

Norfolk County Council

Minutes of the Meeting Held on Monday 24 July 2017

Present:

Mr T Adams	Mr C Jordan
Mr A Adams	Ms A Kemp
Mr S Aquarone	Mr K Kiddie
Mr S Askew	Mr K Kiddle-Morris
Ms J Barnard	Mr B Long
Mr D Bills	Mr I Mackie
Mr B Borrett	Dr E Maxfield
Ms C Bowes	Mr J Mooney
Mr R Brame	Mr S Morphew
Mrs J Brociek-Coulton	Mr G Nobbs
Ms S Butikofer	Mrs J Oliver
Mrs P Carpenter	Mr R Oliver
Mr M Castle	Mr G Peck
Mr S Clancy	Mr R Price
Mr D Collis	Mr A Proctor
Mr E Colman	Mr W Richmond
Ms E Corlett	Mr D Roper
Mrs M Dewsbury	Mr D Rowntree
Mr N Dixon	Mr M Sands
Mr D Douglas	Mr E Seward
Mr P Duigan	Mr C Smith
Mr F Eagle	Mr T Smith
Mr T East	Mr M Smith-Clare
Mr S Eyre	Mr B Spratt
Mr J Fisher	Mrs M Stone
Mr T FitzPatrick	Mr M Storey
Mr C Foulger	Dr M Strong
Mr T Garrod	Mr H Thirtle
Mr A Grant	Mr V Thomson
Mrs S Gurney	Mr J Timewell
M Chenery of Horsbrugh	Mrs K Vincent
Mr H Humphrey	Mrs C Walker
Mr B Iles	Mr J Ward
Mr A Jamieson	Mr B Watkins
Mr T Jermy	Mr A White
Mrs B Jones	Mr M Wilby
Dr C Jones	

Present: 73

Apologies for Absence:

Apologies for absence were received from Ms K Clipsham; Mr S Dark; Mr R Hanton; Mr D Harrison; Mr G Middleton; Mr G Plant; Ms C Rumsby; Mr B Stone; Mrs S Squire; Mrs A Thomas and Mrs S Young.

1 Minutes

- 1.1 The minutes of the Council meeting held on Monday 15 May 2017 were confirmed as a correct record and signed by the Chairman.

2 Chairman's Announcements

- 2.1 The Chairman said he had enjoyed several events since he became Chairman, including the Lord Mayor's procession. He reminded Council that his theme for the year was volunteering for young people, particularly cadets, scouts and guides and he was setting up challenges for both young people and adults to try to encourage more people to volunteer. The Chairman also reminded Council about his summer reception at Gressenhall on Thursday 27 July and said he hoped to see everyone there.

3 Declarations of Interest

- 3.1 M Chenery of Horsbrugh declared an interest as he was a Trustee of the Norfolk Record Office Charity.
- 3.2 The following Members declared an interest in item 5 (Notice of Motions – Motion by Mr S Morphew) as they were Members or substitute Members of the Norfolk Police and Crime Panel:

Ms S Butikofer
Mr W Richmond
Mr B Long (Substitute)
Mr Tim Adams (Substitute)
Mr P Duigan (Substitute)

4 Questions to Leader of the Council

4.1 Question from Mr G Nobbs

- 4.1.1 Mr Nobbs asked if the Leader could tell Members what he understood the words "cultural interpretation" meant and did he think the local press was confused?

On being asked by the Leader for clarification, Mr Nobbs stated that the Managing Director had said "the issue of payments to Michael Rosen were the result of confusion in the local press caused by cultural interpretation". He asked if the Leader agreed.

- 4.1.2 The Leader replied that the Managing Director had explained the situation perfectly clearly and he could not add anything further.

4.2 Question from Mr D Roper

- 4.2.1 Mr Roper referred to recent media reports where the Leader had said Norfolk residents were too dependent on council services. He asked the Leader to give some clear examples of which groups of residents he had in mind when he had made that statement.
- 4.2.2 The Leader replied that the point he was trying to make was that there were people who thought the Council could provide everything when it could not. People could help themselves, Norfolk County Council could help them to help themselves but the Council could not do everything.
- 4.3 **Question from Mr B Long**
- 4.3.1 Mr Long asked if the Leader could confirm that the Willows site in King's Lynn would not be disposed of to any party before it was removed from the Norfolk Waste Allocation.
- 4.3.2 The Leader replied "yes".
- 4.4 **Question from Ms A Kemp**
- 4.4.1 Ms Kemp thanked the Leader for the answer to the previous question. She asked if the people of King's Lynn would be consulted on about future use of the Willows site before a decision was made on its disposal.
- 4.4.2 The Leader replied that the Willows site would come out of the waste plan in 2019 and any decision on the future of the site would be made by full Council.
- 4.5 **Question from Dr M Strong**
- 4.5.1 Dr Strong said she had been delighted to hear at Policy & Resources Committee about the Leader's commitment to keep libraries, recycling centres and SureStart centres open, particularly in rural areas. However the Leader had stated that there was a caveat. Dr Strong asked the Leader if there were currently any proposed formats as to the manner in which these services would be kept open and how, and who, would make the final decisions.
- 4.5.2 The Leader replied that it was intended to keep the services maintained to a high level and that everything would be done to provide a quality service. The Leader said that when any changes were made, or were proposed, it was likely that Policy & Resources Committee would make the decisions.
- 4.6 **Question from Mr T Smith**
- 4.6.1 Mr Smith asked if the Leader was aware that, under the Police and Crime Act 2017, Norfolk County Council was legally obliged to co-operate with the Police and Crime Commissioner on any business case he may decide to develop towards taking over the Fire & Rescue Service.
- 4.6.2 The Leader responded that there was nothing we could do other than cooperate.
- 4.7 **Question from Mr B Watkins**
- 4.7.1 Mr Watkins referred to the changes announced by the Conservative Administration to the existing system of governance which involved fewer councillors on a service committee and a strengthened role for Policy & Resources Committee. He added that it was understandable that many opposition Councillors feared that the Administration would take more and more decisions in private and that meaningful discussion of important issues would be

significantly reduced. Mr Watkins asked if the Leader intended to ensure that the principles of open, transparent governance be upheld and that the views of all Councillors were both valued and respected under the Committee system.

