospital to their own home for rehabilitation (or from hospital to a residential or nursing care home or extra care housing for rehabilitation, with a clear intention that they will move on/back to their own home).
- Please then enter the planned numerator figure, which is the expected number of older people discharged from hospital to their own home for rehabilitation (from within the denominator) that will still be at home 91 days after discharge.
- Column H asks for an estimated actual performance against this metric in 2021-22. Data for this metric is not published until October, but local authorities will collect and submit this data as part of their salt returns in July. You should use this data to populate the estimated data in column H.
- The annual proportion (%) Reablement measure will then be calculated and populated based on this information.

## 7. Planning Requirements (click to go to sheet)

This sheet requires the Health and Wellbeing Board to confirm whether the National Conditions and other Planning Requirements detailed in the BCF Policy Framework and the BCF Requirements document are met. Please refer to the BCF Policy Framework and BCF Planning Requirements documents for 2022-23 for further details.

The sheet also sets out where evidence for each Key Line of Enquiry (KLOE) will be taken from.

The KLOEs underpinning the Planning Requirements are also provided for reference as they will be utilised to assure plans by the regional assurance panel.

1. For each Planning Requirement please select 'Yes' or 'No' to confirm whether the requirement is met for the BCF Plan.
2. Where the confirmation selected is 'No', please use the comments boxes to include the actions in place towards meeting the requirement and the target timeframes.



Version 1.0.0

*Please Note:*

- You are reminded that much of the data in this template, to which you have privileged access, is management information only and is not in the public domain. It is not to be shared more widely than is necessary to complete the return.
- Please prevent inappropriate use by treating this information as restricted, refrain from passing information on to others and use it only for the purposes for which it is provided. Any accidental or wrongful release should be reported immediately and may lead to an inquiry. Wrongful release includes indications of the content, including such descriptions as "favourable" or "unfavourable".
- Please note that national data for plans is intended for release in aggregate form once plans have been assured, agreed and baselined as per the due process outlined in the BCF Planning Requirements for 2022-23.
- This template is password protected to ensure data integrity and accurate aggregation of collected information. A resubmission may be required if this is breached.
- Where BCF plans are signed off under a delegated authority it must be reflected in the HWB's governance arrangements.

Health and Wellbeing Board:	Norfolk
Completed by:	Nick Clinch
E-mail:	nicholas.clinch@norfolk.gov.uk
Contact number:	01603 223329
Has this plan been signed off by the HWB (or delegated authority) at the time of submission?	No
If no please indicate when the HWB is expected to sign off the plan:	Mon 21/11/2022 << Please enter using the format, DD/MM/YYYY
If using a delegated authority, please state who is signing off the BCF plan:	n/a

Please indicate who is signing off the plan for submission on behalf of the HWB (delegated authority is also accepted):

Job Title:	n/a
Name:	n/a

	Role:	Professional Title (e.g. Dr, Cllr, Prof)	First-name:	Surname:	E-mail:
*Area Assurance Contact Details:	Health and Wellbeing Board Chair	County Councillor	Bill	Borrett	bill.borrett.cllr@norfolk.gov.uk
	Integrated Care Board Chief Executive or person to whom they have delegated sign-off	Chief Executive	Tracey	Bleakley	t.bleakley@nhs.net
	Additional ICB(s) contacts if relevant	Director of Primary &	Mark	Burgis	mark.burgis@nhs.net

*Please add further area contacts that you would wish to be included in official correspondence e.g. housing or trusts that have been part of the process -->*

Local Authority Chief Executive	Head of Paid Service	Tom	McCabe	tom.mccabe@norfolk.gov.uk
Local Authority Director of Adult Social Services (or equivalent)	Executive Director of	James	Bullion	james.bullion@norfolk.gov.uk
Better Care Fund Lead Official	Director of Commissionin	Gary	Heathcote	gary.heathcote@norfolk.gov.uk
LA Section 151 Officer	Executive Director,	Simon	George	simon.george@norfolk.gov.uk
Assistant Director, Social Care & Health Partnership Commissioning	Assistant Director	Nicholas	Clinch	nicholas.clinch@norfolk.gov.uk
Commissioning Manager, Social Care & Health Partnership Commissioning	Commissioning Manager	Bethany	Small	bethany.small@nhs.net

Question Completion - When all questions have been answered and the validation boxes below have turned green, please send the template to the Better Care Fund Team [england.bettercarefundteam@nhs.net](mailto:england.bettercarefundteam@nhs.net) saving the file as 'Name HWB' for example 'County Durham HWB'. Please also copy in your Better Care Manager.

Please see the Checklist below for further details on incomplete fields

	Complete:
2. Cover	Yes
4. Income	Yes
5a. Expenditure	Yes
6. Metrics	No
7. Planning Requirements	Yes

[<< Link to the Guidance sheet](#)

[^^ Link back to top](#)

## Better Care Fund 2022-23 Template

### 3. Summary

Selected Health and Wellbeing Board:

Norfolk

### Income & Expenditure

[Income >>](#)

Funding Sources	Income	Expenditure	Difference
DFG	£9,157,782	£9,157,782	£0
Minimum NHS Contribution	£73,032,095	£73,032,096	-£1
iBCF	£39,618,564	£39,618,564	£0
Additional LA Contribution	£0	£0	£0
Additional ICB Contribution	£0	£0	£0
<b>Total</b>	<b>£121,808,441</b>	<b>£121,808,442</b>	<b>-£1</b>

[Expenditure >>](#)

#### NHS Commissioned Out of Hospital spend from the minimum ICB allocation

Minimum required spend	£20,713,522
Planned spend	£32,452,178

#### Adult Social Care services spend from the minimum ICB allocations

Minimum required spend	£36,047,639
Planned spend	£47,013,190

#### Scheme Types

Assistive Technologies and Equipment	£7,237,209	(5.9%)
Care Act Implementation Related Duties	£4,269,762	(3.5%)

Carers Services	£31,172	(0.0%)
Community Based Schemes	£10,420,592	(8.6%)
DFG Related Schemes	£9,189,502	(7.5%)
Enablers for Integration	£2,035,290	(1.7%)
High Impact Change Model for Managing Transfer of C	£3,949,310	(3.2%)
Home Care or Domiciliary Care	£16,259,508	(13.3%)
Housing Related Schemes	£243,426	(0.2%)
Integrated Care Planning and Navigation	£4,182,428	(3.4%)
Bed based intermediate Care Services	£9,462,790	(7.8%)
Reablement in a persons own home	£11,714,888	(9.6%)
Personalised Budgeting and Commissioning	£0	(0.0%)
Personalised Care at Home	£987,684	(0.8%)
Prevention / Early Intervention	£3,304,516	(2.7%)
Residential Placements	£38,229,261	(31.4%)
Other	£291,104	(0.2%)
<b>Total</b>	<b>£121,808,442</b>	

[Metrics >>](#)

### Avoidable admissions

	2022-23 Q1 Plan	2022-23 Q2 Plan	2022-23 Q3 Plan
Unplanned hospitalisation for chronic ambulatory care sensitive conditions (Rate per 100,000 population)			

### Discharge to normal place of residence

	2022-23 Q1 Plan	2022-23 Q2 Plan	2022-23 Q3 Plan
Percentage of people, resident in the HWB, who are discharged from acute hospital to their normal place of residence  (SUS data - available on the Better Care Exchange)	92.0%	92.3%	92.4%

## Residential Admissions

		2020-21 Actual	2022-23 Plan
Long-term support needs of older people (age 65 and over) met by admission to residential and nursing care homes, per 100,000 population	Annual Rate	554	607

## Reablement

		2022-23 Plan
Proportion of older people (65 and over) who were still at home 91 days after discharge from hospital into reablement / rehabilitation services	Annual (%)	86.5%

[Planning Requirements >>](#)

Theme	Code	Response
	PR1	Yes

NC1: Jointly agreed plan	PR2	Yes
	PR3	Yes
NC2: Social Care Maintenance	PR4	Yes
NC3: NHS commissioned Out of Hospital Services	PR5	Yes
NC4: Implementing the BCF policy objectives	PR6	Yes
Agreed expenditure plan for all elements of the BCF	PR7	Yes
Metrics	PR8	Yes

## Better Care Fund 2022-23 Template

### 4. Income

Selected Health and Wellbeing Board:

Norfolk

Local Authority Contribution	
Disabled Facilities Grant (DFG)	Gross Contribution
Norfolk	£9,157,782
DFG breakdown for two-tier areas only (where applicable)	
Breckland	£1,329,644
Broadland	£1,013,705
Great Yarmouth	£1,348,045
King's Lynn and West Norfolk	£1,782,807
North Norfolk	£1,354,615
Norwich	£1,293,541
South Norfolk	£1,035,425
<b>Total Minimum LA Contribution (exc iBCF)</b>	<b>£9,157,782</b>

iBCF Contribution	Contribution
Norfolk	£39,618,564
<b>Total iBCF Contribution</b>	<b>£39,618,564</b>

Are any additional LA Contributions being made in 2022-23? If yes, please detail below

No

Local Authority Additional Contribution	Contribution	Comments - Please use this box clarify any specific uses or sources of funding
<b>Total Additional Local Authority Contribution</b>	<b>£0</b>	

NHS Minimum Contribution	Contribution
NHS Norfolk and Waveney ICB	£73,032,095
<b>Total NHS Minimum Contribution</b>	<b>£73,032,095</b>

Are any additional ICB Contributions being made in 2022-23? If yes, please detail below	No
---	----

Additional ICB Contribution	Contribution	Comments - Please use this box clarify any specific uses or sources of funding
<b>Total Additional NHS Contribution</b>	<b>£0</b>	
<b>Total NHS Contribution</b>	<b>£73,032,095</b>	

	2021-22
<b>Total BCF Pooled Budget</b>	<b>£121,808,441</b>

<b>Funding Contributions Comments</b> Optional for any useful detail e.g. Carry over
---

N/A

Better Care Fund 2022-23 Template

5. Expenditure

Selected Health and Wellbeing Board: 

Norfolk

<< Link to summary sheet

Running Balances	Income	Expenditure	Balance
DFG	£9,157,782	£9,157,782	£0
Minimum NHS Contribution	£73,032,095	£73,032,096	-£1
iBCF	£39,618,564	£39,618,564	£0
Additional LA Contribution	£0	£0	£0
Additional NHS Contribution	£0	£0	£0
Total	£121,808,441	£121,808,442	-£1

Required Spend

This is in relation to National Conditions 2 and 3 only. It does NOT make up the total Minimum CCG Contribution (on row 31 above).

	Minimum Required Spend	Planned Spend	Under Spend
NHS Commissioned Out of Hospital spend from the minimum ICB allocation	£20,713,522	£32,452,178	£0
Adult Social Care services spend from the minimum ICB allocations	£36,047,639	£47,013,190	£0

>> Link to further guidance

Checklist

Column complete:

Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----

One or more Funding Sources have an underspend/overpend (see first table at top of this sheet)

						Planned Expenditure								
Scheme ID	Scheme Name	Brief Description of Scheme	Scheme Type	Sub Types	Please specify if 'Scheme Type' is 'Other'	Area of Spend	Please specify if 'Area of Spend' is 'other'	Commissioner	% NHS (if Joint Commissioner)	% LA (if Joint Commissioner)	Provider	Source of Funding	Expenditure (£)	New/ Existing Scheme
1	Norfolk Advice Network and Advocacy	Provider: Age UK, Equal Lives To provide a single point	Integrated Care Planning and Navigation	Care navigation and planning		Social Care		Joint	2.8%	97.2%	Charity / Voluntary Sector	Minimum NHS Contribution	£1,057,178	New
2	A Social Impact Bond for Carers	Provider: Carers Matter Norfolk To support carers to	Care Act Implementation Related Duties	Carer advice and support		Social Care		Joint	12.7%	87.3%	Private Sector	Minimum NHS Contribution	£1,318,000	Existing
3	Community Nursing and Occupational	Community nurses and OTs working in the community to help	Community Based Schemes	Multidisciplinary teams that are supporting		Community Health		CCG			NHS Community Provider	Minimum NHS Contribution	£10,356,918	Existing
4	Dementia/Alzheimer's Support	Support & advice service and funds support workers.	Integrated Care Planning and Navigation	Care navigation and planning		Social Care		CCG			Charity / Voluntary Sector	Minimum NHS Contribution	£311,487	Existing
5	Early Help Hub	Provider: Great Yarmouth Borough Council	Integrated Care Planning and Navigation	Care navigation and planning		Social Care		CCG			Local Authority	Minimum NHS Contribution	£12,000	Existing
7	Homeward	Planned discharge care (including cancer care)	High Impact Change Model for Managing Transfer	Home First/Discharge to Assess - process		Acute		CCG			NHS Acute Provider	Minimum NHS Contribution	£1,507,780	Existing
8	RATS & Virtual Ward	Planned discharge care (including cancer care)	High Impact Change Model for Managing Transfer	Home First/Discharge to Assess - process		Acute		CCG			NHS Acute Provider	Minimum NHS Contribution	£1,915,151	Existing

9	ICES	Provider: Nottingham Rehab Services To facilitate people to	Assistive Technologies and Equipment	Community based equipment		Social Care		Joint	92.8%	7.2%	Private Sector	Minimum NHS Contribution	£7,058,708	Existing
10	Integrated Care Coordinators	Provider: Norfolk County Council A first point of contact	Integrated Care Planning and Navigation	Care navigation and planning		Primary Care		Joint	90.2%	9.8%	Local Authority	Minimum NHS Contribution	£660,944	Existing
11	Intermediate Spot Purchase Beds	Accommodation based commissioning.	Bed based intermediate Care Services	Step down (discharge to assess pathway-2)		Community Health		CCG			Private Sector	Minimum NHS Contribution	£1,911,490	Existing
12	Equipment at home (BOC)	Oxygen at home service	Prevention / Early Intervention	Risk Stratification		Community Health		CCG			Private Sector	Minimum NHS Contribution	£30,414	Existing
13	Early Interv. & Discharge Liaison Teams & Co-	Admission avoidance, early intervention and inpatient discharges	Integrated Care Planning and Navigation	Care navigation and planning		Acute		CCG			NHS Community Provider	Minimum NHS Contribution	£1,006,384	Existing
14	Medical Loans Service & Care Navigation	Provider: British Red Cross Short term loans of	Assistive Technologies and Equipment	Community based equipment		Primary Care		CCG			Charity / Voluntary Sector	Minimum NHS Contribution	£178,501	Existing
16	Meds Management	Arden and GEM Commissioning Support Unit funds advice, help	Other		Information and advice on managing	Community Health		CCG			Local Authority	Minimum NHS Contribution	£291,104	Existing
17	Equal Lives	Provider: Equal Lives Supporting people to empower themselves to	Integrated Care Planning and Navigation	Care navigation and planning		Other	information, advice and support service	CCG			Local Authority	Minimum NHS Contribution	£146,078	Existing
18	Norfolk Volunteer Services	Provider: Voluntary Norfolk Encourages and enables	Enablers for Integration	Voluntary Sector Business Development		Social Care		CCG			Charity / Voluntary Sector	Minimum NHS Contribution	£220,150	Existing
19	Palliative Beds & Hospice	Accommodation based commissioning.	Residential Placements	Nursing home		Community Health		CCG			NHS Community Provider	Minimum NHS Contribution	£768,399	Existing
20	Norfolk First Response - Reablement	Provider: Norfolk County Council NFR Reablement	Reablement in a persons own home	Reablement to support discharge - step down		Social Care		Joint	12.2%	87.8%	Local Authority	Minimum NHS Contribution	£8,436,917	Existing
20	Norfolk First Response - Referrals	Provider: Norfolk County Council Provides intensive	Reablement in a persons own home	Reablement service accepting community and		Social Care		CCG			Local Authority	Minimum NHS Contribution	£1,328,000	Existing
21	Swifts and Nightowls	Provider: Norfolk County Council 24 hour, rapid response	Reablement in a persons own home	Rapid/Crisis Response - step up (2 hr response)		Social Care		Joint	83.9%	16.1%	Local Authority	Minimum NHS Contribution	£1,550,000	Existing
22	Sensing Change	Social Work Practice providing a range of services including social	Prevention / Early Intervention	Risk Stratification		Social Care		CCG			Charity / Voluntary Sector	Minimum NHS Contribution	£7,500	Existing
23	Safe at Home	Handy person service in Great Yarmouth and Waveney	DFG Related Schemes	Handyperson services		Social Care		CCG			Local Authority	Minimum NHS Contribution	£31,720	Existing
24	Weight Management Scheme	Scheme to support people at risk of further health conditions due to	Prevention / Early Intervention	Risk Stratification		Primary Care		CCG			Private Sector	Minimum NHS Contribution	£479,414	Existing
25	Dementia/Alzheimer's Support	Specialist dementia nurses who give expert practical, clinical and	Integrated Care Planning and Navigation	Care navigation and planning		Community Health		CCG			Local Authority	Minimum NHS Contribution	£224,792	Existing
26	Neuro Cardiac & Pulmonary Support Services	Specialist Community Nurses - Neuro Cardiac & Pulmonary Support	Personalised Care at Home	Physical health/wellbeing		Community Health		CCG			NHS Community Provider	Minimum NHS Contribution	£491,676	Existing

27	Specialist Nursing Teams	Specialist Nursing Teams to support people in the community	Personalised Care at Home	Physical health/wellbeing		Community Health		CCG			NHS Community Provider	Minimum NHS Contribution	£496,008	Existing
28	Mid Norfolk Heartwork	To provide a structured, supervised exercise scheme which will	Prevention / Early Intervention	Risk Stratification		Community Health		CCG			Charity / Voluntary Sector	Minimum NHS Contribution	£8,258	Existing
29	Norfolk & Norwich Scope Association	Improving children's physical and cognitive skills	Prevention / Early Intervention	Risk Stratification		Community Health		CCG			Charity / Voluntary Sector	Minimum NHS Contribution	£15,809	Existing
30	Norfolk Deaf Association	Aims to relieve the Audiology depts workload as well as help	Prevention / Early Intervention	Risk Stratification		Community Health		CCG			Charity / Voluntary Sector	Minimum NHS Contribution	£248,561	Existing
31	Stroke Association	Provides a range of community stroke support services in the	Prevention / Early Intervention	Risk Stratification		Community Health		CCG			Charity / Voluntary Sector	Minimum NHS Contribution	£118,989	Existing
32	Together	The Health and Wellbeing Volunteer Service will be available	Reablement in a persons own home	Preventing admissions to acute setting		Mental Health		CCG			Local Authority	Minimum NHS Contribution	£399,971	Existing
33	NEAT	Network of Escalation Avoidance Team	Integrated Care Planning and Navigation	Assessment teams/joint assessment		Other	Acute and Social Care	CCG			Local Authority	Minimum NHS Contribution	£615,279	Existing
34	Discharge Practitioner Services	Funding of practitioners to support multi-agency discharge teams.	High Impact Change Model for Managing Transfer	Multi-Disciplinary/Multi-Agency Discharge		Acute		CCG			Local Authority	Minimum NHS Contribution	£62,448	Existing
35	Staff recharges - GP's & Ass. Practitioners	Work focussed on healier communities, better healthcare for	Care Act Implementation Related Duties	Other	Staffing charges for GP's and AP's.	Other	Primary and Social Care	CCG			Local Authority	Minimum NHS Contribution	£184,762	Existing
36	SOS Bus	Provides a first point of contact, support and first aid to people who	Prevention / Early Intervention	Other	Information, advice and support focussed	Primary Care		CCG			Charity / Voluntary Sector	Minimum NHS Contribution	£118,305	Existing
37	Social Prescribing	A community wellbeing service that focus' on improving wellbeing. A	Prevention / Early Intervention	Social Prescribing		Primary Care		CCG			Private Sector	Minimum NHS Contribution	£1,708,423	Existing
38	Eating Disorders	To provide a range of services to support clients with an eating	Prevention / Early Intervention	Risk Stratification		Community Health		CCG			Charity / Voluntary Sector	Minimum NHS Contribution	£96,778	Existing
39	Voluntary Sector MH Services	works in partnership with over 20 voluntary and community groups	Enablers for Integration	Voluntary Sector Business Development		Mental Health		CCG			Charity / Voluntary Sector	Minimum NHS Contribution	£530,959	Existing
40	West Norfolk Carers Project	Independent charity supporting unpaid family carers & creating	Carers Services	Other	Information, advice and support service	Social Care		CCG			Charity / Voluntary Sector	Minimum NHS Contribution	£31,172	Existing
41	Care Navigators	Supports older people to 'navigate' their way around health, social	Integrated Care Planning and Navigation	Care navigation and planning		Other	primary and Social Care	CCG			Charity / Voluntary Sector	Minimum NHS Contribution	£68,038	Existing
42	Day Centres / Daycare	Marion Road Day (norwich)Centre & Glaven Day Centre	Home Care or Domiciliary Care	Other	Day Care Centres	Social Care		CCG			Charity / Voluntary Sector	Minimum NHS Contribution	£69,719	Existing
43	Wellfamily Services	Well Family is a one stop health and wellbeing service comprising a	Prevention / Early Intervention	Risk Stratification		Community Health		CCG			Charity / Voluntary Sector	Minimum NHS Contribution	£76,340	Existing
44	St. Martin's Hub	Provides emergency accommodation and support for rough	Housing Related Schemes			Mental Health		CCG			Charity / Voluntary Sector	Minimum NHS Contribution	£64,426	Existing
45	West Norfolk Disability Information	Provides a range of information and support to all disabled people,	Integrated Care Planning and Navigation	Care navigation and planning		Social Care		CCG			Charity / Voluntary Sector	Minimum NHS Contribution	£13,248	Existing

46	GP / Medical cover for Intermediate Care	GP medical cover to intermediate care services help people to	Bed based intermediate Care Services	Other	GP cover of our bed based intermediate	Primary Care		CCG			Private Sector	Minimum NHS Contribution	£18,500	Existing
47	ASD / ADHD / Asperger's Support	offers personal, friendly assistance for everyone with Asperger syndrome	Prevention / Early Intervention	Risk Stratification		Mental Health		CCG			Charity / Voluntary Sector	Minimum NHS Contribution	£295,725	Existing
48	Transport Plus	Provision of transport using volunteer drivers to enable access to	Community Based Schemes	Other	Transport	Community Health		CCG			Charity / Voluntary Sector	Minimum NHS Contribution	£37,660	Existing
49	West Norfolk Community Action Norfolk	CAN is the leading organisation for engagement with the	Enablers for Integration	Voluntary Sector Business Development		Other	Spend is across all areas of health and social	CCG			Charity / Voluntary Sector	Minimum NHS Contribution	£40,000	Existing
50	West Norfolk Community Transport	To provide day to day management of a bank of drivers, and to	Community Based Schemes	Other	Transport	Community Health		CCG			Charity / Voluntary Sector	Minimum NHS Contribution	£26,014	Existing
51	Home Support Tactical Winter Plan	Provider: NCC Home Support Framework Schemes aimed to	Home Care or Domiciliary Care	Domiciliary care packages		Social Care		LA			Private Sector	Minimum NHS Contribution	£1,200,000	New
52	Learning Disability Beds	Accommodation based commissioning.	Residential Placements	Learning Disability		Community Health		CCG			Private Sector	Minimum NHS Contribution	£667,428	Existing
56	District Direct	Provider: District & Borough Councils District Council expertise	High Impact Change Model for Managing Transfer	Housing and related services		Acute		Joint	30.5%	69.5%	Local Authority	Minimum NHS Contribution	£151,180	Existing
57	Dementia Support SLA	Support for people with Dementia	Prevention / Early Intervention	Risk Stratification		Social Care		LA			Private Sector	Minimum NHS Contribution	£100,000	Existing
60	Out of Hospital / Short Term Offer	Bed based reablement offer and hospital social work teams	Bed based intermediate Care Services	Step down (discharge to assess pathway-2)		Social Care		LA			Local Authority	Minimum NHS Contribution	£7,532,800	Existing
61	Brokerage	Brokerage Team Staff	Enablers for Integration	Joint commissioning infrastructure		Social Care		LA			Private Sector	Minimum NHS Contribution	£32,000	New
62	Social Care and Health Partnership	Joint Commissioning Team across NCC & CCG	Enablers for Integration	Joint commissioning infrastructure		Social Care		LA			Local Authority	Minimum NHS Contribution	£240,000	Existing
63	Integrated Quality Team	Joint Quality Team across NCC & CCG	Enablers for Integration	Joint commissioning infrastructure		Social Care		LA			Local Authority	Minimum NHS Contribution	£250,000	Existing
64	LD, MH and Autism Packages of Care	Care services for people with LD, MH and Autism	Residential Placements	Other	LD / MH / Autism residential care	Social Care		LA			Local Authority	Minimum NHS Contribution	£12,437,450	Existing
64	LD, MH and Autism Packages of Care	Care services for people with LD, MH and Autism	Home Care or Domiciliary Care	Domiciliary care packages		Social Care		LA			Local Authority	Minimum NHS Contribution	£3,053,209	Existing
65	BCF Health and Wellbeing Partnership Funds	Provider: Norfolk's Health and Wellbeing Partnerships	Enablers for Integration	Joint commissioning infrastructure		Social Care		LA			Private Sector	Minimum NHS Contribution	£576,181	New
66	Home from Hospital	Provider: British Red Cross The services will support	High Impact Change Model for Managing Transfer	Housing and related services		Social Care		Joint	26.6%	73.4%	Private Sector	Minimum NHS Contribution	£145,751	Existing
67	Disabled Facilities Grant	Spend on DFG's by our district and borough councils	DFG Related Schemes	Adaptations, including statutory DFG		Social Care		LA			Local Authority	DFG	£9,157,782	Existing
70	ASC Core Care Services (underlying spend	Covering market pressures	Residential Placements	Other	Covering Market Pressures	Social Care		LA			Local Authority	iBCF	£15,412,985	Existing

70	ASC Core Care Services (underlying spend	Covering market pressures	Home Care or Domiciliary Care	Domiciliary care packages		Social Care		LA			Private Sector	iBCF	£6,586,708	Existing
71	Younger Adults Residential Price Uplift for those	Residential placements for younger adults	Residential Placements	Care home		Social Care		LA			Private Sector	iBCF	£370,000	Existing
72	Home Care Framework and Rate increase	Home care services across Norfolk.	Home Care or Domiciliary Care	Domiciliary care packages		Social Care		LA			Private Sector	iBCF	£2,202,000	Existing
73	Older People Cost of Care Exercise 2018/20	Covering market pressures	Residential Placements	Other	Covering Market Pressures	Social Care		LA			Local Authority	iBCF	£2,681,196	Existing
73	Older People Cost of Care Exercise 2018/20	Covering market pressures	Home Care or Domiciliary Care	Domiciliary care packages		Social Care		LA			Local Authority	iBCF	£1,145,804	Existing
74	Younger Adults Demography and Pressures 2019/20	Covering market pressures	Residential Placements	Other	Covering Market Pressures	Social Care		LA			Local Authority	iBCF	£1,348,872	Existing
74	Younger Adults Demography and Pressures 2019/20	Covering market pressures	Home Care or Domiciliary Care	Domiciliary care packages		Social Care		LA			Private Sector	iBCF	£331,128	Existing
75	Hard to Reach Homecare services	Home Care services targeted at hard to reach areas.	Home Care or Domiciliary Care	Domiciliary care packages		Social Care		LA			Private Sector	iBCF	£144,000	Existing
76	DOLS	Deprivation of Living Safeguards	Care Act Implementation Related Duties	Other	Deprivation of Living Safeguards	Social Care		LA			Local Authority	iBCF	£225,000	Existing
77	Enhancement to Social Care Capacity 2018	Additional Social Work Capacity	Care Act Implementation Related Duties	Other	Additional Social Work Capacity	Social Care		LA			Local Authority	iBCF	£2,342,000	Existing
78	Former Protection of Social Care	Protection of Social Care	Residential Placements	Other	Protection of Social Care	Social Care		LA			Local Authority	iBCF	£3,573,060	Existing
78	Former Protection of Social Care	Protection of Social Care	Home Care or Domiciliary Care	Domiciliary care packages		Social Care		LA			Local Authority	iBCF	£1,526,940	Existing
79	MH Capacity (evolve and practitioners)	MH Capacity	Care Act Implementation Related Duties	Other	MH Capacity	Social Care		LA			Local Authority	iBCF	£200,000	Existing
80	Provider Liaison Service	The service will liaise with hospital discharge staff and advocate for	High Impact Change Model for Managing Transfer	Improved discharge to Care Homes		Social Care		LA			Local Authority	iBCF	£167,000	New
81	The Old Maltings service provision	Housing with Care service	Housing Related Schemes			Social Care		LA			Private Sector	iBCF	£179,000	Existing
82	Practice Educator Lead	Practice Educator Lead to support good practice.	Enablers for Integration	Workforce development		Social Care		LA			Local Authority	iBCF	£54,000	Existing
83	Autism Diagnostic Service	Autism Diagnostic Service	Integrated Care Planning and Navigation	Assessment teams/joint assessment		Social Care		LA			Local Authority	iBCF	£67,000	Existing
84	Technology for agile working	Support agile working for SW Teams	Enablers for Integration	Workforce development		Social Care		LA			Local Authority	iBCF	£42,000	Existing
85	Winter Pressures Project Support	Coordinating Winter Planning for ASC	Enablers for Integration	Programme management		Social Care		LA			Local Authority	iBCF	£50,000	Existing



## Further guidance for completing Expenditure sheet

### National Conditions 2 & 3

Schemes tagged with the following will count towards the planned **Adult Social Care services spend** from the NHS min:

- **Area of spend** selected as 'Social Care'
- **Source of funding** selected as 'Minimum NHS Contribution'

Schemes tagged with the below will count towards the planned **Out of Hospital spend** from the NHS min:

- **Area of spend** selected with anything except 'Acute'
- **Commissioner** selected as 'ICB' (if 'Joint' is selected, only the NHS % will contribute)
- **Source of funding** selected as 'Minimum NHS Contribution'

