

**Norfolk County Council**  
**Minutes of the Meeting Held on 18 January 2010**

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

Mr A D Adams	Mr J M Joyce
Mr R Bearman	Mr M A Kiddle-Morris
Mr S Bett	Mr M C Langwade
Mr W P Borrett	Mr S R Little
Dr A P Boswell	Mr B W C Long
Mr J S Bremner	Mr I J Mackie
Mr M P Brindle	Mr I A C Monson
Mr A J Byrne	Mr J Mooney
Mr D R Callaby	Mr P D Morse
Mr J A Carswell	Mr D Murphy
Mr M R H Carttiss	Mrs J A Murphy
Miss C L Casimir	Mr G Nobbs
Mrs J R M Chamberlin	Mr W J Nunn
Baron M Chenery of Horsbrugh	Mr R E Parkinson-Hare
Mr S M Clancy	Mr J H Perry-Warnes
Mrs D M Clarke	Mr G R Plant
Mr B J E Collins	Mr A J Proctor
Mr P G Cook	Mr P K Rice
Mr D Cox	Mr R C Rockcliffe
Mr N Dixon	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 R A Edwards	Mr B H A Spratt
Mr T S C Garrod	Mrs A Steward
Mr A J Gunson	Dr M Strong
Mr R C Hanton	Mrs H Thompson
Mr D G Harrison	Mr A D Tomkinson
Mr D Harwood	Ms J S Toms
Mr M Hemsley	Mrs C M Walker
Mr J R Herbert	Mr J M Ward
Mr H A S Humphrey	Mr M J Wilby
Mrs D Irving	Mr A T Williams
Mr G R Jones	Mr A J Wright
Mr C Jordan	Mr R J Wright

**Total present: 73**

**Also Present:** - Mr S Revell, Standards Committee Chairman

## **Apologies:**

Apologies for absence were received from Mrs M Chapman-Allen, Mr A J Dobson, Mr B J Hannah, Mr P A Hardy, Mrs S E L Hutson, Mr B J M Iles, Mrs J Mickleburgh, Mrs A M Thomas, Mr P A G Wells, Mr A M White and Dr F C Williamson.

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

The minutes of the meeting held on 23 November were confirmed as a correct record and signed by the Chairman, subject to the following amendments:

Paragraph 3, delete the following declaration of interest: "Mr Shrimplin, as a member of the Police Authority".

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

#### **Mr Ronald Brooks**

The Chairman announced that Mr Ronald Brooks had sadly passed away. Mr Brooks was first elected County Councillor for the Norwich (Lakenham) Division on 12 April 1973 and was re-elected in 1977. Mr Brooks resigned on 12 March 1979.

#### **Mr Hereward Cooke**

The Chairman also announced the sad passing of Mr Hereward Cooke on 15 December. Mr Cooke was a former deputy Leader of Norwich City Council and a much-loved priest in Norwich. He was the brother of Mrs Rosalie Monbiot, a former Norfolk County Councillor.

Council stood in silence in honour of their memory.

#### **Change of Council meeting date**

The Chairman advised Members that the 4 May Council meeting had been moved to Tuesday 11 May 2010 at 2pm.

#### **Independent Members of the Standards Committee**

The Chairman reminded Members that the last Council meeting had appointed the Independent Members of the Standards Committee and the newly appointed Independent Members would be attending a briefing session immediately after the Council meeting. The Chairman welcomed the new Chairman, Stephen Revell, Joss Goodey and Paul Bland who were present to observe this Council meeting and advised that other members would arrive later in the morning.

#### **Chairman's engagements**

The Chairman had attended the following events:

- A thanksgiving service for Operation Herrick at Norwich Cathedral. The Cathedral was filled with troops from the Light Dragoons who had just returned from Afghanistan, together with their families and the families of some of those who fell during the tour of duty. The service was followed by a reception at the Robertson Barracks in Swanton Morley.

- The Light Dragoons Welcome Home Parade in Dereham which had been superbly organized by Breckland Council, followed by a poignant church service.
- The Christmas Seaside Special at Cromer Pavilion Theatre hosted by Councillor Simon Partridge, Chairman of North Norfolk District Council.
- A 'schools showing' of the Christmas Spectacular at Great Yarmouth Hippodrome, which included a VIP backstage tour.
- Carole Services at County Hall, Norwich Cathedral (where she gave a reading) and St Peter Mancroft.
- The opening of the Parliamentary History Exhibition at the Archive Centre, where, together with the Lord Speaker Baroness Hayman, she opened the exhibition.

