



**Norfolk County Council**

**Minutes of the Meeting Held on 15 June 2009**

**Present:** Mr W Northam in the Chair

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

**Total present: 77**

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

## **Apologies:**

Apologies for absence were received from Mr S Clancy, Mr D Harrison, Mr J Joyce, Dr M Strong, Mr A White and Mr R Wright.

### **1. Election of Chairman**

(Mr Wyndham Northam in the Chair).

Upon the motion of Mr Cox, seconded by Mr Morse and supported by Dr Boswell and Mr Nobbs, it was

**RESOLVED** (unanimously)

That Mrs Shelagh Gurney be elected Chairman of the County Council for the ensuing year.

Mrs Gurney, having made the statutory declaration of acceptance of office, thanked the Council for the honour conferred upon her and thereupon formally took the Chair.

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

The minutes of the meeting held on 27 April 2009 were confirmed as a correct record and signed by the Chairman.

### **3. Election of Vice-Chairman**

Upon the motion of Mr Cox, seconded by Mr Morse and supported by Dr Boswell and Mr Nobbs, it was

**RESOLVED** (unanimously)

That Mr Tony Tomkinson be appointed Vice-Chairman of the County Council for the ensuing year.

Mr Tomkinson made the statutory declaration of acceptance of office and received his badge from the Chairman.

### **4. Vote of Thanks to the Outgoing Chairman**

Mr Cox moved a vote of thanks to the outgoing Chairman, Mr Wyndham Northam, and thanked him for his hard work and dedication and for all that he had done for Norfolk County Council during his year of office.

In seconding the motion, Mr Morse also paid tribute to Mr Northam, as did Dr Boswell and Mr Nobbs.

The motion having been carried unanimously, it was:

## **RESOLVED:**

That this Council place on record their grateful thanks to Mr Wyndham Northam, for his services to the people of Norfolk as Chairman of the County Council, and for being an excellent ambassador for the Council.

Thanks were also extended to The Chairman's wife Sylvia, who had been so supportive.

The Chairman presented Mr Northam with an illuminated address and passed on her personal thanks.

Mr Northam, responding to the resolution of thanks, thanked the previous speakers for their kind words and said that it had been an honour and privilege to represent the people of Norfolk and the Members of the Council during the past year. Mr Northam paid tribute to his wife, Sylvia, for her unfailing help and support during his year of office. Mr Northam said he had been proud to serve in an Administration which had done such a superb job over the last 8 years.

During his year in office Mr Northam had attended 212 events including visits to Air, Sea and Army Cadet Force Units throughout the County. Highlights of his year had included the Chairman's Summer Reception held at the Sainsbury Centre, the Great at 80 Event, the Battle of Britain Commemorative event and Citizenship ceremonies, which he encouraged all Members to attend.

Mr Northam thanked Susan Farrell and the Democratic Support team, especially Catherine Wilkinson, Chairman's Officer, for their help throughout the year. He also thanked David White the Chief Executive, Joanna Hannam the Head of Communications and Customer Service, Paul Tacon the Catering Manager, Chief Officers, especially Richard Elliott the Chief Fire Officer and Director of Community Protection, Greg Insull, Assistant Head of Democratic Services, Victoria McNeill, Head of Law and Monitoring Officer. Mr Northam offered special thanks to Shaun Murphy for his support as Vice Chairman.

## **5. Chairman's Announcements**

The Chairman extended a welcome to all members, particularly those elected to the Council for the first time.

Members were reminded that they must sign the Members' declarations of acceptance of office and agreement to observe the code of conduct prior to acting as a County Councillor.

Members were also reminded that the return of Members' election expenses forms must, by law, be returned by no later than 9 July to the Members' Support Officer at County Hall.

Members were invited to attend an introductory briefing by the Chief Executive at the end of the formal business this morning and following lunch, they were invited to attend an induction session regarding the Council's Overview and Scrutiny arrangements.

## **6. Declarations of Interest**

There were no declarations of interest.

## **7. Election of Leader of the County Council**

The Chairman invited nominations for Leader of the Council.

Mr Nunn nominated Mr Cox and Mr Plant seconded the nomination.

**RESOLVED:** to appoint Mr Daniel Cox as Leader of the Council.

In thanking Members for electing him as Leader, Mr Cox welcomed all new Members to the County Council, an authority recently rated four star by the Audit Commission.

