

Scrutiny Committee

Date: **Wednesday 27 January 2021**

Time: **10 am**

Venue: **Virtual Meeting**

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, this meeting will be held using video conferencing.

The Scrutiny meeting will be broadcast live via this link

<https://youtu.be/-g2S5HJWmgc>

Scrutiny Members and other attendees: DO NOT follow this link, you will be sent a separate link to join the meeting.

Membership:

Cllr Steve Morphew (Chair)	
Cllr Alison Thomas (Vice-Chair)	
Cllr Steffan Aquarone	
Cllr Roy Brame	Cllr Joe Mooney
Cllr Emma Corlett	Cllr Judy Oliver
Cllr Phillip Duigan	Cllr Richard Price
Cllr Ron Hanton	Cllr John Timewell
Cllr Chris Jones	Cllr Haydn Thirtle

Parent Governor Representatives

Mr Giles Hankinson
Vacancy

Church Representatives

Mrs Julie O'Connor
Mr Paul Dunning

A g e n d a

1 To receive apologies and details of any substitute members attending

2. Minutes

(Page 5)

To confirm the minutes of the meeting held on 14 December 2020

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.

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, to a greater extent than others in your division

- Your wellbeing or financial position, or
- that of your family or close friends
- Any body -
 - Exercising functions of a public nature.
 - Directed to charitable purposes; or
 - 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 Public Question Time

Fifteen minutes for questions from members of the public of which due notice has been given. Please note that all questions must be received by the Committee Team (committees@norfolk.gov.uk) by **5pm on Friday 22 January 2021**. For guidance on submitting a

public question, please visit <https://www.norfolk.gov.uk/what-we-do-and-how-we-work/councillors-meetings-decisions-and-elections/committees-agendas-and-recent-decisions/ask-a-question-to-a-committee>

6 Local Member Issues/Questions

Fifteen minutes for local member to raise issues of concern of which due notice has been given. Please note that all questions must be received by the Committee Team (committees@norfolk.gov.uk) by **5pm on Friday 22 January 2021**

7 The deadline for calling-in matters for consideration at this meeting of the Scrutiny Committee from the Cabinet meeting held on Tuesday 12 January 2021 was 4pm on Tuesday 19 January 2021

8 Norfolk County Council's Response to the December 2020 Flooding Event (Page 12)

Report by Executive Director of Community and Environmental Services

9 Update on Provisional Local Government Finance Settlement 2021-22 (Page 25)

Report by Executive Director of Finance and Commercial Services

10 Covid-19– NCC response (Page 31)

Report by Director of Governance and Monitoring Officer

11 Scrutiny Committee Forward Work Plan To Follow

Report by Director of Governance and Monitoring Officer

Tom McCabe
Head of Paid Service
County Hall
Martineau Lane
Norwich
NR1 2DH

Date Agenda Published: 19 January 2021



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Scrutiny Committee

Minutes of the Meeting Held on 14 December 2020
at 2 pm as a virtual teams meeting

Present:

Cllr Steve Morphew (Chair)
Cllr Alison Thomas (Vice-Chair)

Cllr Steffan Aquarone
Cllr Roy Brame
Cllr Emma Corlett
Cllr Phillip Duigan
Cllr Ron Hanton

Cllr Joe Mooney
Cllr Judy Oliver
Cllr Richard Price
Cllr Dan Roper
Cllr Haydn Thirtle

Substitute Members present:

Cllr Mike Smith-Claire for Cllr Chris Jones

Parent Governor Representative

Mr Giles Hankinson

Also present (who took a part in the meeting):

Cllr John Fisher	Cabinet Member for Children's Services
Tim Eyres	Assistant Director Commissioning and Partnerships
Sarah Jones	Director of Commissioning, Partnerships and Resources
Stephen Sipple	Action for Children
Julie Mobbs	Action for Children
Penny Olivo	Action for Children
Sian Larrington	Cambridgeshire Community Services NHS Trust
Simon George	Executive Director of Finance and Commercial Services
Fiona McDiarmid	Executive Director of Strategy and Governance
Katrina Hulatt	Head of Legal Services
Karen Haywood	Democratic Support and Scrutiny Manager
Tim Shaw	Committee Officer

1. Apologies for Absence

- 1.1 Apologies were received from Cllr John Timewell, Dr Chris Jones (with Cllr Mike Smith-Claire as substitute), Mrs Julie O' Connor (Church Representative) and Mr Paul Dunning (Church Representative).

It was noted that Cllr Steffan Aquarone was unable to attend the meeting before the Committee began its deliberations of item 7 (Early Childhood and Family Service).

- 1.2 The Committee also received an apology from Sara Tough, Executive Director, Children's Services, who was unable to be present for item 7 (Early Childhood and Family Service).

2 Minutes

- 2.1 The minutes of the meetings held on 18 November 2020 were confirmed as an accurate record and signed by the Chair.

3. Declarations of Interest

- 3.1 Cllr Ron Hanton declared an "other interest" in item 8 because he was Chairman of Community Safety Great Yarmouth Ltd, a company that provided CCTV cameras in the town.

4 Urgent Business

- 4.1 No urgent business was discussed.

5. Public Question Time

- 5.1 There were no public questions.

6. Local Member Issues/Questions

- 6.1 There were no local member questions.

7 Early Childhood and Family Service

- 7.1 The Committee received a report and a slide presentation from the Executive Director of Children's Services, that explained the progress made to date in setting up Norfolk's new Early Childhood and Family Service and in developing wider system working to support families with children aged 0-5 years.

- 7.2 In addition to receiving a slide presentation from Tim Eyres (the Assistant Director of Children's Services Commissioning and Partnerships) the Committee heard from representatives of Action for Children (a UK children's charity committed to helping vulnerable children and young people and their families) and Sian Larrington of Cambridgeshire Community Services NHS Trust.