### 2022-23 Revised Scheme types

Number	Scheme type/ services	Sub type	Description
1	Assistive Technologies and Equipment	1. Telecare 2. Wellness services 3. Digital participation services 4. Community based equipment 5. Other	Using technology in care processes to supportive self-management, maintenance of independence and more efficient and effective delivery of care. (eg. Telecare, Wellness services, Community based equipment, Digital participation services).
2	Care Act Implementation Related Duties	1. Carer advice and support 2. Independent Mental Health Advocacy 3. Safeguarding 4. Other	Funding planned towards the implementation of Care Act related duties. The specific scheme sub types reflect specific duties that are funded via the NHS minimum contribution to the BCF.
3	Carers Services	1. Respite Services 2. Other	Supporting people to sustain their role as carers and reduce the likelihood of crisis.  This might include respite care/carers breaks, information, assessment, emotional and physical support, training, access to services to support wellbeing and improve independence.
4	Community Based Schemes	1. Integrated neighbourhood services 2. Multidisciplinary teams that are supporting independence, such as anticipatory care 3. Low level support for simple hospital discharges (Discharge to Assess pathway 0) 4. Other	Schemes that are based in the community and constitute a range of cross sector practitioners delivering collaborative services in the community typically at a neighbourhood/PCN level (eg: Integrated Neighbourhood Teams)  Reablement services should be recorded under the specific scheme type 'Reablement in a person's own home'
5	DFG Related Schemes	1. Adaptations, including statutory DFG grants 2. Discretionary use of DFG - including small adaptations 3. Handyperson services 4. Other	The DFG is a means-tested capital grant to help meet the costs of adapting a property; supporting people to stay independent in their own homes.  The grant can also be used to fund discretionary, capital spend to support people to remain independent in their own homes under a Regulatory Reform Order, if a published policy on doing so is in place. Schemes using this flexibility can be recorded under 'discretionary use of DFG' or 'handyperson services' as appropriate

6	Enablers for Integration	<ol style="list-style-type: none"> <li>1. Data Integration</li> <li>2. System IT Interoperability</li> <li>3. Programme management</li> <li>4. Research and evaluation</li> <li>5. Workforce development</li> <li>6. Community asset mapping</li> <li>7. New governance arrangements</li> <li>8. Voluntary Sector Business Development</li> <li>9. Employment services</li> <li>10. Joint commissioning infrastructure</li> <li>11. Integrated models of provision</li> <li>12. Other</li> </ol>	<p>Schemes that build and develop the enabling foundations of health, social care and housing integration, encompassing a wide range of potential areas including technology, workforce, market development (Voluntary Sector Business Development: Funding the business development and preparedness of local voluntary sector into provider Alliances/ Collaboratives) and programme management related schemes.</p> <p>Joint commissioning infrastructure includes any personnel or teams that enable joint commissioning. Schemes could be focused on Data Integration, System IT Interoperability, Programme management, Research and evaluation, Supporting the Care Market, Workforce development, Community asset mapping, New governance arrangements, Voluntary Sector Development, Employment services, Joint commissioning infrastructure amongst others.</p>
7	High Impact Change Model for Managing Transfer of Care	<ol style="list-style-type: none"> <li>1. Early Discharge Planning</li> <li>2. Monitoring and responding to system demand and capacity</li> <li>3. Multi-Disciplinary/Multi-Agency Discharge Teams supporting discharge</li> <li>4. Home First/Discharge to Assess - process support/core costs</li> <li>5. Flexible working patterns (including 7 day working)</li> <li>6. Trusted Assessment</li> <li>7. Engagement and Choice</li> <li>8. Improved discharge to Care Homes</li> <li>9. Housing and related services</li> <li>10. Red Bag scheme</li> <li>11. Other</li> </ol>	<p>The eight changes or approaches identified as having a high impact on supporting timely and effective discharge through joint working across the social and health system. The Hospital to Home Transfer Protocol or the 'Red Bag' scheme, while not in the HICM, is included in this section.</p>
8	Home Care or Domiciliary Care	<ol style="list-style-type: none"> <li>1. Domiciliary care packages</li> <li>2. Domiciliary care to support hospital discharge (Discharge to Assess pathway 1)</li> <li>3. Domiciliary care workforce development</li> <li>4. Other</li> </ol>	<p>A range of services that aim to help people live in their own homes through the provision of domiciliary care including personal care, domestic tasks, shopping, home maintenance and social activities. Home care can link with other services in the community, such as supported housing, community health services and voluntary sector services.</p>
9	Housing Related Schemes		<p>This covers expenditure on housing and housing-related services other than adaptations; eg: supported housing units.</p>

10	Integrated Care Planning and Navigation	<ul style="list-style-type: none"> <li>1. Care navigation and planning</li> <li>2. Assessment teams/joint assessment</li> <li>3. Support for implementation of anticipatory care</li> <li>4. Other</li> </ul>	<p>Care navigation services help people find their way to appropriate services and support and consequently support self-management. Also, the assistance offered to people in navigating through the complex health and social care systems (across primary care, community and voluntary services and social care) to overcome barriers in accessing the most appropriate care and support. Multi-agency teams typically provide these services which can be online or face to face care navigators for frail elderly, or dementia navigators etc. This includes approaches such as Anticipatory Care, which aims to provide holistic, co-ordinated care for complex individuals.</p> <p>Integrated care planning constitutes a co-ordinated, person centred and proactive case management approach to conduct joint assessments of care needs and develop integrated care plans typically carried out by professionals as part of a multi-disciplinary, multi-agency teams.</p> <p>Note: For Multi-Disciplinary Discharge Teams related specifically to discharge, please select HICM as scheme type and the relevant sub-type. Where the planned unit of care delivery and funding is in the form of Integrated care packages and needs to be expressed in such a manner, please select the appropriate sub-type alongside.</p>
11	Bed based intermediate Care Services	<ul style="list-style-type: none"> <li>1. Step down (discharge to assess pathway-2)</li> <li>2. Step up</li> <li>3. Rapid/Crisis Response</li> <li>4. Other</li> </ul>	<p>Short-term intervention to preserve the independence of people who might otherwise face unnecessarily prolonged hospital stays or avoidable admission to hospital or residential care. The care is person-centred and often delivered by a combination of professional groups. Four service models of intermediate care are: bed-based intermediate care, crisis or rapid response (including falls), home-based intermediate care, and reablement or rehabilitation. Home-based intermediate care is covered in Scheme-A and the other three models are available on the sub-types.</p>
12	Reablement in a persons own home	<ul style="list-style-type: none"> <li>1. Preventing admissions to acute setting</li> <li>2. Reablement to support discharge -step down (Discharge to Assess pathway 1)</li> <li>3. Rapid/Crisis Response - step up (2 hr response)</li> <li>4. Reablement service accepting community and discharge referrals</li> <li>5. Other</li> </ul>	<p>Provides support in your own home to improve your confidence and ability to live as independently as possible</p>
13	Personalised Budgeting and Commissioning		<p>Various person centred approaches to commissioning and budgeting, including direct payments.</p>
14	Personalised Care at Home	<ul style="list-style-type: none"> <li>1. Mental health /wellbeing</li> <li>2. Physical health/wellbeing</li> <li>3. Other</li> </ul>	<p>Schemes specifically designed to ensure that a person can continue to live at home, through the provision of health related support at home often complemented with support for home care needs or mental health needs. This could include promoting self-management/expert patient, establishment of 'home ward' for intensive period or to deliver support over the longer term to maintain independence or offer end of life care for people. Intermediate care services provide shorter term support and care interventions as opposed to the ongoing support provided in this scheme type.</p>
15	Prevention / Early Intervention	<ul style="list-style-type: none"> <li>1. Social Prescribing</li> <li>2. Risk Stratification</li> <li>3. Choice Policy</li> <li>4. Other</li> </ul>	<p>Services or schemes where the population or identified high-risk groups are empowered and activated to live well in the holistic sense thereby helping prevent people from entering the care system in the first place. These are essentially upstream prevention initiatives to promote independence and well being.</p>

16	Residential Placements	<ul style="list-style-type: none"> <li>1. Supported living</li> <li>2. Supported accommodation</li> <li>3. Learning disability</li> <li>4. Extra care</li> <li>5. Care home</li> <li>6. Nursing home</li> <li>7. Discharge from hospital (with reablement) to long term residential care (Discharge to Assess Pathway 3)</li> <li>8. Other</li> </ul>	Residential placements provide accommodation for people with learning or physical disabilities, mental health difficulties or with sight or hearing loss, who need more intensive or specialised support than can be provided at home.
18	Other		Where the scheme is not adequately represented by the above scheme types, please outline the objectives and services planned for the scheme in a short description in the comments column.

## Better Care Fund 2022-23 Template

### 6. Metrics

Selected Health and Wellbeing Board:

Norfolk

#### 8.1 Avoidable admissions

		2021-22 Q1 Actual	2021-22 Q2 Actual	2021-22 Q3 Actual	2021-22 Q4 Actual	Rationale for how ambition was set	Local plan to meet ambition
Indirectly standardised rate (ISR) of admissions per 100,000 population  (See Guidance)	Indicator value	194.2	176.4	187.8	156.3	2020-21 Actual = 803	For 2022-23 we are continuing to focus on and invest in (a) planned care/prevention schemes to reduce the likelihood of health/social care crises occurring and (b) urgent community response AA initiatives
		2022-23 Q1 Plan	2022-23 Q2 Plan	2022-23 Q3 Plan	2022-23 Q4 Plan	2021-22 Forecast/Plan = 985	
	Indicator value	185	182	189	173	2021-22 Actual = 715	

>> link to NHS Digital webpage (for more detailed guidance)

#### 8.3 Discharge to usual place of residence

		2021-22 Q1 Actual	2021-22 Q2 Actual	2021-22 Q3 Actual	2021-22 Q4 Actual	Rationale for how ambition was set	Local plan to meet ambition
Percentage of people, resident in the HWB, who are discharged from acute hospital to their normal place of residence  (SUS data - available on the Better Care Exchange)	Quarter (%)	92.2%	92.3%	92.3%	91.8%	Q1 actual, Q2-4 utilises Q1 actual and 21/22 FY for baseline, seasonality applied, linked to operational planning submission.	The percentage of people discharged to their normal place of residence in quarters 1-4 of 2021/22 was 92.15%. We are expecting to achieve a similar figure in 2022/23. We have a number of services in the BCF aiming to support people back to their normal place of residence, including our reablement schemes, aimed at helping people to be as independent as possible: Short Term Offer, bed-based reablement
	Numerator	18,811	18,511	17,760	16,572		
	Denominator	20,407	20,048	19,233	18,044		
		2022-23 Q1 Plan	2022-23 Q2 Plan	2022-23 Q3 Plan	2022-23 Q4 Plan		
	Quarter (%)	92.0%	92.3%	92.4%	91.9%		
	Numerator	16,838	19,917	20,040	19,043		
	Denominator	18,295	21,572	21,695	20,722		

#### 8.4 Residential Admissions

		2020-21 Actual	2021-22 Plan	2021-22 estimated	2022-23 Plan	Rationale for how ambition was set	Local plan to meet ambition
Long-term support needs of older people (age 65 and over) met by admission to residential and nursing care homes, per 100,000 population	Annual Rate	553.8	551.1	574.2	607.3	Activity remains high due to high volumes of hospital discharges for older people with a high level of need. Numerator for both 21/22 and 22/23 augmented to allow for the higher population estimates listed	Our focus remains on assessing and reviewing people in the community, rather than in hospital, supporting maximum return to independent living and facilitating moves from short-term care back into peoples' own homes (rather than
	Numerator	1,248	1,265	1,318	1,416		
	Denominator	225,343	229,546	229,546	233,182		

Long-term support needs of older people (age 65 and over) met by admission to residential and nursing care homes, per 100,000 population (aged 65+) population projections are based on a calendar year using the 2018 based Sub-National Population Projections for Local Authorities in England:

<https://www.ons.gov.uk/releases/subnationalpopulationprojectionsforengland2018based>

## 8.5 Reablement

		2020-21 Actual	2021-22 Plan	2021-22 estimated	2022-23 Plan	Rationale for how ambition was set	Local plan to meet ambition
Proportion of older people (65 and over) who were still at home 91 days after discharge from hospital into reablement / rehabilitation services	Annual (%)	84.4%	84.8%	85.9%	86.5%	System has not seen a dramatic fall in capacity. The figures included are much lower as the indicator has only included data for a 3-month period (Oct-Dec) as per the ASCOF guidance.	D2A is significantly re-shaping demands on reablement and home support within Pathway 1, with Norfolk's reablement services (funded via BCF) playing a critical role in supporting people in the community. Volumes of discharges into
	Numerator	1,586	1,636	481	485		
	Denominator	1,880	1,930	560	561		

Please note that due to the demerging of Northamptonshire, information from previous years will not reflect the present geographies.

As such, the following adjustments have been made for the pre-populated figures above:

- 2020-21 actuals (for **Residential Admissions** and **Reablement**) for North Northamptonshire and West Northamptonshire are using the Northamptonshire combined figure;
- 2021-22 and 2022-23 population projections (i.e. the denominator for **Residential Admissions**) have been calculated from a ratio based on the 2020-21 estimates.

# Better Care Fund 2022-23 Template

## 7. Confirmation of Planning Requirements

Selected Health and Wellbeing Board:

Norfolk

Theme	Code	Planning Requirement	Key considerations for meeting the planning requirement These are the Key Lines of Enquiry (KLOEs) underpinning the Planning Requirements (PR)	Confirmed through	Please confirm whether your BCF plan meets the Planning Requirement?	Please note any supporting documents referred to and relevant page numbers to assist the assurers	Where the Planning requirement is not met, please note the actions in place towards meeting the requirement	Where the Planning requirement is not met, please note the anticipated timeframe for meeting it
NC1: Jointly agreed plan	PR1	A jointly developed and agreed plan that all parties sign up to	Has a plan; jointly developed and agreed between ICB(s) and LA; been submitted?  Has the HWB approved the plan/delegated approval?  Have local partners, including providers, VCS representatives and local authority service leads (including housing and DFG leads) been involved in the development of the plan?  Where the narrative section of the plan has been agreed across more than one HWB, have individual income, expenditure and metric sections of the plan been submitted for each HWB concerned?	Cover sheet  Cover sheet  Narrative plan  Validation of submitted plans	Yes	Narrative plan: Page 2 describes how we engaged with partners across the system and the conversations we have had with them about the BCF over the past year as part of our BCF review work.		
	PR2	A clear narrative for the integration of health and social care	Is there a narrative plan for the HWB that describes the approach to delivering integrated health and social care that describes:  • How the area will continue to implement a joined-up approach to integrated, person-centred services across health, care, housing and wider public services locally  • The approach to collaborative commissioning  • How the plan will contribute to reducing health inequalities and disparities for the local population, taking account of people with protected characteristics? This should include - How equality impacts of the local BCF plan have been considered  - Changes to local priorities related to health inequality and equality, including as a result of the COVID 19 pandemic, and how activities in the document will address these.  The area will need to also take into account Priorities and Operational Guidelines regarding health inequalities, as well as local authorities' priorities under the Equality Act and NHS actions in line with Core2015 LSC.	Narrative plan	Yes	We have used the given narrative plan template which has guided us through each of these sections.		
	PR3	A strategic, joined up plan for Disabled Facilities Grant (DFG) spending	Is there confirmation that use of DFG has been agreed with housing authorities?  • Does the narrative set out a strategic approach to using housing support, including use of DFG funding that supports independence at home?  • In two tier areas, has: - Agreement been reached on the amount of DFG funding to be passed to district councils to cover statutory DFG? or - The funding been passed in its entirety to district councils?	Narrative plan  Confirmation sheet	Yes	This is detailed on page 12 of the narrative plan, and in the further document "Integrated Housing and Adaption Teams Prevention and Promoting Independence plan for 2021/22" which we attached to our submission.		
NC2: Social Care Maintenance	PR4	A demonstration of how the area will maintain the level of spending on social care services from the NHS minimum contribution to the fund in line with the uplift in the overall contribution	Does the total spend from the NHS minimum contribution on social care match or exceed the minimum required contribution (auto-validated on the planning template)?	Auto-validated on the planning template	Yes			
NC3: NHS commissioned Out of Hospital Services	PR5	Has the area committed to spend at equal to or above the minimum allocation for NHS commissioned out of hospital services from the NHS minimum BCF contribution?	Does the total spend from the NHS minimum contribution on non-acute, NHS commissioned care exceed the minimum ringfence (auto-validated on the planning template)?	Auto-validated on the planning template	Yes			
NC4: Implementing the BCF policy objectives	PR6	Is there an agreed approach to implementing the BCF policy objectives, including a capacity and demand plan for intermediate care services?	Does the plan include an agreed approach for meeting the two BCF policy objectives: - Enable people to stay well, safe and independent at home for longer and - Provide the right care in the right place at the right time?  • Does the expenditure plan detail how expenditure from BCF funding sources supports this approach through the financial year?  • Has the area submitted a Capacity and Demand Plan alongside their BCF plan, using the template provided?  • Does the narrative plan confirm that the area has conducted a self-assessment of the area's implementation of the High Impact Change Model for managing transfers of care?  • Does the plan include actions going forward to improve performance against the HICM?	Narrative plan  Expenditure tab  C&D template and narrative  Narrative plan  Narrative template	Yes	Yes, this begins on page 12 of our Narrative Plan, and specifically details some of the BCF services that support us in delivering safe and timely discharge with a Home First focus.  Page 2 details how we engaged with partners, including our hospital trusts to develop our BCF plans.		

Agreed expenditure plan for all elements of the BCF	PR7	Is there a confirmation that the components of the Better Care Fund pool that are earmarked for a purpose are being planned to be used for that purpose?	<ul style="list-style-type: none"> <li>Do expenditure plans for each element of the BCF pool match the funding inputs? (auto-validated)</li> <li>Is there confirmation that the use of grant funding is in line with the relevant grant conditions? (see paragraphs 31 – 43 of Planning Requirements) (tick-box)</li> <li>Has the area included a description of how BCF funding is being used to support unpaid carers?</li> <li>Has funding for the following from the NHS contribution been identified for the area: <ul style="list-style-type: none"> <li>Implementation of Care Act duties?</li> <li>Funding dedicated to carer-specific support?</li> <li>Reablement?</li> </ul> </li> </ul>	Expenditure tab Expenditure plans and confirmation sheet Narrative plan Narrative plans, expenditure tab and confirmation sheet	Yes				
Metrics	PR8	Does the plan set stretching metrics and are there clear and ambitious plans for delivering these?	<ul style="list-style-type: none"> <li>Have stretching ambitions been agreed locally for all BCF metrics?</li> <li>Is there a clear narrative for each metric setting out: <ul style="list-style-type: none"> <li>the rationale for the ambition set, and</li> <li>the local plan to meet this ambition?</li> </ul> </li> </ul>	Metrics tab	Yes				

## Better Care Fund 2022-23 Capacity & Demand Template

### 1.0 Guidance

#### Overview

The Better Care Fund (BCF) requirements for capacity and demand plans are set out in the BCF Planning Requirements document for 2022-23, which supports the aims of the BCF Policy Framework and the BCF programme. The programme is jointly led and developed by the national partners Department of Health (DHSC), Department for Levelling Up, Housing and Communities, NHS England (NHSE), Local Government Association (LGA), working with the Association of Directors of Adult Social Services (ADASS).

Appendix 4 of the Planning Requirements sets out guidance on how to develop Capacity and Demand Plans, useful definitions and where to go for further support. This sheet provides further guidance on using the Capacity and Demand Template.

This template has been designed to collect information on expected capacity and demand for intermediate care. These plans should be agreed between Local Authority and Integrated Care Board partners and signed off by the HWB as part of the wider BCF plan for 2022-23.

The template is split into three main sections.

**Demand** - used to enter the expected demand for short term, intermediate care services in the local authority (HWB) area from all referral sources from October 2022-March 2023. There are two worksheets to record demand

- Sheet 3.1 Hospital discharge - expected numbers of discharge requiring support, by Trust.
- Sheet 3.2 Community referrals (e.g. from Single points of Access, social work teams etc)

**Intermediate care capacity** - this is also split into two sheets (4.1 Capacity - Discharge and 4.2 Capacity - community). You should enter expected monthly capacity available for intermediate care services to support discharge and referrals from community sources. This is recorded based on service type. Data for capacity and demand should be provided on a month by month basis for the third and fourth quarters of 2022-23 (October to March)

**Spend data** - this worksheet collects estimated spend across the local authority area on intermediate care for the whole year ie 2022-23. This should include all expenditure (NHS and LA funded) on intermediate care services as defined in appendix 4 of the BCF Planning Requirements.

#### Note on entering information into this template

Throughout the template, cells which are open for input have a yellow background and those that are pre-populated have a grey background, as below:

Data needs inputting in the cell

Pre-populated cells

### Note on viewing the sheets optimally

To view each of the sheets and in particular the drop down lists clearly on screen, please change the zoom level to between 90% - 100%. Most drop downs are also available to view as lists in the relevant sheet or in the guidance tab for readability if required.

The details of each sheet in the template are outlined below.

## 2. Cover

1. The cover sheet provides essential information on the area for which the template is being completed, contacts and sign-off.
2. Question completion tracks the number of questions that have been completed; when all the questions in each section of the template have been completed the cell will turn green. Only when all cells are green should the template be sent to:

[england.bettercarefundteam@nhs.net](mailto:england.bettercarefundteam@nhs.net)

(please also each copy in your respective Better Care Manager)

If you have any queries on the template then please direct these to the above email inbox or reach out via your BCM.

3. Please note that in line with fair processing of personal data we request email addresses for individuals completing the reporting template in order to communicate with and resolve any issues arising during the reporting cycle. We remove these addresses from the supplied templates when they are collated and delete them when they are no longer needed.

## 3. Demand

This section requires the Health & Wellbeing Board to record expected monthly demand for supported discharge by discharge pathway (as set out in the Hospital Discharge Guidance available on Gov.uk)

Data can be entered for individual hospital trusts that care for inpatients from the area. Multiple Trusts can be selected from the drop down list in column F. You will then be able to enter the number of expected discharges from each trust by Pathway for each month. The template uses the pathways set out in the Hospital Discharge and community support guidance -

<https://www.gov.uk/government/publications/hospital-discharge-and-community-support-guidance/hospital-discharge-and-community-support-guidance>

We suggest that you enter data for individual trusts where they represent 10% or more of expected discharges in the area. Where a Trust represents only a small number of discharges (less than 10%), we recommend that you amalgamate the demand from these sources under the 'Other' Trust option.

The table at the top of the screen will display total expected demand for the area by discharge pathway and by month.

Estimated levels of discharge should draw on:

- Estimated numbers of discharges by pathway at ICB level from NHS plans for 2022-23
- Data from the NHSE Discharge Pathways Model.

### 3.2 Demand - Community

This worksheet collects expected demand for intermediate care services from community sources, such as multi-disciplinary teams, single points of access or 111. The template does not collect referrals by source, and you should input an overall estimate each month for the number of people requiring intermediate care (non-discharge) each month, split by different type of intermediate care.

Further detail on definitions is provided in Appendix 4 of the Planning Requirements. This includes the NICE Guidance definition of 'intermediate care' as used for the purposes of this exercise.

#### 4.1 Capacity - discharge

This sheet collects expected capacity for services to support people being discharged from acute hospital. You should input the expected available capacity to support discharge across these different service types:

- Voluntary or Community Sector (VCS) services
- Urgent Community Response
- Reablement or rehabilitation in a person's own home
- Bed-based intermediate care (step up or step down)
- Residential care that is expected to be long-term (collected for discharge only)

Please consider the below factors in determining the capacity calculation. Typically this will be (Caseload\*days in month\*max occupancy percentage)/average duration of service or length of stay

Caseload (No. of people who can be looked after at any given time)

Average stay (days) - The average length of time that a service is provided to people, or average length of stay in a bedded facility

Please consider using median or mode for LoS where there are significant outliers

Peak Occupancy (percentage) - What was the highest level of occupancy expressed as a percentage? This will usually apply to residential units, rather than care in a person's own home. For services in a person's own home then this would need to take into account how many people, on average, that can be provided with services at a given time.

#### 4.2 Capacity - community

This sheet collects expected capacity for intermediate care services where a person has been referred from a community source. You should input the expected available capacity across the different service types.

You should include expected available capacity across these service types for eligible referrals from community sources. This should cover all service intermediate care services to support recovery, including Urgent Community Response and VCS support. The template is split into 5 types of service:

- VCS services to support someone to remain at home
- Urgent Community Response (2 hr response)
- Reablement or rehabilitation in a person's own home

- Bed-based intermediate care (step up)

## 5.0 Spend

This sheet collects top line spend figures on intermediate care which includes:

- Overall spend on intermediate care services - using the definitions in the planning requirements (BCF and non-BCF) for the whole of 2022-23
- Spend on intermediate care services in the BCF (including additional contributions).

These figures can be estimates, and should cover spend across the Health and Wellbeing Board (HWB). The figures do not need to be broken down in this template beyond these two categories.

## Better Care Fund 2022-23 Capacity & Demand Template

2.0 Cover

Version 1.0

Health and Wellbeing Board:	Norfolk
Completed by:	Nick Clinch
E-mail:	nicholas.clinch@norfolk.uk
Contact number:	01603 223329
Has this report been signed off by (or on behalf of) the HWB at the time of submission?	No, subject to sign-off
If no, please indicate when the report is expected to be signed off:	Wed 09/11/2022
<< Please enter using the format, DD/MM/YYYY	
Please indicate who is signing off the report for submission on behalf of the HWB (delegated authority is also accepted):	
Job Title:	n/a
Name:	n/a

How could this template be improved?	Recommend increasing the space in the boxes to add assumptions to accompany the data. This has been manually achieved by adapting the row height.
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Question Completion - Once all information has been entered please send the template to [england.bettercarefundteam@nhs.net](mailto:england.bettercarefundteam@nhs.net) saving the file as 'Name HWB' for example 'County Durham HWB'

[<< Link to the Guidance sheet](#)

[^^ Link back to top](#)

## Better Care Fund 2022-23 Capacity & Demand Template

### 3.1 Demand - Hospital Discharge

Selected Health and Wellbeing Board:

Norfolk

### 3. Demand

This section requires the Health & Wellbeing Board to record expected monthly demand for supported discharge by discharge pathway.

Data can be entered for individual hospital trusts that care for inpatients from the area. Multiple Trusts can be selected from the drop down list in column F. You will then be able to enter the number of expected discharges from each trust by Pathway for each month. The template uses the pathways set out in the Hospital Discharge and community support guidance -

<https://www.gov.uk/government/publications/hospital-discharge-and-community-support-guidance/hospital-discharge-and-community-support-guidance>

If there are any 'fringe' trusts taking less than say 10% of patient flow then please consider using the 'Other' Trust option.

The table at the top of the screen will display total expected demand for the area by discharge pathway and by month.

Estimated levels of discharge should draw on:

- Estimated numbers of discharges by pathway at ICB level from NHS plans for 2022-23
- Data from the NHSE Discharge Pathways Model.

Totals Summary (autopopulated)	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23
0: Low level support for simple hospital discharges - e.g. Voluntary or Community Sector support - (D2A Pathway 0)	6709	6890	6736	6460	6236	6730
1: Reablement in a persons own home to support discharge (D2A Pathway 1)	722	722	713	697	663	691
2: Step down beds (D2A pathway 2)	395	395	390	382	363	376
3: Discharge from hospital (with reablement) to long term residential care (Discharge to assess pathway 3)	333	332	327	322	305	315

Any assumptions made:

- 1) Norfolk and Waveney acute hospital activity (excluding South Waveney and Lowestoft PCN), with JPUH activity based on an apportionment of 52.3% of all Norfolk and Waveney activity recorded from JPUH (21/22 apportionment).
- 2) Breakdown by pathway based on nationally submitted Discharge Daily Sitrep data

!!Click on the filter box below to select Trust first!!

Trust Referral Source (Select as many as you need)	Demand - Discharge	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23
THE QUEEN ELIZABETH HOSPITAL, KING'S LYNN, NHS FOUNDATION TRUST	0: Low level support for simple hospital discharges - e.g. Voluntary or Community Sector support - (D2A Pathway 0)	2004	2233	2136	1916	1937	2302
JAMES PAGET UNIVERSITY HOSPITALS NHS FOUNDATION TRUST		777	796	764	742	716	790
NORFOLK AND NORWICH UNIVERSITY HOSPITALS NHS FOUNDATION TRUST		3928	3861	3836	3802	3583	3638
THE QUEEN ELIZABETH HOSPITAL, KING'S LYNN, NHS FOUNDATION TRUST	1: Reablement in a persons own home to support discharge (D2A Pathway 1)	100	111	106	95	96	115

JAMES PAGET UNIVERSITY HOSPITALS NHS FOUNDATION	2: Step down beds (D2A pathway 2)	6	6	6	6	5	6
NORFOLK AND NORWICH UNIVERSITY HOSPITALS NHS		616	605	601	596	562	570
THE QUEEN ELIZABETH HOSPITAL, KING'S LYNN, NHS FOUNDATION		38	43	41	37	37	44
JAMES PAGET UNIVERSITY HOSPITALS NHS FOUNDATION		26	27	26	25	24	26
NORFOLK AND NORWICH UNIVERSITY HOSPITALS NHS		331	325	323	320	302	306
THE QUEEN ELIZABETH HOSPITAL, KING'S LYNN, NHS FOUNDATION		6	7	7	6	6	7
JAMES PAGET UNIVERSITY HOSPITALS NHS FOUNDATION	3: Discharge from hospital (with reablement) to long term residential care (Discharge to assess pathway 3)	54	56	53	52	50	55
NORFOLK AND NORWICH UNIVERSITY HOSPITALS NHS		273	269	267	264	249	253

## Better Care Fund 2022-23 Capacity & Demand Template

### 3.0 Demand - Community

Selected Health and Wellbeing Board:

Norfolk

### 3.2 Demand - Community

This worksheet collects expected demand for intermediate care services from community sources, such as multi-disciplinary teams, single points of access or 111. The template does not collect referrals by source, and you should input an overall estimate each month for the number of people requiring intermediate care (non-discharge) each month, split by different type of intermediate care.

Further detail on definitions is provided in Appendix 4 of the Planning Requirements. This includes the NICE Guidance definition of 'intermediate care' as used for the purposes of this exercise.