The Chairman hosted an event at the Gorleston Pavilion Theatre pantomime on for a group of approximately 70 young carers plus accompanying adults from King's Lynn, Fakenham, Dereham, North Walsham and Norwich. The Chairman thanked Peter Taylor Funerals and Helen McDermott for their support in making this event such a success.

On Christmas Day the Chairman visited residents and staff at Redmayne View.

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

The following Members declared personal interests in the Report of the Cabinet meeting held on 7 December 2009:

- Dr Boswell, paragraph 5, 'ICT Plan 2010/11', as he has worked in the IT industry for 25 years.
- Mr Shaw, paragraph 5, 'ICT Plan 2010/11', as he works in the IT industry.
- Mr Rockcliffe, paragraph 6 'Proposed New Governance for the Registration Service' as his family has a barn licensed for civil ceremonies.

The following Members declared personal interests the Report of the Cabinet meeting held on 4 January 2010, paragraph 1.1 concerning the flood sirens:

- Dr Strong, as an unpaid volunteer flood warden for Wells and an unpaid volunteer representing North Norfolk senior flood wardens on the Norfolk Resilience Forum (Voluntary Sector).
- Mr Rice, as he lives in the flood risk area.
- Mr Hanton, as a member of the Norfolk Constabulary.
- Mr Perry-Warnes, as a member of the Police Authority.
- Mr Byrne, as a member of the Police Authority.
- Mr Betts, as a member of the Police Authority.
- Mr Tomkinson, as a member of the Police Authority.
- Mr Rockcliffe, as a family member owns property at North Beach, Heacham.

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

#### **4. Cabinet Recommendation – Meeting held on 7 December 2009**

##### **Norfolk Minerals and Waste Development Framework: Core Strategy and Development Control Policies Development Plan Document: Publication of Pre-Submission Document**

Mr Cox moved the recommendations from the Cabinet.

##### **RESOLVED:**

- 1) To approve the publication of the Core Strategy and Development Control Policies Pre-Submission document for representations to be made by statutory bodies and members of the public, over an 8-week period, in accordance with Regulation 27 of the Town and Country Planning (Local Development) (England) Regulations 2004 (as amended).
- 2) To authorise officers, in consultation with the Cabinet Member for Planning and Transportation, to make minor corrections (such as typographical or grammatical) that are identified, prior to the publication of the Core Strategy in February 2010.
- 3) To authorise officers, in consultation with the Cabinet Member for Planning and Transportation and the Minerals and Waste LDF Member Reference Group, to review the pre-submission representations made following the close of the representations period. If no fundamental weaknesses are identified, the Core Strategy should be formally submitted in late Spring 2010. If any significant weaknesses are identified, appropriate remedial measures, involving further work and a delay in formal submission will be identified.

#### **5. Report of the Cabinet Meeting held on 7 December 2009**

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

##### **Public Questions, Paragraph 1.1**

Mr Rogers confirmed that no political group meetings were held prior to the meeting of the Planning (Regulatory) Committee.

##### **Public Questions, Paragraph 1.2**

Mr Brindle asked how the Chief Executive's salary would be set and what bonuses would be payable if the this post were to fall vacant.

Mr Cox said that currently there was no vacancy for a Chief Executive but would be dependent upon market conditions as and when a vacancy arose.

##### **ICT Plan 2010/11, Paragraph 5**

Dr Boswell asked whether the County Council would undertake a full evaluation concerning the possible installation of energy saving IT equipment and open source software which he said would save the County Council a quarter of a tonne of CO<sub>2</sub>. Further, he said that a link should be made between the Council's and schools' IT equipment.

Mr Shaw advised that the 'Windows' programme, used by the County Council, already included this energy saving facility.

In response to Dr Boswell's questions, Mr Borrett, Cabinet Member for Corporate Affairs & Efficiency, said that the Council would undertake a full evaluation concerning the possible installation of energy saving IT equipment and open source software and the authority already advised schools concerning IT equipment, but that it was for schools to have such decisions.

### **School Organisation Issues: 3-Year Junior Clusters and Academy Strategy, Paragraph 9**

Mr Scutter asked, given the critical report received concerning the Open Academy, what would the Cabinet be doing about this problem.

