



**Norfolk** County Council  
at your service

## Council

Date: **Monday 28 September 2009**

Time: **10.00am**

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

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

### Prayers

### To Call the Roll

### AGENDA

1. **Minutes**

To confirm the minutes of the meetings of the Council held on (Page )  
20 July 2009.

2. **To receive any announcements from the Chairman**

3. **Members to Declare any Interests**

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

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

4. **Notice of Motion**

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

Notice by Mr D. Cox, seconded by Mr D. Murphy

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

Norfolk County Council therefore resolves to:-

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

5. **Cabinet Recommendations**

Meeting held on 13 July 2009

(Page )

Meeting held on 14 September 2009

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## 6 Reports

### **Cabinet**

|                                   |       |   |
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| Meeting held on 10 August 2009    | (Page | ) |
| Meeting held on 14 September 2009 | (Page | ) |

### **Cabinet Scrutiny Committee**

|                              |       |   |
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| Meeting held on 28 July 2009 | (Page | ) |
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### **Personnel Committee**

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| Meeting held on 14 September 2009 | (Page | ) |
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### **Norfolk Health Overview and Scrutiny Committee**

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| Meeting held on 3 September 2009 | (Page | ) |
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### **Planning (Regulatory) Committee**

|                                   |       |   |
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| Meeting held on 11 September 2009 | (Page | ) |
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### **Overview and Scrutiny Panels**

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| Items considered by Panels (for information only) | (Page | ) |
|---|-------|---|

### **Norwich Highways Agency Joint Committee**

|                              |       |   |
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| Meeting held on 23 July 2009 | (Page | ) |
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## 7. Appointments to Committees etc (Standing Item)

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

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

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

## 8. To answer Questions under Rule 8.2 of the Council Procedure Rules

Chris Walton  
Head of Democratic Services  
County Hall  
Martineau Lane  
Norwich  
NR1 2DH

Date Agenda Published: 18 September 2009

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Norfolk County Council

## **SUPPLEMENTARY AGENDA**

Monday 28 September, 2009 at 10.00 a.m

Council Chamber, County Hall, Norwich

### **Item 6 - Reports**

[Cabinet meeting held on 27 July 2009](#)

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Chris Walton  
Head of Democratic Services

County Hall,  
Martineau Lane,  
Norwich,  
NR1 2DH.

24 September 2009

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**Norfolk County Council**  
**Minutes of the Meeting Held on 20 July 2009**

**Present:** Mrs S C Gurney in the Chair

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

**Total present: 72**

**Also Present:** - Mrs J Middleton, Standards Committee Chairman

## **Apologies:**

Apologies for absence were received from Mr A J Byrne, Miss C Casimir, Mr N D Dixon, Mr D Harwood, Mr M Hemsley, Mr W J Nunn, Mrs C M Walker and Mr R Wright.

### **1. Minutes of the previous meeting**

- 1.1 The minutes of the meeting held on 15 June 2009 were confirmed as a correct record and signed by the Chairman, subject to the following amendments:

#### **Member attendance**

Amend to read 'Mrs A M Thomas'.

#### **Cabinet Recommendations, 5 May 2009, paragraph 11: 2008-09 Finance Monitoring Report, paragraph 1**

Include the following which was omitted from the minutes:

"Mr Morse asked how much capital and interest had been lost in respect of the £32.5m that the Council had invested in the Icelandic Banks. In response, Mr Williams said that although it was expected that 90% of the money would be recovered, £1.7m had been written off in terms of interest and full details would be reported to the Treasury Management Panel."

### **1.2 Building Schools for the future, paragraph 8**

With reference to the composition of the BSF Project Board, Dr Boswell requested that Mr Cox provide recommendations to the Group Leaders, as noted in the minutes.

## **2. Chairman's Announcements**

The Chairman advised Members that a Powerpoint presentation was available in the Members' room which showed the recent engagements she had attended, including photographs of those ex-Councillors who had received long service awards.

Since the last Council meeting, the Chairman said she had hosted the following events:

- Raising of the Armed Forces Flag at County Hall to herald the start of the Armed Forces week.
- Headteachers Long Service Retirement Reception
- Armed Forces Day Presentation Ceremony and Reception with the Lord Lieutenant
- Reception for retiring Councillors and presentation of Long Service Awards to:
  - Heather Bolt (24 years service)
  - Thelma Paines (24 years service)
  - Patrick Hacon (24 years service)
  - Ingrid Floering Blackman (20 years service)
  - Graham Hemming (20 years service)
  - John Holmes (20 years service)
  - Cath Ward (18 years service)
  - John Baskerville (16 years service)

- Chris Mowle (16 years service)

Barbara Hacker (16 years service) was unable to attend the reception but the Chairman intended to present the long service award to Mrs Hacker personally.

The Chairman had also attended the following events:

- Norwich City Annual Civil Service
- Norwich YMCA, where the Chairman was introduced to Prince Philip
- Wymondham College Speech Day
- Launch of the Genome Analysis Centre at the John Innes Centre
- Two days at the Royal Norfolk Show including events such as the Judges and Stewards Dinner, the launch of Singing Histories and the launch of Money Matters, an event hosted by Sir Nicholas Bacon
- Civic Service at the Church of St Peter and St Paul in Swaffham
- High Sheriff of Norfolk's Annual Reception
- Lord Mayor's Procession in Norwich
- Wensum River Parkway Launch
- Costessey High School for presentation of cups and prizes

### **3. Declarations of Interest**

The following Members declared interests concerning the Report of the Cabinet Meeting held on 13 July 2009:

Paragraph 2.3 – Flood Sirens:

Dr M Strong, personal interest as an unpaid volunteer senior flood warden for Wells, an unpaid volunteer joint co-ordinator for Wells Flood Plan and an unpaid volunteer representing North Norfolk Senior Flood Wardens on the NRF (Norfolk Resilience Forum) Voluntary Sector

Mr P K Rice, personal interest as he lives in a flood risk area and is employed by Norfolk Constabulary

Mr R C Rockcliffe, personal interest as his family owns a property in a flood risk area

Mr S Dorrington, personal interest as he owns a caravan in a flood risk area

Mr R C Hanton, personal interest as a member of Norfolk Constabulary

Mr J H Perry-Warnes, personal interest as a member of the Norfolk Police Authority

Mr H Humphrey declared that he might have a personal interest as a member of the Norfolk Police Authority

Mr A D Tomkinson, personal interest as a member of the Norfolk Police Authority

Mr B J Hannah, personal interest as a member of the Norfolk Police Authority

Mr P Wells, personal interest as a member of the Norfolk Police Authority

Mrs J Mickleburgh, personal interest as a Ward Member in an area at risk of flooding

Mr J R Shrimplin, personal interest as a Ward Member in an area at risk of flooding



Paragraph 5, Norse Group Annual Report 2008-09:

Mr A Williams, personal interest as a Director of NEWS Ltd (Norse Group) Board

Mr J R Herbert, personal interest as a substitute Director and Shareholder representative of NEWS Ltd (Norse Group) Board

Paragraph 11, Procurement of Phase One of the Residual Waste Treatment Project – Contract A:

Dr A P Boswell, personal interest as member of the Waste Project Board

Mr J Joyce, personal interest as member of the Waste Project Board

Mr A Williams, prejudicial interest as a Director of NEWS Ltd (Norse Group) Board

Mr J R Herbert, personal interest as a substitute Director and Shareholder representative of NEWS Ltd (Norse Group) Board

Mr D Cox, declared a personal interest in the Report of the Cabinet meeting held on 23 June 2009, paragraph 5, Earlham High School: Outcome of Public Notice Procedure, as a Governor of City College Norwich

#### **4. Cabinet Recommendations – 23 June 2009**

Mr Cox moved the recommendations from the Cabinet.

##### **RESOLVED:**

To approve the changes to the Financial Regulations, as set out in the Cabinet report.

#### **5. Cabinet Recommendations – 13 July 2009**

Mr Cox moved the recommendations from the Cabinet.

##### **RESOLVED:**

To approve the Treasury Management 2008-09 Annual Report.

#### **6. Report of the Cabinet Meeting held on 23 June 2009**

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

##### **Public Questions, paragraph 1**

Mr Morse said that the response to Mr Martin's question concerning the proposal to publish details of the Register of Members Interests and Gifts and Hospitality on the Norfolk County Council website read as if this was a Conservative only initiative but the Liberal Democrat Group had supported this initiative throughout their campaign. Dr Boswell said that the Green Group had also supported this initiative.

Mr Callaby asked whether the publication of Chief Officers' allowance claims would include salaries as well as expenses. In response, Mr Cox said that Chief Officers' salaries were already published in the annual accounts.

### **Integrated Performance and finance Monitoring Report – Year End 2008/09, paragraph 3**

Dr Boswell said that an analysis of sickness absence within the authority should be approached in a holistic way and stress reduction methods should also be taken into consideration. Mr Williams, Cabinet Member for Corporate and Commercial Services, said that the Cabinet was concerned about the overall levels of sickness and it may be that there were a few long term absences due to sickness that skew the levels and therefore the Corporate Affairs Overview & Scrutiny Panel had been asked to consider a detailed analysis of sickness absence.

### **Earlham High School: outcome of Public Notice Procedure, paragraph 5**

Mr Scutter asked, in the light of the events at the Heartsease Academy would the administration ensure that it would use its member on the Governing Body, whom he believed was Mr Fred Corbett, and their position as sponsor at Earlham, to ensure that personnel policies followed by the new academies were ones the authority could be proud of.

Mrs Hutson, Cabinet Member for Children's Services confirmed that Norfolk County Council's appointed member on the Heartsease Academy Board was Mr Fred Corbett, Deputy Director of Children's Services.

Mr Little said that as part of Norwich City College's bid for the establishment of an academy at Earlham, they pledged that the 'community' would be 'at the heart of Academy proposals'. He asked whether Members could be assured that the Council would play its part in ensuring a high level of community consultation in the Academy's continuing formation.

Mr Bremner offered his congratulations to the Council for the consultations held concerning the Earlham Academy and asked that future consultations also include local residents.

Mrs Hutson, Cabinet Member for Children's Services confirmed that there had been a great deal of community consultation about the Earlham Academy.