- 7.3 During discussion the following key issues were raised:

- Councillors were informed that Norfolk's Early Childhood and Family Service (ECFS) was launched on 1 October 2019 with the successful transfer of 139 staff from nine providers and that, while some staff did not transfer to the new service, there were no formal redundancies.
- The new service prioritised the delivery of targeted support for families with children aged 0-5.
- Quarterly contract performance meetings were held between Action for Children and commissioners, alongside other forms of very regular contact

and communication.

- ECFS district teams, each led by a district manager, reported to a county operational head of service. The service would be happy to provide an opportunity for Councillors to visit the district teams on request (after the service had returned to normality following the end of the Covid-19 pandemic).
- The current focus was on ensuring that ECFS successfully reached those families who needed extra help the most, as part of an early childhood offer for all families, and that where families had accessed targeted support, that this was provided in a way that made a positive difference for them.
- As a result of the current Covid-19 restrictions, direct face to face contact was maintained only where it was necessary to address safeguarding or wellbeing concerns. Only essential face to face groups were being delivered in ECFS bases, however, the aim was to increase the number of families worked with and to resume use of community venues as they became available and it became safe to do so.
- Staff recognised that many families' needs had changed or escalated because of the pandemic leading to isolation and reduced access to family networks, increased anxiety, increased risk of domestic abuse and increased financial challenges.
- Councillors said the language used in the report did not fairly describe families with severe hardship issues and families in poverty which Officers said would be better explained in future reports. Officers said that ECFS staff provided access to a range of services that included counselling for parental mental health, help with housing and benefits, transport to hospital appointments, access to training and education, access to specialist speech and language services, basic skills tuition, mediation and mentoring and early childhood furnishings for new homes.
- In reply to questions, about the preventative aspects of the service it was confirmed that ECFS made use of family networking arrangements.
- The aim was to facilitate early intervention and then offer long term help, so families could stay together wherever possible.
- The Committee's attention was drawn to the many ways in which families could contact the service which included by telephone, email, the website and through social media pages.
- Councillors asked for details regarding digital exclusion levels across the county and for these to be carefully monitored. In reply, Officers pointed out that ECFS had ordered computers for families to access its services but did not have details regarding their take up available until after the meeting.
- It was pointed out that Action for Children had developed local ECFS Facebook pages which were very effective for communication by families.
- In addition, the ECFS understood the importance of making links with NHS webpages (Just One Norfolk) rather than duplicating information held elsewhere. Just One Norfolk provided a digital platform that included a portal for parents to provide peer support to other parents and seek advice and support at all hours of the day. It was pointed out that parents had co-produced digital content with staff on Just One Norfolk that talked about their experiences.
- Regular meetings involving ECFS, the Healthy Child Programme, the Library Service, Public Health and our Family Information Service had led to shared digital messages.

- ECFS and Healthy Child Programme staff had also worked together to raise awareness in their teams about the expected increase in non-accidental injuries during the pandemic.
- The six locality Early Childhood Advisory Boards provided a local forum for services and agencies focused on early childhood outcomes and members of the boards were working together to identify ways to target and support local organisations to expand their service delivery.
- Officers agreed to a request from Councillors that they should be provided with a central point of contact within the ECFS and the names of the Chairs of Local Advisory Boards who could be contacted should Councillors want to take up issues of local concern.
- The Vice-Chair questioned the figure of 17 % of families who had not achieved their desired outcomes, the percentage of this figure that was attributed to “other reasons” and what was meant by the use of the term “other reasons”. In reply, officers said that the “other reasons” category had been removed because it served no useful purpose. Some of the “other reasons” were attributed to family disengagement during the period of support, partly because needs were met before the end of the activity, or because families moved outside of Norfolk.
- Officers added that Action for Children was a consent-based service and families could not be made to engage with the service. User feedback indicated that 96% would recommend the service to other families, with 79% reporting that the service got involved at the right time. 97% found the staff to be helpful with 86% feeling they were given all the support they needed.
- Councillors said that they required a greater sense of the level of unmet need across the county to be confident that the families who required support were able to receive it.
- The Chair said that the previous service was criticised because it had not contacted more than 75 % of those families in Norfolk that needed support. To properly assess performance the Committee required a comparative percentage figure of the gap in service provision that existed at the present time.
- In reply, officers said that it was difficult to provide such comparisons because the new service had different aims and objectives to those of the previous service and these were still early days. Frontline practitioners were working together more effectively than they had in the past, developing shared pathways for families, and prioritising families in greatest need. In reply to further questions officers said that this work included a new joint referral pathway for children with speech, language and communication needs.
- An early childhood population data dashboard that focused on impact and outcomes was under development and would in time be a key tool to assist the Early Childhood Advisory Boards to assess local needs, map existing provision and identify local priorities. Training and development would be provided to improve Action for Children’s accuracy of case recording and the quality of case records. It was, however, too early for the new datasets to provide for a detailed analysis of how overall need in the county was being met.
- It was pointed out that Action for Children used an ‘Outcomes Star’ to work with families to measure progress, alongside use of a range of evidence-

based interventions.

- There had been both locally and nationally a threefold increase in the number in early years referrals when compared to this time last year.
- Councillors raised questions about what happened to families who did not meet with the requirements of the triage assessment. In reply officers said that those families who were not accepted or who dropped out at the triage stage were not lost to the system and were signposted to other appropriate services. There were links with other pathway providers and the EDSF staff attended joint meetings to provide a joined up of service.
- ECFS staff provided access to specialist projects for disabled children and those with learning and behavioural difficulties. These included residential care, short breaks and respite care services, keyworker support for families and carers, and advocacy work to help young disabled people transition into adulthood.
- It was noted that the Safeguarding Childrens Board was taking a careful look at child abuse during the lockdown. There had not been the anticipated surge in demand regarding injuries and domestic abuse and neglect (particularly for children aged 0-2 years) that was expected at the front door of the EDSF at the start of the pandemic.
- It was pointed out that at the present time in the budget cycle 74% of the money in the Families Support Fund was spent. The EDSF was making use of money in the Emergency Covid-19 Support Fund and Winter Support Fund.

