

# Norfolk County Council

Date: **Monday 15 October 2018**

Time: **10.00 a.m**

Venue: **Council Chamber, County Hall, Norwich**

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## Prayers

## To Call the Roll

## AGENDA

### 1. Minutes

To confirm the minutes of the meeting of the Council meeting held on 23 July 2018

(Page 5)

**To receive any announcements from the Chairman**

### 2. Members to declare any interests

3. 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
- that of a club or society in which you have a management role
- that of another public body of which you are a member to a greater extent than others in your ward.

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

<b>4. Carers' Charter</b>	(Page <b>26</b> )
Report by the Executive Director of Adult Social Services	
<b>5. Questions to Leader of the Council.</b>	
Procedure note attached.	(Page <b>29</b> )
<b>6. Notice of Motions</b>	(Page <b>31</b> )
<b>7. Recommendations from Service Committees</b>	
• Policy & Resources – 24 September 2018	(Page <b>33</b> )
<b>Recommendations from Other Committees</b>	
• Standards – 3 October 2018	(Page <b>161</b> )
<b>8. Reports from Committees</b>	
Service Committees (Questions to Chairs) - Procedure Note	(Page <b>162</b> )
• Policy & Resources – 24 September 2018	(Page <b>163</b> )
• Adult Social Care – 3 September 2018	(Page <b>169</b> )
• Business & Property – 4 September 2018.	(Page <b>172</b> )
• Children's Services – 11 September 2018	(Page <b>175</b> )
• Communities – 29 August & 5 September 2018	(Page <b>177</b> )
• Digital Innovation & Efficiency – 12 September 2018	(Page <b>182</b> )
• Environment, Development & Transport – 7 September 2018	(Page <b>185</b> )
<b>Other Committees</b>	
• Health Overview and Scrutiny Committee – 6 September 2018.	(Page <b>188</b> )
• Audit Committee – 31 July & 27 September 2018	(Page <b>190</b> )
• Personnel Committee – 25 September 2018	(Page <b>197</b> )

- Standards Committee – 3 October 2018 (Page **198**)
  - Health & Wellbeing Board – 17 July 2018 (Page **199**)
  - Museums Committee – 26 July 2018 (Page **202**)
  - Planning (Regulatory) Committee – 14 September 2018 (Page **206**)
  - Norwich Highways Agency Joint Committee – 20 September 2018 (Page **207**)
- 9. Great Yarmouth 3<sup>rd</sup> River Crossing Scheme.** (Page **213**)  
Report by the Executive Director of Community & Environmental Services.
- 10. Appointments to Committees, Sub-Committees and Joint Committees (Standard Item).**
- (i) To note any appointments made under delegated powers since the last meeting;
    - Harry Humphrey and Judy Oliver appointed to the Children's Services Committee in place of Penny Carpenter and Graham Middleton.
    - Beverley Spratt appointed to a vacancy on the Panel of Substitutes for Regulatory Committees.
  - (ii) To consider any proposals from Group Leaders for changes to Committees places or consequential positions, including the vacant post of Chairman of the Children's Services Committee.
- 11. To answer Questions under Rule 8.3 of the Council Procedure Rules (only if any received).**

Chris Walton  
Head of Democratic Services  
County Hall  
Martineau Lane  
Norwich  
NR1 2DH

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**For further details and general enquiries about this Agenda please contact:**  
Greg Insull on 01603 223100 or email [greg.insull@norfolk.gov.uk](mailto:greg.insull@norfolk.gov.uk)



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## **Norfolk County Council**

