

Norfolk County Council

Date: **Monday 23 November 2020**

Time: **10.00 am**

Virtual Teams Meeting ([Please use this link to view the meeting](#)).

To: All members of the Council. You are hereby summoned to attend a meeting of the Council for the purpose of transacting the business set out in this agenda.

Pursuant to The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020, the 23 November 2020 County Council meeting of Norfolk County Council will be held using video conferencing.

Prayers

AGENDA

1. Minutes

To confirm the minutes of the meeting of the Council held on 21 September 2020 Page 5

2. To receive any announcements from the Chair.

3. Members to declare any interests

If you have a Disclosable Pecuniary Interest in a matter to be considered at the meeting and that interest is on your Register of Interests you must not speak or vote on the matter. It is recommended that you declare that interest but it is not a legal requirement. If you have a Disclosable Pecuniary Interest in a matter to be considered at the meeting and that interest is not on your Register of Interests you must declare that interest at the meeting and not speak or vote on the matter.

In either case you may remain in the room where the meeting is taking place. If you consider that it would be inappropriate in the circumstances to remain in the room, you may leave the room while the matter is dealt with.

If you do not have a Disclosable Pecuniary Interest you may nevertheless have an Other Interest in a matter to be discussed if it affects:

- your well being or financial position
- that of your family or close friends
- any body-
 - (a) exercising functions of a public nature
 - (b) directed to charitable purposes: or
 - (c) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union);

of which you are in a position of general control or management.

If that is the case then you must declare such an interest but can speak and vote on the matter.

4 To receive any items of business which the Chair decides should be considered as a matter of urgency.

5 Questions to the Leader of the Council

Procedure Note attached Page 30

6 Recommendations from Committees

Cabinet Page 32

Meetings held on 5 October and 2 November 2020

Employment Committee Page 36

Meeting held on 30 September 2020

Corporate Select Committee – Constitution Page 38

Meeting held on 9 November 2020

7 Cabinet Report (Questions to Cabinet Members)

Meetings held on 5 October and 2 November 2020 Page 145

Procedure Note attached Page 154

- Strategy & Governance
- Growing the Economy
- Adult Social Care, Public Health and Prevention
- Children's Services
- Commercial Services & Asset Management
- Communities and Partnerships
- Environment & Waste
- Finance
- Highways, Infrastructure & Transportation
- Innovation, Transformation & Performance

8. Committee Reports

Scrutiny Committee Meetings held on 23 September and 21 October	Page 155
Corporate Select Committee Meetings held on 14 September and 9 November 2020	Page 159
Infrastructure & Development Select Committee Meetings held on 16 September and 11 November 2020	Page 165
People and Communities Select Committee Meetings held on 18 September Meeting held on 13 November 2020	Page 169 (To follow)
Health Overview and Scrutiny Committee Meeting held on 8 October 2020.	Page 171
Health & Wellbeing Board Meeting held on 14 October 2020	Page 173
Audit Committee Meeting held on 15 October 2020	Page 175
Planning Regulatory Committee Meetings held on 16 October 2020	Page 178
Norfolk Records Committee Meeting held on 30 October 2020	Page 179
Joint Museums Committee Meeting held on 30 October 2020	Page 180
Employment Committee Meetings held on 30 September and 3 November	Page 182

9. Appointments to Committees, Sub-Committees and Joint Committees (Standards item).

- (i) To note any changes made under delegated powers since the last meeting;

Ed Maxfield to take up the Independent Group place on People & Communities Select Committee.

Cllr Dan Roper to replace Cllr John Timewell on Corporate Select Committee.

Jess Barnard to replace Chris Jones as substitute member on Planning (Regulatory) Committee

Jess Barnard to replace Brenda Jones on Norwich Area Museums Committee

Kim Clipsham to replace Steve Morphew on Norse Shareholder Committee

Chris Jones to replace Steve Morphew on Treasury Management Panel

Jess Barnard to replace Chris Jones as substitute member on Planning (Regulatory) Committee

Jess Barnard to replace Mike-Smith-Clare on ESPO Committee

Danny Douglas to replace Terry Jermy on Norwich Western Link

- (ii) To consider any proposals from Group Leaders for changes to committee places or consequential positions.

10. Appointment of Vice Chair to Corporate Select Committee

Cllr Penny Carpenter to replace Cllr Ed Colman as Vice-Chair of Corporate Select Committee.

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| 11 | Notice of Motions | Page 183 |
| 12 | Electoral Review of Norfolk
Report by the Executive Director of Strategy and Governance | To Follow |
| 13 | Pay Policy Statement
Report by the Head of Paid Service | Page 187 |
| 14 | County Council Elections May 2021 – Appointment of County Returning Officer. | Page 195 |
| 15 | Appointment of Statutory Scrutiny Officer
Report by the Executive Director of Strategy and Governance | Page 196 |
| 16 | To answer questions under Rule 8.3 of the council Procedure Rules (if any received). | |

Tom McCabe
Head of Paid Service
County Hall
Martineau Lane
NORWICH
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Agenda Published: 13 November 2020

Norfolk County Council

Minutes of the Meeting Held at 10am on Monday 21 September 2020

Present:

Cllr Tony Adams	Cllr Keith Kiddie (Chair)
Cllr Tim Adams	Cllr Mark Kiddle-Morris
Cllr Steffan Aquarone	Cllr Brian Long
Cllr Stephen Askew	Cllr Ian Mackie
Cllr Jess Barnard	Cllr Ed Maxfield
Cllr David Bills	Cllr Graham Middleton
Cllr Bill Borrett	Cllr Joe Mooney
Cllr Julie Brociek-Coulton	Cllr Steve Morphew
Cllr Sarah Butikofer	Cllr George Nobbs
Cllr Penny Carpenter (Vice-Chair)	Cllr Judy Oliver
Cllr Mick Castle	Cllr Rhodri Oliver
Cllr Stuart Clancy	Cllr Greg Peck
Cllr Kim Clipsham	Cllr Graham Plant
Cllr David Collis	Cllr Richard Price
Cllr Ed Connolly	Cllr Andrew Proctor
Cllr Emma Corlett	Cllr Will Richmond
Cllr Stuart Dark	Cllr Dan Roper
Cllr Margaret Dewsbury	Cllr David Rowntree
Cllr Nigel Dixon	Cllr Chrissie Rumsby
Cllr Danny Douglas	Cllr Mike Sands
Cllr Phillip Duigan	Cllr Eric Seward
Cllr Tim East	Cllr Carl Smith
Cllr John Fisher	Cllr Mike Smith-Clare
Cllr Tom FitzPatrick	Cllr Bev Spratt
Cllr Colin Foulger	Cllr Sandra Squire
Cllr Andy Grant	Cllr Barry Stone
Cllr Ron Hanton	Cllr Margaret Stone
Cllr David Harrison	Cllr Martin Storey
Cllr Chenery of Horsbrugh	Cllr Marie Strong
Cllr Harry Humphrey	Cllr Haydn Thirtle
Cllr Brian Iles	Cllr Vic Thomson
Cllr Andrew Jamieson	Cllr John Timewell
Cllr Terry Jermy	Cllr Karen Vincent
Cllr Brenda Jones	Cllr Colleen Walker
Cllr Chris Jones	Cllr John Ward
Cllr Alexandra Kemp	Cllr Brian Watkins
	Cllr Tony White
	Cllr Fran Whymark
	Cllr Martin Wilby
	Cllr Sheila Young

Present: 76

Apologies for Absence:

Apologies for absence were received from Cllr Roy Brame; Cllr Claire Bowes; Cllr Ed Colman; Cllr Fabian Eagle; Cllr Shelagh Gurney; Cllr Thomas Smith and Cllr Alison Thomas.

1 Minutes

- 1.1 The minutes of the Council meeting held on Monday 20 July 2020 were confirmed as a correct record and would be signed by the Chairman as soon as possible.

2 Chairman's Announcements

- 2.1 The Chairman highlighted that he had hosted a small Battle of Britain Commemoration on Monday 14 September 2020. Due to the restrictions caused by Covid-19 the event had been filmed and was available to view on YouTube at the following link: <https://www.youtube.com/watch?v=JhlxukY7lsg>
- 2.2 The Chairman announced the sad passing of John Perry-Warnes, County Councillor for Holt Division until 2013, who had passed away on 6 September 2020 aged 87 years. Mr Perry-Warnes had also served on the Norfolk Police Authority and the Board of Governors of Gresham's School. Council held a minute of silence as a mark of respect.
- 2.3 The Chairman, on behalf of Council, thanked all Councillors and staff at Norfolk County Council for their hard work in the recent difficult times.

3 Declarations of Interest

- 3.1 No declarations of interest were made.

4 To receive any items of business which the Chairman decides should be considered as a matter of urgency.

- 4.1 There were no items of urgent business.

5 Questions to Leader of the Council

5.1 Question from Cllr Emma Corlett

Cllr Corlett stated that the national system for booking covid-19 tests was in meltdown and asked the Leader how many wasted appointments there had been at Norfolk testing centres in the past four weeks; how could Norfolk residents access a walk-through test site so people who didn't own a car were not excluded and did he agree with those calling for Norfolk to be excluded from any national lockdown.

The Leader replied the national testing system had experienced some serious problems which had been admitted by Government Ministers and the situation needed to improve so anyone who needed a test if they were experiencing symptoms of covid-19, could access a test and receive the results quickly.

The Leader said that he didn't have the figures for the number of wasted appointments but would look into the possibility of finding out.

Regarding the second part of the question, the Leader said that Norfolk people had generally been good at following the guidelines and, apart from the recent Banham Poultry outbreak, there had been a low incidence of infection in Norfolk and any risks throughout the rest of the country would need to be mitigated.

The Leader continued that Norfolk's economy was still in a fragile state and everything possible needed to be done to support it, although it was recognised the country was currently at a critical point in the pandemic and that the evidence and guidelines across the whole of the UK to prevent the spread of the virus in communities needed to be followed.

5.2 Question from Cllr Dan Roper

Cllr Roper asked what explanation the leader had received for the reported problems and the fall in the availability of tests within the county and was he able to provide any assurances from the information he had received that the situation would improve and if he had, when.

The Leader replied that from a local point of view pressure was needed to ensure Norfolk received the tests it required. Regarding assurances, the Leader responded that, through the Public Health Team, work was being carried out to ensure we received what was needed, not just in Norfolk but across the whole of the country.

5.3 Question from Cllr Ed Maxfield

Cllr Maxfield stated, in this new world of virtual meetings, that it was important everyone had confidence in the way we worked. He asked if the Leader would agree that the permanent record of all votes taken formally should show how individual Councillors had voted, as this would show complete transparency and avoid any need for long-winded recorded votes.

The Leader replied that everyone was still getting used to the new technology and the virtual meetings being attended on a day by day basis and he agreed that there had been a lot of time spent on voting at the Council meeting in July 2020. The Leader continued that recent training sessions had been held about the use of a new voting system, which was quite straight forward and that the new system was going to be used during the meeting, which should speed up proceedings and was also open and transparent.

5.3 Question from Cllr Rhodri Oliver

Cllr Oliver asked if the Leader would join him in praising and commending the excellent work of the Public Health team in reducing the impact of the Banham Poultry outbreak of covid-19 on residents in his constituency and across the whole of Norfolk.

The Leader thanked Cllr Oliver for the role he had played during the Banham Poultry outbreak which was in his division, adding that everyone had recognised the prompt and effective response made by the Public Health team led by the Director of Public Health, Dr Louise Smith. He added that all parties had worked closely with Banham Poultry, Public Health England, the local District Councils

and regional and national partners to control the outbreak and support the business and the staff involved.

The Leader continued that the staff deployed had worked long hours to arrange for the testing of the large workforce, detailed data analysis, specialist advice and to support Banham Poultry staff who needed to self-isolate, which included delivering medicines and testing kits to their homes where required.

The Leader added that Norfolk had appeared on the Government watch-list, although it no longer did, and that the rates of coronavirus in the county had gone down. However, the Leader urged for this not to lead to complacency and that the numbers needed continual daily monitoring. In summing up, the Leader stated that Norfolk County Council and its Partners had all responded at pace and worked extremely hard to provide a timely and excellent response at Banham Poultry. He added that remembering the slogan “Protect Yourself, Protect Others, Protect Norfolk” which was part of Norfolk’s overall approach to covid-19, together with the phrase “hands, face and space” would help keep communities safe.

5.4 Question from Cllr Alexandra Kemp

Cllr Kemp stated that she had written to the Police & Crime Commissioner for Norfolk and the Chief Constable because Norfolk County Council had passed an Order which would put the public at risk by letting dangerous drivers go free and also put a generation at risk of flooding. She asked if the Leader realised these decisions were the worst decisions in King’s Lynn since the incinerator and what he was going to do about the situation.

The Leader responded by saying that Cllr Kemp was reiterating various emails she had sent and which had been responded to. He added that everything had been done correctly, and there was certainly no issue about a cover-up and no question that any traffic orders violated any laws. He added that everything had been done by the book in his view and would continue to do so, and that he hoped Cllr Kemp would now recognise this.

5.5 Question from Cllr Jess Barnard

Cllr Barnard said over the last few weeks, there had been some rhetoric that young people were to blame for the increase in cases of covid-19. She added that young people made up young carers and they had been front-line workers throughout the crisis by stocking shelves and working in low paid conditions without PPE and asked if the Leader would make it very clear that Norfolk County Council rejected the scapegoating of young people and that we appreciated their efforts during, and throughout, the crisis.

The Leader replied that he didn’t think anyone was trying to apportion any blame, but that it was a recognition of fact in that everyone was trying to play their part in fighting the pandemic. The actual situation was representative of the way people worked and lived and he didn’t subscribe to the view that any group was being stigmatised, although he urged everyone to follow the guidelines in washing hands, social distancing etc. and said if everyone followed those guidelines which were there to be followed, we would get through this pandemic.

5.6 Question from Cllr Sarah Butikofer

Cllr Butikofer wished to pass on her condolences to the family of the late John

Perry Warnes, who had been a fantastic councillor and a real community servant.

Cllr Butikofer said that she had recently attended a meeting of Local Government Leaders where the Prime Minister had confirmed that local authorities were crucial in the fight against the virus and were completely indispensable to the country. She added that later in that week, Cllrs had been told the social care white paper was being delayed again and the funding review was still awaited. She asked if the Leader would agree with her, that now was not the right time for local government reorganisation and devolution.

The Leader replied that it was recognised Local Authorities were crucial, and had been crucial, to the response of the pandemic and were indispensable. He added that it was regrettable that the comprehensive spending review and the social care white paper had been delayed, which put upper tier authorities in a difficult financial position, particularly regarding social care provision.

With regard to devolution and local government reorganisation, the Leader stated that Council would be considering a motion later in the meeting, and that he had no problem with devolution. He continued that he would like to investigate if there were ways that authorities could work together to achieve a devolution deal for the county and possibly further afield that could offer real benefits. He added that his particular view about devolution and reorganisation was “did we really want to set ourselves on a path of navel gazing on local government reform to deliver what”, adding that the most important thing was to continue to provide services for our communities for the future.

5.7 **Question from Cllr Sandra Squire**

Cllr Squire asked if the Leader could confirm if he had been told whether it was not possible for Norfolk to have just one county-wide unitary authority.

The Leader replied that now was not the right time to use scarce resources to reorganise councils, although there had been some interesting reports about financial implications from PWC. He added that he would rather wait for the White Paper to be published, then respond to the White Paper to ensure we had the right approach to the government policy in the future.

6 Cabinet Recommendations from the meetings held on 3 August and 7 September 2020.

6.1 There were no recommendations for Council to consider from these meetings.

7. Cabinet Report (Questions to Cabinet Members)

Cllr Andrew Proctor, Leader and Chairman of Cabinet, moved the report of the meetings held on 3 August and 7 September 2020. Council **RESOLVED** to **AGREE** the report.

7.1 **Question from Cllr Brenda Jones to Cllr Bill Borrett, Cabinet Member for Adult Social Care, Public Health & Prevention.**

Cllr Jones stated that, on 18 September 2020 the People & Communities Select Committee considered the Adult Social Care Winter and Resilience Planning and the Carers Charter Working Group reports. At the meeting, Cllr Rumsby had asked why the Cabinet Member hadn't attended the meeting and was informed

by the Chair that the Cabinet Member had been invited but had chosen to attend a meeting of the Conservative Group. Cllr Jones asked if the Cabinet Member for Adult Social Care, Public Health & Prevention would explain why he had chosen to prioritise a political meeting over a Select Committee which was discussing the health and wellbeing of Norfolk.

The Cabinet Member explained that the meeting he had attended had been arranged before he had been asked to attend the Select Committee meeting and given the conflict of having two meetings at the same time, he had reluctantly attended the meeting invitation which he had already accepted.

7.2 Question from Cllr Brian Watkins to Cllr Bill Borrett, Cabinet Member for Adult Social Care, Public Health & Prevention.

Cllr Watkins asked when a report on the Government funding received by Norfolk County Council for the discharge of patients with learning disabilities or autism, or both, from mental health hospitals into the community in Norfolk would be received by the Select Committee.

The Cabinet Member responded that no date had yet been set for such a report.

7.3 Question from Cllr Mick Castle to Cllr Martin Wilby, Cabinet Member for Highways, Infrastructure & Transport.

Cllr Castle stated that after years of lobbying by the A47 Alliance and the Local Enterprise Partnership and others, Highways England was now ruling out the dualling of the Acle Straight for at least another decade. He asked if the Cabinet Member agreed that we would have been in a better position if local councils had embraced the Norfolk and Suffolk devolution deal in 2016, which had given an agreement enshrining infrastructure priorities and guaranteeing £700m to pay for them, which was a lost opportunity.

The Cabinet Member responded that the Acle Straight, along with the dualling of the Tilney to West Winch part of the A47 had been the main priorities of Norfolk County Council and the A47 Alliance for RIS2 schemes for some time. Lobbying to improve the A47 had been made by MP's, Archant, businesses along the A47, the Chamber of Trade as well as the LEP and Norfolk County Council for the dualling of the entire A47 from Lowestoft to Peterborough. Regarding the point made about the proposed Norfolk/Suffolk devolution deal in 2016, there may have been opportunities, but devolution hadn't happened.

The Cabinet Member highlighted that one of Norfolk County Council's priorities was to make infrastructure better in Norfolk, including the Norwich Western Link; the Great Yarmouth 3rd River Crossing and the Long Stratton Bypass, along with dualling the whole of the A47 to support connectivity from the midlands to Norfolk's energy coast and also improve the safety of the road, particularly the Acle Straight.

The Cabinet Member stated that he did not accept that the Acle Straight couldn't be part of the funding for RIS3 projects and said he looked forward to working with Cllr Castle and other Members and the A47 Alliance to lobby for its inclusion in RIS3 projects.

The Cabinet Member thanked Cllr Castle for his continued support for infrastructure projects and assured Council that he would continue to lobby to

get improvements to the infrastructure across the whole of Norfolk.

7.4 Question from Cllr Graham Plant to Cllr Martin Wilby, Cabinet Member for Highways, Infrastructure & Transport.

Cllr Plant referred to the A47 and Acle Straight, highlighting his annoyance that Highways England had received £300m from the government in 2014 to fund improvements, yet no work had commenced. He added that he felt it was unacceptable to hear that Highways England had made a decision that the Acle Straight was not to be included before any consultation had taken place. Cllr Plant asked if the Cabinet Member would write to Highways England, asking them how they had made such a decision, and if he would also write to MP's to lobby Highways England. Cllr Plant also highlighted that if, since 2014, the five elements of the A47 had been dualled, additional trade of approximately £500m would have been received in Norfolk.

The Cabinet Member replied that he was aware that the additional funding had been allocated for the improvements on the A47 and regarding the points made about the economy, better infrastructure was very important to Norfolk's economy to give easier access to the energy coast at Great Yarmouth and Lowestoft by offering better connectivity to the Midlands as well as improving road safety for all users. The Cabinet Member said he shared the frustrations and agreed to write to Highways England to ask them how they considered Acle Straight could not be included in RIS3 projects. He added that he would also write to MP's to lobby the Roads Minister and Highways England to ensure the money that had already been allocated to improve the A47 was utilised to complete the works, as well as securing funding to complete the dualling of the Acle Straight.

7.5 Question from Cllr Mike Smith-Clare to Cllr John Fisher, Cabinet Member for Children's Services.

Cllr Smith-Clare asked, with the real risk of future lockdowns, what the Cabinet Member was doing to ensure all families of children and young people with special educational needs and disabilities received the full support and assistance they needed as many families were understandably exhausted and burnt-out.

The Cabinet Member replied that a robust system was in operation to support all special needs schools, with Area Coordinators in place. He confirmed that he was fully aware of the pressures on families and that they would continue to receive the full support they had been receiving throughout the pandemic.

7.6 Question from Cllr Tim Adams to Cllr Andy Grant, Cabinet Member for Environment & Waste.

Cllr Adams stated that he had received a number of complaints following the waste amnesty days at Mayton Woods Recycling Centre, about the chaos in terms of traffic and getting into the site in a reasonable timescale. He added that this was not the fault of staff but given the demand it was apparent further planning was required on amnesty days. He asked if the Cabinet Member would give some consideration to instigating a booking system at recycling centres in future.

The Cabinet Member replied that booking systems tended to be the least workable solution as sometimes people missed their slot; turned up early and

formed queues; turned up late and then tried to get back into the queue. Other authorities had tried booking systems which had proved unsuccessful. He added that amnesty days had been extended and that anyone who was in a queue would be able to dispose of their waste. As the service was extremely popular it was a case of managing each situation individually, adding that traffic management would be in place at sites on future amnesty days to help ease traffic movements.

7.7 Question from Cllr Sandra Squire to Cllr Andrew Jamieson, Cabinet Member for Finance

Cllr Squire asked if the Cabinet Member could tell her the average yearly cost of the three Political Assistants.

The Cabinet Member replied that budget proposals were still being developed and all possible measures to cover the current budget deficit currently were being considered. He added that the approximate cost was just above £100k. He clarified that, following a review by the Association of Democratic Services Officers, a number of recommendations had been made which were currently being considered to review the service to investigate if it could be operated in a more modern way in future. He added that Group Leaders would be fully informed about any proposals.

7.8 Question from Cllr Carl Smith to Cllr Bill Borrett, Cabinet Member for Adult Social Care, Public Health & Prevention.

Cllr Smith asked if the Cabinet Member could confirm that he had worked closely with Independence Matters to ensure there was the least disruption to the service as possible.

The Cabinet Member responded that Norfolk County Council had been briefed on the announcement that Independence Matters was closing 5 of its 17 sites and as a result of that decision, a team of officers had been established to contact all service users, whether they were funded by Norfolk County Council or not. Discussions were taking place to facilitate the wishes of service users and he added that he was pleased this was the case to help ensure they received the service which was right for them.

7.9 Question from Cllr Julie Brociek-Coulton to Cllr John Fisher, Cabinet Member for Children's Services.

Cllr Brociek-Coulton asked how many Norfolk Schools had confirmed a covid-19 outbreak and what the current percentage of teachers and students having to isolate was.

The Cabinet Member replied that he didn't have those figures to hand, although he knew there were a number of staff within Norfolk who were self-isolating because of symptoms within their families or because they had symptoms themselves. He added that there were a couple of schools that had taken extra precautions because of a potential outbreak and he would try to ascertain the figures and circulate these after the meeting.

7.10 Question from Cllr Sarah Butikofer to Cllr John Fisher, Cabinet Member for Children's Services.

Cllr Butikofer referred to the outdoor learning facility run by Norfolk County Council at Holt Hall and said that, although she understood the funding

challenges faced, she was dismayed at the way the future of Holt Hall, which was an important centre of learning, was being considered. Cllr Butikofer asked what reassurance the Cabinet Member could give her and Norfolk residents, that everything possible would be done to maintain the facility.

The Cabinet Member replied that the future of Holt Hall and Whitlingham Outdoor Learning centres was currently out for consultation. The consultation had commenced in March 2020, stopped during the lockdown and then recommenced in July 2020. He added that no statements could be made at the current time due to the consultation, although he reassured Council that all consultation responses would be considered before any final decision was made.

7.11 Question from Cllr Ed Maxfield to Cllr Bill Borrett, Cabinet Member for Adult Social Care, Public Health & Prevention.

Cllr Maxfield referred to an email from the Disability Network Norfolk Group to the Cabinet Member, which had been copied to all Councillors, about the closure of the Independence Matters Service. The DNNG had asked a number of specific questions and quoted the ones which had not been answered by the Cabinet Member in his answer to Cllr Carl Smith's question:

- Will the Cabinet Member guarantee that service users would attend their new day service for the same amount of hours as they had with Independence Matters?
- If transport costs are increased, would Norfolk County Council fund the increase?
- Are there any other Independence Matters day service sites that were under threat?

Cllr Maxfield added that he didn't know if the Cabinet Member had replied to DNNG yet, but asked if the Cabinet Member would take the opportunity to address those concerns to Council.

The Cabinet Member replied that he had responded to the letter from the Disability Norfolk Network Group and that it was up to them if they wished to share his response.

Regarding the other points raised, the Cabinet Member said that the County Council was working with users to find them suitable alternative provision, which may be the same as it was now, or it may differ depending on the wishes of the service user. He added that due to the new model which was being offered, and which had received cross-party support at a recent Scrutiny Committee meeting, three different pathways were being offered:

1. Wellbeing pathway, providing meaningful activities, social support and care for those with the most complex needs. This was an enhanced level of service over and above that offered in the majority of the centres.
2. Promoting independence and supporting people to develop life skills and access to community provision and services.
3. Skills and employment, supporting people to obtain paid work.

The Cabinet Member continued that the menu of choices for service users had been supported cross-party and was leading to a change in demand for

traditional day services offered and could be one of the reasons Independence Matters was changing their offer. He added that Independence Matters offered 17 sites, and not all the sites were closing and they would continue to deliver services to vulnerable people, which Norfolk County Council was keen to support.

The Cabinet Member also added that, as Independence Matters was an independent service provider, he could not answer questions about possible future closures of sites, although he could reiterate that Norfolk County Council worked with all providers to ensure a service was available for everyone who needed it.

Council was also advised that, as the County Council had been keen to protect the financial viability of service providers throughout the pandemic, Independence Matters had received in full, a grant from Norfolk County Council to cover the cost of the service users, even though they could not attend their services due to social distancing and this meant service providers should not have suffered financial hardship as a result of the pandemic.

The Cabinet Member said he looked forward to seeing a healthy and vibrant number of options and providers available after the pandemic, which would provide the best services to protect vulnerable people who wanted to use them.

7.11.1 As a point of correction, the Chair of Scrutiny Committee, Cllr Steve Morphew, highlighted the full resolution of the Scrutiny Committee:

- That the Scrutiny Committee agree with the ambitions and the general direction of travel behind the Cabinet decision but would advise Cabinet (and service department) to consider the following issues when implementing the decision:
 - That there should be more co-production in areas such as the service specification, the monitoring arrangements and the reviews of the pilots. This will enable these issues to be better addressed when the implementation is planned and carried out and for the monitoring and review of pilots to be genuine co-productions.
 - That a way should be found to strengthen and improve the flow of information on learning disability issues to Councillors generally.
 - That a full briefing on the outcomes of the pilots should go to the People and Communities Select Committee so as to strengthen strategy development (perhaps through a Working Group of the Select Committee that is already looking into these issues).
 - That, because of concerns about the scale of change for service users, their carers and providers, the new services should be up and running before existing services and contracts are changed.

7.11.2 In reply to Cllr Morphew's statement, the Cabinet Member reiterated that the overview and monitoring issues agreed by Scrutiny Committee had been adopted by Cabinet, and reiterated that there was cross-party support for the service.

7.12 **Question from Cllr Stuart Dark to Cllr Greg Peck, Cabinet Member for Commercial Services & Asset Management**

Cllr Dark asked if the Cabinet Member agreed that the start of work to build 137 new homes in Acle demonstrated the ambition to build much needed homes for the hard-working people of Norfolk, as well as bringing in revenue to the Council.

The Cabinet Member replied that work had started at Acle and of those 137 homes, 42 would be affordable rent; 26 shared ownership and 69 private sale, which meant 50% of the sites would be affordable homes, exceeding the minimum requirement. He added that there had been a surge in demand in Norfolk for homes since covid-19 which could be seen as a way of ensuring young Norfolk families were not priced out of the market. He continued that the remit of Repton Homes was not only to provide housing for Norfolk but it was also to provide a return to the County Council, as its shareholder. He also added that Repton Homes was a viable business and had five more sites in the pipeline which would provide a further 440 homes. The next site for development was to provide 200 houses at Hopton for which planning approval was likely to be received soon; two smaller sites at Caister and Lingwood were also awaiting planning approval and it was expected two other sites would follow after November 2020. Repton Homes was also looking for further development opportunities in all areas of the county and he hoped the information reassured Council that Repton was delivering on its remit.

7.13 Question from Cllr Alexandra Kemp to Cllr Martin Wilby, Cabinet Member for Highways, Infrastructure & Transport.

Cllr Kemp stated that in her opinion, King's Lynn residents were being treated as third class citizens because of the West Winch by-pass. She continued that £205m had been secured for the Norwich Distributor Road; £98m for the Great Yarmouth 3rd River Crossing but after seven years, no funding had been received for the West Winch by-pass and that the A10 had been refused funding by the Government. She felt it was a problem that the Conservative group didn't know how to challenge the government because there had been an agreement for 350 houses to be built at West Winch before the bypass was completed, and she also felt that the Cabinet Member was being bullied by government. Cllr Kemp stated that the West Norfolk Infrastructure Group comprised of only Conservative Group Members and asked for that membership to change so the government could be challenged on the issues she had raised.

The Cabinet Member replied that a Working Group had been established to look at highways and infrastructure in west Norfolk, although it was the Borough Council of King's Lynn and West Norfolk who agreed their membership of the group. The Terms of Reference for the Working Group clearly set out the membership and therefore Cllr Kemp should ask the Borough Council to look into this. He added that he didn't accept he was being bullied by anyone.

8. Committee Reports

8.1 Scrutiny Committee meetings held on 22 July and 19 August 2020.

Cllr Steve Morphew, Chair, moved the report. Council **RESOLVED** to note the report.

8.2 Corporate Select Committee meeting held on 13 July 2020.

Cllr Karen Vincent, Chair, moved the report. Council **RESOLVED** to note the

report.

8.3 **Infrastructure & Development Select Committee meeting held on 15 July 2020.**

Barry Stone, Chair, moved the report. Council **RESOLVED** to note the report.

8.4 **People & Communities Select Committee meeting held on 17 July 2002.**

Cllr Ed Connolly, on behalf of Cllr Shelah Gurney, Chair, moved the report. Council **RESOLVED** to note the report.

8.5 **Health Overview & Scrutiny Committee meetings held on 30 July and 3 September 2020.**

Cllr Penny Carpenter, Chair, moved the report. Council **RESOLVED** to note the report.

8.6 **Health & Wellbeing Board meeting held on 8 July 2002.**

Cllr Bill Borrett, Chair, moved the report. Council **RESOLVED** to note the report.

8.7 **Audit Committee meeting held on 30 July 2020.**

Cllr Ian Mackie, Chair, moved the report. Council **RESOLVED** to note the report.

8.8 **Planning (Regulatory) Committee meetings held on 31 July, 21 August and 4 September 2020.**

Cllr Colin Foulger moved the report. Council **RESOLVED** to note the report.

8.9 **Standards Committee meeting held on 27 July 2020.**

Cllr Mark Kiddle-Morris moved the report. Council **RESOLVED** to note the report.

8.10 **Joint Museums Committee meeting held on 7 August 2020.**

Cllr John Ward, Chair, moved the report. Council **RESOLVED** to note the report.

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

9.1 Council **RESOLVED** to note the following change made under delegated powers since the last meeting:

Planning (Regulatory) Committee

Cllr Bev Spratt to replace Cllr Stephen Askew on the Planning (Regulatory) Committee.

Cllr Askew to replace Cllr Spratt as a substitute Member on Planning (Regulatory) Committee.

10. Notice of Motions

- 10.1 The following motion was proposed by Cllr Ed Maxfield and seconded by Cllr Sandra Squire:

Norfolk's natural environment is one of the County's most valuable assets. Every year schools, community groups, businesses and individuals get the chance to show how they are making a positive difference to their local environment through the Council's Eco Awards. The current budget for the Awards is just £5,500 including contributions from sponsors and from Norwich City Council. We can do more to unlock the power of local innovation by adding an 'Environmental Dragon's Den' to the Awards programme with a substantial reward for the best idea that can be rolled out across the county. Accordingly we call on the County Council to:

- Actively seek contributions to the prize fund from the Districts that are not currently contributing to the Eco Awards
- Create a new £10,000 prize to the Eco Awards to support ideas that can be scaled up to make a difference across the county

Include this new prize in the 2021 Eco Awards programme as a trial with a view to making it a permanent feature of the awards.

- 10.1.1 The following amendment was proposed by Cllr Andy Grant and seconded by Cllr Barry Stone:

Norfolk's natural environment is one of the County's most valuable assets. Every year schools, community groups, businesses and individuals get the chance to show how they are making a positive difference to their local environment through the Council's Eco Awards. The current budget for the Awards is just £5,500 including contributions from sponsors and from Norwich City Council. We can do more to unlock the power of local innovation by adding an 'Environmental Dragon's Den' to the Awards programme with a substantial reward for the best idea that can be rolled out across the county. ~~Accordingly we call on the County Council to:~~

Council resolves to:

- **Introduce a new Nature Recovery Award that will replace the Eco and Biodiversity Awards.**
- **Work to an Environment Plan that sets targets for protecting our environment.**
- ~~— Actively seek contributions to the prize fund from the Districts that are not currently contributing to the Eco Awards~~
- ~~— Create a new £10,000 prize to the Eco Awards to support ideas that can be scaled up to make a difference across the county~~
- ~~- Include this new prize in the 2021 Eco Awards programme as a trial with a view to making it a permanent feature of the awards.~~

- 10.1.2 As proposer of the original motion, Cllr Ed Maxfield accepted the amendment which

became the substantive motion.

- 10.1.3 Following debate and upon being put to a vote with 69 votes in favour, 0 votes against and 1 abstention, the motion was **CARRIED**:
- 10.1.4 Norfolk's natural environment is one of the County's most valuable assets. Every year schools, community groups, businesses and individuals get the chance to show how they are making a positive difference to their local environment through the Council's Eco Awards. The current budget for the Awards is just £5,500 including contributions from sponsors and from Norwich City Council. We can do more to unlock the power of local innovation by adding an 'Environmental Dragon's Den' to the Awards programme with a substantial reward for the best idea that can be rolled out across the county.

Council **RESOLVED** to:

- Introduce a new Nature Recovery Award that will replace the Eco and Biodiversity Awards.
- Work to an Environment Plan that sets targets for protecting our environment.

- 10.2 The following motion was proposed by Cllr Andrew Proctor and seconded by Cllr Steve Morphey:

Local Recovery and Devolution White Paper

This Council recognises that there are immediate and serious challenges facing councils and the communities we represent, including:

- Covid-19 is still with us and will be for some time, as will the costs of tackling it.
- The economic impact of the pandemic will have profound and lasting effects on our communities and will flow through into additional pressures on our core budgets.
- Local economies will have to be rebuilt and revitalised through collective effort and collaboration.

This Council, therefore, welcomes the opportunity the Local Recovery and Devolution White Paper may offer in devolving greater fiscal freedoms and powers to local areas to support the levelling up of the economy and recovery from the Covid-19 pandemic.

This Council Notes:

- Norfolk's response to the pandemic has proven how well councils and partners can work together and has underlined the transformative role we can play to support our communities and economies if given the freedom to deliver.
- An open, transparent and structured approach to devolution presents an opportunity to deliver more effective services for residents, build a stronger economic recovery and deliver broad ranging benefits for residents and the business community
- Notwithstanding the benefits proper devolution can bring, local authorities

need additional and sustainable funding to continue to deliver the services our people and communities value

This Council Resolves:

- That until such time as the White Paper is published, initiating work on any form of local government reorganisation is both premature and not the best use of our collective resources at a time when we are focused on Covid-19 impact and recovery.
- To continue to work better together with all our partners across Norfolk to get the best for our people, economy and place.

10.2.1 Following debate and upon being put to a vote, with 73 votes in favour, 1 vote against and 2 abstentions, the motion was **CARRIED**.

10.3 The following motion was proposed by Cllr Brian Watkins and seconded by Cllr David Harrison:

Public health

Local authorities in England play a pivotal role in preventing mental health difficulties through their public health responsibilities as well as through the provision of early years services, youth services, support for schools and colleges, and social care for people of all ages. Public health services have stepped up during Covid-19 to protect health in their communities. They also have a crucial role in securing the public's mental health and preventing suicides in local communities.

Yet financial constraints have held public health services back and led many to cut the very services that are known to prevent later problems and support resilience in their communities. An Institute of Fiscal Studies (2019) report on Sure Start centres, for example, demonstrated that they significantly reduced the chances of hospital admissions on children from more deprived backgrounds, yet spending on these services fell by two thirds between 2009/10 and 2017/18. This is one example of cost-cutting policies leading counter-productively to a concentration of resources in high-cost services resulting from a lack of earlier, cheaper, help (O'Shea, 2018).

Public health services are critical for better mental health. They will be at the frontline when it comes to preventing mental health problems resulting from the pandemic.

Recommendation: This Council should write to the County's MPs and ask for their support in lobbying Central Government for a five-year settlement for public health services, growing at least at the same rate as the NHS, which would enable the Norfolk County Council through our Public Health team to invest now for better mental and physical health for all and to address the health inequalities in our local communities.

10.3.1 Cllr Watkins, as mover of the motion and in accordance with the Norfolk County Council Constitution Appendix 7, paragraph 11.8, **WITHDREW** the motion. The withdrawal of the motion was endorsed by the seconder, Cllr David Harrison.

The meeting adjourned at 12.10pm and reconvened at 12.30pm.

- 10.4 The following motion was proposed by Cllr Steff Aquarone and seconded by Cllr Dan Roper:

The Local Electricity Bill

This Council notes:

- Local authorities play a central role in creating sustainable communities, particularly through the provision of locally generated, renewable electricity.
- The very large setup and running costs associated with selling locally generated renewable electricity to local customers prevent local renewable electricity generators from doing so.
- Making these financial costs proportionate to the scale of a renewable electricity supplier's operation would create significant opportunities for councils to supply locally generated renewable electricity directly to local people and businesses.
- Revenues received by councils from the sale of local renewable electricity can be used to help fund measures to reduce local greenhouse gas emissions and to help fund local services and facilities.
- The recent reintroduction of the Local Electricity Bill under the Ten-Minute Rule. If enacted the new law would make the setup and running costs of selling renewable electricity to local customers proportionate by establishing a Right to Local Supply.
- This Bill has received the support of 151 Members of Parliament.
- We should make every attempt to build a sustainable Britain after the Coronavirus crisis has passed. Our support for the Bill and this motion helps us achieve that.

Council resolves to:

- Write to the relevant Government Minister(s) asking them to enact this legislation as soon as possible.
- Ask our local Members of Parliament to support the Bill.
- Write to the campaign promoting the Bill, Power for People, (at 8, Delancey Passage, Camden, London, NW1 7NN) expressing the Council's support for the campaign and the Local Electricity Bill.

- 10.4.1 Cllr Aquarone, as mover of the motion and in accordance with Norfolk County Council Constitution, Appendix 7, paragraph 11.8, **WITHDREW** the motion. The withdrawal of the motion was endorsed by the seconder, Cllr Dan Roper.

- 10.5 The following motion was proposed by Cllr Mike Smith-Clare and seconded by Cllr Chrissie Rumsby:

Hungry Children in Norfolk

A government social outcomes report estimates that of the 4.6 million children that live in poverty only 1.3 million children receive free school meals. (The number of children living in poverty is set to rise to 5.2 million by 2022.) The Child Poverty Action Group estimates that only around 30% of school-age children that live in food poverty receive free school meals in the UK- that's around 3.3 million children who do not receive free school meals and are potentially going hungry. A study published in SAGE journals in May 2018 indicates food insecurity during school

holidays can lead to a child's learning stagnating or even declining, as well as causing suffering to health and well-being. Council recognises its responsibility for educational attainment and helping children and families achieve the best outcomes from their education.