7.4 RESOLVED

That Scrutiny Committee:

- 1. Place on record thanks to the officers and guests who attended today's meeting for helpful and informative presentations.**
- 2. Ask that the Children's Services Scrutiny Sub-Committee carry out a detailed examination as part of their forward work programme of the following issues that were identified in today's meeting:**
 - 1) The best means of measuring and securing desired outcomes for children and of assessing the impact that the ECFS had on families.**
 - 2) Data on a geographical basis that showed the impact that digital exclusion levels had on children and families and about how families faced with such barriers could be reached and supported to achieve desired outcomes.**
 - 3) Data about other areas identified in the EQIA (for example data that showed if children with SEND and parents with EAL were represented in the ECFS at levels that officers would expect to find), together with more demographic data on who was and, more importantly, who was not accessing the ECFS).**
 - 4) Data that provided Councillors with a greater understanding of the impact that the ECFS had on changes in Needs analysis (for example the level of need that was currently being met, the identified gaps in service provision, how gaps were addressed and the degree of impact on need that the ECFS was expected to make).**

- 5) An analysis of the potential for a contract variation if the level of need significantly exceeds that expected when the ECFS was commissioned due to the ongoing Covid-19 pandemic and any potential recession that might follow.
- 6) Data that placed the ECFS in the context of referrals to the wider social care system (for example the numbers of referrals to social care in the past 12 months that had prior contact with ECFS, the missed opportunities that had been identified and evidence to show if ECFS put safety in place quickly enough for those children who needed to be protected).
- 7) Data that placed the ECFS in the context of the Greater Parent Voice (for example those who had not accessed the service, how ECFS intervention was addressing risks and the impact of intervention).
- 8) Information that identified the ECFS benefits for those living in remote rural areas in terms of issues specific to those areas (for example the availability of rural transport services).

8 **Report of the Norfolk County Community Safety Partnership Scrutiny Sub Panel**

8.1 The annexed report (8) of the Norfolk County Community Safety Partnership Scrutiny Sub Panel was received.

8.2 The Chair asked the Committee to endorse the changes proposed by the Scrutiny Sub Panel and request that App 2A of the Council's Constitution be amended accordingly, as part of the current review.

8.3 **RESOLVED**

That Scrutiny Committee:

Endorse the proposed amendments to the Sub Panel's Terms of Reference, set out at Appendix A of the report.

9 **Scrutiny Committee Forward Work Programme**

9.1 The Committee received report (9) that set out a draft forward work programme.

9.2 **RESOLVED**

That the Scrutiny Committee agree the forward work programme as set out in the report by the Executive Director of Strategy and Governance.

The meeting concluded at 15:20

Chair

Scrutiny Committee Item 8

Decision making report title:	Norfolk County Council's Response to the December 2020 Flooding Event
Date of meeting:	27 January 2021
Responsible Cabinet Member:	Cllr Andy Grant (Cabinet Member for Environment and Waste)
Responsible Director:	Tom McCabe (Executive Director, Community and Environmental Services)
<p>Introduction</p> <p>Over the past 6 years Norfolk has been subject to regular intense storms that have caused widespread flooding, severely impacting local communities, key services and transport networks.</p> <p>The most recent significant event occurred on the night of the 23/24 December 2020. Prolonged rainfall caused widespread flooding and disruption in an arc from Martham through South Norfolk to Watton. The rainfall was intense, and some areas recorded over 50mm of rain falling in 24 hours onto already saturated ground, resulting in many over-flowing watercourses and run-off from surrounding fields into properties. This also impacted on the highway network, with the A140 in Long Stratton particularly affected.</p> <p>Flooding reports are still being received and the clear up operation to repair damage caused by the flooding is underway, although given the widespread impact, these operations are being hampered by further challenging weather conditions.</p>	

1. Introduction

- 1.1. Over the past 6 years Norfolk has been subject to regular intense storms that have caused widespread flooding, severely impacting local communities, key services and transport networks.

In June 2016, over 250 properties were internally flooded in a band that stretched from Diss to Cromer, with a concentration of reports in Watton and Dereham. The floodwater blocked many roads and required emergency provisions to deliver ballot boxes on the referendum vote. October 2019 saw another event that affected over 100 properties mainly across the east of the County. On both these dates rainfall intensities were recorded as having return periods of a 1:40 event or higher.

In 2020, Norfolk was hit by both summer and winter storms with over 60 properties flooded in August between East Harling and Swaffham. In December, prolonged rainfall caused widespread flooding and disruption in an arc from Martham through south Norfolk to Watton. The rainfall intensity in August was recorded as being over

a 1:1000 event near Watton and in December some areas recorded over 50mm of rain falling in 24 hours over already saturated ground, resulting in many overflowing watercourses and run-off from surrounding fields into properties. This also impacted on the highway network, with the A140 in Long Stratton particularly affected.

Many organisations and individuals are involved in the response to these flooding events, from forecasting and warning, through emergency activities such as rescue and pumping out, to recovery, repair and developing improvement schemes. More details on the range of organisations and their roles and responsibilities is included in section 5 of this report. The County Council is one of these key organisations and its role includes:

- to co-ordinate the emergency response, when certain thresholds are met (through our Resilience Team);
- respond to emergency calls from the public via the Fire and Rescue Service;
- respond to reports of flooding on the Highway; and
- to investigate the causes of flooding, by our Flood & Water Team.

2. The December 2020 Event

2.1 Norfolk Fire and Rescue Service provides an emergency response service 24/7. In addition, the Council's Highways teams provide an out of hours contact service for emergencies on the public highway after 1700hrs each working day and a 24-hour service at weekends and on bank holidays.

On 23 December 2020, the Duty Officer began taking calls for flooding from 1700 and this continued through until the morning of the 25 December 2020. Due to the number of requests for service, a second Duty Officer was contacted and began taking calls from 1900 on the 23 December until 2300 that evening. Over the whole 48-hour period, some 200 calls were taken in relation to flooding.

The Flood & Water Team have so far received over 150 reports from the flooding in December 2020 and are conducting site visits to assess the impact and causes. Reports are still being received so it is expected that this number will increase. Due to the large number of reports and time needed for carrying out the site visits and stakeholder liaison, it will take up to 6 months to publish the Flood Investigation Report.

