

Scrutiny Committee

Date: **Wednesday 19 July 2023**

Time: **10 am**

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

Supplementary Agenda

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Tom McCabe
Chief Executive
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Martineau Lane
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Date Supplementary Agenda published: 12 July 2023



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Scrutiny Committee

Item No: 10

Report Title: Call-in of Cabinet Decision: Adult Learning – Community Delivery

Date of Meeting: 19 July 2023

Responsible Cabinet Member: Cllr Margaret Dewsbury, Cabinet Member for Communities and Partnerships

Responsible Director: Grahame Bygrave, Executive Director for Community and Environmental Services

Executive Summary

This paper sets out details of the call-in of the Cabinet Decision: Adult Learning – Community Delivery. The decision was agreed by Cabinet at the meeting held on the 3 July 2023. This paper also provides an outline of the formal meeting procedure for handling call-ins at the Scrutiny Committee.

1. Background and Purpose

- 1.1 This call-in relates to item no. 14 on the Cabinet agenda for the meeting held on the 3 July 2023: Adult Learning – Community Delivery. The minutes and summary of decisions notice for this meeting can be found [here](#).
- 1.2. Full details of the decision, including Cabinet Papers and associated documents can be found at **Appendix A**. The decision was approved by Cabinet unamended from the recommendations in the papers.

2. Call-in and Meeting Procedure

- 2.1 Notification was received on Tuesday 11 July that Cllr Emma Corlett, supported by Cllrs Alison Birmingham, Maxine Webb and Julie Brociek-Coulton wished to call the decision in. The notice outlining the reasons behind the call-in is attached at **Appendix B**. The Chief Legal and Monitoring Officer has confirmed that it is valid under the requirements of the constitution. It will therefore be considered at the meeting of the Scrutiny Committee scheduled for the 19 July 2023.
- 2.2 The Chair and Vice-Chair of the Scrutiny Committee have agreed the following meeting procedure when handling the call-in:

- Those Councillors calling-in the decision will be given collectively 10 minutes introduction to explain their reasons for call-in.
- The Chair will ask the Cabinet Member and officers if they wish to add anything at this stage.
- Those Councillors calling-in the decision will then be given collectively 20 minutes to question the Cabinet Member and officers. They do not have the right to put forward recommendations; this right is reserved for Members or substitute Members of the Committee only.
- Members and substitute Members of the Committee will then question the Cabinet Member and officers (As the call-in does not relate to an education matter the Parent Governor and Church representatives may not put forward or vote on motions. They may still participate in the debate).
- Those Members who have called-in the decision will collectively have 5 minutes at the end of the debate to sum up their arguments.
- Following this, the Chair will sum up the debate and ask the Committee if they wish to make any proposals regarding the call-in. At this stage, only a limited number of proposals will be considered to be in order. The options available to the committee are as follows:
 - A. The Committee refers the decision back to the decision maker (in this case, Cabinet).
 - B. The Committee refers the decision to Full Council (the Committee should only use this power if the decision is deemed to be either i) contrary to NCC's policy framework; or ii) contrary to or not wholly in accordance with the budget).
 - C. The Committee notes the call-in, but takes no further action.

2.3 The Final list of witnesses to be invited to attend will be agreed by the Chair and presented to the Committee on the day.

3. Background Papers

3.1 Appendix A: Cabinet report – Adult Learning – Community Delivery

3.2 Appendix B: Call-in notice - Adult Learning – Community Delivery

Officer Contact

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

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Telephone no.: 01603 307570

Email: Peter.randall@norfolk.gov.uk



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Cabinet

Report Title: Adult Learning – Community Delivery

Date of Meeting: 3 July 2023

Responsible Cabinet Member: Cllr Margaret Dewsbury (Cabinet Member for Communities and Partnerships)

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

Is this a Key Decision? No

If this is a Key Decision, date added to the Forward Plan of Key Decisions: N/A

Introduction from Cabinet Member

The Adult Learning Service welcomes over 8,000 learners each year from across Norfolk.

The service has been working hard to make it easier for more people to access opportunities for learning. Our focus has been on expanding the service into communities across Norfolk, and enabling easier access.

Our efforts have proved successful. Over a third of our courses are now delivered online, making them accessible to a wider range of people across the county.

We have also been working on bringing the delivery of courses into more communities as many prefer classes to be closer to their homes so that they spend less time traveling and less on the cost of fuel. Again, we have been successful, with 65% of courses being delivered in community locations. And we have plans to do more, particularly through the two new Construction Training Hubs in Hellesdon and King's Lynn that we have created. As well as through our work with borough council partners to invest in two multi-user hubs in Kings Lynn and Gt Yarmouth, which will soon be ready.

With further plans to increase community based delivery, having a large single building (Wensum Lodge) in Norwich no longer fits with our vision for the service. Wensum Lodge was the largest, most appropriate building for courses when it was set-up, but it is now obvious that it no longer provides the sort of accommodation our courses need and that it is time to move out altogether.

Recommendations:

- 1. To continue to progress opportunities to increase community based delivery across Norfolk, and to withdraw from the Wensum Lodge location as it no longer supports our ambition for community service delivery.**

1. Background and Purpose

- 1.1 In March 2023, Cabinet approved the Adult Learning Annual Plan for the Adult Learning Service. The report highlighted that 37% of courses are currently delivered online with the remaining 63% of courses are classroom based. We offer synchronous delivery so that learners in a physical classroom and those online attend the same course at the same time together.
- 1.2 The continuation of the online learning offer has been welcomed, particularly by some learners with a disability or with caring responsibilities who may find it more difficult to attend a classroom environment.
- 1.3 The continuation of classroom-based learning remains important. Many learners prefer this environment to help them to focus on the course and interact with classmates and learning colleagues.
- 1.4 We have been proactively targeting and providing opportunities for learners who may find it more difficult to access education and training. This includes focussing on opportunities for communities in the 30% most deprived wards in Norfolk; 40% of our learning is currently delivered to individuals living in these wards. We have also been increasing physical delivery in community locations, particularly in rural locations, to better support learners who may find it difficult or impractical to attend a central location in Norwich
- 1.5 65% of classroom-based courses are delivered in community locations. This is possible because we have established dedicated training rooms in the following community-based locations:-
 - Attleborough Community and Enterprise Centre
 - Great Yarmouth Library
 - King's Lynn Library
 - Millennium Library, Norwich
 - Norman Centre, Norwich
 - Swaffham Community Centre
 - Construction Training Hub, Hellesdon, Norwich

We also utilise space and deliver courses from both the Charing Cross Centre and the Norman Centre in Norwich. We also use existing community space in Norfolk libraries, with 11% of classroom-based learning delivered in those locations.