#### Any assumptions made:

- 1) UCR activity 2 hour responses only, as reported in locally collected UCR data for Norfolk (excluding South Waveney and Lowestoft).
- 2) 2 day reablement responses as reported by Norfolk County Council in locally collected UCR dataset.
- 3) Bed based intermediate care based on activity in NCH&C and ECCH intermediate care beds, where referral source reported as patient home/care home.
- 4) VCSE demand has been matched with the capacity forecast in 4.2 as both are based on historic demand data.

#### Demand - Intermediate Care

Service Type	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23
Voluntary or Community Sector Services	100	100	100	100	100	100

Urgent community response	1844	1703	1850	1837	1624	1892
Reablement/support someone to remain at home	265	310	237	265	268	357
Bed based intermediate care (Step up)	7	11	11	17	15	17

## Better Care Fund 2022-23 Capacity & Demand Template

### 4.0 Capacity - Discharge

Selected Health and Wellbeing Board:

Norfolk

### 4.1 Capacity - discharge

This sheet collects expected capacity for services to support people being discharged from acute hospital. You should input the expected available capacity to support discharge across these different service types:

- Voluntary or Community Sector (VCS) services
- Urgent Community Response
- Reablement or rehabilitation in a person's own home
- Bed-based intermediate care (step down)
- Residential care that is expected to be long-term (collected for discharge only)

Please consider the below factors in determining the capacity calculation. Typically this will be  $(\text{Caseload} \times \text{days in month} \times \text{max occupancy percentage}) / \text{average duration of service or length of stay}$

Caseload (No. of people who can be looked after at any given time)

Average stay (days) - The average length of time that a service is provided to people, or average length of stay in a bedded facility

Please consider using median or mode for LoS where there are significant outliers

Peak Occupancy (percentage) - What was the highest levels of occupancy expressed as a percentage? This will usually apply to residential units, rather than care in a person's own home. For services in a person's own home then this would need to take into account how many people, on average, that can be provided with services.

<b>Any assumptions made:</b>	<p>1) Metric used = 'number of new referrals that can be accepted by the service in the month'. Metric confirmed as acceptable by national BCF team via email 18/08/2022.</p> <p>2) Same local MDT teams deliver Pathway 1 and UCR responses - forecasts have been split to reflect this across sheets 4.1 &amp; 4.2 using historic ratios.</p> <p>3) UCR figure is shown as Zero as capacity data is not available as a separate figure for UCR, it is delivered as part of reablement/rehabilitation in the person's home.</p> <p>4) Pathway 2 contains health-led rehabilitation beds, social care-led reablement beds and commissioned IC beds in private sector homes with inreach therapy. No spot purchase beds included in forecast. Where available, bed occupancy and ALoS were used in calculations.</p> <p>5) Capacity is currently impacted by staff vacancies + recruitment challenges.</p> <p>6) Residential care that is expected to be long-term (discharge only) is shown as Zero. All cases are either discharged home with no support (Pathway 0), home with support Pathway 1 or to short-term bed-based Intermediate Care (Pathway 2/3) for recovery, rehabilitation and/or reablement support to improve independence, quality of life and functional capabilities - if appropriate, an assessment of longer term needs via the Care Act will take place whilst the person is in the short-term IC placement resulting in either a package of care/support to return home or a transfer or care to a long-term placement.</p>
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Capacity - Hospital Discharge							
Service Area	Metric	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23
VCS services to support discharge	Monthly capacity. Number of new clients.	100	100	100	100	100	100
Urgent Community Response (pathway 0)	Monthly capacity. Number of new clients.	0	0	0	0	0	0
Reablement or rehabilitation in a person's own home (pathway 1)	Monthly capacity. Number of new clients.	541	608	577	572	552	585
Bed-based intermediate care (step down) (pathway 2)	Monthly capacity. Number of new clients.	163	159	163	163	151	163

Residential care that is expected to be long-term (discharge only)	Monthly capacity. Number of new clients.	0	0	0	0	0	0
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## Better Care Fund 2022-23 Capacity & Demand Template

### 4.2 Capacity - Community

Selected Health and Wellbeing Board:

Norfolk

### 4.2 Capacity - community

This sheet collects expected capacity for community services. You should input the expected available capacity across the different service types.

You should include expected available capacity across these service types for eligible referrals from community sources. This should cover all service intermediate care services to support recovery, including Urgent Community Response and VCS support. The template is split into 5 types of service:

- Voluntary or Community Sector (VCS) services
- Urgent Community Response
- Reablement or rehabilitation in a person's own home
- Bed-based intermediate care (step up)

Please consider the below factors in determining the capacity calculation. Typically this will be  $(\text{Caseload} \times \text{days in month} \times \text{max occupancy percentage}) / \text{average duration of service or length of stay}$

Caseload (No. of people who can be looked after at any given time)

Average stay (days) - The average length of time that a service is provided to people, or average length of stay in a bedded facility

Please consider using median or mode for LoS where there are significant outliers

Peak Occupancy (percentage) - What was the highest levels of occupancy expressed as a percentage? This will usually apply to residential units, rather than care in a person's own home. For services in a person's own home then this would need to take into account how many people, on average, that can be provided with services.

<b>Any assumptions made:</b>	<p>1) Metric used = 'number of new referrals that can be accepted by the service in the month'. Metric confirmed as acceptable by national BCF team via email 18/08/2022.</p> <p>2) Same local MDT teams deliver Pathway 1 and UCR responses - capacity forecasts have been split across sheets 4.1 &amp; 4.2 using historic ratios.</p> <p>3) UCR figure is shown as Zero as capacity data is not available as a separate figure for UCR, it is delivered as part of reablement/rehabilitation in the person's home.</p> <p>4) Step Up shows health-led rehab beds and commissioned IC beds in private sector homes with inreach therapy. No spot purchase beds or reablement beds are included in the forecast. Step Up data is not available for reablement. Where available, bed occupancy and ALoS were used in calculations.</p> <p>5) Capacity is currently impacted by staff vacancies + recruitment challenges.</p>
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Capacity - Community							
Service Area	Metric	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23
Voluntary or Community Sector Services	Monthly capacity. Number of new clients.	100	100	100	100	100	100
Urgent Community Response	Monthly capacity. Number of new clients.	0	0	0	0	0	0
Reablement or rehabilitation in a person's own home	Monthly capacity. Number of new clients.	628	665	648	645	634	653
Bed based intermediate care (step up)	Monthly capacity. Number of new clients.	16	16	16	16	16	16

## Better Care Fund 2022-23 Capacity & Demand Template

### 5.0 Spend

Selected Health and Wellbeing Board:

Norfolk

### 5.0 Spend

This sheet collects top line spend figures on intermediate care which includes:

- Overall spend on intermediate care services (BCF and non-BCF) for the whole of 2022-23
- Spend on intermediate care services in the BCF (including additional contributions).

These figures can be estimates, and should cover spend across the Health and Wellbeing Board (HWB). The figures do not need to be broken down in this template beyond these two categories.

### Spend on Intermediate Care

	2022-23
Overall Spend (BCF & Non BCF)	£30,824,968

BCF related spend	£30,824,968
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Comments if applicable

Currently, we have only been able to accurately identify spend on intermediate care services within the BCF, but are working to do this for wider spend.

# Cabinet

Item No: 10

**Report Title: Winter Capacity Planning**

**Date of Meeting: 05 December 2022**

**Responsible Cabinet Member: Cllr Bill Borrett (Cabinet Member for Adult Social Care, Public Health & Prevention)**

**Responsible Director: James Bullion (Executive Director of Adult Social Services)**

**Is this a Key Decision? No**

## **Executive Summary / Introduction from Cabinet Member**

The demand on health and care services throughout the summer months has not abated and a further rise in demand is expected over the winter period as the colder weather approaches and with it a rise in respiratory illnesses, the likelihood of falls requiring hospital admission, cases of flu and the possibility of further outbreaks of Covid.

In line with other systems, the Norfolk care market is experiencing unprecedented pressures. There are a number of key areas winter plans will need to address to support the extraordinary situation presenting this winter. These include: workforce shortages nationally; rising demand from community and hospital referrals; recovering from pressures on community-based social care caused by the COVID-19 pandemic.

This report sets out a Winter Framework of key activity planned across Adult Social Care and linking with other partners in our Integrated Care System, to support system resilience over the coming months to meet the needs of support our population live as healthy life as possible during winter through working. The framework supports our organisation at system and place level, to maintain high quality and safe service provision in a climate of increasing pressure as we continue as an Integrated Care System to recover from the COVID pandemic and prepare to face the additional strain that winter and cold weather inevitably bring.

This report follows a presentation on the integrated winter plan to the ICP, focussing on the activity within adult social care to respond to demand. Actions have been grouped under four broad themes; Meeting people's needs, Resilient communities and care systems, Supporting the provider market and Business Recovery.

## **Recommendations:**

**Cabinet are recommended to:**

- a) **Approve the Winter Capacity Plan and work being carried out with our partners across the social care and health system to support our residents during the coming months**

## **1. Background and Purpose**

- 1.1 Whilst winter is not seen as an extraordinary event, each year the increased incidence of respiratory illness, falls, other health conditions, and now the potential of further waves of COVID-19, place additional pressures on our health and care system.
- 1.2 These pressures on our health and care system have remained in place all through the summer and we now face a season with uncertainty regarding flu activity, an increase in respiratory issues, and of potential further outbreaks of Covid-19 or the emergence of new variations, as people are facing increasing cost of living expenses and hardship. Imperial College London modelling for the World Health Organisation (WHO) suggests planning for a winter with a similar number of emergency admissions as the previous two years. Emergency admissions have reduced due to lockdowns / other restrictions and have fallen below the expected baseline up to summer 2022 but we may see a particularly acute resurgence if flu and covid admissions peak at the same time.
- 1.3 Adult Social Care and the Integrated Care Board (ICB) presented an integrated Winter Planning report to the Integrated Care Partnership meeting on the 9<sup>th</sup> November 2022 (please see section 11. Background documents). This subsequent report to Cabinet, provides a focus on the proactive steps Adult Social Care are taking to be in a good position to respond to the likely demand on services over the coming months.
- 1.4 Given the year round pressure, much activity is not new for winter but has been developed and refined, to respond to demand, with new initiatives being considered and developed. It builds upon collaborative, integrated working developed during the COVID-19 pandemic.

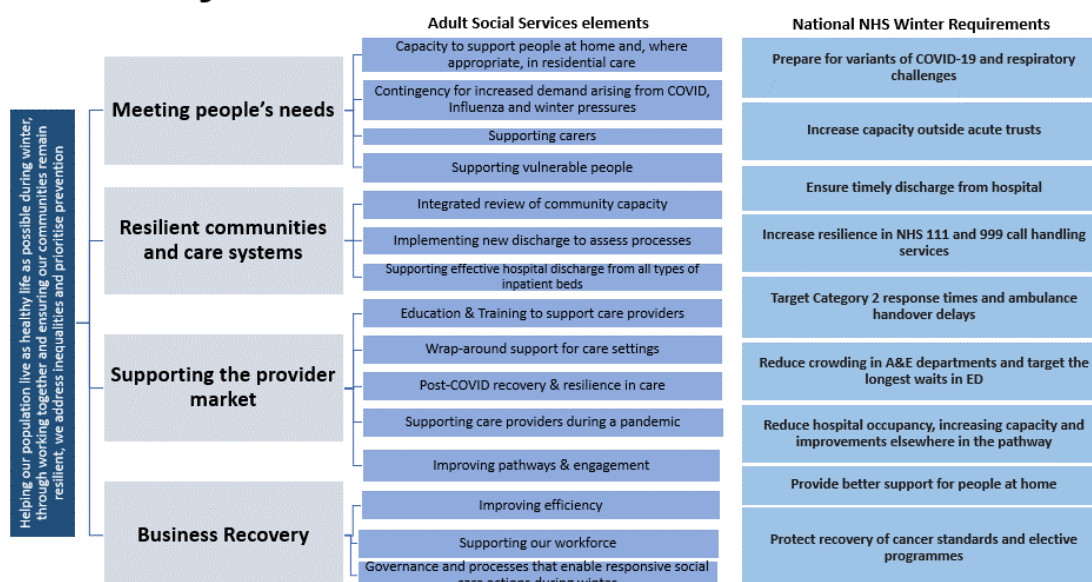
## **2. Proposal**

- 2.1 The pressures on our health and care system have remained in place all through the summer and we now face a season with uncertainty regarding flu activity, an increase in respiratory issues, and of potential further outbreaks of Covid-19 or the emergence of new variations, as people are facing increasing cost of living expenses and hardship. Imperial College London modelling for the World Health Organisation (WHO) suggests planning for a winter with a similar number of emergency admissions as the previous two years. Emergency admissions have reduced due to lockdowns / other restrictions and have fallen below the expected baseline up to summer 2022 but we may see a particularly acute resurgence if flu and covid admissions peak at the same time. The COVID-19 pandemic has placed strain on Norfolk's health and social care system and the risk remains of further outbreaks during winter.
- 2.2 Much of what is happening or being planned is not specifically new for winter but is a continuation of the system response to the continual year round pressure, So whilst winter is not an emergency or considered an unusual event but is traditionally recognised as a period of increased pressure due to demand both in the complexity of people's needs and the capacity demands on resources within social care and the wider system, this winter will present greater challenges than in previous years.
- 2.3 **Winter Framework 2022/23**
  - 2.3.1 This report sets out a Winter Framework of key activity planned across Adult Social Care, linking with other partners in our Integrated Care System, to support system resilience over the coming months to meet the needs of support our population live as healthy life as possible during winter through working. The framework supports our organisation at system and place level, to maintain high quality and safe service provision in a climate of

increasing pressure as we continue as an Integrated Care System to recover from the COVID pandemic and prepare to face the additional strain that winter and cold weather inevitably bring. Initiatives will help our population live as health life as possible during winter through working together to help support communities to remain resilient, address inequalities and prioritise prevention.

- 2.3.2 The Winter framework has been developed with the ICB and work grouped under four key strategic areas; Meeting people's needs, Resilient community and care systems, Supporting the provider market and Business Recovery. Initiatives will change over time as work progresses, workstreams refined in line with need and if further funding becomes available to adult social care.
- 2.3.3 In line with other systems, the Norfolk care market is experiencing unprecedented pressures giving rise to a number of key areas that need addressing. These include workforce shortages with national trends being reflected locally, rising demand from community and hospital referrals, recovering from pressure on community-based social care caused by the COVID-19 pandemic. Workforce recruitment and retention issues are risks for the system together with a rising urgent and emergency care demand profile across winter 2022/23. Pressures are expected to be compounded by the impact of the cost of living crisis.
- 2.3.4 The ICB and health colleagues in the system are facing similar pressures. Most 'on the day' urgent care is delivered through the primary care route, but practices are struggling to meet demand despite an uplift in appointments offered. Similarly surges in mental health demand have been outstripping capacity resulting in increased attendances at ED and delays in accessing care. Patient flow across the health system has been increasingly concerning with discharges delayed across all patient pathways and length of stay increasing in our acute, mental health and community hospitals. These pressures are not unique to Norfolk and Waveney and in response to anticipated increases in demand nationwide, the Chief Executive of the NHS has written to all integrated care systems setting out key objectives and actions which systems must deliver.
- 2.3.5 There are eight NHSE core objectives designed to increase capacity and Operational resilience in Urgent and Emergency Care ahead of Winter. Our Integrated Care System has been awarded £11m from NHSE to; increase "bed" and / or "bed equivalent" capacity in people's homes or in the community, to improve discharge for individuals, maintain the elective recovery programme and cancer care pathways and accommodate surges in demand in urgent and emergency care that are anticipated this winter.

# Summary: Winter Framework 2022/23



## 2.4 Meeting People's needs

**2.4.1 Tactical Home Care Improvement Plan** A number of key tools are in progress to ensure winter readiness these are set out in the following table. They include; commissioning additional block provision, opening up the home care framework and working with new providers, the offer of an enhanced home care discharge rate for providers accepting individuals being discharged from hospital, and commissioning of additional double up capacity. Additionally, targeted work is taking place to reduce the Interim Care list to give customers a longer term solution. Our Home Care Contingency Framework will help manage provider and place level resilience and risk. Provider support is a vital component of the work with a collaborative approach being developed with place-based commissioners to be able to respond swiftly to increasing demand and for providers to also work together differently to support each other with rounds.

**2.4.2** A collaborative prevention model is being developed to ensure an early detection triage process for referring people to community and VCSE support where their needs could be best met rather than a formal care package. Assistive Technology Practitioners are reviewing patient discharge pathways and offer GPS pendants and telephone support to social workers.

**2.4.3** Norfolk First Support (NFS) are reviewing their processes and pathways to ensure caseloads are optimised and people benefit from reablement. E-Brokerage has been implemented and is freeing up time, enabling more direct work to support providers and source packages of care.

**2.4.4** One of the main aims was to create additional home care capacity, with approximately 3,123 additional home care hours per week being commissioned to provide care to people in their own homes, to manage risks and attract new providers to working with NCC, and to maximise the use of assistive technology to support people at home.

## Key tools to deliver for Winter readiness



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### 2.4.5 Intermediate Care Beds within nursing and residential

Adult social care have been working with ICB and community health colleagues to commission intermediate care beds as a key part of the system's bed-based offer for hospital discharge. Wrap around support from community health teams will provide wrap around recovery support. These will have the benefit of supporting individuals unable to go straight home after a hospital visit by giving them short term support to build their confidence and skills to maintain their independence once home.

### 2.4.6 Community Step Down model

Norfolk County Council, Housing Providers (Broadland and Saffron Housing) and the ICB have collaborated to make use of Housing with Care flats, as part of a Community Step Down model. In October the first flats were made available for people who are awaiting a care package to return home but are currently in an Intermediate Care bed. This is an opportunity to support people in an Independent Living environment but with access to 24/7 support, whilst their longer-term care package is being sourced. This scheme has the added benefit improving patient flow from Intermediate Care beds allowing others unable to go directly home, a timelier discharge from hospital.

2.4.7 Infection Prevention and Control (IPAC) protocols remain in place to manage and contain outbreaks of flu and Covid-19, with pre-discharge testing for patients discharged to care settings and supporting and monitoring the care market to ensure a consistent IPAC approach. Health teams are scaling up 'virtual wards' to include community access pathways including frailty support which helps keep people in their own homes, avoiding hospital admissions.

### 2.4.8 Mental Health

There are a number of operational schemes to support seasonal pressures for people with mental health needs in five key areas; Admission avoidance, decreasing ambulance conveyance, reducing the pressures on emergency departments, decreasing length of stay and improving hospital discharge. District Direct is now supporting people with Mental Health issues being discharged from hospital, reducing barriers to housing.

#### **2.4.9 Supporting Carers**

The Carers Matter Norfolk (CMN) offers Information advice, assessment and support, carers breaks, access to a health and wellbeing fund and Welfare advice. Over the winter more resource will go in to enabling carers to access additional financial support to cope with cost of living concerns such as heating and food resources. The service is working to raise the profile of carers with other agencies across the county that carers may come in to contact with, so that carers can be identified, and the most appropriate support can be offered.

#### **2.5 Resilient communities and care systems.**

Priority is being given to ensuring support for people struggling with the cost of living is widely available and easy to find. VCSE sector services are being commissioned to support effective discharge from health settings and to maximise the support available for people within their local communities.

2.5.1 For example, system funding is facilitating the expansion of support from Voluntary Norfolk who are recruiting volunteers to support residents recently discharged from hospital and assist individuals with non-CQC regulated tasks. Age UK Norwich have been commissioned to offer additional health coaching and support in the community for those struggling with complex issues.

2.5.2 Self-directed support and use of Direct Payments is being promoted to give access to untapped support in the community.

2.5.3 All three HomeFirst Hubs, working to support hospital discharge, are funded to year end with substantive recruitment offered by providers to secure workforce.

2.5.4 This system wide prevention campaign Keep Well Keep Warm has been launched to support people to keep well in the coming months. A communications and marketing will run until March 2023 asking residents whether they are 'winter ready'. Resources encourage and support residents to stay warm and well as well as helping friends and family to do the same. Winter wellness tips and advice to look after your mental health will form part of the campaign with further advice on hardship and fuel poverty support. Go find out more go to Warm and Well - Norfolk & Waveney Integrated Care System (ICS) ([improvinglivesnw.org.uk](http://improvinglivesnw.org.uk))

#### **2.6 Supporting the provider market**

2.6.1 There are a number of initiatives in progress to improve quality and engagement, to support the care workforce and to provide education and training to care providers. These will have the effect of providing targeted support for care homes, supporting the health and wellbeing of residents enabling.

2.6.2 The Integrated Quality Service continue to carry out Provider Assessment and Market Management Solution (PAMMS) visits, helping providers meet CQC and NCC expectations on the quality of care they need to be delivering. We have continued to deliver a single communications approach to provider working closely with the Norfolk Care Association (NorCA), aligning key public messaging campaigns and our own messaging thereby reducing the number of emails and communications providers receive. This was greatly appreciated during the Covid pandemic.

2.6.3 There has been an expansion of Norfolk Care Academies offering free training based on the Care Certificate, to encourage new care workers in to the sector. Training through the Enhanced Health and Wellbeing in Care programme is supporting providers to safely help individuals with a growing complexity of need exacerbated by winter conditions. This

includes consultancy advice and training on falls prevention, promoting the role of a Falls Champion in each care setting.

- 2.6.4 A system level workforce group coordinates activities across all organisations within the ICS, to improve recruitment, retention and the wellbeing of staff. The programme includes a rolling recruitment programme to generic roles across social care and health and offers access to training and development opportunities to aid retention. A local recruitment campaign is linked to the Norfolk Care Careers website and includes a paid search, social media, display advertisements, outdoor advertising, radio advertisements, face to face and virtual recruitment events.
- 2.6.5 We are working jointly across health and social care to promote the Flu and COVID vaccination programme for staff and residents. The Integrated Community Equipment Service will be increasing its provision to support providers with access to equipment. IC24 are providing additional care home support with 'virtual' ward rounds at the weekends, helping to increase capacity outside acute trusts.
- 2.6.6 Specific support for staff includes secured fuel payments for the homecare workforce and access to the Blue Light card scheme for the adult social care workforce. Benefits of the scheme include discounts from large national retailers to local business, both online and in high street stores.

## 2.7 Business Recovery

- 2.7.1 Work continues on a recovery programme to reduce the effects of the pandemic including reducing the number of people on waiting lists for assessments, hospital follow up, holds in the Norfolk First Support (NFS) service. There are a number of workstreams focussed on improving efficiency, making the assessments of other teams count as 'trusted' assessments in order not to duplicate work, managing demand through the front door of social care including a pathway for referrals not needing formal care into other forms of community support and ensuring a consistent risk assessment approach.
- 2.7.2 Leads have been allocated to manage specific areas of concern such as NFS holding list placing an emphasis on reducing the backlogs across Adult Social Care and ensuring people receive the care they need at the right time.
- 2.7.3 Place Boards and Health and Wellbeing Partnerships are leading on wide ranging initiative that support residents and communities. As part of place arrangements, adult social care has delegated Better Care Fund (BCF), funding (£573,000 in total, or £82,00 per Health and Wellbeing Partnership area) for projects that meet our national and local BCF aims; and improve people's health and social care outcomes. As these projects start their delivery, the integrated BCF team will be working with the partnerships to help identify and understand their impact on the BCF metrics.
- 2.7.4 The Partnerships have also been able to utilise Public Health Covid recovery funding to help build resilience in people and their communities. For districts and the housing sector, the pressures of housing, benefit issues and debt are immense, and for individuals, the impact of these on mental health, health and wellbeing can be significant. The use of both funds which adult social care, as members of the partnerships, has been able to influence, falls under broad themes of work including; support for those waiting elective surgery to remain well at home, help with mental health, access to Active Now exercise programmes, hardship support and referral pathways to practical support, maximising the opportunities to link people in with support networks in their communities for debt, benefits, fuel and food support.

### **3. Impact of the Proposal**

- 3.1 This report sets out a Winter Framework of key activity planned across Adult Social Care to support system resilience over the coming months. The framework supports our organisation at system and place level, to maintain high quality and safe service provision in a climate of increasing pressure as we continue as an Integrated Care System to recover from the COVID pandemic and prepare to face the additional strain that winter and cold weather inevitably bring.
- 3.2 The framework is a dynamic plan, where activity will adapt and change to respond to developing needs, policies and national and system funding. Activity will be monitored regularly at the Internal Capacity Meetings and reported to the Adult Social Care Director Leadership Team.

### **4. Evidence and Reasons for Decision**

- 4.1 The winter plan has been developed based on the evidence of effective working during previous winters and the covid pandemic. It offers a responsive way forward based on the available evidence of how demand may rise over the winter period. Cabinet are asked to endorse the activity taking place across adult social care in response to the demand being placed on social care.

### **5. Alternative Options**

- 5.1 The proposals presented have been developed over time and are seen as the most appropriate solution to respond to the pressures within the social care and health system, within the current financial envelope.

### **6. Financial Implications**

- 6.1 Planned work falls within the parameters of the annual budget with the addition of national funding made available from the ICB. The plan is a dynamic one with the provision to scale up activity should further national funding become available.

### **7. Resource Implications**

#### **7.1 Staff:**

There are no staffing implications foreseen.

#### **7.2 Property:**

There are no property implications foreseen.

#### **7.3 IT:**

There are no IT implications foreseen

### **8. Other Implications**

#### **8.1 Legal Implications:**

There are no legal implications foreseen.

## **8.2 Human Rights Implications:**

There are no Human Rights implications foreseen.

## **8.3 Equality Impact Assessment (EqIA) (this must be included):**

We do not consider this decision relevant to equality, as it will not impact residents, staff or vulnerable people.

## **8.4 Data Protection Impact Assessments (DPIA):**

This decision will not impact on any collection or processing of personal data.

## **8.5 Health and Safety implications (where appropriate):**

There are no Health and Safety implications foreseen.

## **8.6 Sustainability implications (where appropriate):**

This proposal should have a neutral environmental impact.

## **8.7 Any Other Implications:**

Officers have considered all the implications which members should be aware of. Apart from those listed in the report (above), there are no other implications to take into account.

# **9. Risk Implications / Assessment**

- 9.1 The risk of not taking forward this proposal would mean greater pressure on the system with more people at risk of a delayed discharge from a hospital bed and a rise in short term care before a suitable long term care package could be sourced, likely greater deterioration of health and wellbeing and a higher care package being required placing more financial pressure on the department.

# **10. Recommendations**

## **10.1 Cabinet are recommended to:**

- a) **Approve the Winter Capacity Plan and work being carried out with our partners across the social care and health system to support our residents during the coming months**

# **11. Background Papers**

- Background document 1 - [ICP Winter Planning Report](#) page 361
- Background document 2 - Integrated NCC ASC and ICB Winter Plan

## **Officer Contact**

If you have any questions about matters contained within this paper, please get in touch with:

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# Cabinet

Item No: 11

**Report Title: Terms of Reference for Transport for Norwich Advisory Committee**

**Date of Meeting: 5 December 2022**

**Responsible Cabinet Member: Cllr Wilby** (Cabinet Member for Highways, Infrastructure & Transport)

**Responsible Director: Katrina Hulatt Assistant Director Governance**

**Is this a Key Decision? No**

**If this is a Key Decision, date added to the Forward Plan of Key Decisions: n/a**

## **Executive Summary**

After discussion at the Transport for Norwich meeting held on 29 September 2022 regarding governance, it was agreed that the proposed Terms of Reference for the Transport for Norwich Advisory Committee should be recommended to Cabinet for endorsement.

## **Recommendations:**

- 1. That the Terms of Reference agreed by the Transport for Norwich Advisory Committee should be endorsed by the Cabinet.**

## **1. Background and Purpose**

- 1.1 At the July 2022 Transport for Norwich meeting, there was a discussion regarding the function of the Advisory Committee, stemming from some issues regarding governance.
- 1.2 The current position, as explained to the Advisory Committee, is that no functions are delegated to this body. The committee's status was explained as that of a Cabinet Advisory Committee, where the members act as consultees and provide views to the Cabinet member, who then makes a decision on the

projects within scope. The terms of reference at **Appendix 1** describe this arrangement.

- 1.3 As an update for Members, this governance position relating to Transforming Cities was discussed with the Department for Transport and they confirmed that it is for the County Council as Highways Authority to consider views as they see fit. The County Council are not tied to any prescribed form of governance around this body.

## **2. Proposal**

- 2.1 The terms of reference for this body have been updated to reflect the current legal position. However, they do remain the Advisory Committees own terms and it was important that the Advisory Committee set out how they consider these meetings should progress. The terms of reference were agreed by the committee on 29<sup>th</sup> September 2022.

## **3. Impact of the Proposal**

- 3.1 Once endorsed, the terms of reference will provide clarity to the Advisory Committee regarding its role and status.

## **4. Evidence and Reasons for Decision**

- 4.1 Comments relating to the legal status of this Committee has led to governance issues previously, therefore it has been necessary to update the Terms of Reference and ensure that they are understood by all Members.

## **5. Alternative Options**

- 5.1 Continuing with the existing terms of reference will result in confusion and future potential governance issues.

## **6. Financial Implications**

- 6.1 None

## **7. Resource Implications**

**7.1 Staff:** The meetings will continue to receive administrative support by Norfolk County Council

**7.2 Property:** Meetings will continue in person and therefore they will require a venue.

**7.3 IT: None**

## **8. Other Implications**

**8.1 Legal Implications:** included in the updated Terms of Reference in Appendix 1.

**8.2 Human Rights Implications: None**

**8.3 Equality Impact Assessment (EqIA) (this must be included): None**

**8.4 Data Protection Impact Assessments (DPIA): None**

**8.5 Health and Safety implications (where appropriate): n/a**

**8.6 Sustainability implications (where appropriate): n/a**

**8.7 Any Other Implications: n/a**

## **9. Risk Implications / Assessment**

**9.1 None**

## **10. Select Committee Comments**

**10.1 None**

## **11. Recommendations**

**11.1 That the Terms of Reference agreed by the Transport for Norwich Advisory Committee should be endorsed by the Cabinet.**

## **12. Background Papers**

12.1 None

### **Officer Contact:**

If you have any questions about matters contained within this paper, please get in touch with:

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# Report to Cabinet

Item No: 12

**Report Title: Mid-Year Treasury Management Monitoring Report 2022-23**

**Date of Meeting: 5 December 2022**

**Responsible Cabinet Member: Cllr Andrew Jamieson (Cabinet Member for Finance)**

**Responsible Director: Simon George (Executive Director of Finance and Commercial Services)**

**Is this a Key Decision? No**

**If this is a Key Decision, date added to the Forward Plan of Key Decisions: N/A**

## **Introduction from Cabinet Member**

This report and the attached annex provide details of the 2022-23 treasury activities and highlights compliance with policy and strategy previously approved in relation to treasury management.