Some of the typical conditions faced by Norfolk residents following the storm on the 23/24 December are included below in Figures 1 to 5. These photos show some of the challenges that were faced both by local residents and the emergency teams attending incidents.



Figure 1: Floodwater on the A140 in Long Stratton



Figure 2: Floodwater at Diss A1066 Victoria Road / Sawmills Road junction



Figure 3: River Flooding Affecting the Highway in Aslacton



Figure 4: Section of bank slippage at A140 Swainsthorpe



Figure 5: Section of road washed away by flood water at Newton Flotman – Mill Lane.

3 Current and Future Activities Following the December 2020 Event

- 3.1 Following the December 2020 event, there is the need for immediate urgent repairs on the network and the floodwater has caused debris to block many existing drainage systems. Cleansing and jetting out of these systems and where necessary repairs, are already underway and is expected to continue over the coming months.

The current focus of activities following the 23/24 December storm are:

- Immediate repair works to the highway network – such as repairing the defects highlighted in Figures 4 and 5 to make the highway safe and accessible;
- Cleansing and jetting out of existing drainage systems to ensure they can work and remove blockages;
- Commencement of flood investigations into the causes of the flooding, followed by production of Flood Investigation Reports;

It is important to note that many of the highway drainage systems are gravity systems that outfall to rivers and watercourses. Therefore, when river water levels are high, surface water systems cannot operate as effectively as when water levels are low. In the situation illustrated in Figure 3, highway surface water drainage systems will not function until the river water levels recede.

It is also worthwhile to highlight that for many drainage systems, they are a combination of assets belonging to a variety of owners, often both public and private. They are only as effective as the weakest link, which is why maintenance, such as ditch clearing, is so essential.

- 3.2 The Flood & Water Team has started undertaking formal flood investigations where there was internal flooding to one or more properties, any risk to loss of life or serious injury, and/or priority roads are made impassable due to flooding. The investigations will look into the rainfall intensity and impact, response of relevant organisations, the likely causes and recommend remedial actions and measures. During this investigation the team liaise with the homeowners, local councils, drainage organisations and relevant local landowners

The Council's threshold for undertaking a formal flood investigation is lower than a number of other Lead Local Flood Authority's (LLFAs) and this places considerable resource pressures on the team during times of widespread and frequent flooding. However, we have developed streamlined processes and utilised flexible resource sources to produce reports in a timely manner. To assist this process, we have an agreement with the Environment Agency for their officers to attend site visits following a major flood event where they are available.

The reports on previous flooding events are contained in over 50 Flood Investigation Reports published on the Council's website. These can be viewed at [Flood investigations - Norfolk County Council](#)

The need for drainage improvement schemes is highlighted through Flood Investigation Reports. Where these coincide with areas of concentrated risk, they provide valuable evidence to validate our modelling and designs for mitigation measures.

Often though, flooding occurs in scattered, widespread locations where the likelihood of achieving partnership funding is low. In these circumstances, we can provide grants to residents for Property Level Protection measures and seek lower cost solutions in the form of small-scale Highway drainage works and Natural Flood Management techniques where appropriate.

However, these smaller scale options still require external funding, predominately through the Environment Agency, which puts extra restrictions of the types and number of schemes that can be delivered.

As more flooding occurs and more flood investigations are carried out, the expectation to deliver more flood risk mitigation and drainage improvement schemes increases without the corresponding funds in place to meet the demand.

- 3.3 A further, more detailed paper will be produced by spring / summer 2021 which will be when the Flood Investigation reports into the 23/24 December event are expected to be completed.

This will be followed by the implementation of Flood Investigation report recommendations where the County Council have identified actions. It should be noted that the reports will also identify the actions for other key stakeholders including Anglian Water, Environment Agency, District Council's, riparian landowners, and property owners etc.

4. 12 January 2021 Cabinet Resolution

4.1 At the County Council Cabinet meeting held on 12 January 2021, as part of the planned paper on the Local Flood Risk Management Strategy, it was agreed to:

- To convene a series of meetings with strategic partners across Norfolk, including the District Councils, Environmental Agency, Anglian Water, Internal Drainage Boards amongst others, and find a leading figure to chair this.
- To invest £100,000 in additional revenue costs for creation of three new posts (1 Flood Risk Officer and 2 Flood Risk Assistants); £300,000 in additional capital to cover urgent repairs on the network (following the December storm) and to invest £250,000 in additional revenue for repairs to existing drainage systems (following the December storm).

This additional funding will enable faster repairs and enable the large number of Flood Investigation reports to be completed sooner.

5. Responsibilities of Key Stakeholders in Terms of Flooding

5.1 Under the Flood and Water Management Act 2010 several organisations are classed as Risk Management Authorities (RMAs). This status acknowledges the roles these organisations have in managing flooding and provides them with new statutory powers and duties. Table 1 summarises the key new and existing responsibilities that organisations operating in Norfolk have.

Section 6 of the Flood and Water Management Act 2010 defines Risk Management Authorities as:

- The Environment Agency (EA)
- A Lead Local Flood Authority (LLFA)
- A District Council for an area for which there is no unitary authority
- An Internal Drainage Board (IDB)
- A Water Company
- A Highway Authority

In Norfolk there are 36 organisations that meet the definition of Risk Management Authority. Including the Environment Agency and Norfolk County Council in its role as Lead Local Flood Authority, this number is made up of 7 District Councils, 22 Internal Drainage Boards, 3 Water Companies and 2 Highway Authorities.