### **Thetford Forum: funding Issues, paragraph 6**

Mr Brindle offered his congratulations on the Council's commitment to the Thetford Forum. However, he asked that careful consideration be given to the siting of the new college to ensure access to the river frontage.

In response, Mr Cox said that this came under the remit of the Moving Thetford Forward (MTF) Body and it would be for MTF to consider this issue.

## **7. Report of the Cabinet Meeting held on 13 July 2009**

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

### **Local Member Issues/Member Questions, paragraph 2.2**

Mr Scutter noted that the greatest vacancy position for frontline social workers in the last financial year had been 60% from April to August 2008 and as this level of vacant posts was not acceptable, he asked that the staffing levels in the Children's Services Central Area be looked at again.

In response, Mrs Hutson said that whilst it had been recognised that a 60% vacancy position between April and August was unacceptable, the authority had been unable to recruit additional social workers during that period, however, no children had been put at risk.

### **Local Member Issues/Member Questions, paragraph 2.3**

Mr Morse asked why the views of local people concerning the issue of the flood sirens had not been taken into account. Walcott, which is part of Mr Morse's Division, was flooded in a sea surge in 2007; the Flood Wardens had found it difficult to evacuate residents because the sirens had not sounded. Also, residents did not trust the reliability of the Environment Agency's Floodline Warning Direct. Confidence in the Environment Agency had further diminished when they installed a buoy at Walcott to gather data which was subsequently swept away.

Mr Rice said that he had received fifty emails concerning the removal of the flood siren system and he asked why the administration were not listening to local people or liaising with the Police Authority and Environment Agency concerning this issue.

Mr Humphrey, Cabinet Member for Fire and Community Protection informed Mr Morse and Mr Rice that the concerns of the public had been considered by a Cross-Party Working Group and the views expressed had been conveyed to the Environment Agency and the Police Authority. The Environment Agency accepted that things had gone wrong in Walcott due to the high winds but lessons had been learned.

Mr Hannah asked whether Cabinet would take into consideration the proposal to use Community Engagement fund to keep the flood sirens in operation. He said that if flood sirens were lost then this could lead to flood volunteers stepping down.

In response, Mr Humphrey said that the Fire and Community Overview & Scrutiny Panel had proposed that the released sirens budget be used to promote community awareness.

Dr Strong asked what the administration had done in its fight against the Environment Agency and Police.

In response, Mr Humphrey said that the County Council had tried for two years to get the Environment Agency and Police to consider the sirens. The Manifesto was written early in the year when it had appeared that the Environment Agency had indicated a softening of their attitude. The Norfolk MPs were also at that time trying to influence the Environment Agency and the Police. They had not been successful. A letter from the Environment Agency received in May restated their opposition to the use of sirens. The Fire and Community Overview & Scrutiny Panel had made recommendations at its meeting on 14 July and these would be considered by Cabinet at a special meeting on Monday 27 July.

Mr Callaby asked why Council Officers had not researched costings to replace the existing flood sirens because he said the Environment Agency flood line system has not been proven to work.

In response, Mr Humphrey said that if the Police and the Environment Agency refuse to use the siren system there would be no point in replacing the sirens. The Environment Agency had been made aware of the lack of confidence in their warning system.

### **Local Member Issues/Member Questions, paragraph 2.4**

Mr Nobbs said that it was disappointing that the motion from Mr Nunn concerning the Local Government Review (LGR) had been withdrawn because the extra Council meeting that had been called would have been the only chance for many elected Members to voice their opinions.

In response, Mr Cox said that two Special Council meetings were held last year to discuss the LGR and concluded with the motion passed by the Special Council meeting in September being endorsed by Cabinet.

Mr Morse asked whether the Council had taken any external legal advice prior to abandoning the additional Council meeting and he voiced concern that the costs involved would have to be paid by Norfolk Council tax payers.

In response, the Chairman advised that Members have the right to withdraw any motion they put forward. Mr Cox said that this was the cost of democracy. The cost to the Council in terms of legal advice had been £1200.

### **Overview and Scrutiny Panel Issues, paragraph 3**

Mr Jones asked whether the Norse Group would have to sell assets or be forced into liquidation as a consequence of Contract A being abandoned and further, would there be a cost to joint partnerships.

In response, Mr Williams said that the Norse Group was an arms length company and further financial information would be commercially sensitive.

### **State of the Economy – Update, paragraph 4**

Mrs Clarke said that the County Council had earmarked an earlier capital spend and she asked how much of this spend would be on work carried out by the Norse Group.

Mr Williams said he was not aware whether any of this work would be carried out by the Norse Group but he would provide Mrs Clarke with a written response.

### **Child Poverty: Response to Cabinet Scrutiny, paragraph 8**

Mr Scutter asked the Leader to reconsider the appointment of the Cabinet Member for Children's Services as Member Champion for Child Poverty because he said that part of the role of the Member Champion was to challenge the authority.

In response, Mr Cox acknowledged that there may be a potential for conflicts to arise but on balance, there was no one better placed than Mrs Hutson to take on the role of Member Champion for Child Poverty.

### **Procurement of Phase One of the Residual Waste Treatment Project – Contract A, paragraph 11**

Mr East said he was deeply disappointed that the County Council had terminated Contract A on cost grounds and he asked Mr Monson, the Cabinet Member for Waste and Environment to respond to the following questions:

- (i) Would Mr Monson not agree that the decision to terminate Contract A was taken with undue haste, before considering the consequences and/or implications of the limited alternative measures for the interim period between 2011 and 2015?

Mr Monson said that the decision had been given very careful consideration.

- (ii) Would Mr Monson not agree that Norfolk needs to be self-sufficient in waste management?

Mr Monson said that Norfolk needs to be self sufficient in the longer term and he was confident it would be. Precautionary measures had been taken to purchase space in neighbouring areas for the short term.

- (iii) Does Mr Monson believe that transporting Norfolk's waste over great distances such as to the Fibrefuel Incinerator at Slough was in any way wholly sustainable?

Mr Monson said that the Council does not believe that transporting waste over long distances was acceptable and therefore does not do so.

- (iv) To explain how the two-pronged approach of incineration and the transport of waste would succeed between now and 2015 and how this approach would accommodate 130,000 tons of biodegradable municipal waste disposals between 2011 and 2015.

Mr Monson said that during this period smaller scale schemes would allow the authority to handle waste locally and it is hoped that various local businesses with ideas on how to handle this waste would be enabled to do so.

- (v) To confirm that there has never been a substitute waste strategy in place in the event of the failure of Contract A until Contract B comes on stream in 2015.

Mr Monson said that the Council already has a robust Waste Strategy in place and, with the back-up Strategy Plan, the authority could overcome short term difficulties.

- (vi) Does Mr Monson agree that this saga smacks of crisis management and indicates a total lack of strategic thinking in waste management?

Mr Monson said that the Project Board had considered this very carefully and there had been no mismanagement. It is expected that Contract B would go ahead and every effort would be made to make it work.

Dr Boswell asked Mr Monson the following questions:

- (i) Had incineration been ruled out?

Mr Monson advised that incineration had not been ruled out. Contract B was planned to come on stream in 2015 when the best bid would be chosen. An extensive evaluation would be undertaken and if energy and waste was chosen, it would be because of the cost effectiveness. However, careful consideration would also be given to environmental issues. The authority does not intend to send waste for incineration out of County.

- (ii) Would the financial plan to bridge the gap between now and 2015 be shown to councillors and when would a robust financial plan be put in place?

Mr Monson advised that the costs would be made very clear and visible to all concerned and any decisions taken concerning the disposal of waste would only be agreed if it was cheaper than paying landfill costs and fines. Mr Monson said that he would respond in writing concerning the financial plan.

- (iii) Would a waste reclamation park be included as part of the bridging strategy?

Mr Monson said that a range of options would be considered, including waste reclamation.

**8. Report of the Cabinet Scrutiny Committee Meeting held on 7 July 2009**

**RESOLVED:** to note the report.

**9. Report of the Standards Committee Meeting held on 2 July 2009**

Mrs Middleton, Chairman of the Standards Committee, moved the report and invited questions.

**Consideration of a Request from Members for a Dispensation, paragraph 1**

Mr Nobbs said that councillors who are members of the Standards Committee had been deemed to have conflicts of interest and had been excluded from the Standards Committee meeting where the decision had been taken to grant dispensation to allow Council to debate Mr Nunn's motion. Further, he said that the Head of Law had advised him that all 84 councillors had conflicts of interest with regard to the Local Government Review and therefore he queried how any decision could be reached because if the whole Council is not allowed to vote on this decision for Norfolk, then he queried how the Cabinet could make a decision. He suggested that Mrs Middleton should ask the Standards Committee to look at this issue.

Mrs Middleton confirmed that this had been a unique situation because it involved all councillors including those who were members of the Cabinet. The Standards Board for England had advised that this was an unconsidered point in the drafting of the Act. Further, the Chairman said that some issues raised by Mr Nobbs were constitutional issues, not Standards Committee issues.

Mr Nobbs asked whether any pressure had been brought to bear on anyone to withdraw this motion.

Mrs Middleton advised this would not be a Standards Committee matter unless it was reported as such.

Mr Bearman questioned the lack of content contained with the Standards Committee report and he said that, in the interest of local democracy, this decision should have been reported to the Council in full.

In response, the Chairman advised that the minutes of the meeting would be presented in full at the next meeting of the Standards Committee but that all draft minutes are also published on the committee pages of the Council website once they have been cleared by the relevant committee Chairman.

Mr Morse asked whether the Standards Committee would be able to respond to a written question about how much time and costs had been involved for the Committee Members.

Mrs Middleton agreed she would be able to do to this.

Mr Jones asked whether Mrs Middleton accepted that the Standards Committee has a duty to be independent and he queried whether a precedent had been set in granting this dispensation.

In response, Mrs Middleton said that the Standards Committee had a duty of independence and the independent members of the Committee had come to an independent decision that the dispensation be granted.

**RESOLVED:** to note the report.

**10. Report of the Audit Committee Meeting held on 29 June 2009**

Mr Smith, Chairman of the Audit Committee moved the report and invited questions.

**Risk Management, paragraph 8**

Mr Little advised that the risk of climate change was not included on the risk register and asked if Members could be assured that this would be included as part of the Council's risk register.