As well as looking forward to working with his Cabinet Colleagues, Mr Cox said he also looked forward to a constructive and positive working relationship with colleagues who lead the other parties, Paul Morse, Andrew Boswell and George Nobbs. Over the coming few weeks, he planned to meet all County Councillors in a particular district area on an area by area basis, to listen to the issues and concerns raised which Members wanted the Cabinet to address.

Mr Cox paid tribute to those many experienced Councillors who had retired or lost their seats, especially Shaun Murphy the former Leader, Deputy Leader and Cabinet Member for Cultural Services, Sue Whitaker, Leader of the Labour Group and Chris Hull, previous Convenor of the Green Party.

Mr Cox said that all the shared ambitions for Norfolk could only be delivered with and through others, so stronger partnerships, effective and strong local relationships, shared or joint services and more innovative, responsive ways of commissioning were non negotiable parts of the agenda for local government leadership.

Mr Cox said that the authority would work with partners in the public, private and third sectors to help Norfolk be the place in which it could fulfil its ambitions and aspirations. The Council had a long record on strong financial management and value for money, good public services, excellent staff and a strong reputation for delivery and it was intended to continue to raise the performance of the Council overall to ensure it is better equipped to lead, innovate and deliver major change. Mr Cox wanted to see a sleeker, fitter, more streamlined authority, a Council that was in tune with the heartbeats of all its many communities and he wanted the ethos and culture of the Council to reflect this. There was an ambitious agenda for change which the Council was determined to see through which would allow the authority to deliver improvements that people wanted and could afford.

Mr Morse, Dr Boswell and Mr Nobbs all offered their congratulations to Mr Cox on his election as Leader of the County Council.

## **8. Present Political Structures of Norfolk County Council**

8.1 Mr Cox moved the report and proposed the following amendments to the current committee arrangements to increase to 17, the membership of each of the following committees:

- The Cabinet Scrutiny Committee
- The Planning (Regulatory) Committee
- The Economic Development and Cultural Services Overview and Scrutiny Panel

There were a number of small committees that previously had a balance of 3 Conservative, 1 Labour and 1 Liberal Democrat and their constitution specified that it would include named members of the two main opposition groups. Under the new balance requirements, these committees would become 4 Conservative and 1 Liberal Democrat and it had therefore been necessary to delete this specification. Therefore, Mr Cox proposed:

- a) To amend the composition of the Personnel Committee so that it became:-  
5 Members of the Council, to include:
  - The Leader and Deputy Leader of the Council
  - At least one other Cabinet Member
  - The Leader of the majority opposition group
- b) To amend the composition of the Pensions Committee so that it became:-  
5 Members of the Council, to include:
  - The Leader and Deputy Leader of the Council
  - At least one other Cabinet Member
- c) To amend the composition of the Emergency Committee so that it became:-  
5 Members of the Council, to include:
  - The Leader and Deputy Leader of the Council
  - The Cabinet Member for Fire and Community Protection

**RESOLVED:** To approve the above amendments to the current committee arrangements and the political structures of Norfolk County Council.

8.2 Mr Cox introduced the new members of the Cabinet:

Adult Social Services – Mr D Harwood  
Children's Services – Mrs S Hutson  
Corporate & Commercial Services – Mr A Williams  
Cultural Services and also Deputy Leader – Mr D Murphy  
Economic Development – Mr B Iles  
Environment & Waste – Mr I Monson  
Fire & Community Protection – Mr H Humphrey  
Performance & Partnerships – Mrs J Chamberlin  
Planning & Transportation – Mr A Gunson

**9. Proportional Allocation of Seats on Committees**

Mr Cox moved the report.

**RESOLVED:** To approve the proportional allocation of seats on Committees.

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

Mr Cox moved the report which was tabled at the meeting and proposed the following amendments:

Cabinet Scrutiny Committee –  
Replace Brian Long and Roger Smith with Phillip Duigan and Bill Borrett.

Planning (Regulatory) Committee –  
Replace Steven Dorrington with Ann Steward.

**RESOLVED:** With the above amendments to approve the report.

**11. Cabinet Recommendations – 5 May 2009**

Mr Cox moved the recommendations from the above report.