The following Risk Management Authorities exercise 'Flood Risk Management Functions' in Norfolk

- Environment Agency
- Norfolk County Council
- North Norfolk District Council
- Borough Council of King's Lynn and West Norfolk
- Breckland District Council

- Norwich City Council
- Broadland District Council
- Great Yarmouth Borough Council
- South Norfolk District Council
- Anglian Water Services Ltd Services Ltd
- Essex and Suffolk Water Ltd
- Cambridge Water Company
- Highways England
- Broads (2006) IDB
- King's Lynn IDB
- Norfolk Rivers IDB
- Downham & Stow Bardolph IDB
- East of the Ouse, Polver and Nar IDB
- Northwold IDB
- Southery & District IDB
- Stoke Ferry IDB
- Stringsides IDB
- Churchfield & Plawfield IDB
- Euximoor IDB
- Hundred Foot Washes IDB
- Hundred of Wisbech IDB
- Needham & Laddus IDB
- Manea and Welney DDC
- Nordelph IDB
- Upwell IDB
- East Harling IDB
- Waveney, Lower Yare & Lothingland IDB
- Burnt Fen IDB
- Littleport and Downham IDB
- Middle Level Commissioners

The existing and new responsibilities of these organisations are described in more detail in the information documents referenced in Table 1. As part of the changes brought about by new legislation all organisations classed as Risk Management Authorities (RMAs) have a duty to cooperate with other Risk Management Authorities in connection with their 'flood risk management functions'.

5.2 Flood Risk Management Functions

A "Flood Risk Management Function" as defined by Section 4 of the Flood and Water Management Act 2010 means a function which may be exercised by a risk management authority for a purpose connected with managing flood risk. In practical terms this could be;

- The issuing of ordinary watercourse consents or enforcement notices by Internal Drainage Boards or the Lead Local Flood Authorities.

- The investigation of significant flooding by the Lead Local Flood Authority
- The management of water on trunk roads by the Highways England.

‘Flood Risk Management Functions’ can be both duties and powers.

These are defined as;

- Duty: a legal obligation that entails mandatory conduct or performance
- Power: the right, ability, or authority to perform an act.

In addition, all Risk Management Authorities operate under and are subject to many additional legislative provisions. These can take the form of statutory frameworks and regulations relating to the discharge of wider responsibilities. This is apparent in legislation such as the Local Government Act 2003.

Table 1: Risk Management Authorities and their functions

Risk Management Authority	Risk Management Functions
Environment Agency (EA)	<ul style="list-style-type: none"> • Required to have a strategic overview of all forms of flooding. • Duties to develop, maintain, apply and monitor a National Strategy for Flood and Coastal Erosion Risk Management (FCERM) in England. • A duty to act in a manner consistent with the national and local strategies and guidance when exercising FCERM functions. • Regulatory powers including consenting and enforcement functions on watercourses designated as main rivers. • Powers to undertake flood risk management works • Enforcement powers for reservoirs greater than 25,000m³ and a duty to maintain a register of these reservoirs. • Statutory consultee to planning process • Powers as a Coastal Erosion Risk Management Authority to undertake Coastal Erosion Risk Management functions including works and regulatory powers • Duties as a Category 1 Responder for Emergency Planning (including issuing flood warnings). • Lead authority with responsibility for coordinating and implementing the European Water Framework Directive.

Lead Local Flood Authority (LLFA) (County or Unitary Council)	<ul style="list-style-type: none"> • A duty to act in a manner consistent with the national and local strategies and guidance when exercising FCERM functions. • Duty to act in a manner consistent with Local Flood Risk Management Strategies when exercising other functions that may affect flood risk. • Duty to produce a Preliminary Flood Risk Assessment • Develop, maintain, apply and monitor a Local Flood Risk Management Strategy (LFRMS) for their area. • Duty to investigate significant flooding from any source. • Duty to maintain a register of structures or features which affect flood risk from all sources. • Power to undertake works to manage flood risk from surface run-off and groundwater. • Powers to regulate activities on ordinary watercourses outside of IDB areas. • Encouragement of SuDS approaches in new developments and Statutory Consultee for major planning applications.
Internal Drainage Board (IDB)	<ul style="list-style-type: none"> • A duty to act in a manner consistent with the national and local strategies and guidance when exercising FCERM functions. • Duty to act in a manner consistent with Local Flood Risk Management Strategies when exercising other functions that may affect flood risk. • Powers to regulate activities on ordinary watercourses within IDB areas. • Exercise a general power of supervision over all matters relating to the drainage of land within their district. • Powers to undertake works on ordinary watercourses within IDB areas.
District Councils	<ul style="list-style-type: none"> • A duty to act in a manner consistent with the national and local strategies and guidance when exercising FCERM functions. • Duty to act in a manner consistent with Local Flood Risk Management Strategies when exercising other functions that may affect flood risk. • Powers to undertake works on ordinary watercourses outside of IDB areas.

	<ul style="list-style-type: none"> • Is the Local Planning Authority for their District area and determine the appropriateness of developments and their exposure and affect on flood risk. • May be a Coast Protection Authority and a Coastal Erosion Risk Management Authority with powers to carry out coast protection work. • Duties as a Category 1 Responder for Emergency Planning.
Water Companies	<ul style="list-style-type: none"> • Duty to act consistently with the National FCERM Strategy when exercising FCERM functions. • A duty to have regard to the local strategies and guidance when exercising FCERM functions. • Duty to have regard to Local Flood Risk Management Strategies when exercising other functions that may affect flood risk. • Duty to co-operate with other Risk Management Authorities in connection with flood risk management functions • Undertake capital schemes to alleviate or eliminate flooding where the flood event is associated with a failure of their assets • Duty to provide, improve, maintain and operate systems of public sewers and works for the purpose of effectually draining an area • Are responsible for flooding from their foul, combined and surface water sewers, and from burst water mains. • Maintain 'At Risk Registers' for Ofwat that record properties that have flooded from public foul, combined and surface water sewers and that are at risk of flooding again. • Water companies respond to reports from the public of flooding associated with their assets and determine an appropriate response inline with their standards or customer service. • Duties as a Category 2 Responder for Emergency Planning
Highway Authorities	<ul style="list-style-type: none"> • A duty to act in a manner consistent with the national and local strategies and guidance when exercising FCERM functions. • Duty to act in a manner consistent with Local Flood Risk Management Strategies when

	<p>exercising other functions that may affect flood risk.</p> <ul style="list-style-type: none"> • Powers to undertake works to manage water on the highway and to move water off the highway. • Enforcement powers to unauthorised alterations, obstructions and interferences with highway drainage. • Have responsibilities for culverts vested in the highway.
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*Further detail on the roles and responsibilities of can be accessed on the County Councils Web Site.