The County Council has also invested in further community-based locations which means that newly developed training space will be coming online at the following new locations:-

- Construction Training Hub, King's Lynn
- Great Yarmouth Library and Learning Centre
- King's Lynn Multi User Community Hub

1.6 The service has a large site called Wensum Lodge in Norwich. The community and online focussed opportunities developed over recent years, as set out above, has meant that the volume of courses delivered from this location is reducing, and just 35% of classroom-based courses are delivered from the site. As a result, the Wensum Lodge site is significantly under-utilised and increasingly cost inefficient; utilisation of the space available on site is consistently below 30%.

1.7 Learners have an expectation that we provide high quality, modern and accessible learning environments. This is a challenge from the Wensum Lodge site because the layout and nature of the buildings mean that many rooms and facilities are not accessible for all learners. Access to the site itself can also be a challenge for some learners, particularly disabled learners, as the cobbles and camber of the surface outside are a challenge for some learners with mobility challenges to navigate and parking on site is very limited and whilst the site it is located in Norwich City Centre, it is not close to a bus stop or public transport.

2. Proposal

2.1 It is proposed that we cease Adult Learning education and training delivery from the Wensum Lodge location.

2.2 We will continue to deliver education and training in and around Norwich. We already deliver courses from a number of other locations in Norwich (Charing Cross Centre, Millennium Library, Norman Centre and the Construction Training Hub in Hellesdon) and we can secure other delivery locations in the area that are able to offer suitable modern and accessible space when we need it.

3. Impact of the Proposal

3.1 Courses delivered in the current 2022/23 academic year would be unaffected. Courses currently delivered through locations other than Wensum Lodge would also be unaffected, as would online courses.

- 3.2 Education and learning currently delivered at Wensum Lodge would need to transition to alternative locations in the Norwich and Greater Norwich areas. In addition, we will look for further opportunities to deliver more in other community locations, particularly to give more local opportunities to the learners living outside Norwich who currently have to travel these courses where online learning doesn't suit their learning style/preference.
- 3.3 For the 2023/24 academic year (which starts in September 2023) we will ensure we are clear with learners about where courses will be delivered so that they can be aware of any location changes in advance of making any commitment to attend. In practice, we will continue to deliver some courses from Wensum Lodge until the end of the 2023 calendar year to enable a period of transition, and would look to vacate the building fully by early 2024.
- 3.4 There are a variety of classroom suitable locations in Norwich that we will be able to utilise for this type of learning, including other buildings on the NCC estate like libraries. Some leisure focussed courses need specialist equipment and/or non-standard locations to deliver, notably silversmithing, pottery and cooking based courses. These courses do not currently lead to qualification or accreditation for learners, but are welcomed by learners as an opportunity to be creative and develop basic skills. We are working with a number of organisations to identify alternative delivery locations for these courses and we are confident that we can secure space to enable these courses to continue to be delivered, albeit this is likely to mean that the course timings need to change i.e. moving from weekday to evening and weekend focussed delivery.
- 3.5 The Adult Learning service is highly regarded by our learners. The Wensum Lodge location holds a sense of history and nostalgia by some and there is no doubt it will be missed by some learners because of this.

4. Evidence and Reasons for Decision

- 4.1 This proposal builds on the existing approach to increase education and learning opportunities for all Norfolk residents through community based delivery.
- 4.2 The volume of courses delivered from the Wensum Lodge location is reducing. As a result, the Wensum Lodge site is significantly under-utilised and increasingly cost inefficient

5. Alternative Options

- 5.1 Wensum Lodge could continue to deliver Adult Learning courses. However, the site is already inefficient as it is under-utilised (with utilisation of available space consistently below 30%). In addition, the site is generally in need of repair and the cost of making this complex site more environmentally friendly would be significant.

6. Financial Implications

- 6.1 The service is externally funded through grant funding from the Department for Education's Education and Skills Funding Agency and tuition fee income. This funding could be used more efficiently by moving to alternative delivery locations.
- 6.2 There will be some costs associated with the withdrawal of the service from the location, e.g. to buy some new equipment at new/alternative locations. These costs can be calculated once the detailing planning for alternative locations has been completed. At this stage, it is expected that there will be a one-off capital cost in the region of £100k; there is currently an allocation in the Capital Programme for Wensum Lodge of £5.67m, and it is anticipated that costs can be funded from this with the remaining allocation released.

7. Resource Implications

- 7.1 **Staff:** Staff currently based at and delivering courses from Wensum Lodge will be affected by changes in delivery locations, and we will work with affected staff to understand any impact and how we can address it.
- 7.2 **Property:** The withdrawal of service delivery from this location will mean that the future viability of the site in the Council's portfolio will need to be considered. This is set out in the Disposal, acquisition and exploitation of property report included as a separate item on the agenda for this Cabinet meeting.

8. Other Implications

- 8.1 **Legal Implications:** Adult Learning operates within the funding and performance requirements established by Ofsted, the Department for Education and the Education and Skills Funding Agency.
- 8.2 **Human Rights Implications:** None.
- 8.3 **Equality Impact Assessment (EqIA) (this must be included):** The Adult Learning service has a very positive impact on residents (as set out in the Adult Learning Plan report to Cabinet in March 2023).

A community focussed delivery approach, coupled with synchronous online delivery, helps us to provide learners with maximum opportunity to be able to participate in education and learning opportunities. The delivery of Norwich based courses from locations other than Wensum Lodge will enable us to secure locations with greater physical accessibility, easier access to parking (including for blue badge holders) and closer access to public transport.

- 8.4 **Data Protection Impact Assessments (DPIA):** Some paper-based learner records are currently held at the Wensum Lodge site. These will be moved to a suitable alternative secure NCC and/or digitised.
- 8.5 **Health and Safety implications:** None.

8.6 **Sustainability implications:** Online and local delivery supports learners to access learning without any need to travel, or reduces the distances needed to travel to access local opportunities.

8.7 **Any Other Implications:** None.

9. Risk Implications / Assessment

9.1 There is a risk that we will not be able to identify suitable alternative locations to continue all of the current delivery in the Norwich area. However, initial discussions with potential alternatives have been positive and we are confident that we can secure locations, albeit there are likely to be changes for course times for some leisure courses.

9.2 There is a risk that learners may not understand the change in locations for some courses or may not wish to attend the alternative locations. However, the current academic year will be unaffected and we will ensure that as part of planning for the next academic year that we are transparent and clear with learners about locations so that they know how they can access courses before they make any commitment, financial or otherwise, to attend.

10. Select Committee Comments

10.1 N/A

11. Recommendations

1. **To continue to progress opportunities to increase community based delivery of across Norfolk, and to withdraw from the Wensum Lodge location as it no longer supports our ambition for community service delivery.**

12. Background Papers

12.1 Adult Learning Annual Plan -[report to Cabinet 6 March 2023](#)

Officer Contact

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

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Email: sarah.rhoden@norfolk.gov.uk



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Call in Request Form

This form is to be completed and signed by any Member of the Council, with the support of at least 3 other Members and must be returned to Democratic Services at committees@norfolk.gov.uk within 5 working days of the Cabinet decisions being published or, if the decision has been taken by an individual Member or Chief Officer, within five working days of the decision being published under the Access to Information Procedure Rules in part 11A of the Constitution. Where education matters are involved, the Parent Governor and Church representatives together count as one Member.