Norfolk Against Holiday Hunger seeks to provide a voice to all those across the county who find it unacceptable that children in Norfolk, and across the entire country, continue to have to miss meals and face hunger in 21st century Britain. We commend the brilliant work of organisations, volunteers and donors across Norfolk who continue to work to ensure that those most in need are not going hungry.

Council notes the steps Suffolk County Council are taking to support their residents from low income families relying on foodbank parcels. Suffolk County Council's food justice action plan aims to help address the county's efforts in eradicating food poverty with a dedicated officer being recruited.

Council resolves

1. to support campaigns to expand the entitlement to free school meals to include families earning above the current £16,200 and to include children of families who have no recourse to public funds.
2. support campaigns to extend the current scheme to include all school and half-term holidays.
3. Ask the cabinet member for Children's Services to write to the government conveying the support of this council for measures to ensure children in Norfolk don't go hungry.

10.5.1 Following debate and upon being put to a recorded vote (Appendix A), with 29 votes in favour, 43 votes against and 2 abstentions the motion was **LOST**.

10.6 The following motion was proposed by Cllr Brenda Jones and seconded by Cllr Emma Corlett:

Day Centres

Council believes day centre provision continues to provide crucial support to many in Norfolk. Council resolves to request cabinet to protect day centre provision unless agreement has been reached with service users on suitable alternatives.

10.6.1 Following debate and upon being put to a recorded vote (Appendix B), with 29 votes in favour, 42 votes against and 3 abstentions, the motion was **LOST**.

10.7 The following motion was proposed by Cllr Brenda Jones and seconded by Cllr Danny Douglas:

County Hall accommodation and car parking

The council is currently facing unprecedented financial challenges and major uncertainty in the face of the Covid-19 epidemic. However, it is clear the next few years will be very different to the past.

Despite this the Council is pushing ahead the major capital investment of nearly two million pounds to build additional parking spaces, based on past levels of need and affordability. The proposed car park development could be a waste of money to solve a problem we may not even have and encourage car usage rather than new

forms of working and alternative modes of travel to county hall.

Council therefore resolves to delay any further steps to build new parking spaces on the county hall site until the impact of changing working practices on the need for it, and the impact of budget restrictions on its affordability, have been reassessed in light of the fundamentally changed situation which we face.

10.7.1 Following debate and upon being put to a recorded vote (Appendix C), with 26 votes in favour, 41 votes against and 4 abstentions, the motion was **LOST**.

10.8 The following motion was proposed by Cllr Steve Morphew and seconded by Cllr Terry Jermy:

Councillor Allowances

Council recognises that the fallout from the COVID 19 pandemic is leaving many Norfolk residents unsure of their job security, many families facing the trauma of unemployment and hardship they have no control over and many businesses unsure of their future viability. Council is also conscious that before the pandemic the Independent Panel had already strongly recommended councillors forego any increase for this year because of the already difficult financial position of the council and the increases in excess of 14% since 2017.

Under the circumstances, council welcomes the decision of those councillors who have committed to refuse the 2020 allowances increase or pledged to use the increases to benefit their community rather than themselves. However, council believes that in times like these that does not go far enough in showing residents and business we are Together for Norfolk.

Council resolves to

1. reverse the decision to apply the 2.75% increase in councillor allowances backdated to April 2020 and to recoup any amounts already paid by April 2021.
2. use the unspent budget to help bridge the budget deficit in Adult Services rather than leave it in the councillor allowances budget as an unspent sum that could in future be used for higher allowances or to increase the number of roles attracting a special responsibility

10.8.1 Following debate and upon being put to a vote, with 23 votes in favour, 44 votes against and 3 abstentions, the motion was **LOST**.

10.9 The following motion was proposed by Cllr Sandra Squire and seconded by Cllr Mick Castle:

Council notes that Public Transport - bus and rail - is currently reliant on the public purse to prevent bus and rail companies from going bankrupt transporting much smaller numbers of passengers at high cost.

Council acknowledges that at some point when the pandemic is over routes to and from Norfolk's main conurbations are likely to return to profit and demonstrate their inherent sustainability whilst for those in rural areas recovery may be protracted and patchy.

Council calls upon the Cabinet to develop as a matter of urgency a coherent long-term strategy for sustaining bus services linking rural communities to key Market Towns. This development of this strategy should involve significant input from District & Parish Councils, local County Councillors and Bus Operators.

- 10.9.1 The following amendment was proposed by Cllr Colleen Walker and seconded by Cllr David Rowntree:

Council notes that Public Transport - bus and rail - is currently reliant on the public purse to prevent bus and rail companies from going bankrupt transporting much smaller numbers of passengers at high cost. Council acknowledges that at some point when the pandemic is over routes to and from Norfolk's main **routes** are likely to return to profit and demonstrate their inherent sustainability whilst for those in rural areas **and urban areas** recovery may be protracted and patchy. **Currently we are facing service cuts to the Newtown and the Magdalen Estate in Yarmouth. In Norwich this includes Lakenham and Northfields and (pre COVID) on Heigham Street.**

Council calls upon the Cabinet to develop as a matter of urgency a coherent long-term strategy for sustaining bus services linking rural communities to key Market Towns **and urban estates to urban centres**. This development of this strategy should involve significant input from **passengers**, District & Parish Councils, local County Councillors and Bus Operators. **The strategy should consider including franchising arrangements, education transport, a growth in community transport and bus/rail integration to take a view to increase appropriate supply to minimise costs and increase accessibility.**

- 10.9.2 As proposer of the original motion, Cllr Squire accepted the amendment which became the substantive motion.
- 10.9.3 Following debate and upon being put to a vote, with 24 votes in favour, 40 votes against and 2 abstentions, the motion was **LOST**.
- 10.10 The following motion was proposed by Cllr Alexandra Kemp and seconded by Cllr Sandra Squire:

Climate Change, Flood Risk and Development

This Council, as the Local Lead Flood Authority believes that housing development should not take place in the Rapid Inundation Zone, potentially placing lives at risk.

Council further believes that developers, and particularly local authorities, should always take heed of the advice of the Environment Agency on flood-resilient measures.

Council therefore instructs its officers to write to all District Leaders, Chief Executives and Chief Planning Officers and ask them to be Climate Change resilient and not allocate areas for residential development in local plans, where the Environment Agency advises that homes should not have ground floor habitable accommodation or ground floor sleeping accommodation, due to the rapid inundation zone flood risk.

The University of East Anglia predicts a 50% increase in coastal flooding over the next 80 years, due to Climate Change. Norfolk is at 10th greatest risk of flooding

and should be building lifetime homes that are safe for all to live in.

- 10.10.1 The following amendment was proposed by Cllr Mike Sands and seconded by Cllr Emma Corlett:

Climate Change, Flood Risk and Development

This Council, as the Local Lead Flood Authority believes that housing, **commercial and industrial** development should not take place in the Rapid Inundation Zone, potentially placing lives at risk. Council further believes that developers, and particularly local authorities, should always take heed of the advice of the Environment Agency on flood-resilient measures.

Council therefore instructs its officers to write to all District Leaders, Chief Executives and Chief Planning Officers and ask them to be Climate Change resilient and not allocate areas for residential development in local plans, where the Environment Agency advises that homes should not have ground floor habitable accommodation or ground floor sleeping accommodation, due to the rapid inundation zone flood risk. The University of East Anglia predicts a 50% increase in coastal flooding over the next 80 years, due to Climate Change. Norfolk is at 10th greatest risk of flooding and should be building lifetime homes that are safe for all to live in.

Council resolves that wholly owned Repton Property Development Ltd will commit to a policy of never building or proposing residential, commercial or industrial development in the Rapid Inundation Zone

- 10.10.2 As proposer of the original motion, Cllr Kemp accepted the amendment which became the substantive motion.
- 10.10.3 Following debate and upon being put to a vote, with 24 votes in favour, 38 votes against and 3 abstentions, the motion was **LOST**.

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

No questions were received.

12. Proportional Allocation of Seats on Committees

- 12.1 Council received the report by the Executive Director of Strategy & Governance setting out how the political balance on the Council had changed following the resignation of Cllr Ed Maxfield from the Liberal Democrat Group and his move to the Independent Group.
- 12.2 Cllr Andrew Proctor, Leader of the Council, introduced the report and moved the recommendation.
- 12.3 Council **RESOLVED** to:

Approve the allocation of committee places and note that there will be 1 extra place to the Independent Group and 1 less place to the Liberal Democrat Group on the People and Communities Select Committee.

The meeting concluded at 3.30 pm.

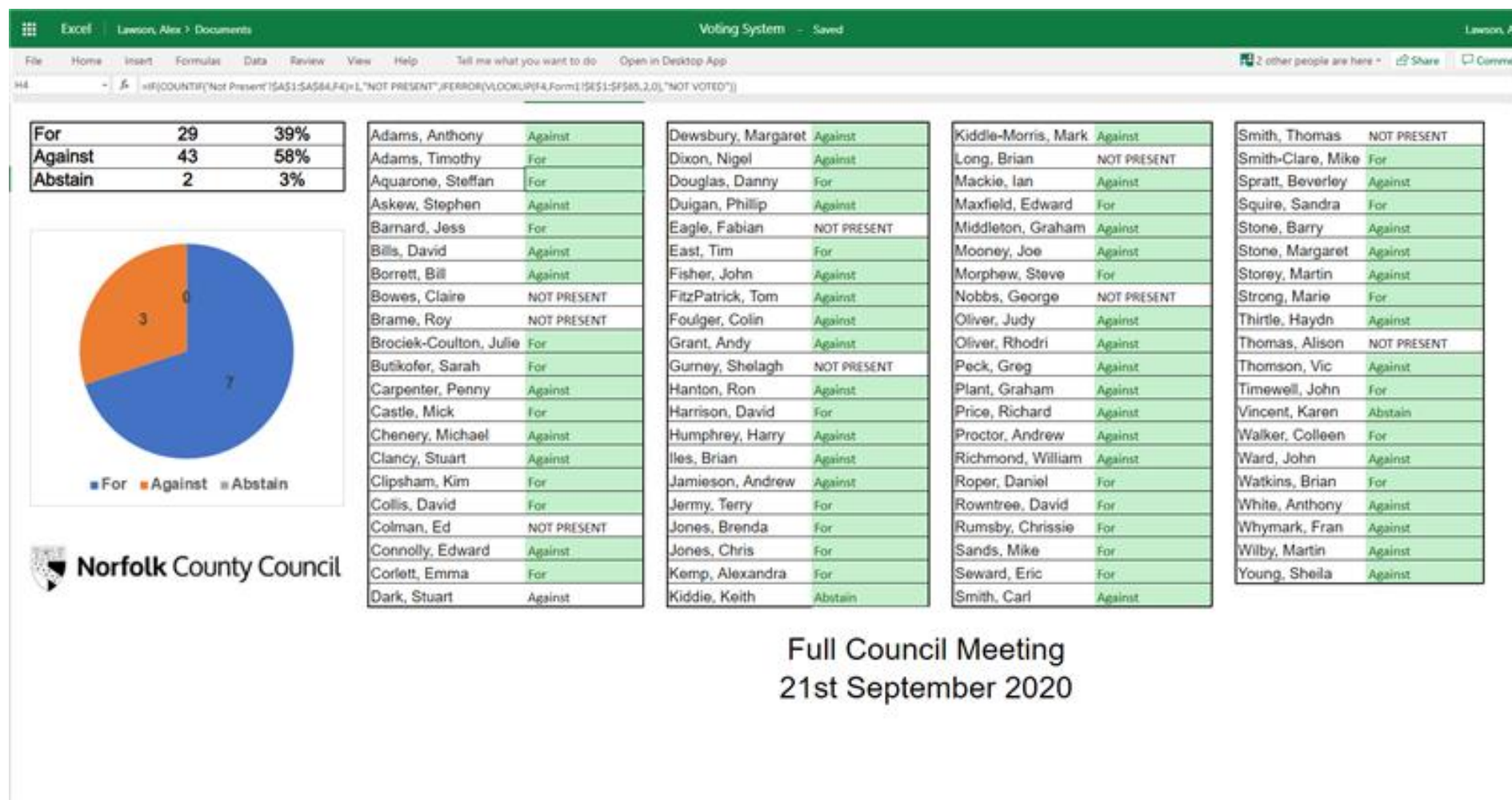
Chairman



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Motion 5 – Hungry Children in Norfolk.

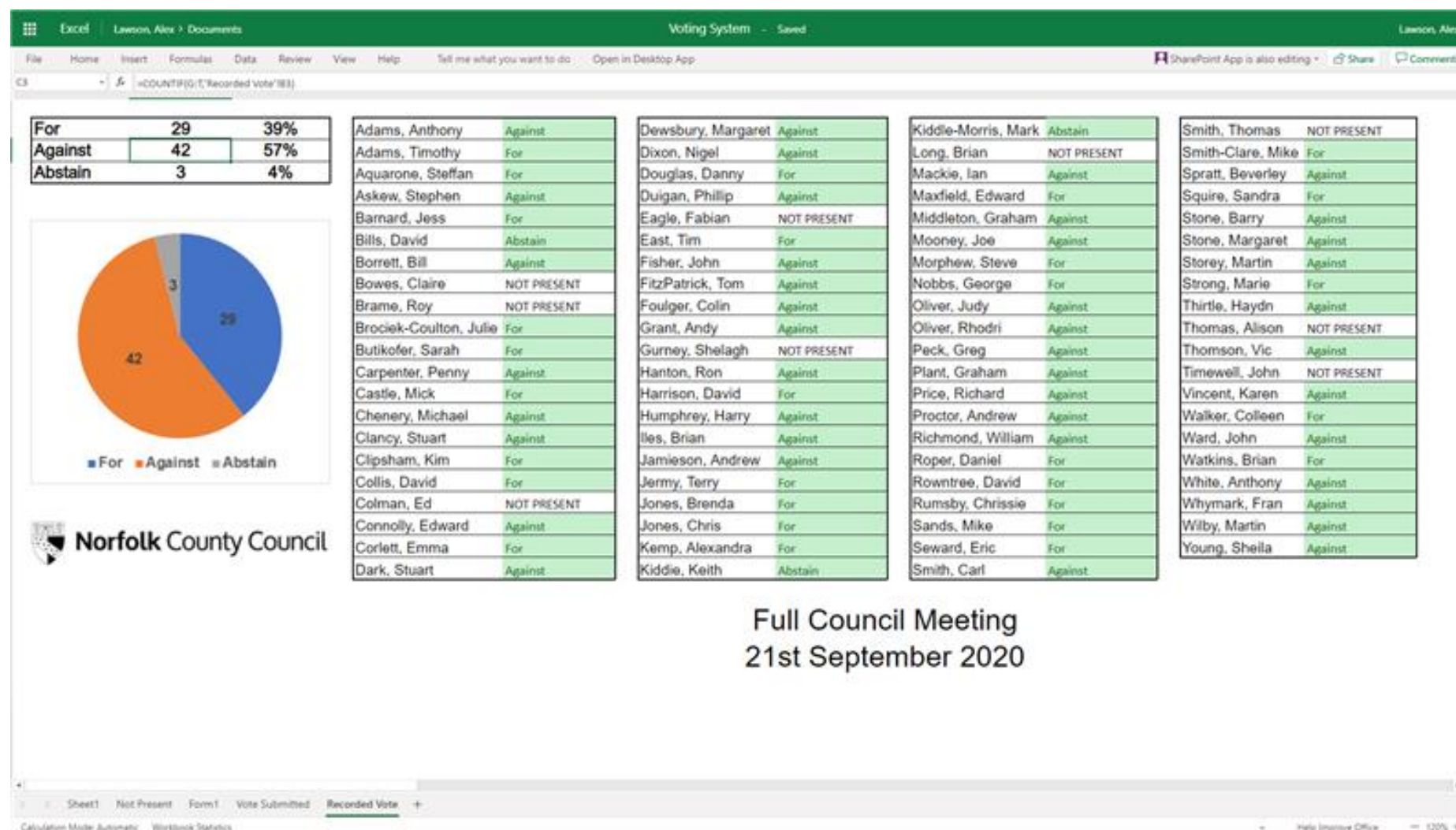
Proposed by Cllr Mike Smith-Clare and seconded by Cllr Chrissie Rumsby:



With 29 votes in favour, 43 votes against and 2 abstentions the motion was **LOST**.

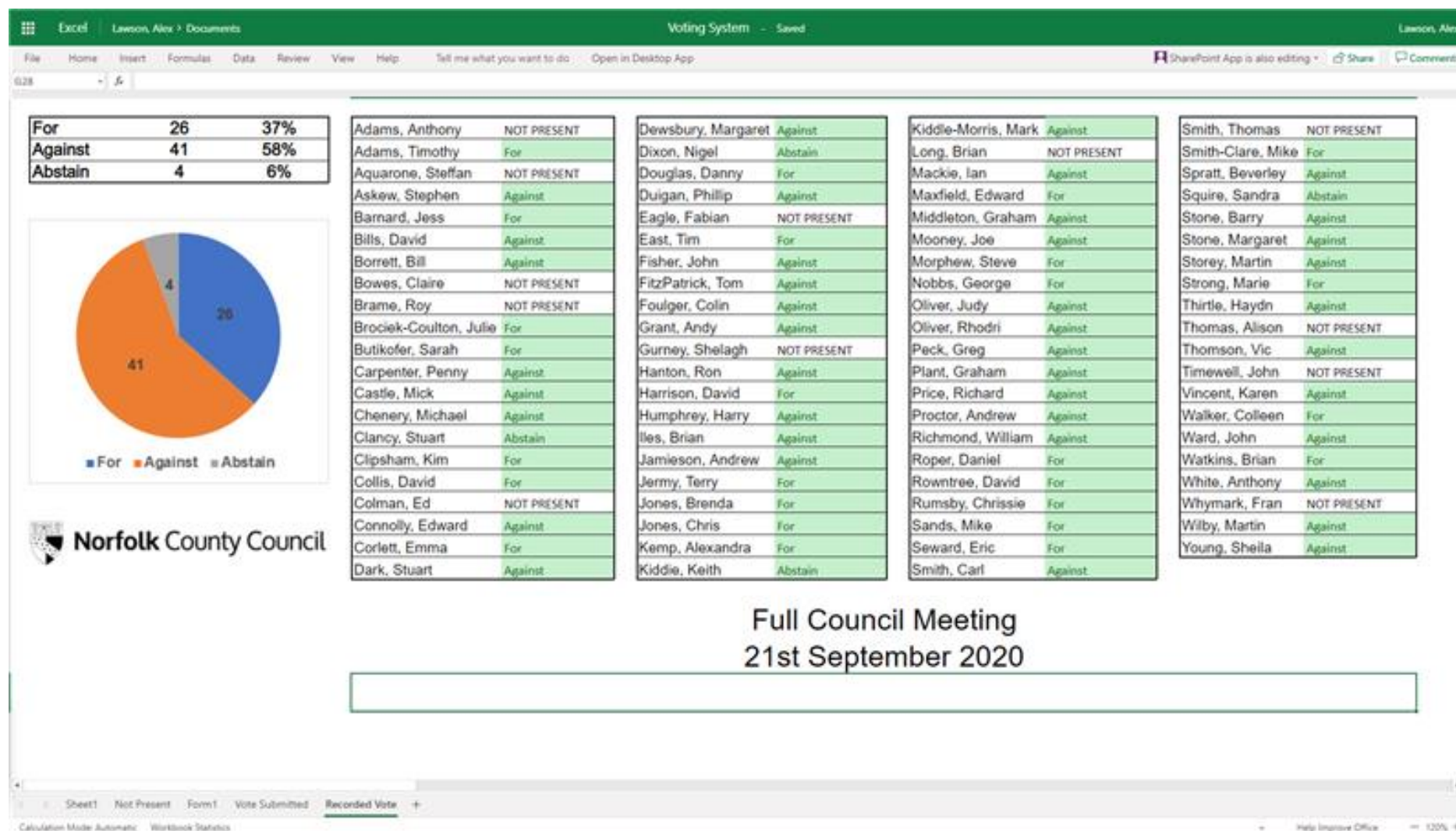
Recorded vote – Motion 6 – Day Centres

Proposed by Cllr Brenda Jones and seconded by Cllr Emma Corlett.



With 29 votes in favour, 42 votes against and 3 abstentions, the motion was LOST.

Recorded Vote – Motion 7 – County Hall Accommodation & Car Parking Proposed by Cllr Brenda Jones and seconded by Cllr Danny Douglas



With 26 votes in favour, 41 votes against and 4 abstentions the motion was **LOST**.

Questions requiring responses from the Council Meeting – Monday 21 September 2020

<p>Question from Cllr Emma Corlett to the Leader.</p>	<p>Question and response:</p> <p>Cllr Corlett stated that the national system for booking covid-19 tests was in meltdown and asked the Leader how many wasted appointments had this led to at Norfolk testing centres in the past four weeks; how could Norfolk residents access a walk-through test site so people who didn't own a car were not excluded and did he agree with those calling for Norfolk to be excluded from any national lockdown.</p> <p>Response:</p> <p>The Leader replied the national testing system had experienced some serious problems which had been admitted by Government Ministers and the situation needed to improve so anyone who needed a test if they were experiencing symptoms of covid-19, could access a test and receive the results quickly.</p> <p>The Leader said that he didn't have the figures for the number of wasted appointments but would look into the possibility of finding out.</p> <p>Regarding the second part of the question, the Leader said that Norfolk people had generally been good at following the guidelines and, apart from the recent Banham Poultry outbreak, there had been a low incidence of infection in Norfolk and any risks throughout the rest of the country would need to be mitigated.</p> <p>The Leader continued that Norfolk's economy was still in a fragile state and everything possible needed to be done to support it, although it was recognised the country was currently at a critical point with the pandemic and that the evidence and guidelines across the whole of the UK to prevent the spread of the virus in our communities needed to be followed.</p>
<p>Question from Cllr Julie Brociek-Coulton to the Cabinet Member for Children's Services</p>	<p>Cllr Brociek-Coulton asked how many Norfolk Schools had confirmed a covid-19 outbreak and what the current percentage of teachers and students having to isolate was.</p> <p>Response:</p> <p>The Cabinet Member replied that he didn't have those figures to hand, although he knew there were a number of staff within Norfolk who were self-isolating because of symptoms within their families or because they had symptoms themselves. He added that there were a couple of schools that had taken extra precautions because of a potential outbreak and he would try to ascertain the figures and circulate these after the meeting.</p>

Procedure for Leader's Question Time

In order to give as many people as possible the opportunity to put a question to the Leader, questions should be asked succinctly and in a business-like manner. They should not be preceded by lengthy preambles. Similarly, answers should be given succinctly, to make sure there is sufficient time for a reasonable number of questions to be dealt with. The Chair will be prepared to intervene if he considers this principle is not being adhered to.

Agenda Item 5 – Questions to the Leader of the Council

Questions to the Leader will be a 15-minute session for questions relating only to the role of Leader.

1. Questions to the Leader must be relevant to matters for which the Council has powers or duties. Members do not need to give prior notice of what they plan to ask and the Chair's ruling as to relevance of questions will be final. If the Leader cannot give an immediate answer or feels that a written answer would be more helpful or appropriate, then the questioner will receive a written reply and this will be published to all members and to the public via the minutes. The Leader may ask Cabinet Members to answer questions where appropriate.
2. The Chair will begin Leader's Question Time by inviting the Leader of the Labour Group to ask the first question. All Group Leaders may delegate the asking of their question to another member of their Group. There is no right to ask a supplementary question.
3. After the first question has been answered, the Chair will invite the Leader of the Liberal Democrat Group to ask a question.
4. When the second question has been answered, the Chair will invite and select a member of the Independent Group to ask a question.
5. When the third question has been answered, the Chair will invite a Member of the Conservative Group to ask a question.
6. When the fourth question has been answered, the Chair will invite Cllr Alexandra Kemp (Non-aligned Member) to ask a question.
7. If the 15 minutes has not expired, the Chair will then invite questions from Group Members in the following order:

Labour Group
Liberal Democrat Group
Independent Group
Conservative Group

Following round:

Labour Group
Liberal Democrat Group
Independent Group
Conservative Group

8. The session will be timed by Democratic Services officers. If a question is being asked at the point time is up, the Chair will allow the question to be completed and the answer to be given.

Recommendations from the Cabinet Meetings held on 5 October and 2 November 2020

A: Meeting held on Monday 5 October 2020

1 Finance Monitoring Report 2020-21 P5: August 2020

- 1.1 Cabinet received the report by the Executive Director of Finance & Commercial Services which gave a summary of the forecast financial position for the 2020-21 Revenue and Capital Budgets, General Balances, and the Council's Reserves at 31 March 2021, together with related financial information.
- 1.2 Cabinet **RESOLVED** to:
1. Approve the continuation of financial support to Adult Social Care (ASC) providers as described in paragraph 5.17 of Revenue Appendix 1, including delegating authority to the Cabinet member for Adult Social Care and Public Health to make a decision, as appropriate, about the extension of any future offer relating to provider support payments and provider additional cost claims for the remainder of 2020-21 subject to those payments remaining within the remaining Covid-19 funding available for that purpose.
 2. Approve the continuation of financial support to Children's Services providers as described in paragraph 5.18 of Revenue Appendix 1, including delegating authority to the Cabinet member for Children's Services to make a decision relating to the ongoing measures that are still needed to support providers for the remainder of 2020-21, subject to those payments remaining within the remaining Covid-19 funding available for that purpose.
 3. **Recommend to County Council** expenditure of £0.022m to purchase and implement a Case management system for appointeeships and deputyships as set out in paragraph 4.1 of Capital Appendix 1, to be funded from additional prudential borrowing.
 4. **Recommend to County Council** expenditure of £0.039m to replace Museums Service tills as set out in paragraph 4.2 of Capital Appendix 1, to be funded from additional prudential borrowing.
 5. **Subject to approval** of recommendations in the Schools' Capital Programme report elsewhere on this agenda, to **recommend to County Council the addition** of £30m prudential borrowing to the capital programme.
 6. Note the period 5 general fund forecast revenue overspend of **£5.314m** noting also that Executive Directors will take measures to reduce or eliminate potential over-spends;
 7. Note the COVID-19 grant funding received of **£70.388m**, the proposed use of that funding, and the related expenditure pressures.
 8. Note the period 5 forecast shortfall in savings of **£17.307m**, noting also that Executive Directors will take measures to mitigate savings shortfalls through alternative savings or underspends;

9. Note the forecast General Balances at 31 March 2021 of £19.706m, before taking into account any over/under spends;
10. Note the expenditure and funding of the revised current and future 2020-23 capital programmes.

Note:

The report considered by Cabinet can be found on pages 66 to 107 of the Cabinet agenda at the following link.

<https://norfolkcc.cmis.uk.com/norfolkcc/Meetings/tabid/128/ctl/ViewMeetingPublic/mid/496/Meeting/1668/Committee/169/Default.aspx>

2 Schools' Capital Programme

2.1 Cabinet received the report by the Executive Director of Children's Services setting out a request for capital borrowing to ensure programme delivery to meet the statutory duty to secure sufficient pupil places to meet the demands of the school-age population.

2.2 **RESOLVED** to:

- Note the total funding for Schools' Capital Programme for the next three years and beyond
- Agree an initial £30m borrowing as part of the requirement of the programme and inclusion in the County's Council's Capital Programme for next year.
- Review the funding gap annually to take account of other sources of external funding which may come forward and opportunities for alternatives fully exploited.
- In the event of a continued funding gap, as a last resort council investment will be profiled as indicated under paragraph 2.17 (these figures may change based any new sources of funding)
- **Recommend to Full Council** that this is incorporated into the Capital Programme

Note:

The report considered by Cabinet can be found on pages 215 to 224 of the Cabinet agenda at the following link.

<https://norfolkcc.cmis.uk.com/norfolkcc/Meetings/tabid/128/ctl/ViewMeetingPublic/mid/496/Meeting/1668/Committee/169/Default.aspx>

3 Statement of Purpose of Norfolk Adoption Service 2020-2021

3.1 Cabinet received the report by the Executive Director of Children's Services setting out the Statement of Purpose which would be approved by Cabinet before being made available to adoptive families, adopted children and their birth parents and staff working in the field of adoption. The Statement of Purpose is also inspected by Ofsted.

3.2 Cabinet considered the report and **RESOLVED** to:

Recommend approval to full Council of the Statement of Purpose and Functions for the Local Authority Adoption Service to comply with the Care Standards Act 2000.

Note:

The report considered by Cabinet can be found on pages 225 to 235 of the Cabinet agenda at the following link.

<https://norfolkcc.cmis.uk.com/norfolkcc/Meetings/tabid/128/ctl/ViewMeetingPublic/mid/496/Meeting/1668/Committee/169/Default.aspx>

4 Statement of Purpose of Norfolk Fostering Service 2020-21

4.1 Cabinet received the report by the Executive Director of Children's Services setting out the statement of purpose which focused on the performance review of Norfolk Fostering Service.

4.2 Cabinet considered the report and **RESOLVED** to:

Recommend approval to full Council of the Statement of Purpose and Functions for the Local Authority Fostering Service to comply with the Care Standards Act 2000.

Note:

The report considered by Cabinet can be found on pages 236 to 244 of the Cabinet agenda at the following link.

<https://norfolkcc.cmis.uk.com/norfolkcc/Meetings/tabid/128/ctl/ViewMeetingPublic/mid/496/Meeting/1668/Committee/169/Default.aspx>

5 Annual Review of NCC Residential Children's Homes

5.1 Cabinet received the report by the Executive Director of Children's Services reporting on the performance of, and outcomes achieved by, Norfolk's Residential Children's Homes Service.

5.2 Cabinet considered the report and **RESOLVED** to:

- **Recommend the approval** of the Statements of Purpose for the Local Authority children's homes to Full Council to comply with the Care Standards Act 2000.

Note:

The report considered by Cabinet can be found on pages 244 to 260 of the Cabinet agenda at the following link.

<https://norfolkcc.cmis.uk.com/norfolkcc/Meetings/tabid/128/ctl/ViewMeetingPublic/mid/496/Meeting/1668/Committee/169/Default.aspx>

B: Meeting held on Monday 2 November 2020

1 Finance Monitoring Report 2020-21 P6: September 2020

- 1.1 Cabinet considered the report by the Executive Director of Finance & Commercial Services which gave a summary of the forecast financial position for the 2020-21 Revenue and Capital Budgets, General Balances, and the Council's Reserves at 31 March 2021, together with related financial information.
- 1.2 Cabinet **RESOLVED** to:
1. **Approve** the proposal to dissolve NCC HH Limited as set out in Appendix 1 paragraph 3.4.
 2. **Recommend to County Council** additional prudential borrowing of £1.4m to be available for the purchase of farmland at Outwell and associated costs, subject to approval, as set out in paragraph 4.1 of Capital Appendix 2.
 3. **Approve** the draft capital strategy and prioritisation method as the basis for developing the 2021-22 capital programme, as set out in Capital Annex 2;
 4. **Note** the period 6 general fund forecast revenue overspend of **£3.956m** noting also that Executive Directors will take measures to reduce or eliminate potential over-spends;
 5. **Note** the COVID-19 grant funding received of **£81.291m**, the proposed use of that funding, and the related expenditure pressures resulting in net Covid-19 pressure of **£10.844m**.
 6. **Note** the period 6 forecast shortfall in savings of **£17.382m**, noting also that Executive Directors will take measures to mitigate savings shortfalls through alternative savings or underspends;
 7. **Note** the forecast General Balances at 31 March 2021 of £19.706m, before taking into account any over/under spends;
 8. Note the expenditure and funding of the revised current and future 2020-23 capital programmes.

Note:

The report considered by Cabinet can be found on pages 96 to 155 of the Cabinet agenda at the following link.

<https://norfolkcc.cmis.uk.com/norfolkcc/Meetings/tabid/128/ctl/ViewMeetingPublic/mid/496/Meeting/1669/Committee/169/Default.aspx>

Cllr Andrew Proctor
Chairman, Cabinet

Recommendation from the Employment Committee Meeting held on 30 September 2020

1. Employment Committee Terms of Reference

- 1.1 The Employment Committee was established with the change in governance arrangements which came into effect in May 2019. Brief Terms of Reference are included in the Constitution.
- 1.2 On 30 September 2020 the Employment Committee convened for the first time to consider widening the Terms of Reference to allow it to fulfil all the functions that would normally be delegated to an Employment Committee. It was noted that any changes to the Terms of Reference must be approved by full Council.
- 1.3 The Committee have agreed the revised Terms of Reference with the amendment that they clarify that the power to approve the appointment of the County Council's Head of Paid Service lies with the full Council.

Recommendation to Council:

The Committee **RESOLVED** to **RECOMMEND** the revised Terms of Reference attached at Appendix A to full Council for approval.

Andrew Proctor
Chairman

Employment Committee

Terms of Reference

1. To be responsible for the establishment of the Chief Officer structures of the Council and advise on the appointment of the Head of Paid Service* and those officer roles defined in the appendix to the Officer Employment Procedure Rules together with pay arrangements if not in line with national negotiation procedures and current policy. This power includes the establishment of ad hoc Appointment Panels to discharge this function.

** The full Council will approve the appointment of the Head of Paid Service following the recommendation of such an appointment by an Appointment Panel appointed for this purpose by the Employment Committee.*

2. To determine new material local terms and conditions of employment for employees that have a significant financial impact for the organisation or would impact on a significant part of the overall workforce as identified and advised by the Director for People and Head of Paid Service.
3. To be responsible for taking disciplinary action in respect of the Head of Paid Service, and other Chief Officers as required by legislation. This power includes the establishment of ad hoc Disciplinary Action panels to discharge this function.

**Recommendation from the
Corporate Select Committee Meeting held on
9 November 2020**

1. Proposed Amendments to the Council Constitution

1.1 Recommendation to Council:

1. To agree the amendments proposed for recommendation to Council at its meeting on 23 November 2020, at:

1.1 Appendix 5 (Officer Delegations)

1.2 Appendix 15 (Financial Regulations)

1.3 Appendix 16 (Contract Standing Orders) for immediate implementation after the Council meeting.

With the exception of para 3.4.5 on which the Committee made no recommendation but asked the Monitoring Officer and s151 officer to make a recommendation to Council on this issue.(See separate attached report).

**Cllr Karen Vincent
Chairman**

APPENDIX 5

SCHEME OF DELEGATED POWERS TO OFFICERS

A. GENERAL CONDITIONS APPLYING TO ALL DELEGATED POWERS

1. Chief Officers (which for the purpose of this Scheme includes the Heads of Service listed in Section B of this Scheme) are authorised within the scope of this Scheme to exercise the powers and duties of the County Council in relation to the service and activities for which they are responsible, and the professional and managerial responsibilities of their posts. They are accountable to the elected Members of the County Council for the efficient and economic discharge of these responsibilities. Members are accountable to the public and are responsible for all major matters which impact upon the public in the course of the County Council exercising its powers and duties.
2. Subject to the provisions of this Scheme, but without otherwise limiting the scope of paragraph 1, the powers delegated to Chief Officers include: -
 - (a) issuing and serving statutory notices
 - (b) granting any licence, consent, approval, permission certificate or authorisation with or without conditions, or their refusal
 - (c) fixing, varying, deferring and waiving charges and similar payments (and associated conditions) which the County Council is entitled to impose
 - (d) signing documents
 - (e) authorising entry onto land
 - (f) inspecting land and premises and things on premises
 - (g) making grants (subject to any limitations imposed by Members in Council or Committee)
 - (h) making Statutory Orders and Schemes
 - (i) instituting criminal proceedings
 - (j) declaring land to be surplus to the requirements of their service
 - (k) delivering the approved capital programme for their service

In addition, the Senior Trading Standards Officers listed in Section B of this Scheme have the specific powers to institute legal proceedings there referred to.

3. Officers can only act within delegated powers and these are exercisable subject to:
 - (a) strategies, policies, priorities and Financial Regulations determined by the Members of the County Council;
 - (b) referral to the Executive for consultation or decision on all matters of public controversy or undecided matters of policy or substantial change from previous practice or which involve difficult or major issues where custom and practice or initial consultation with elected Members indicates that such referral should take place;
 - (c) compliance with the law and all policies, Regulations, Orders, codes, protocols, and similar documents approved by Council, the Leader, the Cabinet, or a relevant Committee;
 - (d) consultation with appropriate officers and proper regard to any advice given;
 - (e) other specific delegations in this Scheme or similar documents to another officer;
 - (f) decisions by the Head of Paid Service or the Monitoring Officer on whether Chief Officers should exercise any delegated power;
4. In addition to the constraints referred to above, there are exceptions to all officers' delegated powers. In particular there is no delegation to officers of:
 - (a) matters specifically reserved to the Council, the Leader, the Cabinet or a Committee;
 - (b) approval to exceed the provision in the revenue or capital budgets for their service responsibilities; (subject to the rules on virement contained in the Financial Regulations in Appendix 15);
 - (c) decisions on permanent savings in the budget to achieve the Council's policies;
 - (d) the making of an Order for the compulsory acquisition of land;
 - (e) the right to determine a major employee reorganisation;
 - (f) Any key decision falling within the definition set out in Article 12.3 which: -
 - recommends a budget to the full Council
 - proposes an amendment to the Council's Policy Framework (as defined in the Constitution)
 - involves the adoption of any other policy or a works programme
 - involves the expenditure or savings of more than £1.25M over one accounting year unless expressly provided for in the adopted budget or Policy Framework

- involves the acquisition or disposal of land and buildings or any interest in land and buildings in excess of an estimated value of £1.25M unless covered by a specific item in the budget
- involves a budget virement of funding in excess of the virement limit to be set out in the Constitution
- recommends the promotion or amendment of local legislation
- involves significant public, private and voluntary partnership working in Norfolk
- involves the making of a Statutory Order or Scheme which will have a significant impact on the delivery of County Council services
- proposes significant changes to the Constitution

Together with any other decision which the Monitoring Officer in consultation with the Leader and Head of Paid Service considers to be a key decision within the Regulations.

5. A Chief Officer need not exercise their delegated power in any particular matter and must not do so if in their opinion the matter involves questions of policy as yet undecided by the Council or Committee or any substantial change from previous practice.
6. The Leader, with the exception of functions which are not to be the responsibility of the Executive, may following consultation with the Head of Paid Service and Monitoring Officer, withdraw any delegations made by them by giving written notice to that effect to the relevant Chief Officer and copied to the Head of Paid Service and Monitoring Officer. The delegation may be withdrawn either generally or in a specific case and the withdrawal will take effect immediately the notice is given. The notice withdrawing the delegated power will also state who will exercise the delegated power in the place of the relevant Chief Officer. In the case of the delegation of a professional or technical matter, that person must be someone suitably qualified.

GENERAL CONDITIONS APPLYING TO ALL DELEGATED POWERS LISTED BELOW

1. The delegated powers in Section B of this Scheme must be exercised.
 - (a) In accordance with any relevant policies of the County Council.
 - (b) In consultation with appropriate officers and after paying proper regard to any advice given.
2. (i) Any power conferred upon a Chief Officer (which for this purpose includes the Heads of Service listed in Section B of this scheme) may be exercised in the name of the Chief Officer by their Deputy or another Senior Officer authorised in writing to do so by the Chief Officer.
 - (ii) In addition, a Chief Officer may authorise in writing any named officer to exercise

a delegated power:

(a) in their absence, or

(b) when they are otherwise not available to exercise it at the relevant time.

(iii) Any authorisation under paragraphs (i) and (ii) must be documented.

(iv) Any authorisations given under paragraphs (i) and (ii) will be recorded in the Schedule at the end of this Appendix.

3. Chief Officers shall also be required to liaise with and inform:

(a) the relevant Cabinet Member regarding the exercise of powers and duties in appropriate cases;

(b) the local Member on those issues listed in the Local Member Protocol at the end of this Appendix.

4. A Chief Officer need not exercise their delegated power in any particular matter and unless prohibited by law, may instead refer the matter to Members for a decision.

5. Failure to carry out the consultations in paragraph 1(b) and 3 will not invalidate the exercise of the delegated power.