### **Minutes of the Meeting Held at 10am on Monday 23 July 2018**

**Present:**

Mr A <b>Adams</b>	Ms A <b>Kemp</b>
Mr T <b>Adams</b>	Mr K <b>Kiddie</b>
Mr S <b>Aquarone</b>	Mr M <b>Kiddle-Morris</b>
Mr S <b>Askew</b>	Mr B <b>Long</b>
Ms J <b>Barnard</b>	Mr I <b>Mackie</b>
Mr D <b>Bills</b>	Dr E <b>Maxfield</b>
Mr B <b>Borrett</b>	Mr S <b>Morphew</b>
Mr R <b>Brame</b>	Mr G <b>Nobbs</b>
Mrs S <b>Butikofer</b>	Mr G <b>Peck</b>
Mrs P <b>Carpenter</b>	Mr G <b>Plant</b>
Mr S <b>Clancy</b>	Mr R <b>Price</b>
Ms K <b>Clipsham</b>	Mr A <b>Proctor</b>
Mr D <b>Collis</b>	Mr W <b>Richmond</b>
Mr E <b>Colman</b>	Mr D <b>Roper</b>
Mr E <b>Connolly</b>	Mr D <b>Rowntree</b>
Ms E <b>Corlett</b>	Ms C <b>Rumsby</b>
Mr S <b>Dark</b>	Mr M <b>Sands</b>
Mrs M <b>Dewsbury</b>	Mr E <b>Seward</b>
Mr D <b>Douglas</b>	Mr C <b>Smith</b>
Mr P <b>Duigan</b>	Mr M <b>Smith-Clare</b>
Mr F <b>Eagle</b>	Mr B <b>Spratt</b>
Mr T <b>East</b>	Mr B <b>Stone</b>
Mr J <b>Fisher</b>	Mrs M <b>Stone</b>
Mr T <b>FitzPatrick</b>	Dr M <b>Strong</b>
Mr C <b>Foulger</b>	Mr H <b>Thirtle</b>
Mr T <b>Garrod</b>	Mrs A <b>Thomas</b>
Mr A <b>Grant</b>	Mr V <b>Thomson</b>
Mrs S <b>Gurney</b>	Mr J <b>Timewell</b>
Mr R <b>Hanton</b>	Mrs K <b>Vincent</b>
Mr D <b>Harrison</b>	Mrs C <b>Walker</b>
M Chenery of <b>Horsbrugh</b>	Mr J <b>Ward</b>
Mr H <b>Humphrey</b>	Mr B <b>Watkins</b>
Mr B <b>Iles</b>	Mr A <b>White</b>
Mr T <b>Jermy</b>	Mr M <b>Wilby</b>
Mrs B <b>Jones</b>	
Dr C <b>Jones</b>	

**Present: 70**

## **Apologies for Absence:**

Apologies for absence were received from Mr M Castle; Mr N Dixon, Mr S Eyre; Mr A Jamieson, Mr G Middleton, Mr J Mooney; Ms J Oliver; Mr R Oliver; Mr T Smith; Ms S Squire and Ms C Bowes.

## **1 Minutes**

- 1.1 The minutes of the meeting held on Tuesday 8 May 2018 were confirmed as a correct record by Council and signed by the Chairman.
- 1.2 The minutes of the Extraordinary County Council meeting held on Friday 1 June 2018 were confirmed as a correct record by Council and signed by the Chairman.

## **2 Chairman's Announcements**

- 2.1 The Chairman formally reported the sad passing of Cliff Jordan and the former Lord Mayor of Norwich and Chairman of Norfolk County Council Raymond Frosdick. Council stood in a minute's silence as a mark of respect for both men.
- 2.2 Council welcomed Ed Connolly to his first meeting since being elected Local Councillor for Yare and All Saints Division.
- 2.3 The Chairman highlighted some of the many engagements she had undertaken since the last meeting, including the grand tour of Norfolk with District Council Chairmen, Vice-Chairmen and Mayors where they had visited 10 iconic Norfolk places in one day and travelled approximately 200 miles. The Chairman reminded Council that Norfolk Day would be taking place on 27 July 2018.

The Chairman drew Council's attention to the Inspirational Women from Norfolk exhibition which would be on display soon. The Chairman also referred to paintings of Elizabeth Fry, Amelia Opie and Harriet Martineau and invited Council to view the exhibition once it was in place.

The Chairman also highlighted a School Council event held recently, where children from Necton School's School Council, aged between 8 and 12 had thoroughly enjoyed seeing how the Council worked, and during which they had asked a variety of searching questions. The Chairman encouraged Members to nominate schools in their Divisions to take part.

- 2.5 The Chairman advised Council that she would be changing the order of business to consider item 9 (Appointments to Committees, Sub-Committees and Joint Committees) after agenda item 3 (Declarations of Interest).
- 2.6 Mr Spratt thanked the Chairman for inviting him and his wife to her summer reception at Norwich Castle and said he had thoroughly enjoyed the event.