Please telephone the Director of Democratic and Regulatory Services on 01603 222949 or Democratic Services Manager on 01603 228913 to make them aware that the call-in form is on its way. You will receive a confirmation email once it has been received.

A Call-In request will only be valid if it has been received in person (by email) by the above people within the 5 working day deadline which will be specified in the decision letter.

Please note that the call-in procedure does not apply to urgent decisions.

Decision Title and minute number
Adult Learning – Community Delivery Minute number 14

Decision taken by (i.e. Cabinet, Cabinet Member, Chief Officer)
Cabinet

Date of Decision
3 rd July 2023

	Reasons for call in	Highlight which of the following apply and explain why you consider the process/principle has not been followed by the decision maker (as appropriate)
1.	The decision is not in accordance with the budget and policy framework	
2.	The decision is a key decision and it has not been taken in accordance with the Constitution.	
3.	There is evidence that the principles of decision-making (as set out in Part 4 of the Constitution) have not been complied with. These principles are:	

	a) Actions agreed will be in proportion with what the Council wants to achieve.	
	b) Appropriate consultation will have been carried out and decisions will take account of its results and any professional advice given by Officers.	<p>Appropriate consultation with the People and Communities Select Committee has not taken place. Further detailed information is given below.</p> <p>Consultation has not taken place with the Adult Learning Steering Group.</p> <p>Consultation has not taken place with users and other stakeholders</p>
	c) Decisions will reflect the spirit and requirements of Equalities and Human Rights legislation.	
	d) The presumption that information on all decisions made by the Council, the Executive and Committees should be public with only those issues that need to be exempt by virtue of the Access to Information Rules will be taken in private.	
	e) Decisions will be clear about what they aim to achieve and the results that can be expected.	

Detailed reasons for call in or any additional information in support of the call in that you wish to submit

The Constitution is clear that the People and Communities Select Committee has a role in relation to Adult Education and the committee has not been consulted as part of the decision making process.

The relevant part of the Constitution is Part 7: Overview and Scrutiny Bodies, paragraph 3.9(a)(iii) which states

“The Committee supports the Cabinet and Council in its work with adults and older people with disabilities; services for young people who are vulnerable and improving educational attainment together with services to improve the wellbeing of our residents such as Arts and Culture, Public Health and Adult Education.”

The Adult Learning Steering Group has not been consulted about this proposal, circumventing the group’s role as set out in the Terms of Reference, specifically the duty outlined in paragraph 6.2.

Please use the space below to add any further comments. You may wish to consider:

- The outcome you would like to see as a result of this decision being called in
- Any further information that the Scrutiny Committee might wish to consider when assessing this call in.*

- **Any Cabinet Members/Officers you would like to attend the meeting.***

* Please note this will be at the Chair of Scrutiny Committee's discretion

As a result of the decision being called in, we would like to see a worked-up proposal resulting from consultation with stakeholders, users, the Adult Learning Steering Group and the People and Communities Select Committee with evidence and costings for the proposals, including a full accessibility report outlining the barriers to access and why they cannot be overcome.

Further information should be provided to Scrutiny Committee to evidence the decline over the last ten years of classroom-based course being delivered from Wensum Lodge to the figure quoted of 35% (paragraph 1.6).

Information should also be provided to show the price of courses to learners over the same period, to ascertain whether or not cost has been a factor affecting uptake.

Information on the feasibility of online or alternative accessible venue for courses such as pottery and silversmithing to establish whether this decision could end Norfolk County Council's leisure course offer.

This call-in will draw on the document pack submitted separately to support this and the Disposal, Acquisition and Exploitation call-in request.

Although it is not a constitutional requirement you are advised to speak to the Chair of Scrutiny Committee before submitting your call in. If you wish to record any comments from the Chair, please insert them below

Name (please print)	Signature	Date
Emma Corlett	<i>Emma Corlett</i>	11.07.2023

In accordance with the Constitution you must sign this form and obtain the signatures of at least three other Members of the Council:

Name (please print)	Signature	Date
Alison Birmingham	<i>Alison Birmingham</i>	11.07.2023
Maxine Webb	<i>Maxine Webb</i>	11.07.2023
Julie Brociek-Coulton	<i>Julie Brociek-Coulton</i>	11.07.2023

I have considered the above call in and confirm that it is valid under the requirements of the Constitution.

I have considered the above call in and confirm that it is not valid under the requirements of the Constitution for the following reasons.

In coming to this conclusion, I have consulted the Chair of the Scrutiny Committee.

Signed by the Director of Legal Services and Monitoring Officer

Date

Please return to Democratic Services at committees@norfolk.gov.uk

Scrutiny Committee

Item No: 11

Report Title: Call-in of Cabinet Decision: Disposal, Acquisition and Exploitation of Property

Date of Meeting: 19 July 2023

Responsible Cabinet Member: Cllr Jane James, Cabinet Member for Corporate Services and Innovation

Responsible Director: Grahame Bygrave, Executive Director for Community and Environmental Services

Executive Summary

This paper sets out details of the call-in of the Cabinet Decision: Disposal, Acquisition and Exploitation of Property. The decision was agreed by Cabinet at the meeting held on the 3 July 2023. This paper also provides an outline of the formal meeting procedure for handling call-ins at the Scrutiny Committee.

1. Background and Purpose

- 1.1 This call-in relates to item no. 15 on the Cabinet agenda for the meeting held on the 3 July 2023: Disposal, Acquisition and Exploitation of Property. The minutes and summary of decisions notice for this meeting can be found [here](#).
- 1.2. Full details of the decision, including Cabinet Papers and associated documents can be found at **Appendix A**. The decision was approved by Cabinet unamended from the recommendations in the papers.

2. Call-in and Meeting Procedure

- 2.1 Notification was received on Tuesday 11 July that Cllr Emma Corlett, supported by Cllrs Alison Birmingham, Maxine Webb and Julie Brociek-Coulton wished to call the decision in. The notice outlining the reasons behind the call-in is attached at **Appendix B**. The Chief Legal and Monitoring Officer has confirmed that it is valid under the requirements of the constitution. It will therefore be considered at the meeting of the Scrutiny Committee scheduled for the 19 July 2023.
- 2.2 The Chair and Vice-Chair of the Scrutiny Committee have agreed the following meeting procedure when handling the call-in:

- Those Councillors calling-in the decision will be given collectively 10 minutes introduction to explain their reasons for call-in.
- The Chair will ask the Cabinet Member and officers if they wish to add anything at this stage.
- Those Councillors calling-in the decision will then be given collectively 20 minutes to question the Cabinet Member and officers. They do not have the right to put forward recommendations; this right is reserved for Members or substitute Members of the Committee only.
- Members and substitute Members of the Committee will then question the Cabinet Member and officers (As the call-in does not relate to an education matter the Parent Governor and Church representatives may not put forward or vote on motions. They may still participate in the debate).
- Those Members who have called-in the decision will collectively have 5 minutes at the end of the debate to sum up their arguments.
- Following this, the Chair will sum up the debate and ask the Committee if they wish to make any proposals regarding the call-in. At this stage, only a limited number of proposals will be considered to be in order. The options available to the committee are as follows:
 - A. The Committee refers the decision back to the decision maker (in this case, Cabinet).
 - B. The Committee refers the decision to Full Council (the Committee should only use this power if the decision is deemed to be either i) contrary to NCC's policy framework; or ii) contrary to or not wholly in accordance with the budget).
 - C. The Committee notes the call-in, but takes no further action.