## **Executive Summary**

In accordance with regulatory requirements, this report provides information on the Treasury Management activities of the County Council for the period 1 April 2022 to 30 September 2022.

## **Recommendations:**

Cabinet is asked to endorse and recommend to County Council the Mid-Year Treasury Management Monitoring Report 2022-23

## **1. Background and Purpose**

- 1.2 This Treasury Management Report forms an important part of the overall management of the Council's financial affairs. The regulatory environment places responsibility on Members for the review and scrutiny of treasury management policy and activity.

## **2. Proposals**

- 2.2 This report provides details of the 2022-23 treasury activities for the 6 months to September 2022 and highlights compliance with policy and strategy previously approved by Members in relation to treasury management.

### **3. Impact of the Proposal**

- 3.2 The impact of this report is to demonstrate that between April and September 2022 the Council's treasury management operations have been carried out in accordance with best practice and in compliance with legislative and regulatory requirements.

### **4. Evidence and Reasons for Decision**

- 4.2 One annex is attached to this report, giving details of treasury management activities and outcomes, including:
1. Investment activities
  2. Borrowing strategy and outcomes
  3. Capital Plan and non-treasury investments
  4. Prudential indicators

### **5. Alternative Options**

- 5.2 In order to achieve treasury management in accordance with the Council's treasury management strategy, no viable alternative options have been identified to the recommendation in this report.

### **6. Financial Implications**

- 6.2 At 30 September 2022, the Council's external debt was £895.982m. The Council's Treasury Strategy assumes as much as £80m may be borrowed in 2022-23.

The forecast cash flows assume that the full £80m will be borrowed in Q4 2022-23 resulting in a closing cash balance of approximately £156m

At 30 September 2022, the Council's cash balances totalled £275.67m, split between UK bank deposits and money market funds. During this period the Bank of England base rate has increased from 1% to 2.25%. Interest rates have been increased to 3% in November 2022. The average interest generated on treasury cash investments was 1.23% compared to 0.20% in the equivalent period last year

- 6.3 The Council's treasury management operations have been carried out in accordance with the Council's Treasury Management Strategy, treasury best practice and in compliance with legislative and regulatory requirements

### **7. Resource Implications**

- 7.2 None, apart from financial information set out in these papers.

### **8. Other Implications**

#### **8.2 Legal Implications**

In order to fulfil obligations placed on chief finance officers by section 114 of the Local Government Finance Act 1988, the Executive Director of Finance and Commercial Services continually monitors financial forecasts and outcomes to

ensure resources (including sums borrowed) are available to meet annual expenditure.

### 8.3 **Human Rights implications**

None identified.

### 8.4 **Equality Impact Assessment**

In setting the 2022-23 budget, the council has undertaken public consultation and produced equality and rural impact assessments in relation to the 2022-23 Budget. An overall summary Equality and rural impact assessment report is included on page 305 of the Monday 21 February 2022 Norfolk County Council agenda. [CMIS > Meetings](#)

The Council is maintaining a dynamic [COVID-19 equality impact assessment](#) to inform decision making during the pandemic.

The Council's net revenue budget is unchanged at this point in the financial year and there are no additional equality and diversity implications arising out of this report.

### 8.4 **Data Protection Impact Assessments (DPIA)**

DPIA is not required as the data reported in this paper does not drill down to the personal data level.

## 9. **Risk Implications/Assessment**

9.2 Corporate risks continue to be assessed and reported on a quarterly basis to both Cabinet and the Audit Committee. The Council's key financial based corporate risk (RM002 - The potential risk of failure to manage significant reductions in local and national income streams) has been reviewed and refreshed in February 2022 to incorporate the 2022/23 budget and Medium-Term financial strategy 2021 - 2026 being set. Key risk mitigations include amongst others regular (monthly) financial reporting to Cabinet, working to the Medium-Term Financial Strategy and setting robust budgets within available resources.

9.3 Unlike many other parts of the public sector such as the NHS, local authorities are required by law to set a balanced budget. As part of their duties, the Executive Director of Finance and Commercial Services has a responsibility to report to members if it appears to him that the authority will not have sufficient resources to finance its expenditure for the financial year. The Executive Director of Finance and Commercial Services believes a balanced budget will be achieved in 2022-23.

9.4 More specifically, the Council's Treasury Management Strategy sets parameters for the selection and placing of cash balances, taking into account counterparty risk and liquidity. The strategy also sets out how the Council manages interest rate risks.

## 10. **Select Committee comments**

10.2 None

## **11. Recommendation**

11.2 Recommendations are set out in the introduction to this report.

## **12. Background Papers**

12.2 Summary Equality and rural impact assessment [CMIS > Meetings](#) page 305

### **Officer Contact**

If you have any questions about matters contained in this paper, please get in touch with:

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## Norfolk County Council

Norfolk County Council

### **Annex 1: Mid-Year Treasury Management Monitoring Report 2022-23**

Report by the Executive Director of Finance and Commercial Services

#### **1. Background**

##### **1.1 Capital Strategy**

In December 2017, the Chartered Institute of Public Finance and Accountancy, (CIPFA), issued revised Prudential and Treasury Management Codes. These require all local authorities to prepare a Capital Strategy which is to provide the following: -

1. a high-level overview of how capital expenditure, capital financing and treasury management activity contribute to the provision of services;
2. an overview of how the associated risk is managed;
3. the implications for future financial sustainability.

The 2022-23 Capital Strategy was approved at full Council as part of the capital programme papers in February 2022.

##### **1.2 Treasury management**

The Council operates a balanced budget, which broadly means cash raised during the year will meet its cash expenditure. Part of the treasury management operations ensure this cash flow is adequately planned, with surplus monies being invested in low risk counterparties, providing adequate liquidity initially before considering optimising investment return.

The second main function of the treasury management service is the funding of the Council's capital plans. These capital plans provide a guide to the borrowing need of the Council, essentially the longer term cash flow planning to ensure the Council can meet its capital spending operations. This management of longer term cash may involve arranging long or short term loans, or using longer term cash flow surpluses, and on occasion any debt previously drawn may be restructured to meet Council risk or cost objectives.

Accordingly, treasury management is defined as:

“The management of the local authority’s borrowing, investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks.”

The Council's Treasury Management Strategy for 2022-23 was approved by full Council on 21 February 2022. Since that time there have been no policy changes to the current year's strategy.

## **2. Introduction**

This report has been written in accordance with the requirements of the Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management (revised 2017).

The primary requirements of the Code are as follows:

1. Creation and maintenance of a Treasury Management Policy Statement which sets out the policies and objectives of the Council's treasury management activities.
2. Creation and maintenance of Treasury Management Practices which set out the manner in which the Council will seek to achieve those policies and objectives.
3. Receipt by the full Council of an annual Treasury Management Strategy Statement - including the Annual Investment Strategy and Minimum Revenue Provision Policy - for the year ahead, a Mid-year Review Report and an Annual Report, (stewardship report), covering activities during the previous year.
4. Delegation by the Council of responsibilities for implementing and monitoring treasury management policies and practices and for the execution and administration of treasury management decisions.
5. Delegation by the Council of the role of scrutiny of treasury management strategy and policies to a specific named body. For this Council the delegated body is the Treasury Management Panel:

This mid-year report has been prepared in compliance with CIPFA's Code of Practice on Treasury Management, and covers the following:

1. An economic update for the first half of the 2022/23 financial year;
2. A review of the Treasury Management Strategy Statement and Annual Investment Strategy;
3. The Council's capital expenditure, as set out in the Capital Strategy, and prudential indicators;
4. A review of the Council's investment portfolio for 2022/23;
5. A review of the Council's borrowing strategy for 2022/23;
6. A review of any debt rescheduling undertaken during 2022/23;
7. A review of compliance with Treasury and Prudential Limits for 2022/23.

### 3. Economics and interest rates

#### 3.1 Economics update

- The second quarter of 2022/23 saw:
  - GDP revised upwards in Q1 2022/23 to +0.2% q/q from -0.1%, which means the UK economy has avoided recession for the time being;
  - Signs of economic activity losing momentum as production fell due to rising energy prices;
  - CPI inflation ease to 9.9% y/y in August, having been 9.0% in April, but domestic price pressures showing little sign of abating in the near-term;
  - The unemployment rate fell to a 48-year low of 3.6% due to a large shortfall in labour supply;
  - Bank Rate rise by 100bps over the quarter, taking Bank Rate to 2.25% with further rises to come;
  - Gilt yields surge and sterling fall following the “fiscal event” of the new Prime Minister and Chancellor on 23<sup>rd</sup> September.
- The UK economy grew by 0.2% q/q in Q1 2022/23, though revisions to historic data left it below pre-pandemic levels.
- There are signs of higher energy prices creating more persistent downward effects in economic activity. Both industrial production (-0.3% m/m) and construction output (-0.8% m/m) fell in July 2022 for a second month in a row. Although some of this was probably due to the heat wave at the time, manufacturing output fell in some of the most energy intensive sectors (e.g., chemicals), pointing to signs of higher energy prices weighing on production. With the drag on real activity from high inflation having grown in recent months, GDP is at risk of contracting through the autumn and winter months.
- The fall in the composite PMI from 49.6 in August to a 20-month low preliminary reading of 48.4 in September points to a fall in GDP of around 0.2% q/q in Q3 and consumer confidence is at a record low. Retail sales volumes fell by 1.6% m/m in August, which was the ninth fall in 10 months. That left sales volumes in August just 0.5% above their pre-Covid level and 3.3% below their level at the start of the year. There are also signs that households are spending their excess savings in response to high prices. Indeed, cash in households’ bank accounts rose by £3.2bn in August, which was below the £3.9bn rise in July and much smaller than the 2019 average monthly rate of £4.6bn.
- The labour market remained exceptionally tight. Data for July and August provided further evidence that the weaker economy is leading to a cooling in labour demand. Labour Force Survey (LFS) employment rose by 40,000 in the three months to July (the smallest rise since February). But a renewed rise in inactivity of 154,000 over the same period meant that the unemployment rate fell from 3.8% in June to a new 48-year low of 3.6%. The single-month data showed that inactivity rose by 354,000 in July itself and there are now 904,000 more inactive people aged 16+ compared to before the pandemic in February 2020. The number of vacancies has started to level off from recent record highs but there have been few signs

of a slowing in the upward momentum on wage growth. Indeed, in July, the 3my/y rate of average earnings growth rose from 5.2% in June to 5.5%.

- CPI inflation eased from 10.1% in July to 9.9% in August, though inflation has not peaked yet. The easing in August was mainly due to a decline in fuel prices reducing fuel inflation from 43.7% to 32.1%. And with the oil price now just below \$90pb, we would expect to see fuel prices fall further in the coming months.
- However, utility price inflation is expected to add 0.7% to CPI inflation in October when the Ofgem unit price cap increases to, typically, £2,500 per household (prior to any benefit payments). But, as the government has frozen utility prices at that level for two years, energy price inflation will fall sharply after October and have a big downward influence on CPI inflation.
- Nonetheless, the rise in services CPI inflation from 5.7% y/y in July to a 30-year high of 5.9% y/y in August suggests that domestic price pressures are showing little sign of abating. A lot of that is being driven by the tight labour market and strong wage growth. CPI inflation is expected to peak close to 10.4% in November and, with the supply of workers set to remain unusually low, the tight labour market will keep underlying inflationary pressures strong until early next year.
- During H1 2022, there has been a change of both Prime Minister and Chancellor. The new team (Liz Truss and Kwasi Kwarteng) have made a step change in government policy. The government's huge fiscal loosening from its proposed significant tax cuts will add to existing domestic inflationary pressures and will potentially leave a legacy of higher interest rates and public debt. Whilst the government's utility price freeze, which could cost up to £150bn (5.7% of GDP) over 2 years, will reduce peak inflation from 14.5% in January next year to 10.4% in November this year, the long list of tax measures announced at the "fiscal event" adds up to a loosening in fiscal policy relative to the previous government's plans of £44.8bn (1.8% of GDP) by 2026/27. These included the reversal of April's national insurance tax on 6<sup>th</sup> November, the cut in the basic rate of income tax from 20p to 19p in April 2023, the cancellation of next April's corporation tax rise, the cut to stamp duty and the removal of the 45p tax rate, although the 45p tax rate cut announcement has already been reversed.
- Fears that the government has no fiscal anchor on the back of these announcements has meant that the pound has weakened again, adding further upward pressure to interest rates. Whilst the pound fell to a record low of \$1.035 on the Monday following the government's "fiscal event", it has since recovered to around \$1.12. That is due to hopes that the Bank of England will deliver a very big rise in interest rates at the policy meeting on 3<sup>rd</sup> November and the government will lay out a credible medium-term plan in the near term. This was originally expected as part of the fiscal statement on 23<sup>rd</sup> November but has subsequently been moved forward to an expected release date in October. Nevertheless, with concerns over a global recession growing, there are downside risks to the pound.
- The MPC has now increased interest rates seven times in as many meetings in 2022 and has raised rates to their highest level since the Global Financial Crisis. Even so, coming after the Fed and ECB raised rates by 75 basis points (bps) in their most recent meetings, the Bank of England's latest 50 basis points hike looks relatively dovish. However, the UK's status as a large

importer of commodities, which have jumped in price, means that households in the UK are now facing a much larger squeeze on their real incomes.

- Since the fiscal event on 23<sup>rd</sup> September, we now expect the Monetary Policy Committee (MPC) to increase interest rates further and faster, from 2.25% currently to a peak of 5.00% in February 2023. The combination of the government's fiscal loosening, the tight labour market and sticky inflation expectations means we expect the MPC to raise interest rates by 100bps at the policy meetings in November (to 3.25%) and 75 basis points in December (to 4%) followed by further 50 basis point hikes in February and March (to 5.00%). Market expectations for what the MPC will do are volatile. If Bank Rate climbs to these levels the housing market looks very vulnerable, which is one reason why the peak in our forecast is lower than the peak of 5.50% - 5.75% priced into the financial markets at present.
- Throughout 2022/23, gilt yields have been on an upward trend. They were initially caught up in the global surge in bond yields triggered by the surprisingly strong rise in CPI inflation in the US in May. The rises in two-year gilt yields (to a peak of 2.37% on 21<sup>st</sup> June) and 10-year yields (to a peak of 2.62%) took them to their highest level since 2008 and 2014 respectively. However, the upward trend was exceptionally sharply at the end of September as investors demanded a higher risk premium and expected faster and higher interest rate rises to offset the government's extraordinary fiscal stimulus plans. The 30-year gilt yield rose from 3.60% to 5.10% following the "fiscal event", which threatened financial stability by forcing pension funds to sell assets into a falling market to meet cash collateral requirements. In response, the Bank did two things. First, it postponed its plans to start selling some of its quantitative easing (QE) gilt holdings until 31<sup>st</sup> October. Second, it committed to buy up to £65bn of long-term gilts to "restore orderly market conditions" until 14<sup>th</sup> October. In other words, the Bank is restarting QE, although for financial stability reasons rather than monetary policy reasons.
- Since the Bank's announcement on 28<sup>th</sup> September, the 30-year gilt yield has fallen back from 5.10% to 3.83%. The 2-year gilt yield dropped from 4.70% to 4.30% and the 10-year yield fell back from 4.55% to 4.09%.
- There is a possibility that the Bank continues with QE at the long-end beyond 14<sup>th</sup> October or it decides to delay quantitative tightening beyond 31<sup>st</sup> October, even as it raises interest rates. So far at least, investors seem to have taken the Bank at its word that this is not a change in the direction of monetary policy nor a step towards monetary financing of the government's deficit. But instead, that it is a temporary intervention with financial stability in mind.
- After a shaky start to the year, the S&P 500 and FTSE 100 climbed in the first half of Q2 2022/23 before falling to their lowest levels since November 2020 and July 2021 respectively. The S&P 500 is 7.2% below its level at the start of the quarter, whilst the FTSE 100 is 5.2% below it as the fall in the pound has boosted the value of overseas earnings in the index. The decline has, in part, been driven by the rise in global real yields and the resulting downward pressure on equity valuations as well as concerns over economic growth leading to a deterioration in investor risk appetite.

### 3.2 Interest rate forecasts

The Council has appointed Link Group as its treasury advisors and part of their service is to assist the Council to formulate a view on interest rates. The PWLB rate forecasts below are based on the Certainty Rate (the standard rate minus 20 bps) which has been accessible to most authorities since 1<sup>st</sup> November 2012.

The latest forecast on 27<sup>th</sup> September sets out a view that both short and long-dated interest rates will be elevated for some little while, as the Bank of England seeks to squeeze inflation out of the economy, whilst the government is providing a package of fiscal loosening to try and protect households and businesses from the ravages of ultra-high wholesale gas and electricity prices.

The increase in PWLB rates reflects a broad sell-off in sovereign bonds internationally but more so the disaffection investors have with the position of the UK public finances after September's "fiscal event". To that end, the MPC has tightened short-term interest rates with a view to trying to slow the economy sufficiently to keep the secondary effects of inflation – as measured by wage rises – under control, but its job is that much harder now.

Our PWLB rate forecasts below are based on the Certainty Rate (the standard rate minus 20 bps, calculated as gilts plus 80bps) which has been accessible to most authorities since 1<sup>st</sup> November 2012.

Link Group Interest Rate View 27.09.22												
	Dec-22	Mar-23	Jun-23	Sep-23	Dec-23	Mar-24	Jun-24	Sep-24	Dec-24	Mar-25	Jun-25	Sep-25
BANK RATE	4.00	5.00	5.00	5.00	4.50	4.00	3.75	3.25	3.00	2.75	2.75	2.50
3 month ave earnings	4.50	5.00	5.00	5.00	4.50	4.00	3.80	3.30	3.00	2.80	2.80	2.50
6 month ave earnings	4.70	5.20	5.10	5.00	4.60	4.10	3.90	3.40	3.10	3.00	2.90	2.60
12 month ave earnings	5.30	5.30	5.20	5.00	4.70	4.20	4.00	3.50	3.20	3.10	3.00	2.70
5 yr PWLB	5.00	4.90	4.70	4.50	4.20	3.90	3.70	3.50	3.40	3.30	3.20	3.20
10 yr PWLB	4.90	4.70	4.60	4.30	4.10	3.80	3.60	3.50	3.40	3.30	3.20	3.20
25 yr PWLB	5.10	4.90	4.80	4.50	4.30	4.10	3.90	3.70	3.60	3.60	3.50	3.40
50 yr PWLB	4.80	4.60	4.50	4.20	4.00	3.80	3.60	3.40	3.30	3.30	3.20	3.10

## 4. Treasury Management Strategy Statement and Annual Investment Strategy Update

The Treasury Management Strategy Statement, (TMSS), for 2022/23 was approved by this Council on 21 February 2022. There are no policy changes to the TMSS; the details in this report update the position in the light of the updated economic position and budgetary changes already approved.

Prudential Indicator 2022/23	Original £m
Authorised Limit	1,061.328
Operational Boundary	1,008.671
Capital Financing Requirement	1,008.671

## 5. The Council's Capital Position (Prudential Indicators)

This part of the report is structured to update:

- The Council's capital expenditure plans;
- How these plans are being financed;
- The impact of the changes in the capital expenditure plans on the prudential indicators and the underlying need to borrow; and
- Compliance with the limits in place for borrowing activity.

### 5.1 Prudential Indicator for Capital Expenditure

The table below shows the revised estimates for capital expenditure and changes since the capital programme was agreed at the Budget.

<b>Service</b>	<b>2022-23 Original Estimate</b>	<b>2022-23 latest Capital Budget</b>	<b>2022-23 Revised Forecast</b>
	<b>£m</b>	<b>£m</b>	<b>£m</b>
Adult Social Care	16.439	16.018	15.924
Children's Services	64.282	51.795	26.217
CES Highways	63.327	148.876	148.677
Community & Environmental Services – Other	58.923	47.717	23.169
Finance & Commercial Services	44.107	60.682	39.261
Governance	0.282	0.432	0.00
<b>Total</b>	<b>247.361</b>	<b>325.520</b>	<b>253.248</b>

The forecast assumes that only 78% of the budget will be utilised in 2022-23 and that £72.272m will slip into 2022-23.

### 5.2 Changes to the Financing of the Capital Programme

- 5.2.1 The table below draws together the main strategy elements of the capital expenditure plans (above), highlighting the original supported and unsupported elements of the capital programme, and the expected financing arrangements of this capital expenditure. The borrowing element of the table increases the underlying indebtedness of the Council by way of the Capital Financing Requirement (CFR), although this will be reduced in part by revenue charges for the repayment of debt (the Minimum Revenue Provision). This direct borrowing need may also be supplemented by maturing debt and other treasury requirements.

<b>Funding stream</b>	<b>2022-23 Programme</b>	<b>2022-23 Revised Forecast</b>
	<b>£m</b>	<b>£m</b>
Prudential Borrowing	136.740	64.470
Use of Capital Receipts		
Revenue & Reserves	0.250	0.250
<i>Grants and Contributions:</i>		
DfE	29.252	29.252
DfT	123.329	123.329
DoH	9.466	9.466
MHCLG	0.007	0.007
DCMS		
DEFRA	0.159	0.159
Developer Contributions	12.350	12.350
Other Local Authorities	3.627	3.627
Local Enterprise Partnership	3.780	3.780
Community Infrastructure Levy	2.988	2.988
National Lottery	2.363	2.363
Commercial Contributions	0.465	0.465
Business rates pool fund		
Other	0.746	0.746
<b>Total capital programme</b>	<b>325.520</b>	<b>253.248</b>

5.2.2 The forecast slippage of £72.272m in 2022-23 Capital Programme is largely attributable to projects funded by prudential borrowing. The impact of this slippage is already factored into the Treasury Management strategy for long-term borrowing as set out in note 7.6 below.

5.2.3 The capital programme is being kept under regular review due to the effects of inflation on cost of materials, labour and fuel prices. Our borrowing strategy will, therefore, also be regularly reviewed and then revised, if necessary, in order to achieve optimum value and risk exposure in the long-term.

### **5.3 Changes to the Prudential Indicators for the Capital Financing Requirement (CFR), External Debt and the Operational Boundary**

The table below shows the CFR, which is the underlying external need to incur borrowing for a capital purpose. It also shows the expected debt position over the period, which is termed the Operational Boundary.

#### **Prudential Indicator – Capital Financing Requirement**

We are on target to achieve the original forecast Capital Financing Requirement.

#### **Prudential Indicator – the Operational Boundary for external debt**

	2022/23 Original Estimate £m	Current Position  £m	2022/23 Revised Estimate £m
<b>Prudential Indicator – Capital Financing Requirement</b>			
<b>CFR*</b>	1,008.671	975.439	1,001.485
<b>Net movement in CFR</b>		<b>(33.232)</b>	<b>(7.186)</b>
<b>Prudential Indicator – the Operational Boundary for external debt</b>			
Borrowing	964.195	849.461	918.917
Other long term liabilities*	44.476	46.521	44.591
<b>Total debt (year end position)</b>	<b>1,008.671</b>	<b>895.982</b>	<b>963.508</b>
<b>Under borrowing</b>		<b>79.457</b>	<b>37.977</b>

\* includes On balance sheet PFI schemes and finance leases etc.

5.3.1 The current CFR at 30 September 2022 reflects the slippage in the capital programme to date and the revised estimate takes into account the P6 Capital Programme forecast of £253.248m. It also excludes the planned borrowing of £80m for 2022-23.

5.3.2 The Council's level of total borrowing at 30 September 2022 is £112.689m lower than the original estimate because the Council has not acquired any new borrowing since 1 April 2022 and has repaid £4.783m to date. The revised estimate assumes that the Council will borrow an additional £80m over the second half of the financial year in line with the 2022-23 Treasury Management Strategy.

## 5.4 Limits to Borrowing Activity

5.4.1 The first key control over the treasury activity is a prudential indicator to ensure that over the medium term, net borrowing (borrowings less investments) will only be for a capital purpose\*. Gross external borrowing should not, except in the short term, exceed the total of CFR in the preceding year plus the estimates of any additional CFR for 2022/23 and next two financial years. This allows some flexibility for limited early borrowing for future years. The Council has approved a policy for borrowing in advance of need which will be adhered to if this proves prudent.

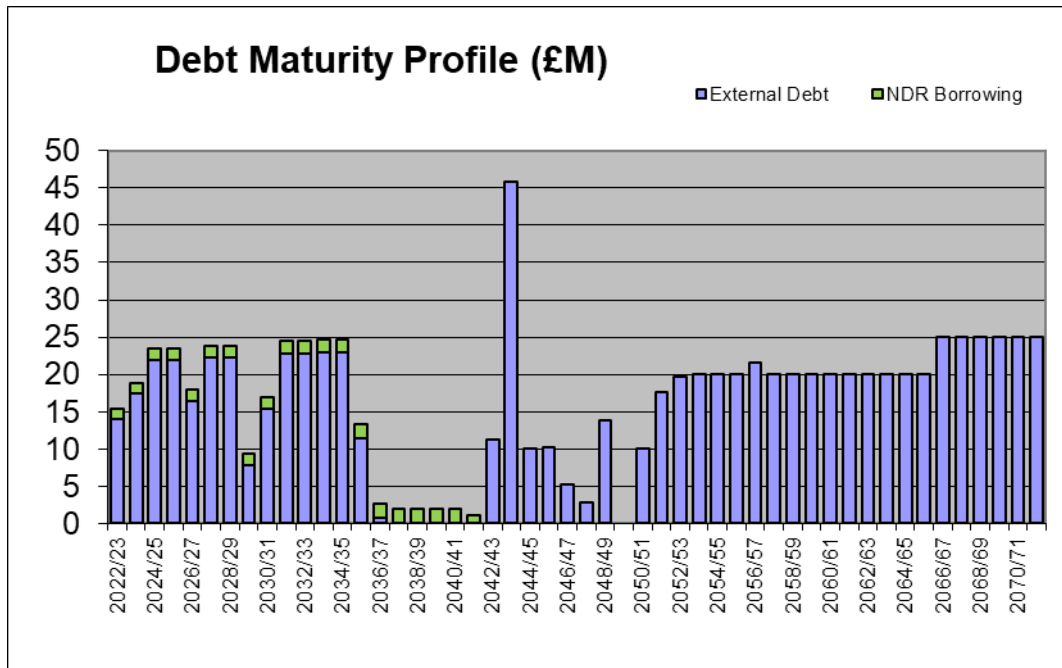
5.4.2 A further prudential indicator controls the overall level of borrowing. This is the Authorised Limit which represents the limit beyond which borrowing is prohibited and needs to be set and revised by Members. It reflects the level of borrowing which, while not desired, could be afforded in the short term, but is not sustainable in the longer term. It is the expected maximum borrowing need with some headroom for unexpected movements. This is the statutory limit determined under section 3 (1) of the Local Government Act 2003.

<b>Authorised limit for external debt (£m)</b>	<b>2022/23 Original Indicator</b>	<b>Current Position</b>	<b>2022/23 Revised Indicator</b>
Borrowing	1,012.405	849.461	956.894
Other long term liabilities*	48.923	46.521	44.591
<b>Total</b>	<b>1,061.328</b>	<b>895.982</b>	<b>1,001.485</b>

The Prudential Code requires regular monitoring to be undertaken in-year against all key indicators. Monitoring is reported to Cabinet on an 'exception basis'. Monitoring of the 2022-23 treasury indicators shows no deviation from expectations or breaches of limits as at 30 September 2022. Further details are shown in Appendix 4.

## **6. Borrowing**

- 6.1 The Council's revised estimate of capital financing requirement (CFR) for 2022/23 is £1001.485m. The CFR denotes the Council's underlying need to borrow for capital purposes. If the CFR is positive the Council may borrow from the PWLB or the market (external borrowing), or from internal balances on a temporary basis (internal borrowing). The balance of external and internal borrowing is generally driven by market conditions. Table 5.4 shows the Council has borrowings of £849.461m and has utilised £46.521m of cash flow funds in lieu of borrowing. This is a prudent and cost-effective approach in the current economic climate but will require ongoing monitoring in the event that any upside risk to gilt yields prevails.
- 6.2 Due to the overall financial position and the underlying need to borrow for capital purposes (the CFR), new external borrowing of £80m is planned for 2022-23. The capital programme is being kept under regular review due to the effects of inflationary pressures, shortages of materials and labour. Our borrowing strategy will, therefore, also be regularly reviewed and then revised, if necessary, in order to achieve optimum value and risk exposure in the long-term.
- 6.3 To minimise investment risk, the Council has reduced the overall debt liability by delaying the borrowing £80m of external debt. However, this policy will require ongoing monitoring in the event that upside risks to gilt yields prevail. It is anticipated that the £80m borrowing will undertaken towards the latter end of this financial year.
- 6.4 As at 30 September 2022, the Council's external borrowing (debt outstanding) totalled £849.461m. The re-payment profile for debt is shown below.



6.5 Appendix 2 shows debt maturities during the last 2 years, including the amount of debt repaid, the rate of interest and interest savings.