5.3 Other Bodies and Persons with a Role in Managing Flood Risk

In addition to the above Risk Management Authorities, there are other parties and individuals who have duties in relation to the maintenance and management of watercourses and drainage systems and thus may be held responsible for flood risk.

5.4 Riparian Owners

A 'riparian owner' is a person who owns land or property adjacent to a watercourse. The definition of watercourse includes streams, ditches (whether dry or not), ponds, culverts, drains, pipes or any other passage through which water may flow.

Purchasers of property are often unaware of their inherited riparian duties. These are outlined in the Land and Property Act 1925 (Section 62), which states that "a conveyance of land shall be deemed to include and shall by virtue of this Act operate to convey with the land all buildings, hedges, ditches, fences, ways, waters, watercourses, liberties, easements, rights and advantages whatsoever appertaining or reputed to appertain to the land or any part thereof".

Table 2: Responsibilities of Riparian Owners

Riparian Owners	<ul style="list-style-type: none"> • Duty of care towards neighbours upstream and downstream, avoiding any action likely to cause flooding. • Entitled to protect their properties from flooding and their land from erosion (once the correct permissions have been obtained). • May be required to maintain the condition of their watercourse to ensure that the proper flow of water is unimpeded.
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*Further detail on the roles and responsibilities of can be accessed on the County Councils Web Site.

5.5 Navigation Authorities

Each Navigation Authority is given powers and responsibilities to maintain navigable waterways by individual Navigation Acts, but they are not Risk Management Authorities. Generally therefore, when a flood management structure lies within a navigable waterway, responsibility for its management and maintenance will lie with a Risk Management Authority rather than the Navigation Authority.

Notwithstanding the above, as Navigation Authorities are responsible for a wide variety of works within the navigation, including dredging and other activities that could affect flood risk, they will usually work closely with Risk Management Authorities to ensure that any flood risk connected with such works are properly managed.

Where Navigation Authorities are the owners of land, they will have the same flood risk responsibilities as other riparian Landowners (see Table 2).

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Scrutiny Committee Item 9

Decision making report title:	Update on Provisional Local Government Finance Settlement 2021-22
Date of meeting:	27 January 2021
Responsible Cabinet Member:	Cllr Andrew Jamieson (Cabinet Member for Finance)
Responsible Director:	Simon George, Executive Director of Finance and Commercial Services
<p>Introduction</p> <p>The national response to the COVID-19 pandemic has had a major impact on Government planning timescales and the financial operating context, resulting in the cancellation of the Autumn Budget 2020 and an impact on the timeframe for the Spending Review 2020, which was reduced to cover one year only (2021-22). As a result of the timing of the Spending Review, the provisional Local Government Finance Settlement (originally expected early December) was not announced until 17 December 2020.</p> <p>Executive Summary</p> <p>This report supports the Committee's scrutiny of the Council's process for developing the 2021-22 Budget, providing an update on funding allocations made at the Spending Review and provisional Settlement which will be reflected in 2021-22 budget planning.</p> <p>Recommendations</p> <ol style="list-style-type: none"> To consider the update on the 2020 Spending Review and the provisional Local Government Finance Settlement for 2021-22. 	

1. Background and Purpose

- 1.1. At its meetings in October and November 2020, Scrutiny Committee considered new budget proposals identified, the approach to public consultation, and the further actions required to deliver a balanced budget for the year. This report now provides an update on Government announcements which will need to be taken into account in the 2021-22 Budget.

2. Spending Review 2020

- 2.1. The Chancellor of the Exchequer, Rishi Sunak, announced the outcome of the one year Spending Review 2020¹ on 25 November 2020 including departmental funding allocations for 2021-22. The Spending Review announcement was dominated by the response to the COVID-19 pandemic, but also set out details

¹ <https://www.gov.uk/government/topical-events/spending-review-2020>

of the Government's plans to deliver "stronger public services." Nationally, the Spending Review provided £55bn to respond to COVID-19 in 2021-22 and represented a cash terms increase in departmental spending of £14.8bn for day to day budgets compared to 2020-21.

- 2.2. Details of the specific implications of the Spending Review for local government were subsequently set out in the provisional Local Government Finance Settlement.

3. Provisional Local Government Finance Settlement

- 3.1. The provisional Local Government Finance Settlement was announced via a Ministerial statement by the Secretary of State, Robert Jenrick, on 17 December 2020². The provisional Settlement provided details of how Spending Review 2020 announcements³ will impact on specific funding streams including Revenue Support Grant and Rural Services Delivery Grant at an individual authority level for 2021-22. Alongside the provisional Settlement, the Ministry of Housing, Communities and Local Government (MHCLG) issued two consultations; the usual consultation on the provisional Settlement itself⁴, which closed 16 January 2021, and a consultation of the elements of the settlement related to COVID-19 response⁵, which closed 14 January 2021. The Council has responded to both consultations.

- 3.2. The provisional Settlement confirmed a number of the announcements set out in the Spending Review 2020. However, the Settlement did not provide any indication of funding beyond 2021-22. The key announcements in the provisional Settlement included:

- The Settlement assumes Core Spending Power (CSP) will increase nationally by 4.5% (£2.2bn). Government states this is a real terms increase in resources, and represents the third settlement in a row to increase resources in real terms. For Norfolk the quoted overall CSP increase is 5.3%, however the majority (80%) of this is derived from MHCLG assumptions about increases in council tax (which includes an expectation of raising the full 5%).
- Council tax referendum thresholds proposed were as set out in the Spending Review as 2% for general council tax plus 3% for the Adult Social Care Precept, with the option to defer an element to 2022-23;
- 75% compensation for lost council tax and business rates will be available (the tax income guarantee scheme) although precise details remain to be confirmed.