2.3 The Final list of witnesses to be invited to attend will be agreed by the Chair and presented to the Committee on the day.

3. Background Papers

3.1 Appendix A: Cabinet report – Disposal, Acquisition and Exploitation of Property

3.2 Appendix B: Call-in notice - Disposal, Acquisition and Exploitation of Property

Officer Contact

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

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Cabinet

Report Title: Disposal, acquisition and exploitation of property

Date of Meeting: 03 July 2023

Responsible Cabinet Member: Councillor Jane James, Cabinet Member for Corporate Services and Innovation

**Responsible Director: Tom McCabe
Executive Director for Community and Environmental Services**

Is this a Key Decision? No

If this is a Key Decision, date added to the Forward Plan of Key Decisions: n/a

Executive Summary/Introduction from Cabinet Member

Proposals in this report are aimed at supporting Norfolk County Council priorities by exploiting properties surplus to operational requirements, pro-actively releasing property assets with latent value where the operational needs can be met from elsewhere and strategically acquiring property to drive economic growth and wellbeing in the County.

One of the key actions within the Strategic Property Asset Management Framework is a sharp focus on maximising income through adoption of a more commercial approach to property.

As part of corporate management of property and a systematic approach to reviewing the use and future needs of property assets for service delivery there is a continued emphasis on minimising the extent of the property estate retained for operational purpose. However, on occasion there will be the requirement to acquire or reuse an individual property to support a service to delivers its aims.

By adopting a “single estate” approach within the County Council and sharing property assets with public sector partners through the One Public Estate programme, the Council is aiming to reduce net annual property expenditure.

Consideration is also given to the suitability of surplus property assets for reuse or redevelopment to meet specific service needs that could improve the quality of services for users, address other policy areas and/or improve financial efficiency for the County Council, for example, facilitating the supply of assisted living accommodation and other housing solutions for people requiring care, or undertaking re-development to support jobs and growth.

This means that as well as continuing with the rationalisation of the operational property estate to reduce the number of buildings used by the County Council, a more commercial approach is being adopted over the sale or redeployment of surplus property assets.

Recommendations:

Cabinet is asked:

- 1. To formally declare Cobholm Field, Great Yarmouth (6009/012) surplus to Council requirements and instruct the Director of Property to dispose of the property on the best terms possible either through freehold or leasehold disposal. In the event of a disposal receipt exceeding delegated limits the Director of Property in consultation with the Director of Strategic Finance and Cabinet Member for Corporate Services and Innovation is authorised to accept the most advantageous offer.**
- 2. To approve to the acquisition of a lease from Great Yarmouth Borough Council for parts of the lower ground (basement) and ground floors shown edged purple on plan at 37-39 Market Place, Great Yarmouth NR30 1LX on the terms agreed.**
- 3. To formally declare Land at Meadow Way, Hellesdon (5032/011) surplus to Council requirements and instruct the Director of Property to dispose of the property. In the event of a disposal receipt exceeding delegated limits the Director of Property in consultation with the Director of Strategic Finance and Cabinet Member for Corporate Services and Innovation is authorised to accept the most advantageous offer.**
- 4. To formally declare Wensum Lodge Complex, 169 King Street NR1 1QW (4109/041) (excluding the adjacent site comprising the Sports Hall and Squash Court) surplus to Council requirements and instruct the Director of Property to dispose of the property. In the event of a disposal receipt exceeding delegated limits the Director of Property in consultation with the Director of Strategic Finance and Cabinet Member for Corporate Services and Innovation is authorised to accept the most advantageous offer.**
- 5. To formally declare Land at Edge Bank, Outwell (2107/101) surplus to Council requirements and instruct the Director of Property to dispose of the property. In the event of a disposal receipt exceeding delegated limits the Director of Property in consultation with the Director of Strategic Finance and Cabinet Member for Corporate Services and Innovation is authorised to accept the most advantageous offer.**
- 6. To formally declare Land at Parkfield Farm, Downham Road, Outwell (2107/103) surplus to Council requirements and instruct the Director of Property to dispose of the property. In the event of a disposal receipt exceeding delegated limits the Director of Property in consultation with the Director of Strategic Finance and Cabinet Member for Corporate Services and Innovation is authorised to accept the most advantageous offer.**

7. **To formally declare Land at Broomhill Lane, Reepham surplus to Council requirements and:**
 - (i) **Instruct the Director of Property to dispose of the property to the developer of the adjacent field, or**
 - (ii) **In the event of no satisfactory agreement instruct the Director of Property to dispose of the property on the open market.**

In the event of a disposal receipt exceeding delegated limits the Director of Property in consultation with the Director of Strategic Finance and Cabinet Member for Corporate Services and Innovation is authorised to accept the most advantageous offer.
8. **To formally declare Nelson Road Field, Sheringham (1087/011) surplus to Council requirements and:**
 - (i) **Instruct the Director of Property to dispose of the property to a Registered Housing provider, or**
 - (ii) **In the event of no satisfactory agreement instruct the Director of Property to dispose of the property on the open market.**

In the event of a disposal receipt exceeding delegated limits the Director of Property in consultation with the Director of Strategic Finance and Cabinet Member for Corporate Services and Innovation is authorised to accept the most advantageous offer.

1. Background and Purpose

- 1.1 Norfolk County Council (NCC) actively manages its property portfolio in accordance with the Strategic Property Asset Management Framework 2021/22-2026/27. Property is held principally to support direct service delivery, support policy objectives, held for administrative purposes or to generate income. Property is acquired or disposed of as a reaction to changing service requirements, changing council policies or to improve the efficiency of the overall portfolio.
- 1.2 The County Council challenges the use of its property on an ongoing basis. In the event of a property asset becoming surplus to an individual service need there are internal officer led processes to ascertain whether other service areas have an unmet need that could be addressed by re-using the property asset for that service. This may lead to a change of use of individual properties, for example, an office building may be adapted and reused for operational service delivery. Any proposals for retention are only agreed if supported by a robust business case showing the benefits to the County Council and are funded from approved budgets. This assessment will also consider whether a property could be offered at best consideration to public sector or third sector partners.
- 1.3 The above assessments are carried out by the Corporate Property Officer (the Director of Property) in consultation with the Corporate Property Strategy Group (CPSG). Once it is confirmed there is no further County Council requirement, Cabinet is asked to formally declare property assets surplus or re-designate for alternative purposes.