6. Where in the opinion of the appropriate Chief Officer and of the Head of Governance and Regulatory Services a decision which would otherwise be a Planning Regulatory Committee decision is required urgently, that Chief Officer, after consultation with any other appropriate Chief Officers, the Committee Chair and the main political group Spokespeople thereof, may take such a decision in respect of any matter falling within the remit of the Committee on the understanding that details of the matter, together with the decision, are reported by way of letter, to the Members of the Committee. In the event of there not being unanimous agreement between the Party Spokesmen, the matter should be referred to the Urgent Business Sub-Committee.

7. Any reference in these delegations to any Act or Statutory Instrument or any section or clause thereof, is deemed to refer to the same as at any time amended, and where such Act, Instrument, section or clause has been replaced, consolidated, or re-enacted, with or without amendment, such mention shall be deemed to refer to the relevant provisions of the replacing, consolidating or re-enacting statute or instrument.

8. The power to grant licences, consents, approvals, permissions, certificates and authorisations includes the power to vary, revoke or refuse such licences etc. and to grant them with or without conditions.

9. This Scheme does not apply to the statutory responsibilities placed on the Head of Paid Service, Executive Director of Finance and Director of Governance nor to any non-statutory tasks which Central Government from time to time requests of individual Chief Officers.

10. Any decision or appointments made, or authorisation given by a Chief or other officer

before 7 May 2019 remains effective and in force unless or until expressly revoked.

B. OFFICERS' SCHEME OF DELEGATED POWERS

The following summaries of Chief Officers' delegations detail further exceptions and provide appropriate clarification: -

HEAD OF PAID SERVICE

In accordance with the strategies, policies and priorities of the Council and the general conditions set out in Section A of this Scheme: -

1. To exercise the functions of Head of Paid Service under the provisions of the Local Government and Housing Act 1989
- 4.2. To do, or authorise to be done, any act or thing necessary to effect any decision of the Council.
- 2.3. To exercise any powers where necessary in the event of a civil emergency, consulting where practicable with the Group Leaders and Chair of the Scrutiny Committee.
- 3.4. To determine the list of politically restricted posts within the Council and to issue certificates under Section 3 of the Local Government and Housing Act 1989.
5. To authorise an Executive Director to act in their absence on any matter within their authority.
- 4.6. To give permission for the use of the County Council's Coat of Arms.
- 5.7. To divide electoral divisions into polling districts at local government elections.
- 6.8. To make appointments to Committees in consultation with the relevant Group Leader.

EXECUTIVE DIRECTOR OF CHILDREN'S SERVICES

In accordance with the strategies, policies and priorities of the Council and the general conditions set out in Section A of this Scheme, to exercise the Council's functions relating to Children's Services, including social care and intervention services for children and young people, adoption, youth offending residential establishments (but excluding decisions on the closure, relocation or change of use of residential establishments) schools, further education and the youth service including:

- (a) Filling vacancies for Local Education Authority School Governors on the basis of nominations recommended by the appropriate nominating Party Spokesperson.
- (b) Dismissal of Local Education Authority School Governors.
- (c) Variations to the Scheme for the Local Management of Schools and any cases of a withdrawal of delegated powers.
- (d) The adoption of a syllabus of religious education on the recommendation of the

Standing Advisory Committee on Religious Education.

- (e) Major school reorganisation proposals.
- (f) Proposals to open and close schools.

In addition: -

- (i) The Children's Services operational lead for school attendance and the Senior Adviser – Safeguarding are authorised to institute legal proceedings in connection with the Council's functions relating to school attendance.
- (ii) The Children's Services operational lead for school attendance and the Senior Adviser – Safeguarding are authorised to serve school attendance orders.
- (iii) To license the employment of children.

EXECUTIVE DIRECTOR OF ADULT SOCIAL SERVICES

In accordance with the strategies, policies and priorities of the Council and the general conditions set out in Section A of this Scheme, to exercise the Council's functions relating to Social Services for adults, disabled persons, elderly persons, welfare and mental health services, community care and residential homes but excluding decisions on the closure, relocation or change of use of residential establishments and day establishments.

EXECUTIVE DIRECTOR OF COMMUNITY AND ENVIRONMENTAL SERVICES

In accordance with the strategies, policies and priorities of the Council and the general conditions set out in Section A of this Scheme, to exercise the Council's functions with regard to Adult Education, Customer Services, Libraries, Museums, Archaeology, Archives and the Arts but excluding the withdrawal or major modification of public facilities.

In accordance with the strategies, policies and priorities of the Council and the general conditions set out in Section A of this Scheme, to exercise the Council's functions relating to Town and Country Planning, Highways, Transportation, the Environment, Waste Disposal, Waste Management, Trading Standards, Safety of Sports Grounds, Consumer Protection, Animal Health and Welfare, Fire and Rescue, Emergency Planning and Economic Development including:

- (1) Approving minor or uncontroversial changes to the County Council's planning policies and plans and minor or uncontroversial comments on other organisations' plans and policies.
- (2) Responding to District Council consultations on planning applications or to development proposals by Government departments, statutory undertakers, local authorities or other decision-making bodies provided that the proposal is consistent with County Council policy, is unlikely to raise controversial issues of a strategic nature and the Local Member has been informed of the proposed response.

- (3) Giving advice or making recommendations to local planning authorities on behalf of the County Council as local highway authority, minerals and waste planning authority and county planning authority.
- (4) In connection with permanent and experimental traffic regulation orders (including speed limits): -
 - (i) to authorise the public advertisement of the intention to make such orders
 - (ii) to authorise the making of such orders where there are no objections
- (5) Imposing temporary speed limits and temporary traffic restrictions and prohibitions.
- (6) To exercise the Council's functions relating to land drainage.
- (7) The powers of entry, inspection, sampling, test purchasing, and all other powers given to duly authorised officers or inspectors in connection with the functions relating to trading standards, consumer protection, animal health and welfare and planning services.
- (8) Appointing and authorising officers of the Council and other authorities to enforce the legislation relating to the functions of trading standards, consumer protection, animal health and welfare, and planning services including the institution of legal proceedings (including proceedings under Section 222 of the Local Government Act 1972) and the authorisation of officers to appear in the Magistrates Court but excluding the making of Orders and Regulations.
- (9) Appointing and authorising officers of the Council as Inspectors under Section 19(1) of the Health and Safety of Work Act 1974 and to authorise such postholders to exercise the powers contained in Sections 20(2), 21, 22, 25, 38 and 39 of the Act and the provisions of the Explosives Act 1875 being relevant statutory provisions under the 1974 Act, and of Regulations, Orders or other legislation made, modifying or having effect under the provision.
- (10) Giving advice or recommendations to Local Planning Authorities on behalf of the County Council as Lead Local Flood Authority in line with requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015.
- (11) To appoint individuals to act as Public Analysts in accordance with the Food Safety Act 1990, Section 27(i) and to appoint Agricultural/Deputy Agricultural Analysts in accordance with the Agriculture Act 1970, Section 67.3(b).
- (12) To exercise all the functions of the Council relating to Town and Country Planning and Development Management except for:
 - (a) approval of applications for County Matter and County Council development where objections are raised by statutory consultees;
 - (b) approval of applications for County Matter and County Council development which have three or more individual representations raising planning related objections;
 - (c) approval of applications for County Matter and County Council development requiring Environmental Impact Assessments;

- (d) where the Executive Director of Community and Environmental Services determines, in consultation with the Chairman of the Planning (Regulatory) Committee, that approval of applications for County Matter and County Council development should be determined by the Committee.
 - (e) approval of applications for County Council development which are considered a departure from the Development Plan.
- (13) To refuse applications for County Matters and County Council development on the grounds that there is insufficient information to determine the application.
 - (14) To authorise the publication and maintenance of records associated with the register of flood risk structures or features under Section 21 of the Flood and Water Management Act 2010
 - (15) Approving the publication of formal flood investigations undertaken under Section 19 of the Flood and Water Management Act 2010
 - (16) To issue screening and scoping opinions under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 (as amended).
 - (17) To exercise the Council's powers and duties in respect of obtaining information as to interests in land under Section 330 of the Town and Country Planning Act 1990.
 - (18) To exercise the Council's powers and duties in respect of obtaining of particulars of persons interested in land under Section 16 of the Local Government (Miscellaneous Provisions) Act 1976.
 - (19) To exercise the functions of the Council as the Competent authority under the Conservation of Habitats and Species Regulations 2010, as amended, with regards to any consent, permission or other authorisation for, a plan or project for which it is the relevant planning authority. Including: -
 - Determine whether or not an appropriate assessment is required.
 - Where it is considered that an appropriate assessment is required.
 - Decide whether it is appropriate to take the opinion of the public and if so the necessary steps to be taken, and
 - In the light of an appropriate assessment, determine whether the Plan or Project will or will not adversely affect the integrity of the European site.
 - (20) To authorise entry onto land under Section 196 of the Town and Country Planning Act 1990.
 - (21) To grant Street Works licences.
 - (22) To permit the deposit of builders skips on the highway.
 - (23) To license the planting, retention and maintenance of trees etc on the highway.
 - (24) To licence works in relation to buildings etc which obstruct the highway.

- (25) To consent to temporary deposits or excavations in streets.
- (26) To dispense with the duty to erect hoardings or fences.
- (27) To restrict the placing of rails, beams etc over highways.
- (28) To consent to the construction of cellars etc under streets.
- (29) To consent to the making of openings into cellars etc under streets, and pavement lights and ventilators.
- (30) To remove things deposited on highways so as to be a nuisance.
- (31) To assert and protect the rights of the public to the use and enjoyment of highways.
- (32) To create footpaths, bridleways and restricted byways by agreement or by order.
- (33) To divert, stop up and extinguish footpaths, bridleways and restricted byways.
- (34) To enter into access agreements under Section 35 of the Countryside and Rights of Way Act 2000.
- (35) To provide access in the absence of agreement under Section 37 of the Countryside and Rights of Way Act 2000.
- (36) To authorise temporary disturbance of the surface of footpaths, bridleways and restricted byways.
- (37) To temporarily divert footpaths, bridleways and restricted byways.
- (38) To exercise functions relating to the making good of damage and removal of obstructions from public paths.
- (39) To authorise the erection of stiles etc on footpaths and bridleways.
- (40) To designate footpaths as cycle tracks.
- (41) To enter into agreements under Section 278 of the Highway Act 1980.
- (42) To license the movement of cattle from a market.
- (43) To license the movement of animals under specific disease orders.
- (44) To permit the placing of scaffold/hoarding on the highway.
- (45) To licence the cultivation of areas subject to full highway rights.
- (46) To licence the movement of animals, where such movements would otherwise be allowed under general licence, in an instance where the ability of livestock keeper to use the general licence has been removed.

(47) To exercise all the Council's functions in relation to the safety of sports grounds legislation

EXECUTIVE DIRECTOR OF FINANCE

In accordance with the strategies, policies and priorities of the Council and the general conditions set out in Section A of this Scheme, to be responsible for the proper administration of the financial affairs of the Council including all arrangements concerning financial planning, financial control, banking, accounts, income, insurances, investments, bonds, loans, guarantees, leasing, borrowing (including methods of borrowing), trust and pension funds, the payment of creditors, the payment of salaries, wages, pension schemes benefits and gratuities and internal audit. Authorisation of write-off of debts less than £10,000.

CHIEF FIRE OFFICER

In accordance with the strategies, policies and priorities of the Council and the general conditions set out in Section A of this Scheme, to exercise the Council's functions relating to fire prevention, firefighting, fire safety, explosives and petroleum and the functions conferred on the local authority under Article 25 of the Fire Safety Order 2005, the Fire and Rescue Services Act 2004 and the Fire and Rescue National Framework.

- (a) The appointment of holders of the following posts below as Inspectors under Section 19(1) of the Health and Safety at Work etc Act 1974 and to authorise such postholders to exercise the powers contained in sections 20(2), 21, 22, 25 and 39 of the Act: -

Chief Fire Officer
Deputy Chief Fire Officer Area
Managers
Brigade Managers

DIRECTOR OF PUBLIC HEALTH

In accordance with the strategies, policies and priorities of the Council and the general conditions set out in Section A of this Scheme, to exercise the Council's functions relating to Public Health and specifically:

- Health Protection
- Health Improvement
- Clinical Public Health including advice to the wider health system
- Health Intelligence
- Emergency planning

DIRECTOR OF GOVERNANCE

In accordance with the strategies, policies and priorities of the Council and the general conditions set out in Section A of this Scheme:

Appointed as:

- Senior Responsible Officer (SRO)
- Data Protection Officer (DPO)
- Money Laundering Reporting Officer (MLRO)

- (1) To authorise officers to appear and represent the Council in Magistrates and County Courts.
- (2) To serve notices requiring information to be given in respect of interests in land.
- (3) To enter into any legal documentation, make any statutory orders, make any application to the Courts or other tribunals and take associated action, to give effect to decisions made by or on behalf of the Council
- (4) To deal with Blight Notices and Purchase Notices.
- (5) To keep the Definitive Map and Statement under review.
- (6) To include modifications relating to the Definitive Map and Statement in other Orders relating to public rights of way.
- (7) To keep the register of prescribed information with respect to applications under Section 53(5) of the Wildlife and Countryside Act 1981.
- (8) To prepare a map and statement by way of consolidation of the Definitive Map and Statement.
- (9) To serve notices requiring information to be given in respect of interests in land.
- (10) To determine applications for certificates of lawful use or development and for certificates of lawfulness for proposed use or development.
- (11) To register common land or town or village greens and to register variation of rights of common and to determine applications for the registration of land as new Town or Village Green.
- (12) To obtain information under Section 16 of the Local Government (Miscellaneous Provisions) Act 1976 and Section 330 of the Town and Country Planning Act 1990.

HEAD OF GOVERNANCE AND REGULATORY SERVICES

In accordance with the strategies, policies and priorities of the Council and the general conditions set out in Section A of this Scheme,-

Appointed as:

Statutory Scrutiny Officer

And to exercise the Council's functions in respect of:

1. The [Registration Act 1953](#)~~civil registration service~~

- ~~2. The Marriages and Civil Partnerships (Approved Premises) Regulations 2005~~
~~4.3. the Marriages Act 1949~~
~~2. The approval of premises for the solemnisation of civil partnerships and marriages~~
~~3.4. the Coroners Service~~

~~4.5. making appointments to the Norfolk Valuation Panel~~

~~5.6. To declare vacancies in office and give public notice of a casual vacancy under Sections 86 and 87 of the Local Government Act 1972.~~

B. LIMITATIONS ON OFFICERS DELEGATED POWERS

1. GRANTS THRESHOLDS

i.e. those thresholds above which Member approval will be required for the making of grants. (See para 2(g) of Section A of this Scheme).

In respect of the following service areas: -

1. Children's Services - £10,000
2. Cultural Services - £1,000.
3. Citizens Advice Bureau – all grants

2. LIMITATIONS ON OFFICER DELEGATED PROPERTY TRANSACTIONS

~~i.e. those thresholds above which a Member decision will be required for the property transactions (see Section B of this Scheme).~~

- ~~1. Individual acquisitions of land, buildings or other property interests where the consideration exceeds £250,000.~~
- ~~2. Individual disposals of land or buildings above £500,000 Approval of disposals above £500,000 can only be given by the Cabinet.~~
- ~~3. Lease acquisition and renewals where both the proposed rental exceeds £25,000 per annum and the term of the lease or renewal is for ten or more years.~~

Commented [HE1]: Removed for consistency with Financial Regulations

SCHEDULE OF DELEGATIONS OF CHIEF OFFICERS' POWERS

EXECUTIVE DIRECTOR OF CHILDREN'S SERVICES

SECTION A.2

Areas of Delegation	Range of Grades
a. Issuing and serving statutory notices.	K (or equivalent) and above, within their areas of responsibility.
b. Granting any licence, consent, approval, permission certificate or authorisation with or without conditions, or their refusal.	H and above, within their areas of responsibility.
c. Fixing, varying, deferring and waiving charges and similar payments which the County Council is entitled to impose.	P and above, within their areas of responsibility.
d. Signing documents.	K and above, within their areas of responsibility.
e. Authorising entry onto land.	Not applicable
f. Inspecting land and premises and things on premises.	E and above, within their areas of responsibility.
g. Making grants (up to £10,000).	J and above, within their areas of responsibility.
h. Making Statutory Orders and Schemes.	K (or equivalent) and above, within their areas of responsibility.
i. Instituting criminal proceedings.	J and above, within their areas of responsibility.
j. Declaring land to be surplus to the requirements of their service.	<i>Reserved to Executive Director</i>
k. Delivering the approved capital programme for their service.	K and above, within their areas of responsibility.

EXECUTIVE DIRECTOR OF CHILDREN'S SERVICES

SECTION B

GENERAL DELEGATION

Each member of the Children's Services Departmental Management Team, together with staff in their services within their areas of responsibility and graded at SO1 and above, are authorised to exercise the Council's functions delegated to the Executive Director of Children's Services in relation to education, schools, further education, youth service and the Youth Offending Team.

Area of Delegation	Officer(s)
a. Reviewing decisions made by the Authority in exercising its discretionary powers relating to the provision of financial and other support to pupils and students.	Assistant Director – Education
b. Filling vacancies for Local Education Authority School Governors on the basis of nominations recommended by the appropriate nominating Party Spokesmen and dismissal of LEA School Governors.	Assistant Director – Education
c. Variations to the Scheme of Local Management of schools and any cases of a withdrawal of delegated powers.	Reserved to Executive Director
d. Applications under part IV of the Children Act 1989 i.e. Care Orders, Emergency Protection Orders and Recovery Orders.	(Qualified and Registered) Social Workers in consultation with Team Managers
e. Application to the Court for an order under the inherent jurisdiction in relation to children.	(Qualified and Registered) Social Workers in consultation with Safeguarding Manager and/or Corporate Parenting Manager

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f. Applications under Section 18 of the Adoption Act 1976 i.e. freeing for adoption.	(Qualified and Registered) Social Workers in consultation with Safeguarding Manager and/or Corporate Parenting Manager	
g. Applications under the Children Act and Adoption Act for leave to disclose documents in proceedings.	Case Responsible Team Managers in consultation with Safeguarding Manager and/or Corporate Parenting Manager	
h. Application to the Court for a breach of a Court Order.	Case Responsible Team Managers in consultation with Safeguarding Manager and/or Corporate Parenting Manager	

EXECUTIVE DIRECTOR OF ADULT SOCIAL SERVICES

SECTION A2

Area of Delegation	Range of Employees' Grades
a. Issuing and serving statutory notices.	M and above, within their areas of responsibility
b. Granting any licence, consent, approval, permission certificate or authorisation with or without conditions, or their refusal.	M and above, within their areas of responsibility
c. Fixing, varying, deferring and waiving charges and similar payments which the County Council is entitled to impose.	M and above, within their areas of responsibility
d. Signing documents.	D and above, within their areas of responsibility
e. Authorising entry onto land.	Not applicable
f. Inspecting land and premises and things on premises.	D and above, within their areas of responsibility
g. Making grants (subject to any limitations imposed by Committee).	M and above, within their areas of responsibility
h. Making Statutory Orders and Schemes.	I and above, within their areas of responsibility (in consultation with line managers)
i. Instituting criminal proceedings.	Executive Director or Assistant Director
j. Declaring land to be surplus to the requirements of their service.	Executive Director
k. Delivering the approved capital programme for their service.	K and above, within their areas of responsibility

In the absence of the Executive Director, any Assistant Director is authorised to act on their behalf. In matters requiring a professional social work decision, the appropriate Assistant Director's advice will be sought, where possible.

EXECUTIVE DIRECTOR OF ADULT SOCIAL SERVICES

GENERAL DELEGATION

Each member of the Adult Social Services Department Senior Management Team, together with employees in their services within their areas of responsibility is authorised to exercise the Council's functions delegated to the Executive Director of Adult Social Services in respect of social care services to adults and children and their families.

In addition, the making of the following applications is delegated to:

Complaint under Section 43 and 56 of the National Assistance Act 1948 to recover the costs of assistance from persons liable for maintenance.	Executive Director of Finance
Application under Section 29 of the Mental Health Act 1983 for appointment by the Court of acting nearest relative.	Approved Social Workers
Applications under Sections 2,3 and 4 of the Mental Health Act 1983.	Approved Social Workers
Applications for Guardianship under Section 7 of the Mental Health Act 1983.	Approved Social Workers

DIRECTOR OF GOVERNANCE

The following powers will be exercised by the Director of Governance and the postholders indicated in the second column of the table.

(1)	To authorise officers to appear and represent the Council in Magistrates and County Courts.	Head of Legal Services nplaw
(2)	To serve notices requiring information to be given in respect of interests in land.	nplaw Solicitors
(3)	To enter into any legal documentation, make any statutory orders and make any application to the Courts or other tribunals, and to take associated action, to give effect to decisions made by or on behalf of the Council	Everybody, within their general area of responsibility with sealing and signing of contracts limited to M grade nplaw officers and above and to the Head of Governance and Regulatory Services .
(4)	To deal with Blight Notices and Purchase Notices.	M grade nplaw officers and above

HEAD OF GOVERNANCE AND REGULATORY SERVICES

The following powers will be exercised by the Head of Governance and Regulatory Services, and the postholders indicated in the second column of the table below.

(1) To exercise the Council's functions in respect of the Registration Service Act 1953 Marriage Act 1994 .	Registration Services Manager
(2) To exercise the Council's functions in respect of the Marriages and Civil Partnerships (Approved Premises) Regulations 2005 Registration Service Act 1953 .	Registration Services Manager
(1) To exercise the Council's functions in respect of the Marriage Act 1949 To approve premises for the solemnisation of marriages and civil partnerships.	Registration Services Manager -
(4) To exercise the Council's functions in respect of the Coroner's Service	Coroner's Service Manager
(1) To make appointments to the Norfolk Valuation Panel	Head of Governance & Regulatory Services
(6) To declare vacancies in office and give public notice of a casual vacancy under Sections 86 and 87 of the Local Government Act 1972.	Head of Registration and Coroner's Service

EXECUTIVE DIRECTOR OF COMMUNITY AND ENVIRONMENTAL SERVICES

GENERAL DELEGATION

Each member of the Community and Environmental Services Management Team, together with staff in their services graded at Scale H and above, are authorised within their area of responsibility, to exercise the Council's functions delegated to the Executive Director of Community and Environmental Services, in respect of adult education, customer services, libraries, museums, archaeology, archives, arts, town and country planning, highways, transportation, the environment, waste disposal, waste management, trading standards, safety of sports grounds, emergency planning, consumer protection, animal health and welfare and economic development but excluding the withdrawal or major modification of public facilities

Specific delegations are detailed below.

Specific and general delegations relating to the Statutory posts within Community and Environmental Services (Chief Fire Officer and Director of Public Health) are detailed later in this document.

SECTION A2 – SPECIFIC DELEGATION

Specific delegations apply only within an officer's area of responsibility.

Where specific posts are detailed, the delegation also applies to the post holder's line manager and their line management.

Area of Delegation	Officer(s)/Range of Grades
(a) Issuing and serving statutory notices.	Scale H and above graded officers
(b) Granting any licence, consent, approval, permission certificate or authorisation with or without conditions, or their refusal.	Scale H and above graded officers
(c) Fixing, varying, deferring and waiving charges and similar payments which the County Council is entitled to impose.	Scale M and above graded officers Network Co-ordinators (Street Works)
(d) Signing (legal) documents.	Scale M and above graded officers Highways Development Management Service Officers Scale K and above

(e) Authorising entry onto land.	Scale M and above graded officers
(f) Inspecting land and premises and things on premises.	All those authorised to enter land under (e)
(g) Making grants (subject to any limitation imposed by the Council or Committee).	Scale M and above graded officers
(h) Making Statutory Orders and Schemes.	Scale H and above graded officers
(i) Instituting criminal proceedings.	Scale M and above graded officers
(j) Declaring land to be surplus to the requirements of their Services	Members of Departmental Management Team
(k) Delivering the approved capital programme for their service.	Members of Departmental Management Team

EXECUTIVE DIRECTOR OF COMMUNITY AND ENVIRONMENTAL SERVICES

SECTION B – SPECIFIC DELEGATION

Specific delegations apply only within an officer's area of responsibility.

Where specific posts are detailed, the delegation also applies to the post holder's line manager and their line management.

Area of Delegation	Officer(s)/Range of Grades
(1) Approving minor or uncontroversial changes to the County Council's planning policies and plans and minor or uncontroversial comments on other organisations' plans and policies.	Members of Departmental Management Team Head of Planning Senior Planners Scale K and above Highways Development Management Service Officers Scale J and above
(2) Responding to District Council consultations on planning applications or to development proposals by Government departments, statutory undertakers, local authorities or other decision-making bodies provided that the proposal is consistent with County Council policy, is unlikely to raise controversial issues of a strategic nature and the Local Member has been informed of the proposed response.	As (1) above
(3) Giving advice or making recommendations to local planning authorities on behalf of the County Council as local highway authority, minerals and waste planning authority and county planning authority	As (1) above

(4) In connection with permanent and experimental traffic regulation order (including speed limits): - (i) to authorise the public advertisement of the intention to make such orders (ii) to authorise the making of such orders where there are no objections	Scale H and above graded officers
(5) Imposing temporary speed limits and temporary traffic restrictions and prohibitions.	Team Manager (Network Management) Network Co-ordinators (Street Works)
(6) To exercise the Council's functions relating to land drainage.	Scale M and above graded officers
(7) The powers of entry, inspection, sampling, test purchasing, and all other powers given to duly authorised officers or inspectors in connection with the functions relating to trading standards, consumer protection, animal health and welfare and planning services.	Head of Trading Standards Head of Planning
(8) Appointing and authorising officers of the Council and other authorities to enforce the legislation relating to the functions of trading standards, consumer protection, animal health and welfare, and the Health Protection (Coronavirus, Business Closure) (England) Regulations 2020, the Health Protection (Coronavirus, Restrictions) (England) Regulations and any ancillary or consequential health protection legislation in so far as it relates to the functions of trading standards and enforcement, and planning services including the institution of legal proceedings (including proceedings under Section 222 of the Local Government Act 1972) and the authorisation of officers to appear in the Magistrates Courts.	Head of Trading Standards Head of Planning

(9) Appointing and authorising officers of the Council as Inspectors under Section 19(1) of the Health and Safety of Work Act 1974 and to authorise such postholders to exercise the powers contained in Sections 20(2), 21, 22, 25, 38 and 39 of the Act and the provisions of the Explosives Act 1875 being relevant statutory provisions under the 1974 Act, and of Regulations, Orders or other legislation made, modifying or having effect under the provision.	Head of Trading Standards
(10) Giving advice or recommendations to Local Planning Authorities on behalf of the County Council as Lead Local Flood Authority in line with requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015.	officers Scale H and above
(11) To appoint individuals to act as Public Analysts in accordance with the Food Safety Act 1990, Section 27(i) and to appoint Agricultural/Deputy Agriculture Analysts in accordance with the Agriculture Act 1970, Section 67.3(b)	Head of Trading Standards
(12) To exercise all the functions of the Council relating to Town and Country Planning and Development Management except for: (a) approval of planning applications and proposals in accordance with the Development Plans where objections are raised by statutory consultees or/and have three or more individual representations raising planning related objections;	Head of Planning Principal officers Scale L and above

<p>(b) approval of minerals and waste applications requiring Environmental Impact Assessments;</p> <p>(c) approval of applications for County Matter and County Council development where no more than four individual representations raising planning-related objection are received and the Executive Director of Community and Environmental Services determines, in consultation with the Chair of the Planning (Regulatory) Committee, that the application should be determined by the Committee.</p>	
(13) To refuse applications on the grounds that there is insufficient information to determine whether or not the application accords with the development plan.	Head of Planning Principal Planners Scale L and above
(14) To authorise the publication and maintenance of records associated with the register of flood risk structures or features under Section 21 of the Flood and Water Management Act 2010	Scale L and above graded officers
(15) Approving the publication of formal flood investigations undertaken under Section 19 of the Flood and Water Management Act 2010	Scale L and above graded officers
(16) To issue screening and scoping opinions under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 (as amended).	Head of Planning Principal Planners Scale L and above
(17) To exercise the Council's powers and duties in respect of obtaining information as to interests in land under Section 330 of the Town	Head of Planning Principal Planners Scale L and above

and Country Planning Act 1990.	
(18) To exercise the Council's powers and duties in respect of obtaining of particulars of persons interested in land under Section 16 of the Local Government (Miscellaneous Provisions) Act 1976	Head of Planning Principal Planners Scale L and above
(19) To exercise the functions of the Council as the Competent authority under the Conservation of Habitats and Species Regulations 2010, as amended, with regards to any consent, permission or other authorisation for, a plan or project for which it is the relevant planning authority. Including: - <ul style="list-style-type: none"> • Determine whether or not an appropriate assessment is required. • Where it is considered that an appropriate assessment is required. • Decide whether it is appropriate to take the opinion of the public and if so the necessary steps to be taken, and • In the light of an appropriate assessment, determine whether the Plan or Project will or will not adversely affect the integrity of the European site. 	Head of Planning Principal Planners Scale L and above
(20) To authorise entry onto land under Section 196 of the Town and Country Planning Act 1990	Head of Planning Principal Planners Scale L and above
(21) To grant Street Works licences	Inspector (Street Works) Grade G and above
(22) To permit the deposit of builders skips on the highway	Inspector (Street Works) Grade G and above
(23) To license the planting, retention and maintenance of trees etc on the highway	Highway Engineer Scale K and above

(24) To licence works in relation to buildings etc which obstruct the highway	Highway Engineer Scale K and above
(25) To consent to temporary deposits or excavations in streets	Highway Engineer Scale K and above
(26) To dispense with the duty to erect hoardings or fences	Highway Engineer Scale K and above
(27) To restrict the placing of rails, beams etc over highways	Highway Engineer Scale K and above
(28) To consent to the construction of cellars etc. under streets	Highway Engineer Scale K and above
(29) To consent to the making of openings into cellars etc. under streets, and pavement lights and ventilators	Highway Engineer Scale K and above
(30) To remove things deposited on highways so as to be a nuisance	Highway Engineer Scale K and above
(31) To assert and protect the rights of the public to the use and enjoyment of highways	Highway Engineer Scale K and above
(32) To create footpaths, bridleways and restricted byways by agreement or by order	Highway Engineer Scale K and above Environment Service Managers Scale L and above
(33) To divert, stop up and extinguish footpaths, bridleways and restricted byways	Highway Engineer Scale K and above Environment Service Managers Scale L and above
(34) To enter into access agreements under Section 35 of the Countryside and Rights of Way Act 2000	Highway Engineer Scale K and above Environment Service Managers Scale L and above
(35) To provide access in the absence of agreement under Section 37 of the Countryside and Rights of Way Act 2000	Highway Engineer Scale K and above Environment Service Managers Scale L and above
(36) To authorise temporary disturbance of the surface of footpaths, bridleways and restricted byways	Highway Engineer Scale K and above Environment Service Managers Scale L and above

(37) To temporarily divert footpaths, bridleways and restricted byways	Highway Engineer Scale K and above Environment Service Managers Scale L and above
(38) To exercise functions relating to the making good of damage and removal of obstructions from public paths	Highway Engineer Scale K and above Environment Service Managers Scale L and above
(39) To authorise the erection of stiles etc on footpaths and bridleways	Highway Engineer Scale K and above Environment Service Managers Scale L and above
(40) To designate footpaths as cycle tracks	Highway Engineer Scale K and above Environment Service Managers Scale L and above
(41) To enter into agreements under Section 278 of the Highway Act 1980.	Scale M and above graded officers
(42) To license the movement of cattle from a market.	Scale M and above graded officers
(43) To license the movement of animals under specific disease orders.	Scale M and above graded officers
(44) To permit the placing of scaffold/hoarding on the highway.	Inspector (Street Works) Grade G and above
(45) To licence the cultivation of areas subject to full highway rights.	Highway Engineer Scale K and above
(46) To licence the movement of animals, where such movements would otherwise be allowed under general licence, in an instance where the ability of livestock keeper to use the general licence has been removed.	Scale M and above graded officers.
(47) To exercise all the Council's functions in relation to the safety of sports grounds legislation.	Head of Trading Standards Scale M and above graded officers

CHIEF FIRE OFFICER

GENERAL DELEGATION

Each member of the Fire and Rescue Service with staff in their services graded at Firefighter/Fire Safety Advisor and above, are authorised, within their area of responsibility, to exercise the Council's functions delegated to the Chief Fire Officer. In respect of Fire Safety, specific delegations are detailed below.

Specific delegations apply only within an officer's area of responsibility. Where specific posts are detailed, the delegation also applies to the post holder's line manager and their line management.

SECTION B – SPECIFIC DELEGATION

Area of Delegation	Officer(s) Range of Grades
RR (Fire Safety) Order 2005 – Article 31 – Prohibition Notices	Chief Fire Officer Deputy Chief Fire Officer Area Manager
RR (Fire Safety) Order 2005 – Article 30 – Enforcement Notices	Chief Fire Officer Deputy Chief Fire Officer Area Manager Group Manager Station Manager Operational Support Officer Fire Safety Advisor
RR (Fire Safety) Order 2005 – Article 29 – Alterations Notices	Chief Fire Officer Deputy Chief Fire Officer Area Manager Group Manager Station Manager Operational Support Officer Fire Safety Advisor
RR (Fire Safety) Order 2005 – Article 27 – Powers of Inspectors	All Grades

DIRECTOR OF PUBLIC HEALTH

SECTION A.2

Areas of Delegation	Range of Grades
a. Issuing and serving statutory notices.	Director or Deputy Director
b. Granting any licence, consent, approval permission certificate or authorisation with or without conditions, or their refusal.	Director or Deputy Director
c. Fixing, varying, deferring and waiving charges and similar payments which the County Council is entitled to impose.	Director or Deputy Director
d. Signing documents.	L and above, within their areas of responsibility.
e. Making grants (up to £10,000).	M and above

SECTION B – SPECIFIC

DELEGATION GENERAL

DELEGATION

Each member of the Public Health Departmental Management Team together with staff in their services within their areas of responsibility are authorised to exercise the Council's functions delegated to the Director of Public Health in relation to

- Health Protection
- Emergency planning
- Health Improvement
- Clinical Public Health including advice to the wider health system
- Health Intelligence

Appendix 15

FINANCIAL REGULATIONS

Background

- A. The County Council's governance structure is laid down in the Constitution, which sets how the County Council operates; how decisions are made; and how procedures are followed.
- B. The County Council has adopted a Cabinet form of governance.
- C. Elected Members are responsible for "ownership" of the County Council's financial management. Responsible Budget Officers (RBOs) act on behalf of the County Council in exercising that responsibility and in securing compliance with the County Council's Financial Regulations.
- D. The County Council's Head of Paid Service is responsible for the corporate and strategic management of the County Council. The Head of Paid Service must report to, and provide information for, the County Council, its Cabinet and Committees. Furthermore, the Head of Paid Service is responsible for establishing a framework for management direction, style and standards and for monitoring the performance of the organisation. The Head of Paid Service is also responsible, together with the Monitoring Officer, ~~(Chief Legal Officer)~~[Director of Governance](#), for the system of record keeping in relation to all the County Council's decisions.
- E. The Statutory Finance Officer, the Executive Director of Finance and Commercial Services at Norfolk County Council, has statutory duties in relation to the administration and stewardship of the County Council's financial affairs. This statutory responsibility cannot be overridden. The statutory duties arise from: [the legislation referenced in 2.5.3.](#)
- ~~Section 151 of the Local Government Act 1972~~
 - ~~The Local Government Finance Act 1988~~
 - ~~The Local Government and Housing Act 1989~~
- ~~The Accounts and Audit (England) Regulations 2015~~
- ~~The Local Government Acts 2000 and 2003~~
 - ~~The Localism Act 2011~~
- F. The Executive Director of Finance and Commercial Services is responsible for the proper administration of the County Council's financial affairs and for setting and monitoring compliance with agreed standards of financial administration and management, including advice on the County Council's corporate financial position. The Executive Director of Finance and Commercial Services is also the "head of profession" for all finance staff in the County Council and has a responsibility for their professional standards, competencies, training and development. Within these Financial Regulations, the terms Statutory Finance Officer, Chief Finance Officer, and Section 151 Officer all refer to the

Executive Director of Finance and Commercial Services.

Contents

- 1. Status of Financial Regulations
 - 1.1 Purpose and Scope
 - 1.2 Key Roles and Responsibilities
- 2. Financial Management
 - 2.1 Introduction
 - 2.2 The Council
 - 2.3 The Cabinet
 - 2.4 Scrutiny Committee
 - 2.5 Statutory Officers
 - 2.5.1 The Head of Paid Service
 - 2.5.2 The Monitoring Officer (~~Chief Legal Officer~~[Director of Governance](#))
 - 2.5.3 The Chief Finance Officer (Executive Director of Finance and Commercial Services)
 - 2.6 The Money Laundering Reporting Officer
 - 2.7 Executive Director of Finance and Commercial Services
 - 2.8 Corporate Board
 - 2.9 Executive Directors
 - 2.10 Other Financial Accountabilities
 - 2.10.1 Accounting Policies
 - 2.10.2 Accounting Records and Returns
 - 2.10.3 Annual Statement of Accounts
- 3. Financial Planning
 - 3.1 Introduction
 - 3.2 Revenue Budget
 - 3.3 Capital Budget
 - 3.4 Medium Term Planning and Budget Preparation
 - 3.5 Asset Management Plan
 - 3.6 Decisions
 - 3.7 Budget Monitoring and Control
 - 3.8 Virement
 - 3.9 Treatment of Year-End Balances
 - 3.10 Maintenance of Reserves
- 4. Governance, Risk Management and Internal Control
 - 4.1 Governance
 - 4.2 Internal Control and Internal Audit
 - 4.3 Risk Management
 - 4.4 External Audit
 - 4.5 Anti-Fraud and Corruption
 - 4.6 Money Laundering and Proceeds of Crime
 - 4.7 Treasury Management
 - 4.8 Norfolk Pension Fund

5. Assets, Systems, Processes and Records
 - 5.1 Introduction
 - 5.2 Data Management
 - 5.3 Financial Processes and General Data Protection Regulations
 - 5.4 Schemes of Authorisation and Financial Responsibility
 - 5.5 Income
 - 5.6 Payments to Employees, Third Parties and Members
 - 5.7 Taxation
 - 5.8 Trading Accounts
 - 5.9 Monitoring Reporting
 - 5.10 Companies, Trusts and Charities
 - 5.11 Early payments and loans to suppliers and service providers
 - 5.12 Contract Standing Orders
 - 5.13 Assets

5.14 Grants

5.15 Retention of Financial Records

6. External Arrangements
 - 6.1 Introduction
 - 6.2 Partnerships
 - 6.3 External Funding
 - 6.4 Financial Guarantees
 - 6.5 Work for Third Parties
 - 6.6 State Aid and Competition
 - 6.7 Projects / Business Cases (including Private Finance 2 (PF2))
 - 6.8 Social Impact Bonds (SIBs)

Annex A
Revenue
Capital

Annex B
Section 114 Process

1. Status of Financial Regulations

1.1. Purpose and Scope

- 1.1.1. These Financial Regulations provide the basis for managing the County Council's financial affairs. They provide a framework for decision-making, which sets out how specific statutory powers and duties are complied with, as well as reflecting best professional practices. This document also acts as a reference point to other documents which include the detailed policies and procedures behind these Financial Regulations.
- 1.1.2. The Financial Regulations apply to every elected Member and officer of the County Council and, when stated, to third parties acting specifically on its behalf. The Regulations apply to all Norfolk County Council's financial arrangements, including joint committees, save where there is express agreement to the contrary.