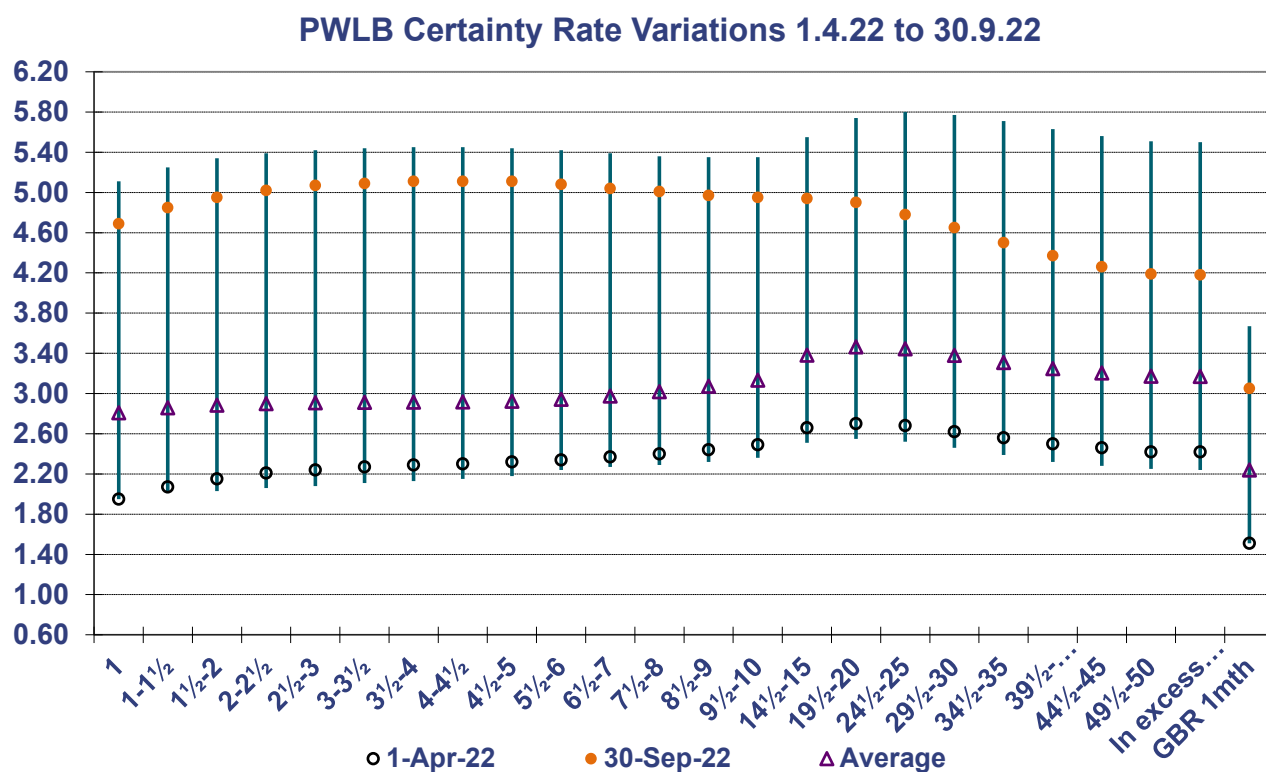
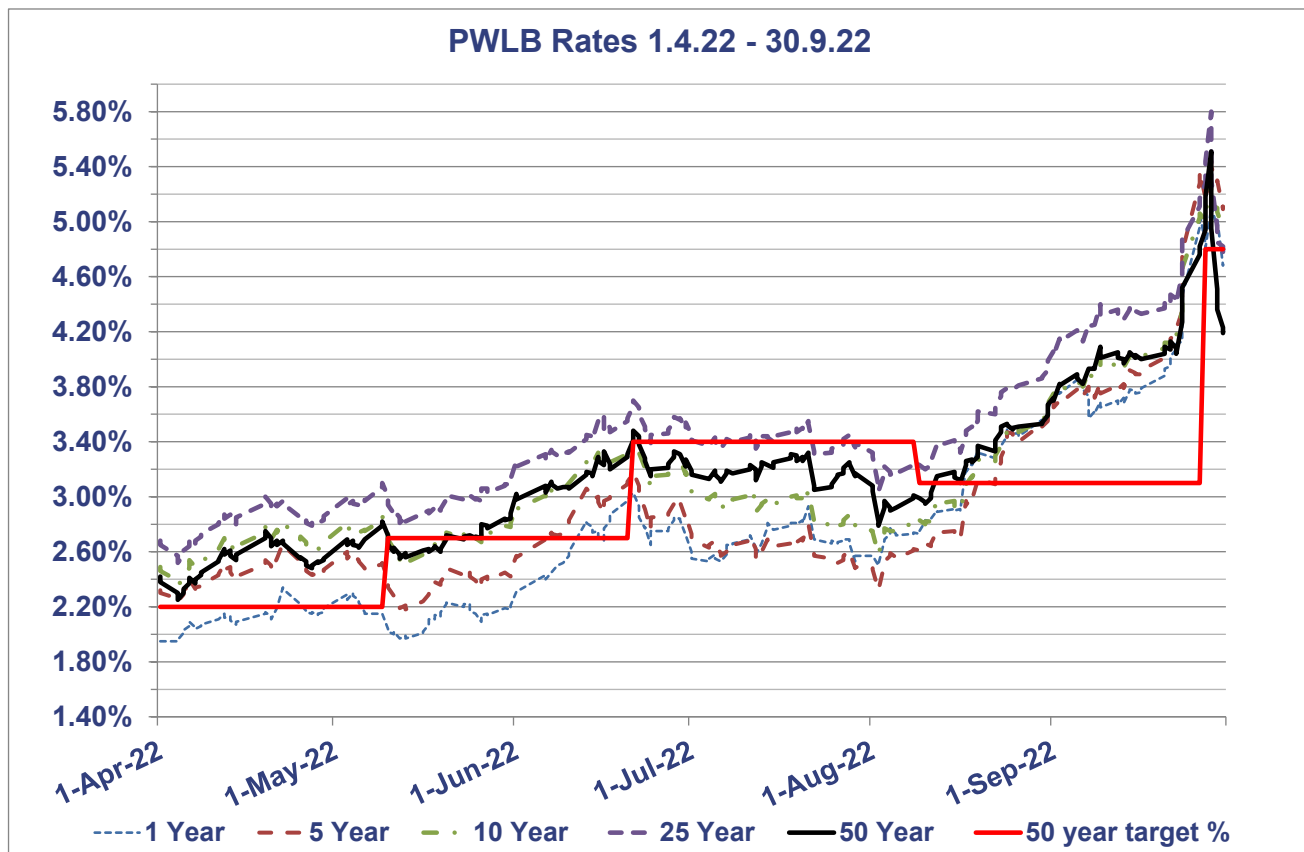
6.6 The Council's original borrowing requirement (past capital expenditure for which the approved borrowing has not yet been drawn down) at the end of 2022-23 was £104m. However, due to the combination of slippage in capital schemes, additional capital grants and capital receipts received in the current year, the revised estimate of the borrowing requirement for 2022-23 is £64.7m. This assumes that the capital programme delivers to the current forecast of £253.248m. The Executive Director of Finance and Commercial Services, under delegated powers, will take the most appropriate form of borrowing depending on the prevailing interest rates at the time, taking into account the risks identified in the economic forecast (Section 2). This is a prudent and cost-effective approach in the current economic climate but will require ongoing monitoring in the event that any upside risk to gilt yields prevails.

### 6.7 PWLB maturity certainty rates year to date to 30<sup>th</sup> September 2022

6.7.1 Gilt yields and PWLB rates were on a rising trend between 1<sup>st</sup> April and 30<sup>th</sup> September.

6.7.2 The 50-year PWLB target certainty rate for new long-term borrowing started 2022/23 at 2.20% before increasing to 4.80% in September. (Please note, however, that we see PWLB rates trending downwards through 2023 and 2024 with forecast rates to fall back to 3.10% by the end of September 2025.

## PWLB RATES 01.04.22 - 30.09.22



## HIGH/LOW/AVERAGE PWLB RATES FOR 01.04.22 – 30.09.22

	1 Year	5 Year	10 Year	25 Year	50 Year
<b>Low</b>	1.95%	2.18%	2.36%	2.52%	2.25%
<b>Date</b>	01/04/2022	13/05/2022	04/04/2022	04/04/2022	04/04/2022
<b>High</b>	5.11%	5.44%	5.35%	5.80%	5.51%
<b>Date</b>	28/09/2022	28/09/2022	28/09/2022	28/09/2022	28/09/2022
<b>Average</b>	2.81%	2.92%	3.13%	3.44%	3.17%
<b>Spread</b>	3.16%	3.26%	2.99%	3.28%	3.26%

6.8 The current PWLB rates are set as margins over gilt yields as follows: -.

- **PWLB Standard Rate** is gilt plus 100 basis points (G+100bps)
- **PWLB Certainty Rate** is gilt plus 80 basis points (G+80bps)
- **Local Infrastructure Rate** is gilt plus 60bps (G+60bps)

6.9 The most likely sources of long- term borrowing are:

- PWLB
- The UK Municipal Bonds Agency
- Other arrangements such as private placements may be considered subject to the availability and cost of borrowing from alternative sources, and advice from the Council's Treasury Advisors. Prior to any borrowing, the additional pressure on current and future revenue interest payables budgets, as well as any arrangement fees, will be taken into account.

6.10 The PWLB provides a facility to restructure debt, including early repayment of loans, albeit at a cost which reflects the difference between current and past interest rates. Rates are monitored on a regular basis in order to identify possible repayment opportunities.

## 7. Debt Rescheduling

Debt rescheduling opportunities have been very limited in the current economic climate and following the various increases in the margins added to gilt yields which have impacted PWLB new borrowing rates since October 2010. No debt rescheduling has therefore been undertaken to date in the current financial year. However, now that the whole of the yield curve has shifted higher there may be better opportunities in the future, although only prudent and affordable debt rescheduling will be considered.

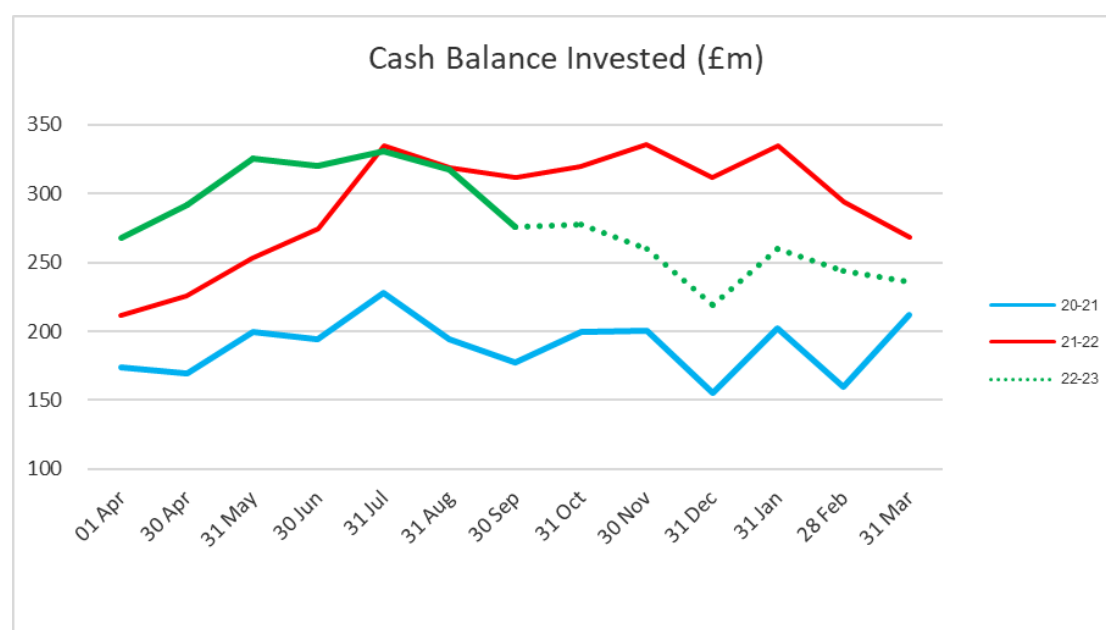
## 8. Compliance with Treasury and Prudential Limits

It is a statutory duty for the Council to determine and keep under review the affordable borrowing limits, (*affordable capital expenditure limits – Scottish local authorities*). During the half year ended 30<sup>th</sup> September 2022, the Council has operated within the treasury and prudential indicators set out in the Council's Treasury Management Strategy Statement for 2022/23. The Executive Director of Finance and Commercial Services reports that no difficulties are envisaged for the current or future years in complying with these indicators.

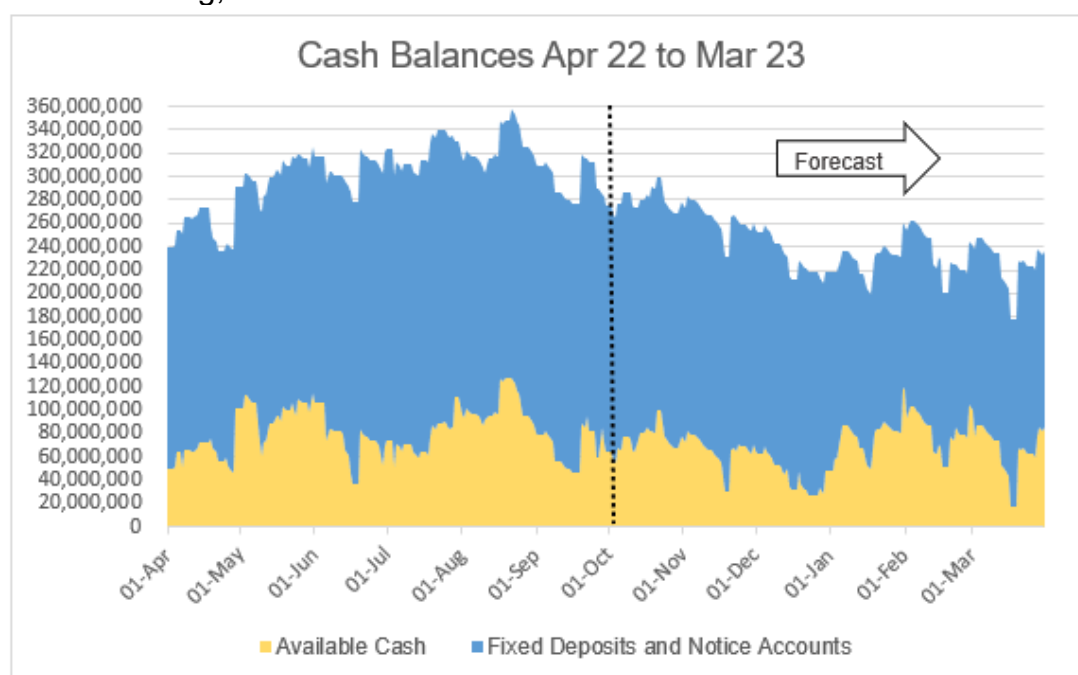
All treasury management operations have also been conducted in full compliance with the Council's Treasury Management Practices.

## 9. Cash Balances and Cash Flow Management

- 9.1 The Council's cash balances comprise of revenue and capital resources, such as general balances, provisions and earmarked reserves and the timing differences between the receipt and payment of monies required to meet the cost of County Council services and its capital programme. The average level of cash balances year to date totals £302m (equivalent last year £271m).
- 9.2 Cash balances are managed internally and have been invested in accordance with the Council's approved Authorised Lending List.
- 9.3 A key objective of cash flow management is to minimise balances held in the Council's bank accounts at zero interest.
- 9.4 Of the 200 bank accounts administered by the County Council, only 3 are principal accounts (one for income collection, general expenditure and salary payments). The remaining bank accounts are service specific, for example schools locally managing their devolved budgets. The corporate treasury management function ensures the efficient management of cash balances across all bank accounts by aggregating and investing surplus cash balances on a daily basis.
- 9.5 Cash balances available for investment increased from £268m at 1 April 2022 to £358m at 22 August 2022 before starting to fall to £275.67m at 30 September 2022. The table below shows the level of cash balances over the last two and a half years with a forecast for the next 6 months to March 2023 (dashed green line), assuming a further £80m additional borrowing.



- 9.6 Longer term cash deposits (6 to 12 months) have increased to help secure a return on investments above the instant liquidity cash rates of approx.0.13%.
- 9.7 No long-term borrowing has been taken in the six months to September and the County Council has not had to borrow short term during that period.
- 9.8 Details of daily liquidity are provided in the graph below. The bottom orange segment of the graph shows the actual daily liquidity (the amount of cash on instant access deposit) compared with cash invested for longer fixed periods (top blue segment of the graph). The forecast average daily liquidity level, assuming £80m additional long-term borrowing, is around £75m.



## 10. Annual investment strategy

- 10.1 The Treasury Management Strategy Statement (TMSS) for 2022/23, which includes the Annual Investment Strategy, was approved by the Council on 21 February 2022. In accordance with the CIPFA Treasury Management Code of Practice, it sets out the Council's investment priorities as being:
- Security of capital
  - Liquidity
  - Yield
- 10.2 The Council will aim to achieve the optimum return (yield) on its investments commensurate with proper levels of security and liquidity and with the Council's risk appetite. In the current economic climate, it is considered appropriate to keep investments short term to cover cash flow needs, but also to seek out value available in periods up to 12 months with high credit rated financial institutions, using the Link suggested

creditworthiness approach, including a minimum sovereign credit rating and Credit Default Swap (CDS) overlay information.

### **10.3 Creditworthiness.**

Following the Government's fiscal event on 23<sup>rd</sup> September, both S&P and Fitch have placed the UK sovereign debt rating on Negative Outlook, reflecting a downside bias to the current ratings in light of expectations of weaker finances and the economic outlook.

### **10.4 Investment Counterparty criteria**

The current investment counterparty criteria selection approved in the TMSS is meeting the requirement of the treasury management function.

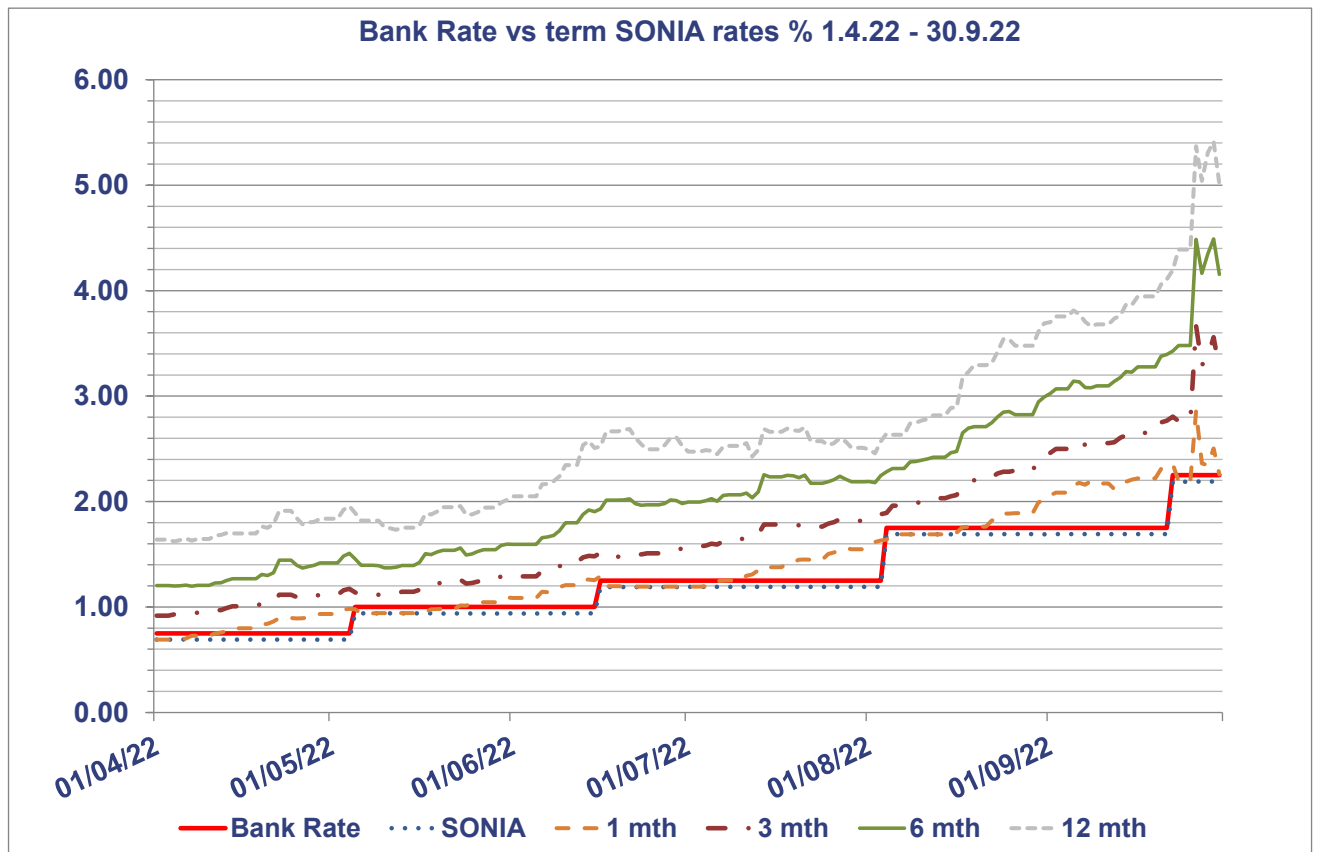
### **10.5 CDS prices**

It is noted that sentiment in the current economic climate can easily shift, so it remains important to undertake continual monitoring of all aspects of risk and return in the current circumstances.

### **10.6 Investment balances**

The average level of funds available for investment purposes during the first half of the financial year was £301.6m. These funds were available on a temporary basis, and the level of funds available was mainly dependent on the timing of precept payments, receipt of grants and progress on the capital programme.

### **10.6 Investment performance year to date as of 30<sup>th</sup> September 2022**



QUARTER ENDED 30/9/2022						
	Bank Rate	SONIA	1 mth	3 mth	6 mth	12 mth
<b>High</b>	2.25	2.19	2.86	3.67	4.49	5.41
<b>High Date</b>	22/09/2022	30/09/2022	26/09/2022	26/09/2022	29/09/2022	29/09/2022
<b>Low</b>	0.75	0.69	0.69	0.92	1.20	1.62
<b>Low Date</b>	01/04/2022	28/04/2022	01/04/2022	01/04/2022	07/04/2022	04/04/2022
<b>Average</b>	1.28	1.22	1.39	1.70	2.12	2.62
<b>Spread</b>	1.50	1.50	2.17	2.75	3.29	3.79

The table above, for completeness, covers both the first and second quarters of 2022/23.

2022/23	Interest Earned (%)	SONIA O/N (%)	Interest Earned Year to Date (%)	SONIA O/N Year to Date (%)	Investment Interest Earned
Apr 22	<b>0.67</b>	0.69	<b>0.67</b>	0.69	140,235
May 22	<b>0.83</b>	0.91	<b>0.76</b>	0.80	214,353
Jun 22	<b>1.08</b>	1.06	<b>0.87</b>	0.89	270,435
Jul 22	<b>1.32</b>	1.19	<b>0.99</b>	0.96	360,772
Aug 22	<b>1.60</b>	1.64	<b>1.13</b>	1.10	442,426
Sep 22	<b>1.79</b>	1.84	<b>1.23</b>	1.22	436,185

As illustrated, the Council has marginally *outperformed* the benchmark by 0.01 bps.

## 11. Other

11.1 At 30 September 2022, the Council held £275.4m of investments. The profile of these investments is shown in the table below.

Institutional Sector	Liquid £M	Upto 3 Months £M	Upto 6 Months £M	Upto 9 Months £M	Upto 12 Months £M	Over 12 Months £M
UK Banks	10	30	30	30	0	0
Non-UK Banks	0	30	40	30	20	0
Building Societies	0	0	0	0	0	0
Money Market Funds	55.2	0	0	0	0	0
Other	0.23	0	0	0	0	0
<b>Total</b>	<b>65.4</b>	<b>60</b>	<b>70</b>	<b>60</b>	<b>20</b>	<b>0</b>

A more detailed investment profile is shown at Appendix 1.

11.2 The average interest rate earned year to date is 1.23% (comparative period in 2021 0.20%).

11.3 Gross interest earned for the period 1 April 2022 to 30 September 2022 is £1.864m (comparative period in 2021: £0.267m).

11.4 In addition, the County Council has undertaken daily treasury management activities on behalf of the Norfolk Pension Fund, the Norse Group, and Independence Matters. Average cash balances managed on behalf of these other bodies totalled £29.4m, earning interest of £0.174m in the six months to 30 September 2022.

11.5 Approved limits within the Annual Investment Strategy were not breached during the period covered by this report. A summary of

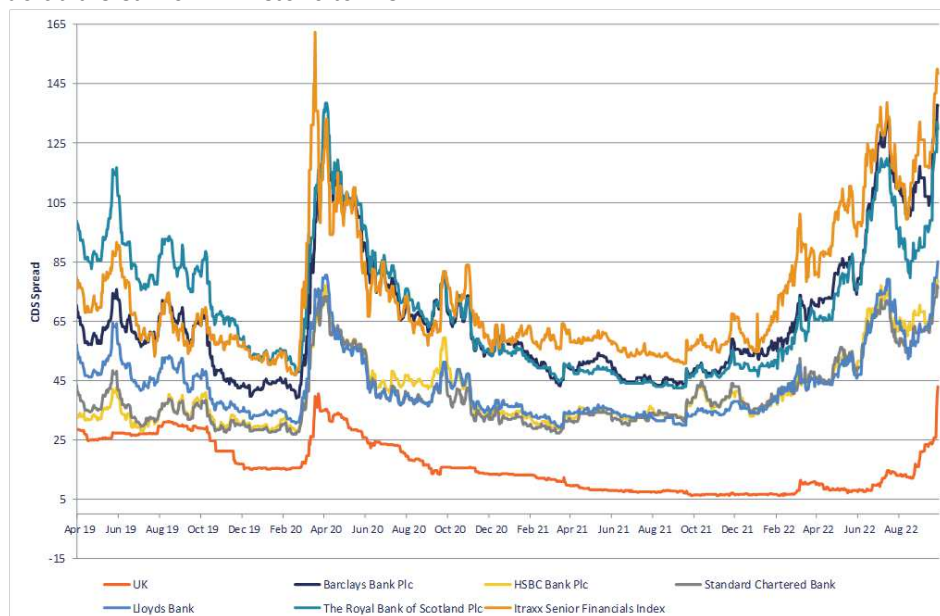
treasury prudential indicators and the position at 30 September 2022 is shown in Appendix 4.

## 12 Counterparty Maintenance

- 12.1 The Executive Director of Finance and Commercial Services is responsible for maintaining an Approved Counterparty List in accordance with the criteria as set out in the approved Annual Investment and Treasury Strategy 2022-23. Credit rating information is supplied by our treasury advisors on all active counterparties. Any rating changes, rating watches (notification of a likely change) and rating outlooks (notification of a possible longer-term change) are provided by our treasury advisors immediately as they occur. A wide range of market information such as Credit Default Swap prices and share price is also taken into account. The Approved Counterparty List is therefore actively managed on a day-to-day basis and when an institution no longer meets the Council approved counterparty criteria, it is immediately removed.
- 12.2 There have been no credit rating downgrades during the period 1 April 2022 to 30 September 2022 that have resulted in counterparties being removed from the approved counterparty list.

### UK Banks 5 Year Senior Debt CDS Spreads as of 30<sup>th</sup> September 2022

*This graph shows the assessment of creditworthiness risk of key banks. The cost of insuring against default is shown in basis points down the left-hand axis. Credit risk has increased markedly in recent weeks against the backdrop of the sell-off of UK gilts and the increasing possibility of a UK/global recession. However, the cost of insuring against the prospect of default is still low in historic terms.*



*(The chart below shows the cost in basis points of ensuring against the prospect of default on 5 year "paper" issued by major UK banks v the ITRAXX Senior Financials Index)*

## 13 Non-treasury investments

- 13.1 Following updates to Treasury Management reporting requirements from 2021-22 under the revised CIPFA Code, local authorities have to report more information on their non-treasury investments. Appendix 3

lists non-treasury investments made or held by the authority, with a short narrative and explanation of the objectives for each one.

# Outstanding Deposit Profile @ 30th September 2022

# Appendix 1

Counterparty Name	Deal Date	Maturity Date	Interest Rate %	Principal £M
<b>Aberdeen</b>				
Aberdeen Money Market Fund	Instant Liquidity		2.13*	40
				<b>40</b>
<b>Australia New Zealand Bank</b>				
Australia New Zealand Bank	13-Oct-21	13-Oct-22	0.51	10
Australia New Zealand Bank	20-Dec-21	05-Jan-23	0.71	10
Australia New Zealand Bank	05-Jan-22	05-Jan-23	0.83	10
				<b>30</b>
<b>Barclays Bank</b>				
Barclays Bank Call Account	Instant Liquidity		1.75	10
				<b>10</b>
<b>Close Brothers</b>				
Close Brothers	29-Jul-22	31-Jan-23	2.40	10
				<b>10</b>
<b>DBS Bank Ltd (Singapore)</b>				
DBS	07-Apr-22	07-Apr-23	1.80	10
DBS	26-Apr-22	26-Apr-23	1.97	10
DBS	16-Jun-22	16-Jun-23	2.50	10
				<b>30</b>
<b>Federated</b>				
Federated Money Market Fund	Instant Liquidity		2.08*	15.196
				<b>15.196</b>
<b>Goldman Sachs</b>				
Goldman Sachs	24-May-22	24-Nov-22	1.77	10
Goldman Sachs	14-Jun-22	14-Dec-22	2.13	10
Goldman Sachs	15-Jul-22	30-Dec-22	2.30	10
Goldman Sachs	29-Sep-22	29-Mar-23	4.50	10
				<b>40</b>
<b>Hethel Innovation Limited</b>				
Hethel Innovation Limited	Callable Deposit		4.85*	0.23
				<b>0.23</b>
<b>Landesbank Baden-Wuerttemberg</b>				
Landesbank Baden-Wuerttemberg	23-Jun-22	28-Dec-22	2.21	10
Landesbank Baden-Wuerttemberg	29-Jun-22	03-Jan-23	2.11	10
Landesbank Baden-Wuerttemberg	22-Aug-22	22-Feb-23	2.97	10

<b>National Westminster</b>				
National Westminster Bank	17-Feb-22	17-Feb-23	1.54	10
National Westminster Bank	09-May-22	09-May-23	1.86	10
National Westminster Bank	10-May-22	10-May-23	1.86	10
National Westminster Bank	06-Jun-22	06-Jun-23	2.01	10
				<b>40</b>
<b>Toronto-Dominion Bank</b>				
Toronto-Dominion Bank	21-Oct-21	21-Oct-22	0.73	10
Toronto-Dominion Bank	12-Aug-22	11-Aug-23	3.10	10
Toronto-Dominion Bank	23-Sep-22	22-Sep-23	4.10	10
				<b>30</b>
<b>Total Deposits</b>				<b>275.4</b>

\* Latest rates as at 30th September 2022

In addition deposits of £21.622m were held on behalf of other bodies:  
Norfolk Pension Fund, Norse Group and Independence Matters.