## **3 Declarations of Interest**

- 3.1 Mrs C Walker declared an Other Interest in agenda item 7 (Report of the Health Overview and Scrutiny Committee meetings held on 24 May and 12 July 2018) as her daughter was a midwife at the James Paget University Hospital.

- 3.2 M Chenery of Horsbrough declared an Other interest in agenda item 7 (Report of the Records Committee) as he was a member of NORAH (Norfolk Archives & Heritage).
- 3.3 Mr T FitzPatrick declared an Other interest as he worked as an IT Consultant.

Council agreed to consider agenda item 9 as its next item of business.

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

- 4.1 Council received the report setting out the appointments made under delegated authority to Committees:
- 4.2 Council **RESOLVED** to
- **Note** the changes to Committees made under delegated powers as set out in the report.
- 4.3 The Leader thanked Mr T Garrod, Mr D Bills, Mr K Kiddie, Mr M Kiddle-Morris and Mr B Iles for all the work they had undertaken on the Service Committees.

Council **RESOLVED** to **agree** the following appointments which were proposed by the Leader:

Chairman of Business & Property Committee – Barry Stone  
Vice-Chairman of Business & Property Committee – Carl Smith  
Chairman of Digital Innovation and Efficiency Committee – Tom FitzPatrick  
Vice-Chairman of Digital Innovation & Efficiency Committee – Graham Middleton  
Vice-Chairman of Communities Committee – Brian Long

- **Appoint** Mr B Spratt as Norfolk County Council Member on the Norfolk Parking Partnership.

#### **5 Questions to Leader of the Council**

##### **5.1 Question from Mr S Morpew**

- 5.1.1 Mr Morpew said the Labour Group strongly welcomed the Business Case and Leader's comments in opposition to the Police & Crime Commissioner's power grab of Norfolk Fire & Rescue Service. He asked, for the public record, if the Leader would tell Council why the excellent services provided in Norfolk by the Fire & Rescue Service should remain safe with Norfolk County Council.

- 5.1.2 The Leader updated Council about events to date and said everyone valued and respected the service provided by Norfolk Fire & Rescue Service and as Council was aware, the Police & Crime Commissioner was promoting his draft Business Case called "A Case for Change". The Leader continued that initial analysis of the document had found a number of flaws, notably there were major benefits from collaboration which were not properly accounted for; the financial benefits were unquantified; and future funding assumptions lacked depth.

The Leader referred Council to the document that had been produced by Norfolk County Council titled “Norfolk Fire & Rescue Service – Keep in Safe Hands” and listed, in response to Mr Morphew’s question, five points from the summary about why NFRS should remain with Norfolk County Council:

- Efficient, Effective and Economically Viable.
- Strong and productive track record of working together with Norfolk Police.
- Fire and Rescue budgets had been protected.
- We operated from 42 fire stations which, the public tell us, were much valued and needed.
- We had made, and would continue to make, significant investment in the service to ensure it has modern equipment and facilities it needs to operate effectively.

The Leader added, although it was not included in the summary, the fact that the service was Norfolk’s Community Fire and Rescue Service.

**5.2 Question from Dr M Strong**

5.2.1 Dr Strong said that several of her rural parishes had written to her raising concerns about the proposed 2019-20 cut of some 44% to the mobile library service. She added that her division included 30 villages and hamlets (hamlets did not have a church) and that most, if not all, of the 30 lacked many, if not all of the other amenities. She added that one resident had written to her saying that there was no shop, no pub, no school and no bus, the mobile library was the only amenity left and asking her if they were going to lose that amenity too. Dr Strong asked the Leader to tell her how she should respond.

5.2.2 The Leader suggested that the word “cut” was not the best word to use and that the best phrase to use was “reshaping the service” to ensure it was fully fit for purpose and met the needs of communities.

**5.3 Question from Mr T FitzPatrick**

5.3.1 Mr FitzPatrick referred to the recent LGA Conference and the Innovation zone which was very popular and an ideal opportunity for Councils to share good ideas. Mr FitzPatrick asked if the Leader could report back on the “In Good Company” presentation made at this years conference.

5.3.2 The Leader replied that the “In Good Company” presentation was well received as part of the Innovation zone and from three perspectives - firstly, it showed that Norfolk was being innovative in what it was doing; secondly, the audience was very appreciative of what we were trying to promote; and thirdly, in terms of the presentation that was made, he had been able to cite examples from a group in Harleston and also highlight the benefits of that particular project.