1.2. Key Roles and Responsibilities

- 1.2.1. The Regulations identify the financial responsibilities of the County Council, Cabinet and its Committees, the Executive Director of Finance and Commercial Services and other Executive Directors.
- 1.2.2. All elected Members and staff have a general responsibility for taking reasonable action to provide for the security of the County Council's assets under their control, and for ensuring that the use of these resources is legal, properly authorised, and provides value for money.
- 1.2.3. The Executive Director of Finance and Commercial Services is responsible for maintaining a continuous review of the Financial Regulations and for submitting any additions or changes necessary to County Council for approval and at a minimum annually. Elected Members are responsible for considering and approving the County Council's Financial Regulations and for satisfying themselves that they are sufficient to ensure sound financial management of the County Council's resources.
- 1.2.4. The Executive Director of Finance and Commercial Services is responsible for reporting, where appropriate, breaches of the Financial Regulations to the County Council, Cabinet and the Audit Committee.
- 1.2.5. The Executive Director of Finance and Commercial Services is responsible for issuing advice and guidance on the operation of the Financial Regulations. The County Council's detailed 'Financial Procedures', which support these Regulations, are determined by the Executive Director of Finance and Commercial Services and set out how the Regulations will be implemented. Financial Procedures are described in separate guidance and have the same status as the Financial Regulations.

1.2.6. Executive Directors are responsible for ensuring that all staff in their departments are aware of the existence and content of the County Council's Financial Regulations, Financial Procedures and other internal regulatory documents and that they comply with them at all times. They must ensure that all staff have access to, or the opportunity to ~~access, these Regulations, Procedures and other regulatory documents either published on the County Council's internet or intranet (MyNet) pages as appropriate.~~ ~~access, these Regulations, Procedures and other regulatory documents published on the County Council's internet and intranet (iNet) pages.~~

1.2.7. The Executive Director of Finance and Commercial Services is responsible for ensuring that both elected Members and officers are sufficiently competent, trained and informed regarding the financial affairs of the Council.

1.2. Financial Management

1.1.2.1. Introduction

1.1.1.2.1.1. Financial management covers all financial activities in relation to the running of the County Council, including the policy framework and budget. In overall terms, elected Members are responsible for agreeing the financial policy framework and officers are responsible for advising Members, and for the operational delivery of financial processes in line with the agreed policy. The financial management responsibilities for particular Members' groups and individual post-holders are detailed in this section.

1.2.2.2. The Council

1.2.1.2.2.1. The County Council is responsible for adopting and changing the principles of governance and for approving or adopting the policy framework and budget within which the Council operates.

1.2.2.2.2.2. The principles of decision making, and the roles of the Leader, Cabinet, Select Committees, and Scrutiny Committee are set out in Articles 6, 7 and 12 of the Norfolk County Council Constitution.

1.3.2.3. The Cabinet

1.3.1.2.3.1. The Cabinet is responsible for all the Council's functions which are not the responsibility of any other part of the Council, whether by law or under this Constitution.

1.4.2.4. Scrutiny Committee

1.4.1.2.4.1. Scrutiny Committee reviews or scrutinises decisions made, or other action taken in accordance with:

- i) any functions which are the responsibility of the Executive, including decisions made/actions taken directly by the Executive itself and those decisions/actions delegated to Chief Officers and individual Members of the Executive; and
- ii) any functions which are not the responsibility of the Executive.

4.5.2.5. Statutory Officers

4.5.2.5.1. The Head of Paid Service

The Head of Paid Service is accountable to the County Council and Cabinet for the manner in which the discharge of the Council's functions is coordinated.

4.5.2.5.2. The Monitoring Officer (~~Chief Legal Officer~~Director of Governance)

The Monitoring Officer is responsible for maintaining an up-to-date version of the Constitution and contributing to the promotion and maintenance of high standards of conduct through provision of support to the Standards Committee. They are also responsible, in conjunction with the Head of Paid Service and the Executive Director of Finance and Commercial Services, for reporting to the County Council and Cabinet if they consider that any proposal, decision, or omission would give, is likely to give, or has given, rise to a contravention of any enactment or rule of law, or any maladministration or injustice. Such a report has the effect of stopping the proposal or decision being implemented until the report has been considered. The Monitoring Officer will also provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and Budget and Policy Framework issues to all Members.

4.5.3.2.5.3. The Chief Finance Officer (Executive Director of Finance and Commercial Services)

The Council has designated the Executive Director of Finance and Commercial Services as the Chief Finance Officer. The Chief Finance Officer has statutory duties in relation to the financial administration and stewardship of the Council. The statutory duties arise from:

- Section 151, Local Government Act 1972
- The Local Authorities Goods and Services Act 1970 and 1988
- Section 114, Local Government Finance Act 1988
- The Local Government and Housing Act 1989
- The Local Government Acts 2000 and 2003
- The Accounts and Audit (England) Regulations 2015
- The Local Government Pension Scheme Regulations 1974 and 1997
- The Local Government Pension Scheme Regulations (Management and Investment of Funds) 1998
- The Localism Act 2011

There are other Statutory Officer roles as set out within the Constitution, these include: Executive Director of Children's Services, Executive Director of Adult Social Services, Chief Fire Officer and Director of Public Health.

1.6.2.6. The Money Laundering Reporting Officer

1.6.1.2.6.1. The ~~Chief Legal Officer~~[Director of Governance](#) is appointed as the Money Laundering Reporting Officer and the ~~Head of Legal Services~~[Practice Director](#), nplaw as the Deputy Money Laundering Reporting Officer. The Council has an Anti-Money Laundering Policy and Procedures in place. The Money Laundering Reporting Officer is the officer responsible for reporting disclosures to the National Crime Agency.

1.7.2.7. Executive Director of Finance and Commercial Services

1.7.1.2.7.1. The Executive Director of Finance and Commercial Services has statutory duties in relation to the financial administration and stewardship of the County Council. This statutory responsibility cannot be overridden.

1.7.2.2.7.2. The Executive Director of Finance and Commercial Services is also subject to compliance with Statements of Professional Practice issued from time to time.

1.7.3.2.7.3. The role of Executive Director of Finance and Commercial Services complies with the principles in the CIPFA best practice statement on the "Role of the Chief Financial Officer in Local Government." This statement confirms that the Executive Director of Finance and Commercial Services is not only a servant of the Council, but also has a fiduciary responsibility to local taxpayers as a trustee of public monies.

1.7.4.2.7.4. The Executive Director of Finance and Commercial Services is responsible for:

- the proper administration of the County Council's financial affairs
- ensuring adherence to accounting standards
- setting and monitoring compliance with financial management standards
- advising on the corporate financial position and on the key financial controls necessary to secure sound financial management, including the level of balances, closure of accounts and statement of accounts
- setting the framework for reporting financial implications to Cabinet
- providing financial information on the corporate position of the County Council
- providing financial advice and information on all the County Council's services
- preparing the overall revenue budget and capital programme, including the three-year rolling medium term financial strategy
- preparing the asset management plan
- reporting on the robustness of the estimates made for the purposes of budget calculations, and the adequacy of proposed financial reserves
- effective administration of the treasury management function and aspects of pension fund administration and investment

- preparing the prudential indicators and ensuring adherence to the authorised limits set by Council
- defining standards of financial administration and management throughout the County Council
- defining the competencies of finance employees and for the delivery of effective and appropriate training and development opportunities to those employees
- advising on the adequacy and effectiveness of internal systems of control and internal audit
- delivering appropriate financial training to Members and non-financial staff

4.7.5-2.7.5. The Executive Director of Finance and Commercial Services has the Head of Profession role for all finance staff in the County Council and has a responsibility for their professional standards, competencies, training and development. This includes ensuring that procedures are in place to enable Finance Business Partners for each service to concurrently support the Executive Director of Finance and Commercial Services and their Service Executive Director on key financial matters. Finance Business Partners report to the ~~Assistant Director Finance~~Director of Financial Management.

4.7.6-2.7.6. The Head of Profession role of the Executive Director of Finance and Commercial Services carries the statutory responsibility laid down by Section 151 of the Local Government Act 1972 to “make arrangements for the proper administration of the County Council’s financial affairs.” The ~~Assistant Director of Finance~~Financial Management performs the role of the Deputy Section 151 Officer.

4.7.7-2.7.7. Section 114 of the Local Government Finance Act 1988 requires the Executive Director of Finance and Commercial Services to report to each Member of the Council, and the External Auditor, if the County Council’s Cabinet a joint committee on which the County Council is represented, or one of its officers:

- has made, or is about to make, a decision which involves the County Council incurring unlawful expenditure
- has taken, or is about to take, a course of action which, if pursued to its conclusion, would be unlawful and likely to cause a loss or deficiency to the County Council
- is about to make an unlawful entry in the County Council’s accounts.

4.7.8-2.7.8. Details of the process which would be followed in the event of a report being issued under section 114 of the Local Government Finance Act 1988 are set out in Annex B. Section 114 of the 1988 Act also requires:

- the Executive Director of Finance and Commercial Services to nominate a properly qualified member of staff to deputise if he or she is unable to perform personally, the duties under section 114. The ~~Assistant Director Finance~~Director of Financial Management is nominated to deputise for the Executive Director of Finance and Commercial Services.

- the Authority to provide the Executive Director of Finance and Commercial Services with sufficient staff, accommodation and other resources – including legal advice where this is necessary – to carry out the duties under section 114.

4.7.9.2.7.9. The Executive Director of Finance and Commercial Services is responsible for ensuring that all services are appropriately supported by skilled finance professionals. The Executive Director of Finance and Commercial Services is assisted in providing strategic financial support to services by Finance Business Partners.

4.8.2.8. **Corporate Board**

4.8.1.2.8.1. In addition to individual responsibilities, the Leader, Deputy Leader and Executive Directors (including the Head of Paid Service) form the Corporate Board, which, acting together and corporately is responsible for:

- Advising on draft financial policies for consideration by Cabinet.
- Working closely with Cabinet in developing financial policies.
- Being the primary mechanism for collectively ensuring the delivery of the Council's corporate financial policies.

4.9.2.9. **Executive Directors**

4.9.1.2.9.1. Executive Directors are responsible:

- for ensuring that the Council is advised of the financial implications of all proposals relating to their respective services and for ensuring that the financial implications have been agreed by the Executive Director of Finance and Commercial Services;
- for consulting with the Executive Director of Finance and Commercial Services and seeking approval on any matter liable to materially¹ affect the County Council's finances before any commitments are entered or incurred. This includes notification to the Executive Director of Finance and Commercial Services as soon as possible in the event of identification of overspending or of a shortfall in income against the budget approved by the Council; and
- for ensuring that budget monitoring is undertaken monthly, and that costs are contained within budget. In the event of identification of overspending or a shortfall in income against the budget, Executive Directors are responsible for ensuring that corrective action is managed in a rigorous manner.

4.9.2.2.9.2. Executive Directors should maintain a written record where decision-making has been delegated to members of their staff, including seconded staff.

4.9.3.2.9.3. Executive Directors' role includes working with outside bodies and accessing additional funds and resources to support the County Council's programme of work.

¹ [I.e. significantly impact on the Council's financial position](#)

4.10.2.10. Other Financial Accountabilities

4.10.1.2.10.1. Accounting Policies

The Executive Director of Finance and Commercial Services is responsible for ensuring appropriate accounting policies are in place and that they are applied consistently across the County Council.

4.10.2.2.10.2. Accounting Records and Returns

The Executive Director of Finance and Commercial Services is responsible for the accounting procedures and records for the County Council and must ensure that the financial accounts and financial records of the County Council comply with all accounting policies and standards where applicable and that these standards are applied consistently across the County Council.

4.10.3.2.10.3. Annual Statement of Accounts

The Executive Director of Finance and Commercial Services is responsible for ensuring that the annual Statement of Accounts is prepared in accordance with proper practices as required by the Accounts and Audit Regulations 2015. Proper practices include the Code of Practice on Local Authority Accounting in the United Kingdom (the code) and relevant statutory provisions. Council has delegated responsibility for approving the annual Statement of Accounts to the Audit Committee.

3. Financial Planning

4.11.3.1. Introduction

4.11.1.3.1.1. The Executive Director of Finance and Commercial Services, in accordance with the strategies, policies and priorities of the County Council, is to be responsible for the proper administration of the financial affairs of the County Council, including multi-year financial planning and control.

4.12.3.2. Revenue Budget

4.12.1.3.2.1. The consolidated revenue budget is proposed by the Cabinet and is approved by the County Council. The budget should have regard to proper accounting standards and include a statement of the allocation of resources to different services and projects and to proposed council tax levels. Once the overall budget has been approved by County Council, it cannot be increased by the Cabinet, subject to the arrangements set out in paragraph 3.7.5 below.

4.13.3.3. Capital Budget

~~4.13.1.3.3.1.~~ The capital budget is approved by the County Council considering Cabinet's recommendations. The budget should have regard to proper accounting standards and include a statement of the allocation of resources to different services and projects, how the programme is to be funded, and any impact on the revenue budget.

~~4.14.3.4.~~ **Medium Term Planning and Budget Preparation**

~~4.14.1.3.4.1.~~ The County Council is responsible for agreeing the Council's priorities. This sets the overall strategic framework for the County Council's services. The Medium-Term Financial Strategy sets out the approach and financial context for the County Council. The Medium-Term Financial Strategy also gives further detail as to how the County Council will deliver plans and resource services over three years. The County Council is responsible for agreeing a rolling three-year balanced budget and agreeing the council tax precept for the following financial year at the February County Council meeting. Executive Directors are collectively responsible for developing a framework and timetable to deliver medium term planning requirements. This framework will include: review of the planning context and the forward budget planning forecast; service priorities and costs; and provide a structure incorporating the development of medium-term service options including efficiencies, financial implications, risk impact and likelihood assessment; Member engagement, public and stakeholder consultation and the decision-making process.

~~4.14.2.3.4.2.~~ Cabinet is responsible for setting the parameters and providing guidance on the preparation of the budget in consultation with the Executive Director of Finance and Commercial Services. The guidelines will take account of:

- legal requirements
- medium-term planning prospects
- the County Council's core roles
- all available resources including external funding and income
- fluctuations in demand, and inflation
- changes in grant funding
- best value
- government guidelines
- accounting standards
- the Prudential Code
- The County Council Plan
- Asset Management Plan
- Reserves, general and earmarked
- Arms' length bodies

It will also set out the minimum requirements for preparation of budget proposals including:

- option appraisal and use of whole life costing, comparing the relative costs of the options, over the life of the project. For example, whether to lease, purchase or new build;
- risk assessment and owner;

- equality and rural impact assessment, to ensure all the necessary key cross cutting issues are considered, including equality and sustainability; and
- Budget proposals pro-forma templates where appropriate to ensure that budget proposals are developed on a consistent basis.

1.14.3.3.4.3. The Executive Director of Finance and Commercial Services is responsible for ensuring that rolling three-year revenue and capital budget proposals are prepared on an annual basis for consideration by Cabinet. Cabinet is responsible for ensuring that the three-year revenue and capital budget proposals are robust and underpinned by an adequate level of reserves before submission to the County Council. Cabinet will publish to all County Council Members each autumn the financial context for forward financial service planning, a review of the issues relating to the budget for the following financial year, and a timetable for the preparation and approval of the budget. This timetable will take account of the need for discussion and review of the proposals by Select Committees and the Scrutiny Committee and of the need for statutory and other consultation on the budget proposals.

1.14.4.3.4.4. It is the responsibility of Executive Directors to ensure that proposals are prepared in accordance with the guidance, to ensure that budgets are set on a sound financial basis and in accordance with best practice including ensuring that they have been risk assessed.

1.14.5.3.4.5. The Executive Director of Finance and Commercial Services is responsible for ensuring that proposals demonstrate adherence to the guidance and Members should ensure that any proposed budget amendments are made available to the Executive Director of Finance and Commercial Services at least five working days before the County Council budget meeting. A single, balanced (funded) amendment may be put forward per group or independent Member. Proposed amendments may relate to multiple elements within the budget, but the amendment must be coherent as a complete package. This means proposed amendments should not (1) contain elements which relate to substantively similar matters or (2) propose elements which would be mutually incompatible within a single amendment (i.e. the proposed amendment cannot address the same topic multiple times). Separate elements of the budget amendment may be voted upon separately. Members' proposed budget amendments must be finalised two working days before the County Council budget meeting in order that the Executive Director of Finance and Commercial Services can report on the robustness of any proposed budget amendments. In accordance with established culture and practice, proposed budget amendments received in accordance with Financial Regulations will be published in advance of the County Council meeting at which they are to be discussed.

1.14.6.3.4.6. The County Council will consider the budget proposals and may adopt them, amend them or substitute its own proposals in their place prior to 1 March~~1st~~. The County Council will agree at least a three-year balanced budget and agree the precept for the following year.

4.15.3.5. Asset Management Plan

4.15.1.3.5.1. The Corporate Property Officer (**HeadDirector** of Property) is responsible for ensuring an Asset Management Plan is prepared / updated / reviewed on an annual basis for consideration by Cabinet before submission to County Council.

4.16.3.6. Decisions

4.16.1.3.6.1. All decisions must be undertaken in accordance with the decision-making and reporting framework set out in the Constitution of the County Council and must comply with the County Council's Financial Regulations and Financial Procedures. Details of financial implications must be provided before any financial decision can be taken. Decisions which commit the County Council to spending over £100m must be referred to Full Council.

4.16.2.3.6.2. The Executive's Terms of Reference are set out in Article 7 of the Constitution and confirm that Cabinet is responsible for taking key decisions which incur significant expenditure or make significant savings, and decisions which have an impact on a significant proportion of Norfolk's residents. The Head of Paid Service in consultation with the Leader shall determine, in relation to any decision to be taken under delegated authority, if it is a decision which may incur significant expenditure, make significant savings, or may affect a significant proportion of Norfolk's residents, and in such a case the decision shall be made by the Executive.

4.17.3.7. Budget Monitoring and Control

4.17.1.3.7.1. The Executive Director of Finance and Commercial Services is responsible for monitoring income and expenditure against approved revenue and capital budget allocations and for reporting to Executive on the overall position monthly.

4.17.2.3.7.2. The Executive Director of Finance and Commercial Services is responsible for monitoring the prudential indicators and reporting to Executive on the overall position monthly.

4.17.3.3.7.3. The Executive Director of Finance and Commercial Services is responsible for monitoring the cash flow of the County Council and ensuring this is used to inform borrowing and investment decisions.

4.17.4.3.7.4. It is the responsibility of Executive Directors to control income and expenditure within their area in accordance with the approved budget and to monitor performance, taking account of financial information provided by the Executive Director of Finance and Commercial Services. Executive Directors are responsible for alerting the Executive Director of Finance and Commercial Services and the relevant Cabinet Member(s) or the Leader, to any overspendings or shortfalls in income and for identifying strategies and options for containing spend within the budget approved by the Council. If the

overspending or shortfall in income cannot be accommodated within the service's budget this shall be reported to Cabinet.

~~1.47.5.3.7.5.~~ Any policy proposal, which would have the effect of increasing a Service Department's budget, must be supported by a funding proposal setting out how it can be accommodated within the Service Department's existing budget. Such proposals must be made available to the Executive Director of Finance and Commercial Services at least five working days before the meeting at which they are to be proposed and must be finalised two working days before the meeting in order that the Executive Director of Finance and Commercial Services can report on the robustness of any proposed budget amendments. In the event that the proposal falls outside the scope of the Policy Framework as set out in Article 4 of the Constitution, it must be referred to Full Council for consideration.

~~1.47.6.3.7.6.~~ Any variation or variations to a contract which in aggregate result in additional costs exceeding 5% of the original contract value or £50,000 (whichever is the greater) shall be subject to the prior approval of the ~~Chief Legal Officer and the Head of Procurement~~ Director of Procurement, in consultation with the Executive Director of Finance and Commercial Services.

Commented [AT1]: Amendment to align with CSOs

~~1.48.3.8.~~ Virement

~~1.48.1.3.8.1.~~ Virement is the process of transferring the budget expenditure or income, whether revenue or capital, from one approved budget head to another. The County Council is responsible for agreeing the overall procedures for the virement of budget and the approval of virements between Departments. Executive Directors are responsible for agreeing in-year virements within delegated limits, in consultation with the Executive Director of Finance and Commercial Services where required. (The current approved procedures are shown in Annex A).

~~1.48.2.3.8.2.~~ Schools are free to vire between budget heads in the expenditure of their budget shares, but Governors are advised to establish criteria for virements and financial limits above which the approval of the Governors is required.

~~1.49.3.9.~~ Treatment of Year-End Balances

~~1.49.1.3.9.1.~~ Any under and overspendings by Service Departments are required to be reported to Cabinet as part of year-end reporting. Cabinet is responsible for reporting the overall under and overspendings to County Council and making recommendations as to how they are utilised or managed.

~~1.49.2.3.9.2.~~ The Executive Director of Finance and Commercial Services is responsible for putting in place controls to ensure that carry-forward of revenue budget, revenue reserves and revenue grants above agreed limits are documented and reported to all Executive Directors and totals agreed by Cabinet.

~~4.19.3.3.9.3.~~ The Executive Director of Finance and Commercial Services is responsible for putting in place controls to ensure that carry-forward of capital budget, capital reserves and capital grants above agreed limits are documented and reported to all Executive Directors and totals agreed by Cabinet. Any slippage on the capital programme will be carried forward to the next financial year and reported to Cabinet.

~~4.20.3.10.~~ Maintenance of Reserves

~~4.20.1.3.10.1.~~ It is the responsibility of the Executive Director of Finance and Commercial Services to review the County Council's financial risks and planning assumptions and advise the Cabinet and the County Council on prudent levels of reserves and of general balances as part of setting the budget. This advice needs to take account of relevant accounting standards and professional best practice as part of the Council's budget planning process and regular budget monitoring.

~~4.20.2.3.10.2.~~ The annual revenue budget sets out details of the purpose for which earmarked reserves are held and high-level forecasts for the use of such reserves. The timing of the use of reserves may however be uncertain and the annual budget setting process therefore provides the framework in which the use of reserves is agreed. In agreeing the annual revenue budget, the County Council is approving the use of reserves for the purposes for which they have been earmarked, and it is recognised that the timing of this use will be dependent on operational requirements and other factors.

~~4.20.3.3.10.3.~~ Where it is proposed that reserves are to be used for a purpose other than that for which they have been earmarked, this will be subject to approval by Cabinet in-year, based on the advice of the Executive Director of Finance and Commercial Services, with reference to a recommendation from the relevant Executive Director as appropriate in respect of service reserves. There is a general presumption that Cabinet will normally approve recommendations for the use of earmarked reserves which are made by Executive Directors, except where there are wider implications for financial control across the County Council, or delivery of the Council's budget plans. If the Executive Director of Finance and Commercial Services advises that a decision about the use of reserves may have broader implications, Cabinet will recommend a course of action but refer the matter to be decided by the County Council.

~~2.4.~~ Governance, Risk Management and Internal Control

~~2.1.4.1.~~ Governance

~~2.1.1.4.1.1.~~ The Audit Committee is primarily responsible for Governance, Risk Management and Internal Control throughout the County Council. Its Terms of Reference are reviewed annually and published as part of Appendix 2 of the Constitution. Any changes are approved by the County Council. The composition is politically balanced and is reviewed at each appointment to the Committee.

2.1.2.4.1.2. Other Member-led bodies that also have a role in governance and internal control include the County Council, the Corporate Select Committee in any review of the Constitution for approval by full Council and with respect to Members, the Standards Committee.

2.2.4.2. Internal Control and Internal Audit

2.2.1.4.2.1. Internal control refers to the systems of management and other controls put in place to ensure that the County Council's objectives are achieved in a manner which promotes economic, efficient and effective use of resources and in a way, which ensures that the County Council's assets and interests are safeguarded.

2.2.2.4.2.2. The Executive Director of Finance and Commercial Services is responsible for advising on adequate and effective systems of internal control. These arrangements need to ensure compliance with all applicable statutes and regulations, and other relevant best practice.

2.2.3.4.2.3. It is the responsibility of Executive Directors, having regard to advice from the Executive Director of Finance and Commercial Services, to establish sound arrangements for internal control including planning, appraising, authorising and controlling their operations to achieve continuous improvement, economy, efficiency and effectiveness and in order to achieve their targets.

2.2.4.4.2.4. The Accounts and Audit Regulations 2015 require the County Council to:

- undertake an adequate and effective internal audit;
- review the effectiveness of its internal audit, at least annually; and
- ensure the Audit Committee considers the findings of that review as part of its consideration of the system of internal control for the County Council.

2.2.5.4.2.5. The Leader of the Council and the Head of Paid Service are responsible for signing the Annual Governance Statement that should be produced following an annual review of systems of internal control. The Annual Governance Statement is published with the annual Statement of Accounts.

2.3.4.3. Risk Management

2.3.1.4.3.1. The County Council through the Cabinet is responsible for approving the County Council's Risk Management Policy and Framework and ensuring that proper insurance exists where appropriate.

2.3.2.4.3.2. The Audit Committee is responsible for reviewing the effectiveness of the County Council's risk management arrangements. It will receive risk management reports at least four times a year and take appropriate action to ensure that corporate business risks are

being actively and appropriately managed. Annually, it will report on risk management to the County Council.

2.3.3.4.3.3. The Executive Director of Finance and Commercial Services is responsible for informing the preparation of the County Council's risk management Policy and Framework, for promoting it throughout the County Council and for advising the Cabinet on proper insurance cover where appropriate. The Executive Director of Finance and Commercial Services will also report on the Corporate Risk Register quarterly to the Cabinet, to each meeting of the Audit Committee, and ensure that Executive Directors report their full departmental risk register to the Cabinet at least once per annum.

2.4.4.4. External Audit

2.4.1.4.4.1. Public Sector Audit Appointments Limited (which replaced the Audit Commission with effect from 1 April 2015) is responsible for appointing external auditors to each local authority. The duties of the external auditor are governed by the Local Audit and Accountability Act 2014.

2.4.2.4.4.2. The County Council may, from time to time, be subject to audit, inspection or investigation by external bodies such as HM Revenue and Customs, who have statutory rights of access.

2.4.3.4.4.3. External auditors have a responsibility to satisfy themselves that the County Council has put in place proper arrangements to secure economy, efficiency and effectiveness in its use of resources. This judgement is based on criteria specified by the National Audit Office. The Executive Director of Finance and Commercial Services, in conjunction with Executive Directors, must ensure that the organisation makes best use of resources and that taxpayers and / or service users receive value for money.

2.5.4.5. Anti-Fraud, **Bribery** and Corruption

2.5.1.4.5.1. In managing its responsibilities, the County Council is determined to protect itself against fraud and corruption both from within the County Council and from outside. The County Council is committed to maintaining a strong anti-fraud and corruption culture through its Anti-Fraud and Corruption **StrategyPolicy**. This is designed to:

- Encourage prevention;
- Promote detection;
- Identify a clear pathway for investigation; and
- Fulfil the requirements of Section 17 of the Crime and Disorder Act 1998

2.5.2.4.5.2. The County Council expects Members and staff at all levels to lead by example in ensuring adherence to legal requirements, rules, procedures and practices and internal controls including internal checks.

2.5.3.4.5.3. Executive Directors are responsible for ensuring that internal controls are such that fraud, bribery or corruption will be prevented, where possible, and the measures in the Anti-Fraud, Bribery and Corruption StrategyPolicy are promoted.

2.5.4.4.5.4. Under the Anti-Fraud, Bribery and Corruption StrategyPolicy, an Executive Director is required to immediately inform the Executive Director of Finance and Commercial Services of any financial irregularity or suspected financial irregularity.

2.5.5.4.5.5. The County Council expects that all who have dealings with it have a similar anti-fraud, bribery and corruption ethos and that they have no intent or actions with respect to fraud, bribery and corruption. (The County Council has issued guidance in "How to do business with Norfolk County Council" including whistleblowing, to support this).

2.6.4.6. Money Laundering and Proceeds of Crime

2.6.1.4.6.1. The County Council has adopted an anti-money laundering policy and procedures intended to prevent the use of proceeds from crime. This policy has been developed with regard to the Proceeds of Crime Act 2002 and the Money Laundering Regulations 2007.

2.6.2.4.6.2. The County Council has nominated the Chief Legal OfficerDirector of Governance to perform the role of Money Laundering Reporting Officer (MLRO) whose principal role is to receive, consider and respond to any reports received of known or suspected money laundering.

2.6.3.4.6.3. Executive Directors are responsible for ensuring that:

- all staff most likely to be exposed to, or suspicious of, money laundering situations are made aware of the requirements and obligations placed on the County Council and themselves by legislation;
- those staff considered most likely to encounter money laundering are given appropriate training (nplaw can provide relevant in-house training);
- departmental procedures are established to help forestall and prevent money laundering, including making arrangements for reporting concerns about money laundering to the MLRO; and
- periodic and regular assessments are undertaken of the risks of money laundering that may exist in their Departments.

2.7.4.7. Treasury Management

2.7.1.4.7.1. The County Council has adopted the CIPFA Code of Practice for Treasury Management in the Public Services and complies with the CIPFA Prudential Code when carrying out borrowing and investment activities under Part 1 of the Local Government Act 2003.

2.7.2.4.7.2. The County Council is responsible for the setting and revising of prudential indicators and for the approval of the Annual Investment and Treasury Strategy.

2.7.3.4.7.3. The County Council has delegated responsibility to the Executive Director of Finance and Commercial Services for the execution and administration of treasury management decisions, including decisions on borrowing, investment, financing (including leasing) and maintenance of the counter party list. The counter party list contains details of those banks, building societies and other bodies that meet the County Council's criteria for investment. The Executive Director of Finance and Commercial Services has delegated authority to effect movement between the separately agreed limits for borrowing and other long-term liabilities reflected in the Prudential Code's operational and authorised limits. The Executive Director of Finance and Commercial Services is required to act in accordance with the County Council's Treasury Management Policy Statement and Treasury Management Practices and CIPFA's Standards of Professional Practice on Treasury Management in accordance with external advice.

2.7.4.4.7.4. The Executive Director of Finance and Commercial Services will prepare for County Council an annual strategy and plan in advance of the year, a mid-year review and an annual report after its close. In addition, the Executive Director of Finance and Commercial Services will regularly report to the Treasury Management Panel and the Cabinet on treasury management policies, practices, activities and performance monitoring information.

2.7.5.4.7.5. The Executive Director of Finance and Commercial Services is responsible for:

- monitoring performance against prudential indicators, including reporting significant deviations to the Cabinet and County Council as appropriate.
- ensuring all borrowing and investment decisions, both long and short term, are based on cash flow monitoring and projections.
- ensuring that any leasing financing decisions are based on full options appraisal and represent best value for the County Council, in accordance with the County Council's leasing guidance.
- the provision and management of all banking services and facilities to the County Council.

2.8.4.8. **Norfolk Pension Fund**

2.8.1.4.8.1. The Local Government Pension Scheme (LGPS) is a national pension scheme, with its own regulator (the Ministry of Housing, Communities and Local Government), which is administered locally.

2.8.2.4.8.2. The County Council is the Administering Authority of the Norfolk Pension Fund and administers the LGPS on behalf of all the participating employers and scheme members. Norfolk County Council is also an employer within the scheme.

2.8.3.4.8.3. Norfolk County Council delegates all its responsibilities as Administrator of the scheme to the Pensions Committee who act as quasi-trustee of the Fund.

2.8.4.4.8.4. All Pension Fund assets are separate from the County Council, and all costs and income are accounted for separately. The Fund has a separate bank account.

2.8.5.4.8.5. The Pensions Committee is responsible for all aspects of the administration of the scheme. This includes responsibility for deciding upon the best way in which the Pension Fund is to be invested with appropriate regard to its fiduciary responsibilities.

2.8.6.4.8.6. Advice is received as required from professional advisers. The Pensions Committee formally reviews the performance of investments and the overall strategy on a regular basis. The Fund is invested in compliance with the Local Government Pension Scheme (Management and Investment of Funds) Regulations 2016. The 2016 Regulations introduced the requirement for LGPS funds to pool investment assets from the 1st April 2018.

2.8.7.4.8.7. In order to facilitate the pooling of assets, the Norfolk Pension Fund has entered into an Inter-Authority Agreement with 10 other Administering Authorities, collectively known as the ACCESS (A Collaboration of Central, Eastern & Southern Shires) Pool. The ACCESS Funds are Cambridge, East Sussex, Essex, Hampshire, Hertfordshire, Isle of Wight, Kent, Norfolk, Northamptonshire, Suffolk and West Sussex.

2.8.8.4.8.8. The Pensions Committee is also responsible for the appointment and monitoring of Investment Managers, Custodian and other related service providers to the Fund.

2.8.9.4.8.9. The Executive Director of Finance and Commercial Services is responsible for the administration and financial accounting of the Norfolk Pension Fund. The Executive Director of Finance and Commercial Services is responsible for the preparation of the Pension Fund statutory accounts and annual report. The County Council delegates responsibility for the approval of the annual Pension Fund statutory accounts to the Audit Committee.

2.8.10.4.8.10. The Norfolk Pension Fund has adopted an Investment Strategy Statement (formerly the Statement of Investment Principles) in relation to the investment of the assets. This Statement includes details of compliance with recognised good investment practices. It is the Pensions Committee's responsibility to monitor the Fund's position in relation to the Investment Strategy Statement.

2.8.11.4.8.11. The Pension Fund maintains a Funding Strategy Statement, which sets out the Fund's approach to funding liabilities, based on principles agreed by the Pensions Committee. The Pension Fund is committed to providing clear, relevant, accessible and timely information to all stakeholders and to this end publishes and maintains a Customer Care and Communication Strategy Statement and a Governance Statement.

~~2.8.12.4.8.12.~~ The Executive Director of Finance and Commercial Services ensures compliance with relevant regulatory and legislative guidelines and for keeping records of all scheme members, calculation and payment of benefits, transfers between schemes and the collection of contributions from participating employers.

~~2.8.13.4.8.13.~~ In line with all public service pension schemes, LGPS Funds are required to have a local Pensions Board. The Board helps ensure that the Fund is managed and administered effectively and efficiently and complies with the Code of Practice on Governance and Administration of Public Service Pension Schemes issued by the Pensions Regulator. In Norfolk the local pension board is known as the Pensions Oversight Board and is made up of scheme member and scheme employer representatives with an independent chair.

5. Assets, Systems, Processes and Records

2.9.5.1. Introduction

~~2.9.1.5.1.1.~~ Robust systems and procedures are essential to an effective framework of accountability and control.

2.10.5.2. Data Management

~~2.10.1.5.2.1.~~ The Corporate Board is responsible for ensuring that policies and procedures are in place to enable management of data to support effective decision-making.

~~2.10.2.5.2.2.~~ It is the responsibility of the Executive Director to ensure data management policies are understood and used effectively within their services.

2.11.5.3. Financial Processes and General Data Protection Regulations

~~2.11.1.5.3.1.~~ The Executive Director of Finance and Commercial Services is responsible for the determination and operation of the County Council's accounting processes, for the form of accounts and for the supporting financial records. The Executive Director of Finance and Commercial Services must approve any changes made by Executive Directors to the financial processes or the establishment of new processes, including IT systems.

~~2.11.2.5.3.2.~~ Executive Directors must ensure that any processing (computerised or manual) that involves personal information is registered in accordance with the General Data Protection Regulation 2018 and that all staff are aware of their responsibilities under the Act and advice from the Information Commissioner.

~~2.11.3.5.3.3.~~ Executive Directors must ensure that all staff are aware of their responsibilities under Freedom of Information legislation, and that procedures are in place to ensure compliance.

~~2.11.4.5.3.4.~~ Executive Directors must ensure that all staff are aware of their responsibilities under the Code of recommended practice for local authorities on data transparency. These include:

- The requirement to maintain an inventory of data sets.
- The general requirement that, where data is published, it should be in a non-proprietary format and published in a timely fashion.
- The requirement to publish certain, specified data sets.

~~2.11.5.5.3.5.~~ To ensure that open data which is published corporately is accurate and complete, Executive Directors must ensure that:

- All contracts over £50,000 are registered on the corporate contracts register maintained by the procurement team.
- All goods and services are ordered via one of the council's electronic ordering systems (for general purposes, Oracle iProcurement).
- All goods and services are ordered in advance and purchase order descriptions are accurate and complete.
- All changes of structure are notified to HR.

~~2.12.5.4.~~ **Schemes of Authorisation and Financial Responsibility**

~~2.12.1.5.4.1.~~ It is the responsibility of Executive Directors to ensure that the scheme of authorisation and financial responsibility is implemented using Budget Manager and is operating effectively. The scheme of authorisation and financial responsibility identifies staff authorised to act on the Executive Director's behalf, or on behalf of the County Council, in respect of payments, income collection and procurement (including ordering). Procurement authorisations shall be made in accordance with the requirements of Contract Standing Orders. For clarity, staff identified to act in this way will be required to formally accept their responsibilities under the scheme of authorisation and financial responsibility.

~~2.13.5.5.~~ **Income**

~~2.13.1.5.5.1.~~ The Executive Director of Finance and Commercial Services is responsible for the provision and management of all income collection arrangements for the County Council.

~~2.13.2.5.5.2.~~ Cabinet is responsible for approving procedures for writing off debts as part of the overall control framework of accountability and control. The [Debt Recovery Policy and Framework](#) forms part of the Financial Procedures and is required to be followed by all parties involved in the recovery of monies owed to the Council.

~~2.14.5.6.~~ **Payments to Employees, Third Parties and Members**

~~2.14.1.5.6.1.~~ Except for schools, the Executive Director of Finance and Commercial Services is responsible for all payments of salaries and wages to all staff, including payments for

overtime, goods and services provided, and for the payment of allowances to elected Members. Schools have delegated responsibility under the LMS scheme.

2.15.5.7. Taxation

~~2.15.1.5.7.1.~~ The Executive Director of Finance and Commercial Services is responsible for advising Executive Directors, in the light of guidance issued by appropriate bodies and relevant legislation as it applies, on all taxation issues, including VAT, that affect the County Council.

~~2.15.2.5.7.2.~~ The Executive Director of Finance and Commercial Services is responsible for maintaining the County Council's tax records, making all tax payments, receiving tax credits and submitting tax returns by their due date as appropriate.

2.16.5.8. Trading Accounts

~~2.16.1.5.8.1.~~ Cabinet must approve the establishment of all Trading Accounts. Trading Accounts are required for all services that provide goods or services to a third party on a traded basis or where the organisation has identified that a service should operate as a separate trading unit.

~~2.16.2.5.8.2.~~ The Executive Director of Finance and Commercial Services is responsible for the form of the trading accounts included in the Trading Framework document. Executive Directors are responsible for reporting on the activities of any trading organisation within their respective areas of service, taking account of current accounting standards and best practice in reporting.

2.17.5.9. Monitoring Reporting

~~2.17.1.5.9.1.~~ Executive Directors are responsible for ensuring that monthly budget monitoring reports for both revenue and capital expenditure and income are produced for their respective areas of service. The Executive Director of Finance and Commercial Services is responsible for regularly reporting the details (including compliance with the Prudential Code) to Cabinet.

~~5.9.2.~~ Any variation, or variations, to a contract which in aggregate result in additional costs exceeding 5% of the original contract value or £50,000 (whichever is the greater) shall be subject to the prior approval of the Chief Legal Officer and the Head of Director of Procurement, in consultation with the Executive Director of Finance and Commercial Services.

Commented [AT2]: Aligned to 3.7.6 and CSOs.

2.18.5.10. Companies, Trusts and Charities

~~2.18.1.5.10.1.~~ Cabinet is responsible for:

- Approving the establishment and viability (including the business case) of all new companies, trusts and charities.
- Approving investments in other companies, trusts and charities, in which the County Council has a financial interest except where the investment is within criteria Cabinet has previously delegated to an Executive Director.
- Taking decisions as shareholder and sole trustee where appropriate.
- Monitoring and receiving reports on the County Council's companies.
- Dissolution of County Council's companies, trusts and charities

2.18.2.5.10.2. Executive Directors are responsible for informing the ~~Chief Legal Officer~~ Director of Governance and Executive Director of Finance and Commercial Services of any new proposals, to ensure that legal and financial considerations are properly considered before any arrangements with an outside body or creation of a new company, trust or charity are considered.

2.18.3.5.10.3. Executive Directors are also responsible for ensuring tight controls are in place for the financial management of loan and guarantor arrangements with Norfolk County Council owned companies. This includes ensuring the Executive Director of Finance and Commercial Services is presented with robust business cases and signed loan agreements.

2.18.4.5.10.4. The Executive Director of Finance and Commercial Services is responsible for reviewing the ongoing viability of such entities and regularly reporting the performance of their activities, with a view to ensuring that the County Council's interests are being protected.