² <https://www.gov.uk/government/collections/provisional-local-government-finance-settlement-england-2021-to-2022>

³ <https://www.gov.uk/government/publications/spending-review-2020-documents>

⁴ <https://www.gov.uk/government/consultations/provisional-local-government-finance-settlement-2021-to-2022-consultation>

⁵ <https://www.gov.uk/government/publications/covid-19-emergency-funding-for-local-government/covid-19-funding-for-local-government-in-2021-22-consultative-policy-paper>

- A new Local Council Tax Support (LCTS) grant of £670m nationally, to support councils directly (rather than a continuation of the 2020-21 Hardship Fund). The new scheme is intended to compensate all authorities for the expected higher cost of LCTS in 2021-22 and will be provided to billing and precepting authorities. The Secretary of State commented that this was “outside the settlement.” Allocations remain to be confirmed, but the council’s indicative allocation is £7.512m. The Government proposes to distribute the funding “on the basis of each billing authority’s share of the England level working-age local council tax support caseload, adjusted to reflect the average bill per dwelling in the area.”;
- The council’s share of the new un-ringfenced £1.55bn COVID Grant for 2021-22 has been confirmed as £18.829m;
- The core settlement for 2021-22 is overall broadly neutral compared to 2020-21, and current planning assumptions, including:
 - Increase in Revenue Support Grant of £0.218m;
 - Reduction in New Homes Bonus of £0.665m, with further reductions in 2022-23;
 - Increase in Rural Services Delivery Grant (from £81m to £85m nationally) equating to an additional £0.197m for the council;
 - Existing social care grants being continued as previously announced.
 - The council’s share of the new (additional) £300m social care grant for 2021-22 has been confirmed as £5.587m; and
 - No change to improved Better Care Fund (iBCF) allocations.
- The Secretary of State confirmed an allocation of £165m to continue the Troubled Families programme. Since the Settlement announcement, funding for the Adoption Support Fund has also been confirmed for 2021-22.
- There was no announcement about the level of Public Health grant for 2021-22.
- Nationally, the Settlement also includes:
 - £2.2bn investment in School building programme.
 - £1.7bn for road maintenance and potholes.
- As part of the provisional Settlement announcement, the Secretary of State confirmed the Government’s intention to move forward with the Fair Funding Review and the implementation of 75% Business Rates Retention, to provide longer term certainty “when there is a clearer path ahead.” Subsequent announcements indicate that this is unlikely to be in place for 2022-23. The Secretary of State also confirmed the desire to provide a new multi-year settlement next year, subject to decisions by the Chancellor in 2021-22.

3.3. Other announcements included:

- £111m nationally for a "lower tier services grant."

- £125m funding was announced for new duties under the Domestic Abuse Bill.
- Funding for Rough Sleepers, amounting to £750m in total next year, highlighted as a 60% increase on the previous spending review.
- £15m nationally to implement the findings of the Redmond review (to support the ongoing sustainability of the local audit market).

3.4. The provisional Settlement will be confirmed in the final Settlement, which is expected to be announced around the end of January or early February 2021. A number of separate grants and funding announcements (including for example, final allocations of Public Health grant) remain to be confirmed. Further announcements about actual funding levels for 2021-22 could have a material impact on the council's overall budget planning position, and may need to be reflected in the final Budget papers presented to Cabinet and Full Council in February 2021.

4. Impact of the Proposal

4.1. N/a. The funding announcements will be reflected in 2021-22 Budget planning

5. Evidence and Reasons for Decision

5.1. N/a.

6. Financial Implications

6.1. The Spending Review and Provisional Settlement announcements will have significant implications for the Council's budget setting. As previously reported to Scrutiny Committee, the ongoing Covid-19 pandemic, along with continued unprecedented levels of uncertainty about future year pressures and funding, also represent a very significant challenge for Norfolk County Council in developing budget plans for 2021-22. The scale of the budget gap to be closed remains subject to considerable uncertainty and there are a number of issues which could have a material impact on the level of resources available to the Council to deliver services in the future. As part of responding to these challenges, services will need to bring forward balanced, sustainable budget proposals which enable the Council to continue to deliver essential services to Norfolk's people, businesses and visitors.

6.2. Details of the full budget proposals for 2021-22 and associated financial implications will be reported to Scrutiny Committee in February.

7. Resource Implications

7.1. **Staff:**

There are no direct implications arising from this report although there is a potential that staffing implications may arise linked to specific saving proposals developed. These will be identified as they arise later in the budget planning process.

7.2. Property:

There are no direct property implications arising from this report although existing saving plans include activities linked to property budgets and assumptions around capital receipts to be achieved. In addition, activities planned within Smarter Working / Transformation will include further work to deliver property related savings.

7.3. IT:

There are no direct IT implications arising from this report although existing saving plans include activities linked to IMT budgets. In addition, activities planned within Smarter Working / Transformation will include further work to deliver savings through activity related to digital and IT initiatives.

8. Other Implications

8.1. Legal Implications

None.

8.2. Human Rights implications

No specific human rights implications have been identified.

8.3. Equality Impact Assessment (EqIA) (this must be included)

None for this report. A full EQIA of saving proposals will be undertaken as part of the budget process. The dynamic EQIA in respect of the Council's response to COVID-19 can be found [here](#).

8.4. Health and Safety implications (where appropriate)

None identified.

8.5. Sustainability implications (where appropriate)

None identified.

8.6. Any other implications

No other implications have been identified.

9. Risk Implications/Assessment

9.1. None.

10. Select Committee comments

10.1. None.

11. Recommendations

11.1. 1. To consider the update on the 2020 Spending Review and the provisional Local Government Finance Settlement for 2021-22.