In response, Mr Smith said that Risk Management would be discussed at the Corporate Affairs Overview and Scrutiny Panel meeting on 22 July and this matter would be raised.

Mr Jones asked that anyone appointed to the role of Member Risk Champion should be independent and that full training should be provided to them.

In response, Mr Smith said that this appointment had been deferred so that careful consideration would be given to the champion role prior to making a decision on the appointment of Member Risk Champion. Mr Smith also said that there would be a training session on risk management.

**RESOLVED:** to note the report.

**11. Report of the Personnel Committee Meeting held on 22 June 2009**

Mr Morse commented he was fully supportive of the approach chosen, as detailed in the report.

**RESOLVED:** to note the report.

**12. Report of the Norfolk Health Overview and Scrutiny Committee Meeting held on 9 July 2009**

**RESOLVED:** to note the report.

**15. Report of the Planning (Regulatory) Committee Meeting held on 3 July 2009**

**RESOLVED:** to note the report.

**13. Report of the Joint Museums Committee Meeting held on 26 June 2009**

**RESOLVED:** to note the report.

**14. Report of the Norfolk Records Committee Meeting held on 26 June 2009**

**RESOLVED:** to note the report.

**15. Report of the Norwich Highways Agency Joint Committee Meeting held on 25 June 2009**

Mr Adams, Chairman of the Norwich Highways Agency Joint Committee moved the report and invited questions.

**Blue Badge Charges at Off-Street Surface Car Parks, paragraph 3**

Mr East asked why it had not been deemed appropriate to canvass the opinion of a wider audience and adjoining local authorities, before introducing the revised blue badge fees and charges. Further, Mr East said that having studied the Impact Assessment which was a pre-requisite under the DDA and Equalities Act he believed the decision made was open to challenge.

In response, Mr Adams said that there had not been a great deal of consultation because charges for blue badge holders already existed and this agreement had simply been a revision of the existing charges for City Centre car parks. Mr Adams could not comment on how Norwich City Council engages the public in consultations.

Mr Bremner said that the County Council had a responsibility to disabled people to question the availability of disabled parking provision in Norwich.

In response, Mr Adams said that there were four voting members on the Norwich Highways Agency Committee and whilst he noted Mr East's concerns he advised that there was a Liberal Democrat member on the Norwich Highways Agency Committee with whom Mr East could have raised his concerns, prior to the decision being taken. However, Mr Adams agreed to pass on members' concerns.

**RESOLVED:** to note the report.

**16. Appointments to Committees/Panels for the Ensuing Year**

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

- Mr J Herbert to the vacancy on the Personnel Committee
- Mr M Wilby and Mr M Kiddle-Morris to replace Mr B Borrett and Mr A Proctor on the Cabinet Scrutiny Committee
- Mr A Wright to replace Mr J Ward on the Planning (Regulatory) Committee
- Miss S Casimir, Mr T Garrod, Mr C Jordan, Mr A Tomkinson and Mr P Wells to the Panel of Substitutes for Regulatory Committee

**RESOLVED:** to note the report.

The meeting concluded at 11.50am.

**CHAIRMAN**





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**RECOMMENDATION FROM THE CABINET MEETING  
HELD ON 13 JULY 2009**

**1. Norfolk Children and Young People's Plan 2009-2011**

1.1 The Cabinet received a report (Item 12), which presented the second Children and Young People's Plan (2009-2011) for the Cabinet's approval.

1.2 The Cabinet **RESOLVED TO RECOMMEND TO COUNCIL**

That the Children and Young People's Plan 2009-2011 should be approved.

**Note by Head of Democratic Services**

**Members of the Cabinet and the Children's Services Overview and Scrutiny Panel have received a copy of the Plan previously and are asked to bring it to the meeting. For all other Members, a copy of the Plan is enclosed. Some corrections have been made to the Plan and a list of these is appended to this report.**



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## **Children and Young People's Plan 2009-2011**

### **Corrections**

Page 7

'Children in Norfolk schools replace with 109,659'

'Number of children receiving School Action replace with 14,201'

Page 139

NI 43 replace result 08/09 with '4.7%'

NI 44 replace result 08/09 with '-0.43%'

Page 140

NI 46 replace result 08/09 with '96.9%'

Page 145

Glossary

Learning and Skills Council replace definition with

'LSCs are responsible for planning and funding vocational education and training. They have been given a delivery framework through the Government's 14 to 19 and Skills Strategies. For more information please visit [www.lsc.gov.uk](http://www.lsc.gov.uk)'

Page 146

Insert Norfolk Safeguarding Children Board

'The Norfolk Safeguarding Children Board (NSBC) is the key statutory mechanism for agreeing how the relevant organisations in each local area will co-operate to safeguard and promote the welfare of children in that locality, and for ensuring the effectiveness of what they do'.

Page 146

Glossary

National Healthy Schools Status replace weblink with

[www.schools.norfolk.gov.uk](http://www.schools.norfolk.gov.uk)

Page 150

Outcome – Stay safe, replace 'vacancy' with Activity lead for safeguarding with Anne Fitz-Patrick'

Page 151

Outcome – Make a positive contribution replace 'Tom Savory' with 'Martyn Livermore'

Further information about performance indicators can be found at

[www.everynorfolkchildmatters.org/CYPP](http://www.everynorfolkchildmatters.org/CYPP)

**RECOMMENDATION FROM THE CABINET MEETING  
HELD ON 14 SEPTEMBER 2009**

**1. Overview and Scrutiny Strategy Group**

1.1 The Cabinet has received a report (Item 12), which sought the Cabinet's endorsement of the role and powers of the Overview and Scrutiny Strategy Group.

**1.2 RESOLVED TO RECOMMEND TO COUNCIL -**

- 1) The establishment and role of the Overview and Scrutiny Strategy Group.
- 2) The Terms of Reference of the Overview and Scrutiny Strategy Group, as set out at Appendix A of the Cabinet report, subject to the following amendments:
  - a) To strengthen paragraph 4 to read: To ensure that key Members participate in scrutiny related training.
  - b) To remove "formally" from paragraph 5.
  - c) To add the following sentence to paragraph 1: Notwithstanding the above, it is the intention that Overview and Scrutiny Panels will handle any items within their purview.
- 3) That the Terms of Reference of the Overview and Scrutiny Strategy Group be included in the Norfolk County Council Constitution and that the Constitution Working Group established by the Corporate Affairs Overview and Scrutiny Panel be requested to consider and make recommendations on any further implications arising from this change to the Constitution.

**Note from the Head of Democratic Services**

A copy of the report (at Item 12 of the 14 September Cabinet agenda) is **attached**.



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**REPORT OF THE CABINET MEETING  
HELD ON 10 AUGUST 2009**

**1. Public Questions**

- 1.1** Mr John Martin had asked a question about the provision of on-line access to planning application and appeal documents. In reply, the Cabinet Member explained the County Council's current position and that the issue was being looked at again.
- 1.2** Mrs Meggy asked questions in relation to the Norfolk County Council (Cromer, Runton, Aylmerton and Felbrigg) (30, 40, and 50mph Speed Limit) Orders 2009 item and received a response from the Cabinet Member. He explained that there was certainly not a 'fait accompli' in respect of the speed limit changes being proposed and that the Department for Transport Circular 1/2006 set out guidance for local authorities in setting local speed limits, which were guidelines only, not mandatory, and should be considered in the context of local circumstances.
- 1.3** Mr Ridd had asked questions in relation to the Norfolk County Council (Cromer, Runton, Aylmerton and Felbrigg) (30, 40, and 50mph Speed Limit) Orders 2009 Cabinet agenda item 13 and received a reply from the Cabinet Member. He explained that the version of Norfolk County Council's Speed Management Strategy for Norfolk referred to by Mr Ridd had been adopted by the Cabinet in 2007 and had been used in its current form since 2001 in developing speed limit proposals. He also explained that he had not expressed biased support for the officer recommendation.

**2. Local Member Questions**

- 2.1** Marcus Hemsley, Local Member for Wensum Division, had asked whether the Cabinet Member would instruct NPS Property Services to investigate exploiting revenue opportunities on Council Properties under the Government's "Clean Energy Cashback" scheme. He commented that school estates and county farms were potential sites and suggested that NPS should include the following in their investigation:
- Linking recent Energy Saving Trust data on high yield wind locations into relevant County GIS systems including the County Farms database
  - Including the exploitation of good wind turbine locations into Property Management plans – for example, the County Farm 5 and 10 year Management Strategy Plans
  - Looking also at the larger scale exploitation of wind energy across County Farms and other properties given

Cambridgeshire's success in generating £2m wind energy revenue from just one farm site.

The Cabinet Member had replied to confirm that, to date, the County Council had not received any evidence of community support for, or interest in, approaches for the development of such wind farms on county farm land but agreed to look at the issue again.

### **3. Overview and Scrutiny Panel Issues**

Cabinet Members made the following comments:

- The Cabinet Member for Fire and Community Protection reported that the County Council had made a submission under the Sustainable Communities Act within the deadline of 31 July 2009.
- The Cabinet Member for Adult Social Services reported that there had been a lot of interest in the Panel's consideration of the Care Force contract. He had reported that he was being kept informed of developments and that he would not hesitate to take whatever action was necessary to safeguard the interests of vulnerable people receiving a domiciliary care service in Norwich if recent improvements in that service were not sustained.
- The Cabinet Member for Corporate and Commercial Services reported that the Norse Commercial Services had secured a contract for EventGuard Ltd to provide security services at Norwich City College and had won a cleaning contract with Norfolk Primary Care Trust worth £2m per year.
- The Cabinet Member for Planning and Transportation reported that Dr Boswell had asked whether the Planning, Transportation, Environment and Waste Overview and Scrutiny Panel would request that officers prepare an alternative option for Postwick Junction that was less dependent on the Norwich Northern Distributor Route (NDR). He had responded to say that the County Council had consulted extensively on proposals for the Northern Distributor Road and that the County Council continued to believe that no other practical solution had been identified.
- The Cabinet Member for Economic Development reported that Norfolk County Council had won a bid which would see up to 360 jobs created in Norfolk.
- The Cabinet Member for Waste and Environment reported that the Cabinet Scrutiny Committee had called-in the Cabinet's decision to abandon Contract A and as a result of discussion had advised that the Cabinet should maintain its decision. The Committee intended to see what lessons could be learnt to inform other major procurements / projects across the authority.