4.7.2 The Leader replied that the Committee system involved scrutiny as well as decision-making, whereas he preferred the Cabinet system which separated the scrutiny from the decision-making and those making the decisions could be held to account.

4.8 **Question from Mr M Sands**

4.8.1 Mr Sands asked, should the Fire and Rescue Service move under the auspices of the Police & Crime Commissioner, if that budget element would be removed from the County Council and if it would then transfer into the Office of the Police & Crime Commissioner. He added that his other question, in that it was already known that our fire and rescue service was the second cheapest, or the second least funded service, anywhere in the country, if there would be any moves from the Leader to ensure that funding for this, if it went ahead, would be increased to enhance and improve the Fire and Rescue Service.

4.8.2 The Leader replied that he did not know what the Police and Crime Commissioner was going to do. He added that he had heard that the Police & Crime Commissioner was putting a business case together and when he had, we could then ask questions. He added that until then it was premature to discuss the topic.

4.9 **Question from Mr H Humphrey**

4.9.1 Mr Humphrey asked, in recognising the excellence, professionalism and courage exemplified by the Fire and Rescue Service, if the Leader agreed that protecting the front-line service we all cherished should not mean preserving it in aspic.

4.9.2 The Leader responded that public safety was in the Conservative manifesto and that there was a need to ensure that there was adequate fire service provision for the protection of the public.

4.10 **Question from Mr T Jermy**

4.10.1 Mr Jermy said that several thousand Norfolk residents would be gathering in Norwich on Saturday 29 July to help celebrate equality and diversity as part of the Annual Norwich Pride event. Mr Jermy asked the Leader to confirm if Norfolk County Council would be represented at this event and if he would like to take this opportunity to express a message of support for those residents organising and participating in the event on 29 July.

4.10.2 The Leader replied that he would support everyone doing anything they wanted as well as any organisations involved.

4.11 **Question from Mr D Collis**

4.10.1 Mr Collis referred to the substantial increase in the number of looked after children and the reports from the Administration that this number was likely to grow substantially as the movement of the population changed. Mr Collis said this was a very important factor as it had many implications, mainly on budgets and he asked the Leader for his comments.

4.10.2 The Leader replied that looked after children was an ongoing problem as it was

a demand-led service. He added that the Council was doing the best it could, getting good advice and working with partners to try to resolve the situation.

5 Notice of Motions

5.1 The following motion was proposed by Mr S Morpew and seconded by Mrs Julie Brociek-Coulton:

“Council believes the Fire and Rescue Service in the UK has rightly been praised alongside other emergency services for their role in recent major incidents. We applaud Norfolk's Fire and Rescue Service for their professionalism and readiness to serve and the trust they have built with residents of Norfolk. Consequently Council resolves, despite the ongoing need for finding better and more cost effective ways of delivering services,

1. Budgets for the Fire and Rescue Service should be protected and enhanced to meet additional costs necessary to maintain the operational effectiveness of the service
2. To review the capacity of the service to meet emergencies like those faced elsewhere in recent months and respond to ensure residents can feel assured the service can meet their needs
3. To lobby government to include flooding response as part of the statutory functions of the Fire and Rescue Service and to increase funding accordingly
4. To retain all current Fire stations, numbers of fire fighters, control room and support staff
5. To produce a costed plan to meet future needs resulting from the planned large scale housing and economic growth in the county
6. To resist the bid by the Police and Crime Commissioner to take over the Fire and Rescue Service so locally elected county councillors can continue to be the local voice for residents on Fire and Rescue issues.
7. To write to the government to urge them to make funding available to help fit sprinkler systems into all schools and public buildings.”

5.1.1 Following debate, and upon being put to a recorded vote (Appendix A), with 25 votes in favour, 47 votes against and 0 abstentions the motion was **LOST**.

5.2 The following motion was **WITHDRAWN** by Miss A Kemp under Part 3.2 of 11.8 in view of the guarantees given by the Committee Chair and Leader of Council, that the Willows site would not be disposed of while it was in the Waste Plan and until the matter was resolved by full Council.

“This Council, deploring the loss of £34 million of taxpayers' money over the failed King's Lynn Incinerator Project of a previous Conservative Cabinet, reaffirms its support for the 2014 Motion by which Council reserved the disposal of the Willows site to itself, and asks the Business and Property Committee not to sell or otherwise dispose of the site out of local control before it comes out of the Waste Plan, to prevent the site becoming vulnerable to a purpose unacceptable to the

people of West Norfolk, who have still not been consulted over the future of the site by the County Council.”

6 Recommendations from Service Committees

6.1 Policy & Resources – 3 July 2017

6.1.1 Mr C Jordan, Chairman of Policy & Resources Committee, moved the recommendations in the report.

6.1.2 Annual Treasury Management Report 2016-17

Council **RESOLVED** to:

Approve the Annual Treasury Management Report for 2016-17 attached at Appendix 1 to the report.

6.1.3 Consents for Council Controlled and Partially Controlled Companies

Council **RESOLVED** to:

Appoint directors to companies owned by Norfolk County Council, set out in Table 1, at Appendix 2 of the report.

Delegate to the Executive Director of Finance and Commercial Services the authority to consent to the debt restructuring proposed by Norwich Airport Limited after undertaking further due diligence.

7 Reports from Service Committees (Questions to Chairman)

7.1 Report of the Policy and Resources Committee meeting held on 3 July 2017

Mr Jordan, Chairman of Policy and Resources Committee, moved the report.

7.1.1. Question from Mr D Roper

Mr Roper asked, given the budget challenge faced, if Members could have assurance from the Chairman that there would be a full and open consultation on the budget going forward, which would involve clear choices for the public rather than the rather limited exercise that had taken place in the previous year.

The Chairman replied that he would do the best he could.

7.1.2 Question from Mr G Nobbs

Mr Nobbs referred to the £70,000 paid to Michael Rosen and said, at the time, the Managing Director had stated “we didn’t pay him off, when people resign they just leave, just like any other person that has a job and resigns. Mr Rosen was not being made redundant so there was no severance cost. He would take with him what you would normally expect under normal employment law”. Mr Nobbs continued that Members were now being told that Mr Rosen was paid £70,000 and the words used in the clarification to Policy & Resources Committee was “to facilitate his early departure”. Mr Nobbs asked the Chairman which of the versions was true.