- 1.4 The Corporate Property Officer reviews options for maximising income from surplus properties usually by open market sale to obtain the best consideration possible. These will range from selling immediately on the open market (to the bidder making the best offer overall), enhancing the value prior to sale, strategic retention for a longer-term benefit through to direct development of the land and buildings and selling/letting the completed assets, in the expectation of enhanced income for the Council. Most disposals will be by way of tender or auction. In respect of auctions the contract of sale will be formed at the fall of the hammer and where this approach is selected the Corporate Property Officer will determine a reserve below which the property will not be sold. Most disposals will include overage/clawback provisions to enable the council to collect future uplifts in value created by alternative uses.
- 1.5 For properties to be sold immediately there is sometimes a need to consider selling directly to a specific purchaser instead of going to the open market. This may be justified where the third party is in a special purchaser situation and is willing to offer more than the assessed market value. Conversely this might be to a purchaser who is in a unique position of control for the unlocking of the full latent value of the County Council owned site (ransom situation). A direct sale without going to market can also be justified if there are specific service benefits or a special partnership relationship which is of strategic value with service/community benefits.
- 1.6 In making recommendations for direct sale without going to market, or direct property development, the Corporate Property Officer will consider risks, opportunities, service objectives, financial requirements and community benefits.
- 1.7 The recommendations for all disposals, acquisitions and exploitation of NCC property in this report follow detailed assessment by officers of the range of options available. The recommendation for each property is based on existing policies and strategies and judged to provide the best return to the County Council in financial terms and, where appropriate, taking account of community and economic benefits.

2. Proposals

Great Yarmouth - Cobholm Field (6009/012)

- 2.1 The land edged red is in the freehold ownership of the Council. and amounts to 4.8 hectares (11.86 acres) in area.
- 2.2 The property is leased to Great Yarmouth Borough Council (GYBC) in exchange for use by NCC schools of GYBC owned sports facilities. A review of this has shown that none of the schools are making use of the GYBC facilities.
- 2.3 GYBC have sub-let the property to the Great Yarmouth Rugby Club. This arrangement is nearing review and both parties are keen for the Club to remain in occupation.
- 2.4 This can be achieved by entering a new lease or by disposing of the freehold to GYBC. Neither GYBC nor Great Yarmouth Rugby Club party has yet concluded

which is their preferred option.

2.5 Disposal of the freehold/entering a lease will be at best consideration.

2.6 The Divisional Member has been informed of this proposed disposal.



Great Yarmouth - 37-39 Market Place, Great Yarmouth NR30 1LX

2.7 NCC are working with Great Yarmouth Borough Council (GYBC), the University of Suffolk, East Coast College, and the University of East Anglia to develop the former Palmers/Beales department store in Great Yarmouth town centre to create a new library, learning and university Centre. The building address is 37-39 Market Place, Great Yarmouth NR30 1LX (registered under title number NK396168).

2.8 Cabinet on 3 October 2022 received a report on the progress of the project.

2.9 The building is owned by GYBC, and the proposal is for NCC to acquire a lease for the parts of the lower ground (basement) and ground floors shown edged purple on plan in **Appendix A**.

2.10 The Director of Property has concluded negotiations to acquire the lease. The key terms are:

- The lease term is 125 years.
- Rent of a peppercorn.
- Rent review every 20 years.
- Lease break points at 20, 40, 60, 80, 100 and 120 years.
- Rights to common areas.

2.11 The Divisional Member has been informed of this proposal.

Hellesdon – Land at Meadow Way (5032/011)

2.12 The property edged red in plan is in the freehold ownership of the Council and has a total area of 0.03 hectares (0.07 acres).

2.13 The property was acquired as part of the adjoining school site but was not used for that purpose. It was declared surplus to Education use in 1983. Following a review by the Director of Property in consultation with CPSG it has been confirmed that the land is not required for NCC service use.

2.14 The property is used as access to the adjoining private residential properties.

2.15 Disposal of this land could be direct to the adjoining homeowners or by an open market sale through an auction or by tender.

2.16 The Divisional Member has been informed of this proposed disposal.

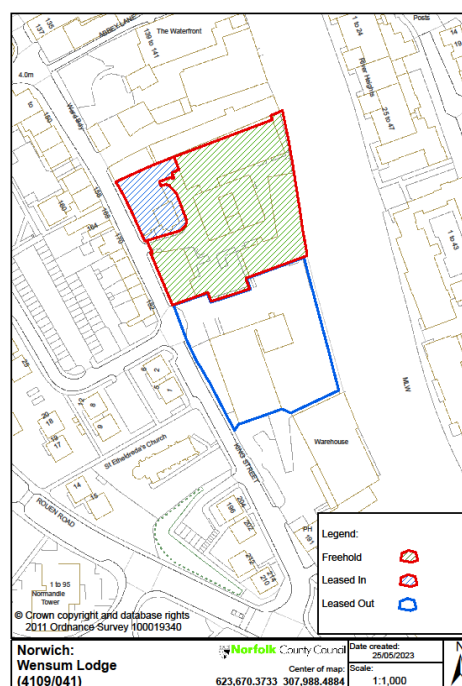


Norwich - Wensum Lodge Complex, 169 King Street NR1 1QW (4109/041)

2.17 NCC occupies the Wensum Lodge Complex, from which it delivers Adult Learning services. Part of the site is owned freehold (edged red/hatched green on plan), and part of the site, known as the Music House (edged red/hatched blue on plan) is leased from Norwich City Council. The adjacent site comprising the Sports Hall and Squash Court (edged blue on plan) is not being considered in this report and will remain leased out for their current uses.

2.18 The Adult Learning Service has evolved over recent years, and especially because of the Covid-19 pandemic, and consequently, many courses are now delivered online and in local communities at libraries and other local venues. This delivery model makes the Adult Learning offer more accessible for a wider range of learners that may not otherwise be able to utilise the service.

2.19 As a result, the Wensum Lodge site is significantly under-utilised and increasingly cost inefficient to own and maintain. Furthermore, the property fails to provide the high quality, modern, accessible learning environment that is increasingly expected by learners and by the Office for Standards in Education, Children's Services and Skills (Ofsted). In this context, the Adult Learning Service has reviewed its ongoing requirements for the site and has declared it surplus to operational



requirements. Some services will continue to be delivered from Wensum Lodge for a short time until suitable alternative venues or delivery models have been identified.

2.20 The County Council's Strategic Property Asset Management Framework 2021/22 to 2026/27 ([LINK to Framework](#)) provides the policy basis for decision making on property matters.