In response, Mr Cox said that we continue to work with academies and that the approach to supporting the Open Academy would be similar in assisting with issues raised in the report.

### **Great Yarmouth Third River Crossing Preferred Route, Paragraph 16**

Mr Garrod thanked the Cabinet for making a swift decision at the December Cabinet meeting and he asked whether the Cabinet Member would lobby the government to ensure that the funding was made available for this and other capital projects which are essential for Norfolk.

Mr Plant also thanked the Cabinet to taking this decision and he also wished to thank the residents for the unselfish, visionary way that they had accepted the decision taken. He asked what the timescale was for the delivery of the project.

Mr Shrimplin, Mr Cook and Mrs Walker also thanked the Cabinet for the decision taken.

Mr Gunson, Cabinet Member for Planning and Transportation said that this scheme was very important to Great Yarmouth and he appreciated the thanks received from the Great Yarmouth Members. £1.125m of funding had already been received to develop the scheme, which excluded the costs of developing the transport model. As far as future funding was concerned, regeneration must receive regional support. Other methods of achieving funding would have to be considered and whilst toll charges had proved unpopular with the public there were also public funding initiatives and other private finance initiatives that would be investigated. With reference to timescales, the next step would be to undertake further study work into funding/procurement options.

**RESOLVED:** to note the report.

## **6. Report of the Cabinet Meeting held on 4 January 2010**

The Chairman advised that the proposed changes to the use of some of the revenue from council tax on second homes was featured in paragraphs 1.2 and 9 of this report. However, this item had now been called in and would be considered at the Cabinet Scrutiny Committee meeting to be held on Tuesday 19 January. Consequently, this item was not for discussion at this Council meeting. The proposal for the establishment of an Infrastructure Fund would, in any case, need to be incorporated in the budgetary proposals

to be considered by the Cabinet on 25 January and then by full Council on 15 February so there would be an opportunity for it to be debated by Council.

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

### **Local Member Questions, paragraph 1.1**

Dr Strong said that Mr Humphrey, the Cabinet Member for Fire and Community Protection had advised that the authority would direct funding towards training flood wardens and she asked when and how this training would be facilitated.

In response Mr Humphrey said that training was ongoing and four flood exercises had been held in the County. The training referred to by Dr Strong however was additional training which could not be made available until the flood sirens issue had been finalised.

Dr Strong said that she had received enquiries from Parish Councils concerning the request by the Cabinet Member for parishes to submit a 'business case' if they wished to retain their siren. Dr Strong asked whether the Cabinet Member would agree to provide each parish which has a siren with a pro-forma to indicate what information was required from them. Parishes had stated that they were experiencing difficulties finding out about the insurance situation and she asked, since the authority has access to legal support far beyond that of the parishes, would the Cabinet Member provide information as to the insurance situation.

In response Mr Humphrey said that very few parishes had responded to the letter sent to them in August which set out what they needed to do to take over the ownership of their siren and subsequently a meeting had been held with those parishes who wished to take over ownership. A pro-forma could not be provided because the County Council had decided it could not support the flood sirens but the Association of Town and Parish Councils could provide guidance. Those Parish Councils who provide a business case must accept the risks, costs and agree that the sirens would only be used as part of agreed flood plans.

### **Local Member Questions, paragraph 1.3**

Mr Morse said that he had previously asked a question about the Cabinet portfolios and the response from the Leader had been that he needed additional focus to enable him to drive through efficiencies. Mr Morse had been surprised by this response because the financial context was well known. He asked what the real reason had been for the Cabinet reshuffle.

In response, Mr Cox said that the decision to change the Cabinet had been taken because of the continued deepening of the financial crisis that had occurred over the last nine months and that Cabinet portfolios had to reflect the context and the focus for this Council.

### **Overview and Scrutiny Panel Issues, paragraph 2**

Mr Bremner asked whether issues discussed by the Overview and Scrutiny Panels, such as street lighting and the Field Study Centre could be discussed under this item.

The Chairman said that there was such an opportunity if it was relevant to the Cabinet debates.

### **2009-10 Finance Monitoring Report, paragraph 3**

With reference to the Icelandic Banks, Mr Morse said that whilst he accepted that recovery levels had changed, compared to the previous report received by Cabinet, the authority was now expecting to receive £6.3m less than anticipated and he asked Mr Mackie to confirm that the latest estimated loss was £8.9m which ignored any interest payment expected (with interest this would equate to £11m).