The Chairman replied that he understood everyone had received a written explanation on this topic.

7.1.3 Council **RESOLVED** to note the report.

7.2 **Report of the Adult Social Care Committee meetings held on 19 June 2017 & 10 July 2017.**

Mr B Borrett, Chairman of Adult Social Care Committee moved the report.

7.2.1 **Question from Mr B Watkins**

Mr Watkins referred to one of the Council's four strategic priorities which was to protect the vulnerable people of Norfolk. He continued by saying that despite the £35m worth of additional government money to fund adult social care over the next three years, none of this would be used to restore cuts made to the building resilience programme, which was agreed at the Council budget meeting in February 2017. Instead, the Council has proposed that better, more targeted use of the reduced funding would help those most in need. Mr Watkins asked if the Chairman could spell out how this new targeted approach would be monitored and what message he would like to give to those vulnerable service users.

The Chairman replied that he was pleased Mr Watkins had mentioned the new money Adult Social Care had lobbied the government for and received. He continued that Adult Social Care committee had voted to spend half of the money on recruiting 50 new social workers, which was a great step forward. He continued that the function ceased to be a statutory duty of Norfolk County Council in 2012 which was why the Adult Social Care Committee voted to cease spending money on an area which was not a statutory responsibility, despite the fact that we continued to do so for some years afterwards. The Chairman reiterated that, at a time of very tight demand, areas where Norfolk County Council had statutory responsibility for a service, it was right to focus the money where our responsibilities were.

7.2.2 **Question from Mr M Sands**

Mr Sands referred to the allocation of £18m, £11m and £6m over three years, which amounted to £35m. He added that it had been intimated by the Chairman that this was a result of lobbying government, although this money had been allocated from the £2bn autumn statement. Mr Sands had recently met with the Executive Director of Adult Social Care, who had spoken with him about how the underspend would fund additional savings and the additional social workers to be employed. He asked the Chairman if a clear budget statement for Adult Social Care could be provided, particularly in light of the item in the media on 23 July concerning £1.8m of funding being withdrawn from residents in sheltered housing, despite keeping people in their homes being a priority in achieving savings. He continued by saying that the savings appeared to be being achieved by making cuts to sheltered housing and that there was no discernible budget that held together for Adult Social Care. He asked if the Chairman would agree that budgets needed to be reviewed as a matter of priority to get them back on track.

The Chairman said that the £2bn extra money was a result of lobbying and he was pleased that the money had been included in the autumn statement and that £35m was an excellent result. The Chairman continued that a financial report had been presented to the last Adult Social Care Committee meeting and suggested that, as Mr Nobbs had substituted for Mr Sands at that meeting, he

could let him have the requested information on the financial situation.

7.2.3 Council **RESOLVED** to note the report.

7.3 **Report of the Business & Property Committee meeting held on 20 June 2017**

Mr K Kiddie, Chairman of Business & Property Committee moved the report.

7.3.1 **Question from Mrs C Walker**

Mrs Walker said she had asked a question at the Business & Property Committee meeting about apprenticeships in relation to young adults that would be leaving college this year and about implementation of the apprenticeship scheme being opened up to them. She said she had been promised an answer which she had not yet received. Mrs Walker asked if the scheme had commenced yet, if not, why not and when it would be started.

The Chairman thanked all Members of the new Business and Property Committee for their enthusiastic approach to the new Committee and their engagement. The Chairman apologised for not responding to Mrs Walker sooner and promised to speak to her afterwards to provide a response. He added that Norfolk County Council was actively engaged in the apprenticeship scheme and fully supported it.

7.3.2 **Question from Dr M Strong**

Dr Strong referred to the update by the Head of Property on fire safety measures in place at County Hall and the fact that there was an automatic signal that went from County Hall to the fire station in the event of fire. Dr Strong added that it appeared that this signal was not acted upon until the fire station had received a verbal report and she asked for some information on how the system worked and how safe it was.

The Chairman said that according to all the reports he had received Norfolk County Council worked within industry best practice. He promised to let Dr Strong have a written response to her query. The Chairman went on to explain that County Hall had been refurbished and a sprinkler system had been installed; there were two exits from the main tower; it was not a residential building and people were not sleeping there overnight so the risks were substantially different to the recent devastating fire in London.

7.3.3 Council **RESOLVED** to note the report.

7.4 **Report of the Children's Services Committee meeting held on 26 June 2017**

Mrs P Carpenter, Chairman of Children's Services Committee moved the report.

7.4.1 **Question from Mr E Seward.**

Mr Seward asked whether the Administration's manifesto commitment to protect front line services and focus on educational excellence for all included preserving funding in real terms for 16-plus transport.

The Chairman responded that this would be part of the budget review.

7.4.2 **Question from Ms E Corlett**

Ms Corlett said that she was sure the Chairman would agree that the number of school exclusions this year was an outrage that shamed Norfolk, in particular the 60 primary school-age permanent exclusions. Ms Corlett asked the Chairman to provide an update on how many looked after children were excluded, both primary and secondary age and how many of those excluded children had special educational needs. Ms Corlett also asked for an update on the current figure of how many children and young people were currently without a school place for September 2017. Ms Corlett said this was an equality issue and she needed to question if all schools understood their duties under the Equalities Act.

The Chairman agreed to provide a written response to the question.

7.4.3 Question from Mrs B Jones

Mrs Jones said it was her understanding that Norwich was an opportunity area with an aim of improving social mobility. She asked the Chairman if she would agree that the decision by the Hewitt School, in her division, to close the 6th form and cease offering A-levels would damage social mobility and opportunities for young people in Norwich. Mrs Jones asked if the Chairman would write to the CEO of the Inspiration Trust and the Regional Schools Commissioner to express concern, particularly about the lack of consultation.

The Chairman replied that she would consider the suggestion.