He also reported that the Environment Agency was consulting on the Hunstanton to Kelling Shoreline Management Plan. A representative from the Environment Agency would give a presentation at the September meeting of the Planning, Transportation, Environment and Waste Overview and Scrutiny Panel. A draft County Council response would be prepared following that meeting for Members to comment on.

**4. Norfolk County Council (Cromer, Runton, Aylmerton and Felbrigg) (30, 40, and 50mph Speed Limit) Orders 2009**

The Cabinet has agreed the amendments to the existing speed limit provision on the A148 between Cromer and Aylmerton (in the Parishes of Cromer, Runton, Felbrigg and Aylmerton) as set out in Appendix A of the Cabinet report.

**5. Raising Aspirations Through Sport**

The Cabinet has endorsed:

- 1) The action the Leader of the Council had taken using delegated responsibilities to fund a two-year, £200,000 sponsorship agreement with Norwich City Football Club from the Strategic Ambitions Reserve.
- 2) The proposals for managing the new contract with Norwich City Football Club.

**6. Service and Financial Planning 2010/11 to 2012/13**

The Cabinet has agreed:

- 1) The proposals for service and financial planning for 2010-11 to 2012-13 set out in the Cabinet report.
- 2) The financial parameters to be used for planning purposes only, as set out in the Cabinet report, to inform service and financial planning for 2010-11 to 2012-13.

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

The Cabinet has noted the draft Summary Statement of Accounts for 2008-09.

**8. 2009-10 Finance Monitoring Report**

The Cabinet has agreed to:

- 1) Approve the write-off of one debt totalling £8,951.82, described at Annex B of the Cabinet report.
- 2) Approve the transfer of £1m from Planning and Transportation capital budgets to Structural Maintenance.

## **9. Validation of Planning Applications: Local List of Requirements**

The Cabinet has agreed to approve the adoption of the “Validation of Planning Applications: Local List of Requirements” as outlined at Appendix 2 of the Cabinet report, subject to the following amendments:

- A statement should be added to explain that applicants can put a case to explain where they think it is not necessary to submit a particular document with an application.
- A statement should be added to explain that planning policy guidance relating to climate change would be followed.
- The section relating to Site Waste Management Plans should include a statement to clarify the type of applications that the County Council dealt with, i.e. large scale mineral and waste plants.
- The section relating to Travel Plans to include the phrase ‘car need’ instead of ‘car addiction’ (or similar).

## **10. Appointments to Committees (Standing Item)**

The Cabinet has agreed that Joe Mooney should replace Alec Byrne on the Joint Casualty Reduction Group.

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

**CHAIRMAN  
DANIEL COX**



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**REPORT OF THE CABINET MEETING  
HELD ON 14 SEPTEMBER 2009**

**1. Public Questions**

- 1.1** Mr John Martin had asked a question about the recommendations contained in Probity in Planning - the revised guidance note on good planning practice for councillors and officers dealing with planning matters issued by the Local Government Association in May 2009. In reply, the Cabinet Member for Planning and Transportation explained if it was felt that there was a need to change the way in which officers and Members undertook their duties as a result of this guidance, recommendations would be made to the appropriate bodies within the Council. It was also agreed to provide a written response to Mr Martin's supplementary question about whether the terms of the Royal Town Planning Institute Code of Professional Conduct should be incorporated into the terms of employment of officers.
- 1.2** Ms Sue Kuzmic had asked questions in relation to the decision to remove the new build plan for Chapel Road School from the Building Schools for the Future (BSF) programme. In reply, the Cabinet Member for Children's Services assured her that Chapel Road School remained the highest priority special school for replacement and that alternative options would be considered. Because there had been a change in criteria as well as a cut in funding for the bid, the difficult decision to remove the school from the programme had to be made in order to avoid putting the whole bid at risk.

**2. Local Member Questions**

- 2.1** Marcus Hemsley, Local Member for Wensum Division, had asked the Cabinet Members if they would follow the Conservative front bench in Westminster by committing themselves to the 10:10 pledge: to cut their personal carbon emissions by 10% in 2010? In reply, the Chairman explained that Cabinet Members had made efforts to ensure their daily lives helped contribute to Norfolk County Council's effort to reduce carbon emissions and protect the environment. Nonetheless, the 10:10 Pledge related to a personal choice which he considered to be a private matter for individual Members to consider.
- 2.2** Stephen Little, Local Member for Town Close Division, had asked the Cabinet if it considered that the measures for Norwich and the wider area in the present transportation strategy were sufficient to reduce the level of through traffic from Norwich. In reply, the Cabinet Member for Planning and Transportation explained that the key to this would be implementation of the Northern Distributor Road (NDR). As well as taking traffic out of residential streets in Norwich, the northern fringe

and adjacent parishes, the NDR would provide the “elbow room” for a package of complementary measures to provide further bus priority, and enhanced facilities for cyclists and pedestrians. The County Council would be consulting on these proposals in October as part of the Norwich Area Transport Strategy (NATS) implementation plan.

- 2.3** George Nobbs, Local Member for Crome Division, asked the Cabinet what the alternative plans were for Chapel Road School. In reply, the Cabinet Member for Children’s Services explained that urgent discussions were to be held to consider the alternative options available for the replacement of Chapel Road Special School.

### **3. Overview and Scrutiny Panel Issues**

Cabinet Members made the following comments:

- The Cabinet Member for Economic Development reported that the County Council had successfully secured £2.2m from the Future Jobs Fund, to create more than 350 new jobs in Norfolk within the next six months. He also reported that a publicity campaign “World Class: Normal for Norfolk” had been launched the previous week, to help build Norfolk’s reputation as a place to do business.
- The Cabinet Member for Cultural Services reported that, for the second year running, the Millennium Library in Norwich was the most visited library in the country. He also reported that Cultural Services and Economic Development continued to work together to make the most of the opportunities for sport and culture in Norfolk in the lead-up to the 2012 Olympics.
- The Cabinet Member for Adult Social Services reported that, despite the financial challenges the department faced, he expected a balanced budget to be delivered at the end of the year.

### **4. Building Schools for the Future (BSF) Update**

The Cabinet has agreed, on the basis of the current Government guidance and funding, to:

- 1) The submission of a Readiness to Deliver document by the 17 September.
- 2) The revised group of schools, as outlined in the Cabinet report, being included in the Initial Project.
- 3) The revised composition of the Building Schools for the Future Project Board as outlined in the Cabinet report, subject to the following amendment: that the elected Members should consist of 1 Liberal Democrat representative and 4 Conservative representatives (the Cabinet Member for Children’s Services, the Deputy Cabinet Member for Schools, the Cabinet Member

for Corporate and Commercial Services and the Chairman of the Children's Services Overview and Scrutiny Panel).

- 4) The proposed Terms of Reference for the Building Schools for the Future Project Board, as outlined in the Cabinet report.

**5. Norfolk County Council Organisational Framework 2009-2012**

The Cabinet has agreed the Organisational Framework 2009-2012, as set out in the Cabinet report.

**6. "Norfolk Forward" – Implementing a Programme of Change for Norfolk County Council**

The Cabinet has agreed to:

1. The establishment of a "Norfolk Forward" Programme and its governance arrangements, as set out in the Cabinet report.
2. To fund the cost of the Organisational Review consultants from the Organisational Change reserve, up to £300,000.

**7. Integrated Performance and Financial Monitoring Report – Quarter 1 2009-2010**

The Cabinet has agreed to ask all Overview and Scrutiny Panels to continue to monitor relevant Performance Indicators and identify any action required.

**8. Strategic Model of Care – Progress and Implementation**

The Cabinet has agreed to

1. The development of a detailed proposal relating to West Norfolk and to consider a proposal for consultation in February 2010.
2. The development of other individual opportunities in addition to those in West Norfolk.

**9. Contracting Arrangements between Children's Services and the Voluntary Sector**

The Cabinet has noted the six agreed exemptions under Contract Standing Orders paragraph 3.1 (h), as set out in the Cabinet report, and that steps would be taken to reduce the number of similar exemptions in the future.

The Cabinet has agreed to grant a general exemption for all contracts awarded out of the Pathfinder Short Breaks Programme under clause 3 of Contract Standing Orders.

**10. North Walsham High School Phoenix Project: Notification of an Exception to Contract Standing Orders**

The Cabinet has noted the exemption under Contract Standing Orders paragraph 3.1(h), as set out in the Cabinet report.

**11. Results of consultation on the proposed establishment of Specialist Resources Bases within mainstream schools: Part of the Strategy for Special Educational Needs (SEN)**

The Cabinet has noted the responses to the consultation and agreed the publication of three statutory notices regarding proposed changes to schools, with effect from September 2009, as outlined in the Cabinet report.

**12. The Re-use of Buildings and Sites at Former School – former Martham First School Site**

The Cabinet has agreed:

- 1) In principle to the disposal of the Martham site.
- 2) That it should make a final decision once the different options for disposal had been investigated.
- 3) That any capital receipt should be applied to the school building programme in the area outlined in the Cabinet report.

**13. Greater Norwich Development Partnership: Joint Core Strategy for Broadland, Norwich and South Norfolk: Submission**

The Cabinet has agreed to delegate to the Leader the decision to approve to Joint Core Strategy for Broadland, Norwich and South Norfolk for pre-submission consultation, as recommended by the Greater Norwich Development Partnership Policy Group.

**14. Norfolk Minerals and Waste Development Framework – Minerals Site Allocations Development Plan Document and Waste Site Allocations Development Plan Document**

The Cabinet has agreed:

- 1) The conclusions on the 99 proposed minerals sites and 76 proposed waste sites, as set out in the Cabinet report.
- 2) That the County Council's Preferred Options for the Minerals Site Allocation Development Plan Document and Waste Site Allocation Development Plan Document should be published for eight weeks consultation.

- 3) To the principle of additional public consultation, during 2010, on the proposed mineral and waste sites.

## **15. Residual Waste Treatment PFI Project – Shortlist Approval**

The Cabinet has agreed that the following applicants should be shortlisted for the Waste PFI and invited to participate in dialogue:

1. Cory Environmental Management Ltd / Wheelabrator Technologies Inc.
2. AmeyCespa (Amey UK plc / Cespa SA).
3. MVV Umwelt GmbH.
4. Resources from Waste (United Utilities plc / Laing O'Rourke plc / John Laing Investments Ltd).