2.18.5.5.10.5. All relevant companies must have their accounts incorporated and consolidated within the County Council's financial accounts in accordance with proper accounting standards and best financial practice. The Executive Director of Finance and Commercial Services is responsible for ensuring the proper financial accounting treatment and compliance with current legislation.

~~1.1.1~~—The appointment and removal of directors to companies, trusts and charities in which the County Council has an interest must be made by ~~County Council~~ Cabinet, having regard to the advice of the Executive Director of Finance and Commercial Services ~~and the recommendation of Cabinet~~. The directors will then have a statutory duty to the company, trust or charity and must therefore act in accordance with the Companies and

~~2.18.6.5.10.6.~~ / or Charities Act where applicable.

2.18.7.5.10.7. The Executive Director of Finance and Commercial Services and ~~Chief Legal Officer~~ Director of Governance should be contacted for assistance at an early stage to discuss the proposals.

2.19.5.11. Early payments and loans to suppliers and service providers

5.11.1. Early Payments

In the normal course of business, the County Council may on occasion make **early payments** (in advance ahead of contractual payment terms) to support suppliers or service providers experiencing cash flow difficulties. Early payments will be made. These are agreed on a case by case basis, entirely at the discretion of the County Council, and (where appropriate) taking into account the overall value of the contract and the implications of any failure of service provision. Payments in these circumstances will be agreed by the. Any decision to vary a contract by amending the payment terms shall be taken in accordance with Regulation 72 of the Public Contracts Regulations 2015. The Council has a protocol in place which governs the amendment of payment terms for existing contracts. This protocol covers both permanent, ongoing arrangements and one-off requests for early payment. The Council's Contract Standing Orders set out the general principle that advance payment terms should not be offered during procurement activities other than in exceptional circumstances. In all cases, care must be taken to ensure the Council is not committed to making infeasibly fast payments. There are broadly three scenarios which may arise:

5.11.2. Payment ahead of terms

Where suppliers or service providers experiencing cash flow difficulties or other financial hardship seek payment ahead of terms but not in advance of the supply of goods or services, the contract manager, in conjunction with the relevant Finance Business Partner for the service area, with notification, may agree to payment ahead of terms provided that an appropriate discount is secured. For the avoidance of doubt, at the discretion of the Council, a discount may be set at zero (i.e. payment made ahead of terms with no discount required).

Where suppliers or service providers which are not in financial difficulties seek payment ahead of terms but not in advance of the supply of goods or services, the Director of Procurement, in conjunction with the relevant Finance Business Partner, may agree to payment ahead of terms provided that an appropriate discount is secured. For the avoidance of doubt, at the discretion of the Council, a discount may be set at zero (i.e. payment made ahead of terms with no discount required).

5.11.3. Payment in advance of goods or services being supplied

Due to the credit risk involved, only the Executive Director of Finance and Commercial Services, Director of Financial Management or Assistant Director of Finance (FES) and/or Assistant Director of Finance. In marginal cases, or where there is doubt about the ongoing viability of a supplier, it may be appropriate to undertake may agree to vary a Financial Assessment of the supplier before any early payment is agreed. Early payments will normally be recovered through an adjustment to subsequent contractual payments contract to allow for payment in advance of goods or services being delivered, subject to an appropriate discount being secured, and the arrangements for repayment terms must be agreed before any early payment is made taking into account state aid considerations. For the avoidance of doubt, at the discretion of the Council, a discount may be set at zero (i.e. payment made ahead of terms with no discount required), but only with the approval of the Executive Director of Finance and Commercial Services.

Commented [AT3]: Changes to align to CSOs and to reflect the new protocol on early payments produced by Procurement.

~~2.19.1.5.11.4.~~ **Loans** may be made in exceptional circumstances outside of contractual agreements or where no contract or payment relationship exists. This has the potential to arise (for example) in the context of a third-party organisation experiencing financial difficulty, where the failure of the third party would significantly impact upon services the Council provides or is responsible for. Loans will be considered on a case by case basis, entirely at the discretion of the County Council, and taking into account the overall level of the loan and the implications of any failure of service provision. Loans in this context would be intended generally for short term cash flow purposes and to ensure the continuity of a service, or to avoid additional costs arising from any provider failure, although it is recognised that other circumstances necessitating a loan may also arise and this list is not comprehensive.

~~2.19.2.5.11.5.~~ The Executive Director of Finance and Commercial Services has discretion to consider making a short-term loan in the above circumstances, whilst also considering:

- the ability of the loan recipient to repay and the provision of a robust plan to demonstrate how the situation which gave rise to the need for a loan will be resolved (it is also likely that a Financial Assessment of the recipient will be required);
- any potential state aid issues, particularly in respect of determining an appropriate interest rate for the loan, which should be set with reference to the published margin [tables](#); and
- the duration and value of the loan sought.

~~2.19.3.5.11.6.~~ Loans will be requested through the relevant Finance Business Partner for the service area, in consultation with the Executive Director for the service. Loans will not be made until they have been approved by the Executive Director of Finance and Commercial Services, or the ~~Assistant~~ Director of ~~Finance~~**Financial Management**, following consultation with the Leader and / or Deputy Leader in the case of a loan over £50,000 and / or for a loan period in excess of six months.

~~2.19.4.5.11.7.~~ Loans may be repaid either by instalment or as a lump-sum. The terms of the loan, including arrangements for repayment, must be agreed and a loan agreement signed by both parties before any loan can be made. The service area initiating the loan will be required to identify a cost centre which will bear the cost of the loan in the event of a failure by the loan recipient to make repayments as agreed. The Executive Director for the service should consider the need to make the relevant Cabinet Member(s), Leader and / or Deputy Leader aware of this potential cost to the service budget.

~~2.20.5.12.~~ **Contract Standing Orders**

~~2.20.1.5.12.1.~~ Executive Directors are responsible for ensuring that the procurement of all goods, works and services is undertaken in accordance with the Council's Contract Standing Orders.

~~2.20.2.5.12.2.~~ Contract Standing Orders form part of the County Council's Constitution and are the rules that govern how procurement will be undertaken by the Council, and what processes must be followed.

~~2.20.3.5.12.3.~~ Any award with a value exceeding £30,000 entered into on behalf of the Council must be evidenced by way of a contract. Such contracts must either be signed by at least two authorised officers of the Council or made under the common seal of the Council attested by at least one authorised officer.

~~2.21.5.13.~~ **Assets**

~~2.21.1.5.13.1.~~ Executive Directors should ensure that records of assets are properly maintained and securely held (in practice property asset records are kept by the Corporate Property Team on behalf of Executive Directors). Executive Directors should also ensure that contingency plans are in place for the security of assets and continuity of service in the event of disaster or system failure.

~~2.21.2.5.13.2.~~ In making disposals officers will have due regard to the provisions of the Local Government Act 1972 (section 123) concerning best consideration, subject to the discretion afforded to authorities by the General Disposal Consent (England) 2003 (see DCLG Circular 06/2003). All decisions to dispose at less than best consideration will be referred to Cabinet for determination.

~~2.21.3.5.13.3.~~ Disposal must be made by competitive process unless the Executive Director of Finance and Commercial Services authorises otherwise. The appointment of agents to handle disposals is subject to the normal provisions of Council Standing Orders.

~~2.21.4.5.13.4.~~ All property disposals (including lease surrenders/assignments), acquisitions and other property transactions (such as granting / taking licences, granting of easements and wayleaves to statutory undertakers etc., granting tenancies at will) are to be made only by the Council's Corporate Property Officer (~~HeadDirector~~ of Property). In reaching decisions on the disposal of land and property, the County Council should give due consideration to the advice of the Corporate Property Officer (~~HeadDirector~~ of Property). The Council's named and designated Corporate Property Officer (~~HeadDirector~~ of Property) may, in accordance with arrangements approved by the Executive Director of Finance and Commercial Services, dispose of property assets, acquire property assets and approve of property transactions as set out in the tables at ~~5.13.6~~ and ~~5.13.7~~ below. Proposals for disposals, acquisitions and other property transactions must involve the Local Member as set out within the Local Member Protocol in the Constitution (Annex to Appendix 5 of the Constitution).

~~2.21.5.5.13.5.~~ Land and buildings declared surplus by a service will be reviewed by the Corporate Property Strategy Group and where there is no alternative beneficial use such property will be reported to Cabinet to confirm its status as a surplus asset to be disposed of and/or exploited for income purposes.

2.21.6.5.13.6. The disposal of surplus assets will be undertaken as follows:

Property		Other Assets	
Disposal value* £m	Responsibility and authorisation	Disposal value* £m	Responsibility and authorisation
Above <u>Over</u> £1.250m (unless disposal specifically agreed with covered by a specific item in the annual budget- setting process))	Cabinet	Over <u>Above</u> £0.500m	Cabinet
<u>Over</u> £0.250m and up to and including £1.250m	Cabinet Member for Commercial Services and Asset <u>Management</u>	£0.250m <u>and</u> up to and including £0.500m	Executive Director in consultation with Executive Director of Finance and Commercial Services
<u>Over</u> £0.050m and up to and including £0.250m	<u>Corporate Property Officer (Director of Property) in consultation with the Executive Director of Finance and Commercial Services</u>	<u>Up to but not including £0.250m</u>	<u>Executive Director</u>
<u>Up to and including £0.050m</u>	<u>Corporate Property Officer (Director of Property)</u>		
<u>All disposals at less than best consideration (irrespective of value)</u>	<u>Cabinet</u>	<u>All disposals at less than best consideration (irrespective of value)</u>	<u>Cabinet</u>
Leases			
<u>All —leases out or lease out renewals where the total value (annual rent multiplied by lease term) is more than £1.250m, or the term is over 20 years</u>	<u>Cabinet</u>		

Commented [AT4]: Changes requested by Corporate Property Team, following Member feedback.

<u>All leases out or lease out renewals where the total value (annual rent multiplied by lease term) is over £0.250m and up to and including £1.250m, and the term is for 20 years or less</u>	<u>Cabinet Member for Commercial Services and Asset Management</u>		
<u>All leases out or lease out renewals where the total value (annual rent multiplied by lease term) is up to and including £0.250m, and the term is for 20 years or less</u>	<u>Corporate Property Officer (Director of Property)</u>		
Farm Business Tenancies			
Property		Other Assets	
<u>Disposal value* £m</u>	<u>Responsibility and authorisation</u>	<u>Disposal value* £m</u>	<u>Responsibility and authorisation</u>
<u>Farm business tenancies or renewals where the total value (annual rent multiplied by tenancy term) is more than £1.250m, or the term is over 20 years</u>	<u>Cabinet</u>		
<u>Farm business tenancies or renewals where the total value (annual rent multiplied by tenancy term) is over £0.250m and up to and including £1.250m, and the term is for 20 years or less</u>	<u>Cabinet Member for Commercial Services and Asset Management</u>		

<u>Farm business tenancies or renewals where the total value (annual rent multiplied by tenancy term) is up to and including £0.250m, and the term is for 20 years or less</u>	<u>Corporate Property Officer (Director of Property)</u>		
<u>Other Property Transactions</u>			
<u>Granting of all:</u> <u>i. Licences</u> <u>ii. Leases, easements and wayleaves to statutory undertakers</u> <u>iii. Granting of easements and wayleaves</u> <u>iv. Tenancies at will</u> <u>v. Lettings in accordance with the Mobile Home Act 1983</u>	<u>Corporate Property Officer (Director of Property)</u>		

Property		Other Assets	
Disposal value* £m	Responsibility and authorisation	Disposal value* £m	Responsibility and authorisation
	Management in consultation with Corporate Property Officer (Head of Property) and the Executive Director of Finance and Commercial Services		of Finance and Commercial Services
Above £0.050m up to but not including £0.250m	Corporate Property Officer (Head of Property) in consultation with the Executive Director of Finance and Commercial Services	Up to but not including £0.250m	Executive Director
Up to £0.050m	Corporate Property Officer (Head of Property)		
All disposals at less than best consideration (irrespective of value)	Cabinet	All disposals at less than best consideration (irrespective of value)	Cabinet
Leases**			
Operational properties—lease out or lease out renewals where the total value (annual rent multiplied by lease term) is more than £1.250m, or the term is for 10 years or more	Cabinet		
Operational properties—lease out or lease out renewals where the total value (annual rent multiplied by lease term) is between £0.250m and £1.250m, and the term is for less	Cabinet Member for Commercial Services and Asset Management in consultation with Corporate Property Officer (Head of Property) and the Executive Director of Finance and		

Property		Other Assets	
Disposal value* £m	Responsibility and authorisation	Disposal value* £m	Responsibility and authorisation
than 10 years	Commercial Services		
Operational properties — lease out or lease-out renewals where the total value (annual rent multiplied by lease term) is less than £0.250m, and the term is for less than 10 years	Corporate Property Officer (Head of Property)		
Commercial properties — lease-out or lease-out renewals where the total value (annual rent multiplied by lease term) is more than £1.250m, or the term is for 10 years or more	Cabinet		
Commercial properties — lease out or lease-out renewals where the total value (annual rent multiplied by lease term) is between £0.250m and £1.250m, and the term is for less than 10 years	Cabinet Member for Commercial Services and Asset Management in consultation with Corporate Property Officer (Head of Property) and the Executive Director of Finance and Commercial Services		
Commercial properties — lease out or lease-out renewals where the total value (annual rent multiplied by lease term) is less than £0.250m, and the term is for less than 10 years	Corporate Property Officer (Head of Property) in consultation with the Executive Director of Finance and Commercial Services		
Farm Business Tenancies			

Property		Other Assets	
Disposal value* £m	Responsibility and authorisation	Disposal value* £m	Responsibility and authorisation
Farm business tenancies or renewals where the total value (annual rent multiplied by lease term) is more than £1.250m, or the term is for 10 years or more	Cabinet		
Farm business tenancies or renewals where the total value (annual rent multiplied by lease term) is between £0.250m and £1.250m, and the term is for less than 10 years	Cabinet Member for Commercial Services and Asset Management in consultation with Corporate Property Officer (Head of Property) and the Executive Director of Finance and Commercial Services		
Farm business tenancies or renewals where the total value (annual rent multiplied by lease term) is less than £0.250m, and the term is for less than 10 years	Corporate Property Officer (Head of Property) in consultation with the Executive Director of Finance and Commercial Services		
Other Property Transactions			
Granting of all:	Corporate Property Officer (Head of Property)		
i. — leases, licenses, easements and wayleaves to statutory undertakers.			
ii. — tenancies at will			

*

*Disposal value in this table refers to the valuation of the asset, irrespective of the consideration to be received.

** For the purposes of leases, a distinction is made between the Operational Property Estate and the Commercial Property Estate as follows:

Operational Estate:

The operational estate relates to those property assets used principally for service delivery. At times parts of the operational estate may temporarily not be required for service delivery but are retained where there will be a future use. An example could be an office building. In addition, parts of the estate are let out to support service delivery by a third party on the council's behalf, for example a depot. In these instances, the asset would be let to derive an income.

Commercial Estate:

The council holds some assets for economic development reasons (investment properties), which are let out to businesses to support the policies and aims of economic development as well as deriving a rental income. In this situation, the ebb and flow of leases requires commercial agility to be able to react to market demands. To support this requires the Corporate Property Officer (Head of Property) to be able to agree terms of a lease quickly as circumstances dictate.

2.21.7.5.13.7. Acquisitions of assets will be undertaken as follows:

Property		Other Assets	
Acquisition value £m	Responsibility and authorisation	Acquisition value £m	Responsibility and authorisation
Above Over £1.250m	Cabinet	Over Above £0.250m	Cabinet
Over £0.250m and up to and including £1.250m	Cabinet Member for Commercial Services and Asset Management in consultation with Corporate Property Officer (Head of Property) and the Executive Director of Finance and Commercial Services	Up to and including Below £0.250m	Executive Director
Above Over £0.050m and up to but not and including £0.250m	Corporate Property Officer (Head Director of Property) in consultation with the Executive Director of Finance and Commercial Services		

Commented [AT5]: Changes requested by Corporate Property Team, following Member feedback.

Up to <u>and including</u> £0.050m	Corporate Property Officer (<u>Head</u> <u>Director</u> of Property)		
Leases			
<u>Property</u>		<u>Other Assets</u>	
<u>Acquisition value</u> <u>£m</u>	<u>Responsibility and</u> <u>authorisation</u>	<u>Acquisition value</u> <u>£m</u>	<u>Responsibility and</u> <u>authorisation</u>
<u>Lease acquisitions</u> <u>and renewals where</u> <u>the proposed total</u> <u>rental value (annual</u> <u>rent multiplied by</u> <u>lease term) is above</u> <u>£1.250m, or the</u> <u>term is over 20</u> <u>years</u>	<u>Cabinet</u>		
<u>Lease acquisitions</u> <u>and renewals where</u> <u>the proposed total</u> <u>rental value (annual</u> <u>rent multiplied by</u> <u>lease term) is over</u> <u>£0.250m and up to</u> <u>and including</u> <u>£1.250m, and the</u> <u>term is for 20 years</u> <u>or less</u>	<u>Cabinet Member for</u> <u>Commercial</u> <u>Services and Asset</u> <u>Management</u>		
<u>Lease acquisitions</u> <u>and renewals where</u> <u>the proposed total</u> <u>rental value (annual</u> <u>rent multiplied by</u> <u>lease term) is up to</u> <u>and including</u> <u>£0.250m, and the</u> <u>term is for 20 years</u> <u>or less</u>	<u>Corporate Property</u> <u>Officer (Director of</u> <u>Property)</u>		
<u>Other Property Transactions</u>			
<u>Acquisition of</u> <u>all</u> <u>i. Licences,</u> <u>ii. Leases,</u> <u>easements and</u> <u>wayleaves from</u> <u>statutory</u> <u>undertakers</u>	<u>Corporate Property</u> <u>Officer (Director of</u> <u>Property)</u>		

<div> <div>iii. <u>Easements and wayleaves from other third parties.</u></div> <div>iv <u>Tenancies at Will</u></div> </div>			
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Property		Other Assets	
Acquisition value £m	Responsibility and authorisation	Acquisition value £m	Responsibility and authorisation
Lease acquisitions and renewals where the proposed total rental value (annual rent multiplied by lease term) is above £1.250m, or the term of the lease or renewal is for ten or more years	Cabinet		
Lease acquisitions and renewals where the proposed total rental value (annual rent multiplied by lease term) is between £0.250m and £1.250m, and the term of the lease or renewal is for less than ten years	Cabinet Member for Commercial Services and Asset Management in consultation with Corporate Property Officer (Head of Property) and the Executive Director of Finance and Commercial Services		
Lease acquisitions and renewals where the proposed total rental value (annual rent multiplied by lease term) is below £0.250m, and the term of the lease or renewal is for less than ten years	Corporate Property Officer (Head of Property)		
Lease acquisitions, lease renewals and wayleaves where they apply to standard statutory obligations / undertakings for the installation of plant and equipment by statutory undertakers	Corporate Property Officer (Head of Property)		

Other Property Transactions			
Acquiring licenses not exceeding one year	Corporate Property Officer (Head of		

Property		Other Assets	
Acquisition value £m	Responsibility and authorisation	Acquisition value £m	Responsibility and authorisation
	Property)		

2.21.8. ~~_____~~ The

5.13.8. ~~_____~~ The following activities are business as usual and will be approved by the Director of Property:

Where NCC acts as landlord or where NCC acts as tenant:

- Determination (ending of), surrender, assignment or forfeiture of leases, licences and other property rights.
- Agreeing dilapidations.
- Land lord consents (granting and requesting).
- Rent reviews.
- Agreeing sub leases.
- Minor alterations to lease in/lease out agreements to ensure the agreement is completed.

For freehold property disposed of or acquired:

- Agreeing overage and claw back provisions.
- Minor alterations to disposal or acquisition agreements to ensure the agreement is completed.

2.21.9-5.13.9. ~~_____~~ The government has consulted on regulations (the proposed Local Authorities (Functions and Responsibilities) (England) Regulations 2015) which would require any decision to dispose of land and buildings with a value above £500,000 to be agreed by the Full Council. The regulations above show the responsibility is with Cabinet / the Cabinet Member for Commercial Services and Asset Management pending the outcome of the consultation. As at ~~February 2019~~ October/September 2020 these have not yet been enacted. If enacted, the following thresholds would apply:

Disposal value	Responsibility and authorisation for land and buildings
Up to <u>and including</u> £0.050m	Corporate Property Officer (Head <u>Director</u> of Property)
Between <u>Over</u> £0.050m <u>and</u> up to but not <u>and</u> including 0.250m	Corporate Property Officer (Head <u>Director</u> of Property) in consultation with the Executive Director of Finance and Commercial Services
<u>Over</u> £0.250m <u>and</u> up to but not <u>and</u> including £0.500m	Cabinet Member for Commercial Services and Asset Management in consultation with Corporate Property Officer (Head of Property) and the Executive Director of Finance and Commercial Services
<u>Over</u> £0.500m or above and all disposals at less than best consideration (irrespective of value)	Full Council

~~2.21.10-5.13.10.~~ The County Council has an aspiration to at least maintain the size of its current County Farms estate, under the County Farms policy agreed by the County Council in October 2014. To that end any capital receipts from the sale of County Farm land will be treated in the following way:

For all County Farms land that is sold:

- If it is sold as **agricultural land**, 100% of the capital receipt will be hypothecated towards further acquisitions of County Farm land / capital improvements to the County Farm estate that produce a revenue uplift.
- If it is sold as **residential/development land**:
 - A valuation will be undertaken to establish the value of the land, should it have been sold without planning permission. That value will then be hypothecated towards further County Farm acquisitions / capital improvements to the County Farm estate that produce a revenue uplift.
 - The balance of the sale value will be split:
 - 65% towards general capital receipts to be utilised by the Council for any purpose.
 - 35% will be put into a reserve for the use of County Farms for further acquisitions / capital improvements to the County Farm estate that produce a revenue uplift.
 - If this reserve reaches £3m in value, then any additional receipts will be made available for general Council use for any purpose.

5.14. Grants

~~5.14.1.~~ Executive Directors are authorised by the Scheme of Delegated Powers to Officers to make grants (subject to any specific grant thresholds set out in the limitations on officers delegated powers within the Constitution). Executive Directors are responsible for ensuring that:

- Adequate records are kept for the required period;
- Controls are in place to ensure any grant conditions will be met, with provision to recover / claw back unused grant as appropriate;
- Grant payments made by their department do not constitute State Aid;
- Any requirements to notify Members under the Local Member Protocol are complied with.

~~5.14.2.~~ When making grant decisions or awards, Norfolk County Council must reserve the right to refuse (or recover) funding awarded by the authority if it is found that the recipient, or anyone connected to the use of the funding provided, is an active participant in support of extremist views / activity that is contra to the Authority's duty of due regard in relation to the Prevent Duty 2011.

~~2.22.5.15.~~ Retention of Financial Records

~~2.22.1-5.15.1.~~ The County Council has a specific policy in place on the minimum retention periods for financial records and these periods are set out in the corporate records retention and disposal scheme. Executive Directors should ensure records are

maintained and held securely for the correct period, after which they should be disposed of in accordance with the procedures.

3.6. External Arrangements

3.1.6.1. Introduction

~~3.1.1.6.1.1.~~ Where the County Council operates in a devolved environment or through a partnership or other arrangements, the Executive Director of Finance and Commercial Services must ensure that the roles and responsibilities for each of the activities and tasks in maintaining financial administration and stewardship are clearly defined, allocated and operated effectively.

3.2.6.2. Partnerships

~~3.2.1.6.2.1.~~ The County Council has formal representation on many external boards.

~~3.2.2.6.2.2.~~ Separate governance arrangements will exist for external boards / partnerships / joint ventures and decisions taken by Council Members at these boards that affect Norfolk County Council will still be subject to the Norfolk County Council Constitution.

~~3.2.3.6.2.3.~~ The Executive Director of Finance and Commercial Services must ensure that the accounting and reporting arrangements to be adopted relating to partnerships and joint ventures, as defined within Financial Procedures, are satisfactory. The Executive Director of Finance and Commercial Services and ~~Chief Legal Officer~~[Director of Governance](#) must consider the overall corporate governance arrangements and legal issues when arranging contracts with external bodies. They must also ensure that the risks have been fully appraised before agreements are entered into with external bodies.

~~3.2.4.6.2.4.~~ Executive Directors are responsible, in consultation with the Executive Director of Finance and Commercial Services and ~~Chief Legal Officer~~[Director of Governance](#), for ensuring that appropriate approvals are obtained before any negotiations are concluded in relation to work with external bodies. They should also ensure that the risks identified above are mitigated where possible.

3.3.6.3. External Funding

~~3.3.1.6.3.1.~~ The Executive Director of Finance and Commercial Services is responsible for ensuring that all funding notified by external bodies is received and properly recorded in the County Council's accounts. Executive Directors are responsible for ensuring that the Executive Director of Finance and Commercial Services is notified of external funding bids at an early stage.

3.4.6.4. Financial Guarantees

~~3.4.1.6.4.1.~~ Executive Directors must inform the Executive Director of Finance and Commercial Services of all proposals that may require a financial guarantee prior to implementation.

~~3.4.2.6.4.2.~~ The Executive Director of Finance and Commercial Services is responsible for ensuring that any proposed financial guarantee requirement is within the powers of the County Council and shall consult with the ~~Chief Legal Officer~~[Director of Governance](#) as appropriate.

~~6.4.3.~~ Requirements for suppliers to provide the County Council with either bonds or ~~guarantees shall be agreed with the Corporate Property Officer (Head of Property) (for property contracts) or the Head of Procurement (for other contracts)~~ guarantees shall be agreed with the Corporate Property Officer (Director of Property) (for property contracts) or the Director of Procurement (for other contracts)

3.5.6.5. Work for Third Parties

~~3.5.1.6.5.1.~~ Cabinet is responsible for approving the contractual arrangements for any work for third parties or external bodies, not already covered by the Scheme of Authorisation to Executive Directors.

3.6.6.6. State Aid and Competition

~~3.6.1.6.6.1.~~ Executive Directors are responsible for ensuring that any payments made by their department do not constitute State Aid or breach rules on competition. State Aid (which is governed by EU regulations) is the illegal subsidy of commercial activity from public funds, and could arise, for example, from the following:

- Cheap loans
- Grant funding
- Sharing staff, equipment or accommodation (particularly with wholly owned companies)
- Waiver of deductions due on contracts.

~~3.6.2.6.6.2.~~ If an Executive Director is unsure as to whether a payment would constitute State Aid or anticompetitive practice, the advice of the Executive Director of Finance and Commercial Services should be sought in consultation with the ~~Chief Legal Officer~~[Director of Governance](#) where appropriate.

3.7.6.7. Projects / Business Cases (including Private Finance 2 (PF2)²)

~~3.7.1.6.7.1.~~ ~~Private Finance 2 (PF2) is the current model of Private Finance Initiative (PFI) for new Government projects. At the Autumn Budget 2018, the Government announced that it would no longer use PF2, although existing PFI and PF2 contracts were not affected by the announcement. In the event that PF2 or a successor scheme were to become an option in future, Executive Directors considering such projects or business cases~~ should consult with the Executive Director of Finance and Commercial Services

² Private Finance 2 (PF2) is the current model of Private Finance Initiative (PFI) for new Government projects. At the Autumn Budget 2018, the Government announced that it would no longer use PF2, although existing PFI and PF2 contracts were not affected by the announcement. In the event that PF2 or a successor scheme were to become an option in future, Executive Directors considering such projects should consult with the Executive Director of Finance and Commercial Services during the preparation of the business case for submission to the County Council or Cabinet (Cabinet if less than £100m).

during the preparation of the business case for submission to the County Council or Cabinet (Cabinet if less than £100m).

3.7.2-6.7.2. County Council / Cabinet are responsible for approving material PF2 projects / business cases at all key stages. The Executive Director is responsible for ensuring that such approvals are sought and obtained from County Council / Cabinet in a timely manner ~~following recommendation by the Project Board, in accordance with the approved PF2 process.~~

3.7.3-6.7.3. The Executive Director of Finance and Commercial Services is responsible for:

- ensuring that the project / business case has the necessary support from appropriately skilled financial and procurement specialists at all stages of its procurement, as well as during the operational stage
- ensuring that the necessary banking arrangements are available in time for the project to commence
- endorsing the outline business case, including underlying financial assumptions, value for money, and ability to deliver
- ensuring that the financial implications of all **PF2** projects are incorporated in financial planning.

3.7.4-6.7.4. Executive Directors are responsible for:

- preparing a business case for submission to County Council / Cabinet prior to commencing the procurement process
- ensuring that the project has the necessary support from appropriately skilled legal and procurement specialists at all stages of its procurement, as well as during the operational stage
- compliance with Contract Standing Orders
- ensuring that, at all stages, cost estimates for both the capital and revenue expenditure are carefully made and reviewed to ensure that they are robust before seeking formal approval from County Council / Cabinet
- ensuring that procedures are in place to limit, as far as reasonably possible, the likelihood of the County Council failing to pay the contractor on time, or otherwise defaulting or making an overpayment
- informing the Executive Director of Finance and Commercial Services of any matter that may lead to termination under the contract. Cabinet is required to approve termination of a contract by use of the Authority Default provisions
- fully considering the risks associated with undertaking a **PF2** project and reporting them to Cabinet when they are considering the approval of a **PF2** project
- ensuring that any dedicated bank accounts necessary to enable their projects to function efficiently are set up and properly operated. Any bank accounts opened in the name of the County Council require the approval of the Executive Director of Finance and Commercial Services.

Commented [AT6]: Aligns with Financial Procedures

3.7.5-6.7.5. In relation to existing PFI and PF2 contracts, Executive Directors are responsible for ensuring that deductions required to the unitary payment for the unavailability of the contracted service or a performance shortfall are made in full in a timely manner. If another service or asset is proposed in exchange for foregoing such deductions, the Executive Director of Finance and Commercial Services is responsible for ensuring that the alternative proposal has a value equal to the foregone deductions.

3.7.6.6.7.6. Where the County Council has the right to make a deduction under the contract, any waiver of the deduction shall be treated as a write-off of debt and shall be covered by the Council's Debt Recovery procedure. When considering the thresholds for approval of the write off, all deductions due in a financial year should be aggregated together.

3.7.7.6.7.7. Private Finance transactions contain complex financial arrangements including (usually) a Funder's Direct Agreement that can obligate the County Council to take over the responsibility for the Contractor's debt in the event of Authority or Contractor default. It is the responsibility of the Executive Director to ensure that the Executive Director of Finance and Commercial Services has all the relevant information regarding these arrangements and of any material financial matters. It is the responsibility of the Executive Director of Finance and Commercial Services to account for the arrangements in accordance with the relevant regulations and proper accounting practice.

3.8.6.8. **Social Impact Bonds (SIBs)**

3.8.1.6.8.1. Social Impact Bonds (SIBs) are a means of commissioning services where payment or funding for the service is conditional on the achievement of specified outcomes. Executive Directors considering such projects should consult with the Executive Director of Finance and Commercial Services during the preparation of the business case for submission to Cabinet.

3.8.2.6.8.2. Cabinet is responsible for approving SIB projects. The Executive Director is responsible for ensuring that such approvals are sought and obtained from Cabinet in a timely manner.

3.8.3.6.8.3. The Executive Director of Finance and Commercial Services is responsible for:

- ensuring that the project has the necessary support from appropriately skilled financial and procurement specialists at all stages of its procurement, as well as during the operational stage
- endorsing the outline business case, including underlying financial assumptions, value for money, and ability to deliver
- ensuring that the financial implications of all SIBs are incorporated in financial planning.

3.8.4.6.8.4. Executive Directors are responsible for:

- preparing a business case for submission to Cabinet at an appropriate point
- ensuring that the project has the necessary support from appropriately skilled legal and procurement specialists at all stages of its procurement, as well as during the operational stage
- compliance with Contract Standing Orders
- ensuring that, at all stages, cost estimates are carefully made and reviewed to ensure that they are robust, that a sufficient budget is available to fund the anticipated level of outcome payments, and there are measures in place to limit the County Council's exposure to uncapped outcome payments

- ensuring that procedures are in place to limit, as far as reasonably possible, the likelihood of the County Council failing to pay the investor on time, or otherwise defaulting or making an overpayment

3.8.5.6.8.5. It is the responsibility of the Executive Director to ensure that the Executive Director of Finance and Commercial Services has all the relevant information regarding the arrangements for the SIB and of any material financial matters. It is the responsibility of the Executive Director of Finance and Commercial Services to account for the arrangements in accordance with the relevant regulations and proper accounting practice.

Annex A

Norfolk County Council's Scheme of Virement

Background

1. The scheme of virement is intended to enable Cabinet, Executive Directors and their staff to manage budgets with a degree of flexibility within the overall policy framework determined by the County Council, and therefore to optimise the use of resources.
2. The scheme is administered by the Executive Director of Finance and Commercial Services within guidelines set by the County Council. Any variation from this scheme requires the approval of the County Council.
3. The overall budget is approved by the County Council. Executive Directors and budget managers are therefore authorised to incur expenditure in accordance with the estimates that make up the budget. The rules below cover virement; that is, switching resources between approved estimates or heads of expenditure – both revenue and capital. For the purposes of this scheme, a budget head is considered to be the subdivision of Departmental / service budgets as reported in the ~~service commentaries~~ within the medium term financial plan County Council Budget Book for the relevant year. Virement does not include the switching of resources between revenue and capital.
4. Virement does not create additional overall budget liability. Executive Directors are expected to exercise their discretion in managing their budgets responsibly and prudently. For example, they should aim to avoid supporting recurring expenditure from one-off sources of savings or additional income, or creating future commitments, including full-year effects of decisions made part way through a year, for which they have not identified future resources. Executive Directors must plan to fund such commitments from within their own budgets.
5. The capital and revenue budgets may contain block allocations of funding for specific purposes. The movement of resources from a block allocation to a specific identified scheme does not constitute a virement provided that the expenditure being incurred is in accordance with the original policy decision agreed by the County Council. If an Executive Director wishes to transfer funding from a block allocation and use it for a different purpose, for example, the transfer of purchase of care from one client group to a different client group, the rules below will apply.

Revenue

6. County Council is responsible for agreeing virement **between** services (as shown in the budget report to County Council in February each year), and where the virement has a value in excess of £200,000.
7. Cabinet is responsible for agreeing virement **between** services where the virement has a value of up to £200,000, subject to the prior agreement of the virement by the service department(s) concerned.
4. County Council is also responsible for agreeing virements between budget heads defined in 3 above – **within** services, where the virement has a value in excess of 1%

8. of the net budget of the service (as shown in the budget report to County Council in February) or £100,000 – whichever is the higher. For Children's Services, net budget is calculated exclusive of amounts delegated to schools.
9. All other virements are the responsibility of Executive Directors, subject to consultation with the relevant Cabinet Portfolio Holder, Leader or Deputy Leader and the agreement of the Executive Director of Finance and Commercial Services.
10. Executive Directors may delegate authority to make virements to other officers, consistent with the above and in accordance with formally agreed departmental arrangements.

Capital

11. County Council is responsible for agreeing virements between services and schemes (as shown in the Capital Budget document produced by the Executive Director of Finance and Commercial Services).
12. County Council is also responsible for agreeing virements greater than £250,000 within services or schemes (as defined above).
13. All other virements are the responsibility of Executive Directors, subject to consultation with the relevant Cabinet Portfolio Holder, Leader or Deputy Leader and the agreement of the Executive Director of Finance and Commercial Services and subject to the service's overall financial provision for capital spending not being exceeded in the current and future years.

Annex B

Norfolk County Council process for the issue of a report under Section 114 of the Local Government Finance Act 1988

Background

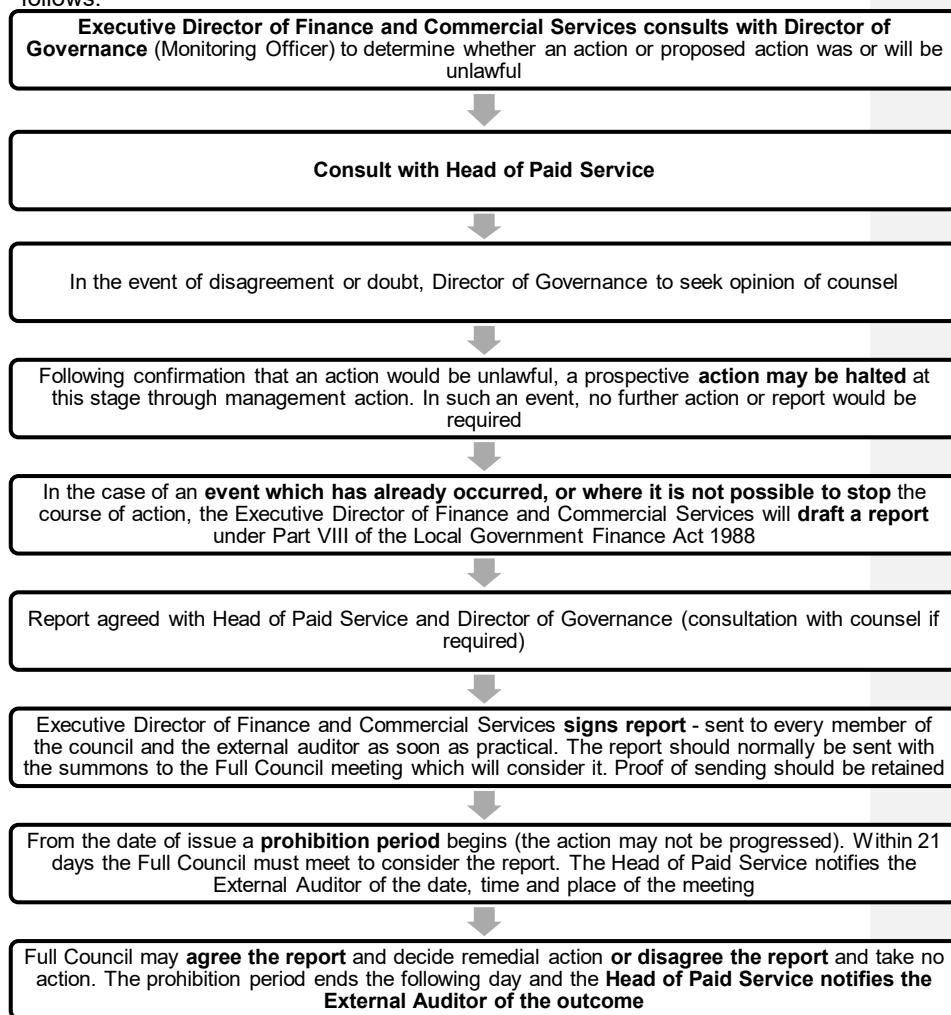
1. Section 114 of the Local Government Finance Act 1988 requires a report to all the authority's Members to be made by the Section 151 Officer (Executive Director of Finance and Commercial Services) in consultation with the Monitoring Officer (~~Chief Legal Officer~~ [Director of Governance](#)) if there is, or is likely to be, unlawful expenditure or an unbalanced budget. The Executive Director of Finance and Commercial Services takes a view of the robustness of the Council's budget across the whole period covered by the Medium-Term Financial Strategy. Making a report under section 114 is likely to have serious implications and this Annex therefore sets out the process and controls which will be adopted prior to such a report being made. It should be noted that the objective of these Financial Regulations and, more broadly, the Council's effective financial management and reporting procedures, is to minimize the prospect of the Executive Director of Finance and Commercial Services being required to make such a report, and such an eventuality is to be avoided if possible.
2. The Executive Director of Finance and Commercial Services has a duty to report to the authority if they believe:
 - that a decision involves, or would involve, unlawful expenditure (114 (2) (a));
 - a course of action is unlawful and is likely to cause a loss or deficiency (114 (2) (b));
 - an entry of account is unlawful (114 (2) (c)).
3. In such circumstances, the Executive Director of Finance and Commercial Services is required to make a report to the authority and send a copy to every Member and the external auditor. The Full Council must consider the report within 21 days and the action to which the report relates must not be pursued until this has taken place. Full Council must decide whether it agrees or disagrees with the report and determine the action it proposes to take.
4. The Executive Director of Finance and Commercial Services is also required to inform the authority in the event they believe that expenditure is likely to exceed available resources (114 (3)). The authority then may not enter into agreements incurring expenditure until the report has been considered by the full council.
5. Information leading to the preparation of a section 114 report might arise from a council officer (including a member of the Finance and Commercial Services department), a Member of the council, the public, or from the authority's auditors. Members and officers should note that it is the Executive Director of Finance and Commercial Services' duty to investigate possible issues which

might lead to a formal report. The statutory duty to make a report rests with the Executive Director of Finance and Commercial Services.