**5.4 Question from Ms A Kemp**

5.4.1 Ms Kemp asked when a village was not a village and referred to the fact that Defra had redrawn the boundaries of the European Leader Funding so that West Lynn, which was a village in her Division could not benefit from it which was particularly serious as the ferry service could not continue without funding. Ms Kemp asked if the Leader would take this up with Defra and ask them if they would redraw the boundaries so that villages in Norfolk could benefit from funding



for rural services.

- 5.4.2 The Leader replied that the issue about villages or towns was dependent on how much growth there would be across the county and how much growth we were prepared to accept in those areas, to:

- a) keep the villages and wider communities vibrant and
- b) ensure the areas were protected.

He added that, in terms of status, he accepted there were definitions around whether a place was a village or a town and said we would need to look to the future and decide how we defined our communities to take account of the growth.

5.5 **Question from Mr G Nobbs**

- 5.5.1 Mr Nobbs said, during the time he was Leader of the Council, he supported Norse and knew it was vitally important to maintain a good relationship with our Partners. He added that, since then, Norse had a new Chairman, new MD, new Group MD, new NPS MD. Mr Nobbs said he realised the Leader was new to his current role, but asked if he could tell Council whether we, as Councillors, should be concerned about reports in the EDP about Norwich City Council's decision to cancel four contracts, worth tens of millions of pounds and when the MD of Norse first became aware of the situation. He also asked if the Leader could explain why there had been an apparent total breakdown in the relationship between senior management of Norwich City Council and Norse.

- 5.5.2 The Leader replied that we all supported the work and activities Norse undertook, as we owned the company. The Leader said, regarding the other issues that were in the public domain, he had no comment to make in that respect as it was a matter between Norwich City Council and Norse.

5.6 **Question from Mr D Roper**

- 5.6.1 Mr Roper referred to the recent coverage of the difficulties of at least one bus operator in Norfolk and asked, taking into account the very large public response to proposed cuts in bus subsidies at the last budget consultation, if the Leader was prepared to give a cast iron assurance that there would be absolutely no proposals in the current budget round to reduce bus subsidies or grants.
- 5.6.2 The Leader replied that, as the budget work progressed all the issues would need to be looked at. He added that it would not be right to give a cast iron assurance at this stage, but protecting buses and what they meant to their communities was what we should be doing.

5.7 **Question from Mr E Colman**

- 5.7.1 Mr Colman asked if the Leader would join him in congratulating the Public Health Team on their recent success at the Municipal Journal (MJ) Awards
- 5.7.2 The Leader replied that he would be happy to congratulate the Public Health team who won the award in the Public Health Category in the MJ Local Government Achievement Awards. He added that something that was not always recognised was how much Norfolk County Council, through its Public Health Team, led in this particular area, in training people in front-line roles and also making sure that where there were signs of abuse they were spotted early so they could be dealt with.

**5.8 Question from Ms E Corlett**

5.8.1 Ms Corlett said, when Councillor allowances were controversially agreed in December 2017, the arguments used at that time included that the role of Leader and Deputy Leader were both full-time jobs. Ms Corlett asked if the Leader could tell us how this assertion which was used to justify the increase, fitted with his deputy having a full-time job at County, at the same time as being Leader of a District Council and also whether he predicted that the District or County role would be neglected as a result.

5.8.2 The Leader replied that from the work done so far, the Leader and Deputy Leader had worked as a team and there was no reason they shouldn't continue to work as a team in the future.

**5.9 Question from Mr B Stone**

5.9.1 Mr Stone referred to the Norfolk Show and the very enjoyable day spent there. He asked if the Leader would update Members on the success of this year's Norfolk Show.

5.9.2 The Leader replied that it had been a very good day which had also been very hot. He added that there had been a presentation with the Chamber of Commerce and LEP which had been very positive and that it had been a very productive day.

**5.10 Question from Mr S Aquarone**

5.10.1 Mr Aquarone asked the Leader, after kicking cuts to special educational needs and disability transport budgets into the long grass, extending children's centre contracts and being forced to increase special needs funding, what steps he had taken to ensure children's centres got things right first time in the future.

5.10.2 The Leader replied that the path we were trying to follow now was to get things right all the time. With regard to the issue about SEN children, there were a number of issues, one of which was provision for schools and after he had discussed the issue with the Executive Director he had directed the service to get on with the work.