12. Background Papers

- 12.1. Norfolk County Council Revenue and Capital Budget 2020-21 to 2023-24, County Council 17/02/2020, agenda item 5 ([here](#))
Briefing on Strategic and Financial Planning, Scrutiny Committee 23/09/2020, agenda item 9 ([here](#))
Strategic and Financial Planning 2021-22, Cabinet 05/10/2020, agenda item 11 ([here](#))
Strategic and Financial Planning 2021-22, Scrutiny Committee 18/11/2020, agenda item 10 ([here](#))

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Report to Scrutiny Committee

Report title:	COVID 19 – NCC response
Date of meeting:	27 January 2020
Responsible Cabinet Member:	N/A
Responsible Director:	Director of Governance and Monitoring Officer
Is this a key decision?	N/A
<p>Actions required</p> <p>The Scrutiny Committee is asked to:</p> <ul style="list-style-type: none"> Consider the suggested areas highlighted in the report for future consideration on the work programme, both in the short term and for longer term recovery planning, and highlight any specific issues to be covered in scrutiny. Agree that the Chair and Vice Chair agree a programme of scrutiny work based on the suggested areas to be considered and agreed at the February Scrutiny Committee meeting. 	

1. Background and Purpose

- 1.1. Scrutiny Committee has been considering a programme of work looking at the County Council's response to COVID since May 2020. During early summer 2020 this work focused on the early response phase and then the move into addressing the County Council's recovery planning. To date the Committee has considered the following areas across several meetings as part of the scrutiny work programme:
- Support for children, young people and families
 - Support for shielded and vulnerable people in communities
 - Public health protection
 - Norfolk economy and support for businesses
 - Internal County Council processes, including digital support
- 1.2. The last ten months dealing with the response to COVID 19 have been unprecedented, and the Committee have been conscious of not planning too far ahead with any programme of scrutiny. The work programme has adapted in consideration of issues and the need to change priorities to address more current areas of concern. The Committee last considered a report focusing on COVID in November 2020, considering the impact on the economy and the lessons learnt from the County Council's response to date. Since this meeting England has entered its third national lockdown, which began on 4th January 2021.

- 1.3. The County Council is rightly continuing to focus all efforts on the delivery of services to vulnerable people in Norfolk however recovery planning is also continuing. Scrutiny has played an important role in supporting this process and feeding into any current and future planning, addressing any lessons learnt.
- 1.4. The Chair and Vice Chair are mindful that Officers responding to the crisis are once again under significant pressures since the move into the latest national lockdown. The Committee does not currently have a further programme of scrutiny relating to COVID for the upcoming year however it is acknowledged that any future scrutiny needs to be proportionate to the Council's ongoing response to the crisis and be timely and responsive.
- 1.5. All County Councillors receive regular weekly briefings from County Council Officers and the NHS which provides updates on the national context and government policy, updates from critical services, and key messages and information to enable local members to support their communities across Norfolk. It is recognised that local Members are in a unique position to be able to draw on intelligence within their communities and act as a voice to these experiences in this crisis. Scrutiny has a key role to play as a place where these issues can be raised and ensure that they are fed into any ongoing work, considering what is working well and where improvements can be made.

2. Proposals

- 2.1. The Chair and Vice Chair have discussed how the Committee can continue with their scrutiny of the impact of COVID whilst at the same time being aware that the main focus for Officers will be on dealing with the current crisis. It is therefore suggested that the Committee considers the most appropriate, proportionate and timely way in which scrutiny can take place within these circumstances and therefore the following is a suggested plan for scrutiny topics for future meetings.

- **Supporting children, young people and families during the crisis**

- What are the main issues affecting children, young people and families in the current crisis
- What lessons have we learnt from the emergency response in 2020 and how are we implementing these in the current situation
- Update on actions being taken by Norfolk County Council to respond to these issues

- **Support for shielded and vulnerable people in our communities**

- What are the main issues affecting children, young people and families in the current crisis
- What lessons have we learnt from the emergency response in 2020 and how are we implementing these in the current situation
- Update on actions being taken by Norfolk County Council to respond to these issues

- **Public Health protection**

- Implications for lockdown easing
- Planning for future rises in infection rates and local outbreak control

Future issues for Summer 2021:

- **Recovery planning:**

- Impact of COVID on the Norfolk economy and small businesses
- Lessons learnt from Winter/Spring 2021 and planning for Autumn/Winter 2021/22

2.2. In considering any work programme Scrutiny Committee may need to be mindful of the following:

- Is this something that the County Council has the power to change or influence
- How can this work engage with the activity of the Cabinet and other decision makers, including partners such as the Norfolk Resilience Forum
- What are the benefits that scrutiny could bring to this issue?
- How can the committee best carry out work on this subject?
- What would the best outcomes be of this work?

2.3. It is suggested that the Committee consider the areas for future scrutiny and prioritises any issues or questions that they would like to be considered at future meetings and asks the Chair and Vice Chair to bring a suggested programme to the February meeting.

3. Resource Implications

3.1. **Staff:**

The County Council is still in the middle of this crisis and the main focus for Officers will be in dealing with the crisis. Some Officers may be redeployed from their current roles elsewhere to support ongoing work during the pandemic and the Committee may need to be mindful of focusing requests on essential information at this time.

3.2. **Property:**

None

3.3. **IT:**

None

4. Other Implications

4.1. **Legal Implications:**

The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 ("the Regulations") sets out the framework for Councils to hold Council meetings remotely.

4.2. **Human Rights implications**

None

4.3. **Equality Impact Assessment (EqIA) (this must be included)**

None

4.4. **Health and Safety implications** (where appropriate)

None

4.5. **Sustainability implications** (where appropriate)

None

4.6. **Any other implications**

None

5. Risk Implications/Assessment

5.1. None

6. Select Committee comments

6.1. Select Committees have received updates on COVID 19 since July 2020 and have programmes of work that will be addressing related issues. addressing the response from their own service areas. The Scrutiny Committee should take into consideration any future comments raised by the Select Committees regarding their own forward work plans to avoid duplication.

7. Recommendation

7.1. The Scrutiny Committee is asked to:

- Consider the suggested areas highlighted in the report for future consideration on the work programme both in the short term and for longer term recovery planning and highlight any specific issues to be covered in scrutiny.
- Agree that the Chair and Vice Chair agree a programme of scrutiny work based on the suggested areas to be considered at the February Scrutiny Committee meeting.

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