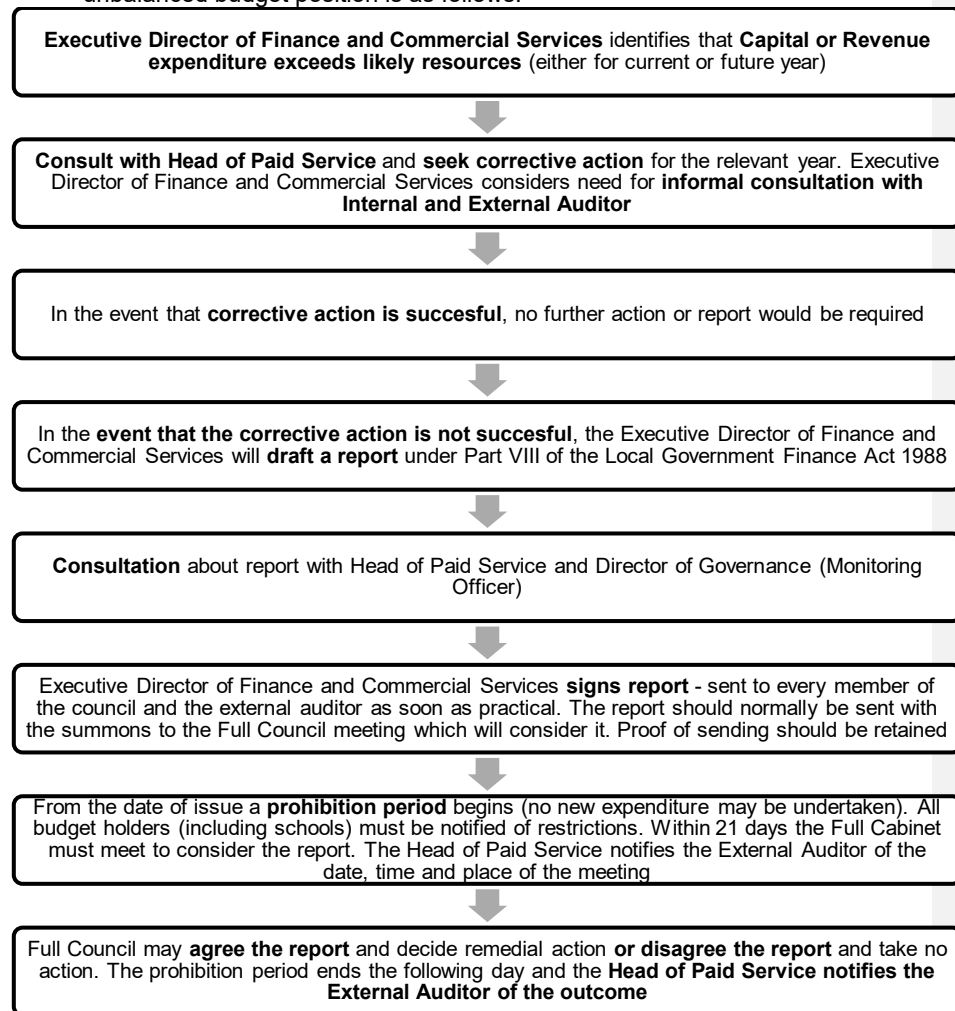
6. A report made under section 114 (2) requires the Executive Director of Finance and Commercial Services to make a judgement that a decision or course of action is unlawful. Such a decision will only be made after consultation with the ~~Chief Legal Officer~~[Director of Governance](#) (Monitoring Officer). A report made under section 114 (3) relates to a financial judgement which may be reached by the Executive Director of Finance and Commercial Services alone, although consultation with the Head of Paid Service and ~~Chief Legal Officer~~[Director of Governance](#) (Monitoring Officer) is still required in case other corporate and legal issues arise as a result of the report.
7. These Financial Regulations adopt the recommendations of the CIPFA Statement on the Role of the Chief Financial Officer in Local Government, where further information about the issuing of a section 114 report can be found.

Section 114 Process

8. The process for the issuing of a report under section 114 (2) in relation to an unlawful decision or course of action (either retrospective or potential) is as follows:



9. The process for the issuing of a report under section 114 (3) in relation to an unbalanced budget position is as follows:



Exceptions and other considerations

10. There are a number of circumstances which would not necessarily result in the preparation of a section 114 report. These include:
 - Emerging matters or a developing situation. This would include occasions where a view is requested on a proposal which may be under consideration but which if pursued could result in a reportable matter. A simple preliminary request would not give rise to a need to report, although any further developments would need to be monitored.
 - Items of trivial expenditure or loss of income.
 - Cases of discovered fraud (which may in any case lead to criminal prosecution) would not normally result in a requirement for a section 114 report but will be dealt with under the Council's existing Anti-Fraud and Corruption Strategy, as referenced elsewhere within the Financial Regulations.
 - A [committeeservice](#) overspend in and of itself is unlikely to give rise to a section 114 report, which would only be required where the Council's total resources are likely to fall short of expenditure and the Executive Director of Finance and Commercial Services judges that there is no reasonable prospect of the position being resolved or mitigated.
11. The above list is not exhaustive. In these and similar circumstances, the Executive Director of Finance will give consideration to the need for a report under section 114, in consultation with other officers as required.
12. In the case of a developing situation, careful consideration will need to be given to the timing of any report, in particular to distinguish between an emerging situation and an actual one. Every reasonable action will be taken to avoid the need for a section 114 report by providing timely financial advice including alternative options to avoid an emerging reportable situation from ultimately arising.

Further action

13. The Executive Director of Finance and Commercial Services' statutory duties under section 114 are discharged once a report has been issued to Full Council. In the event that Full Council does not agree with a report issued under section 114, it is likely that any further formal action would be taken by the External Auditor through the issue of an advisory notice under section 29 (schedule 8) of the Local Audit and Accountability Act 2014 or by applying to the court for a declaration under section 31 of the above Act.

Appendix 16

CONTRACT STANDING ORDERS

Contents

1. Notice to external parties
2. Context
3. Interpretation
4. Responsibilities
5. Schemes of delegation
6. Applicability and scope
7. Choice of procurement process
8. Specialist Purchases and Corporate Contracts
9. Reserved contracts
10. Exemptions to these standing orders
11. Relevant considerations
12. Contracts and formalities
13. Contract management and variation
14. Grants
15. Conduct of tendering and competitive processes
16. Record keeping
17. Prevention of corruption and declaration of interests

1. Notice to external parties

- a. These Standing Orders shall not create or form a part of any contract or binding undertaking, express or implied, with any party outside the Council.
- b. The Council does not make any binding commitment to external parties about the conduct of procurement exercises, other than to abide by its statutory and common law obligations.
- c. In seeking quotations or inviting tenders, the Council is not making an offer to enter into any contract for the supply

2. Context

- a. The Council is a contracting authority for the purposes of public procurement law and is legally bound to comply with certain practices and procedures in the award, management and variation of contracts.
- b. The law requires the council to treat suppliers and potential suppliers equally and without discrimination and to act in a transparent and proportionate manner. Procurement activity is also subject to state aid law
- c. All procurement activity must comply fully with the requirements of the Public Contracts Regulations 2015, the Concession Contracts Regulations 2016 and other legislation.
- d. Procurement is subject to local government law, including the general duty of best value, and to equalities legislation.
- e. Certain procurement exercises are subject to the Public Contracts (Social Value) Act 2012.
- f. Procurement in specific fields – such as tendering for public transport and procurement undertaken on behalf of the NHS – is subject to specific legislation.
- g. Compliance with these standing orders does not of itself ensure compliance with all applicable law in every circumstance.

3. Interpretation

- a. In these standing orders:
 - i. “CCR 2016” means the Concession Contracts Regulations 2016;
 - ii. the “CCR award process” is the process set out in CCR 2016 for the award of concession contracts;
 - iii. “central purchasing body” has the meaning given to it in PCR 2015;
 - iv. “Contracts Finder” has the meaning given to it in PCR 2015;
 - v. a “controlled entity” is an entity which the Director of Governance has determined to meet the conditions set out in regulation 12(1) of PCR2015 and has included in the list of controlled entities as required by paragraph 6 (k) of these standing

orders;

- i. "Official Journal of the European Union" or "OJEU" means the supplement to that journal in which PCR 2015 states that notices concerning procurement processes are to be placed, or any successor publication designated for the same purpose after the UK leaves the European Union;
- ii. "PCR 2015" means the Public Contracts Regulations 2015 (as amended);
- iii. the "PCR thresholds" means the threshold amounts set in regulation 5 of PCR 2015, or in the case of works or service concession contracts, the threshold amounts set in regulation 9 of CCR 2016;
- iv. "PCR tender processes" are the processes stipulated in PCR 2015 for advertising and conducting procurement processes where the value of the anticipated contract exceeds the relevant PCR threshold;
- v. a "relevant contract" is a contract for pecuniary interest between the Council and any other contracting party, except for
 - a. contracts relating to the lending of money by the Council and the raising of capital by the Council (but do include the procurement of financial services);
 - b. agreements regarding the acquisition, disposal, or transfer of land, leases of pre-existing property, and licenses – the rules governing these are outlined in the Hierarchy of Decision Making on Property Matters Under the Constitution of Norfolk County Council;
 - c. the award of grants by the Council;
 - d. the purchase of historical documents, works of art or museum specimens;
 - e. contracts of employment between the Council and an individual; and
 - f. contracts for loans.

4. Responsibilities

- a. The Director of Procurement has overall responsibility for procurement by the council and shall consult as necessary with the Director of Governance and the Executive Director of Finance and Commercial Services.
- b. Chief Officers are responsible for compliance with these standing orders within their directorates.
- c. Officers shall comply with guidance issued by the Director of Procurement when undertaking procurement activities.
- d. Any duty or obligation stated in these standing orders to be the duty or obligation of the Director of Procurement or the Director of Governance may be delegated by them to another officer provided that the delegation is in writing.

e. The Director of Procurement authorises the placement of notices on Contracts Finder and in the Official Journal of the European Union.

f. Invitations to tender may only be issued, and tender processes managed, by officers authorised to do so by the Director of Procurement, or by organisations approved by them to act as procurement agents on behalf of the council.

5. Schemes of delegation

a. Chief Officers shall put in place schemes of delegation which identify which officers have responsibility (and the level of their financial delegation) for:

- i. agreeing tender processes and procurement plans;
- ii. approving tender and contract documents;
- iii. awarding contracts;
- iv. approving orders and the payment of invoices;
- v. managing contracts, including performance monitoring and the agreement of specification and price variations.

6. Applicability and scope

a. These standing orders apply to all officers of the Council. Officers must ensure that any agents, consultants or contractual partners they allow to act as procurement agents on behalf of the Council (e.g. Norse Group companies, when procuring on behalf of the Council) also comply with them.

b. These standing orders do not apply to maintained schools, whose procurement activities are governed by the Council's Local Management of Schools Scheme.

c. These standing orders apply to all relevant contracts made by, for, or on behalf of the Council, including when the Council is acting jointly or on behalf of other public bodies.

d. Paragraph 14 of these standing orders applies to grants.

7. Choice of procurement process

This paragraph 7 is to be read in conjunction with paragraph 8 below.

Thresholds

a. The nature of the procurement process to be followed is set out in the tables below, subject to paragraphs (d) to (k) and depends on the total value of the contract being procured.

b. In exercising their discretion to approve a higher limit for awarding a contract without a competitive process or without a published competitive process, the Director of Procurement shall have regard to considerations including best value, compliance with state aid law and (for so long as the council is subject to EU procurement law or equivalent legal duties) the likely interest in the contract from suppliers based in

other EU states.

c. The Director of Procurement has the discretion to require any contract or class of contracts to be procured via a competitive process.

d. The total value of a contract is to be calculated in the manner prescribed by PCR 2015.

Table 1: social and other specific services listed in Schedule 3 to PCR 2015.

	Process	Value limit (excluding VAT)	Higher limit if approved by the Director of Procurement	Additional requirements
A	Single quote (with evidence of value for money, such as research into typical prices or rates)	Up to £1,000 (or £10,000 if approved by an officer at grade N or above)	Up to £200,000	Contract award notices must be published on Contracts Finder for contracts with a value of £25,000 or more.
B	(a) Request for quotation issued to three or more capable bidders other than via a framework agreement or dynamic purchasing system, or (b) Request for quotation issued to all capable bidders in the relevant lot of a framework agreement or dynamic purchasing system; or (c) Allocation of work within a framework agreement or similar arrangement in accordance with procedures set out in that arrangement.	Up to £50,000	Up to PCR threshold	

	Process	Value limit (excluding VAT)	Higher limit if approved by the Director of Procurement	Additional requirements
C	Openly advertised competitive process below PCR threshold	Up to the relevant PCR threshold.		Any call for competition must be advertised on Contracts Finder in addition to any other publication
D	<ul style="list-style-type: none"> (a) PCR tender process; or (b) competition under a dynamic purchasing system or framework let in accordance with PCR 2015; or (c) award under a single-operator framework agreement; or (d) award under a multi-vendor framework agreement without reopening competition subject to regulation 8(a) of PCR 2015; or (e) purchase of services from or via a central purchasing body in accordance with regulation 37 of PCR 2015; or (f) process complying with Section 7 of PCR 2015 advertised by means of a contract notice or a prior information notice complying with regulation 75. 	Over the relevant PCR threshold		Appendix 15 of the Constitution sets out circumstances where a decision must be taken by the Full Council. These include any decision that commits the Council to revenue or capital expenditure of over £100m

Table 2: other services, works, concession contracts and supplies

	Process	Estimated total value (excluding VAT)	Higher limit if approved by the Director of Procurement	Additional requirements
A	Single quote (with evidence of value for money, such as research into typical prices or rates)	Up to £1,000 (or £10,000 if approved by an officer at grade N or above)	Up to £100,000 for supplies and services; £1,250,000 for works	Contract award notices must be published on Contracts Finder for contracts with a value of £25,000 or more.
B	(a) Request for quotation issued to three or more capable bidders other than via a framework agreement or dynamic purchasing system, or (b) Request for quotation issued to all capable bidders in the relevant lot of a framework agreement or dynamic purchasing system	Up to £50,000	Up to PCR threshold	
C	Tender process below PCR threshold	Up to the relevant PCR threshold.		Any invitation to tender must be advertised on the government's Contracts Finder website in addition to any other publication

	Process	Estimated total value (excluding VAT)	Higher limit if approved by the Director of Procurement	Additional requirements
D	(a) PCR tender process; or (b) CCR award process in the case of concession contracts; or (c) competition under a dynamic purchasing system or framework let in accordance with PCR 2015; or (d) award under a single-operator framework agreement; or (e) award under a multi-vendor framework agreement without reopening competition subject to regulation 8(a) of PCR 2015; or (f) purchase of services from or via a central purchasing body in accordance with regulation 37 of PCR 2015.	Over the relevant PCR threshold		Appendix 15 of the Constitution sets out circumstances where a decision must be taken by the Full Council. These include any decision that commits the Council to revenue or capital expenditure of over £100m.

Specific categories of expenditure

Highway works

- e. Where a third-party commissions works that tie into or modify the Council's highway and the Council sets the specification, PCR 2015 may apply. Such works may:
 - i. be undertaken by a highways contractor appointed by the Council under these standing orders; or
 - ii. where the relevant Chief Officer permits, and subject to requirements for the placing of contract award notices, and where the value is below the PCR threshold for works, be undertaken by another contractor appointed by the third party that meets the Council's reasonable requirements including professional and financial standing, insurance cover and technical competence.

Local bus services

- f. Where an officer wishes to let a contract for the purchase of season tickets on a local bus service registered as such with the local traffic commissioner, and only two bus operators have registered such services on the bus corridor concerned, the requirement at Row B of table 2 to obtain three quotations is to be read as requiring two quotations from the two operators concerned.

Legal services

- g. The Director of Governance may commission legal services of the types set out in regulation 10 (d) of PCR 2015 without competition.

Software

- h. Where the Council has purchased perpetual software licences, the Director of Procurement in consultation with the [Director of IMT & Chief Digital Officer Head of Information Management and Technology](#) may authorise the purchase of software support and maintenance services without competition from the software licensor, where the provisions of regulation 32 (2) (b) (iii) PCR 2015 apply or the purchase is otherwise lawful.

Inter-authority cooperation

- i. The above requirements for competition do not apply if the proposed arrangement is within regulation 12 (7) of PCR 2015.

Controlled entities

- j. Where a supplier to the Council is a controlled entity, the above requirements for competition do not apply. However, there will be a need to ensure compliance with both Best Value and State Aid law (and any other relevant matters that may arise from time to time) before doing so.
- k. Only the Director of Governance may decide whether a given entity is a

controlled entity. The Director of Governance shall maintain a list of controlled entities and publish it on the Council's intranet.

8. Specialist Purchases and Corporate Contracts

- a. Certain goods, services or works, because of their nature, require specialist skills and/or expertise to be procured effectively, irrespective of their value.
- b. The Director of Procurement may maintain and publish on the Council's intranet a list of these reserved areas of spend and the thresholds at which restrictions apply ("Specialist Purchases"). They may also specify on that list, the posts whose occupants are authorised to buy within those areas and thresholds ("Specialist Buyers").
- c. Only officers who are named Specialist Buyers shall have the authority to enter into contracts for these Specialist Purchases.
- d. The Director of Procurement may maintain and publish on the Council's intranet a list of contracts that are to be used exclusively for particular purposes ("Corporate Contracts"). No officer shall let or use any other contract for these purposes.
- e. Any exception to the provisions of this paragraph 8 must be approved in advance by the Director of Procurement .

9. Reserved contracts

- a. The Council may restrict the right for organisations to participate in the award of a Contract to classes of organisation that meet the conditions of either regulation 20 or regulation 77 of PCR 2015.

10. Exemptions to these standing orders

- a. Exemptions may be granted as follows

i.	Subject to the law, a Chief Officer may approve an exemption to any part of these standing orders that is necessary because of an emergency creating immediate risk to persons or property or causing serious disruption to Council services (including any emergency or disruption under the Civil Contingencies Act 2004). The Chief Officer must, as soon as possible, notify the Director of Procurement .
ii.	In exceptional circumstances and subject to the law, any requirement to seek more than one tender or quotation may be disapplied, subject to consultation in advance with the Leader of the Council (for exemptions valued over £100,000) and authorisation in advance by the Director of Procurement and Director of Governance.
iii.	Any other exemption to these standing orders may only be made within the relevant law and with the authority of the Cabinet.

- b. The Director of Procurement shall ensure that all exemptions granted for the award of contracts valued in excess of £250,000 are reported to Cabinet within three months of their being granted.

11. Relevant considerations

- a. An officer proposing to undertake a procurement exercise shall:
 - i. appraise the need for the expenditure and its priority in light of budgetary constraints;
 - ii. confirm that there is Member, or delegated, approval for the expenditure;
 - iii. secure the involvement of the procurement team at an early stage;
 - iv. confirm that the proposed procurement complies with paragraph 7 (Specialist Purchases and Corporate Contracts) of these standing orders;
 - v. consider whether it is necessary to consult – whether as a matter of good practice, to comply with Best Value Statutory Guidance or the Public Contracts (Social Value) Act 2012, or to support compliance with the public-sector equality duty under the Equality Act 2010; and

vi. comply with the requirements of section 18 (Social Value) of these Contract Standing Orders, and

vi-vii. comply with the public-sector equality duty.

- b. In setting the specification, selection criteria and tender evaluation criteria, the relevant officer shall have regard to policy, reputational and legal considerations including:
 - i. alignment with the council's policies, priorities and objectives;
 - ii. minimisation of whole-life cost – not just initial costs;
 - iii. the requirements of the Public Contracts (Social Value) Act 2012;
 - iv. the public-sector equality duty;
 - v. the requirement to include accessibility criteria for disabled persons or design for all users (regulation 42 of PCR 2015);

vi. tax compliance, including:

a. checking employment status for tax purposes (IR35)

b. ensuring that the specification accurately reflects the work undertaken and the nature of the role and the constraints on it; and

c. deducting tax and national insurance at source if the off-payroll working rules apply;

vi. ~~the need to deter crime and disorder (section 17 Crime & Disorder Act 1998);~~

Commented [EH1]: Now in section 18 below

vii. the criticality of the service and the need for assurances as to bidders' financial stability and/or business continuity arrangements;

viii. the requirements of section 18 (Social Value) of these Contract Standing Orders

viii.ix. ~~assessment and management of risks to health, safety and the environment;~~

Commented [EH2]: Now in section 18 below

ix. ~~mitigation of modern slavery risks in the supply chain.~~

12. Contracts and formalities

- a. All contracts must be formally concluded in writing before the supply, service or work begins.
- b. A purchase order must be raised prior to any works or services commencing or goods being procured.
- c. Contracts shall be written in plain English and shall adopt either:
 - i. conditions of contract developed by or agreed by the Director of Procurement for specific types of procurement or specific procurement projects; or
 - ii. conditions of contract produced by professional bodies and agreed by the Director of Procurement ; or
 - iii. conditions of contract within collaborative contracts let by other public contracting authorities; or
 - iv. the Council's General Conditions of Contract as a bare minimum; or
 - v. exceptionally, conditions of contract requested by suppliers; but only where the use of these conditions has been previously agreed by the Director of Procurement .
- d. All contracts, regardless of value, shall as a minimum clearly specify:
 - i. a full description of what is to be supplied or done;
 - ii. the quantities to be provided;
 - iii. the provisions for payment (i.e. the price to be paid and when);
 - iv. the time(s) and location(s) for delivery or performance;
 - v. the provisions for the Council to terminate the contract; and
 - vi. the provisions for indemnity (where required) and insurance.
- e. Conditions of contract shall require transmission of payment by the council within

thirty days of a valid, undisputed invoice and shall incorporate the terms required by regulation 113 of PCR 2015 regarding prompt payment of sub-contractors.

- f. In accordance with regulation 71(3) of PCR 2015, in the case of works contracts and in respect of services to be provided at a facility under the direct oversight of the Council, the conditions of contract shall require that, no later than when the performance of the contract commences, the main contractor shall notify to the Council the name, contact details and legal representatives of its subcontractors, involved in such works or services, in so far as known at the time.
- g. The above conditions (12a to 12f) do not apply to low value, one-off retail purchases where a purchasing card is used.
- h. Where contracts are awarded which involve the transfer of Council staff, or of former Council staff who were previously the subject of an outsourcing of service by the Council, they shall include provisions to ensure that the relevant pension requirements are complied with and that the Council is indemnified. Where the Council is a third party to any transfer, the contract shall in addition ensure that the Council has access to staff and employee information on request.
- i. Contracts may be concluded by signature by an officer or officers approved to do so under the department's scheme of delegation, or under the Common Seal of the Council.
- j. Where two signatures are required under the scheme of delegation at least one must be that of a person not involved in the tendering or negotiation of the contract.
- k. Unless otherwise agreed by the Director of Governance, a contract must be entered into as a deed where:
 - i. the Council may wish to enforce the contract more than six years after its end; or
 - ii. there is any doubt as to whether valid consideration is being created under the contract.
- l. Contract sealing shall be carried out by an officer authorised by the Director of Governance. This can take place after a quotation or tender has been accepted provided that the completion of this requirement is made a condition of acceptance of the quotation or tender by the Council.

13. Contract management and variation

- a. The officer responsible shall ensure that all significant contracts have a suitable written contract management plan in place. Officers shall also manage each contract over its entirety, to a level of detail proportionate to the contract's risk and value.
- b. Where an existing contract remains subject to the former Code of Practice on Workforce Matters in Local Authority Service Contracts, the responsible officer

shall ensure that compliance with that code is monitored.

- c. Officers shall consult with the Director of Procurement as soon as reasonably practicable when they become aware that any significant dispute or claim may arise in relation to a contract or procurement exercise.

d. Officers shall manage contracts to reflect the specification, to ensure tax and national insurance deductions are made at source if that was the result of the off-payroll working assessment, and to re-evaluate off-payroll status if the terms and conditions or working practices change.

- d.e. Chief Officers may agree variations to contracts provided that these are lawful under PCR 2015 and there is adequate approved budget provision. Before agreeing any variation, Chief Officers shall satisfy themselves that a contract variation offers comparable or better value for money than going out to competition or that a contract variation is the only possible approach by virtue of exclusive rights or for reasons of urgency. Any variation or variations to a fixed term contract which in aggregate result in additional costs exceeding 5% of the original contract value or £50,000 (whichever is the greater) shall be subject to the prior approval of the Director of Procurement .

- e.f. Where a Chief Officer becomes aware that any major contract will exceed by a significant margin the approved budget or time for completion, or is incurring significant risks not initially identified, this shall be reported at the earliest opportunity to the relevant Cabinet Member; if the additional costs cannot be accommodated within the service's budget this shall be reported to Cabinet as required by the Financial Control Standards.

14. Grants

- a. A grant may be made where the Council is not performing a statutory duty, but the provision can be demonstrated to assist with its wider aims and objectives. A grant need not be made via a competitive process.
- b. Officers must satisfy themselves, taking advice as necessary, that any proposed transaction is a grant rather than a contract for services before treating it as such.
- c. Where the Council is using grant monies itself or passing grant monies to a third party, the application of that money shall be subject to the requirements of the relevant grant funding body. The fact that a transaction is funded by a grant made to the Council does not automatically mean that that transaction is also a grant.
- d. When making a grant the relevant officer shall:
 - i. treat all potential grant applicants fairly;
 - ii. act in a fair, transparent and consistent manner in relation to the making of the grant;
 - iii. set out the terms of the grant, in writing;
 - iv. ensure that best value is met and that there is no state aid infringement.

15. Conduct of tendering and competitive processes

- a. The appropriate competitive process must be chosen according to the requirement and the value of the contract over its full lifetime, including any possible contract extensions, as set out in paragraph 7.
- b. In order to secure best value, officers may make use of collaborative procurement arrangements, with the approval of the Director of Procurement . Such arrangements may include, for example, collaborative contracts let by
 - i. other local authorities, or
 - ii. ESPO, other public sector purchasing consortia, or other UK contracting authorities (e.g. central government departments or agencies), or
 - iii. controlled entities.
- c. When inviting tenders or quotations, officers must set out clearly:
 - i. the terms on which the tender of procurement process is being conducted;
 - ii. the deadline for response (which must be reasonable)
 - iii. the applicable conditions of contract;
 - iv. the specification;
 - v. how the tender or quotation will be evaluated.
- d. Technical specifications
 - i. Technical specifications shall be formulated in accordance with regulation 42 of PCR 2015.
- e. Receipt and evaluation of tenders
 - i. Officers shall use an electronic tendering and/or electronic auction system approved by the Director of Procurement to manage the tendering exercise, including the receipt of tenders.
 - ii. Subject to the law the Director of Procurement has discretion to deal with non-compliant tenders, including whether to accept tenders after the submission deadline has passed (where exceptional circumstances prevail) and whether to seek clarification of a response.
- f. Standstill period
 - i. Officers shall observe a standstill period between provisional award and award where the law requires.
 - ii. For those procurements above the PCR threshold where observance of a standstill period is voluntary, a standstill period shall nevertheless be observed unless the Director of Procurement decides otherwise.
- g. The European Single Procurement Document (ESPD)
 - i. The Council and its agents may receive a completed ESPD in place of

published pre-qualifying questions or tender response which shall be accepted provided that it demonstrates that it is compliant, it demonstrates that the bidder meets the relevant requirements, it is submitted by the published deadline and through the required e-communications tool.

- ii. The Director of Procurement must be consulted prior to the rejection of any ESPD where the information contained in the ESPD or lack thereof is the reason for the rejection.

16. Record keeping

- a. Officers shall ensure that records of procurement activity are created and retained:
 - i. in all cases, sufficient to justify decisions taken in all stages of the procurement procedure and the subsequent creation and management of the contract;
 - ii. in accordance with the Council's retention policies; and
 - iii. for procurement exercises covered by Part 2 of PCR 2015, in accordance with regulations 22, 83 and 84 of PCR 2015.

17. Prevention of corruption and declaration of interests

- a. Officers shall comply with the Council's Code of Conduct for Employees. In particular:
 - i. no officer shall use or appear to use their position to obtain any personal or private benefit (including benefit accruing to connected third parties) from any contract entered into by the Council;
 - ii. officers' attention is drawn to the provisions of the Code of Conduct relating to the separation of roles during tendering;
- b. With regards to any contract that has been proposed or entered into by the Council, officers must disclose in writing to their Chief Officer any instances:
 - i. where they have any relationship with a supplier; or
 - ii. where they have any personal interest (financial or non-financial) which could reasonably be considered to conflict with the Council's interests or to favour or appear to favour one supplier over another.
- c. The Council's whistleblowing procedure applies to the letting, management and performance of contracts.

18. Social value

a. Formal consideration of social value

Commented [AI C3]: This section added to reflect Cabinet's recent approval of the paper "Social Value in Procurement" and largely adopts the words therein

i. The law requires the council to consider social value in services contracts over the OJEU threshold, but officers shall consider social value in above-threshold contracts for works as well as services. Officers shall set out their assessment of social value issues in Cabinet papers or papers to other decision makers.

ii. Social value can:

- be built into the contractual terms;
- form part of the specification; and
- form part of tender evaluation

b. Contract packaging and market engagement

i. Prior information notices

Unless impracticable because of urgency, prior information notices shall be placed in respect of all procurement exercises. The notices should:

- provide information about the proposed procurement so that:
 - bidders have time to prepare
 - smaller organisations can form consortia if they choose; and
 - potential sub-contractors can make themselves known to prime contractors;
- provide the opportunity for potential providers to engage in the development of the procurement process, the specification and the evaluation criteria, including the social value aspects;
- provide the opportunity for potential providers to comment on the proposed lotting strategy.

ii. Division into lots

In accordance with the Public Contracts Regulations 2015, for each contractual opportunity, the potential to break the requirement down into lots shall be considered. The rationale for the lotting strategy shall be documented and included in the procurement documents.

iii. Co-production

For services which have a significant effect on people – education, health, care, transport and housing services and services affecting the public realm – appropriate consultation shall be undertaken with those affected and, for people services, commissioners shall work closely with users or their representatives.

c. Requirements to be built into contracts

i. Appropriate social value requirements shall be built into contract terms or specifications. Where appropriate, bidders' ability to meet these requirements shall be tested through the procurement process; compliance with these requirements shall be monitored, to a proportionate degree, through the contract management process.

ii. General

Contracts shall include requirements for the following:

- payment within thirty days, with this requirement being passed down the supply chain¹;
- compliance with the Equality Act 2010;
- compliance with the Bribery Act 2010;
- compliance with living wage legislation and with requirements to check entitlement to work;
- appropriate measures to deter crime and disorder:
 - measures to prevent fraud, where council or client money is being handled;
 - measures to prevent theft of cash or goods;
 - requirements for 'security by design' where buildings or infrastructure are being built or modified;
- appropriate health, safety and environmental requirements;
- appropriate requirements for workforce development.

iii. Blacklisting

Construction contracts shall include a requirement to abide by the Employment Relations Act 1999 (Blacklists) Regulations 2010.

iv. Cyber-Security

Contracts for software as a service and hosted IT systems and contracts that involve processing personal data or data that is essential for business continuity shall include:

- appropriate cyber security and resilience requirements, typically *cyber essentials* or *cyber essentials plus* as defined by the National Cyber Security Centre
- appropriate business continuity and disaster recovery requirements.

v. Modern slavery

Contracts in sectors where there is an elevated risk of modern slavery, such as waste and construction, shall include requirements for contractors to mitigate the risks. All contracts over £10m per annum shall include requirements for contractors to segment their supply chains by modern slavery risk and to proactively manage modern slavery risk in segments where there is an elevated risk.

vi. Diverse supply chains

Contracts valued over £10m and contracts likely to involve material sub-contracting shall generally include provisions requiring the promotion of diverse and local supply chains, including:

- promotion of sub-contract and supply opportunities to the Norfolk business community; and

¹ This requirement applies to all contracts under the Public Contracts Regulations 2015

- promotion of sub-contract and supply opportunities to women-owned businesses, BAME-owned businesses and businesses owned by people with other protected characteristics under the Equality Act.

vii. Workforce health

For contracts valued over £10m, consideration shall be given to including requirements to promote good mental and physical health in the workforce.

d. Social value opportunities to be considered for evaluation

i. Opportunities to promote social value through the evaluation process – in other words, to give extra marks for additional value - shall be considered for each significant procurement exercise.

ii. In considering these opportunities, the cost shall be borne in mind. By granting marks for social value in a procurement process, the buyer is saying that it is willing to pay extra for those social value features. Officers shall consider whether this is the most cost-effective way of obtaining the desired social benefit.

iii. Skills development – apprenticeships, training and work experience

The opportunity to support skills development by creating quality apprenticeship, training and work experience opportunities through major contracts is significant and should always be considered, particularly in light of its potential impact on social mobility.

iv. Support for disadvantaged groups

Opportunities to provide support sessions, trade taster sessions and similar opportunities for disadvantaged groups (including BAME people) and to promote employment of disadvantaged groups should always be considered.

v. Support for the local area

Opportunities exist for suppliers to build social value by seeking actively to recruit local people and local subcontractors.

vi. Community and client capacity

The opportunity to make communities more cohesive, sustainable and resilient should always be considered. Approaches to service delivery that will have a long-lasting impact – for example by strengthening the local voluntary sector, or enabling clients to be less dependent on support – should be favoured over approaches that are less sustainable.

vii. Volunteering and mentoring

The contribution of volunteering and mentoring time in the local community could form useful added value, but care should be taken that

the approach does not simply allow large providers to rebadge volunteering that their staff already undertake and charge extra for it.

viii. Environmental

Where there may be opportunities for significantly better environmental performance, it may be appropriate to include environmental performance as an 'added value' criterion, rather than simply setting a minimum standard.

Environmental standards above the statutory minima may be particularly relevant where they:

- materially reduce greenhouse gas emissions;
- support the council's public health objectives, for example by improving local air quality;
- contribute towards the environmental and landscape objectives of the Norfolk Spatial Strategy.

County Council

Item no. 6c

Decision making report title:	Proposed Amendments to the Council Constitution
Date of meeting:	23 November 2020
Responsible Cabinet Member:	Cllr Andrew Proctor, Leader of the Council and Cabinet Member for Strategy & Governance
Responsible Director:	Fiona McDiarmid, Executive Director Strategy & Governance
<p>Executive Summary</p> <p>This report sets out further proposed changes to the Constitution, in addition to those recommended by Corporate Select Committee. This matter was considered at the Corporate Select Committee on 9 November 2020 and they agreed to ask the Monitoring Officer to reconsider the proposal set out at Appendix 15 para 3.4.5 and propose alternative wording to Full Council.</p> <p>Recommendations</p> <p>1. To agree to amend the Constitution at Appendix 15 para 3.4.5 as set out in para 2.1 below</p>	

1. Background and Purpose

- 1.1. The Constitution is in the process of review, as set out in the report from Corporate Select Committee. Corporate Select Committee considered a series of amendments recommended by the Monitoring Officer at its meeting on 9 November 2020.

The Committee could not agree the proposed amendment to Para 3.4.5 of Appendix 15, but could not agree alternative wording, and asked the Monitoring Officer and s151 officer to consider alternative wording for consideration by Council.

2. Proposals

- 2.1. It is proposed para 3.4.5 of Appendix 15 should be amended as below to remove the wording highlighted in yellow (which had been proposed as an

amendment to the existing Constitution) and to replace it with the wording in red

The Executive Director of Finance and Commercial Services is responsible for ensuring that proposals demonstrate adherence to the guidance and Members should ensure that any proposed budget amendments are made available to the Executive Director of Finance and Commercial Services at least five working days before the County Council budget meeting. **Members should adhere to any agreed protocol for budget amendments.** A single, balanced (funded) amendment may be put forward per group or independent Member. Proposed amendments may relate to multiple elements within the budget, but the amendment must be coherent as a complete package. This means proposed amendments should not (1) contain elements which relate to substantively similar matters or (2) propose elements which would be mutually incompatible within a single amendment (i.e. the proposed amendment cannot address the same topic multiple times). Separate elements of the budget amendment may be voted upon separately. Members' proposed budget amendments must be finalised two working days before the County Council budget meeting in order that the Executive Director of Finance and Commercial Services can report on the robustness of any proposed budget amendments. In accordance with established culture and practice, proposed budget amendments received in accordance with Financial Regulations will be published in advance of the County Council meeting at which they are to be discussed.

- 2.1.2 The protocol referred to in that amendment is being discussed with group leaders and will sit outside the Constitution.

3. Impact of the Proposal

- 3.1. The proposal will allow the Council to maintain an up to date Constitution that enables the Council to meet its objectives.

4 Financial Implications

None

5 Resource Implications

None

- 6 **Legal Implications:** As set out in the report

- 7 **Human Rights implications:** N/A

8. **Equality Impact Assessment (EqIA):**

9 Risk Implications/Assessment

none

10 Recommendations

To agree to amend the Constitution at Appendix 15 para 3.4.5 as set out in para 2.1 below

11 Background Papers

11.1 None other than reports to Corporate Select Committee referred to in the report.

Officer Contact

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

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Email address: Helen.edwards2@norfolk.gov.uk



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Report from the Cabinet Meetings held on 5 October and 2 November 2020

A: Meeting held on Monday 5 October 2020

1 Long Stratton Bypass

- 1.1 Cabinet received the report by the Executive Director of Community & Environmental Services setting out the next phase of the process, which was to submit the more detailed Outline Business Case, following the approval from the Department for Transport for the Strategic Outline Business Case.

1.2 Cabinet **RESOLVED** to:

1. **Confirm** the support for the delivery of the Long Stratton Bypass and to **agree** to add this to the capital programme.
2. **Delegate** the approval of the Outline Business case to the Cabinet Member for Highways, Infrastructure & Transport.
3. **Agree** to form a Member Steering Group and approve the Member Steering Group Terms of Reference, as detailed in appendix A of the report.

2 Annual Local Levy Setting for 2021-22 in the Regional Flood and Coastal Committees.

- 2.1 Cabinet received the report by the Executive Director of Community & Environmental Services setting out a proposed position for the County Council members on the Regional Flood and Coastal Committees (RFCC) to take in relation to local levy setting for 2021-22.

2.2 Cabinet **RESOLVED** to:

1. **Agree** that the NCC representatives at the Regional Flood and Coastal Committees will support an increase in the Local Levy setting vote in October 2020 of up to 1.5%.

3 Strategic & Financial Planning

- 3.1 Cabinet received the report by the Executive Director of Finance & Commercial Services and the Executive Director of Strategy & Governance representing a key milestone in the development of the 2021-22 budget and providing an opportunity for Members to consider savings proposals prior to wider consultation.

3.2 Cabinet considered the report and **RESOLVED** to:

1. **Note** the County Council strategy as set out in section 2 and how the Budget process is aligned to the overall policy and financial framework;
2. **Agree** for planning purposes:

- a. the latest assessment of significant areas of risk and uncertainty around emerging budget pressures for the 2021-22 Budget and Medium Term Financial Strategy, which remain to be resolved and which may have a material impact on budget planning (section 10);
 - b. the uncertainty about national funding announcements (section 3);
 - c. the assumptions about the level of council tax and Adult Social Care precept for 2021-22 (section 12); and
 - d. that subject to the above, and the proposed savings in recommendation 3, a budget gap in the order of £15.062m remains to be closed for 2021-22 (paragraph 10.5 and table 11).
3. **Agree** the proposed savings as set out in sections 5-9 (tables 5-10) to be taken forward in budget planning for 2021-22, subject to final decisions about the overall Budget in February 2021, noting the level of savings already included from the 2020-21 Budget process, and the anticipated changes to those existing savings (including the replacement of Business Transformation savings with service proposals) (paragraph 4.3 and table 2);
 4. **Agree** that public consultation be undertaken on the 2021-22 Budget and saving proposals, and the level of council tax and Adult Social Care precept for 2021-22, as set out in section 13;
 5. **Note** the responsibilities of the Executive Director of Finance and Commercial Services under section 114 of the Local Government Act 1988 and section 25 of the Local Government Act 2003 to comment on the robustness of budget estimates as set out in section 11;
 6. **Agree** the proposed next steps in the Budget planning process for 2021-22, including the actions in paragraph 10.6 required to develop further saving proposals in light of the significant uncertainty about the overall financial position, and the remaining Budget planning timetable (Appendix 1); and
 7. **Note** and thank Select Committees for their input, and agree to seek to provide earlier opportunities for Select Committees to support the Budget development process for 2022-23 (section 21).