**5.11 Question from Mr J Fisher**

5.11.1 Mr Fisher asked, further to the Chairman's reference to Norfolk Day, if the Leader could provide an update of the activities this Council was doing for Norfolk Day on 27 July.

5.11.2 The Leader replied that the Norfolk flag would be flying all week at County Hall; Norfolk Day was on Friday 27 July, which would be an early start for him as he was due to be at Wroxham at about 5.30am to go out on a boat trip for about 3 hours. He added that some articles had been written for the EDP promoting the work that was being done; the Chairman had already mentioned her Grand Tour of Norfolk; and would also be launching her "Inspirational women" campaign to celebrate inspirational women of the past and also to inspire young women today.

5.11.3 The Chairman added information about the launch of her "Inspirational women" campaign and said that it was 100 years since women had won the vote. She wanted to encourage women to much greater things and would be launching the Charter on 27 July, where a group of inspirational women had already agreed to

attend, including a judge; a young entrepreneur, various CEO's and academics. She continued that this was a wonderful opportunity to raise aspirations of women as not all women had self-belief and she wanted to encourage them to have a "can do" attitude. The Chairman asked all Councillors to support the launch and Charter.

**5.12 Question from Mrs C Walker**

5.12.1 Mrs Walker asked if the Leader could confirm whether a recent edition of Your Norfolk was scrapped, why it was not circulated to the people of Norfolk and the costs incurred.

5.12.2 The Leader replied that the magazine had included a sensitive issue which he felt was not right to circulate and on that basis that particular edition of Your Norfolk was taken out of circulation.

**6 Notice of Motions**

6.1 The following motion was proposed by Ms A Kemp and seconded by Mr T East:

"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, asks the Policy and Resources Committee to arrange that the Strategic Equality Group, mothballed since the election of May 2017, should meet on a regular footing with immediate effect; as this Council wishes to challenge itself, in the interests of promoting public health and wellbeing and reducing the future social care budget, to enhance its power to help disabled residents who cannot walk, or who do not drive, or who are visually or sensorily impaired, or have learning difficulties, or mental health issues, and other disabilities, to access the community independently and participate on an equal footing; and therefore wishes to raise the bar for informed policy and decision making in the interests of disabled people, and to complement this Council's important, innovative work in Assistive Technology, with the restoration of the Strategic Equality Group as the forum for Equality Impact Assessments to be debated in detail by members collectively, to better inform this Council, and prove an active force for good in Norfolk."

6.1.2 The following amendment was proposed by Ms Corlett, and as it was agreed by Ms A Kemp as proposer of the original motion, it became the substantive motion:

~~"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, asks the Policy and Resources Committee to arrange that the Strategic Equality Group, mothballed since the election of May 2017, should meet on a regular footing with immediate effect; as this Council wishes to challenge itself, in the interests of promoting public health and wellbeing and reducing the future social care budget, to enhance its power to help disabled residents who cannot walk, or who do not drive, or who are visually or sensorily impaired, or have learning difficulties, or mental health issues, and other disabilities, to access the community independently and participate on an equal footing; and therefore wishes to raise the bar for informed policy and decision making in the interests of disabled people, and to complement this Council's important, innovative work in Assistive Technology, with the restoration of the Strategic Equality Group as the forum for Equality Impact Assessments to be~~

~~debated in detail by members collectively, to better inform this Council, and prove an active force for good in Norfolk~~

1. Requests Policy and Resources Committee to establish an Equalities sub committee to replace and undertake similar functions to the Strategic Equalities Group in overseeing the council's approach to equality, and provide a more robust approach to upholding our Equality Duties.
2. Requests the current working group examining possible future arrangements for a cabinet system to consider and include in their recommendations specific proposals to ensure robust oversight and governance in respect of our Equality Duties, should Council decide to adopt a cabinet form of governance"

6.1.3 Following debate, and upon being put to a vote, with 27 votes in favour, 42 votes against and 0 abstentions, the motion was **LOST**.

6.2 The following motion was proposed by Mr T Jermy and seconded by Mr S Morphew:

"Council agrees to suspend charges for the disposal of DIY waste pending the outcome of the review of the policy by EDT committee."