- Paragraph 6.2 states that “.....*When property becomes an impediment to delivering quality services then it will be improved, re-used, or disposed of.*”
- Paragraph 6.5 states “*The County Council challenges the use of its property on an ongoing basis, reviewing the use and future needs of property assets for service delivery and there is a continued emphasis on minimising the extent of the property estate retained for operational purpose.*”

The County Council has no alternative operational requirements for the Wensum Lodge site. Whilst the Council has an ongoing requirement for basic specification storage space, for which Wensum Lodge may initially appear suitable, the Council is able to meet these requirements elsewhere on its existing estate in a more operationally and financially efficient manner.

2.21 The site comprises a range of historic industrial buildings (maltings, stable block) and a 12th century merchant's house, which are not ideally configured or of suitable specification to provide high quality modern accommodation for public service delivery.

2.22 The Music House is leased in from Norwich City Council The rest of the site is owned freehold. Business rates for the site are £72,513 per annum, these are payable by the County Council whether it is using the property or not.

2.23 It is proposed to sell or lease the freehold element of the site on the open market through an appropriate mechanism, to be agreed by the Council's Director of Property. It is proposed to determine the lease for the Music House.

2.24 The Divisional Member has been informed of this proposal.

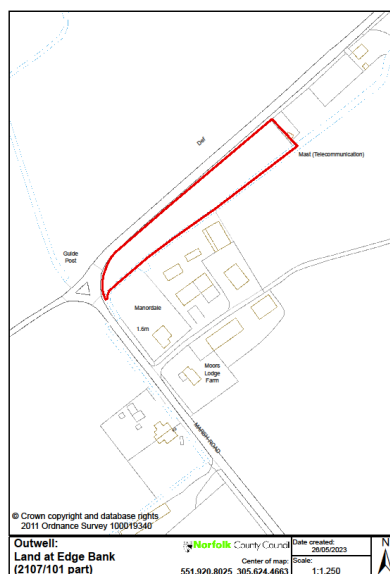
Outwell - Land at Edge Bank (2107/101)

2.25 The land edged red on plan is in the freehold ownership of the Council and currently forms part of the County Farm Estate and totals 0.28 hectares (0.69 acres) in area. The tenant has agreed to surrender this land from their Farm Business Tenancy agreement.

2.26 The County Farms Team have reviewed this land and determined it is not required for operational use. Following a review by the Director of Property in consultation with CPSG it has been confirmed that the land is not required for NCC service use.

2.27 It is proposed to dispose of this property by open market sale through an auction or by tender.

2.28 The Divisional Member has been informed of this proposed disposal.



Outwell – Land at Parkfield Farm, Downham Road (2107/103)

2.29 The land edged red on plan is in the freehold ownership of the Council and currently forms part of the County Farm Estate and totals 0.70 hectares (1.73 acres) in area. The tenants have agreed to surrender this land from their Farm Business Tenancy agreements.

2.30 The County Farms Team have reviewed this land and determined it is not required for operational use. Following a review by the Director of Property in consultation with CPSG it has been confirmed that the land is not required for NCC service use.

2.31 The adjacent area of land (coloured blue on plan) was declared surplus by Cabinet on 13 January 2020.

2.32 It is proposed to dispose of this property by open market sale through an auction or by tender.



2.33 The Divisional Member has been informed of this proposed disposal.

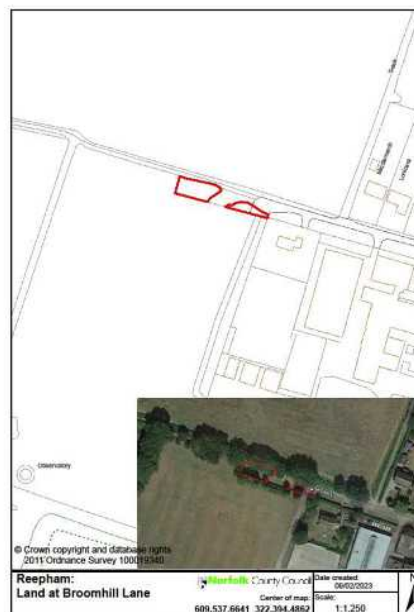
Reepham - Land at Broomhill Lane

2.34 The property edged red on plan is in the freehold ownership of the Council and has a total area of 0.03 hectares (0.08 acres).

2.35 The property was acquired as part of the neighbouring school site but was subsequently incorporated into the public highway.

2.36 The land has been declared surplus by Community and Environmental Services. Following a review by the Director of Property in consultation with CPSG it has been confirmed that the land is not required for NCC service use.

2.37 An application has been submitted by the developer of the adjoining field to remove the highway rights. If this is successful NCC will be able to consider disposal of the freehold to the developer. Should agreement not be reached with the developer the land will be disposed of by open market sale through an auction or by tender.



2.38 The Divisional Member has been informed of this proposed disposal.

Sheringham - Nelson Road Field (1087/011)

2.39 This land edged red on plan, was originally acquired by NCC for the provision of a new school which subsequently was never built. The site amounts to 1.66 hectares (4.11 acres) in area.

2.40 The site was initially leased in 2006 to North Norfolk District Council. The lease is held over and may be terminated on 6 months' notice.

2.41 Broadland Housing Association (BHA) have expressed a wish to acquire the whole site on terms to be agreed.

2.42 It is anticipated the site would be developed as an exception site for affordable homes.

2.43 The Director of Property has reviewed the site in consultation with CPSG and it has been confirmed that the land is not required for NCC service use.

2.44 Disposal of this will be direct to a registered housing provider or in the event of no agreement by an open market sale through an auction or by tender.



2.45 The Divisional Member has been informed of this proposed disposal.

3. Impact of the Proposal

- 3.1 Releasing surplus land holdings and buildings no longer required for service use will contribute to reducing costs and provides the potential for capital receipts. for the council to support the capital programme and hence service delivery. The County Council will apply the capital receipts to meet its priorities.
- 3.2 Leasing the site at 37-39 Market Place, Great Yarmouth will support the creation of a new library, learning and university Centre.

4. Evidence and Reasons for Decision

- 4.1 Declaring the sites and land holdings surplus to County Council use means that the Corporate Property Team can consider options for the disposal and exploitation of these sites.
- 4.2 Leasing the site at 37-39 Market Place, Great Yarmouth is a key aspect of the joint project.

5. Alternative Options

- 5.1 Declaring sites and land holdings surplus is a result of the sites no longer being required for service delivery. The alternative would be to retain resulting in incurring holding costs for an asset that is not contributing to service delivery.
- 5.2 There is no viable alternative option to leasing the site at 37-39 Market Place, Great Yarmouth.

6. Financial Implications

- 6.1 Disposals outlined in this report will provide the opportunity for capital receipts and savings in holding costs.
- 6.2 In respect of the leasing the site at 37-39 Market Place, Great Yarmouth the rent of a peppercorn reflects the investment NCC will make into the scheme, however there will be on going revenue costs to pay for service charges, day to day running costs and internal maintenance.