7.4.4 Question from Mr M Smith-Clare.

Mr Smith-Clare said considering the contentious nature of the proposed closure of the Alderman Swindell School in Great Yarmouth, and its recent public consultation, could Council be informed as to when the consultation findings would be made public. He also asked for assurance that if the school was closed, the site would not be sold for housing.

The Chairman responded that the consultation had closed on 21 July and that many responses had been received. She added that the Committee would be presented with another petition at its meeting on 12 September and that all the petitions had to be thoroughly checked for addresses, etc. which could take some time. The Chairman said she hoped to be able to give a set date as to when the information would be available soon, but at the moment Officers were reviewing the responses.

7.4.5 Question from Mr D Collis

Mr Collis asked when the new special school in King's Lynn was going to be opened as he had received information from Catch 22 that it would be opened in September 2017, although another source of information had put doubt on that date. He continued that there would be 24 places available in September at the school which would increase to 32 places in January 2018. He asked, if there was going to be a delay, what was the acceptable number for entry into the school.

Mr Collis also asked if a child who had been awarded special support financially in a school and then moved to another school, if the finance should move with the child. Mr Collis said it had been confirmed that the finance would move with the child, although he was unsure whether or not Norfolk County Council had the authority to make a school transfer that funding. Mr Collis also said there would need to be a degree of flexibility which may require additional funding to the school as it would be difficult to identify a sum of money to attach to a child when the move took place.

The Chairman agreed to provide a written response to the first question raised as she was not sure which school in King's Lynn Mr Collis was referring to. Regarding the second question, the Chairman said that there were some exceptions not controlled by Norfolk County Council with regard to children with special educational needs excluded from school and she would investigate and provide a comprehensive answer to Mr Collis' questions.

7.4.6 Question from Ms A Kemp

Ms Kemp said her question related to children excluded from primary school and a cross-cutting issue with Communities Committee. She added that one of the most important things schools needed help with was children who had challenging behaviour. She referred to a school in her area that had been told it could take two years to obtain help for children with autism which was far too long for a primary school child. She asked how much this sort of delay could lead to exclusion from school as she had heard that the Child and Adolescent Mental Health Service currently had a 32 week wait which was unacceptable. She said public health came under the remit of Communities Committee and asked if it was possible for more discussions to take place so that waiting lists could be reduced to make sure the right money was used to support schools and children which could also help to reduce the number of excluded children.

The Chairman replied that she could not comment on individual cases, but would find out and provide a written response.

7.4.7 Question from Mr M Sands

Mr Sands said he wished to draw Council's attention to the fact that Norfolk County Council had not properly implemented the Autism Act 2009.

7.4.8 The Chairman said she was pleased to announce that Norfolk County Council had recruited a new Executive Director of Children's Services. Sara Tough had 32 years' experience and would be joining Norfolk County Council at the end of October 2017 from Dorset where she had held the position of Director of Children's Services. The Chairman also took the opportunity to thank Matt Dunkley for his excellent work whilst he had been Interim Director.

7.4.9 Council **RESOLVED** to note the report.

7.5 Report of the Communities Committee meeting held on 22 June 2017.

Mrs M Dewsbury, Chairman of Communities Committee, moved the report.

7.5.1 Question from Ms J Barnard

Ms Barnard said the Arts Council England had recognised Norfolk's library service and praised in particular the work to tackle community isolation for the over 65's which was something Norfolk County Council could be proud of. Ms Barnard asked if the Chairman could confirm her commitment to the service and services like this provided by the libraries and to the necessary funding and resources required to continue to provide this nationally recognised service.

The Chairman replied that libraries were flexible and could be used in a variety of ways. Work was taking place right across the board, from children to older people. Work with older people was taking place in an attempt to prevent isolation and loneliness and a writing scheme, reading scheme and maths with families' initiatives had been taking place for children. The Chairman added that libraries were very

flexible, providing computers and books which could be used in a variety of ways. She added that there were still lots of ideas being received about how libraries could be used and these were being explored.

7.5.2 Question from Mr D Roper

Mr Roper said that there had been a lot of discussion about the excellent Norfolk fire service. Mr Roper asked the Chairman, if the Police and Crime Commissioner made a bid to take over the service, if she would personally welcome such a bid.

The Chairman replied “no”.

7.5.4 Council RESOLVED to note the report.

7.6 Report of the Environment, Development and Transport Committee meeting held on 21 June 2017.

Mr M Wilby, Chairman of EDT Committee moved the report.

7.6.1 Question from Mr T Jermy

Mr Jermy stated that when EDT Committee met on 21 June, it was the first occasion that the Committee was made aware that there was a high likelihood there would be a significant overspend in relation to the Northern Distributor Route (NDR). He asked the Chairman of EDT to confirm when he personally first became aware that the NDR was likely to be significantly overspent.

The Chairman replied that he was made aware at the pre-meeting with the Director which was about the same time as his fellow Members on EDT and that Mr Jermy would have found out at a similar time.

7.6.2 Question from Mr T East

Mr East referred to the last meeting of the Waste Advisory Group (WAG) having taken place on 4 November 2016. He added that WAG had originally been commissioned and properly constituted to look at the environmentally friendly recycling options available after the incinerator fiasco and asked when the next meeting of WAG would be held.

The Chairman replied that he would let Mr East know.

7.6.3 Question from Ms A Kemp

Ms Kemp suggested that when the Waste Advisory Group did next meet, a discussion could take place as to why the plastics contract at King’s Lynn recycling centre had been terminated. She added that people in her division had become very concerned and had complained that the plastic was now going into general household waste. She suggested that ways of being innovative and using plastic as a raw material to produce goods should be explored.

Ms Kemp then went on to ask about the Large Local Majors Fund as the government had recently written to her regarding the concerns she had raised about the A10 by-pass, particularly at West Winch and Setchy. The Department for Transport had advised that there was a fund called the large Local Majors fund and had suggested Norfolk County Council could apply to that for funding for roads.

The Chairman replied that he would be happy to look into the problem about plastics as he agreed plastic should be recycled to be used for something useful.

He added that he would find out about the Large Local Majors fund and reply to Ms Kemp.

- 7.6.4 Council **RESOLVED** to note the report.