**2008-09 Finance Monitoring Report, paragraph 1**

Mr Little asked how confident the Council was with the Government's Credit Guarantee Scheme and whether this scheme guaranteed the entire investment. Further, he asked whether the Council could be satisfied that 'particularly at risk' UK banks would be sufficiently highlighted within the new system. In response, Mr Williams, Cabinet Member for Corporate and Commercial Services, said that the Council had to have full confidence in this scheme as it is backed by the Government. Mr Cox said that as long as the British Government and the Bank of England continued to exist there was no risk to the Council's investment as they are the ultimate guarantors of this Scheme.

Mr Morse asked whether the Council was comfortable with the advice received from Butlers, the Council's Treasury Management Advisers. In response, Mr Cox said that whilst the Cabinet was comfortable with the information received, the need to strengthen treasury management had been recognized and therefore the Treasury Management Panel had been set up. This Panel was currently awaiting information from the liquidators on how much of their investments the authority could expect to see returned.

**RESOLVED:** To approve the expanded definition of an 'eligible institution', as set out in the Cabinet report, for inclusion within the Annual Investment and Treasury Management Strategy for 2009-10.

## **Programme of Meetings 2010, paragraph 2**

**RESOLVED:** To approve the Norfolk County Council 2010 programme of meetings.

### **12. Report of the Cabinet Committee Meeting held on 5 May 2009**

#### **Overview and Scrutiny Panel Issues, paragraph 1.1**

Mr Bearman asked how the additional funding for 16 – 18 year olds to attend Sixth Forms and Colleges in September would be allocated and whether this funding would disadvantage smaller Sixth Forms.

Mr Scutter asked how and when Sixth Forms and Colleges would receive this additional funding and he voiced concern that procedures might not be in place to support students who wished to take advantage of this additional funding and said the allocation of this funding needed to be planned throughout the County.

In response, Mrs Hutson, Cabinet Member for Children's Services, said that she had raised this question with the Director of Children's Services who had assured her that smaller Sixth Forms would not be disadvantaged. Mrs Hutson said that she would provide a briefing on how the additional funding would be allocated.

#### **Overview and Scrutiny Panel Issues, paragraph 1.4**

Mr Callaby asked about the retention of the flood sirens and whether these could be retained under the Sustainable Communities Act. Further, he asked whether the Cabinet was happy with the ability of the Council to address a Swine Flu pandemic. Mr Humphrey, Cabinet Member for Fire & Community Protection, said the Sustainable Communities Act raised the possibility of the sirens being retained and this issue was also being considered by local MPs and emergency services. With reference to the pandemic, Mr Humphrey said that the Council had thorough business continuity processes in place to deal with this.

#### **Building Schools for the Future, paragraph 8**

Dr Boswell asked about the composition of the BSF Project Board. In response, Mr Cox said that he would look at the governance arrangements and bring recommendations to the Group Leaders.

#### **Report of the Cabinet Scrutiny Committee Working Group on Monitoring Corporate Improvement Themes, paragraph 13**

Mr Morse said that effective scrutiny reflected well on all Members and he asked whether Mr Cox could be confident in the scrutiny function, given that the political balance of the Council had changed dramatically. Further, he asked whether the scrutiny function would still support the progress that the Council wished to make. In response, Mr Cox said that scrutiny provided a challenge and helped to enable the Council to raise performance. Scrutiny was cross-party and the major opposition group leader would chair the

Cabinet Scrutiny Committee. Whilst there may be times when the Cabinet was unable to agree scrutiny recommendations, scrutiny was valued.

**Report of the Cabinet Scrutiny Committee Working Group on Child Poverty in Norfolk, paragraph 14**

Mr Bearman asked when the recommendations contained within the Child Poverty in Norfolk report were likely to be implemented and whether free lunches for some children would be put in place for this summer holiday period. In response, Mr Cox said that the Cabinet had agreed to publish a response within two months, indicating what, if any, action it proposed to take.

Mr Little said that in the recently released Child Poverty Action Group manifesto, child poverty was very much linked to levels of social and economic inequality. He asked whether there was focus on the part of the County Council to work with district councils to ensure that growth planned under the current Greater Norwich Development Partnership (GNDP) agenda would be of sufficient benefit to existing areas of deprivation and the families that live there. In response, Mr Cox said that the GNDP must look at the impacts of growth on the wider community; the GNDP had sought to look at the wider benefits of economic growth for Norwich and the surrounding areas.