## Appendix 2

Debt Maturities 2021-22 to 2022-23			
Maturity Date	Amount Repaid	Rate	Full Year Interest Saving
15-Jun-21	£500,000	9.38%	£46,875
30-Sep-21	£500,000	9.38%	£46,875
11-Oct-21	£500,000	9.75%	£48,750
15-Dec-21	£500,000	9.38%	£46,875
31-Mar-22	£500,000	9.75%	£48,750
15-Jun-21	£683,328	2.02%	£13,803
01-Sep-21	£576,808	1.47%	£8,479
15-Dec-21	£690,224	2.02%	£13,943
01-Mar-22	£581,047	1.47%	£8,541
2021-22	£5,031,407		£282,891
15-Jun-22	£500,000	9.38%	£46,875
30-Sep-22	£2,500,000	4.50%	£112,500
30-Sep-22	£500,000	9.38%	£46,875
11-Oct-22	£2,500,000	4.63%	£115,625
11-Oct-22	£500,000	9.75%	£48,750
15-Dec-22	£1,750,000	4.50%	£78,750
15-Dec-22	£776,322	5.25%	£40,757
15-Dec-22	£723,678	5.25%	£37,993
15-Dec-22	£500,000	9.38%	£46,875
31-Mar-23	£500,000	9.75%	£48,750
31-Mar-23	£2,000,000	4.63%	£92,500
15-Jun-21	£697,191	2.02%	£14,083
01-Sep-22	£585,318	1.47%	£8,604
15-Dec-22	£704,228	2.02%	£14,225
01-Mar-23	£589,620	1.47%	£8,667
2022-23	£15,326,357		£761,830
Apr 21 to Mar 23	£20,357,764		£1,044,721

## Non-treasury investments

### Non-treasury investments - Capital loans and similar arrangements including objectives and context

Capital loans are not classed as a treasury management activity but have an impact on cash flows, and interest received, and are included as part of Treasury Management reporting as a result of recent revisions to the CIPFA Code. Current capital loans are as follows:

Capital loans	Balance 31 March 2022 £m	Forecast Balance 31 March 2023 £m	Authority / Objectives	Funding and other notes
<b>Infrastructure related loans</b>				
GNGB/CIL support for NDR ("Broadland Northway")	33.128	31.726	Formal arrangements between GNGB members, to allocated CIL receipts to support £40m costs of the NDR, was agreed 21 October 2015. Rather than a loan as such, the arrangement is long term loan repayment support.	Payments allocated from CIL receipts match the interest and repayments due on a £40m PWLB loan taken out by Norfolk County Council in 2016-17 to part fund construction of the NDR. The arrangement is treated as a long-term debt in the financial statements and has first call on CIL receipts.
NDR Radar Loan	2.194	2.194	NCC Cabinet 2 September 2013 agreed to part fund relocation of the Norwich International Airport radar as a compensatory element of the NDR project. A legal agreement for the funding of the radar was agreed with Norwich Airport Limited on 18 October 2013. Repayments will start 2023 when the previous radar would have been replaced.	The airport will contribute to the cost of the radar through financing arrangements from years 9 to 20 at an agreed commercial rate.

Local infrastructure Fund loans to developers	6.362	0.000	The GNGB area City Deal resulted in the establishment of a Local Infrastructure Fund to provide loans to developers for site specific help to enable development sites to be delivered quickly. The fund is now managed directly by Norfolk County Council, and is no longer open.	5 loans were made: St. George's Park, Loddon – Halsbury Home East Anglia Ltd, Thurlton, Horsford and Little Plumstead – Cripps Developments, and Rockland St. Mary – FW Properties. The first repayment was triggered in December 2017, since when regular repayments have been received, with further loans being made and interest accrued. 4 of the infrastructure loans have been fully repaid, with the remaining Loddon LIF loan due to be fully repaid during the current financial year.
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Loans to Subsidiaries	Balance 31 March 2022	Forecast Balance 31 March 2023	Authority / Objectives	Funding and other Notes / status
<b>Loans to Norse Group</b>	£m	£m		
Norse Energy	10.000	10.000	As part of the Mid-Year Treasury Management Monitoring Report 2015-16 to Policy and Resources Committee and then County Council, members approved the extension of the existing Norse Group short-term loan arrangements by a further £15m for specific longer-term loans, with the loans being approved for inclusion within the County Council's capital programme. The first loan was for Norse Energy capital investment, and the second to fund replacement of Norse's existing asset portfolio.	Interest paid annually at a commercial variable rate. Repayment of principal is due on the 7th anniversary of loan in December 2022.
Norse Group	2.403	2.111		Loan agreement dated 14 February 2018, based on fixed commercial rate for 5 years, with option to increase the interest rate if LIBOR increases. Twice yearly repayments of principal and interest started August 2018, with increased principal repayments in 2024 and 2025. Loan will be fully repaid by February 2025.
NPS Aviation Academy	5.729	5.586	On 20 July 2015, Policy and Resources Committee authorised a loan of £6.25m to the Norse Group, to create a physical location for the Norwich International Aviation Skills Academy. Norse continues to occupy and use the property.	Annuity loan repayable in 29 equal annual instalments to August 2046.
NEWS	0.212	0.106	Loan agreement between Norfolk County Council and Norfolk Environmental Waste Services Limited dated 28 March 2001, for	Twice yearly repayments of capital and interest, rate based on PWLB 20-25 year rate at time of agreement. Capital

			the construction of a materials recycling facility and the purchase of associated vehicles and equipment in Norfolk.	repaid in equal instalments. Original loan £2.44m, to be fully repaid March 2024.
NorseCare	2.683	2.517	Loan agreement dated 4 March 2019 between Norfolk County Council and Norse Care for the re-modelling, refurbishment and extension of the Mountfield residential home in Norwich.	Annuity loan repayable in 15 equal annual instalments to March 2034.
<b>Other NCC wholly owned companies</b>				
Hethel Innovations	6.913	6.813	On 23 May 2012 Cabinet agreed to approve 60% match funding estimated at £3.77m, via a loan to Hethel Innovation Limited, for the construction of an Advanced Manufacturing Facility at Hethel. The final revision of the loan agreement is dated May 2015 for £3.26m. In addition, the company borrowed £2.132m in 2018-19 to purchase the remainder of its site and buildings from NCC. Then on 31 March 2021 it borrowed a further £1.572m to purchase the adjacent land from Lotus	Six monthly equal repayments, capital and interest calculated on an annuity basis. Interest rates fixed based on PWLB rates at the date of the loans. The final instalment date for both loans is September 2049.
Repton	12.550	12.550	In 2020, Cabinet agreed to approve a £10m loan facility for Repton to drawdown as needed to develop surplus NCC land and other suitable land with the view to delivering high-quality housing in Norfolk. The loan facility has since been increased to £35m.	Twice yearly repayments of capital and interest, rate based on PWLB 20-25 year rate at time of agreement. Capital repaid in equal instalments.
<b>Total capital loans</b>	<b>82.174</b>	<b>73.603</b>		

During the financial year to date, interest and principal has been repaid in accordance with the individual loan agreements.

### Financing

Financing for the Broadland Northway (formerly NDR) arrangement shown above has been provided through a £40m PWLB annuity loan.

The finance for all new capital loans is provided initially from Norfolk County Council surplus cash balances and ultimately PWLB loans or capital receipts.

### Relevant powers

The local authority has the power to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any of their functions [a] (whether or not involving the expenditure, borrowing or lending of money or the acquisition or disposal of any property or right).

The local authority has a general power of competence just like individuals generally [b].

The local authority may borrow money for any purpose relevant to its function or for the purposes of the prudent management of its financial affairs

Where the local authority is running a purely commercial or trading activity then it must do it through a company [b][c].

Sources [a]: Local Government Act 1972 s 111(1); Egan v Basildon Borough Council 2011.

[b]: Localism Act 2011 s 1 and s4

[c]: Local Government Act 2003 s 1

### Non-treasury investments – Investment properties as defined for statutory accounting purposes

For statutory accounting purposes, investment properties are assets which are used solely to earn rental income and/or capital appreciation, rather than in the production or supply of goods or services, for administrative purposes, or for sale in the ordinary course of operations. Four properties are classed as investment properties in the Council's statutory accounts, of which the following two make up the majority of the value:

Investment property	Norwich Airport Industrial Estate			Agricultural and other land with development potential		
Note	Owned jointly with Norwich City Council 60:40					
Reason for ownership:	Rental income			Capital appreciation		
Financial year	<b>2021-22</b>	<b>2020-21</b>	<b>2019-20</b>	<b>2021-22</b>	<b>2020-21</b>	<b>2019-20</b>
	£m	£m	£m	£m	£m	£m
Net rental income £m	0.425=	0.323=	0.436	n/a		
Fair value £m	21.021	12.702	12.345	14.635*	13.257*	9.755

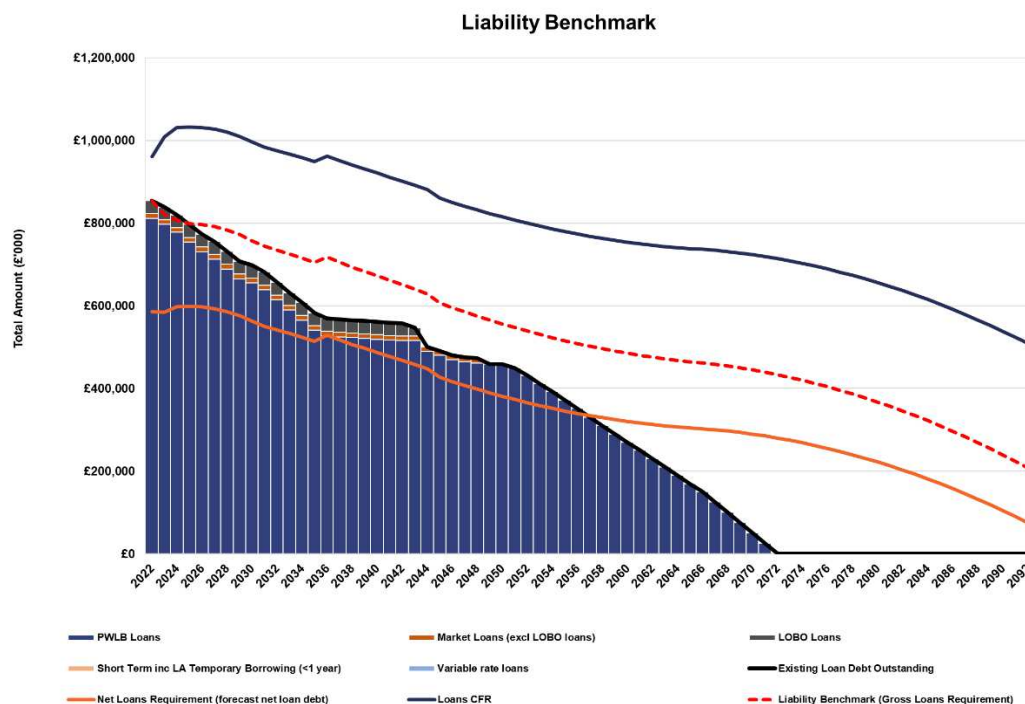
\*Includes the reclassification of the Scottow Solar Farm as an investment property in 2020-21

Investment property is re-valued each year by NPS Property Consultants. During the financial year, jointly owned Norwich Airport Industrial Estate was disposed by the Council and the Council's share of capital receipts arising from this disposal was £21.029m. The apparent variations in rental income are due to an over-estimated debtor brought forward in the previous year, and vacant properties seeking tenants.

## Treasury Prudential Indicators

Indicator		Original Indicator £m or %		Actual Year to Date	Headroom: Actual - Indicator	Forecast to Year End	Notes
External Debt Limit (Authorised)		1,061.328		894.052	167.276	963.508	Debt for the purpose of this indicator includes notional lease and PFI liabilities
Operational Boundary Limit		1,008.671			114.619		
Upper Limits for Fixed Rate Maturity Structure	Under 12 months	0%	10%	2.4%	7.6%	2.1%	The Council's LOBO loans total value £31.25m are included under this indicator. The rates will become variable if interest rates exceed set percentages. This is not forecast to happen in the short or medium term.
	12 months to 2 years	0%	10%	2.5%	7.5%	2.5%	
	2 years to 5 years	0%	10%	7.8%	2.2%	7.1%	
	5 years to 10 years	0%	20%	11.5%	8.5%	11.9%	
	10 years to 20 years	10%	30%	11.4%	18.6%	11.5%	
	20 years to 30 years	10%	30%	14.1%	15.9%	15.8%	
	30 years to 40 years	10%	30%	24.4%	5.6%	22.5%	
	40 years to 50 years	10%	40%	25.9%	14.1%	26.7%	
Total principal funds invested for greater than 365 days		100.000		0.000	100.000	0.000	
Total principal funds managed by third party		n/a		0	n/a	0	All investment decisions currently managed internally

This graph shows the comparison of borrowing parameters to actual external borrowing



The Loans CFR represented by the dark blue line shows the Council's borrowing requirement to meet the Capital strategy.

The dashed red line represents the Liability Benchmark, which is the Loans CFR less the forecast cash held by the Council. The solid red line represents the net borrowing requirement after taking into account cash and short term cash equivalent assets.

The aim of the graph is to plot the current debt profile as represented by the vertical bars against the gross and net borrowing requirement to illustrate the relationship between current levels of borrowing and the planned borrowing need.

The graph shows that the current borrowing profile sits on or below the Liability Benchmark prudential indicator – so the Council has the appropriate level of borrowing for the current needs and has scope to borrow further for future need,



# Report to Cabinet

Item No: 13

**Report Title: Finance Monitoring Report 2022-23 P7: October 2022**

**Date of Meeting: 5 December 2022**

**Responsible Cabinet Member: Cllr Andrew Jamieson ( Cabinet Member for Finance)**

**Responsible Director: Simon George (Executive Director of Finance and Commercial Services)**

**Is this a Key Decision? No**

**If this is a Key Decision, date added to the Forward Plan of Key Decisions: N/A**

## **Introduction from Cabinet Member**

This report gives 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.

## **Executive Summary**

Subject to mitigating actions, on a net budget of £464.123m, the forecast revenue outturn for 2022-23 at the end of Period 7 (October) is **a £3.011m overspend (0.65% of net budget)** after taking into account use of £31.125m Covid reserves brought forward from 2021-22 to meet Covid pressures in 2022-23.

General Balances are forecast to be **£23.840m** at 31 March 2023 following transfers of £0.077m from non-Covid related savings and Finance General underspends at the end of 2021-22. Service reserves and provisions (excluding the Dedicated Schools Grant reserve) are forecast to total **£152.143m**.

Covid-19 financial pressures are taken into account in the forecasts in this report. Details of these pressures and progress on achieving savings are addressed in detail in this report.

## **Recommendations:**

1. To recommend to full Council the addition of **£40.921m** to the capital programme to address capital funding requirements funded mostly from various external sources as set out in detail in capital Appendix 3, paragraph 4.1 and 4.2 as follows:

- £38.826m grant funding updates from the Department of Transport for various capital projects, including the West Winch Bypass £3.188m and the NWL £35.596m
  - £2m uplift to the Schools ICT Refresh budget for the rolling programme
  - £0.095m uplift to the Norwich Castle: Royal Palace Reborn project to fund monitoring and quality assurance measures (see Appendix 3: Note 4.2)
2. Subject to full Council approval of recommendation 1 to delegate:
- 2.1) 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.
  - 2.2) 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;
  - 2.3) 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 recompleted
    - 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.
3. To recognise the period 7 general fund revenue forecast of a £3.011m overspend (0.65% of net budget), noting also that Executive Directors will take measures to reduce or eliminate potential over-spends where these occur within services;

4. To recognise the period 7 forecast of 92% 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;
5. To note the forecast General Balances at 31 March 2023 of **£23.840m**, assuming the Council will mitigate the overspends reported in P7.
6. To note the expenditure and funding of the revised current and future 2021-26 capital programmes.
7. To note the update on the Autumn Statement and that implications of Government announcements will be reflected in the Council's 2023-24 budget planning and further informed by the Provisional Local Government Finance Settlement expected later in December.

## **1. Background and Purpose**

- 1.1. This report and associated annexes summarise the forecast financial outturn position for 2022-23, to assist members to maintain an overview of the overall financial position of the Council.

## **2. Proposals**

- 2.1. Having set revenue and capital budgets at the start of the financial year, the Council needs to ensure service delivery within allocated and available resources, which in turn underpins the financial stability of the Council. Consequently, progress is regularly monitored, and corrective action taken when required.

## **3. Impact of the Proposal**

- 3.1. The impact of this report is primarily to demonstrate where the Council is anticipating financial pressures not forecast at the time of budget setting, including the implications of the Covid-19 pandemic, together with a number of other key financial measures.

## **4. Evidence and Reasons for Decision**

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

**Appendix 1** summarises the revenue outturn position, including:

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

**Appendix 2** summarises the key working capital position, including:

- Treasury management
- Payment performance and debt recovery.

**Appendix 3** summarises the capital outturn position, and includes:

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

- 4.2. Additional capital funds will enable services to invest in assets and infrastructure as described in Appendix 3 section 4.

## **5. Alternative Options**

- 5.1. 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.

## **6. Financial Implications**

- 6.1. As stated above, the forecast revenue outturn for 2022-23 at the end of P7 is a **£3.011m overspend**, linked to a forecast 92% savings delivery. Forecast outturn for service reserves and provisions is **£152.143m**, and the general balances forecast is **£23.840m**. COVID reserves of **£31.125m** have been brought forward to off-set additional one-off expenditure resulting from on-going infection control measures in place to prevent any further Covid-19 outbreaks in 2022-23.
- 6.2. Where possible service pressures have been offset by underspends or the use of reserves. A narrative by service is given in Appendix 1.
- 6.3. The Council's capital programme is based on schemes approved by County Council in February 2022, including previously approved schemes brought forward and new schemes subsequently approved.

## **7. Resource Implications**

- 7.1. None, apart from financial information set out in these papers.

## **8. Other Implications**

### **8.1. Legal Implications**

In order to fulfil obligations placed on chief finance officers by section 114 of the Local Government Finance Act 1988, the Executive Director of Finance and Commercial Services continually monitors financial forecasts and outcomes to ensure resources (including sums borrowed) are available to meet annual expenditure.

### **8.2. Human Rights implications**

None identified.

### **8.3. Equality Impact Assessment**

In setting the 2022-23 budget, the council has undertaken public consultation and produced equality and rural impact assessments in relation to the 2022-23 Budget. An overall summary Equality and rural impact assessment report is included on page 305 of the Monday 21 February 2022 Norfolk County Council agenda. [CMIS > Meetings](#)

The Council is maintaining a dynamic [COVID-19 equality impact assessment](#) to inform decision making during the pandemic.

The Council's net revenue budget is unchanged at this point in the financial year and there are no additional equality and diversity implications arising out of this report.

### **8.4 Data Protection Impact Assessments (DPIA)**

DPIA is not required as the data reported in this paper does not drill down to the personal data level.

## **9. Risk Implications/Assessment**

9.1. Corporate risks continue to be assessed and reported on a quarterly basis to both Cabinet and the Audit Committee. The Council's key financial based corporate risk (RM002 - The potential risk of failure to manage significant reductions in local and national income streams) has been reviewed and refreshed in February 2022 to incorporate the 2022/23 budget and Medium-Term financial strategy 2021 - 2026 being set. Key risk mitigations include amongst others regular (monthly) financial reporting to Cabinet, working to the Medium-Term Financial Strategy and setting robust budgets within available resources.

9.2. Unlike many other parts of the public sector such as the NHS, local authorities are required by law to set a balanced budget. As part of their duties, the Executive Director of Finance and Commercial Services has a responsibility to report to members if it appears to him that the authority will not have sufficient resources to finance its expenditure for the financial year. The Executive Director of Finance and Commercial Services believes a balanced budget will be achieved in 2022-23.

## **10. Select Committee comments**

10.1. None

## **11. Recommendation**

11.1. Recommendations are set out in the introduction to this report.

## **12. Background Papers**

12.1. Summary Equality and rural impact assessment [CMIS > Meetings](#) page 305

## Officer Contact

If you have any questions about matters contained in this paper, please get in touch with:

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# Norfolk County Council Finance Monitoring Report 2022-23

## Appendix 1: 2022-23 Revenue Finance Monitoring Report Month 7

Report by the Executive Director of Finance and Commercial Services

### 1 Introduction

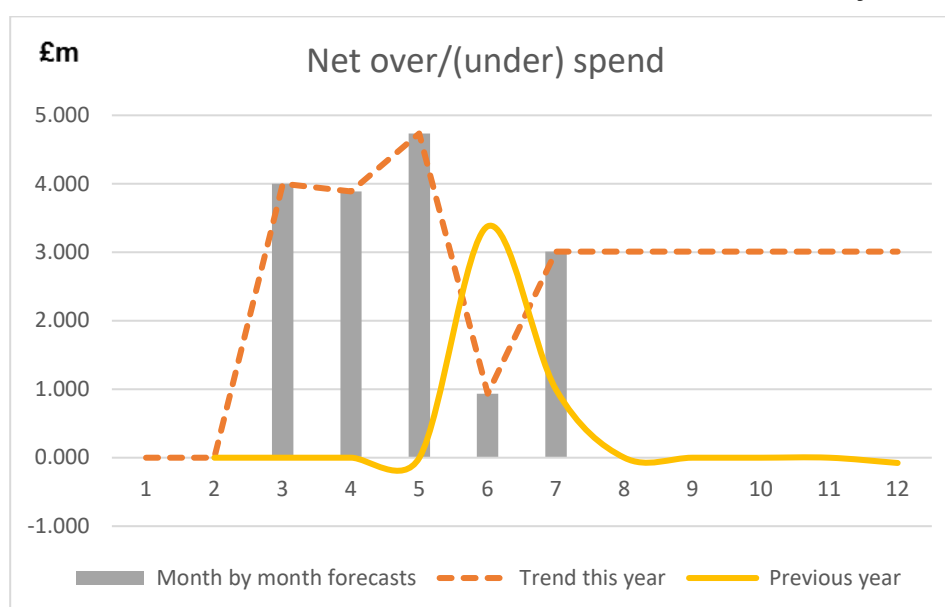
1.1 This report gives details of:

- the P7 monitoring position for the 2022-23 Revenue Budget
- additional financial information relating one-off funding, cost pressures and delivery of savings initiatives
- forecast General Balances and Reserves as at 31 March 2023 and
- other key information relating to the overall financial position of the Council.

### 2 Revenue outturn – over/(under)spends

2.1 At the end of October 2022, a £3.011m overspend is forecast against a net budget of £464.123m.

Chart 1: forecast /actual revenue outturn 2022-23, month by month trend:



2.2 Chief Officers have responsibility for managing their budgets within the amounts approved by County Council. They have been charged with reviewing all their cost centres to ensure that, where an overspend is identified, action is taken to ensure that a balanced budget will be achieved over the course of the year.

2.3 Details of all under and overspends for each service are shown in detail in Revenue Annex 1 to this report, and are summarised in the following table:

**Table 1: 2022-23 forecast (under)/overspends by service**

Service	Revised Budget	Cost Pressures	(Under spends/ Savings)	Earmarked Reserves & Provisions Utilised	Net (under)/ overspend	%	R A G
	£m		£m		£m		
Adult Social Care	264.779	6.060	-1.450	-4.120	0.500	0.2%	A
Children's Services	191.648	19.999	-0.660	-4.860	14.479	7.6%	R
Community and Environmental Services	168.171	8.789	-2.558	-6.231	0	0%	G
Strategy and Transformation	9.096	0.630	-0.455	-0.175	0	0%	G
Governance Department	2.205	0.382	-0.409	0.027	0	0%	G
Finance and Commercial Services	34.080	4.031	-1.114	-1.148	1.769	5%	R
Finance General	(205.855)	0.266	-8.003	-6.000	-13.737	6.7%	G
Total	<b>464.123</b>	<b>40.167</b>	<b>-14.649</b>	<b>-22.507</b>	<b>3.011</b>	0.65%	A

Notes:

- 1) the RAG ratings are subjective and account for the risk and both the relative (%) and absolute (£m) impact of overspends.
- 2) Earmarked reserves and provisions were set aside in 2021-22 in order to meet and fund additional pressures in 2022-23.

2.4 **Children's Services:** The forecast outturn as at Period 7 (end of October 2022) is an overspend position of £14.479m, presuming use of budgeted reserves and (£4.860m) of additional reserves to mitigate the in-year pressures.

2.5 This forecast highlights the pressures within social care placements, c. £12.2m, and home to school transport (particularly for those with special educational needs and disabilities as well as mainstream provision), c. £6m. Since the start of the financial year, Children's Services have been reporting significant financial risk, particularly in relation to demand-led budgets of social care placements and support as well as Home to School transport (particularly for those with special educational needs and disabilities).

2.6 The overall number of children in care and having placements remains broadly level which is a better position than in many local authority areas, but the cost is increasing substantially. This is primarily due to the cohort with the very highest and most complex needs continuing to grow as a proportion of all children looked after; particularly as we have been

- successful with interventions and new models of working to keep children out of care when appropriate to do so.
- 2.7 The budget included the assumption that the overall number of children in care would continue to reduce over the year, but the unforeseen pressures seen means that the benefits of the transformation work and savings delivered have been offset.
- 2.8 Children's Services has clear evidence that the interventions and new models of working are effective and are allowing us to meet the needs of children with complex needs effectively in many cases; in particular, New Roads is proving very successful. Without such transformation interventions, the level of pressure would be significantly higher with prices potentially further inflated due to market forces. However, the cost avoidance and reduction being achieved is counteracted by the volume and complexity of need along with market forces, which is proving to be significantly higher than modelled within the budget, particularly in relation to the number of external residential placements for children and an increase in the unit cost of such placements as well as the packages of support we are creating for children and young people with very challenging needs.
- 2.9 The proportion of children in foster care (whether in-house or independent fostering agency) is lower than budgeted (4% less foster placements than budgeted) due to lower than anticipated placements being available, whilst the proportion of children in external residential care, driven by sufficiency challenges elsewhere in the care market as well as increasing complexity of need, is higher than budgeted (39% more residential placements than budgeted). Additionally, the cost of placements are, on average, significantly exceeding budgeted values, which were based upon 2021-22 averages with estimated inflation. For example, the additional cost of foster placements due to inflated prices is c. £0.9m and the additional costs of semi-independent support for 16–17-year-olds due to complexity, inflation and market pressures is c. £2.1m. With particular regards to external residential care, the additional numbers of placements compared to budget are forecast to cost c. £4.3m extra whilst the additional costs due to complexity, inflation and market pressures is c. £4.4m. This is despite the considerable evidenced impact of New Roads showing a very significant diversion from care for many adolescents who may otherwise have needed to be accommodated in additional residential placements far exceeding current forecasts.
- 2.10 Overall, the key financial drivers the service experiences for social care are consistent with the last financial year. The pandemic continues to have a substantial impact. One area causing significant pressure is the court system and the significant delays that continue to be seen. Such delays are resulting in significant additional costs to NCC (for example, lengthier placements preadoption, additional preparation for court when cases are delayed or postponed, etc.) as well as affecting the outcomes for children.

The department, along with NPLaw, are taking action to mitigate the impact wherever possible.

- 2.11 Additionally, the factors previously identified have not eased off and, in many cases, have continued to increase, with many elements being unpredictable in nature and close review will be maintained of these:
- lack of supply of placements is significantly impacting our ability to purchase the right placements at the right cost.
  - An unhelpfully rigid approach from the regulator (Ofsted) - challenging care settings in a way which makes them unwilling to work with young people with complex needs or drives a demand for very large packages of additional support.
  - the continued worsening of emotional wellbeing and mental health amongst children, young people and parents,
  - A significant rise in 'extra familial harm', including county lines and exploitation of young people.
  - An underlying trend of increasing special educational needs and disabilities, including some children with complex disabilities surviving into later childhood as a result of medical advances.
  - An additional strain on families as a result of the pandemic and hidden harm with families locked down together.
  - The demand-led aspects of placement and transport provision for children with special needs.
  - The shortage in housing available for post-18-year-olds.
  - Ongoing shortages of staff in key professional specialisms
- Furthermore, the cost-of-living crisis is an additional factor that has emerged in recent months, and it is currently unclear what impact this may have upon demand as well as our own workforce.

- 2.12 The Association of Directors of Children's Services (ADCS) have recently published a thematic report on children's mental health<sup>1</sup>. This report resonates with the situation currently seen in Norfolk, in particular:
- Proportion of assessments where mental health is a factor is increasing across early help and social care
  - Emotional disorders, particularly anxiety, depression and eating disorders are also rising, as is self-harm, suicide and suicidal ideation.
  - The wider challenging economic climate and cost of living crisis increases pressure on struggling families and can test emotional resilience; such circumstances are a contributory factor to the emotional wellbeing of children and their families
  - The resources available to meet the current level of demand is not readily available and/or accessible, resulting in waiting lists.
  - Results in bespoke packages of care being purchased that include therapeutic work for children that can't access CAMHS support
  - There has been a reduction in the provision of Tier 4 beds commissioned by NHS England while at the same time demand for such placements has increased. This lack of provision directly impacts

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<sup>1</sup> [ADCS Safeguarding Pressures Phase 8 Interim Report FINAL Nov2022.pdf](#)

authorities as responsibility often falls to children's social care to accommodate the child to ensure the safety and welfare of themselves and of others.