In response, Mr Mackie, Cabinet Member for Finance and Performance, said that the amounts shown were estimates and the procedures for the recovery of these funds would be a long process – currently this was being challenged in the Courts. Mr Mackie said that the figures could not be confirmed.

Mrs Clarke asked how the administration would deal with the loss of this money and the loss of interest.

In response, Mr Mackie said that information would be included in the Cabinet report which would be considered at the 25 January Cabinet meeting.

Mr Ward asked how the Audit Commission had assessed the authority's handling of the Icelandic Banks issue and whether there was anything the authority could have done to limit this.

In response, Mr Mackie said that the Audit Commission had also invested in the Icelandic Banks which confirmed that no one knew about this financial meltdown. Further, all councillors had approved this investment. New processes were now being put in place and the authority now only invests in UK banks.

### **Annual Audit Letter and Norfolk County Council's Organisational Assessment, paragraph 4**

Mr Morse asked about the costs charged by Butlers to the County Council and what work Butlers were paid to undertake.

In response, Mr Mackie said that the cost was £25k and the work undertaken by Butlers had been outlined in the Cabinet report.

Mr Scutter said that some errors, including one material error and one non-trivial error, had been identified by the auditors and he asked what actions the administration had taken to reduce errors.

In response, Mr Mackie said that the auditors annual letter set out an assurance that this Council has proper arrangements in place and was performing well.

Mr Morse said that under the previous inspection regime the County Council had achieved four stars. However, he noted that under the new regime the criteria was different and the Council had achieved a grade three which equated to 'performing well'. He suggested that this meant the Council was going backwards and there were negative parts of the report, including results from education and teenage pregnancy. Mr Morse asked how the administration intended to improve these results.

In response to the above questions, Mr Cox said that the Audit Commission had highlighted in their Organisational Assessment that the authority was a 'learning council' and the authority had been rated high for its services, with the different systems of CPA and CAA incomparable.

Mr Joyce noted a letter from the Leader in today's EDP concerning the authority's new grading and he said that the Audit Commission report had stated that the number of people in Norfolk who believed that they got on well together was the lowest for all the counties. He asked how the Leader intended to encourage people from different communities in Norfolk to work well together.

In response, Mr Cox said that the authority would be aiming to achieve the top grade. Mr Cox stated that the Council is supporting local communities through programs such as Investing in Communities and is this year sponsoring a Pride in Norfolk award.

Mr Jones asked when the County Council would remove the four-star rating from its letterheads.

In response, Mr Cox said that the four-star rating would be removed from letterheads as stocks are used up.

#### **Ombudsman Report 2008/09, paragraph 7**

Mr Scutter referred to the complaints relating to education and whether the eleven complaints were focussed on a particular area of education and what was being done to deal with these complaints.

In response, Mr Cox said that education complaints are typically dealt with by schools but that he would send a letter to Mr Scutter detailing these complaints.

Mr Brindle asked why the target response time for dealing with complaints in 2008-09 had not been met and what would be done to ensure that the target was met in 2009-10.

In response, Mr Borrett, Cabinet Member for Corporate Affairs and Efficiency said that the authority was now currently within target.

#### **Residual Waste Treatment Project, paragraph 8**

With reference to the loss of Contract A, Dr Boswell said that for the last six months he had asked what was being done to progress alternative waste options. Dr Boswell asked what the Environment and Waste Department response was to the new Government Feed In Tariff scheme that would become active on 1 April which could pay 9p per electricity unit for power consumed by the County Council and an additional 5p per unit on energy sold back to the National Grid. Dr Boswell said there was an opportunity for the Council to make money and he was concerned that no progress had been made.

In response, Mr Monson, Cabinet Member for Environment and Waste said that the authority would continue to pursue all opportunities to carry it through to the start of Contract B.

### **Wash Shoreline Management Plan, paragraph 10**

Dr Boswell said that the Environment Agency had based their plan on research undertaken in 2003 and that this would be reviewed on a five year cycle. He asked how the authority would keep in touch with this process to enable it to consider the potential impact.

In response, Mr Monson confirmed that the authority would continue to keep abreast of developments.

### **Amendment to Park and Ride Contract Award, paragraph 11**

Mr East asked what the reason was for changing the preferred bidder with regard to the Park and Ride Contract.