7. Resource Implications

- 7.1 **Staff:** Nil
- 7.2 **Property:** As described in the earlier parts of this report.
- 7.3 **IT:** Nil.

8. Other Implications

- 8.1 **Legal Implications:** For disposals and acquisition of leases in the usual way the legal implications are around the parties agreeing to the terms of the agreement for each disposal and lease and entering a contract.
- 8.2 **Human Rights Implications:** No implications.
- 8.3 **Equality Impact Assessment (EqIA):** No specific EqIA has been undertaken in respect of the cases in this report.
- 8.4 **Data Protection Impact Assessments:** No data protection impact implications in respect of the cases in this report.
- 8.5 **Health and Safety implications:** No implications for the cases in this report.
- 8.6 **Sustainability implications:** Future possible redevelopment of disposed sites will require planning permission and therefore would be mindful of sustainability measures.

9. Risk Implications / Assessment

- 9.1 The risks around disposals and acquisition of leases are around the non-agreement of terms. This risk is mitigated using experienced expert consultants.

10. Recommendations

- 10.1 Cabinet is asked to formally declare Cobholm Field, Great Yarmouth (6009/012) surplus to Council requirements and instruct the Director of Property to dispose of the property on the best terms possible either through freehold or leasehold disposal. In the event of a disposal receipt exceeding delegated limits the Director of Property in consultation with the Director of Strategic Finance and Cabinet Member for Corporate Services and Innovation is authorised to accept the most advantageous offer.
- 10.2 Cabinet is asked to approve to the acquisition of a lease from Great Yarmouth Borough Council for parts of the lower ground (basement) and ground floors shown edged purple on plan at 37-39 Market Place, Great Yarmouth NR30 1LX on the terms agreed.
- 10.3 Cabinet is asked to formally declare Land at Meadow Way, Hellesdon (5032/011) surplus to Council requirements and instruct the Director of Property to dispose of the property. In the event of a disposal receipt exceeding delegated limits the Director of Property in consultation with the Director of Strategic Finance and Cabinet Member for Corporate Services and Innovation is authorised to accept the most advantageous offer.
- 10.4 Cabinet is asked to formally declare Wensum Lodge Complex, 169 King Street NR1 1QW (4109/041) (excluding the adjacent site comprising the Sports Hall and Squash Court) surplus to Council requirements and instruct the Director of Property to dispose of the property. In the event of a disposal receipt exceeding delegated limits the Director of Property in consultation with the Director of

Strategic Finance and Cabinet Member for Corporate Services and Innovation is authorised to accept the most advantageous offer.

10.5 Cabinet is asked to formally declare Land at Edge Bank, Outwell (2107/101) surplus to Council requirements and instruct the Director of Property to dispose of the property. In the event of a disposal receipt exceeding delegated limits the Director of Property in consultation with the Director of Strategic Finance and Cabinet Member for Corporate Services and Innovation is authorised to accept the most advantageous offer.

10.6 Cabinet is asked to formally declare Land at Parkfield Farm, Downham Road, Outwell (2107/103) surplus to Council requirements and instruct the Director of Property to dispose of the property. In the event of a disposal receipt exceeding delegated limits the Director of Property in consultation with the Director of Strategic Finance and Cabinet Member for Corporate Services and Innovation is authorised to accept the most advantageous offer.

10.7 Cabinet is asked to formally declare Land at Broomhill Lane, Reepham surplus to Council requirements and:

- (i) Instruct the Director of Property to dispose of the property to the developer of the adjacent field, or
- (ii) In the event of no satisfactory agreement instruct the Director of Property to dispose of the property on the open market.

In the event of a disposal receipt exceeding delegated limits the Director of Property in consultation with the Director of Strategic Finance and Cabinet Member for Corporate Services and Innovation is authorised to accept the most advantageous offer.

10.8 Cabinet is asked to formally declare Nelson Road Field, Sheringham (1087/011) surplus to Council requirements and:

- (i) Instruct the Director of Property to dispose of the property to a Registered Housing provider, or
- (ii) In the event of no satisfactory agreement instruct the Director of Property to dispose of the property on the open market.

In the event of a disposal receipt exceeding delegated limits the Director of Property in consultation with the Director of Strategic Finance and Cabinet Member for Corporate Services and Innovation is authorised to accept the most advantageous offer.

11. Background Papers

11.1 03 October 2022 Cabinet report "Great Yarmouth Learning Centre and King's Lynn Multi-User Community Hub update paper" page 261 on agenda at [LINK](#).

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

Officer name: Simon Hughes, Director of Property

Telephone no.: 01603 222043

Email: simon.hughes@norfolk.gov.uk



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

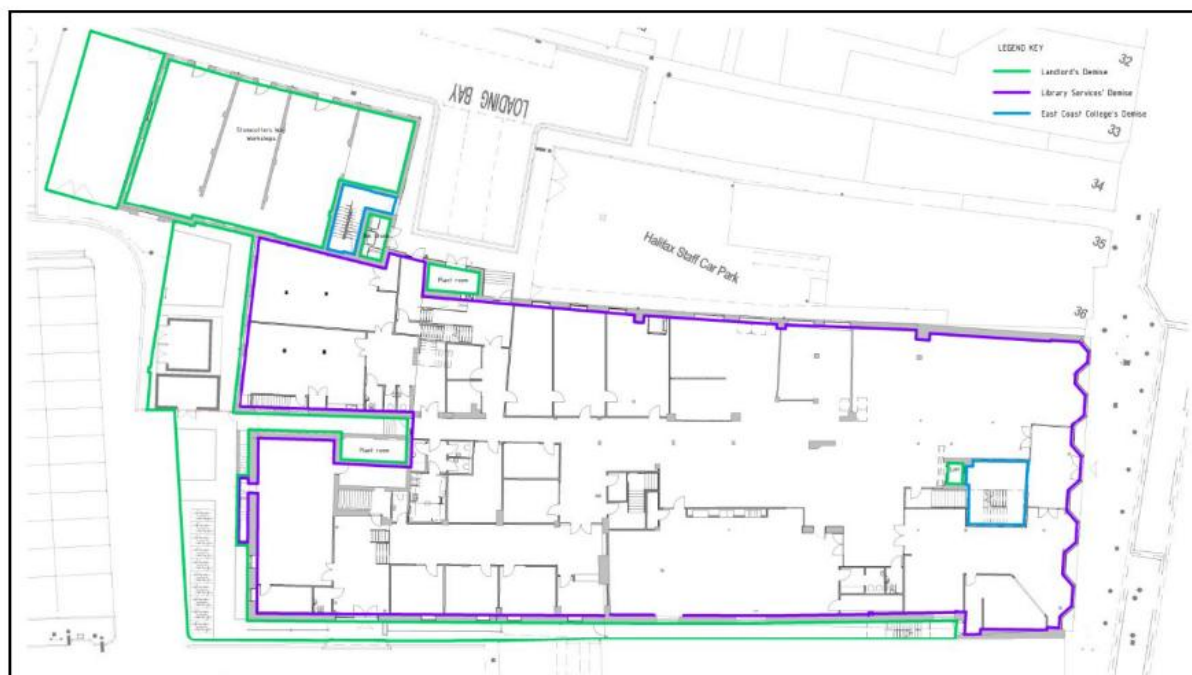
\\norfolk.gov.uk\ncd\dfs1\CorporateProperty\CPT ADMIN & MANAGEMENT\Meetings & Groups\Committees\CABINET\2023-24\2023.07.03\Drafts\23.07.03 Cabinet Disp acquisition and exploitation of property (rfiwb) draft 0.4.docx