6.2.1 The following amendment was proposed by Mr S Aquarone and seconded by Mr T East:

~~"Council agrees to scrap suspend charges for the disposal of DIY waste. pending the outcome of the review of the policy by EDT Committee."~~

6.2.2 As proposer of the original motion, Mr T Jermy did not accept the amendment which was then debated by Council.

6.2.3 Following debate on the amendment and upon being put to a recorded vote (copy attached at Appendix A), with 27 votes in favour, 43 votes against and 0 abstentions, the amended motion was **LOST**.

6.2.4 Council then voted on the substantive motion as set out in paragraph 6.2 above. Upon being put to a recorded vote (attached at Appendix B), with 26 votes in favour, 43 votes against and 0 abstentions the substantive motion was **LOST**.

6.3 The following motion was **WITHDRAWN** by Mr T East.

"Since the introduction on 1 April 2018 by the Council of charges for household DIY waste there has been: -

- A challenge from Norman Lamb MP on the legality of these charges
- Questions raised by Norman Lamb MP in Parliament on these charges
- An Eastern Daily Press investigation showing an increase in fly tipping since these charges were introduced
- Evidence that public use of recycling centres has dropped since the charges were introduced
- Anger and confusion by residents at these charges and how they are

being implemented

- Residents given different answers as to whether they would be charged depending on which recycling centre they went to

Councillor Martin Wilby, as Chairman of the Environment, Development and Transport Committee, told full council on 16 April 2018, that if there was an increase in fly tipping as a result of the policy, the County Council would 'sort it out'.

Given the above, the council will not meet its projected savings target and in doing so will put more clearing up costs on the District Councils. In any good organisation this would be seen as a poor decision and be quickly changed. The Council would then be in line with other authorities such as West Sussex County Council and Derbyshire County Council in reversing the charges.

The Council notes the public anger and frustration that the introduction of these charges has caused as evidenced by the petition calling for the charges to be reversed that has been signed by more than 6600 people.

Council resolves to immediately stop the charges for DIY household waste at its household waste recycling centres."

6.4 The following motion was proposed by Mr J Timewell and seconded by Mr B Watkins:

"A number of major employers have announced recently that they will be leaving Norfolk including Colman's from Norwich. Irwin and Mitchell estimates that for the number of new jobs created next year Norwich will be 27th out of all UK cities compared to Oxford 9th and Cambridge 10th.

The Council's own economic analysis shows that Norfolk is a difficult place to set up a business with Norfolk currently 2.5% behind the national average for business start-ups.

Essex County Council to improve its economic performance and to send out a clear message to everyone that they really are open for business set up an Independent Economic Commission. The Commission has set the ambitious target of Essex becoming the fastest growing economy in the country with the aim of doubling its jobs and wealth by 2025.

The Council resolves that it follows the example set by Essex County Council and

- (A) sets up an independent Economic Commission for Norfolk,
- (B) establishes the remit of the commission to gather evidence and provide recommendations as to how this county/region might realise its full economic potential, providing a stronger engine of growth for the UK economy,
- (C) requests the Commission to bring together expertise from economists, business, finance and universities to provide a stronger analytical base for policy-makers and to make proposals for action,
- (D) ensures that the membership of the commission is truly independent to be

made up of academic, business and economic representatives with no political control, and

(E) asks the commission to report its findings within 1 year from now.”

6.4.1 Following debate and upon being put to a vote, with 12 votes in favour, the motion was **LOST**.

6.5 The following motion was proposed by Mr D Roper and seconded by Mr D Harrison, after Council agreed the alteration set out below:

“Council notes that the airport north roundabout and Wroxham Road roundabout on the Broadland Northway ~~NDR~~ have seen a higher number of crashes than would usually be expected for a road designed to national standards and which passed a safety audit carried out by independent experts.

It is not appropriate though for the council to deny any responsibility for this and to seek to blame it all on poor driving.

The Council should undertake an urgent reassessment of the road, to allay public concerns that should include:

- the layout of lanes at roundabouts and the tailbacks they are causing
- repairs to signage where they have been damaged
- sufficient slow down road markers and rumble strips before roundabouts as are provided at other major roads in the county.

Council resolves to

(A) undertake an urgent safety audit of the Broadland Northway ~~NDR~~,

(B) give delegated responsibility to the Executive Director of Community and Environmental Services to take the remedial work that is needed as part of that audit, and

(C) request the Executive Director of Community and Environmental Services to report to the meeting of the Environmental, Development and Transport Committee on 7 September 2018 on the work that has been undertaken..”