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

**CHAIRMAN  
DANIEL COX**



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**Report of the Cabinet Scrutiny Committee meeting held on  
28 July 2009**

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

- 1.1 Councillors Mervyn Scutter, Andrew Boswell and George Nobbs wished to call-in Cabinet's decision, taken on 13 July 2009 Item 18 'Procurement on Phase One of the Residual Waste Treatment Project - Contract A' and Item 20, 'Procurement of Phase One of the Residual Waste Treatment Project – Contract A' on the grounds of cost featured in the Cabinet papers of 13<sup>th</sup> July 2009.
- 1.2 The Committee received a report by the Head of Democratic Services and Scrutiny a report from the Director of Environment, Transport and Development and a response by the Norse Directors to questions posed by the Committee.
- 1.3 Mr I Monson, Cabinet Member for Waste and Environment attended the meeting and provided information to the Committee, together with Mr J Hull, Project Manager (Residual Waste Treatment Contracts) and Mr M Allen, Head of Environment & Waste Management.
- 1.4 Mr T Williams, Director of Norse and Cabinet Member for Corporate and Commercial Services and Mr M Britch, Managing Director, NPS Property Consultants Ltd, also attended the meeting to provide information to the Committee.
- 1.5 The Committee, with 13 votes in favour and 2 abstentions (Mr Joyce and Mr Scutter), following the call in of the decision to abandon Contract A, agreed to advise Cabinet that it should maintain the decision to abandon Contract A.
- 1.6 In response to a motion proposed by Mr Nobbs and seconded by Mr Jordan with 15 votes in favour and 3 abstentions (Mr Joyce, Mr Rockcliffe and Mr Shrimplin) the Committee agreed to look at the waste project procurement process in a single agenda item meeting to see what lessons could be learnt to inform other major procurements / projects across the authority and that all members of the Project Board should be requested to attend to answer questions.

**2. Economic Slowdown and the associated risks for Norfolk County Council related infrastructure and Services Projects**

- 2.1 Members received a report which set out the suggested approach by the Scrutiny Support Manager, together with a report by the Director of Environment, Transport and Development which provided an update on the economic slowdown and the associated risks for the County council in relation to infrastructure and service projects. The report also set out what measures had been undertaken to address developer-funding issues and provided an update on national and regional funding streams for transport infrastructure.
- 2.2 It was suggested that policies should be developed as a matter of urgency to enable businesses to diversify during these difficult economic times. The Strategic Planning Manager advised that the authority's policies did take account of the current recession

as much as possible and also recognised the difficulties being experienced by developers. It was acknowledged that this was a difficult subject, which Overview & Scrutiny Panels might wish to consider.

2.3 The Committee agreed that their scrutiny of this issue was complete.

### **3. Cabinet Scrutiny Committee Working Groups: Response from Cabinet**

- 3.1 Members received a report which set out details of the Cabinet's response to two reports from the Cabinet Scrutiny Committee (i) Child Poverty and (ii) Monitoring Corporate Improvement Themes.
- 3.2 Members agreed that they wished to receive an update concerning the Child Poverty report received by the Cabinet on 13 July 2009, but that the timing of the update report should be decided at the 'awayday' meeting which would take place following this meeting.
- 3.3 Members agreed that Scrutiny Leads should report back to the 29 September 2009 Cabinet Scrutiny Committee meeting on the way forward concerning the Monitoring of Corporate Improvement Themes report, received by the Cabinet on 13 July 2009.

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

**Paul Morse**  
**Chair, Cabinet Scrutiny Committee**

**Report of the Personnel Committee Meeting  
held on 14 September 2009**

**1. Modern Reward Strategy – Project Update**

- 1.1 The Committee has considered and approved the contents of a report, containing exempt information, by the Head of Human Resources and Organisational Development. It agreed the exempt recommendations as set out in the report which sought to move forward the project towards implementation.
- 1.2 The Committee considered the implications of recently concluded national pay agreements for 2009/10 and authorised the Head of Human Resources & Organisational Development to consult with the Trade Unions on County Council pay arrangements linked to the national negotiating position.

**Daniel Cox**  
**Chairman**  
**Personnel Committee**



**Report of the Meeting of the  
Norfolk Health Overview and Scrutiny Committee  
Held on 3 September 2009**

**1 Changes to NHS Provided Respite Services for Adults with Learning Difficulties**

- 1.1 The Committee received evidence from Roy Skinner, a member of the public and of a patient/carer group, Tim O'Mullane, Adult Social Services, Norfolk County Council, Bob Mee, NHS Norfolk and Paul Steward, NHS Norfolk, about proposed changes to NHS provided respite care services for adults with learning difficulties at 3 Mill Close, Aylsham, and 4 Park View, King's Lynn. In hearing from the witnesses and in answer to Members' questions, the Committee noted the following:
- The Government was looking to achieve completion of a national NHS programme of residential campus closures by 31 March 2010.
  - Recent Healthcare Commission investigations into NHS services for people with learning difficulties in Cornwall, Sutton and Merton had added weight to the need to modernise the provision for this client group as soon as possible.
  - NHS Norfolk had undertaken a number of pre-consultation activities, including the setting up of a Re-Provision Project Team that included parent representatives.
  - A member of the public and one of the parent representatives on the Re-Provision Project Team, said that the existing respite services at Aylsham were first class and their closure would be a severe blow to the parents concerned. He went on to say that parents were concerned that the "re-assessment process" undertaken by Adult Social Services could be used as a means of introducing charges and could mean that children of parents who were unable to pay would have to be put into care.
  - The witnesses from NHS Norfolk and Adult Social Services confirmed that individuals' personal circumstances were being re-assessed and it might be possible for those currently using the facilities at Aylsham and King's Lynn to have their existing rights protected.
  - Members pointed out that the re-provision project required considerable financial support from NHS Norfolk and they questioned whether NHS Norfolk had set aside sufficient funding for this purpose. They said the reduction in NHS campus beds risked increased pressures on Adult Social Services budgets. Members also said that there was a need to provide more respite care in Norfolk and more investment was needed to make sure that people

with a learning disability had the same health choices and opportunities as everyone else.

- One of the witnesses from NHS Norfolk said that a decision to close respite provision at 4 Park View, King's Lynn had already been made because the one respite bed available there could not continue in isolation when the four residential beds have closed. He said a decision to close 3 Mill Close, Aylsham had not yet been made and went on to assure the Committee that no changes would be made in advance of a consultation process and no closures would take place until alternative provision was in place. He added that no dates had been set aside for either of the closures and that NHS Norfolk considered it inappropriate to sell the campuses to the private sector.

- 1.2 The Committee agreed that the proposed changes were a significant variation of service under the Health and Social Care Act 2001 and asked the Joint Commissioners for respite services for adults with learning difficulties (NHS Norfolk and Adult Social Services) to consult it in detail when specific proposals for alternative provision had been developed. Members said that when detailed presentations were made to the Committee they should include information on the financial implications of the proposals for all parties, including the patients/carers, the NHS and Adult Social Services (ie details of cost savings or of extra costs incurred and how these extra costs were spread between the NHS, Adult Social Services and patients/carers). The Committee hoped that it would be possible to receive a report on this issue at its meeting on 26 November 2009, when it is also due to receive a report on respite services for other people.

## **2 Practice Based Commissioning (PBC)**

- 2.1 The Committee received evidence from the following witnesses concerning the effects of practice based commissioning on service delivery in Norfolk since July 2008:

Robert Jones, NHS Norfolk

Linda Caine, NHS Great Yarmouth and Waveney

Felicity Cox, Consultant from "Catch On" (a company commissioned at national level to support the development of Practice Based Commissioning that was providing training and support to PCTs and GP Practices)

Dr Anoop Dhesi, North Norfolk PBC Consortia

Dr Ian Gibson, Hemsby Medical Practice, representing a Consortium of 10 GP Practices in the NHS Great Yarmouth and Waveney area.

- 2.2 In hearing from the witnesses and in answer to Members' questions, the Committee noted the following:

- Dr Dhesi, speaking as the Chairman of the North Norfolk PBC Consortia, said that 18 GP practices in north Norfolk were a party to the consortia and met together on a monthly basis. He pointed out that representatives of the North Norfolk PBC Consortia also met regularly with representatives of NHS Norfolk and the Programme Boards.
- The witnesses said that PBC meant that GP practices were able to secure a wider range of services and services that were more responsive to patients' needs from which patients could choose. Through PBC, GPs were being

provided with a clinical voice that they did not have before.

- Members commented that there seemed to be little that was new in the concept of practice based commissioning compared to previous arrangements for GP fund holding practices. They said there appeared to be a disparity of views about PBC in the NHS Norfolk and NHS Great Yarmouth and Waveney areas. The witnesses said NHS Great Yarmouth and Waveney was looking to raise the threshold for GPs to spend the savings from PBC without referral back to the PCT from £5,000 to £75,000. NHS Norfolk was also looking to have a greater devolved role for GPs but had no plans to increase the spending threshold.
- The witnesses said that with PBC GPs were able to direct funding into packages of care that better met the needs of patients. They said that GP practices did not enter into PBC just to keep a proportion of any “effective gains” resulting from more cost-effective ways of treating patients. They said there needed to be different PBC consortium arrangements across the county because patients’ needs varied considerably.

The Committee noted the information that they had received.

### **3 Diabetes Working Group**

- 3.1 The Committee received a progress report from the Diabetes Working Group. It was noted that the Working Group, which included a Member of Norfolk Local Involvement Network as well as six Members of the Committee, would present its final report to the Committee on 15 October 2009.

### **4 The Effects of Housing on Physical and Mental Health**

- 4.1 The Committee received a report by Chris Walton, Head of Democratic Services, and Maureen Orr, Scrutiny Support Manager (Health), about the recommendations of “The Effects of Housing on Physical and Mental Health” report agreed by the Committee in November 2008 and recent developments in provision of housing and support for people with mental health problems.
- 4.2 The Committee agreed to receive a report from the Outcome Lead for Improving Housing Outcome in the Local Area Agreement in May 2010, providing an update on the action plan that was presented to the Committee in April 2009 and informing the Committee about wider developments that impact on housing and health.