Other Committees

- 7.7 **Report of the Audit Committee meeting held on 15 June 2017.**

Mr I Mackie, Chairman, moved the report. Council **RESOLVED** to note the report.

- 7.8 **Report of the Health and Wellbeing Board meeting held on 12 July 2017.**

Mr B Borrett moved the report. Council **RESOLVED** to note the report.

- 7.9 **Reports of the Norfolk Joint Museums Committee meeting held on 30 June 2017.**

Mr J Ward moved the report. Council **RESOLVED** to note the report.

- 7.10 **Report of the Norfolk Records Committee meeting held on 30 June 2017**

Mr P Duigan, moved the report. Council **RESOLVED** to note the report.

8 Report of the Constitution Advisory Group

- 8.1 Council received the report setting out a recommendation made by the Constitution Advisory Group (CAG) at its meeting held on 12 July 2017, which was introduced by the Chairman of the Group. In introducing the report the Leader nominated Mr T Garrod as Chairman of the Digital Innovation and Efficiency Committee, and Mr D Bills as Vice-Chairman.

- 8.2 Upon being put to a vote, with 55 votes in favour, 15 votes against and 0 abstentions, Council **RESOLVED** to:

Establish a Digital Innovation and Efficiency Committee with Terms of Reference as set out in Appendix A of the report and that Full Council appoints and Chair and Vice-Chair of the Committee.

Agreed the following appointments:

Chairman: Mr T Garrod

Vice-Chairman: Mr D Bills

- 8.3 Mrs C Walker queried whether or not the Chairman of the County Council should be allowed to be the Chairman of another Committee. The Chief Legal Officer would check the Constitution and provide a response to Mrs Walker.

9 Proportional Allocation of Seats on Committees

- 9.1 Council received the report by the Head of Democratic Services setting out the consequential requirements to review the overall allocations of committee places to political groups, following Council's approval to establish a Digital Innovation and Efficiency Committee (Item 8 above).

- 9.2 The Leader confirmed that the additional Conservative places on Committees would be taken up as follows:

One Liberal Democrat Group representative removed from each of the Children's Services Committee, Communities Committee and Environment, Development & Transport Committee and one Labour Group representative to be removed from each of Policy & Resources Committee and Business and Property Committee.

- 9.3 Council **RESOLVED** to:

- **Determine** the political composition of the Committees as set out in the report.
- **Agree** that the group leaders notify the Head of Democratic Services by 31 July 2017 of their proposed changes to appointments to reflect the new political composition of committees and the appointments then formally be made by the Head of Democratic Services under the delegated powers set out in the Constitution.

10 **Appointments to Committees, Sub-Committees and Joint Committees (Standard Item).**

Council **agreed** the following:

Digital Innovation & Efficiency Committee:

Labour: Mr D Rowntree (spokes)

Dr C Jones

Lib Dem: Dr M Strong (spokes)

Business & Property Committee:

Labour: Remove Mr T Jermy

Great Yarmouth Area Museums Committee

Labour: Mr M Smith-Clare to replace Mr M Castle.

11 **To answer questions under Rule 8.3 of the Council Procedure Rules**

11.1 **Question from Mr S Morphew.**

At Policy and Resources Committee the Leader guaranteed no library closures, no museum closures, and no fire station closures. The Chair of Communities Committee confirmed at the same meeting that the number of Fire Fighters increasing and the Chair of Children's Committee confirmed no children's centres would close. Those welcome commitments came with the Leader saying the Conservative administration would continue to provide services but not necessarily in the same way. He asked if the Leader would use this opportunity to set out in writing exactly what that meant?

The Leader replied that you could not guarantee anything.

11.2 **Question from Mr S Morphew.**

'Commercialisation' as a tool to increase funding for front line services was now widely seen to include bringing back in-house services that had been contracted out. This could save money and allow councils to compete with the private sector to sell services in the open market. Would the Leader confirm this aspect of commercialisation will be a priority for him, and reassure the county there will

be no proposals from the Conservative administration to introduce new charges for care?

The Leader responded that it was part of the bigger picture and not just one part.

11.3 Question from Mr T Jermy.

What steps has the chair of EDT taken to ensure future monitoring of NDR costs was improved to reduce the risk of overspends and provide public confidence in future proposals for major spending on capital schemes?

The Chairman of Environment Transport and Development (EDT) Committee replied that, as Cllr Jermy was aware, EDT had set up a cross party working group to review the NDR costs. Their conclusions would help inform the Committee on how to best develop future capital schemes

11.4 Question from Mr T Jermy.

Public transport provided a lifeline for many who could not, or preferred not to, drive cars, without which they risked isolation or difficulty getting to family, work, education or services like doctors and hospitals. Did the chair of EDT agree that public transport should be given equal priority to road building and that in deciding new road schemes priority should be given to new roads that enabled improvements to public transport?

The Chairman of EDT acknowledged the sentiment in Cllr Jermy's question and said he fully supported the key role that public transport played in many lives in Norfolk. In developing any scheme, there was a range of social, environmental and economic issues that must be considered in the whole. Public transport was one of these and as an example, the Chairman said he looked forward to further improvements in public transport provision and reliability in Norwich, which would come forward as a consequence of the construction and completion of the NDR.

11.5 Question from Mr M Sands.

At the next meeting of Council Labour would be bringing forward a proposal to develop a Carers Charter. For too long carers contributions to Norfolk had been undervalued. We will be proposing a charter to help give recognition to carers in their communities, in employment and to young carers in education. Would the chair of ASC commit to working with us and the Lib Dems if they are so minded to bring forward an agreed scheme to council to finally give carers the recognition they are due?

The Chairman of Adult Social Care Committee replied that Norfolk had a well-developed framework for carer influence with Norfolk Young Carers Forum, Healthwatch and Carers Council Norfolk. We worked with such organisations to use the voice of carers, and their experiences to drive improvements and formulate best practice. Locality Groups existed and drew together local family carers and those that worked with, and for, them to discuss their issues, views and concerns and influence and improve the policies and services that affected their lives.

Norfolk County Council already recognised the enormous contribution that carers made across health and social care and the recently awarded contract (which will commence in Oct 2017) would build on this best practice intending to 'make Norfolk a leader for carer influenced services'. We have proposed, and

Adult Social Care Committee has already agreed, to use some of the additional social care funding to improve identification of hidden carers and support services to carers. The Chairman added that the Harwood Charter, which had been in place for some years, also covered carers.