- Waiting lists for interventions are too long and delays can affect other areas of a child's life, such as negatively impacting upon their education and attendance at school.
- This can result in increased and/or escalating needs for children whilst waiting, which respondents felt was unnecessary, or a child being refused a service as they do not meet the clinical criteria with no alternative offer
- Unmet emotional wellbeing and poor mental health needs have a knock-on effect to any other work taking place with professionals to meet other needs a child may have
- More children attending acute emergency settings in crisis, resulting in the child receiving more intrusive crisis care
- Where children do not have their emotional wellbeing and mental health needs met in a timely and effective way, this can often result in costly local authority involvement as families reach crisis point and look to safeguarding services to keep themselves and their children safe
- Family breakdown as parents are unable to cope, resulting in some instances with the child coming into the care of the local authority
- Children's unaddressed poor emotional wellbeing and mental ill-health will, without adequate support, continue into adulthood and ultimately affect life chances

2.13 In addition to the above report, the Eastern Region of ADCS have produced a report on Placement Sufficiency for Young People in Care focusing on the impact of the 2021 Placement Regulations on Placement Costs and Outcomes for children and young people. This identifies that the current situation in respect of both placement costs and availability is unsustainable and calls on the Government to act immediately to mitigate the impact of the regulation change, assess the unfunded financial burden of the regulations and pause the implementation of future changes planned until future financial burdens have been fully assessed. The combination of barriers to new entrants to the market and further restrictions on placement availability caused by the regulation changes has resulted in dramatic cost increases seen across the region, illustrated by the table below:

Placement Type	Average weekly unit cost		% Increase
	2020/21	2021/22	
New registered residential placements made in period	£5,292	£5,828	10%
Cost for all registered residential placements in place	£3,854	£4,604 <sup>2</sup>	19%
New unregulated/unregistered placements for under 16s made in period	£2,287	£7,131	312%
New Semi-Independent Placements for 16- and 17-year-olds	£1,238	£1,566	26%

Both reports exemplify that the challenges being seen are not a Norfolk issue alone.

<sup>2</sup> Average unit cost for all residential placements in 2022/3 to date

- 2.14 As well as these ongoing pressures, the rate of inflation has increased significantly (as seen across the whole Council) since the budget was set. As well as impacting upon external spend for social care placement and support costs, this is also impacting upon a significant number of other areas of spend for Children's Services, in particular, fuel and retention of staff by external providers given alternative employment options with higher rates of pay.
- 2.15 These factors have now led to a significant increase in the overspend on the Home to School Transport budget. Operators are having difficulty recruiting and retaining staff due to rates of pay, and prices have been pushed up due to inflationary factors beyond the control of the provider and the Council. Whilst the most significant area of overspend is for HTST for children and young people with special educational needs and disabilities, the cost pressures are also affecting mainstream and post-16 HTST provision. This forecast is the first since the impact of contract changes relating to the new academic year have been confirmed.
- 2.16 The impact of these inflationary pressures, along with other budget pressures being experienced within Children's Services, will be kept under close review as the year progresses with consideration given to budgetary implications for 2023-24.
- 2.17 Children's Services continues to undertake a substantial transformation programme to both improve outcome for children and young people as well as delivering financial savings. Management action continues to be taken within the department to minimise and, where possible, mitigate the financial risks and pressures faced.
- 2.18 **Adult Social Services:** The forecast outturn forecast this period is a £0.5m overspend. With Adult Social Care (ASC) being a demand led service, the budget to provide it always operates under a degree of uncertainty, especially in the last 24 months. The ASC service is still managing its recovery from the pandemic alongside delivering significant transformation and was planning for the upcoming Social Care Reform. Within its recovery programme there is a significant emphasis on reducing the backlogs that have developed over the past 18+ months. A critical element of the financial position for the department will be the effective management of this work and the financial outcomes that ensue. At present the level of backlogs have not significantly reduced and remain above 3400 cases, and therefore much uncertainty remains in the financial implications of the work to reduce these.
- 2.19 As over 70% of the ASC budget is spent with independent providers, it is only right to acknowledge the financial risk the current economic conditions may place on these care markets. Whilst the Council was able to invest £18m into the market as part of its 2022/23 fee uplift, the continued economic uncertainty may well have a destabilising impact on individual

providers. The price pressure in the economy comes at a time when Central Government have equally stopped some of the provider grants distributed during the pandemic, such as the infection control grant, that has provided over £50m of funding to Norfolk providers in the last 2 years. We are now seeing more providers approaching us indicating financial difficulty and have seen a number of care providers either close or return contracts. Each home closure clearly has implications for the residents impacted, but also typically means any replacement package secured is done so at a cost premium.

- 2.20 The department continues to work with its partners in the Integrated Care System (ICS) to manage system pressures around hospital discharge both from acute hospital and the wider Transforming Care Programme. The ICS itself continues to operate in a challenging financial environment. We have now received additional details relating to the £500m winter discharge funding as part of Governments “Plan for Patients”. NCC will receive £3.482m for the 22/23 winter period. ASC commissioners are working with partners in the ICS to develop plans on how to use this funding in the most impactful way.
  
- 2.21 As described in the saving section of this report, the risks previously raised around our savings programme have now led to us declaring an under-delivery of our 22/23 programme. Our short-term residential placements continue to be high compared to our budget. The health and care system approach to developing intermediate care solutions will be critical to our ability to manage this pressure. Furthermore, our housing programme has fallen slightly behind its original build profile and therefore this has had a knock-on-effect on the revenue savings it facilitates.
  
- 2.22 Both internally to the department, and within the wider care sector, availability of staff continues to be a challenge. Whilst in the interim, internal vacancies will continue to produce staffing underspends, longer term the ability to manage the care budget is predicated on good quality social care, undertaken in a timely way to truly prevent, reduce and delay need. We are now reflecting the additional expected cost of the 22/23 pay award in service budgets. At this period, despite being able to manage down some of this additional pressure, it is not wholly manageable, and a residual overspend is therefore being forecast. As we progress through the winter period we will of course seek to make every effort to fully absorb this additional pressure during the remaining periods of the year.
  
- 2.23 Whilst recognising the uncertainties described above, the level of ASC departmental reserves to manage these risks in the short term remain strong. Longer term, the financial implications of the upcoming reform of Social Care will continue to be unpacked and built into the Medium-Term Financial Strategy (MTFS).
  
- 2.24 **CES:** We are currently forecasting an overall balanced outturn position, however due to a number of factors we are seeing pressure on income budgets particularly with admissions income within the Museums service,

where we are currently forecasting a £1.252m cost pressure, this is in line with the regional and national picture.

- 2.25 The Fire Services forecast includes an assumed 5% pay award which exceeds the budget provision, leading to an overspend of £0.281m.
- 2.26 Included in the Highways forecast is a £1.493m overspend relating to the electricity costs for Street Lighting. This is partially offset by additional highways income.
- 2.27 These forecast pressures are offset by forecast underspends in Growth and Development and Performance and Governance and Highways largely due to the management of vacancies, additional income and the use to of the departmental business risk reserve.
- 2.28 Waste volumes at Recycling Centres and kerbside collections have been highly volatile over the last two years. The Waste volumes for 2022-23 are lower than budget resulting in a £2.584m underspend , enabling CES to fund the cost pressure arising from the pay award in excess of the budget provision. .
- 2.29 **Corporate services:** The Strategy and Transformation and Governance directorates are forecasting a balanced position with usage of reserves. This includes for the extra pressure for the pay award included in this period.
- 2.30 Finance and Commercial Services is forecasting an overspend of £1.769m for this period, due to the rise in inflation, petrol and utilities, which have impacted contracts, especially within Property Services. The delay in implementation of myOracle and the pay award has also contributed to this overspend.
- 2.31 **Finance General:** Finance General forecast for P7 is an underspend of £13.737m. Savings of £0.631m in interest payable on borrowings were secured from last year's borrowing at the low long term PWLB rates and additional interest receivable forecasted of £0.817m, with £6m release of reserves and flexible use of capital receipts is offset by additional COVID cost pressures of £0.266m. Miscellaneous savings in other budgets are offset by various one-off cost pressures makes up the additional £0.208m cost pressures in P7.
- 2.32 The forecasts for each service area assumes a 7% pay inflation uplift for 2022-23 in line with the local government national pay offer. A potential cost pressure of £6.078m relating to pay inflation for 2022-23 has been absorbed by the service areas and mitigated by savings or release of reserves. Further details are given in Appendix 1: Revenue Annex 1.
- 2.33 The forecast also assumes use of £31.125m Covid reserves brought forward from 2021-22 to mitigate Covid related expenditure where appropriate and necessary to maintain a balanced budget

2.34 Further details are given in Appendix 1: Revenue Annex 1.

### 3 Approved budget, changes and variations

3.1 The 2022-23 budget was agreed by Council on 21 February 2022 and is summarised by service in the Council's Budget Book 2022-23 (page 17) as follows:

**Table 2: 2022-23 original and revised net budget by service**

Service	Approved net base budget	Revised budget P7
	£m	£m
Adult Social Care	263.184	264.779
Children's Services	189.065	191.648
Community and Environmental Services	166.162	168.171
Strategy and Transformation	8.759	9.096
Governance Department	1.960	2.205
Finance and Commercial Services	33.424	34.080
Finance General	-198.431	-205.855
<b>Total</b>	<b>464.123</b>	<b>464.123</b>

Note: this table may contain rounding differences.

3.2 The directorate budgets for October 2022 have been updated to reflect the devolved £7.424m pay award budget previously held centrally within Finance General. The Council's net budget for 2022-23 remains unchanged.

### 4 General balances and reserves

#### General balances

4.1 At its meeting on 21 February 2022, the County Council agreed a minimum level of general balances of £23.268m in 2022-23. The balance at 1 April 2022 was **£23.840m** following transfers of £0.077m from non-Covid related savings and Finance General underspends at the end of 2021-22. The forecast for 31 March 2023 is £23.840m, assuming that the Council will achieve a balanced budget by the end of the financial year.

#### Reserves and provisions 2022-23

4.2 The use of reserves anticipated at the time of budget setting was based on reserves balances anticipated in January 2022. Actual balances at the end of March 2022 were higher than planned, mainly as a result of grants being carried forward, including Covid-19 support grants, and reserves use being deferred.

4.3 The 2022-23 budget was approved based on a closing reserves and provisions (excluding DSG reserves) of £144.987m as at 31 March 2022. This, and the latest forecasts are as follows.

**Table 3: Reserves budgets and forecast reserves and provisions**

Reserves and provisions by service	Actual balances 1 April 2022	Increase in March 2022 balances after budget setting	2022-23 Budget book forecast 1 April 2022	Latest forecast balances 31 March 2023
	£m	£m	£m	£m
Adult Social Services	45.909	18.738	27.171	26.994
Children's Services (inc schools, excl LMS/DSG)	17.398	8.881	8.517	11.218
Community and Environmental Services	65.814	13.745	52.069	59.313
Strategy and Transformation	2.466	0.725	1.741	2.464
Governance	2.045	1.073	0.972	2.071
Finance & Commercial Services	3.793	1.234	2.559	2.644
Finance General	56.237	18.950	37.287	32.257
Schools LMS balances	17.888	3.217	14.671	15.182
<b>Reserves and Provisions including LMS</b>	<b>211.550</b>	<b>66.563</b>	<b>144.987</b>	<b>152.143</b>
<b>DSG Reserve (negative)</b>	<b>-53.976</b>	<b>0.348</b>	<b>-54.324</b>	<b>-73.616</b>

4.4 Covid grants and other grants and contributions brought forward as at 31 March 2022 resulted in reserves and provisions being £66.563m higher than had been assumed at the time of budget setting. However, it is assumed that the majority of these reserves will be used for service provision during 2022-23. The latest forecast net total for reserves and provisions at 31 March 2023 has decreased by £54.328m when compared with the opening balance at 1 April 2022 bringing the forecast closer to the budget book outlook.

4.5 **Dedicated Schools Grant (DSG):** The latest forecast DSG Reserve is based on the latest modelling of the Dedicated Schools Grant (DSG) Recovery Plan after the 2021-22 outturn and early data. An in-year deficit of £19.64m is forecast, an increase of c. £1.7m compared to the budgeted deficit. This increase has primarily been caused by additional requests by mainstream schools for funding to support children with high level SEND to remain in their schools, thus avoiding more costly special school provision. This will increase the DSG Reserve to £73.616m by 31 March 2023. The forecast remains stable at period 7 (end of October) and it should be noted that it is early in the academic year and so this remains an early forecast.

4.6 The areas of most significant cost pressure continue to be independent school placements along with post-16 provision and maintained special school placements. These will continue to be kept under close review given the demand-led nature of these budgets.

4.7 These budgets will continue to be kept under close review. Officers have also raised concerns about the imbalance in the market with representatives of the DfE and requested support regarding regulation, to better support the

control of costs and improving the outcomes for children and young people within these placements.

- 4.8 Despite the pandemic, significant work by the NCC, Norfolk Schools Forum and the wider system continues to take place as part of the Children's Services Transformation Programme both to ensure that the right specialist provision is in the right place to meet needs (i.e. the capital investment), whilst also progressing work to transform how the whole system supports additional needs within mainstream provision.
- 4.9 NCC reports the forecast position each term to the Norfolk Schools Forum, in line with DfE expectations and feedback from the Forum continues to be sought.
- 4.10 Sustainable funding for the High Needs Block continues to be pursued and NCC responded to a DfE consultation regarding revising the historical basis for the national funding formula for HNB; this consultation suggested that Norfolk has been under-funded for a number of years and, even if the proposals are implemented, will continue to be under funded due to a capping system. The DSG allocations for 2022-23 included the outcome of this consultation; unfortunately, for Norfolk, the final historical adjustment has been capped at a lower level than the consultation, meaning that level of under-funding for Norfolk continues and is exacerbated.
- 4.11 Norfolk has been investing significant capital monies in the creation of additional specialist places in existing state-funded schools alongside the building of new special schools and specialist resource base provision. Without this investment, the deficit position would have been significantly higher on the basis that the independent sector continues to expand in line with demand. Officers have also fed back to the DfE regarding the vital role that capital investment could play in supporting the recovery of the High Needs Block, to enable placements to move from expensive independent provision into maintained / academy / free special schools. Sufficient capital investment has not been forthcoming from central government for many years and whilst there have been recent announcements of some additional monies, these need to be just the starting point if there is to be sufficient supply of state-funded specialist provision to fully meet the place needs of children with high SEND. Additionally, Officers have fed back that it is key that the funding announced is directed to those authorities where it would deliver the biggest benefit.
- 4.12 Due to the significant deficit that Norfolk continues to experience with the High Needs Block, Norfolk has been invited by the DfE to take part in the 'Safety Valve' programme. Officers have undertaken significant engagement with the DfE and their advisors to develop a multi-year proposal that could take advantage of the potential opportunities offered through the programme for Norfolk to bring the in-year position back to balance whilst also identifying how the deficit can be repaid. A further update will be provided when this is available.

- 4.13 Following significant delay, the outcome of the national major review into support for children with special educational needs following the implementation of the SEND Reform Act 2014 has been published as a Green Paper: [SEND Review: Right Support, Right Place, Right Time](#). The DfE are currently holding a consultation upon the proposals, which the Council will be responding too. If implemented, the proposals could have a significant impact, including financial implications. Further updates will be provided when this is available.

#### 4.14 Provisions included in the table above

The table above includes forecast provisions of £30.320m comprising:

- £10.0m insurance provision,
- £12.914m landfill provision (this provision is not cash backed),
- £4.614m provisions for bad debts,
- £2.681m business rates appeals provision, and
- £0.101m of payroll related provisions.

## 5 On-going Covid-19 financial implications

- 5.1 Whilst the pandemic is officially over, there are on-going impacts on service provision and demand for support from Council services. The council has carried forward £31.125m grant funding received from central government in 2021-22 to mitigate any on-going risks and cost pressures associated with addressing the service needs arising from COVID-19.
- 5.2 Covid-19 funding brought forward is as follows:

**Table 4a: Covid-19 funding**

<b>Funding</b>	<b>Actual 2022-23 £m</b>
<b>Covid reserves brought forward</b>	
Norfolk Assistance Scheme	0.206
Wellbeing for education recovery grant	0.031
Fire Home Office Grant	0.196
Covid-19 Bus Services Support Grant	1.077
Contain Outbreak Management Fund	9.285
Community Testing Funding	1.223
Omicron Support Fund	0.278
COVID-19 MHCLG Grant Tranche 5	18.829
<b>Funding to be carried forward into 2022-23</b>	<b>31.125</b>

### **Cost pressures**

- 5.3 The costs and income pressure relating to Covid-19 vary from the overall Council forecast balanced budget position shown in this report. This is due to non-Covid-19 related actions put in place by Chief Officers to mitigate the financial impacts of the pandemic.

## 6 New / confirmed funding

- 6.1 **Household Support Fund:** On 29 April 2022 the government set out the basis of the extension of the fund to 30 September 2022. On 26 May 2022, the Chancellor announced an extra £421m funding, extending the fund until March 2023. The objective of the fund is to provide support to vulnerable households in most need of help with significantly rising living costs. The indicative funding allocation for 2022-23 is £13.394m. Further guidance for the second half of 2022-23 includes the prioritisation of funding to support households with the cost of energy bills with an emphasis on providing support to the most vulnerable households as soon as possible
- 6.2 **Homes for Ukraine Fund:** The DLUHC provided confirmation on 29 April 2022 of funding of £5.618m for 535 individuals across Norfolk. Since this date the scheme has expanded and is now likely to support c1300 people and attract funding of c£14m. As this funding covers 12 months of costs, a significant proportion of funding will be spent in 2023/24 and the carry forward is now reflected in the Adult Social Care reserve position. This funding will be initially received by Norfolk County Council and dispersed to the local district councils to provide financial support to refugees and their host families
- 6.3 **Adult Social Care Reform Implementation funding:** The Department of Health and Social Care (DHSC) announced on the 15<sup>th</sup> June 2022 £15.5m of national un-ringfenced Section 31 grant towards supporting the preparation of implementing Government's reform of Social Care. For Norfolk, this is £0.097m of one-off funding in 2022/23.
- 6.4 **Winter Adult Social Care Discharge Fund:** The Department of Health and Social Care (DHSC) announced on 16<sup>th</sup> November 2022 a further £500m of which 40% will be distributed to local authorities. Norfolk's share of the fund for 2022-23 is £3.482m. This funding will work alongside £6.963m (60%) of funding the Integrated Care Board (ICB) will receive with both tranches paid and agreed via the governance surrounding the Better Care Fund (BCF).
- 6.5 **Autumn Budget Statement:** The Chancellor of the Exchequer, Jeremy Hunt, announced the Government's Autumn Statement 2022 on 17 November 2022. The Autumn Statement included a number of measures which will have implications for the County Council's 2023-24 Budget setting, and these are now being analysed. However, as always, the full detail of these will not be confirmed until the Department for Levelling Up,

Housing and Communities publishes the Provisional Local Government Finance Settlement, now expected in the week commencing 19 December. The Department has confirmed that it expects to provide some details about the Settlement earlier in December. Announcements at the Autumn Statement which will impact on the 2023-24 Budget included:

- The Government intends to adhere to the overall funding allocations announced in the Spending Review 2021 (up to 2024-25), however in future years public sector spending will be restrained and will “grow more slowly” than the wider economy.
- Confirmation that the planned adult social care charging reforms will be delayed from October 2023 until at least October 2025, but that the funding intended for implementation of reforms will be provided to local authority budgets as planned in order to help address current pressures.
- This will contribute to an additional £2.8bn of funding being made available nationally for social care in 2023-24. This includes £1bn of new grant funding to support the hospital discharge process (£0.6bn via iBCF, £0.4bn direct to councils).
- The additional funding for social care includes additional council tax “flexibility” being provided in 2023-24. The Government has outlined its intention to allow councils to raise council tax by up to 5% next year (3% general and 2% Adult Social Care precept).
- In respect of Business Rates, the Government has confirmed that the 2023 Revaluation will go ahead to update rateable values. Alongside this Government will provide a support package to protect ratepayers facing increase. This will include freezing the Business Rates multipliers for 2023-24, a Transitional Relief scheme, and other reliefs. Local Authorities are expected to be compensated for the cost of these measures.
- Funding provided to address increased employer National Insurance contributions (the Health and Social Care Levy from 2023-24 onwards) are being recovered given that the increase has been cancelled.
- The National Living Wage will increase from £9.50 per hour, to £10.42 per hour from April 2023. This will have a significant impact on the Council cost pressures for 2023-24, particularly in respect of care services.

The Council is now working through the details of these announcements to determine their budgetary impact and these will be fully reflected in the 2023-24 Budget and Medium Term Financial Strategy when they are presented to Cabinet in January 2023 and Full Council in February 2023.

## **7 Budget savings 2022-23 summary**

- 7.1 In setting its 2022-23 Budget, the County Council agreed net savings of £28.434m. Details of all budgeted savings can be found in the 2022-23

Budget Book. A summary of the total savings forecast to be delivered is provided in this section.

7.2 The latest monitoring reflects total forecast savings delivery of £26.134m at year end.

7.3 The forecast savings delivery is anticipated as shown in the table below:

**Table 5: Analysis of 2022-23 savings forecast**

	Adult Social Services	Children's Services	Community and Environmental Services	Strategy and Transformation	Governance	Finance and Commercial Services	Finance General	Total
	£m	£m	£m	£m	£m	£m	£m	£m
Budget savings	10.465	12.088	3.496	0.439	0.200	-0.134	1.880	<b>28.434</b>
Period 7 forecast savings	8.565	12.088	3.496	0.439	0.200	-0.534	1.880	<b>26.134</b>
Savings shortfall (net)	1.900	0.000	0.000	0.000	0.000	0.400	0.000	2.300

### **Commentary on savings risk areas**

7.4 The forecast savings for 2022-23 as at October 2022 is £26.134m against a budgeted savings target of £28.434m. A shortfall of £1.9m has been reported in Adult Social Services, and £0.400m in Finance and Commercial Services with further details in note 7.7 below. Some saving programmes have highlighted risk areas which will need to be kept under review. Any updates to the forecast delivery of savings will be included in future monitoring to Cabinet.

### **Adult Social Services**

7.5 Adult Social Services has a £10.465m savings target comprised of recognising additional benefits from the existing savings initiatives (ASS030), delivering market utilisation efficiencies through contract performance management (ASS031), continued implementation of the Learning Disabilities transformation programme (ASS032) and a strategic refocus of investment in Intermediate Care Services (ASS039).

7.6 We are pleased to report that our major departmental transformation "Connecting Communities", working with our strategic partner, is underway and beginning to shape and pilot new approaches. This programme is working at pace to deliver a new model of care and refocus on early prevention.

7.7 This month, Adults are reporting £8.565m of savings delivery this year against the target of £10.465m. The £1.900m shortfall relates to two areas:

- a) the £0.900m of savings originally expected from the Supported Housing Programme this year has been delayed. This is due to Covid and the current planning issues around nutrient neutrality which has meant that the timing of savings delivery associated with the Programme has been impacted.
- b) Our Norse Care contract has had a multi-year saving target to deliver a wholesale transformation of the offer and ensure it is fit for the future types of demand we expect to face.. A £1m shortfall in savings delivery is expected this year due to the delay to the transformation programme whilst the whole estate is being reviewed. There is expected partial mitigation this year from contract refunds for units out of commission. Short Term Offer (prior year saving) - Our short-term residential placements continue to be at significantly high levels compared to our budget due to the amount of pressure the health and care system are under. The system has begun to shift to a community-based recovery model which will be critical in our ability to manage this pressure in the longer term. However, for this year this continues to be an issue.

There are emerging risks which may mean in future periods some of the other savings will need to have adverse forecasts applied to them.

### **Children's Services**

7.8 Tracking of budget savings within Children's Services shows that, whilst it is currently anticipated that all committed budgeted savings within Children's Services will be delivered in 2022-23, this reflects over-delivery of some schemes, such as New Roads, that compensates for under-delivery of others.

7.9 The department is facing significant pressures as reported in para 2.4 above. These will potentially challenge full delivery of the department's £12.088m savings target primarily derived from early intervention and prevention work (CHS001) and significant transformation work undertaken in 2021-22 (CHS002) and transformation of the care market (CHS003). Management action is being taken to fully understand the implications as well as to take action to mitigate the pressures.

7.10 The forecast continues to assume that savings will be delivered during the remainder of the financial year; significant deviation from these plans could result in an increase to the forecast. Therefore, expected delivery of savings will continue to be kept under close review.

### **Finance and Commercial Services**

- 7.11 FCS014: HR & Finance System replacement project in Finance Exchequer Services - Benefits realisation work is still underway to quantify value of saving from the HR & Finance System replacement, however this £0.400m saving is currently forecast as not delivered in 2022-23.

**2023-24 to 2025-26 savings**

- 7.12 Budget setting in 2022-23 saw the approval of £9.159m savings for 2023-24, £8.200m for 2024-25. The deliverability of these savings, including any 2022-23 savings that are permanently undeliverable, will be considered as part of the budget setting process for 2023-27.

## Revenue Annex 1

### Forecast revenue outturn

#### Revenue outturn by service

The forecast net balanced budget is a result of a range of underlying forecast over and underspends which are listed below.

#### Revenue budget outturn by service – detail

	Revised Budget	Overspend	Under spend	Forecast net spend
		£m	£m	
<b>Adult Social Services</b>				
22-23 Pay Award cost pressure		1.717		
Purchase of Care		2.758		
Commissioning		1.595		
Community Health and Social Care			-0.237	
Community Social Work			-0.284	
Strategy and Transformation			-0.257	
Management, Finance and HR			-0.672	
Use of Business Risk Reserve			-4.120	
<b>Forecast over / (under) spends</b>		<b>6.070</b>	<b>-5.570</b>	
<b>Net total</b>	<b>264.779</b>		<b>0.500</b>	<b>265.279</b>
<b>Children's Services</b>				
22-23 Pay Award cost pressure		1.696		
Social Care		12.607		
Learning and Inclusion		5.696		
Community, Partnerships & Resources			-0.540	
CSLT, Finance and HR			-0.120	
Use of Transport Equalisation Reserve			-2.872	
Use of Business Risk Reserve			-1.988	
<b>Forecast over / (under) spends</b>		<b>19.999</b>	<b>-5.520</b>	
<b>Net total</b>	<b>191.648</b>		<b>14.479</b>	<b>206.127</b>
<b>Community and Environmental Services</b>				
Culture and Heritage		1.252		
22-23 Pay Award Cost Pressure		1.643		
Fire Service		0.281		
Growth and Development		3.634		
Performance and Governance		0.603		
Highways		0.349		
CIL		1.027		
Scottow			-0.106	
Public Health			-2.452	

	Revised Budget	Overspend	Underspend	Forecast net spend
<i>Use of Earmarked and risk reserve</i>			-6.231	
<b>Forecast over / (under) spends</b>		<b>8.789</b>	<b>-8.789</b>	
<b>Net total</b>	<b>168.171</b>		<b>0.000</b>	<b>168.171</b>
<b>Strategy and Transformation</b>				
<i>Reserves additions/(use of)</i>			-0.175	
<i>22-23 Pay Award cost pressure</i>		0.190		
<i>Various over/ (under) spends</i>		0.440	-0.455	
<b>Forecast over / (under) spend</b>		<b>0.630</b>	<b>-0.630</b>	
<b>Net Total</b>	<b>9.096</b>		<b>0</b>	<b>9.096</b>
<b>Governance</b>				
<i>22-23 Pay Award cost pressure</i>		0.179		
<i>Coroners costs</i>		0.170		
<i>Other pressures</i>		0.033		
<i>Net underspends</i>			-0.109	
<i>Elections</i>			-0.300	
<i>Business Risk Reserve</i>		0.027		
<b>Forecast over / (under) spend</b>		<b>0.409</b>	<b>-0.409</b>	
<b>Net Total</b>	<b>2.205</b>		<b>0</b>	<b>2.205</b>
<b>Finance and Commercial Services</b>				
<i>22-23 Pay Award cost pressure</i>		0.661		
<i>Cost pressures</i>		3.370		
<i>Net underspends</i>			-1.114	
<i>Use of Reserves</i>			-1.148	
<b>Forecast over / (under) spend</b>		<b>4.031</b>	<b>-2.262</b>	
<b>Net Total</b>	<b>34.080</b>		<b>1.769</b>	<b>35.849</b>
<b>Finance General</b>				
<i>Minimum Revenue Provision – one off saving due to slippage</i>			-6.763	
<i>Interest on balances –external borrowing taken in 21-22 to secure lower fixed interest rates</i>			-0.631	
<i>Interest receivable</i>			-0.817	
<i>COVID-19 additional costs</i>		0.266		
<i>Miscellaneous other over and under spends</i>			-0.208	
<i>Flexible use of Capital Receipts and Business Risk Reserve</i>			-6.000	
<b>Forecast over / (under) spend</b>		<b>0.266</b>	<b>-14.003</b>	
<b>Net total</b>	<b>-205.855</b>		<b>-13.737</b>	<b>-219.592</b>
<b>TOTAL</b>	<b>464.123</b>			<b>467.134</b>

## Revenue Annex 2 – Dedicated Schools Grant Reserve

<i>Dedicated schools grant</i>	<b>Reserve as at 31 Mar 22</b>	Revised Budget (A)	<b>Budgeted Reserve as at 31 Mar 23</b>	Forecast Spend (B)	(Over) / under spend A-B	Forecast Reserve as at 31 Mar 23
High Needs Block		17.924		-19.640	1.716	
Increase in net deficit to be carried forward		-17.924				
<b>Forecast (over) / under spend</b>				<b>-19.640</b>	<b>1.716</b>	
<b>Net deficit (DSG Reserve)</b>	<b>-53.976</b>		<b>-71.900</b>			<b>-73.616</b>

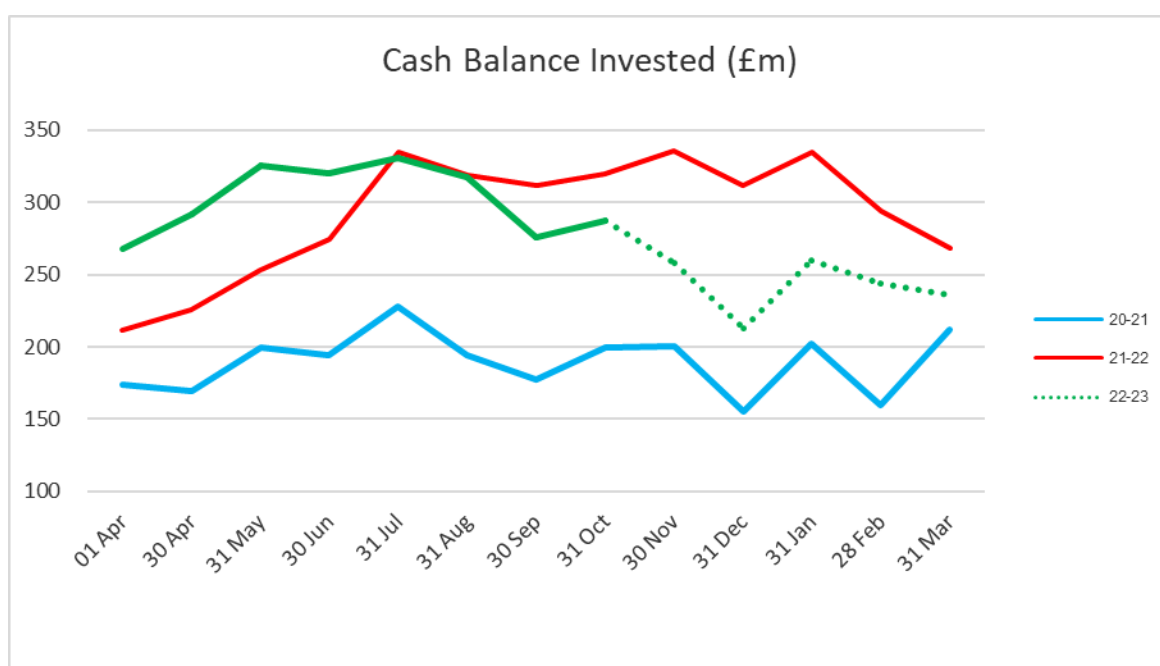
## Norfolk County Council Finance Monitoring Report 2022-23

### Appendix 2: 2022-23 Balance Sheet Finance Monitoring Report Month 7

#### 1 Treasury management summary

- 1.1 The corporate treasury management function ensures the efficient management of all the authority's cash balances. The graph below shows the level of cash balances over the last two financial years to March 2022, and projections to March 2023.