### **5 Great Yarmouth and Waveney Joint Health Scrutiny Committee with Suffolk County Council**

- 5.1 The Committee endorsed a proposed change to Great Yarmouth and Waveney’s Joint Health Scrutiny Committee’s terms of reference to allow it to consider items other than substantial variations of service. The Committee agreed to seek Suffolk Health Scrutiny Committee’s agreement to the proposed change.

### **6 ME/CFS (Myalgic Encephomyelitis/Chronic Fatigue Syndrome) Consultation by NHS Norfolk, NHS Suffolk and NHS Great Yarmouth and Waveney**

- 6.1 The Committee agreed to ask for Suffolk Health Scrutiny Committee's agreement to establish a Joint Committee consisting of five Members of Norfolk Health Overview and Scrutiny Committee and five Members of Suffolk Health Scrutiny Committee for the specific purpose of scrutinising the Norfolk and Suffolk ME/CFS consultation and the Joint Committee would disband when the task is completed. The Committee nominated five Members to serve on the Joint Committee in proportion to the political balance of Norfolk County Council, ie four Conservative Members and one Liberal Democrat Member.

**7 Appointment of Members to Various Joint Committees, Working Groups and Formal Link Roles**

- 7.1 The Committee appointed new Members or confirmed existing Members in various roles on Joint Committees, Working Groups and formal Link roles with NHS Bodies.

**Michael Carttiss**  
**CHAIRMAN**

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**REPORT OF THE PLANNING (REGULATORY) COMMITTEE MEETING  
HELD ON 11 SEPTEMBER 2009**

- 1. Nominations to Serve on the Planning Regulatory Urgent Business Sub-Committee**
  - 1.1 It was agreed that the following would serve on the Urgent Business Sub-Committee:  
  
Mr D Harrison  
Mr B Long  
Mr J Rogers  
Mr J Shrimplin  
Mr A Wright
- 2. C/1/2009/1003: Fakenham: Railway Cutting Between Great Eastern Way and Holt Road: Partly infill a portion of the Railway Cutting with Inert non toxic material**
  - 2.1 The Director was authorised to issue a decision notice granting planning permission for the proposals, subject to conditions including hours of operation, wheel cleaning facilities and traffic management plan and routing, arboricultural mitigation scheme, wildlife walkover study, materials, timescale, vehicle numbers, fence details, landscaping, aftercare scheme/management plan, alternative restoration scheme
- 3. Y/3/2009/3015 - Dereham Fire Station, Norwich Road: Extension to Existing Fire Station to Provide Urban Search and Rescue Facilities**
  - 3.1 The Director of Environment, Transport and Development was authorised to grant permission subject to planning conditions including the three year time limit within which the development must be commenced; the eastern windows to the lecture room being repositioned to high level; the kitchen window be provided with obscured glazing; supplementary tree and shrub planting being undertaken along the sites eastern boundary together with any external lighting being suitably positioned, shielded and kept to a minimum.
  - 3.2 It was further agreed that a condition be added requiring the submission, approval in writing and implementation of a landscaping scheme specifying the use of evergreen trees to suitably screen the neighbouring property from light and visual intrusion.

- 3.3 Although it was not a legal requirement of the planning permission it was agreed that the Legal Department would carry out an index map search to ascertain who owned the land between the neighbouring property and the Fire Station to see if further planting could be carried out a voluntary basis by the Fire Service on this land to afford the neighbouring property more privacy.
4. **Y/3/2009/3012 - Thetford: Path and Land to Rear of Queensway Community Junior School, Hillary Road: Widening of Existing Pathway Between Hillary Road and Fulmerston Road to Provide for a Shared Use Cyclepath and Footpath with Street Lighting Provision**
- 4.1 The Director of Environment, Transport and Development was authorised to grant permission subject to planning conditions being imposed providing for a commencement of the development within three years of the permission being granted; a scheme of archaeological works being undertaken; the new security fencing being coloured green; the provision of tree protection fencing for the duration of the works and replacement landscape planting being undertaken within the school grounds with the proviso that a condition be placed on proposed lighting to ensure the Committee's concerns were addressed.
5. **Y/7/2009/7017 - Barford: Barford Primary School, Chapel Street: Formation of External Teaching/Play Area and Access Ramp Under Cover of Ten Metre by Nine Metre Canopy**
- 5.1 The Director of Environment, Transport and Development was authorised to grant permission subject to a planning condition being imposed providing for the colour of the canopy to be a shade of grey to be agreed and that any lighting provision installed be switched off after 18:00 hours.
6. **Assessment of Implication for European Sites**
- 6.2 It was agreed to recommend that Council delegate to the Director of Environment Transportation and Development authority to decide under Regulation 48 of the Conservation (Natural Habitats etc.) Regulations 1994 (No. 2716) whether or not an appropriate assessment is required in connection with planning applications.

**John Rogers**

**Chairman  
Planning (Regulatory) Committee**

**Matters Considered by Overview & Scrutiny Panels**

**Adult Social Services Overview & Scrutiny Panel  
21 July 2009**

1. Election of Chairman
2. Election of Vice Chairman
3. Local Member Issues/Member Questions
4. Cabinet Member Feedback on Previous Overview and Scrutiny Panel Comments
5. Scrutiny Report
6. Service Planning Update
7. 2008-09 Revenue and Capital Budget Monitoring Out-turn Report
8. Adult Social Services Performance Report
9. Quality Assurance Framework
10. NHS Norfolk Strategic Plan 2009-2014 and the Implications for Adult Social Care
11. Findings of Careforce Survey Undertaken on Behalf of Adult Social Services by Age Concern

**Adult Social Services Overview & Scrutiny Panel  
8 September 2009**

1. Local Member Issues/Member Questions
2. Cabinet Member Feedback
3. Community Meals Review-Developing a Community Meals Plus Service
4. Norfolk Learning Difficulties Pooled Fund Services for People with a Learning Disability
5. Social Enterprise
6. Care First Post Go Live -Progress
7. Scrutiny
8. Strategic Model of Care – Progress and Implementation
9. 2009-10 Revenue and Capital Budget Monitoring Report
10. Adult Social Services Performance
11. Update Report - CareForce and the Provision of Home Care Services in Norwich
12. Safeguarding Practice Audit

**Children's Services Overview & Scrutiny Panel**  
**15 July 2009**

1. Election of Chairman
2. Election of Vice Chairman
3. Local Member Issues/Member Questions
4. Cabinet Member Feedback on Previous Overview and Scrutiny Panel Comments
5. Scrutiny Programme
6. Consultation Processes within Children's Services
7. Scrutiny Review of the Portrayal of Young People in the Media
8. Child Poverty – Report by the Scrutiny Working Group
9. Children's Services Financial Monitoring Report 2008/09 at year end
10. Year End Performance & Self-Assessment
11. Greater Norwich Development Partnership: Joint Core Strategy Consultation
12. Update on the re-use of buildings and sites at former schools and Norwich Pupil Referral Unit sites
13. 14-19 Reform in Norfolk
14. 14-19 Transport Project
15. Strategy for Special Educational Needs – Annual Report & Information on the Learning Difficulties & Disabilities Programme
16. Norfolk Children & Young People's Plan 2009-2011

**Children's Services Overview & Scrutiny Panel**  
**16 September 2009**

1. Local Member Issues/Member Questions
2. Cabinet Member Feedback
3. Scrutiny Programme
4. Budget Monitoring
5. Performance & Risk including the JAR Action Plan
6. Adoption Agency Annual Report
7. School Organisation Proposals
8. Fair Funding Consultation Paper
9. Review of School Admissions 2008/9



**Corporate Affairs Overview & Scrutiny Panel  
22 July 2009**

1. Election of Chairman
2. Election of Vice Chairman
3. Local Member Issues/Member Questions
4. Cabinet Member Feedback on Previous Overview and Scrutiny Panel Comments
5. 'Norfolk People Feel They Can Influence Things'
6. Forward Work Programme: Scrutiny
7. Corporate Procurement Unit Annual Report
8. Performance & Resources Monitoring Report
9. Efficiency Savings Programme
10. Risk Management within Norfolk County Council and the Departments of Chief Executive and Corporate Finance
11. Corporate Health & Safety Annual Report 2008/2009
12. Norfolk County Council Workforce Profile
13. Sickness Absence

**Corporate Affairs Overview & Scrutiny Panel  
23 September 2009**

1. Local Member Issues/Member Questions
2. Cabinet Member Feedback on Previous Overview and Scrutiny Panel Comments
3. Broadland Community Partnership
4. Forward Work Programme: Scrutiny
5. Performance and Resources Monitoring Report
6. Efficiency Report

**Economic Development & Cultural Services  
Overview & Scrutiny Panel – 16 July 2009**

1. Election of Chairman
2. Election of Vice Chairman
3. Local Member Issues/Member Questions
4. Cabinet Member Feedback on Previous Overview and Scrutiny Panel Comments

5. Library and Information Service Annual Plan
6. Cultural Services Performance, Risk and Budget Out-turn Report 2008/9
7. Economic Development Performance, Risk and Budget Monitoring Report 2008/9
8. State of the Economy - Update
9. Economic Development Strategic Priorities
10. Forward Work Programme: Scrutiny

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| <p style="text-align: center;"><b>Fire &amp; Community Protection Overview &amp; Scrutiny<br/>Panel – 14 July 2009</b></p> |
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1. Election of Chairman
2. Election of Vice Chairman
3. Local Member Issues/Member Questions
4. Cabinet Member Feedback on Previous Overview and Scrutiny Panel Comments
5. Forward Work Programme
6. Flood Sirens in Norfolk
7. Trading Standards Performance Review 2008-2009
8. Norfolk Fire and Rescue Authority Safety Plan 2009/12
9. Community Safety and Elderly People
10. Revenue Budget, Capital Programme and Performance Monitoring 2008/09

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| <p style="text-align: center;"><b>Planning, Transportation, the Environment &amp; Overview<br/>&amp; Scrutiny Review Panel – 8 July 2009</b></p> |
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1. Election of Chairman
2. Election of Vice Chairman
3. Local Member Issues/Member Questions
4. Cabinet Member Feedback on Previous Overview and Scrutiny Panel Comments
5. Partnership Working
6. Trade Waste Management Initiatives in Norfolk
7. Recycling Commodity Markets
8. 2008-09 Revenue and Capital Budget Monitoring Outturn Report
9. Update of Planning and Transportation's Service Plan: Actions, Risk and Performance 2008/09
10. Planning and Transportation Risk Register 09/10
11. Highway Asset Performance

12. Hunstanton to Kelling Shoreline Management Plan
13. Planning for Prosperous Economies: A Consultation on Planning Policy Statement 4 by The Department for Communities and Local Government
14. Local Bus Service Reliability and Performance
15. Transport Provision for Young People in Education Aged 14-19: Update on Progress
16. Procurement of Phase One of the Residual Waste Treatment Project – Contract A

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| <p><b>Planning, Transportation, the Environment &amp; Overview<br/>&amp; Scrutiny Review Panel – 9 September 2009</b></p> |
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1. Local Member Issues/Member Questions
2. Cabinet Member Feedback on Previous Overview and Scrutiny Panel Comments
3. Forward Work Programme: Scrutiny
4. Hunstanton to Kelling Shoreline Management Plan – Consultation Response Programme
5. Department for Transport “A safer way ahead” Consultation
6. Residual Waste Treatment PFI Project – Shortlist of Bidder

**Report of the Norwich Highways Agency Committee  
Meeting Held on 23 July 2009**

**1. Petitions**

**1.1 Duke Street**

- 1.2 A petition was presented seeking speed restriction measures in Duke Street.