4 Disposal, acquisition and exploitation of property

- 4.1 Cabinet received the report by the Executive Director of Finance & Commercial Services setting out proposals 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.
- 4.2 Cabinet **RESOLVED** to:
 1. **Formally declare** the Former Library building, Connaught Road, Attleborough (3002/017) surplus to County 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 Executive Director of Finance and Commercial Services and Cabinet Member

for Commercial Services and Asset Management is authorised to accept the most advantageous offer.

2. Formally declare the Land East of Langham Road, Blakeney (part of 102/011A) surplus to County Council requirements and instruct the Director of Property to conclude negotiations with Broadland Housing Association and dispose of the property. In the event of a disposal receipt exceeding delegated limits the Head of Property in consultation with the Executive Director of Finance & Commercial Services and Cabinet Member for Commercial Services and Asset Management is authorised to accept the most advantageous offer.

3. Formally declare the Former Woodside Primary & Infant School site, Firs Road, Hethersett NR9 3EQ (7054/012) surplus to County Council requirements and:

- (i) Instruct the Director of Property to dispose of the site to an extra care 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 Executive Director of Finance and Commercial Services and Cabinet Member for Commercial Services and Asset Management is authorised to accept the most advantageous offer.

4. Formally declare the Additional Land at Burlingham Road, South Walsham (5051/109 (part)) surplus to County 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 Executive Director of Finance and Commercial Services and Cabinet Member for Commercial Services and Asset Management is authorised to accept the most advantageous offer.

5 White Paper: Planning for the Future Norfolk County Council Response

5.1 Cabinet received the report by the Executive Director of Community & Environmental Services setting out the County Council's response to the Government's consultation on the proposed reforms to the planning system as set out in the White Paper – Planning for the Future.

5.2 Cabinet considered the report and **RESOLVED** to:

- 1. **Agree** the comments in the report and in the appendix as the County Council's formal response to the Government's White Paper: Planning for the Future.

6 Adult Social Services Winter Resilience Planning

6.1 Cabinet received the report by the Executive Director of Adult Social Services setting out the work in progress and the approach in collaborating across the health and social care system, which had been strengthened by the need to respond to covid-19. The report highlighted the main challenges, learning and themes which were being addressed.

6.2 Cabinet considered the report and **RESOLVED** to:

1. **Endorse** the emerging winter planning arrangements as set out in the report and at Appendix 1.

7 Norfolk County Council in an Integrated Care System (ICS)

7.1 Cabinet received the report by the Executive Director of Adult Social Services and the Executive Director of Children's Services which aimed to draw together the developing picture regarding future local Integrated Care System and the opportunities for NCC within in ICS, and identify key principles for NCC in an ICS to improve outcomes for our residents and meet wider NCC aims.

7.2 **RESOLVED:**

- a) **Agree** NCC's support for, and commitment to becoming part of, an Integrated Care System.
- b) **Agree** the proposed NCC principles to guide ICS development – to be utilised in emerging discussions with partners on the future shape of an ICS.
- c) **Agree** that the NCC Leader will nominate representation for the Partnership Board that will govern the ICS, and support the commitment for the ICS to be accountable to the Health & Wellbeing Board (HWB) for the delivery of health and wellbeing outcomes for the local population.

8 Corporately Significant Vital Signs

8.1 Cabinet received the report by the Executive Director of Strategy & Governance providing it with an update on the Council's current performance towards achieving its strategic outcomes and outlining the actual performance of the Council against its target performance for quarter one of 2020/21.

8.2 Cabinet reviewed the report and **RESOLVED** to:

- **Note** the performance data and planned actions as set out in Appendices 1 and 2 of the report.

9 Risk Management

9.1 Cabinet received the report by the Executive Director of Finance & Commercial Services setting out the latest corporate risks.

9.2 Cabinet considered the report and **RESOLVED** to:

1. **Agree** the key messages (2.1) and key changes (Appendices A and B) to corporate risks since the last risk management report in July 2020.
2. **Agree** the corporate risks as at September 2020 (Appendix C)

10 Reports of the Cabinet Member and Officer Delegated Decisions already made:

Cabinet **RESOLVED** to **note** the Delegated Decisions made since the last Cabinet meeting.

Decisions by the Leader & Cabinet Member for Strategy & Governance.

- [Nplaw New Contract](#)
- [Locally Supported Contact Tracing for Covid-19](#)

Decisions by the Cabinet Member for Commercial Services & Asset Management.

- [Acquisition of House, NR20.](#)
- [NWL - Acquisition of House, NR9.](#)

Decisions by the Cabinet Member for Highways, Infrastructure & Transport.

- [Costessey, West End – Waiting Restrictions.](#)
- [Greater Anglia Consultation Response.](#)

B: Meeting held on Monday 2 November 2020

1 Norfolk Safeguarding Children's Partnership Annual Report 2019-20

1.1 Cabinet considered the report by the Executive Director of Children's Services which summarised the work of the Norfolk Safeguarding Children's Partnership (NSCP) between 1 July 2019 and 30 June 2020.

1.2 Cabinet **RESOLVED** to:

- a) **Endorse** the content of the report.
- b) **Proactively** share the report with Partner organisations with whom they have contact and actively encourage their involvement with NSCP's work.
- c) **Ask** all elected Members to proactively promote the report using their social media accounts.

2 Norfolk Safeguarding Adults Board Annual Report 2019-20

2.1 Cabinet considered the report by the Executive Director of Adult Social Services which summarised the work of the Norfolk Safeguarding Adults board (NSAB) during 2019-20.

2.2 Cabinet **RESOLVED** to:

- a) **Agree** the content of the report, which was ready for publication.
- b) **Proactively** share this report with partner organisations with whom they have contact and actively encourage their involvement with NSAB's work.
- c) **Ask** all elected Members to proactively promote this report using their social media accounts. Model Tweets for this purpose were attached at Appendix B to the report.

3 NCC Response to Covid-19 – Initial Lessons Learned – Progress Update.

3.1 Cabinet received the report by the Head of Paid Service which provided an update on progress against the initial lessons learned action plan agreed by Cabinet in August 2020.

3.2 Cabinet reviewed the report and **RESOLVED** to:

1. **Endorse** progress against the initial lessons learned action plan set out in Appendix A of the report.

4 Progress on the Council's Equality, Diversity & Inclusion Objectives 2020-2023

4.1 Cabinet received the report by the Executive Director of Community & Environmental Services summarising the progress over the last six months to deliver against the Council's Equality, Diversity & Inclusion Objectives for 2020-2023 and the additional actions agreed by full Council on 20 July 2020 (Attached at Appendix A). It also included a brief update of the impact of Covid-19 on equality, diversity and inclusion.

4.2 The Council has five Equality, Diversity and Inclusion objectives for 2020-2023, supported by 28 key activity areas; this includes the actions agreed by Full Council on 20 July 2020. A full update on progress is set out in the Cabinet report [here](#) (Pages 156 to 206) but key highlights are as follows:-

- The scope of the whole Council review of unconscious and structural bias is underway.
- Work has taken place to support Black History Month 2020. Around 95 per cent of the planned programme of activities will be delivered virtually.
- Work has begun with Black, Asian and minority ethnic (BAME) residents to consider how to ensure that museum displays promote positive imagery of BAME history and how to ensure that objects are displayed and interpreted in an appropriate way.
- A media campaign has been developed to refresh the Stop Hate in Norfolk Protocol, and was launched on 5 October 2020. Stop Hate in Norfolk is a message of unity to encourage everyone to stand together to tackle hate incidents. The campaign will encourage people to report hate incidents, to keep themselves and their local community safe, particularly people with care and support needs.
- Training for staff and Members on unconscious bias is being developed. The Cabinet has received and discussed initial proposals for training. Training on white privilege and racism is also being developed, working with BAME colleagues, service users and race equality experts.
- The Council has also engaged its workforce in identifying barriers to equality and shaping approaches to issues. This has resulted in the establishment of a series of Advisory Networks focussed on specific topics.

Initially networks are being set up for Race, LGBT+, Disability and Mental Health and Carers, but this is likely to increase to cover other issues. The Networks will be self-directed, and be supported by an Executive Director Sponsor. The purpose of the networks will be to give ideas, suggestions and advice to help shape future inclusion work across the workforce. Each Advisory Network will select a chair and that person will then also sit on a Strategic Action Group. The Head of Paid Service will chair the Strategic Action Group and it will consider ideas and suggestions from the Advisory groups.

4.3 Cabinet considered the report and **RESOLVED** to:

1. **Note** the progress against the Council's Equality, Diversity and Inclusion Objectives 2020-2023 and the actions set out in the Motion agreed by Full Council on 20 July 2020.
2. **Note** the latest version of the COVID-19 equality impact assessment (last reviewed by Cabinet on 11 May 2020), which summarises the impact of COVID-19 on people with protected characteristics (see Appendix C).
3. **Agree** that the COVID-19 equality impact assessment should continue to inform decision-making across the Council wherever appropriate, to ensure that the Council's resilience and recovery effort is accessible and inclusive.

5 Adult Social Care Market Position Statement & Quality Account 2021-2024

5.1 Cabinet received the report by the Executive Director of Adult Social Services setting out the Adult Social Care Market Position Statement and Quality Account 2021-2024.

5.2 Cabinet considered the report and **RESOLVED** to:

1. **Approve** the Adult Social Care Market Position Statement Update 2021-2024 (Appendix 1 of the report) for publication.

6 Limited Company Consents

6.1 Cabinet received the report by the Executive Director of Finance & Commercial Services asking it to approve the formation of a new subsidiary company of Repton Property Developments Limited, St Edmunds Park Estate Management Ltd.

6.3 Cabinet considered the report and **RESOLVED** to:

1. **Approve** the formation of a new subsidiary company of Repton Property Developments Limited, St Edmund's Park Estate Management Ltd.
2. Once created, **approve** the appointment of NCC directors to the new company as detailed in Appendix A of the report.

7 Reports of the Cabinet Member and Officer Delegated Decisions made since the last Cabinet meeting:

Cabinet **RESOLVED** to **note** the Delegated Decisions made since the last Cabinet meeting.

**Cllr Andrew Proctor
Chairman, Cabinet**

Full motion:

Council is committed to tackling discrimination and prejudice in all of its forms and recognises our responsibility to lead by example. Council affirms its commitment to continue work to address disadvantage, promote equality and eradicate racism.

In particular Council welcomes the spotlight that the Black Lives Matter campaign has shone on racism. We recognise our role and responsibility, as councillors and Norfolk County Council as a whole, to tackle racism locally, nationally and internationally.

Council notes:

Cabinet agreed on 6 July to Social Value in Procurement alongside the requirements of the Social Value Act and the public sector equality duty requiring public bodies to have due regard to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their duties.

In December 2019 Cabinet agreed to conduct a review of how the Council works and communicates as an organisation in order to identify any unconscious or structural bias in the system.

In moving this work forwards Council resolves

- To Challenge racism through our actions, how we communicate and how we treat those who use services we provide
- To develop a training package on unconscious/structural bias, to equip elected members and staff with the tools to challenge all forms of prejudice and discrimination.
- To incorporate learning and development on white privilege and racism as part of engaging all staff and elected members
- Ask the Corporate Select Committee to undertake a systematic review of Norfolk County Council assets and links to ensure we are not unwittingly endorsing racist views
- To review progress on the work set out in the Council's equality, diversity and inclusion objectives for 2020/23 with a report back to a full Council meeting before the end of 2020.
- Promotion of the Stop Hate in Norfolk campaign
- Request the cabinet member for communities initiate a project to identify those from diverse backgrounds who have contributed to Norfolk and act as exemplary role-models for today, together with ways they can be celebrated. This will be particularly important during Black History Month and beyond to embed as 'business as usual'.

Procedure for Questions to Cabinet Members

Questions to the Cabinet Members for

- Strategy & Governance
- Growing the Economy
- Adult Social Care, Public Health and Prevention
- Children's Services
- Commercial Services & Asset Management
- Communities and Partnerships
- Environment & Waste
- Finance
- Highways, Infrastructure & Transportation
- Innovation, Transformation & Performance

A maximum overall period of 30 minutes shall be allowed for questions to Cabinet Members, to be extendable at the discretion of the Chair. Questions to Cabinet Members can relate to anything within the remit of the Cabinet Member's portfolio and are not limited to items in the Cabinet reports.

1. The Chair will begin Questions by inviting members to indicate in the chat function, if they wish to ask a question.
2. The Chair will select a member to ask their question and all other members wait until the Chair next invites questions. Questions will not be taken in a prescribed portfolio order and can be to any Cabinet Member.
3. For the first round, the Chair will follow the principle of selecting the first questioner from the Labour Group, followed by the Liberal Democrat Group, the Independent Group, the Non-Aligned Member, then the Conservative Group. For the second round, the Chair will then revert to the Labour Group, the Liberal Democrat Group, the Independent Group and the Conservative Group. For the third round, the Chair will revert to the Labour Group, the Liberal Democrat Group, the Independent Group and the Conservative Group, etc.
4. The session will be timed by Democratic Services officers, who will notify the Chair that the time is up. If a question is being asked at the point at which time is up, the Chair will allow the question to be completed and the answer to be given.
5. Questions should be asked succinctly and in a business-like manner. They should not be preceded by lengthy preambles. Similarly, answers should be given succinctly, so that there is sufficient time for a reasonable number of questions to be dealt with. The Chair of the Council will be prepared to intervene if he considers this principle is not being adhered to.

Report of the Scrutiny Committee meetings held on 23 September 2020 and 21 October 2020

Items from the meeting of 23 September 2020

- 1 Call in: County Council Highway Authority - Planning Consultation response to South Norfolk Planning Application 2018/2631**
- 1.1** The call-in related to an item of the Cabinet papers of 7 September 2020 entitled "County Council Highway Authority - Planning Consultation response to South Norfolk Planning Application 2018/2631." The call-in was about why the County Council had changed its highways view and about the evidence that Cabinet had used to reach its decision.
- 1.2 RESOLVED**
That the Committee note the report received from the Executive Director of Community and Environmental Services.
- 2 Banham Poultry Covid-19 Outbreak**
- 2.1** The Committee received a report by the Director Public Health and the Head of Paid Service that explained the Covid-19 outbreak at Banham Poultry and the measures that Norfolk County Council and partners had taken to contain the spread which had been reported to Cabinet.
- 2.2 RESOLVED**

That Scrutiny Committee

- 1. Note the significant response by Public Health Norfolk and of our partners in district councils, New Anglia Local Enterprise Partnership, the voluntary sector. along with regional and national government agencies, in working to contain a Covid-19 outbreak at Banham Poultry in Attleborough.**
- 2. Acknowledge, recognise and thank everyone associated with the large amount of work carried out by Norfolk County Council and partners (including the owners and managers of Banham Poultry) in containing this Coronavirus outbreak and in implementing Norfolk's Outbreak Control Plan.**
- 3. Continue to support and promote Protect Yourself, Protect Others Protect Norfolk public health messages to keep residents safe.**
- 4. Ask to hear back at a future meeting about the lessons learnt from the outbreak.**
- 5. Place on record thanks to the workers at Banham Poultry who, while not in a strong financial position, have shown an excellent example to other Norfolk residents about how to respond when faced with an outbreak of this kind.**
- 6. Ask that hospitals and employment agencies be alerted to the importance of keeping up to date information about those working in**

high risk industries.

3 Strategic and Financial Planning 2021-22

3.1 The Committee received a report by the Executive Director of Finance and Commercial Services and the Executive Director of Strategy and Governance about the development of the 2021-22 Budget.

3.2 RESOLVED

That Scrutiny Committee note the key issues for 2021-22 budget setting and the broad areas proposed for savings development asset out in the appended Cabinet report.

4 Children's Services Scrutiny Sub-Committee

4.1 The Committee received a report by the Executive Director of Strategy and Governance that asked Councillors to agree the most appropriate way forward for the scrutiny of Children's Services issues.

4.2 RESOLVED

That Scrutiny Committee agree

- 1. Scrutiny of Children's Services be undertaken by a Children's Services Scrutiny Sub Committee with the membership being: 5 Members (3 Conservatives, 1 Labour, 1 Lib Dem) (with substitution being permitted from the wider County Council membership than the Scrutiny Committee)**
- 2. The proposed programme of work and meeting dates outlined in the report.**

5 Scrutiny Committee Forward Work Programme

5.1 The Committee received a draft of the forward work programme.

5.2 RESOLVED

That the Scrutiny Committee agree the forward work programme as set out in a report by the Executive Director of Strategy and Governance subject to an opportunity at the October 2020 meeting (as part of an officer report) to examine the systemic issues that arise from ongoing outbreaks of Covid-19 in care homes and in public sector settings.

Items from the meeting of 21 October 2020

6. COVID 19 – Return to School Report

6.1 The Committee received a report and a presentation from the Executive Director of Children's Services that reviewed what had happened since schools returned in September and the role Children's Services had played in providing additional support. focussed on the key activity to support schools prepare to re-open to all children in September 2020. The Committee heard from the Director for Learning and Inclusion and Headteacher representatives from Headteacher Associations

who were present to answer questions from their perspective.

6.2 RESOLVED

- 1. That Scrutiny Committee note the report and the presentation and place on record thanks to the headteachers who had attended today's meeting for their help in answering Councillors questions.**
- 2. That the Scrutiny Committee ask that its thanks be passed on to all school teaching and support staff for the excellent work that they are doing in working together at this time.**
- 3. That the Children's Services Scrutiny Sub-Committee be asked to examine the following issues from today's meeting:**
 - Evidence from schools about the level of additional young peoples needs as a result of Covid-19 and how these additional needs impacted on pupil learning.**
 - The impact on learning of digital exclusion (including pupil confidence and their ability to use new technology).**
 - Details regarding the additional funding that would be made available to schools for the autumn term.**
 - A summary of comments that young people were making themselves about the impact of Covid-19 through the work of the Youth Advisory Board.**

7 COVID 19 – Support for Vulnerable People in our Communities

- 7.1** The Committee received a report and a presentation from the Executive Director of Adult Social Services that set out the winter challenges facing Adult Social Services, the lessons learnt from last winter and the ways in which Adult Social Services was closely engaged in system-wide planning for winter and associated COVID-19 recovery.

7.2 RESOLVED

- 1. That Scrutiny Committee note the report.**
- 2. That Scrutiny Committee note Cabinet planned to receive a report on winter resilience planning at its October meeting that picked up on Adult Social Services issues. The Scrutiny Committee would wait to see what was contained in that report before deciding how it wished to take the issue of support for vulnerable people in our communities further.**

8 Strategic and Financial Planning 2021-22

- 8.1** The Committee received a report by the Executive Director of Finance and Commercial Services and the Executive Director of Strategy and Governance about the development of the 2021-22 Budget. The report supported the Committee's scrutiny of the Council's process for developing the 2021-22 Budget, and in particular represented an opportunity for the Committee to consider the new budget proposals identified to date, the approach to public consultation, and the further actions required to deliver a balanced budget for the year.

8.2 That the Committee:

1. Note the Strategic and Financial Planning report to 5 October 2020 Cabinet (Appendix 1 to the report) including: a. the savings proposals developed to date to support the setting of a balanced budget for 2021-22; b. the planned next steps in the budget process for 2021-22 including the approach to public consultation and the development of further saving proposals; and c .the key areas of risk and uncertainty relating to the 2021-22 Budget.
2. Ask for a further report setting out the implications for Department budgets to be brought to the next meeting (for which there was insufficient time to consider at this meeting) and for that report to consider staffing implications.

9 **Scrutiny Committee Forward Work Plan**

9.1 **RESOLVED**

That the Scrutiny Committee agree the forward work programme as set out in a report by the Executive Director of Strategy and Governance subject to the Chair and Vice-Chair agreeing on how they wished to see Covid-19 related issues brought forward at future meetings and a report to the next meeting on the effects of Covid-19 on public transport and an update on developments regarding the Repton property company.

**Steve Morpew
Chair**

Report of the Corporate Select Committee meetings held on 14 September 2020 and 9 November 2020

Items from the meeting held on 14 September 2020

1 Business Transformation (Smarter Working) Programme Update

- 1.1 The Committee received a report about how the County Council and wider Norfolk Resilience Forum had put in place a 3-phased plan in response to the Covid-19 Pandemic that moved from response, through a period of normalisation, to recovery. It was expected that the normalisation period would extend well into 2021. The report described the current state of Business Transformation and the key focus areas for the next 6 months that arose from the extended normalisation phase.

1.2 The Committee RESOLVED

- 1. That in agreeing to the focus areas for the Council's Business Transformation over the next 6 months the Committee were keen to see progress in the following areas:**
 - greater collaboration and improvement of processes to secure additional inward funding through successful external funding bids;
 - the work to enable Districts to better detect and prevent council tax errors and fraud;
 - additional savings that can be made from the pace of digitisation;
 - current and future ways of working for Councillors, including future property use, will be channelled through Political Assistants.
- 2. To agree that a further report be made to Select Committee, with an updated plan that takes business transformation forward from the new baseline, in January 2021.**
- 3. To agree that a more detailed update in respect of the HR and Finance System Transformation Programme be brought forward to the November 2020 meeting.**

2 Digital Norfolk Strategy Progress Report

- 2.1 The Committee received a PowerPoint presentation (by Geoff Connell, Director of IMT and Chief Digital Officer) and a report (9) by the Executive Director of Finance and Commercial Services that detailed progress made in the delivery of plans to improve the availability and use of digital infrastructure, systems and data since the last update in January 2020.

2.2 The Committee RESOLVED

- 1. To give their full support to the good progress that is being made**

towards delivery of the Digital Norfolk Strategy.

2. **Agree to receive a further update report in January 2021 to consider and further refine the revised and extended Digital Norfolk Strategy for the 2020s.**
3. **For Councillors to receive an update outside of the Committee on how the Council is meeting My Norfolk response targets.**

3 Norfolk PLC Update and consideration of NCC recruitment

- 3.1 The report provided an update on activity to date, including key points from presentations that a cross-party Member Task and Finish Group (MTFG) (chaired by Cllr Ed Colman of this Committee) had received from New Anglia Local Enterprise Partnership and Norfolk Chamber of Commerce, as well as future research and development priorities proposed by the Group.

3.2 The Committee RESOLVED

To acknowledge and support the work that the Working Group has done to date and the feedback on the direction of travel and next steps.

4 Scope of Review of Unconscious and Structural Bias

- 4.1 The Committee was informed that the purpose of the review was to enable the Council to fully understand whether and to what extent there was or might be unconscious or structural bias in how it worked or communicated as an organisation. The County Council had agreed a motion on equality, diversity and inclusion at Full Council on 20 July 2020.

4.2 The Committee RESOLVED

1. **To agree the scope of the review, as set out in the report.**
2. **To agree the outline timetable for the review and that initial findings will be brought to Select Committee to review and consider.**

5 Strategic Asset Management Framework

- 5.1 The Committee received a report by the Executive Director for Finance and Commercial Services. The Head of Property advised that officers across the Council were considering their services' medium-term property requirements following Covid-19 guidance and how Smarter Working could enable better ways of working. These conversations were scheduled to continue through September and October 2020. Councillors spoke about the impact of Covid-19 and supported a further meeting of the Working Group.

5.2 The Committee RESOLVED

To note the update on key activity set out in the report and request a further meeting of the Working Group.

6 Norfolk County Council Budget Planning 2020-21

- 6.1 The report set out the latest information about the 2021-22 Budget in order to

support Select Committee discussion and enable them to provide input to the October meeting of Cabinet to inform budget decisions. A similar report was being presented to all the Select Committees. In response to questions the Chairman said that she had followed up on action agreed by the Select Committee in March 2020 regarding the additional use of LED street lighting. The Executive Director of Finance and Commercial Services confirmed that Cabinet had agreed to allocate an additional £8.5million in capital investment to LED street lighting.

6.2 The Committee RESOLVED

To note the key issues for 2021-22 budget setting and the broad areas proposed for savings development in relation to the services within the Select Committee's remit, in order to provide input to the October Cabinet meeting and inform saving proposals put forward.

7 Performance Reporting Framework: proposal to develop a new reporting mechanism and a new set of Corporately Significant Vital Signs

7.1 The report proposed the development of a new reporting mechanism and a new set of Corporately Significant Vital Signs that would provide key information on the Council's progress towards its strategic outcomes. The Chairman said that workshops detailed in the report were due to be held in late October 2020.

7.2 The Committee RESOLVED

- 1. Acknowledge the impact of Covid-19 on the revision of vital signs.**
- 2. Agree to a series of Member workshops as detailed in the 'Member Involvement' section of the report.**
- 3. Acknowledge and comment on the proposed reporting mechanisms.**

8 Corporate Select Committee Forward Work Plan

8.1 The Committee RESOLVED

- 1. To agree that meetings are structured as set out in the note.**
- 2. To endorse the areas of focus for future meetings subject to any changes by the Chair and Vice Chair to accommodate the review of the Council's constitution at the November 2020 meeting.**

Items from the meeting held on 9 November 2020

9 Human Resources and Finance System Transformation Project – Update

9.1 The report provided an update on the actions that were taken since the last substantive report on this subject in July 2020.

9.2 The following are the key points:

- Go-live date for the project of October 2021 would be delayed until November 2021 because of the impact of Covid-19 on the ability of all parties (system supplier, systems implementers and NCC) to deploy

resources as originally planned.

- Member workshops were held in October 2019 and February 2020 to engage Members in the scope of the programme, the technology available and the opportunities presented to transform service delivery and realise savings.
- Work was taking place to identify all stakeholder groups and workshops to consider the business impacts in detail were taking place to develop action plans to take forward.
- The Programme has progressed into its implementation phase with activity being focussed on:
 - Identifying the specific configuration, required to support realising the strategic benefits and savings associated with the system implementation.
 - Aligning to the configuration decisions and understanding the business adoption required to gain full benefit of the configured solution.
 - Ensuring that business adoption is planned appropriately, and stakeholders involved in the system implementation identified.
- The overall budget was currently on track, with some pressures on project team costs because of needing to engage Agency workers in key roles, where direct recruitment had not proved possible.
- The retention of agency staff with very specific skill sets required to deliver the programme was being carefully reviewed and steps were being taken to mitigate against this risk wherever possible.
- It was confirmed that a Programme Director had been appointed to the programme and that arrangements for the appointment of a Business Change Partner were in place with the contract due to be awarded by 24 November.
- Members of the Committee noted that this was a complex subject area that needed to be made easier to understand. It was suggested that future reports should show progress not only in terms of the programme timetable but also provide further detail for the implementation stage activities.
- The Committee asked to be kept informed of developments regarding the above-mentioned points at its next meeting.

9.3 The Committee **RESOLVED**:

To acknowledge and support the work completed to date, the next steps as described in the report and to ask for an assurance about the use of agency workers to fill critical roles in the Programme Team and for this to be added as part of reporting of Risk RM027 : Risk of failure of new HR and Finance system implementation.

10 Recruitment update – Norfolk County Council

10.1 Committee received an update on progress to develop the Norfolk County

Council recruitment brand and requirements to attract the right talent and skills. A presentation was provided on this work and insights between March and August 2020 with comparisons back to 2019.

10.2 Committee agreed with the key priorities that were set out in the report, namely:

- Targeted attraction campaigns to increase applications for challenging roles to fill using specific recruitment marketing activity to reach our target audience. An example includes reaching out to underrepresented groups through our Firefighter campaign to increase diversity.
- Review end to end recruitment to reduce time to hire from its current timeline of 37 days using remote interviewing. Reducing time to hire can reduce temporary employment costs of agency workers.
- Continue to develop our careers pages to engage a wider audience of “Our Deal”
- Develop our offer as an inclusive employer enabling our colleagues to thrive in a workforce that is representative of the diverse communities, we serve.
- Implement functionality to support recruiting managers with higher volumes of applications due to the current job market.

10.3 **The Committee RESOLVED:**

To acknowledge the many insights that the report provided into the Council’s recruitment requirements, the good progress that was being made to meet those requirements and agreed the priorities that were identified in the report.

11 **2020 Staff Survey Report and Next Steps**

11.1 The Committee received a report that explained:

- The framework used to engage managers and staff with the 2020 Survey Results
- Learning from the 2019 staff survey.
- The impact of running the survey during the pandemic.
- Findings from the 2020 Survey.
- The impact to date following 2 Staff Surveys.

11.2 In summary, the Committee acknowledged the consequences of the pandemic that meant the survey response rate for front-line staff was lower as their focus was elsewhere, but that 43 of the 46 Service Areas had statistically robust results with good overall response rates. The Committee heard that solutions were being found for staff working from home who had specific health wellbeing requirements and was also pleased to hear that the Council was being held up nationally as an exemplar of how to run such a survey.

11.3 **The Committee RESOLVED:**

1. **To acknowledge the key messages from the survey and how they were being recognised and acted upon.**

- 2. To support the steps being taken to improve the performance, engagement and wellbeing of colleagues.**

12 Customer Services update

12.1 The Committee received a report and a presentation that provided an update on the work to date in support of the response to Covid-19 and identified some considerations for the Customer Service Strategy,

12.2 Some of these considerations included:

- Increased use of digital channels.
- Additional duties to support Public Health in the medium term.
- Resetting the service proposition for Norfolk County Council and the development of a service standard.

12.3 Members were invited to attend workshops to further input to and develop the Customer Service Strategy for 2020-2025. Dates would be circulated.

12.4 The Committee RESOLVED:

- 1. To acknowledge the work carried out so far in responding to Covid-19, and considerations and emerging themes for the Customer Service Strategy.**
- 2. To ask for the Customer Service Strategy to be added to March 2021 on the Forward Work Plan.**
- 3. Members to be invited to attend workshops to further input to and develop the Customer Service Strategy 2020-2025.**

13 Proposed Amendments to the Council Constitution

13.1 The Committee received and debated proposed changes to the Constitution. The Committee's recommendations are included in a separate report.

14 Corporate Select Committee Forward Work Plan

14.1 The Committee RESOLVED

- 1. To endorse the areas of focus for future meetings subject to the changes that came out of today's meeting regarding reports to meetings in January 2021 and March 2021 on the constitution, a report to the March 2021 on the Customer Services Strategy and the Review of Unconscious and Structural Bias in January 2021, if possible.**

**Cllr Karen Vincent, Chairman
Corporate Select Committee**

Report of the Infrastructure and Development Select Committee Meeting held on 16 September 2020 and 11 November 2020

A Report from the meeting held on 16 September 2020

1. Highways England – A47 (Presentation)

- 1.1 The Chairman welcomed Peter Havlicek, Programme Leader for the A47 schemes, Regional Investment Programme (East), Highways England to the meeting.
- 1.2 The Committee received a presentation from Highways England.
- 1.3 The Committee NOTED the presentation and thanked Highways England for attending.

2. Highway & Transport Network Performance

- 2.1 The Select Committee received the report by the Executive Director of Community and Environmental Services providing an annual summary of how the Council was managing its highway assets and network.
- 2.2 The Select Committee:
NOTED the progress against the Asset Management Strategy Performance framework and the continuation of the current strategy and targets (Appendix A, B and C).
NOTED the journey time reliability and congestion summary produced in the report at Appendix D.
SUPPORTED the development of new local performance indicators to monitor journey time reliability, congestion levels and ease of access to be reported annually in future highway network performance reports.

3. Waste Disposal Authority Update

- 3.1 The Select Committee received the report by the Executive Director of Community & Environmental Services highlighting the activities of the County Council in its role as the Waste Disposal Authority for Norfolk, including planned improvements to the recycling centre network, detail on current performance of the recycling centres including the latest on improved customer satisfaction and the response to Covid-19 and the latest on waste reduction initiatives including work on single use products.
- 3.2 The Select Committee considered the report and RESOLVED to:
1. Note the update.

2. In accordance with the County Council's second Waste Policy to review the arrangements for the 'incineration of waste or fuel derived from waste' outside Norfolk set out in paragraph 7.4 of the report.
3. **Support** a strong response to national consultations on emerging waste policy that is in line with the County Council's waste policies and Environmental Policy.

4. Norfolk County Council Budget Planning 2020-21

4.1 The Select Committee received the report by the Executive Director of Community & Environmental Services which formed an important part of the process of preparing the 2021-22 budget, and represented a key opportunity for the Committee to provide views on the approach to developing budget proposals.

4.2 The Select Committee considered the report and, with the exception of Cllr Colleen Walker; Cllr Danny Douglas and Cllr Brian Watkins who abstained from voting, **RESOLVED** to:

Note the key issues for 2021-22 budget setting and the broad areas proposed for savings development in relation to the services within the Select Committee's remit, in order to provide input to the October Cabinet meeting and inform savings proposals put forward.

5. Forward Work Programme

5.1 The Select Committee received the report by the Executive Director of Community & Environmental Services setting out the Forward Work Programme for the Committee to enable the Committee to review and agree it.

5.2 The Select Committee reviewed the report and **RESOLVED** to

Agree the Forward Work Programme for Infrastructure & Development Select Committee with the additions set out in paragraphs 11.2 and 11.3 above.

B Report from the meeting held on 11 November 2020

1. Environmental Policy - Update

1.1 This current report provides a further update for the Infrastructure and Development Committee including progress with carbon reporting, tree planting, a concept for a land management exemplar project and the timetable for internal engagement with staff and members.

1.2 The Select Committee **RESOLVED**
To Review and comment on progress to date to deliver the objectives of the Environmental Policy.
To note the timetable and actions to engage and consult across the whole organisation on carbon reduction measures

2. Current Position of the Norfolk Economy

- 2.1 The Select Committee received the report which shows how large the impact of Covid -19 has been on people and business in the county. It also summarised the substantial response to the challenge and how NCC had moved quickly to plan the support for the economy, introducing programmes and fast-tracking project delivery to revive the economy.
- 2.2 The Select Committee **RESOLVED** to
1. To note the impact of COVID-19 on the Norfolk economy and the measures being taken to mitigate
 2. To Acknowledge the work done to date and the direction of travel of the Council's economic recovery work

3. Norfolk Strategic Infrastructure Delivery Plan (NSIDP)

- 3.1 The Committee received the annual report which outlined Norfolk's high-level strategic infrastructure priorities for the next 10 years, pulling together information on key projects needed to support planned development and deliver economic growth in Norfolk.
- 3.2 The Committee **RESOLVED** to:
Review and comment on Norfolk Strategic Infrastructure Delivery Plan set out in Appendix A, prior to consideration by Cabinet.

4. Local Flood Risk Management Strategy Review

- 4.1 The Select Committee received the report which explained that Officers had reviewed the existing policies in the Local Flood Risk Management Strategy against new and emerging national strategies and policies. This had resulted in the proposal of 3 new policies and minor updates to our existing policies. These proposed changes had been shared with Risk Management Authorities across Norfolk for comment.
- 4.2 The Committee **RESOLVED**:
To support the draft new policies and amended existing policies for the Local Flood Risk Management Strategy for adoption by Cabinet with amendments made following a public consultation.

5. CES Enforcement Policy

- 5.1 The Select Committee received the report which outlined that the Policy had been reviewed and updated to reflect recent changes to legislation and guidance. A revised CES Enforcement Policy which was attached as an Appendix had been produced, with proposed changes highlighted in yellow, supported by explanatory notes. Once adopted, the Policy would be published via the NCC web pages.
- 5.2 The Committee **RESOLVED**:
1. To review and comment on the revised CES Enforcement Policy at Appendix A and its annex documents (A-1 to A-6), prior to consideration by Cabinet
 2. To note the 2019/20 enforcement performance data provided at Appendix B, and

summary of stakeholder engagement at Appendix C.

6. Forward Work Plan

- 6.1 The Committee received the report which set out the Forward Work Programme for the Committee to enable the Committee to review and agree it.
- 6.2 The Committee **REVIEWED** and **AGREED** the Forward Work Programme for the Select Committee.

**Cllr Barry Stone, Chair
Infrastructure and Development Select Committee**

Report of the People and Communities Select Committee meeting held on 18 September 2020

1. Adult Social Care Winter Resilience Planning

- 1.1 The Committee received the report setting out development of the Adult Social Services winter plan which included intentions for service delivery and design during the 2020/21 winter period to prepare the organisation to maintain high quality and safe service provision during winter and support system partners to deliver effective flow between providers.
- 1.2 The Committee **DISCUSSED** and **NOTED** the emerging winter planning arrangements in the report and Appendix 1 of the report.

2. Carers Charter Working Group

- 2.1 The Committee received the report setting out a proposal to update the Terms of Reference for the Carers Charter Working Group to make it a formal working group of the People and Communities Select Committee that will oversee the pledges made within the charter and promote the principles of the charter.
- 2.2 The Committee **AGREED** the Carers Charter Task and Finish Group be made a working group of the People and Communities Select Committee for the purpose of overseeing the pledges made within the Charter and promoting the principles of the charter across Norfolk, as set out in Appendix A of the report.

3. Educational Achievement of Boys

- 3.1 The Committee considered the report setting out how successes in raising outcomes in Early Years would be built on so that more boys enter school with the language skills they need to learn effectively. It describes how a refreshed approach to school improvement, enabled by a new Norfolk Commissioning Hub and a realignment of teaching and learning advisers, will better support improvement in the school system.
- 3.2 The Committee:
 1. **NOTED** how education outcomes for boys and girls vary in Norfolk and nationally and the impact this has on their futures
 2. **CONSIDERED** the strategies proposed to support improvement in teaching and learning across Norfolk, and their alignment in raising outcomes for boys

4. Norfolk County Council budget planning 2020-21

- 4.1 The Committee received the report setting out the process of preparing the 2021-22 Budget and providing a key opportunity for the Select Committee to provide views on the approach to developing budget proposals.
- 4.2 The Committee
 - **CONSIDERED** and **COMMENTED** on the key issues for 2021-22 budget setting and

the broad areas proposed for savings development in relation to the services within the Select Committee's remit, in order to provide input to the October Cabinet meeting and inform saving proposals put forward.

- **RECOMMENDED** to Cabinet that they apply a precept to social care if the opportunity is offered by Government

5. Forward plan

- 5.1 The Committee considered and **agreed** the forward plan with additional items requested for future meetings.

**Cllr Shelagh Gurney, Chair
People and Communities Select Committee**

Report of the Norfolk Health Overview and Scrutiny Committee virtual meeting held on 8 October 2020

A: Meeting of 8 October 2020

1. Cancer Services

- 1.1 The Committee received the report examining the situation regarding provision of cancer services in Norfolk and Waveney in light of Covid-19, including cancer screening, diagnostic and treatment services and listened to a verbal presentation from Healthwatch Norfolk on their research on people's experience of cancer services in Norfolk and Waveney.
- 1.2 The Norfolk and Waveney Overview and Scrutiny Committee (NHOSC):
- **ASKED** Norfolk and Waveney CCG to provide data on the level to which cancer diagnostic services (e.g. gastroscopy, endoscopy & flexible sigmoidoscopy), at each of the acute hospitals in Norfolk & Waveney are operating compared to pre-Covid levels (i.e. expressed as a percentage of the full operating level).
 - **AGREED** that the NHOSC would receive an update at a meeting in 9 months' time focusing on:
 - i. The impact of Covid 19 on backlogs and waiting times within screening, diagnosis and treatment services
 - ii. The impact on cancer patient outcomes in Norfolk and Waveney
 - iii. Measures to encourage people to come forward for screening, particularly those who are vulnerable and need support
 - iv. Effectiveness of the measures to encourage people to come forward for screening.
 - **ASKED** for an update on cancer workforce, to be included in the workforce update in Spring 2021.