Councillor Julie Brociek-Coulton had acted as the Carers Champion, a non-political position, for a number of years and the Chairman said he was pleased that the Committee had supported her retention in that role even though she was no longer on the Adult Social Care Committee.

Given that good cross-party working on this topic was already in place, the Chairman proposed that Mrs Brociek-Coulton consulted with the Carers Council on whether a Care Charter would provide any additional support to carers and aid greater collaboration between the public and voluntary sector in supporting carers, as it may sit better with the Carers Council. The Chairman added that the real value of a Charter may be in the ability to get wider departments, organisations and agencies to sign up to a Charter as a much wider ownership than just social care was required.

11.6 Question from Ms E Corlett.

Would the Chairman of Children's Services Committee invite the incoming Regional Schools Commissioner, Sue Baldwin, to committee on 12 September to discuss Norfolk's inclusion crisis? There are currently over 100 children without a school place. Last academic year saw 269 permanent exclusions from Norfolk schools, and there have been 289 so far this year (as of 12 July). Recently Open Academy attempted to close its Specialist Resource Base for children with autism, with the Head Teacher writing to parents that the school being inclusive had led to "a significant reduction in our GCSE results, a dip which has affected Ofsted judgements and coverage in the local media". Inspiration Trust school Thetford Academy last week singled out the parents of children with English as Additional Language and sent them a letter that was received by many as discriminatory.

The Chairman agreed to invite the Regional Schools Commissioner, Sue Baldwin, to the Children's Services Committee meeting on 12 September 2017 to discuss the issues raised in relation to academies. The Chairman added that this was in keeping with the role of the Commissioner to act as scrutineer of the school landscape in terms of education providers including local authority and maintained schools, academies and free schools.

The meeting concluded at 11.55am.

Chairman



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Norfolk County Council

24 July 2017

ITEM NUMBER: 5 – Notice of Motions (Motion proposed by Mr S Morpew, seconded by Mrs J Brociek-Coulton).

For	Against	Abstain		For	Against	Abstain	
X			ADAMS Timothy	X			KEMP Alexandra
	X		ADAMS Tony		X		KIDDIE Keith
X			AQUARONE Steffan		X		KIDDLE-MORRIS Mark
	X		ASKEW Stephen		X		LONG Brian
X			BARNARD Jess		X		MACKIE Ian
	X		BILLS David	Absent			MAXFIELD Edward
	X		BORRETT Bill	Absent			MIDDLETON Graham
	X		BOWES Claire		X		MOONEY Joe
	X		BRAME Roy	X			MORPHEW Steve
X			BRODIEK-COULTON Julie	X			NOBBS George
X			BUTIKOFER Sarah		X		OLIVER Judy
	X		CARPENTER Penny		X		OLIVER Rhodri
X			CASTLE Mick		X		PECK Greg
	X		CLANCY Stuart	Absent			PLANT Graham
Absent			CLIPSHAM Kim		X		PRICE Richard
X			COLLIS David		X		PROCTOR Andrew
	X		COLMAN Ed		X		RICHMOND William
X			CORLETT Emma	X			ROPER Dan
Absent			DARK Stuart	X			ROWNTREE David
	X		DEWSBURY Margaret	Absent			RUMSBY Chrissie
	X		DIXON Nigel	X			SANDS Mike
X			DOUGLAS Danny	X			SEWARD Eric
	X		DUIGAN Phillip		X		SMITH Carl
	X		EAGLE Fabian		X		SMITH Thomas
X			EAST Tim	X			SMITH-CLARE Mike
	X		EYRE Simon		X		SPRATT Bev
	X		FISHER John	Absent			SQUIRE Sandra
	X		FITZPATRICK Tom	Absent			STONE Barry
	X		FOULGER Colin		X		STONE Margaret
	X		GARROD Tom		X		STOREY Martin
	X		GRANT Andy	X			STRONG Marie
	X		GURNEY Shelagh		X		THIRTLE Haydn
Absent			HANTON Ron	Absent			THOMAS Alison
Absent			HARRISON David		X		THOMSON Victor
	X		HORSBRUGH Michael Chenery of	X			TIMEWELL John
	X		HUMPHREY Harry		X		VINCENT Karen
	X		ILES Brian	X			WALKER Colleen
	X		JAMIESON Andrew		X		WARD John
X			JERMY Terry	X			WATKINS Brian
X			JONES Brenda		X		WHITE Tony
X			JONES Chris		X		WILBY Martin
	X		JORDAN Cliff	Absent			YOUNG Sheila

With 25 votes in favour, 47 votes against and 0 abstentions the motion was LOST.

Questions requiring written responses from the Council Meeting - 24 July 2017

	Question and response:
Question to the Chairman of Business & Property Committee from Mrs C Walker	<p>Mrs Walker said she had asked a question at the Business & Property Committee meeting about apprenticeships in relation to young adults that would be leaving college this year and about implementation of the apprenticeship scheme being opened up to them. She said she had been promised an answer which she had not yet received. Mrs Walker asked if the scheme had commenced yet, if not, why not and when it would be started.</p> <p>Reply by the Chairman. Jan Feeney, Employment and Skills Manager, would contact Mrs Walker to arrange a meeting to discuss apprenticeships going forward.</p>
Question to the Chairman of Business & Property Committee from Dr M Strong	<p>Dr Strong referred to the update by the Head of Property on fire safety measures in place at County Hall and the fact that there was an automatic signal that went from County Hall to the fire station in the event of fire. Dr Strong added that it appeared that this signal was not acted upon until the fire station had received a verbal report and she asked for some information on how the system worked and how safe it was.</p> <p>Reply by the Chairman: NCC has installed a new modern fire detection system across the building. Throughout the building, if smoke or fire is detected it will sound the alarm and immediately start the evacuation of the building.</p> <p>However, there are a few areas in the building, where there is a more sophisticated system that operates known as a 'double-knock' system. These are <u>only</u> located in areas where you might have activities that could set off a standard fire system, such as in a commercial kitchen. The advantage of this system is that it avoids unnecessary evacuations</p> <p>A double knock system works when two devices are both activated – but an evacuation can be sounded at any time by 'breaking the fire alarm point'.</p> <p>NCC have undertaken an evacuation in May 2017 when the fire system was triggered <i>An incident occurred in the switch room (which houses part of our electrical system) – a secure part of the building, which operates a double-knock system. An initial 'detection' was picked up and our staff secured the area and corridors around this area. There can be a number of benign issues that would cause a single fire detector to activate in this area, if two systems are activated this would have automatically sounded the alarm. Upon investigation, NCC staff felt that an evacuation would be appropriate and sounded the alarm by pushing the button.</i></p>