**RESOLVED:** to note the report.

**13. Report of the Cabinet Scrutiny Committee Meeting held on 19 May 2009**

**RESOLVED:** to note the report.

**14. Report of the Norfolk Health Overview and Scrutiny Committee Meeting held on 21 May 2009**

**RESOLVED:** to note the report.

**15. Report of the Standards Committee meeting held on 23 April 2009**

**RESOLVED:** to note the report.

**16. Planning (Regulatory) Committee meeting held on 24 April 2009**

**RESOLVED:** to note the report.

**17. Planning (Regulatory) Committee meeting held on 22 May 2009**

**RESOLVED:** to note the report.



**18. Audit Committee meeting held on 23 April 2009**

**RESOLVED:** to note the report.

**19. Norfolk Records Committee held on 1 May 2009**

**RESOLVED:** to note the report.

**20. Motion by Mr W Nunn**

Mr Nunn moved, seconded Mr J Dobson, the suspension of Council Procedure Rule 10.1, in accordance with Rule 11p of the Council Procedure Rules.

**RESOLVED:** with 50 votes in favour, 15 against, 1 abstention and 4 non-votes, to suspend Council Procedure Rule 10.1, in accordance with Rule 11p of the Council Procedure Rules.

Mr Nunn then moved the following motion, which was seconded by Mr Dobson:

“Further to the Council’s resolution of 15<sup>th</sup> September 2008, I propose:

- a) That this Council, consistent with its motion of 15<sup>th</sup> September 2008, writes urgently to the Boundary Committee to make formal representation in favour of the two tier system of local government for Norfolk, and in so doing expressly removes its endorsement for any model of unitary government for the County;
- b) That this Council, consistent with its motion of 15<sup>th</sup> September 2008, conducts a Mori poll to provide the people of Norfolk the chance to express their views and that such Mori poll be conducted prior to the Secretary of State’s decision;
- c) That a budget of £40,000 be agreed to allow a Mori poll to be undertaken;
- d) That this Council joins the ‘Keep Norfolk Local’ campaign and publicly supports and promotes the two tier structure of local government within the county;
- e) That this Council, consistent with the Council’s resolution of 15<sup>th</sup> September 2008, actively promotes the joint working already begun between existing authorities and that a Member Group is established to oversee this work;
- f) That this Council tasks its communications staff to promote actively and urgently the above in all forms of media in Norfolk;
- g) That this Council prepares work with other local authorities in Norfolk to support a Judicial Review.”

In response, the Chairman said that this motion related to the Local Government Review in Norfolk. The matters raised in it were executive matters which would normally stand referred to Cabinet.

The Chairman had taken advice from the Monitoring Officer and had discretion to permit this motion to be dealt with at this meeting if she considered it convenient and conducive to the despatch of business. This discretion was under Rule 10.6 of the Council Procedure Rules in Appendix 9 of the Constitution.

However, for two reasons the Chairman did not agree to it being dealt with today:

- First, it was the annual meeting of the Council which was predominantly a civic function. It was not Council practice to debate complex and substantive issues at the annual meeting.
- Second, the Monitoring Officer had advised the Chairman that a number of members would have a prejudicial interest in relation to this debate. As this motion had been brought forward without notice there had not been an opportunity for members to ask the Standards Committee for a dispensation should they wish to do so.

This was the Chairman's ruling on this motion and was final, in accordance with Rule 22 of the Council Procedure Rules.

The Chairman asked the Chief Executive to advise on how to seek the Standards Committee's dispensation and convene a special Full Council meeting to debate this motion at short notice.

In response, the Chief Executive said that he recognised that it was important for members of the new Council to debate this promptly and therefore a meeting of the Standards Committee should be called as soon as possible to enable dispensation to be sought and then to call a Full Council meeting to take place on 6 July.

**RESOLVED:** The Standards Committee be requested to call a meeting as soon as possible to give dispensation for the above motion, thus enabling the matter to be discussed at Full Council on 6 July 2009.

The meeting concluded at 12.40pm.

## CHAIRMAN



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