2. Childhood Immunisations

- 2.1 The Committee received the report examining how the local NHS was managing provision of childhood immunisations in Norfolk and Waveney in a Covid-safe manner and what could be done to improve the take-up rate for childhood immunisations.
- 2.2 The Norfolk Health Overview and Scrutiny Committee:
- **REQUESTED** an annual update on childhood immunisation take-up rates in the NHOSC Briefing.

3. Ambulance response and turnaround times

- 3.1 The Committee received the report examining action to improve ambulance response and turnaround times since September 2019 and preparations for winter 2020-21 in light of Covid-19.

The Chairman gave a statement to the Committee about the recent CQC (Care Quality Commission) inspection of the East of England Ambulance Service NHS Trust (EEAST) in June 2020 at which the CQC had issued urgent notices for EEAST to take action and recommended it be put in Special Measures.

3.2 The Norfolk Health Overview and Scrutiny Committee:

- **ASKED** EEAST to provide additional information on the reasons they use the GoodSAM app but do not use the local volunteer emergency system (VETS)
- **ASKED** EEAST and the CCG to return to NHOSC in 6 months' time with:
 - i. An update on what has been done to address the CQC concerns about EEAST (i.e. in the September 2020 CQC report, including safeguarding of patients and staff). To include an explanation of the concerns in relation to Norfolk and Waveney, why the concerns persisted for so long, what EEAST has learned from the situation and its changes to policies and practices.
 - ii. A progress report on the measures being put in place to improve the emergency response to patients with mental health requirements, including data on the effect of those measures and an explanation of why the past concerns about the service for patients with mental health emergencies have persisted for so long and what has been learned.
- **ASKED** the CCG, EEAST and NNUH representatives present at the meeting to develop workstreams to support care leavers into the public service workforce (the QEH has already done work on this).

4. **Forward Work Programme**

- 4.1 The Norfolk Health Overview and Scrutiny Committee reviewed the forward work programme and agreed additional items to add for future meetings.

**Cllr Penny Carpenter, Chair,
Norfolk Health Overview and Scrutiny Committee**

Report of the Health and Wellbeing Board Meeting held on 14 October 2020

1. Election of Chair

- 1.1 Cllr Bill Borrett was duly elected as Chairman of the Health and Wellbeing Board for the ensuing Council year.

2. Election of Vice-Chairs

- 2.1 Cllr Yvonne Bendle was duly elected as Vice-Chair of the Health and Wellbeing Board representing District Councils for the ensuing Council year.
- 2.2 Tracy Williams was duly elected as Vice-Chair of the Health and Wellbeing Board representing the CCG for the ensuing Council year.

3. Health and Wellbeing Board Governance Update

- 3.1 The Health and Wellbeing Board received the report asking them to ratify an amendment to its membership to extend a standing invitation to a representative of the East of England Ambulance Trust recommended by the Chair and Vice-Chairs of the HWB.
- 3.2 The Health and Wellbeing Board **AGREED**:
- a) to **RATIFY** the decision of the HWB Chair and Vice-Chair Group to extend a standing invitation to a representative of the East of England Ambulance Trust to attend HWB meetings.
 - b) At its next review, that Norfolk County Council be **ASKED** to consider amending its constitution to enable the East of England Ambulance Trust to become a formal member of the HWB (*recommendation to be taken in 2021*)

4. Covid-19 Health Impacts

- 4.1 The Health and Wellbeing Board received the report providing an update on Norfolk's approach to the pandemic and heard a presentation by a Public Health Consultant.
- 4.2 The Health and Wellbeing Board **ACCEPTED** the presentation on Covid-19 health impacts on Norfolk.

5. People's experience of the Covid-19 pandemic

- 5.1 The Health and Wellbeing Board received the report collating and summarising the various pieces of research and engagement that had been conducted and the findings of this work which had been shared widely to inform operational decision-making, shape the development of our phase three response to the pandemic and guide our partnership's longer-term strategic planning. A

presentation was given on the research which had been carried out.

- 5.2 The Health and Wellbeing Board **ACCEPTED** the report, People's experience of health and care services during the COVID-19 pandemic.

6. System Resilience Planning 2020/21

- 6.1 The Health and Wellbeing Board received the report and heard a presentation highlighting the work in progress for planning for winter 2020/21, alongside the main challenges, learning and themes which are being addressed.
- 6.2 The Health and Wellbeing Board **READ** and **COMMENTED** on the emerging winter planning arrangements in the report and Appendix 1 of the report.

7. Health & Care Partnership for Norfolk & Waveney – Becoming an Integrated Care System (ICS)

- 7.1 The Health and Wellbeing Board received the report and heard a presentation providing an update on progress being made and next steps towards development of an integrated care system for Norfolk and Waveney.
- 7.2 The Health and Wellbeing Board **AGREED** the Health and Wellbeing Board's continued support of the development of the ICS for Norfolk and Waveney.

8. Adult Safeguarding Annual Report

- 8.1 The Health and Wellbeing Board received the report discussing the Norfolk Safeguarding Adults Board Annual Report and setting out some of the activity and impact the pandemic had had on safeguarding.
- 8.2 The Health and Wellbeing Board **ENDORSED** the annual report

9. Children's Safeguarding Annual Report

- 9.1 The Health and Wellbeing Board received the report setting out the Children's Services Annual Report, which highlighted children's safeguarding across 2019/20 and a summary of the safeguarding system's response to Covid-19 and its plans for recovery.
- 9.2 The Health and Wellbeing Board **ENDORSED** the annual report

Cllr Bill Borrett
Chair, Health and Wellbeing Board

Report of the Audit Committee Meeting held on 15 October 2020

- 1 **Norfolk County Council and Norfolk Pension Fund Audit Results Reports – Audit Committee Summary for the year ended 31 March 2020.**
 - 1.1 The Committee received the report by the Executive Director of Finance and Commercial Services introducing the External Auditor's (Ernst & Young) Norfolk County Council and Norfolk Pension Fund Audit Results Reports – Audit Committee Summary for the year ended 31 March 2020.
 - 1.2 The Committee welcomed David Riglar and Mark Hodgson from Ernst & Young to the meeting.
 - 1.3 The Committee was pleased to note an Unqualified Audit Opinion from the External Auditors for the Norfolk County Council and Norfolk Pension Fund Accounts 2019-20.
 - 1.4 The Committee considered the report and **RESOLVED** to **note**:
 - The matters raised in the Ernst & Young Norfolk County Council and Norfolk Pension Fund Audit Results Reports before Ernst & Young issue their audit opinions.
- 2 **Annual Statement of Accounts and Annual Governance Statement 2019-20**
 - 2.1 The Committee received the report by the Executive Director of Finance & Commercial Services presenting Norfolk County Council's Annual Statement of Accounts and Annual Governance Statement 2019-20.
 - 2.2 The Committee considered the report and **RESOLVED** to:
 1. **Agree** that, following annual reviews, the systems of internal control and internal audit are considered adequate and effective;
 2. **Approve** the Annual Governance statement;
 3. **Note** the non-material audit differences set out in paragraph 6 of the report, with further details in paragraph 6.6 of the Annex to the report;
 4. **Approve** the Council's 2019-20 Statement of Accounts on the basis that they may be subject to non-material amendments and clarifications resulting from further audit work prior to certification by the Executive Director of Finance and Commercial Services after consultation with the Chair and Vice-Chair of the Audit Committee.

3 Audit Letters of Representation 2019-20

- 3.1 The Committee received the report by the Executive Director of Finance and Commercial Services introducing the audit letters of representation of Norfolk County Council and of Norfolk Pension Fund for 2019-20.
- 3.2 The Committee noted that the two draft Letters of Representation in respect of the Norfolk County Council and Norfolk Pension Fund would be updated to reflect the views of the External Auditors when they had completed their work, and would be signed by the Chair and Executive Director of Finance & Commercial Services when they were ready.
- 3.3 The Committee considered the report and **RESOLVED** to:
- **Note** the unadjusted audit differences set out in paragraphs 6.2 and detailed in paragraph A5 and A7 of the draft Letters of Representation attached to the report.
 - **Endorse** the Letters of Representation in respect of the Pension Fund and of Norfolk County Council and, on the basis that they may be subject to non-material amendments and clarifications resulting from further audit work prior to signature, delegate the Chair of the Audit Committee and Executive Director of Finance & Commercial Services to sign the letters on behalf of the Council.

4 Norfolk Audit Services Report for the Quarter ending 30 September 2020.

- 4.1 The Committee considered the report by the Executive Director of Finance & Commercial Services updating it on the overall opinion on the effectiveness of risk management and internal control and setting out the work to support the opinion and any matters of note.
- 4.2 The Committee considered the report and **RESOLVED** to:
- **Agree** the key messages featured in the quarterly report; that the work and assurance meet their requirements.

5 Risk Management

- 5.1 The Committee considered the report by the Executive Director of Finance and Commercial Services referencing the corporate risk register as it stood in October 2020, following the latest review conducted during September 2020.
- 5.2 The Committee considered the report and **RESOLVED** to **agree**:
- The key messages as per section 2.1 of the report.
 - The key changes to the generic corporate risk register (Appendix A)
 - The corporate risk heat map (Appendix B)
 - The latest generic corporate risks (Appendix C)
 - Scrutiny options for managing corporate risks (Appendix C)
 - Background Information (Appendix E).

6 Work Programme

- 6.1 The Committee considered and **noted** the report by the Executive Director of Finance and Commercial Services setting out the work programme.

Ian Mackie
Chairman, Audit Committee

Report of the virtual Planning (Regulatory) Committee Meetings held on 16 October 2020

A: Meeting of 16 October 2020

- 1 **FUL/2019/0067: Ernest Gage Avenue, Longwater Industrial Estate, Costessey, Norwich, Norfolk, NR5 0TL**
- 1.1 The Committee received the report for the application for planning permission for construction and operation of a new industrial building (B2) to house the operation of a Waste Transfer Station, a vehicle depot and ancillary development; the proposed waste transfer station would manage non-hazardous municipal, commercial and industrial waste and construction of a new industrial building which would house the operations and relocation of the applicant's existing vehicle depot from elsewhere within the Longwater Estate.
- 1.2 With 8 votes for and 3 against, the Committee **RESOLVED** to **APPROVE** that the Executive Director of Community and Environmental Services be authorised to:
 - I. Grant planning permission subject to the conditions outlined in section 11.
 - II. Discharge conditions where those detailed above require the submission and implementation of a scheme, or further details, either before development commences, or within a specified date of planning permission being granted.
 - III. Delegate powers to officers to deal with any non-material amendments to the application that may be submitted.

Colin Foulger
Chair, Planning (Regulatory) Committee

Report of the Norfolk Records Committee Meeting held on 30 October 2020.

1. To confirm Appointment of Co-opted Members

- 1.1 The Committee received the report asking them to consider the appointment of three Co-opted Members and one Observer Member (all without voting rights) for 2020/21
- 1.2 The Committee **APPOINTED**:
- Three Co-opted Members (all without voting rights) for the period 2020/21
 - Mr Michael R Begley
 - Prof Carole Rawcliffe
 - Mr Alan Steynor
 - One Observer Member (without voting rights) for the period 2020/21
 - Dr Victor Morgan

2. Finance and Risk

- 2.1 The Committee received the report outlining the Norwich Record Office revenue budget for 2020/21, capital programme and reserves and provisions and an update on the service risk register. The report also covered the 2021/22 budget and the general overview of the wider corporate budget position and the specific proposals relating to this committee that support closing the budget gap.
- 2.2 The main issues were:
- Progress with NRO Revenue budgets, capital programme and Reserves and Provisions indicated that the service was forecasting a balanced position.
 - Progress with risk management for NRO.
- 2.3 The Committee **CONSIDERED** and **COMMENTED** on:
1. Forecast position of the revenue budget, capital programme, reserves and provisions.
 2. Management of risk for 2020/21.

3 Performance Report

- 3.1 The Committee received the report providing information on the information on work carried out by the Norfolk Record Office over the last six months. This included information on educational activities, volunteer work, collection development, conservation and public access.
- 3.2 The Committee **CONSIDERED** and **NOTED** the actions taken by the Record Office to provide a service during this period and commented accordingly.

Michael Chenery of Horsbrugh, Chair,
Norfolk Records Committee

Report of the Norfolk Joint Museums Committee meeting held on 30 October 2020

1 Breckland Area Museums Committee Minutes

- 1.1 The Committee discussed and noted the minutes from the most recent meeting of the Breckland Area Museums Committee meeting.

2 King's Lynn and West Norfolk Area Museums Committee Minutes

- 2.1 The Committee discussed and noted the minutes from the most recent meeting of the King's Lynn and West Norfolk Area Museums Committee meeting.

3 Norwich Area Museums Committee Minutes

- 3.1 The Committee discussed and noted the minutes from the most recent meeting of the Norwich Area Museums Committee meeting.

4 Norfolk Museums Service – Finance Monitoring Report

- 4.1 The Committee received the report covering the Norfolk Museums Service budget out-turn for 2020/21 and details the latest monitoring position of the revenue budget, capital programme, reserves and provisions.
- 4.2 The main issues were:
- Monitoring of the NMS Revenue Budget indicated that the Service was currently projecting a number of significant pressures for 2020/21.
 - Latest monitoring position of NMS Capital Budgets.
 - Movements in NMS Reserves & Provisions.
- 4.3 The Committee **CONSIDERED** and **COMMENTED** on:
- **The latest monitoring position of the revenue budget, capital programme, reserves and provisions and forecast out-turn for 2020/21.**

5 Norfolk Museums Service – Risk Management

- 5.1 The Committee considered the report giving information from the latest Norfolk Museums Service risk register as at October 2020, aligned with and complementing the performance and financial reporting to the Committee. Since last reporting in August 2020, the Norfolk Museums Service has re-opened four museums following changes in national guidance, allowing museums to re-open. The necessary health and safety risk assessments have been completed and the physical environments adapted to safely accommodate staff and visitors.

5.2 The Committee **CONSIDERED** and **AGREED**:

The active and dormant risks as per appendices A and B of the report noting latest updates associated with the COVID-19 pandemic.

6 Performance and Strategic Update Report

- 6.1 The Committee discussed the report giving information on performance of Norfolk Museums Service over the current financial year 2020/21 including the Service's award-winning learning programmes and the Service's work with groups including Looked After Children, carers and foster families. The report also provided an update on all major projects, including the Norwich Castle: Gateway to Medieval England project and the National Lottery Heritage Fund supported youth development programme, Kick the Dust Norfolk.
- 6.2 Committee Members noted that many normal activities, including site visits and school visits, were severely impacted due to Covid-19. However Museum staff and volunteers had adapted very well to the major changes over the last 6 months and, overall, the Service continued to deliver strongly against many of its key objectives. Committee Members received a presentation about the new Adventure Playground at Gressenhall Farm and Workhouse.
- 6.3 The Committee **NOTED**:
- **an update on 2020/21 position in light of the impact of Covid-19.**
 - **Progress regarding development of the Norwich Castle: Gateway to Medieval England project.**
 - **Progress in terms of our key Arts Council England and National Lottery Heritage Fund programmes for 2020/21.**

John Ward
Chair

Reports of the Employment Committee Meetings held on 30 September and 3 November 2020

Meeting held on 30 September 2020

1. Employment Committee Terms of Reference

- 1.1 The Employment Committee was established with the change in governance arrangements which came into effect in May 2019. Brief Terms of Reference are included in the current Constitution however the Committee have agreed to widening the Terms of Reference to allow it to fulfil all the functions that would normally be delegated to an Employment Committee. It was noted that any changes to the Terms of Reference must be approved by full Council and a recommendation to Council is elsewhere on the agenda.

Meeting held on 3 November 2020

2. Appointment Panel for Senior Officer Recruitment

- 2.1 The current terms of reference of the Employment Committee state that it is responsible for “the appointment of the Head of Paid Service and Senior officers defined in the appendix to the Officer Employment Procedure Rules. This power includes the establishment of ad hoc Appointment Panels to discharge this function”. The Committee received a confidential report noting the requirement to appoint to an Executive Director post and agreed to the establishment of an appointment panel to make this appointment.
- 2.2 The Committee considered the confidential report and **RESOLVED**:
- To endorse the changes outlined in the report and appoint a Panel (politically balanced of 5 Members) to make the appointment.

**Andrew Proctor
Chairman**

Notice of Motions

Notice of the following motions has been given in accordance with the Council Procedure Rules:

- 1** **Proposer:** Cllr Ed Maxfield
 Seconder: Cllr Sandra Squire

Council notes the immense challenges faced by care workers in providing essential support to some of Norfolk's most vulnerable residents during the Coronavirus Pandemic and it thanks them for their hard work, bravery and compassion. To ensure that care workers are properly rewarded for the work they do, Council resolves to:

- Require that providers declare whether they pay the Real Living Wage to their staff; their policy on pay for travel time and supply of equipment; and their policy on pay for over-night care as part of their application for inclusion in the Council's Framework of providers. The Council will publish this information so that those purchasing care can take these factors into account when deciding on which organisations to commission
- Require officers to present a paper to the People and Communities Committee setting out a path towards signing up to Unison's Ethical Care Charter in full. If the costs involved in doing so exceed the Council's ability to fund the commitment, Council pledges to campaign actively for the Government for the increased funding needed, creating a level playing field and the highest standards possible for Adult Social Care

2 **Norfolk's Disabled Residents**

Proposer: Cllr Tim East
Seconder: Cllr Tim Adams

It is clear from the Covid pandemic that the people of Norfolk value and want to help those who are less fortunate and need support. The number of community groups that have sprung up to do so has been extraordinary.

Yet residents with disabilities tell us that they have lost all respect for Norfolk County Council in how they have been treated over the last two years. They point to:

- the council's failure to meet national standards for the completion of education and health care plans and the cost of having to appeal against that
- how hard it is in Norfolk for adults with learning disabilities to get paid employment compared to the rest of the country
- the Council's refusal to reverse its cuts to the Minimum Income Guarantee until the Government stepped in and the council used Covid money to fund it. This caused

months of anguish for the families affected and there has been no long term guarantee given

Added to this the Coronavirus Act - the emergency legislation the government passed at the beginning of lockdown - took away significant parts of councils' duty to provide care for disabled people.

Now is a good time to reassess how the council works with people with a disability so that the post Covid world can be better. We believe that people will strive to make the best of the opportunities presented to them, but only if sufficient barriers are removed. The role of the council is to remove these barriers.

Social research has shown that genuine co production delivers better outcomes, greater satisfaction from service users, and lower costs in the long-term. Services work best when they are designed *with* people, not dished out to them, or done for them.

More Councillors could also be involved and have a say than is currently the case with the reinstatement of the Councillors Strategic Equalities Group to look at and oversee the council's approach to equalities.

This Council, mindful of its public sector equality duty to eliminate discrimination and advance equality of opportunity for people with protected characteristics, including disabled people and families with young children **resolves to**

(A) acknowledge the comments of people with disabilities in Norfolk's communities and apologies for how they have been treated over the last 2 years

(B) agree that the Strategic Equalities Group should be reinstated with immediate effect to oversee the council's approach to equalities

(C) agree that greater emphasis should be placed on equality assessments when taking council decisions

(D) request that the Cabinet undertake an urgent review of how effective co-production has been in improving the lives of disabled people across Norfolk and what opportunities there are to make this process more effective.

3. Training and Development

Proposer: Cllr Steff Aquarone

Seconder: Cllr Brian Watkins

Helping Norfolk's economy rise up from the effects of Covid and the restrictions that have been placed on businesses needs all of the leadership and support the County Council can provide.

Part of that support should be to provide a tailored management training programme to the key sectors in Norfolk such as tourism, medical, research, elderly care, and arts and culture. The UK spends less money on management training than our global competitors and this programme would give Norfolk a chance to get ahead.

Improving profitability in this way makes it easier for companies to develop their own training and development strategies: Norfolk suffers from an exodus of young people, and struggles with recruitment that requires relocation. Having a strong and successful training strategy helps employers recruit people with skills, as well as those without, whether amongst graduates or people with more established careers.

There are insufficient networks and specialist associations to allow business owners to learn from each other, and even a lack of basic training and qualification opportunities in key vocational sectors like hospitality and social care.

We believe that Norfolk is full of untapped potential and that a new approach to management training and development is part of the response that is urgently needed.

This Council resolves to

(A) set up as a matter of urgency, a tailored management training programme to our key sectors (tourism, medical, research, elderly care, and arts & culture) alongside substantial communications work to highlight the availability of the programme to all businesses across Norfolk.

(B) undertake major communications work to ensure that as many of Norfolk's businesses know about this training and have the opportunity to sign up and benefit from it.

(C) supplement the free peer network programme and the general business support provided by the New Anglia growth hub for Norfolk and Suffolk. For a small cost it would give enormous benefits to helping Norfolk businesses to bounce back better.

4 Holiday Hunger

Proposer: Cllr Mike Smith Clare

Seconder: Cllr Danny Douglas

Council welcomes the additional funding from Government to help tackle holiday hunger this Christmas and congratulates Marcus Rashford on his campaign to persuade Government to change their mind.

Council believes all this money should be spent in line with the terms and timescales set out for use of the funding and unless specified otherwise, the money should be distributed directly to schools based on the number of children at those schools in receipt of free school meals.

5. Holt Hall

Proposer: Cllr Mike Smith Clare

Seconder: Cllr Sarah Butikofer

Council believes Holt Hall is a valuable resource for young people in Norfolk and that any loss of service would be a huge loss to them, especially our more vulnerable and disadvantaged youngsters and those with Special Needs.

Council therefore believes no decision on the provision of outdoor learning from Holt Hall should be taken without a full public consultation and the opportunity for members to be

truly involved, not just briefed in accordance with the Local Member Protocol and accordingly resolves that

1. A full consultation exercise be carried out to inform any decisions taken by officers and the Cabinet
2. The Leader be requested to refer the final decision on the services provided from and the future of Holt Hall to full Council as part of the budget proposals for 2021/22
3. Further decisions on outdoor learning including the future of Whitlingham be subject to a similar consultation exercise.

6. Corporate Board

Proposer: Cllr Steve Morpew

Seconded: Cllr Emma Corlett

Council notes the constitution approved in 2019 includes several references, including the terms of reference and membership of the Corporate Board as Appendix 27 of the Constitution.

Council further notes that part of the terms of reference are "...whilst the aim will be to publish actions arising from each meeting, publishing all papers and minutes may prejudice the effective conduct of public affairs."

Council further notes the Corporate Board "has a strong relationship with other governance arrangements, to inform decision making and progress delivery at pace" and believes this can only be achieved where Corporate Board papers that are not restricted by virtue of the public interest tests should be available to Council members and the public in accordance with the rules that apply to other information.

Council therefore requests the Leader to make all Corporate Board papers, including agendas, reports and minutes that have not been restricted by virtue of section 7 of Appendix 13 (Access To information Procedure Rules) in the Constitution, available to members in accordance within the protocol annexed to Appendix 13.

Recommendation from the Head of Paid Service

1. Pay Policy Statement 2020-21

- 1.1 Under the Localism Act 2011 each Local Authority is required to publish a Pay Policy Statement at the beginning of each financial year. The present statement was approved by full Council in April 2019.
- 1.2 The only substantive change from the 2019-20 version is in response to The Restriction of Public Sector Exit Payments Regulations 2020. This legislation came into force on 4 November 2020.
- 1.3 Our policy prior to that was that severance packages costing £100,000 or more were subject to approval by the Head of Paid Service in consultation with the Leader. Cabinet were notified if a payment over £100,000 was authorised.
- 1.4 Under the new Regulations payments to employees leaving the organisation must be capped at £95,000. For the purposes of the Regulations, payments include redundancy pay, pension strain costs (see 1.6), payments arising from settlement agreements and any other payment as a result of termination of employment.
- 1.5 A local authority can waive the cap in individual cases, but must have the approval of full Council.
- 1.6 The new Regulations conflict with Local Government Pension Scheme (LGPS) Regulations which state that if a member is made redundant or retires for business efficiency at age 55 or over they must take immediate payment of pension without reduction. Employers must make a payment to the Pension Fund in respect of the strain. This is a helpful tool to manage business change quickly.
- 1.7 The Government is consulting on changes to the LGPS to address the conflict. Proposals, if agreed, would apply to anyone aged 55 or over who is made redundant, not just those that exceed the £95,000 cap. Employees would either choose to give up their statutory redundancy payment to get their full pension, keep their redundancy payment and defer their pension to normal pension age, or get partially reduced pay and pension. Savings will therefore result.
- 1.8 Until LGPS Regulation changes are implemented employers can exercise discretion to waive the cap for cases that exceed £95,000 where required.

1.9 At the County Council, four cases have exceeded £95,000 since 2015, with two of those under £100,000.

1.10 Other amendments are to update terminology or make the statement clearer.

1.11 The Head of Paid Service has reviewed the draft statement and
RESOLVED to

- **RECOMMEND** the Pay Policy Statement 2020-21 (attached at Appendix A) to full Council for approval.

Tom McCabe
Head of Paid Service

NORFOLK COUNTY COUNCIL

Draft Pay Policy Statement 2020-2021

[Amendments are shown in bold/italics/underlined]

Approved by County Council on 23 November 2020

1. Introduction and Scope

- 1.1. Norfolk County Council is committed to accountability, transparency, equity and fairness in pay, reward and remuneration. This Pay Policy Statement outlines the Council's pay and reward policies for 20~~19~~**20**-20~~20~~**2021**. These ensure that pay and rewards policies are appropriate for the Council's aims, are competitive and affordable, and are consistently and equitably applied.
- 1.2. **The Pay Policy Statement fulfils the Council's statutory requirements under Chapter 8 of the Localism Act 2011.**
- 1.3. The policies referred to in this Statement are relevant to Council employees generally. However the scope of this Statement does not include all pay policies relating to certain categories of employees **whose pay arrangements are determined nationally**, including:
 - a) Fire-fighters (covered by the National Conditions for Local Authorities' Fire Brigades)
 - b) Teachers (covered by statutory School Teachers' Pay and Conditions)
 - ~~c) **Employees in schools**~~
 - d) Employees paid on national pay rates determined by the Soulbury Committee covering Education Improvement Professionals and Educational Psychologists
 - e) Employees in Public Health on NHS conditions of employment.
- 1.4. **As the Pay Policy Statement fulfils the Council's statutory requirements under Chapter 8 of the Localism Act 2011 the Act does not apply to local authority schools, information relating to the pay of support staff in schools is not included.**

2. Definitions

- 2.1. The Council defines the total employment package as consisting of both tangible and intangible elements. The pay policy statement focuses on the tangible pay and reward elements, including salary, allowances, benefits in kind, pension enhancement and payments relating to the ceasing of employment.
- 2.2. The Council defines "lowest paid employees" as staff paid on the first **spinal column salary** point of the County Council's pay grades for National Joint Council (NJC) for Local Government Services staff, as this is the lowest pay rate generally applied to NCC roles.

- 2.3. The Council **may** employ some apprentices under the national Apprenticeship framework, who are paid at less than the Council's minimum salary point, in line with the National Minimum Wage for apprentices set by the Department for Business, Innovation and Skills. The rates from April ~~2019~~**20** are from ~~£4,153.90~~ to ~~£8,728.21~~ per hour depending on age (equivalent to ~~£8,007 to £16,823~~ ~~£7,524 to 15,839~~ per annum for a 37 hour week).

3. The Council's Pay and Rewards Strategy

- 3.1. The Council's overall approach to pay and reward is set out in its [Pay and Rewards Strategy](#). The objectives set out in that document are to:
- Attract and retain people with the skills and talent the County Council needs to deliver excellent services in Norfolk.
 - Encourage and reward high levels of contribution, new ways of working, and relevant skills acquisition through experience and development, by employees at all levels.
 - Provide a fair system of reward for employees.
- 3.2. The Council's pay policies are designed to achieve those objectives within the Principles and Core Standards set out in the strategy. Pay policies, and strategy, are kept under review and updated from time to time as necessary.

4. Governance Arrangements

- 4.1. ~~In future, the~~ The Pay Policy ~~will be~~**is** approved by council and the Officer Employment Procedure Rules ~~will~~**provides** the delivery mechanism.
- 4.2. The Officer Employment Procedure Rules of the [Council's Constitution](#) provide for designated Senior Officers to take certain delegated decisions in relation to employment matters, within the policy framework approved by Council.

5. Publication of and access to information relating to pay

- 5.1. The Council publishes information about pay in accordance with statutory requirements, and the guidance of the Information Commissioner's Office and the Department of Communities and Local Government. Information is published on the [Council's website](#) and in the [Council's Statement of Accounts](#).

6. Basic Pay Determination

Pay levels for all employees are determined by the following:

- 6.1. The Council uses the **Korn Ferry (formerly known as Hay)** Job Evaluation Scheme to establish the relative "sizes" of jobs within the organisation. An evaluation results in an overall job evaluation score, which is used to rank jobs within the organisation. The overall job evaluation score for a job is used to allocate that job to the appropriate pay grade of the Council's [grade structure](#). For senior officers as defined in Part 6.4 of the [Council's Constitution](#) external evaluation specialists will be commissioned to independently review and

validate the job evaluation rationale, and the outcome is subject to approval by Council.

- 6.2. Appointment - The incremental point an individual will be appointed to within the grade will normally be the minimum of the scale. However appointment may be at a higher point within the scale where necessary to appoint the best candidate. In the case of ~~the defined s~~ **Senior Officers listed within the Constitution**, views of Members of the Appointments Panel will inform the decision.
- 6.3. ~~As t~~ **The arrangements for determining senior officer salaries are robust and transparent so the County Council has decided that former government guidance suggesting the County Council has a vote on individual salary packages prior to appointment would not add to democratic accountability, would cause delay in recruitment, and would not be an efficient process.**
- 6.4. Progression – all employees are eligible to receive annual incremental increases within the grade structure until they reach the top increment of the grade. There is no further base pay progression once the employee reaches the maximum spinal column point, or maximum of the grade range, for the role. Incremental progression may be withheld from an individual who has an action plan under the Council's policy for Dealing with unsatisfactory performance. New starters must complete a 6-month period before becoming eligible for incremental increases.
- 6.5. The Council's pay scale values are subject to annual review. For Norfolk grades from Scale A to Scale O, the Council applies the annual pay award agreed by the National Joint Council for local government services. For grades Scale P and above, (deemed Senior Officers) the County Council locally reviews pay levels annually having regard to national settlements covering local government and local affordability.
- 6.6. General Review - Pay levels are set with reference to a number of internal and external factors and market forces. Where a need is identified to review the levels of basic pay at all or some pay grades (for example in the light of sustained recruitment and retention difficulties), the Council will commission research into market levels. Any decision on changes as a result of this research would be considered by the Head of Paid Service, taking account of affordability. Any resulting changes would be reported to Cabinet.

7. Additional Pay Determination

- 7.1. In addition to basic pay the Council's reward package may include additional pay elements.
- 7.2. The Council will consider the payment of salary supplements in the event of external market pressures for recruitment and retention. Payments must be based on genuine objective grounds and driven by business requirements and not individual circumstances. Payments must be applied consistently based on sound, recognised and robust pay data in accordance with Equal Pay legislation and the **Equalities in Employment Policy**. Market supplements are

applied, reviewed and withdrawn in accordance with the Council's **Market Pay policy and procedure (Recruitment and retention)**.

- 7.3. There will be occasions where, due to the service needs, employees will temporarily be required to undertake work or perform beyond the normal remit of their substantive role (for example working to a higher level role or undertaking additional responsibilities). Payment for these extra duties will be made in accordance with the [Recognition Payments Policy and Procedure](#). All payments are regularly monitored and reviewed as outlined in the policy.
- 7.4. The County Council's recognition payment scheme, which allows a flat rate payment of up to £1000 in recognition of a particular "one-off" contribution or a substantially increased workload, applies to all staff, including Senior Officers. The decision to award a recognition payment to a Senior Officer would be taken by the Head of Paid Service in consultation with the Head of HR.
- 7.5. The County Council does not operate a performance pay scheme outside the incremental grading structure that determines basic pay and therefore there are no performance payments paid to employees of the Council.
- 7.6. Employees that are redeployed, due to redundancy or disability, to a post at a lower grade may be eligible for a redeployment compensation payment. This will be paid in accordance with the [Redeployment Policy and Procedure](#).
- 7.7. The Council employs the use of a number of additional allowances and enhancements to reflect and recompense for additional responsibilities, duties and working patterns. The eligibility to these enhancements varies depending upon the nature of the allowance or enhancement. The applicable principles, scope, eligibility, process and rates are detailed in the respective policy documents. These are kept under review and changes or additional policies would be approved by the Head of Paid Service.
- 7.8. The Council operates a Car Provision Scheme, which provides lease cars to employees on a contributory basis. This is restricted to employees that have to travel on a regular basis to fulfil the duties of their role.

8. Termination of Employment

- 8.1. The Council's policy on redundancy is contained within the [Staffing Adjustment Policy](#), which details the conditions under which redundancy payments can be made. Where an employee is made redundant, severance benefits will be based on the number of weeks in the statutory Redundancy Pay Table based on actual weekly earnings. Where full time weekly earnings are less than the statutory cap, employees will receive a rate equivalent to the statutory cap per week, pro rata for part time staff.
- 8.2. Membership of a pension scheme is determined by the relevant conditions of service and is subject to the rules of the specific scheme. The Council operates the Local Government Pension Scheme (LGPS) for most employees within the scope of this statement. Some employees may be members of the Teachers' Pension Scheme (TPS), the Fire Fighters Pension Scheme (now closed to new entrants) (FPS) and the New Fire Fighters Pension Scheme (NFPS).

- 8.3. The Council's practice for early termination of employment arrangements (for reasons other than redundancy) are detailed in the [Retirement policy and procedure](#); and any additional discretions under the pensions regulations for the LGPS are detailed in [Employer's Statement of Exercise of Discretionary Powers](#).
- 8.4. Only in very exceptional circumstances and where the business case supports it might the Council agree to any arrangements in relation to termination of employment outside those referred to above, to avoid or settle a legal claim.
- 8.5. The Council's policy on the employment of people retired on redundancy grounds from Norfolk County Council, or on ill-health or efficiency grounds from any local authority employment, is that any such case must show clear organisational and financial benefits to the Authority. Each case must be considered by the Head of HR. The remuneration on employment would be determined in the same way as for any other appointment.
- 8.6. **For the period 1 April to 3 November 2020, ~~W~~** where severance payments over £100,000 are due, these will be approved by the, Head of Paid Service in consultation with the Leader and the Cabinet will be advised.
- 8.7. **From 4 November 2020 the Restriction of Public Sector Exit Payments Regulations 2020 come into force and the Council will be required to apply the £95,000 exit payment cap. In exceptional circumstances Full Council may decide to waive the cap in accordance with the regulations and supporting guidance.**

9. Remuneration of staff on a Contract for Services

- 9.1. In common with any large organisation in the public or private sector, from time to time and on a temporary basis the Council needs to use interim staff who are not directly employed. In such cases the Council would not incur the costs of pension contributions, annual leave or sick pay.
- 9.2. This happens where we have a short term need for particular skills or where we are experiencing recruitment and retention difficulties. When we use interim staff they are usually sourced through specialist agencies.
- 9.3. In line with the Agency Workers Directive, the Council will aim to pay staff on a Contract for Services at a rate consistent with the pay and reward of the Council's directly employed staff performing a role of comparable responsibility. However, as with the employed workforce the Council retains the discretion to take into account market factors in determining the appropriate pay level, whilst demonstrating value for money for the remuneration offered.
- 9.4. The Council's guide to [Types of Temporary Resources](#) outlines the actions required when there is a requirement for interims or consultants. This confirms the financial threshold at which a business case will need to be submitted for Chief Officer approval and Member endorsement, prior to any contractual commitment.
- 9.5. Workers employed directly by the Council will be assessed to establish whether they fall within scope of the IR35 legislation using the HMRC employment

status tool. Workers that fall within scope will have Income Tax and National Insurance contributions deducted and paid over to HMRC.

10. Fairness in pay

10.1. As already stated, the Council recognises the importance of fairness in pay and utilises the following approaches to maintain this:

- a) the Council's pay and reward policies are applied equally to all employees, except where there are good reasons reflecting genuine factors which apply only to certain employee categories;
- b) the Council's **Personnel Committee Head of Paid Service** is responsible for setting the pay and conditions policies of all employees within the scope of this statement;
- c) the Council involves the workforce and trades unions in any proposals to change pay and rewards policies and practices. Regular consultation and negotiation take place on all employment matters, including pay and reward;
- d) all categories of employees are covered by recognised trades unions;
- e) the Council's approach to publishing information on pay is set out in paragraph 5.1 to ensure that pay policies are open to scrutiny.

10.2. The current ratio of the highest paid Officer's pay to the median pay in the organisation is published as set out in paragraph 5.1.

11. Review

The pay policy statement this year is reviewed by the **Personnel Committee Head of Paid Service** and is recommended to Full Council for approval. The statement for 20**20-21** was submitted to Full Council for approval in **April/November** 2020.

For queries contact hrstrategy@norfolk.gov.uk

County Council Elections May 2021 – Appointment of County Returning Officer.

1 Background and Proposal

The Representation of the People Act 1983 requires the County Council to appoint an officer of the Council to be the Returning Officer for elections of Councillors of the County.

The Head of Paid Service holds the appointment following the retirement of the Head of Democratic Services in April 2020. It is proposed that the Head of Governance and Regulatory Services should be appointed to carry out these duties forthwith and appoint Deputy Returning Officers in the County Council and District Councils to help her in discharging the functions of the role.

2 RECOMMENDATION:

It is **RECOMMENDED** that the Council appoint the Head of Governance and Regulatory Services to hold the post of County Returning Officer for the elections scheduled for May 2021 and for any subsequent County Council elections and by-elections.

County Council

Decision making report title:	Appointment of Statutory Scrutiny Officer
Date of meeting:	23 November 2020
Responsible Cabinet Member:	Cllr Andrew Proctor, Leader of the Council and Cabinet Member for Strategy & Governance
Responsible Director:	Fiona McDiarmid, Executive Director Strategy & Governance
<p>Introduction</p> <p>The County Council must appoint a named individual to the role of Statutory Scrutiny Officer to comply with legislation. The Head of Democratic Services held this role prior to retirement in April 2020, requiring Council to make a new appointment in order to comply with legislation.</p> <p>Executive Summary</p> <p>This report sets out the context for and purpose of a Statutory Scrutiny Officer and seeks approval from Council to appoint to this role.</p> <p>Recommendations</p> <p>1. To appoint the Head of Governance and Regulatory Services to the role of Statutory Scrutiny Officer.</p>	

1. Background and Purpose

The role of Statutory Scrutiny Officer is set out in the Local Government Act 2000 (following amendment pursuant to the Localism Act 2011).

The purpose of this role is to promote the authority's overview and scrutiny committee(s), to provide support to the authority's overview and scrutiny function and to local councillors and to provide guidance to members and officers of the council in relation to overview and scrutiny functions.

Note: the above paragraph paraphrases the role which is available to read in full under Section 9FB at this link: <http://www.legislation.gov.uk/ukpga/2011/20/schedule/2>

The Statutory Scrutiny Officer cannot be the authority's Head of Paid Service, the Monitoring Officer or the Chief Finance Officer.

The Head of Democratic Services held the role of Statutory Scrutiny Officer prior to retirement in April 2020. It is now recommended that the Head of Governance and Regulatory Services, who is responsible for the Council's Democratic Services function, should be appointed to the role.

2. Implications

Legal

Originally introduced by the Local Democracy, Economic Development and Construction Act 2009, the requirement for councils to appoint a Statutory Scrutiny Officer can now be found at Section 9FB of the Local Government Act 2000 (following amendment pursuant to the Localism Act 2011). Failure to appoint could lead to the Council being challenged for failing to meet its statutory duties.

Financial

There are no financial implications and no changes to current pay arrangements.

Staff

None

Recommendations

3.1 To appoint the Head of Governance and Regulatory Services to the role of Statutory Scrutiny Officer.

Officer Contact

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

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