**1.3 Harvey Lane - Traffic Speeds and Pedestrian Safety**

- 1.4 A petition was presented asking for a speed management programme to be introduced in Harvey Lane.
- 1.5 It was hoped that a report on the 20 mph signed only speed limit pilots would be presented to the September meeting. The report would include a recommendation on what policy to adopt for traffic calming on roads that did not meet the criteria for signed only 20mph speed limits. As both Duke Street and Harvey Lane were C class roads they would not meet the signed only criteria, and the report would suggest a way forward for these streets. The Committee would then be asked to consider the allocation of funding to specific schemes in November.

**2. Public Questions**

**2.1 Bracondale/King Street Junction**

- 2.2 The Committee was asked to consider the possibility of including a pedestrian phase in the traffic signals at the Bracondale/King Street junction, to make it a safer crossing point for those already using it and to encourage more people to walk and cycle to their destination.
- 2.3 Similar requests had been investigated in the past, also relating to cycling improvements, bus priority measures, congestion improvements. The committee concluded that with so many conflicting demands it would be impossible to satisfy all parties. There was at present no capacity at the junction within the existing highway limits to allocate any time for pedestrians without a significant impact on traffic flow. The junction was, however, being looked at as part of the NAT'S implementation plan.

### **3. Blue Badge Charges at Off-Street Car Parks**

- (1) It was agreed to approve the two hour charge in respect of Chantry, Chapelfield East, Monastery Court and Pottergate Car Parks of £2.80 and to implement the revised charges as soon as possible on or after 17 August 2009. All other charges were to remain as approved at the meeting on 25 June 2009.
- (2) The Head of Democratic and Legal Services was authorised to undertake the necessary statutory procedures to introduce the corrected two hour fees and charges for Chantry, Chapelfield East, Monastery Court and Pottergate Car Parks by means of a Notice of Variation under Section 35C of the Road Traffic Regulation Act 1984.

### **4. St Georges Street Environmental Improvements - Review of Elm Hill/Princes Street Traffic Management**

- (1) The committee noted the impact of the St Georges Street Environmental Improvements, that the associated Traffic Management Scheme had been substantially successful and that overall traffic levels in Elm Hill remained low.
- (2) The committee noted that concerns had been raised since the Princes Street closure had come into effect as detailed in Paragraphs 7-9 of the report.
- (3) The Head of Transportation and Landscape and Head of Legal and Democratic Services were asked to carry out the necessary statutory processes associated with the introduction of loading restrictions in Princes Street.
- (4) The committee agreed not to re-introduce the left turn ban from the Monastery Car Park into Elm Hill.
- (5) The Head of Transportation and Landscape was asked to carry out a week long classified count of vehicles using Elm Hill and to report his findings to a future meeting of the Committee.

### **5. Matters Arising From Amendments and Corrections to Annual Waiting Restrictions 2008/09**

#### **5.1 Sweetbriar Industrial Estate**

- 5.2 The Transportation Manager highlighted that, through the consultation undertaken on this scheme, some objectors had said that they had not received the Sweetbriar Parking Survey. One objector had said he had understood that an officer from the Council would visit all businesses, but this had not happened.

- 5.3 It was agreed to defer a decision on this scheme to the next meeting pending additional consultation.

**5.4 Peel Mews and Mulberry Close**

- 5.5 The Head of Transportation and Landscape and Head of Legal and Democratic Services were asked to carry out the necessary statutory procedures associated with amending the City Centre Controlled Parking Zone Traffic Regulation Order, to reflect the existing situation on the ground in both Peel Mews and Mulberry Court as follows:

- 5.6 Peel Mews** - A 'no waiting at any time' restriction on the northwest side, from its junction with Robert Gibson Way to a point opposite the boundary of No's 18 & 19 Peel Mews, and an unrestricted waiting from a point opposite the boundary of no's 18 and 19 Peel Mews to the back of highway line of Robert Gibson way, moving in an anti-clockwise direction around the northwest, southwest and southeast sides of the cul-de-sac.

- 5.7 Mulberry Close** - Unrestricted waiting on all sides for their entire length.

**5.8 Dereham Road Service Road**

- 5.9 It was agreed to implement double yellow lines and no parking on verge restrictions.

**6. Silver Road Area Traffic Management Scheme**

- 6.1 The committee approved, on an experimental basis, the introduction of a one-way system, with Silver Street operating one-way eastbound, Bull Close Road operating one-way westbound with a contra-flow bus lane and Steward Street operating one-way southbound.

- 6.2 The Head of Transportation and Landscape and Head of Legal and Democratic Services were asked to carry out the necessary statutory processes associated with the experimental Traffic Regulation Order required for implementing the one-way system.

- 6.3 The Head of Transportation and Landscape was asked to monitor the operation of the one-way system and report back to the Committee on the effectiveness of the scheme once it has been in operation for 6 months.

- 6.4 The committee approved the introduction of a 20 mile per hour zone with associated speed cushions in the Mousehold Street area.

- 6.5 The Head of Transportation and Landscape and Head of Legal and Democratic Services were asked to carry out the necessary statutory processes associated with the 20 mile per hour zone Speed Restriction

Order.

**7. Newmarket Area Transportation Strategy Implementation -  
Newmarket Road Bus Lane Extension**

- 7.1 Residents had expressed concerns about vehicles turning left from Unthank Road to then use Elveden Close or the private road into the vicarage to turn around and proceed towards Eaton.
- 7.2 A representative of the Norwich Cycling Campaign welcomed the revised plans and said that the group would like to see the junction considered for signalisation in the future.
- 7.3 Officers explained the basis on which the priorities of requests for pedestrian crossing facilities were assessed. A further survey would be undertaken when the new scheme had been introduced.
- 7.4 The committee agreed the following:
  - (1) To approve for implementation the proposal to extend the existing bus lane on Newmarket Road from the City boundary to Unthank Road.
  - (2) To ask the Head of Transportation and Landscape and the Head of Legal and Democratic Services to progress the necessary statutory procedures associated with implementing the following:
    - (a) The proposed change of use of the nearside inbound lane of Newmarket Road from the City boundary to Unthank Road for use by buses, taxis and pedal cycles operating 24 hours a day 7 days a week;
    - (b) The proposed change of operational time of the existing bus lane on Newmarket Road from Unthank Road to St Stephen's roundabout to 24 hours a day 7 days a week;
    - (c) The proposed 30 mile per hour speed limit extension from Eaton Road to Bluebell Road slip road.
  - (3) To approve for consultation the proposal to convert the existing 8.00 am to 6.30 pm parking restriction on Newmarket Road to an "at any time" parking restriction, the proposal to provide both an on-road cycle feeder lane and pedestrian refuge on Unthank Road close to the junction with Newmarket Road and the proposal to provide a shared use cycle track between Unthank Road and Bluebell Road slip road.
  - (4) To ask the Head of Transportation and Landscape and Head of Legal and Democratic Services to progress the necessary statutory procedures associated with advertising:

- (a) The conversion of the existing 8.00 am to 6.30 pm parking restriction on Newmarket Road to an "at any time" parking restriction.
- (b) The conversion of the existing footway on the north side of Newmarket Road between Bluebell Road slip road and Unthank Road to shared use cycle track.

## **8. Traffic Regulation Order for all School Keep Clear Zig Zag Markings**

- 8.1 The Head of Transportation and Landscape and the Head of Legal and Democratic Services were asked to carry out the necessary statutory procedures to introduce a Traffic Regulation Order to prohibit stopping or parking on the existing school keep clear zig zag markings 7.00 am to 7.00 pm, Monday to Friday in the locations as listed in the minutes of the meeting.
- 8.2 The Head of Transportation and Landscape and the Head of Legal and Democratic Services were asked to carry out the necessary statutory procedures to amend the existing, or introduce new, school keep clear zig zags with a Traffic Regulation Order to prohibit stopping or parking in the areas listed in the minutes with the necessary amendment of the existing parking restrictions.
- 8.3 The Head of Transportation and Landscape and the Head of Legal and Democratic Services were asked to collate the existing Orders for School zig zag markings into one Order along with the above proposed restrictions.

## **9. Colman Road/Unthank Road Traffic Signal Upgrade and Pedestrian Crossing Facilities**

- 9.1 The committee noted that First Bus had expressed concerns about anything which might caused additional delays, as the No.25 bus was one of their five least reliable services.
- 9.2 The committee agreed to mark out the Unthank Road (City side) approach to the Colman Road/Unthank Road junction with one generous width vehicle lane that could informally be used as two lanes.

## **10. Highway Performance Monitoring of The Highways Agency Agreement**

- 10.1 The performance of the Highways Agency Agreement for the financial year 2009/2010 up to the end of June 2009 was noted.