Chart 2: Treasury Cash Balances



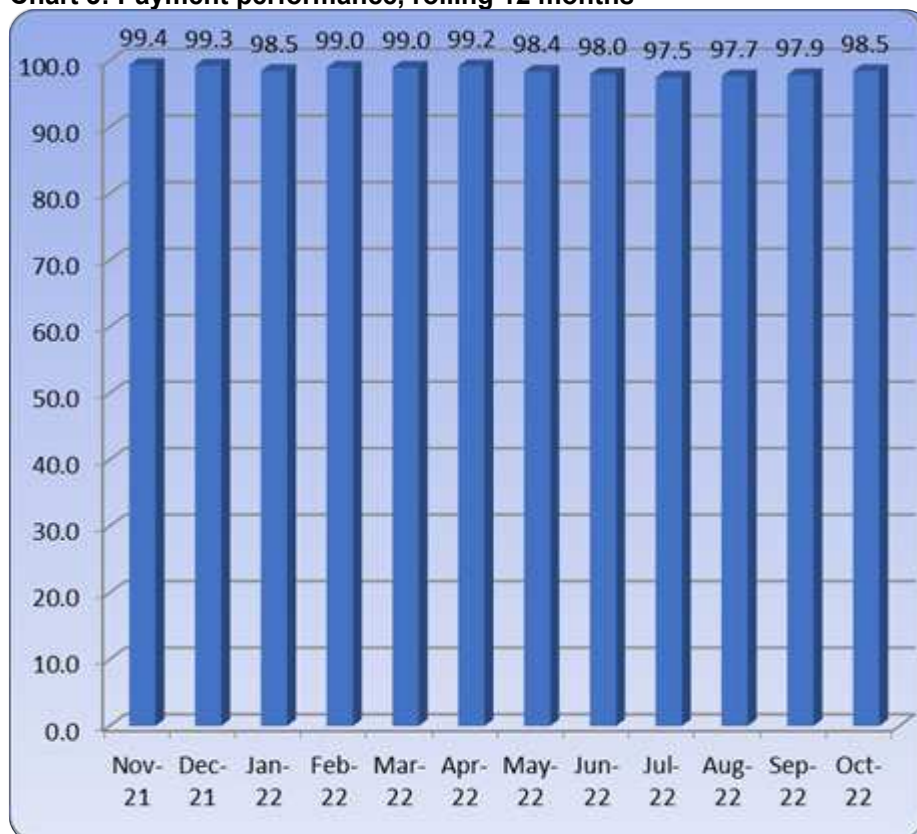
- 1.2 The Council's Treasury Strategy assumes that £80m may be borrowed in 2022-23 to fund capital expenditure in year. The forecast cash flow above assumes that this amount will be borrowed over the course of the financial year, resulting in a closing cash balance of approximately £236.0m. If in order to minimise the cost of carrying unnecessary borrowing, no borrowing was to take place before 31 March 2023, then the projected year-end cash balances will be approximately £156m.
- 1.3 The Council has healthy cash balances for the immediate future with cash balances of £287.160m as at the end of October 2022. The P7 net forecast of Interest receivable from treasury investments held by the Council is £1.398m; which is £0.817m higher than budget.
- 1.4 PWLB and commercial borrowing for capital purposes was £853.046m at the end of October 2022. The associated annual interest payable on existing borrowing is £31.379m.

- 1.5 The forecast interest payable for 2022-23 for P7 is £32.651m, against a budget of £33.042m which represents a saving of £0.391m. This forecast assumes the £80m planned borrowing takes place during the last quarter of the year.

## 2 Payment performance

- 2.1 This chart shows the percentage of invoices that were paid by the authority within 30 days of such invoices being received. Some 470,000 invoices are paid annually. 98.5% were paid on time in October 22 against a target of 98%. This KPI has reverted back to above the target of 98% after a brief dip in the last 3 months, due to a slight backlog of payments following the implementation of the new financial system.

Chart 3: Payment performance, rolling 12 months



Note: The figures include an allowance for disputes/exclusions.

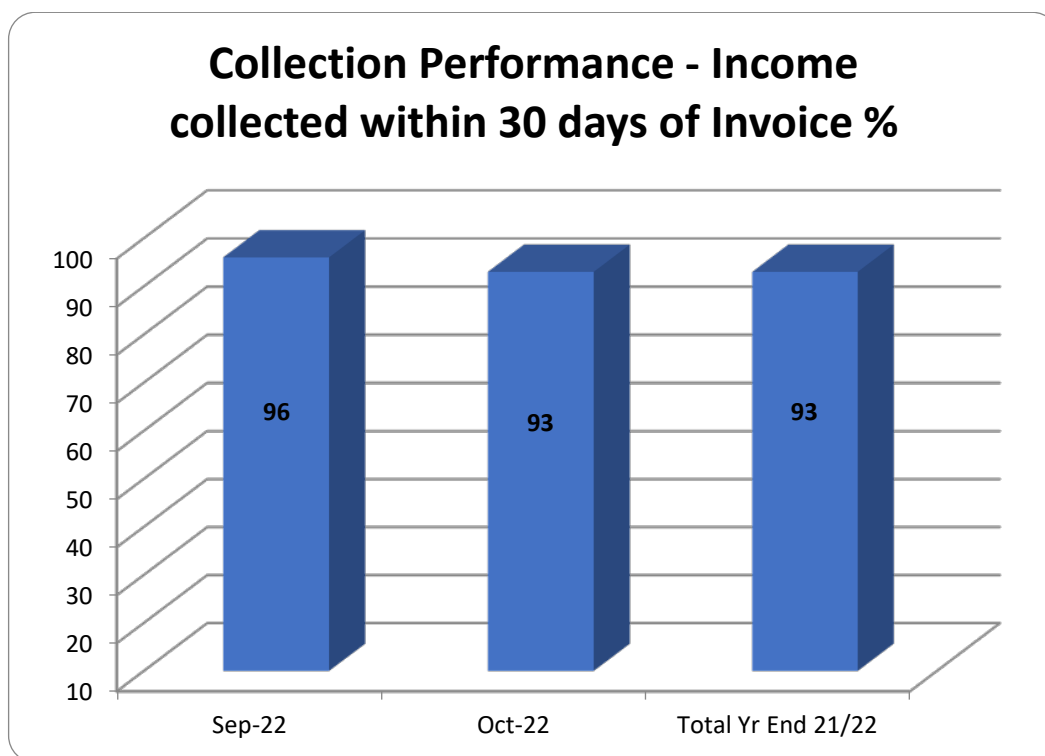
### 3 Debt recovery

- 3.1 **Introduction:** In 2021-22 the County Council raised over 134,900 invoices for statutory and non-statutory services. These invoices totalled in excess of £1.7bn. Through 2021-22 93.4% of all invoiced income was collected within 30 days of issuing an invoice, with 98% collected within 180 days.

#### **Debt collection performance measures – latest available data**

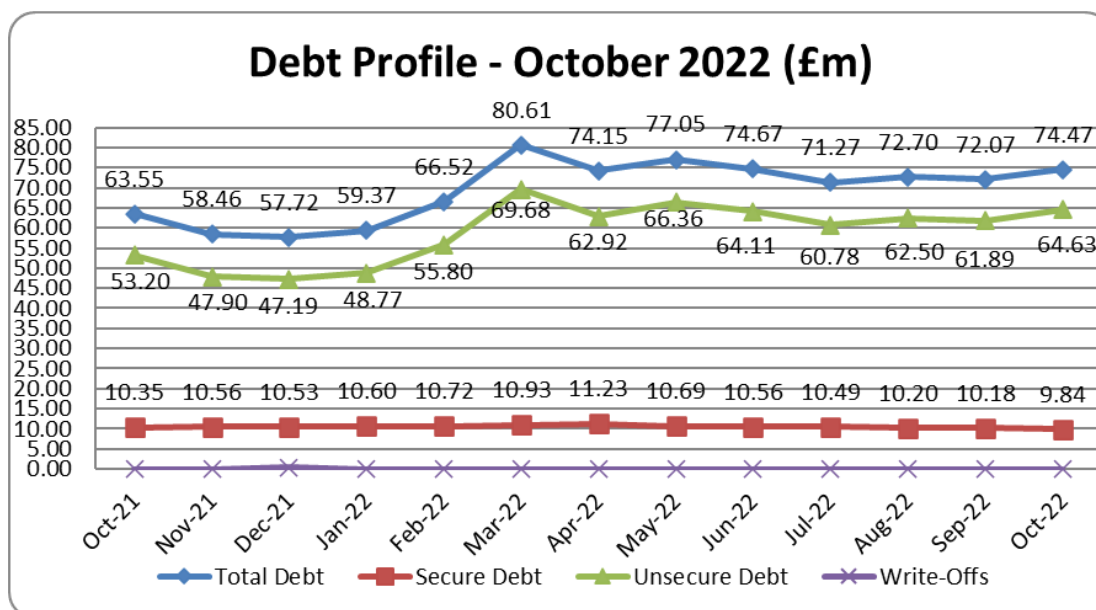
- 3.2 The proportion of invoiced income collected within 30 days for invoices raised in the previous month – measured by value – was 93% in October 22.

**Chart 4: Latest Collection Performance**



- 3.3 The value of outstanding debt is continuously monitored, and recovery procedures are in place to ensure that action is taken to recover all money due to Norfolk County Council. The level of debt is shown in the following graph:

**Chart 5: Debt Profile (Total)**



- 3.4 The overall level of unsecure debt increased by £2.74m in October 2022. Of the £64.63m unsecure debt at the end of October 22; £13.10m is under 30 days, £1.41m has been referred to NPLaw, £1.10m is being paid off by regular instalments and £8.72m is awaiting estate finalisation. The largest area of unsecure debt relates to charges for social care, £49.68m, of which £7.62m is under 30 days and £19.93m is debt with the CCG's for shared care, Better Care Pooled Fund, continuing care and free nursing care. The overall debt with the CCGs has decreased by £0.83m in October 2022.
- 3.5 Secured debts amount to £9.84m at 31<sup>st</sup> October 2022. Within this total £2.93m relates to estate finalisation where the client has died, and the estate is in the hands of the executors.
- 3.6 **Debt write-offs:** In accordance with Financial Regulations and Financial Procedures, Cabinet is required to approve the write-off of debts over £10,000. The Executive Director of Finance and Commercial Services approves the write-off of all debts up to £10,000.
- 3.7 Service departments are responsible for funding their debt write-offs. Before writing off any debt all appropriate credit control procedures are followed.
- 3.8 For the period 1 April 2022 to 30 September 2022, 69 debts less than £10,000 were approved to be written off following approval from the Executive Director of Finance and Commercial Services. These debts totalled £6,723.17.

## Appendix 3: 2022-23 Capital Finance Monitoring Report

### 1 Capital Programme 2022-27

- 1.1 On 21 February 2022, the County Council agreed a 2022-23 capital programme of £247.360m with a further £470.396m allocated to future years', giving a total of £717.756m.
- 1.2 Additional re-profiling from 2021-22 resulted in an overall capital programme at 1 April 2022 of £850.766m. Further in-year adjustments have resulted in the capital programme shown below:

**Table 1: Capital Programme budget**

	<b>2022-23 budget</b>	<b>Future years</b>
	<b>£m</b>	<b>£m</b>
New schemes approved February 2022	26.435	64.292
Previously approved schemes brought forward	220.925	406.104
<b>Totals in 2022-27+ Budget Book (total £717.756m)</b>	<b>247.360</b>	<b>470.396</b>
Schemes re-profiled after budget setting	63.977	7.424
New schemes approved after budget setting including new grants received	7.763	1.700
<b>Revised opening capital programme (total £798.620m)</b>	<b>319.100</b>	<b>479.520</b>
Re-profiling since start of year	-113.464	113.464
Other movements including new grants and approved schemes	118.438	281.057
<b>Total capital programme budgets (total £1198.113)</b>	<b>324.073</b>	<b>874.040</b>

*Note: this table and the tables below contain rounding differences*

- 1.3 The total capital programme budget has increased by £40.826m compared to the budget reported in October to Cabinet (P6 £1,157.287m) due to:
- £38.826m grant funding updates from the Department of Transport for various capital projects, including the West Winch Bypass £3.188m and the NWL £35.596m
  - £2m uplift to the Schools ICT Refresh budget for the rolling programme
- 1.4 The Council continues to review the forecast for capital grant funding for 2022-23 and will adjust the profile of capital expenditure funded from NCC borrowing accordingly to accommodate the grant funded projects in the current year.
- 1.5 The ongoing review of forecasts has resulted in further reprofiling of £4.678m into future years budgets;

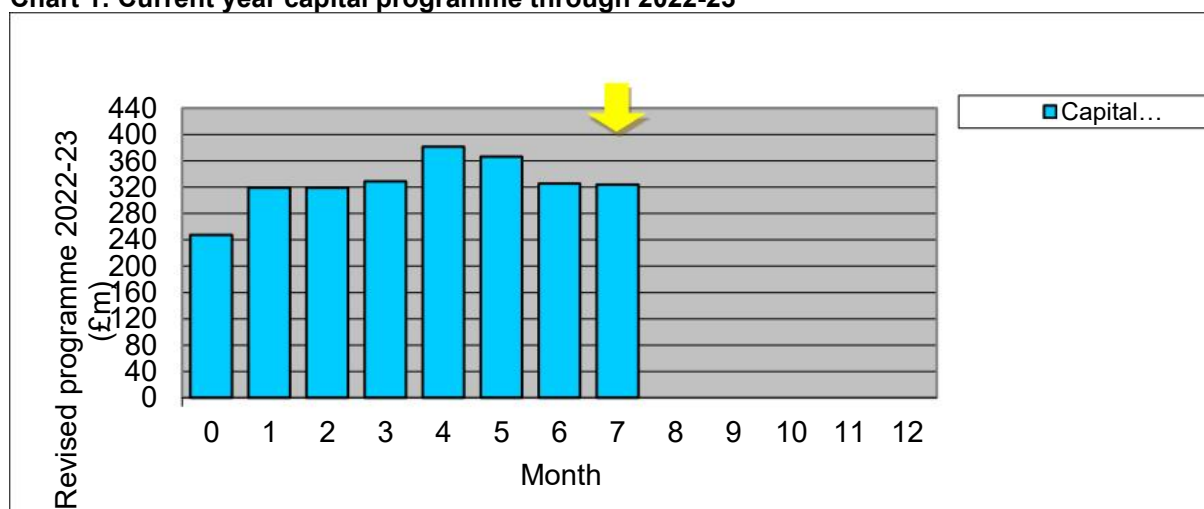
- £4.665m in Children's Services budgets
- £0.012m across the Community and Environmental Services budgets

A full breakdown of these movements in capital budget are available in Capital Annex 1 below.

## Changes to the Capital Programme

- 1.6 The following chart shows changes to the 2022-23 capital programme through the year.

**Chart 1: Current year capital programme through 2022-23**



- 1.7 Month "0" shows the 2022-23 capital programme at the time of budget approval, with schemes reprofiled after budget setting shown in month 1, followed by the most up to date programme. The current year programme will change as additional funding is secured, and when schemes are re-profiled to future years as timing becomes more certain.

1.8 The current year's capital budget is as follows:

**Table 2: Service capital budgets and movements 2022-23**

Service	Opening programme	Changes reported previously	Reprofiling since previous report	Other Changes since previous report	2022-23 latest Capital Budget
	£m	£m	£m	£m	£m
Children's Services	83.850	-32.055	-4.665	0.000	47.130
Adult Social Care	14.232	1.786	0.000	0.000	16.018
Community & Environmental Services	157.149	39.444	-0.012	2.499	199.080
Finance & Commercial Services	63.437	-2.754	0.000	0.731	61.413
Strategy & Governance	0.432	0.000	0.000	0.000	0.432
<b>Total</b>	<b>319.100</b>	<b>6.420</b>	<b>-4.678</b>	<b>3.230</b>	<b>324.073</b>
		<b>325.520</b>		<b>-1.447</b>	

*Note: this table may contain rounding differences.*

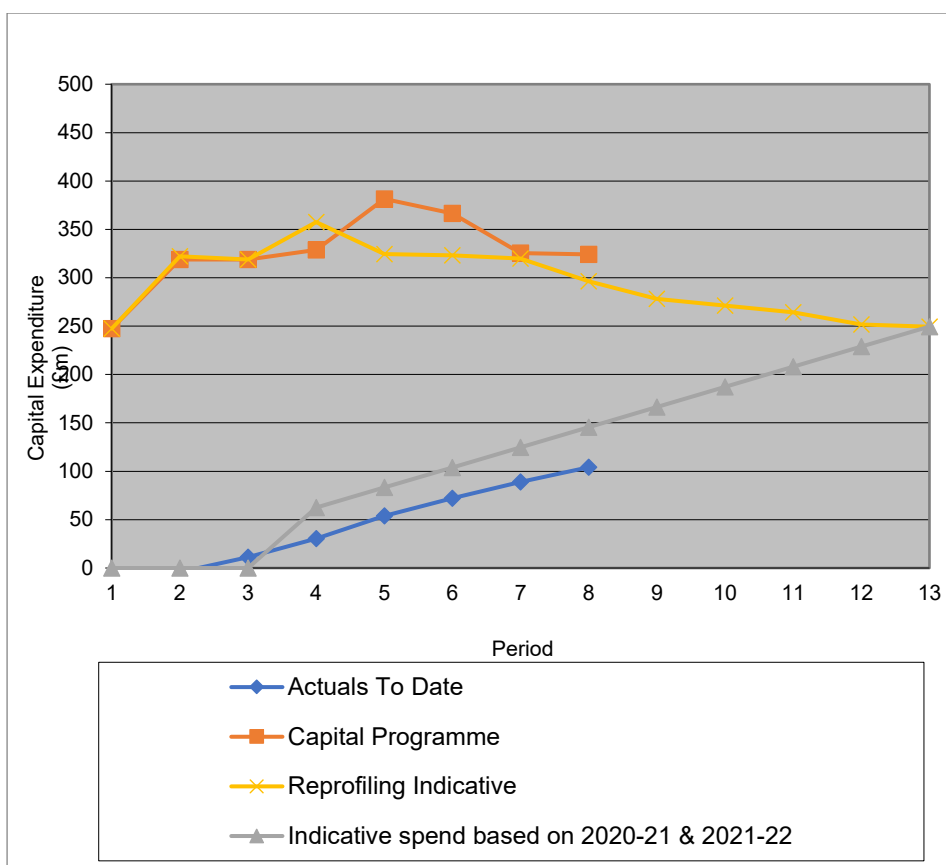
1.9 The revised programme for future years (2023-24 to 2026-27) is as follows:

**Table 3: Capital programme future years 2023+**

Service	Previously reported future programme	Reprofiling since previous report	Other Changes since previous report	2022+ Future Capital Budget
	£m	£m	£m	£m
Children's Services	223.761	4.665	0.000	228.427
Adult Social Care	61.657	0.000	0.000	61.657
Community & Environmental Services	499.912	0.012	35.596	535.521
Finance & Commercial Services	46.436	0.000	2.000	48.436
Strategy & Governance		0.000	0.000	0.000
<b>Total</b>	<b>831.767</b>	<b>4.678</b>	<b>37.596</b>	<b>874.040</b>
			<b>42.273</b>	

*Note: this table contains rounding differences*

1.10 The graph below shows the movement on the current year capital budget and year to date capital expenditure:



The graph shows that actual year to date capital spend is ahead of the opening forecast, which was based on the opening capital programme and an indicative calculation based on previous years' expenditure. It also shows that expected reprofiling of budgets to future years as the progress on projects becomes clearer. As a result, capital expenditure of approximately £249.525m is expected to take place in 2022-23.

- 1.11 Whilst the forecast takes into account the historical tendencies for capital slippage, it does not fully reflect recent inflationary cost pressures in the costs of construction. There have been material increases in the post-COVID cost of construction due to increased demand, higher fuel prices and the impact of the war in Ukraine. These inflationary cost pressures are impacting the following capital schemes:
- Norwich Castle Keep project continues to experience some construction configuration delays leading to potential cost pressures, which could be mitigated by the use of CES Business Risk Reserves.
  - Highways schemes where the use of materials requires large energy inputs in the manufacturing and haulage processes
  - Children's Services Schools building programme
  - Other construction projects including the Great Yarmouth Operations and Maintenance Campus, County Farms and Corporate Property schemes

- 1.12 We continue to forecast between 20% and 25% increase in the cost of construction for various schemes. This is significantly reducing the Council's purchasing power and creating significant challenges for programme management and scheme delivery. The Council will continue to monitor this risk and review the potential pressures on the capital programme and proactively manage the schemes, deferring some schemes where possible to minimise the impact of inflation and continue to deliver the capital programme within the budget available. The impact of cost pressures on the capital programme forecast will be picked up as part of the regular capital monitoring process.

## 2 Financing the capital programme

- 2.1 Funding for the capital programme comes primarily from grants and contributions provided by central government and prudential borrowing. These are supplemented by capital receipts, developer contributions, and contributions from revenue budgets and reserves.

**Table 4: Financing of the capital programme**

<b>Funding stream</b>	<b>2022-23 Programme</b>	<b>Future Years Forecast</b>
	<b>£m</b>	<b>£m</b>
Prudential Borrowing	132.06	369.74
Use of Capital Receipts		
Revenue & Reserves	0.25	-
<i>Grants and Contributions:</i>		
DfE	29.252	81.23
DfT	125.109	379.50
DoH	9.466	-
MHCLG	0.007	-
DCMS		
DEFRA	0.159	-
Developer Contributions	12.455	25.63
Other Local Authorities	3.772	-
Local Enterprise Partnership	3.780	8.23
Community Infrastructure Levy	2.991	4
National Lottery	2.363	3.04
Commercial Contributions	0.465	-
Business rates pool fund		
Other	1.946	3.03
<b>Total capital programme</b>	<b>324.073</b>	<b>874.040</b>

*Note: this table may contain rounding differences*

- 2.2 For the purposes of the table above, it is assumed that all capital receipts will be applied directly to the re-payment of debt and transformation projects, rather than being applied to fund capital expenditure. Any proposals to utilise

capital receipts to fund in-year capital expenditure are recommended to Cabinet for approval (see section 3 below) and will be applied in line with the Council's Minimum Revenue Provision Statement.

- 2.3 Developer contributions are funding held in relation to planning applications. Section 106 (Town and Country Planning Act 1990) contributions are held in relation to specific projects: primarily schools, with smaller amounts for libraries and highways. The majority of highways developer contributions are a result of section 278 agreements (Highways Act 1980).

### 3 Capital Receipts

- 3.1 The Council's property portfolio is constantly reviewed to ensure assets are only held where necessary so that capital receipts or rental income can be generated. This in turn reduces revenue costs of the operational property portfolio.
- 3.2 The capital programme, approved in February 2022, gave the best estimate at that time of the value of properties available for disposal in the four years to 2024-25, totalling £23.4m.

**Table 5a: Disposals capital programme forecast**

Financial Year	Property sales forecast £m
2022-23	8.103
2023-24	14.523
2024-25	0.801
2025-26	0.000
	<b>23.427</b>

The timing of future year sales is the most optimistic case and may slip into future years if sales completions are delayed.

- 3.3 The revised schedule for current year disposals is as follows:

**Table 5b: Capital receipts and forecast use current financial year £m**

Capital receipts 2022-23	£m
Capital receipts reserve brought forward (revised by £0.133m for yearend adjustments on cost of disposals)	5.290
Loan repayments – subsidiaries forecast for year	10.745
Loan repayments – LIF loan repayments to date	6.903
<b>Capital receipts to date</b>	
Capital receipts in year	22.527
Capital Receipts forecasted for asset disposals subject to contract	3.452
<b>Secured capital receipts to date</b>	<b>48.917</b>
Potential current year farms sales	0.000
Potential current year non-farms sales	0.225
Potential development property sales	1.550

<b>Potential capital receipts</b>	<b>1.775</b>
<b>Forecast available capital receipts</b>	<b>50.692</b>
<b>Forecast use of capital receipts</b>	
Maximum flexible use of capital receipts to support transformation costs	1.000
To fund short-life assets – IT and VPE	14.000
Norwich Western Link Reserve	5.061
<b>Total forecast use of capital receipts</b>	<b>20.061</b>

- 3.4 As can be seen from this table, enough capital receipts have been secured to support the use of capital receipts to support transformation costs, short-life capital expenditure and the Norwich Western Link project, previously approved by County Council.
- 3.5 Further sales will contribute to the capital receipts reserve which can be used to reduce the external borrowing requirement, fund debt repayments, flexible use of capital receipts or to directly fund capital expenditure, thereby reducing the Capital Funding Requirement (CFR).
- 3.6 On 10 February 2021, the DLUHC announced that the flexibility granted to local authorities to utilise capital receipts to support transformation costs has been extended for a further 3 years. Table 5b includes £1m earmarked for this in 2022-23 for Adult Social Care.

#### **4 New capital budget proposals**

- 4.1 The £40.826m additions to the capital budget for October 2022 are primarily externally funded and include:
- £38.826m grant funding updates from the Department of Transport for various capital projects, including the West Winch Bypass £3.188m and the NWL £35.596m
  - £2m uplift to the Schools ICT Refresh rolling budget, to be initially underwritten by NCC borrowing before being replaced by Schools contributions in future years
- 4.2 In addition, The Norwich Castle Keep – Royal Palace Reborn project flagged potential cost pressures relating to construction configuration delays (see note 1.11). The monitoring and quality assurance mitigation required to address these issues and future project risks has resulted in a request for a budget uplift of £0.095m, included in Recommendation 1 of this report.
- 4.3 The breakdown of the sources of funding for the additions to capital highlighted in note 4.1 is set out below in Capital Annex 1.

## Capital Annex 1 – changes to the capital programme since last Cabinet

			2022-23	2022-23	23-24+	23-24+	
Service	Project	Funding Type	Change(£m)	REPROFILE	Change(£m)	REPROFILE	Reason for change
<b>Children's Services</b>							
	ECAPAA : SCHOOL BASED PROJECT	NCC Borrowing		- 2.000		2.000	Reprofile
	ECAPDC : VA SCH BASED CAPITAL PROJ	NCC Borrowing		- 0.079		0.079	Reprofile
	ECAPFM : CAPITAL FORMULA	NCC Borrowing		- 0.086		0.086	Reprofile
	ECAPFM : CAPITAL FORMULA	NCC Borrowing		- 2.500		2.500	Reprofile
<b>Total Children's</b>			<b>0.000</b>	<b>-4.665</b>	<b>0.000</b>	<b>4.665</b>	
<b>Community &amp; Environmental Services</b>							
<b>Fire</b>							
CF0387	Thetford FS maintenance	NCC Borrowing	0.140				Budget adjustment with 731k moved to NFRS One Store
CF0463	Fire One Store	NCC Borrowing	- 0.871				Budget adjustment with 731k moved to NFRS One Store
<b>ETD Other</b>	CTS003 : T Stds Robotic Mass Comparator	NCC Borrowing		- 0.135		0.135	Reprofile
<b>Libraries</b>	LL1057 : Replacement Library YAR	NCC Borrowing		- 0.500		0.500	Reprofile
	LL1059 : Libraries - Community Hub Program	NCC Borrowing		- 0.500		0.500	Reprofile
<b>Highways</b>							
PK1002	Western Link Road	DfT Grant			35.596		Budget adjustment/reprofiling for Western link
		NCC Borrowing		0.059	- 0.059		
PKA021	PKA021 : West Winch Bypass - Local Road S	External	3.188				Budget adjustment
		NCC Borrowing		1.100	- 1.100		Reprofiling
PMA202	PMA202 : Strumpshaw, Norwich Road - Dra	NCC Borrowing		- 0.122		0.122	Reprofiling
PGA048	LED replacement	NCC Borrowing		0.086	- 0.086		Reprofiling
	Various	External	0.043				Small budget adj across numerous projects
<b>Total CES</b>			<b>2.499</b>	<b>-0.012</b>	<b>35.596</b>	<b>0.012</b>	
<b>Finance &amp; Commercial Services</b>							
CA2310	NFRS One Store		0.731				
<b>Finance ICT</b>							
	KT2662 : Schools ICT Refresh 23-24 to 26-27	NCC Borrowing			2.000		Borrowing to forward fund schools refresh programme, to be repaid at end of project
<b>Total Finance</b>			<b>0.731</b>	<b>-</b>	<b>2.000</b>	<b>-</b>	
<b>Overall Total</b>		0	<b>3.230</b>	<b>-4.678</b>	<b>37.596</b>	<b>4.678</b>	