In response, Mr Gunson advised that the Cabinet had accepted a quote from CT Plus but because the company had been required to become part of the Norfolk Pension Fund, and had not included this as part of their original quote; their costs had risen by £120k which meant that their final quote was higher than that received from Norse. Therefore the contract had been offered to Norse.

### **Appointments to Committees, Panels, Boards and Working Groups, paragraph 12.1**

Mr Scutter noted the political membership of the Council's committees and he requested that school governors continue to be appointed because of their suitability and not because of their political allegiance.

In response, Mr Cox said that the procedures for the appointment of school governors would remain as at present.

### **Appointments to Committees, Panels, Boards and Working Groups, paragraph 12.2**

Mr Nobbs asked how long ago the recommendation had been made to establish a County Farms Tenants' Advisory Board and why this decision had been delayed.

In response, Mr Borrett said that the Cabinet had worked hard to put this in place as quickly as possible.

At this point in the proceedings the Chairman said that she would not accept any follow-up questions and that any Member who had follow-up questions should put these direct to the relevant Cabinet Member following the meeting.

As a point of order, Mr Jones said that members should be able to insist on an appropriate response to their questions during this meeting.

The Chairman said that Members had ample opportunity to raise issues during Council meetings and also during Overview and Scrutiny Panel meetings and that her decision not to accept further questions would stand.

**RESOLVED:** to note the report.

**7. Report of the Cabinet Scrutiny Committee Meeting held on 24 November 2009**

**Residual Waste Treatment Project, paragraph 1**

Mr Bearman urged the Cabinet Scrutiny Committee to follow up the residual waste treatment project as a matter of urgency.

**Forward Work Programme, paragraph 3**

Mr Little offered his congratulations to the staff in Adult Social Services for their good performance rating. With reference to tackling dementia, Mr Little asked whether the authority was storing up greater costs for the future as even greater resources would be required if the authority moved away from in-house services.

In response Mr Morse said that dementia and services to older people would be considered by the Cabinet Scrutiny Committee on Tuesday 19 January.

**RESOLVED:** to note the report.

**8. Report of the Cabinet Scrutiny Committee Meeting held on 27 November 2009**

**Meeting with Members of the European Parliament (MEPs), paragraph 1**

Mr Jordan said that he had received responses from Mr Van Orden and Mr Howett concerning the question "What do MEPs do?".

**RESOLVED:** to note the report.

**9. Report of the Cabinet Scrutiny Committee Meeting held on 22 December 2009**

**RESOLVED:** to note the report.

**10. Report of the Personnel Committee Meeting held on 7 December 2009**

**RESOLVED:** to note the report.

**11. Report of the Norfolk Health Overview and Scrutiny Committee held on 26 November 2009**

**RESOLVED:** to note the report.

**12. Report of the Planning (Regulatory) Committee Meeting held on 20 November 2009**

**RESOLVED:** to note the report.

**13. Report of the Planning (Regulatory) Committee Meeting held on 18 December 2009**

**RESOLVED:** to note the report.

**14. Report of the Norwich Highways Agency Joint Committee meeting held on 26 November 2009**

**Public Questions, paragraph 2.4**

Mr Bearman said that advice from the Department of Transport on the use of 20 mph speed limits in residential areas had now been received and he requested that this information be considered at a future meeting of the Joint Committee.

In response, Mr Adams confirmed that the Joint Committee would consider this additional information at a future meeting.

**RESOLVED:** to note the report.

**15. Report of the Joint Museums Committee meeting held on 13 November 2009**

**RESOLVED:** to note the report.

**16. Report of the Records Committee meeting held on 13 November 2009**

**RESOLVED:** to note the report.

**17. Appointments to Committees**

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

- Mrs J Chamberlin to replace Mrs A Thomas on the Children's Services Overview and Scrutiny Panel and the Norfolk Health Overview and Scrutiny Committee
- Mrs J Chamberlin to replace Mrs A Steward on the Fire and Community Protection Overview and Scrutiny Panel
- Mr T Williams to replace Mr J Carswell on the Corporate Affairs Overview and Scrutiny Panel
- Mr B Iles to replace Mrs A Steward and Mrs J Murphy respectively on the Planning, Transportation, Waste and Environment Overview and Scrutiny Panel and the Planning (Regulatory) Committee
- Mr B Borrett to replace Mr T Williams on the Personnel Committee and on the Eastern Shires Purchasing Organisation

The meeting concluded at 11.35am.

**CHAIRMAN**



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