37-39 Market Place, Great Yarmouth NR30 1LX

Basement (Lower Ground floor)



Ground floor





Call in Request Form

This form is to be completed and signed by any Member of the Council, with the support of at least 3 other Members and must be returned to Democratic Services at committees@norfolk.gov.uk within 5 working days of the Cabinet decisions being published or, if the decision has been taken by an individual Member or Chief Officer, within five working days of the decision being published under the Access to Information Procedure Rules in part 11A of the Constitution. Where education matters are involved, the Parent Governor and Church representatives together count as one Member.

Please telephone the Director of Democratic and Regulatory Services on 01603 222949 or Democratic Services Manager on 01603 228913 to make them aware that the call-in form is on its way. You will receive a confirmation email once it has been received.

A Call-In request will only be valid if it has been received in person (by email) by the above people within the 5 working day deadline which will be specified in the decision letter.

Please note that the call-in procedure does not apply to urgent decisions.

Decision Title and minute number
Disposal, acquisition and exploitation of property Minute number 15.4.4

Decision taken by (i.e. Cabinet, Cabinet Member, Chief Officer)
Cabinet

Date of Decision
3 rd July 2023

	Reasons for call in	Highlight which of the following apply and explain why you consider the process/principle has not been followed by the decision maker (as appropriate)
1.	The decision is not in accordance with the budget and policy framework	<p>This decision is not in accordance with "Better Together, For Norfolk" the Norfolk County Council Strategy.</p> <p>It is not in accordance with the Strategic Property Asset Management Framework</p> <p>The decision is not in accordance with the Norfolk Strategic Planning Framework (not part of the policy framework)</p> <p>The decision is not in accordance with the resolutions of the Communities Committee made on 16th January 2019, minute number 10.5</p>

2.	The decision is a key decision and it has not been taken in accordance with the Constitution.	
3.	There is evidence that the principles of decision-making (as set out in Part 4 of the Constitution) have not been complied with. These principles are:	
	a) Actions agreed will be in proportion with what the Council wants to achieve.	
	b) Appropriate consultation will have been carried out and decisions will take account of its results and any professional advice given by Officers.	No consultation has taken place with the People and Communities Select Committee, stakeholders, partners or the public in relation to the site's role within the community or the proposals to redevelop the site into a creative hub for the region.
	c) Decisions will reflect the spirit and requirements of Equalities and Human Rights legislation.	
	d) The presumption that information on all decisions made by the Council, the Executive and Committees should be public with only those issues that need to be exempt by virtue of the Access to Information Rules will be taken in private.	
	e) Decisions will be clear about what they aim to achieve and the results that can be expected.	

Detailed reasons for call in or any additional information in support of the call in that you wish to submit

On 16th January 2019, the Communities Committee passed the following recommendations:

- 1) Approve the proposed vision for the redevelopment of Wensum Lodge site as a creative hub.
- 2) Agree the next steps to carry out surveys and feasibility studies.

On 28th February 2020, the Cabinet Member for Communities and Partnerships, in consultation with the Cabinet Member for Commercial Services and Asset Management approved the Cabinet Report "Wensum Lodge Development Steering Group – Terms of Reference" which established a formal working group to develop the work agreed by the Communities Committee.

In agreeing the Wensum Lodge Site can be disposed of, Cabinet have failed to consider the agreed vision for the site's redevelopment and no details of this were included for reference/background.

While we dispute that the property as become an impediment to delivering quality services, Cabinet has not adequately considered whether the site can be improved or re-used. This is not in accordance with the Strategic Property Asset Management Framework.

The report considered by the Communities Committee and the Design Report commissioned by the Council envisaged Wensum Lodge becoming a space for creative business incubation. Not exploring this opportunity is not in accordance with the Strategic Property Asset Management Framework.

The vision for Wensum Lodge and evidence for the proposal supported the Norfolk County Council Strategy "Together, for Norfolk." Failing to consider this vision when agreeing to the site's disposal is not in accordance with the Norfolk County Council strategy "Better Together, For Norfolk."

The failure to consult with any stakeholders before deciding to sell this site is not in accordance with the proposed spatial vision or shared objectives of the Norfolk Strategic Planning Framework.

Please use the space below to add any further comments. You may wish to consider:

- **The outcome you would like to see as a result of this decision being called in**
- **Any further information that the Scrutiny Committee might wish to consider when assessing this call in.***
- **Any Cabinet Members/Officers you would like to attend the meeting.***

* Please note this will be at the Chair of Scrutiny Committee's discretion

We would like to see a full report on the outcomes from the work of the Wensum Lodge Steering Group which was set up to pursue the recommendations from the Communities Committee, with full consultation on the options with stakeholders, partners and the public.

This report should be presented to the People and Communities Select Committee before presentation to Cabinet.

We have been unable to acquire the agendas, reports and minutes for the Wensum Lodge Steering Group in advance of the deadline to submit this call-in request and would like these be made available to the Scrutiny Committee and ourselves prior to the Scrutiny Committee meeting.

We would like the Cabinet Member for Communities, Cllr Margaret Dewsbury to attend.

We would also like Ceri Sumner, former Director of Community Information and Learning and Sarah Rhoden, Director of Community Information and Learning to attend.

This call-in will draw on the document pack submitted separately to support this and the Adult Learning call-in request.

Although it is not a constitutional requirement you are advised to speak to the Chair of Scrutiny Committee before submitting your call in. If you wish to record any comments from the Chair, please insert them below

Name (please print)	Signature	Date
Emma Corlett	<i>Emma Corlett</i>	11.07.2023

In accordance with the Constitution you must sign this form and obtain the signatures of at least three other Members of the Council:

Name (please print)	Signature	Date
Alison Birmingham	<i>Alison Birmingham</i>	11.07.2023
Maxine Webb	<i>Maxine Webb</i>	11.07.2023
Julie Brociek-Coulton	<i>Julie Brociek-Coulton</i>	11.07.2023

I have considered the above call in and confirm that it is valid under the requirements of the Constitution.

I have considered the above call in and confirm that it is not valid under the requirements of the Constitution for the following reasons.

In coming to this conclusion, I have consulted the Chair of the Scrutiny Committee.

Signed by the Director of Legal Services and Monitoring Officer

Date

Please return to Democratic Services at committees@norfolk.gov.uk