**11. Major Roadworks - Regular Monitoring**

11.1 The current and planned future roadworks in Norwich were noted.

**Tony Adams**

**Chairman**

**Norwich Highways Agency Committee**

**REPORT OF THE CABINET MEETING  
HELD ON 27 JULY 2009**

**1. Public Questions and Local Member Issues/Member Questions**

**1.1 Flood Sirens**

Owing to the fact that a large number of questions had been received in relation to the Cabinet's consideration of flood sirens in Norfolk, the Cabinet Member for Fire and Community Protection provided a composite response to the common themes and specific points that had been raised. This included responding to questions from the Local Member for Wells Division, Marie Strong, and the Local Member for South Smallburgh Division, Paul Rice. Public questioners and Local members were also given the opportunity to ask supplementary questions.

Details of individual questions and responses can be found at Appendix 1 of the minutes of the meeting.

In responding to the submitted questions and answering supplementary questions the Cabinet Member for Fire and Community Protection made the following key points:

- The Environment Agency (EA) was responsible for warning people of potential flooding and it did this through the national Floodline Warning Direct (FWD) service.
- Norfolk County Council (NCC) had no authority to activate the Norfolk Flood Sirens to warn the community.
- NCC had taken over ownership and maintenance of the flood sirens when their role in civil defence had ceased in 1992.
- In the event of an emergency situation a Silver (Tactical) Response Team, chaired by Norfolk Constabulary (the Police) would decide whether and how to alert and evacuate people. This team was in communication with people locally, including Flood Wardens. The Police would then lead a multi-agency team to carry out evacuation should that be the decision.
- The Norfolk Resilience Forum (a multi-agency body that considered emergency preparation and response) had proposed in 2006, having considered the views of the EA and the Police, that the use of sirens should be discontinued from July 2007. The Norfolk Resilience Forum (NRF) had held a number of meetings to consult with those affected and referred the proposal to the County Council's Fire and Community Protection Overview and Scrutiny Panel (the Panel). The Panel set up a working group to scrutinise the proposal and asked for the discontinuation to be deferred until July 2008 in order for further and widespread consultation to be undertaken.

- The Panel's findings, the results of a wide cross-county consultation, the professional opinion of NCC's Head of Emergency Planning and the view of those Panel Members formed the basis of the recommendations being considered by the Cabinet.
- The views of the community were hugely important and had been listened to. A cross-county consultation had taken place with the coastal authorities and other communities as requested by the Panel and the responses had been reported to Members. One of the main findings was that there was a lack of understanding as to what exactly the sounding of sirens meant and what action residents should take. Further, people did not have confidence in the EA's FWD service.
- The EA had been made aware of the lack of confidence in their FWD service and had been asked to urgently address this by NCC.
- When making any decision, Members considered consultation responses and took account of the views of professional advisers. In the case of flood sirens this had included NCC officers and others with expertise, experience and professional training in the management and control of risk.
- The EA would not take on the responsibility of Norfolk's flood sirens as they considered them not to be fit for purpose and the cause of confusion.
- The Police had also stated that it could not see sirens being required to assist with evacuation. This Deputy Chief Constable had confirmed this in a letter which had been included in the Cabinet report.
- The emergency services were of the view that using flood sirens was a risk because they were not heard by everyone who needed to hear them and those people who did hear them did not understand what action they needed to take.
- Community Risks were dealt with within the Community Risk Register for Norfolk, details of which were published on the Norfolk Prepared website [www.norfolkprepared.gov.uk](http://www.norfolkprepared.gov.uk) (the website of the Norfolk Resilience Forum).
- The Head of Emergency Planning would not make the decision about whether NCC should retain flood sirens in Norfolk. He had submitted reports to Members on the issue of flood sirens as part of his professional role at NCC. Members had had the opportunity to question his reports and were not bound by any of his recommendations.
- The responsibility for warning people of potential flooding rested with the EA and not with NCC.
- The FWD service was the EA's chosen national method of warning people of potential flooding. NCC encouraged all members of the community within flood risk areas to sign up to the service.
- The sign-up rate in Norfolk to the FWD service was thought to be high.
- NCC would not delegate to the Parish Councils any functions that it was not lawfully able to.

- The Panel had recommended that an investigation should be undertaken to establish whether local communities wished to retain and own their flood sirens and to see if that could be done in conjunction with the Police and the EA through the Sustainable Communities Act.
- The EA and the Police had always stated that they were prepared to engage with local communities in responding to flooding and this had been seen throughout Norfolk over the years.
- The safety of Norfolk's communities was of the utmost importance to NCC. The recommendation to withdraw flood sirens from service within a reasonable time was based on the fact that both the EA and the Police had stated they would not use them.
- Flood sirens in North Lincolnshire were owned by the EA and had been installed in the Grimsby area to help resolve problems relating to extremely high population density.
- The responsibility for installing a new siren system would rest with the EA. However, the EA had continually stated that it did not require sirens in Norfolk to warn the community.
- The cost of replacing the sirens would depend on the number needed to ensure they formed an effective system. The EA had estimated a cost of millions of pounds.
- The Panel had recommended that funds budgeted for the operation and maintenance of the sirens should be used to improve community awareness about their local flood response plan.
- As a decision over the future of the Norfolk flood sirens had not been made the annual test of the flood sirens was scheduled to take place as arranged on the 1st August.
- The Conservative manifesto had been written earlier in the year when the Panel had felt that the EA might be persuaded to change its mind about using sirens.
- Norfolk MPs had also been asked to intervene with the EA and the Police to see whether they could influence their position on flood sirens in Norfolk. They had been unsuccessful.
- The matter of the legality of proceedings of the Panel, where Members had not declared interests in being members of the Police Authority, had been passed to the Deputy Monitoring Officer and would be determined by the Standards Committee on 20 August.
- The EA had stated it was willing to meet representatives of local communities to ensure that its FWD service operated effectively in their area and improve local confidence in it.
- The analogue activation system was expected to be shut off in 2014.
- Members of the Panel's Working Group had been in dialogue with local communities over a considerable period of time on the issue of sirens. A consultation had taken place with coastal and other communities as requested by the Panel and Members had considered the responses. Within that process Members also attended a good number of community meetings.

- The Pitt Review had recommended that a Resilience Forum should be set up in all flood risk areas and that it should consider the local situation when agreeing a strategic flood response plan.
- Part of NCC's aim in making a bid under the Sustainable Communities Act was to ensure that the EA's FWD service was effective and that local communities had confidence in it. It was also an opportunity for NCC to bring to the attention of the Local Government Association and the Government that the FWD service was not as good as the EA claimed it was.
- North Norfolk District Council's own report had stated that flood sirens could not be depended on.
- The County Council needed to ensure it was using public money effectively to protect the safety of residents.

The Chairman also made the following points:

- NCC would respond to the North Norfolk District Council motion.
- He had been advised that the Sustainable Communities Act could be used to seek the co-operation of the EA and the Police in using sirens in Norfolk. The evidence collated during the Panel's investigation was sufficient to build a case to approach the selector (the Local Government Association) and if the bid was approved the Secretary of State had a duty to respond and negotiate with the bidder.
- The Cabinet would take into consideration the fact that Parish and Town Councils needed longer than three months to properly consider and make a case to retain and own sirens in their area.
- If flood sirens were to be handed over to local communities, the Cabinet would consider NCC's responsibility in ensuring that they were fit for purpose.

## **1.2 Training for Planning (Regulatory) Committee Members**

Mr John Martin asked for details of the training programme, over the next twelve months, for members of the Planning (Regulatory) Committee and substitutes, including the topics to be covered, the presenters, the length of presentations and whether attendance would be made compulsory.

In response the Cabinet Member for Planning and transportation explained that the County Council was in the process of putting together a full training programme for all members of the Planning (Regulatory) Committee and their substitutes. Four half day sessions were scheduled for September, November, January and March. The content and training provider for each session had not yet been decided. It was intended to include relevant national regional and local planning policy, planning and pollution control, the use of planning conditions to control development and mechanisms for dealing with breaches of planning control. In addition, three members would be attending a four day intensive programme at the annual Planning Summer School under the auspices of the Royal Town Planning

Institute in September 2009. Following the elections, members had already had an opportunity to attend an induction day on planning. The induction programme also included training on standards and conduct and on decision-making. The issue of compulsory attendance would be looked at as part of the County Council's consideration of the revised Local Government Association guidance.

### **1.3 Qualification requirements for senior Planning and Transportation officers**

Mr John Martin asked whether the Cabinet agreed that officers holding the most senior planning roles within the Department for Planning and Transportation should ideally be chartered town planners, i.e. members of the Royal Town Planning Institute (RTPI), and so subject to the Institute's code of professional conduct and its CPD requirements, in the same way that the Head of Law might reasonably be expected to be professionally qualified as a solicitor or a barrister.

The Cabinet Member for Planning and Transportation explained that the manager of the Council's Planning Services Section was a qualified planner and member of the RTPI. The other senior officers involved in preparing advice to the Planning Regulatory Committee, i.e. the Director of Environment, Transport & Development and the Head of Strategy & Performance, had much wider senior management roles. As such, they had responsibility for a number of professional disciplines, including the planning service. Both were suitably experienced and qualified for the roles that they held, and were advised and supported by suitably experienced and qualified professionals. Across upper tier authorities, there were many officers in senior management posts like these without planning qualifications, because of the wide range of other responsibilities the post holders carried out.

## **3. Flood Sirens in Norfolk**

### **3.1 The Cabinet has agreed to:**

- 1) Defer making a decision about withdrawing sirens from service until Parish and Town Councils had been given the opportunity to make a case to retain and own sirens in their area.
- 2) Invite Parish and Town Councils to make a case, by 31 January 2010, to Norfolk County Council's Cabinet to retain and own sirens in their area.
- 3) Delegate to the Leader and the Cabinet Member for Fire and Community Protection the responsibility for making a submission using the Sustainable Communities Act. The aim of the submission would be to compel the Police and Environment Agency in Norfolk to work with those local communities which had chosen to retain their siren(s) to establish its appropriate usage in a flooding emergency.

- 4) Request that any local exercise relating to the management of flooding emergencies include a test of the Environment Agency's Floodline Warning Direct service.
- 5) Request that the Fire and Community Protection Overview and Scrutiny Panel carry out further scrutiny of the Environment Agency's Floodline Warning Direct service in Norfolk.

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

**CHAIRMAN  
DANIEL COX**