	<p>Question and response:</p> <p><i>Throughout the whole incident, it should be noted that staff were safely monitoring the area and only sounded the alarm, when it was appropriate to do so. It is important to note:</i></p> <ul style="list-style-type: none"> <i>• The fire detection system worked exactly as it was meant to.</i> <i>• Norfolk Fire and Rescue have reviewed the incident and have no areas of concern.</i> <i>• NCC fully followed procedures and the building was evacuated in a controlled and safe way.</i>
<p>Question to the Chairman of Children's Services Committee from Ms E Corlett</p>	<p>Ms Corlett said that she was sure the Chairman would agree that the number of school exclusions this year was an outrage that shamed Norfolk, in particular the 60 primary school-age permanent exclusions. Ms Corlett asked the Chairman to provide an update on how many looked after children were excluded, both primary and secondary age and how many of those excluded children had special educational needs. Ms Corlett also asked for an update on the current figure of how many children and young people were currently without a school place for September 2017. Ms Corlett said this was an equality issue and she needed to question if all schools understood their duties under the Equalities Act.</p> <p>Reply by the Chairman:</p> <p>There were 16 pupils in total permanently excluded this academic year who had an EHCP or statement (one of which was a LAC).</p> <p>There were a total 98 permanent exclusions, where the school notified us that the child or young person had a special educational need. Of these, six pupils were LAC). There are 3 further cases where the school notified us that the pupils has a known special educational need (none of these are LAC), which are still in process.</p> <p>For Sept 2017, it is not possible to give an exact figure at this stage because the local authority is currently in the process of securing school places for young people who are already in the Short Stay School for Norfolk in readiness for September. We are also commissioning additional provision through NCC procurement processes. This activity will free up spaces in the Short Stay School and will impact on the overall numbers of children without a school place. We will be able to report more comprehensively on this at the start of September.</p> <p>As for schools awareness of their duties under the Equalities Act, we would of course expect that governors and leaders are fully aware of their duties. The regulator (Ofsted) as well as other agencies routinely check this as part of their work</p>

<p>Questions to the Chairman of Children's Services Committee from Mr D Collis</p>	<p>Question and response:</p> <p>Mr Collis asked when the new special school in King's Lynn was going to be opened as he had received information from Catch 22 that it would be opened in September 2017, although another source of information had put doubt on that date. He continued that there would be 24 places available in September at the school which would increase to 32 places in January 2018. He asked, if there was going to be a delay, what was the acceptable number for entry into the school.</p> <p>Reply by the Chairman:</p> <p>Fen Rivers Academy, a special school for children with social, emotional and mental health difficulties, was due to open in January 2018 with a first intake of 24 students across Year Groups 1-3. The location of the school is the current West Norfolk Professional Development Centre which is being remodelled and renovated during the autumn term 17/18. The school growth plan is co-dependent upon the development of plans to relocate St Edmund's School, currently located on the same site as the West Norfolk PDC where Fen Rivers will co-opt in order to become the 96 place all through school that has been awarded to Catch 22 to operate. However, we have recently been advised by Norfolk Property Services about delays to the renovation of West Norfolk PDC which will mean a small delay of a matter of weeks for the initial opening and first intake of the school. We are in discussion with NPS regarding this, but anticipate that this will not delay the school opening beyond the start of the Summer term 17/18 at the latest. As soon as the building becomes available we will be moving to admit pupils immediately and we are actively working with NPS, Catch 22 and other local schools on the infrastructure (staffing, identification of pupils, etc) to enable the school to open as soon as the building is ready. Unfortunately, the renovations do need to be completed in their entirety before the local authority seeks to admit pupils, we would not be able to consider a smaller cohort of pupils being admitted to the school whilst renovations of the site are underway.</p> <p>Question 2</p> <p>Mr Collis also asked if a child who had been awarded special support financially in a school and then moved to another school, if the finance should move with the child. Mr Collis said it had been confirmed that the finance would move with the child, although he was unsure whether or not Norfolk County Council had the authority to make a school transfer that funding. Mr Collis also said there would need to be a degree of flexibility which may require additional funding to the school as it would be difficult to identify a sum of money to attach to a child when the move took place.</p> <p>Reply from the Chairman:</p> <p>The Local Authority operates funding system for complex needs schools based on national regulations. This is different to mainstream and funding does move with the student in real time. Under normal circumstances if a child moves from a special school the funding linked to the pupils assessed need (top up funding) is removed from the school and returned to the high needs block. The special school under DFE regulations still retains the £10,000 place funding, this gives the school stability in its budget, to cover staffing and fixed overheads costs until another child fills the place.</p> <p>However as Fen Rivers is a new school, building to full capacity on a phased intake, they will not have enough pupils to</p>
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	<p>Question and response:</p> <p>cover the fixed costs of running the school site. There are interim arrangements to cater for the start-up and growth of a new special school. Therefore for the first 5 years until the school is at full capacity we have agreed that there will be a set amount of funding for each year, based on the required staffing level and fixed overhead costs. If a pupil leaves the funding will not follow the pupil, as to reduce the funding would mean the school does not have the required funding level to pay the staff employed and the cost of running the site.</p>
<p>Question to the Chairman of Children's Services Committee from Ms A Kemp</p>	<p>Ms Kemp said her question related to children excluded from primary school and a cross-cutting issue with Communities Committee. She added that one of the most important things schools needed help with was children who had challenging behaviour. She referred to a school in her area that had been told it could take two years to obtain help for children with autism which was far too long for a primary school child. She asked how much this sort of delay could lead to exclusion from school as she had heard that the Child and Adolescent Mental Health Service currently had a 32 week wait which was unacceptable. She said public health came under the remit of Communities Committee and asked if it was possible for more discussions to take place so that waiting lists could be reduced to make sure the right money was used to support schools and children which could also help to reduce the number of excluded children.</p> <p>Reply by the Chairman:</p> <p>The local authority recognises that effective assessment and identification of children's special educational needs is critical. This ensures that schools can plan and implement provision, in full collaboration with the child's parents, to meet those needs. This is particularly important for children, especially young children, who exhibit challenging behaviour, which can often be the external presentation of an unmet special educational need. A child with special educational needs cannot be denied a place in a mainstream school on grounds that it is "unsuitable" and there is a general presumption in law the right of any child with SEND to access a mainstream education. Schools and other settings have a duty under the SEN Code of Practice to use their best endeavours to secure the special educational provision needed by children with SEND using the graduated approach to identify and assess children's special educational needs and then arrange and review appropriate provision to meet these needs – this is known as "SEND Support". Children with highly complex needs, usually those which require provision that can only be made within a specialist setting, will have their SEND arrangements met through an Education, Health and Care plan.</p> <p>The local authority has since 2012, delegated 100% of its "top up" higher needs funding directly to mainstream schools to work together in groups of schools, known as clusters. This was done to enable schools to respond more quickly and flexibly under an autonomous school led, early intervention model to identify, assess and meet the needs of children with SEND. Schools have absolute freedom over this funding and can use it to commission professional assessments, learning support, specialist equipment, facilities and resources, therapeutic intervention, targeted teaching programmes, specialist training for teachers (including pupil specific support from Norfolk special schools via the "School to School" programme). This also enables them to do this in full collaboration and co-production with parents and carers under the principles of person centred planning. The arrangements for how a school arranges this locally is set out in the school's SEN Information report, which the local authority would expect to detail the provision secured with this funding for children with SEND. The SEN Information report can be found on the school's website.</p>

	<p>Question and response:</p> <p>The local authority is aware that local practice between clusters is variable and this was identified in a recent peer review undertaken by neighbouring local authorities and, as a result, the Children's Services will be undertaking a review of the approach to cluster funding using best practice from clusters who utilise their funding effectively, demonstrating highly inclusive practice and managing a more complex profile of need. In addition, we are also undertaking work directly with the Head Teacher's Associations in response to Norfolk's high rate of permanent exclusions; the key focus of this is support for schools in managing challenging behaviour which including children with neurodevelopmental disorders whether or not they have a formal diagnosis.</p> <p>Whilst the ASD diagnostic pathway is commissioned by our colleagues in Health via the 5 Norfolk Clinical Commissioning Groups and not the local authority, we work in close partnership with them to meet the needs of children and young people with SEND. Clinical waiting times for ASD assessment and diagnosis are under routine review. Additionally, the local authority jointly commissions CAMHS provision with Norfolk's 5 CCGs. The CAMHS service is currently undergoing a wholesale review as part of the commissioning cycle and a key theme of this recommissioning exercise will be looking at the relationship between schools and clinical practitioners so that schools are able to access expert professional input, advice and support in meeting needs of children who require clinical intervention with a focus on early intervention because children's needs escalate to a level where specialist clinical input is required.</p>
<p>Question to the Chairman of EDT from Mr T East</p>	<p>Mr East referred to the last meeting of the Waste Advisory Group (WAG) having taken place on 4 November 2016. He added that WAG had originally been commissioned and properly constituted to look at the environmentally friendly recycling options available after the incinerator fiasco and asked when the next meeting of WAG would be held.</p> <p>Reply by the Chairman:</p> <p>Given that the Group had already completed the key actions it was set up for there was no need to re-establish it at the start of the current Council cycle and it has therefore been discontinued.</p>
<p>Question to the Chairman of EDT from Ms A Kemp</p>	<p>Ms Kemp suggested that when the Waste Advisory Group did next meet, a discussion could take place as to why the plastics contract at King's Lynn recycling centre had been terminated. She added that people in her division had become very concerned and had complained that the plastic was now going into general household waste. She suggested that ways of being innovative and using plastic as a raw material to produce goods should be explored.</p> <p>Ms Kemp then went on to ask about the Large Local Majors Fund as the government had recently written to her regarding the concerns she had raised about the A10 by-pass, particularly at West Winch and Setchy. The Department for Transport had advised that there was a fund called the large Local Majors fund and had suggested Norfolk County Council could apply to that for funding for roads.</p> <p>Reply by the Chairman.</p> <p>1) All residents in Norfolk are now able to recycle plastic bottles, pots, tubs and trays at the kerbside each fortnight. Regarding the recycling centres unfortunately in April we had to suspend the trial of rigid plastic recycling at five</p>

	Question and response:
	<p>recycling centres, including the King's Lynn site, as it was no longer viable. This was because the facility where the material was sent was not able to accept the volume of material we were delivering and no longer wanted our material which included a highly variable range of plastics such as pipes, garden furniture, guttering, toys etc. We are exploring cost effective alternatives and hope to reintroduce our trial when possible.</p> <p>*****</p> <p>2) We are aware of the government's Large Local Majors Fund and our proposed strategy for achieving a longer West Winch bypass that also relieves Setchey is as follows:</p> <ul style="list-style-type: none"> i. Continue to pursue the West Winch Relief Road as set out in the KL&WN Local Plan (early scheme development work is about to commence using joint funding from the pooled business rates, BCKL&WN and NCC) with a view to adding the Setchey section to this in due course from other funding sources to be explored ii. Review the A10 study work recently carried out by Cambridgeshire County Council iii. Review the progress of the consultation on the governments proposed new 'major road network', which would be supported by a share of the annual National Road Fund, funded by Vehicle Excise Duty (VED), given to local authorities to improve or replace the most important A-roads under their management iv. Keep under review a possible bid to governments Large Local Majors Fund, prioritising it alongside other known NCC scheme priorities such as the Great Yarmouth Third River Crossing, Long Stratton Bypass and Norwich Western Link