6.5.1 Mr M Wilby, Chairman of Environment, Transport and Development (EDT) Committee advised that a safety audit had recently been undertaken, with input from the Police, and some remedial works had been completed. He added that a major traffic survey monitoring exercise was to take place late 2018, which was approximately six months after the opening of the Broadland Northway, the results of the survey as well as a report on the monitoring of the junctions would be presented to EDT Committee at a future meeting.

6.5.2 As the proposer, Mr Roper **WITHDREW** the motion after receiving the necessary assurances from the Chairman of EDT that investigations would continue and EDT Committee would receive the results in the near future.

6.6 The following motion was proposed by Mr M Smith-Clare and seconded by Ms E Corlett, including the additional word in the final paragraph:

“Council acknowledges the importance of members operating within a framework of accountability and transparency, and notes that requirement of disclosure of membership of the Freemasons by other Local Authorities represents best practice.

Council further acknowledges that for the public to have confidence in its elected representatives there must be total openness and scrutiny to safeguard against any perceived potential conflicts of interests in our decision making.

Council therefore resolves that all NCC members be required to declare any **current** membership of the Freemasons on their register of interests.”

6.6.1 The Practice Director nplaw advised Council that Members were not required to declare if they were a Freemason, however if a Member held a management role as a Mason, they should declare that fact as an “other” interest. Anyone that had declared an interest would still be able to speak and vote on the matter.

6.6.2 The following amendment was proposed by Mr Tom Garrod and seconded by Mr B Stone:

~~“Council acknowledges the importance of members operating within a framework of accountability and transparency, and notes that requirement of disclosure of membership of the Freemasons by other Local Authorities represents best practice.~~

~~Council further acknowledges that for the public to have confidence in its elected representatives there must be total openness and scrutiny to safeguard against any perceived potential conflicts of interests in our decision making.~~

~~Council therefore resolves that all NCC members be required to declare any current membership of the Freemasons on their register of interests.~~

Council acknowledges the importance of members operating within a framework of accountability and transparency and asks the Standards Committee to review the current code of conduct to ensure that it meets these requirements”

6.6.2 Following a query about whether the amendment negated the motion, the Practice Director nplaw advised Council that the amendment did not negate the motion.

6.6.3 As proposer of the original motion, Mr Smith-Clare did not accept the amendment which was debated by Council.

6.6.4 Following debate on the amendment and upon being put to a vote, with 44 votes in favour, 20 votes against and 4 abstentions, the amended motion was **CARRIED** and became the substantive motion.

6.6.5 Council then debated the substantive motion as set out below:

“Council acknowledges the importance of members operating within a framework of accountability and transparency.

Council acknowledges the importance of members operating within a framework

of accountability and transparency and asks the Standards Committee to review the current code of conduct to ensure that it meets these requirements.”

The Labour Group left the meeting at 12.45 p.m.

- 6.6.6 Following debate and upon the substantive motion being put to a vote, with 1 abstention the motion was **CARRIED**.

Council adjourned from 12.50pm until 1.30pm.

## **7 Recommendations from Service Committees**

### **7.1 Policy & Resources – Recommendations from the meetings held on 4 June and 16 July 2018.**

- 7.1.1 Mr A Proctor, Chairman of Policy & Resources Committee, moved the recommendations in the report, proposing an additional recommendation to the Annual Treasury Management Report 2017-18, following advice received from the Auditors in light of the revised MRP guidance from central government, to amend the MRP policy to ensure Council continued to achieve:

- The revenue savings assumed in 2017/18, and
- Savings in future years until full utilisation of the over-provision of MRP (estimated at £41m remaining, subject to further detailed calculations).

A copy of the revised Statement is attached at Appendix C to these minutes.

The additional recommendation to read:

- 2 To agree the Revised Minimum Revenue Provision Statement 2017-18 and 2018-19.

### **7.1.2 Annual Treasury Management Report 2017-18**

Council **RESOLVED** to:

1. **Approve** the Annual Treasury Management Report 2017-18.
2. **Agree** the Revised Minimum Revenue Provision Statement 2017-18 and 2018-19.

### **7.1.3 NORSE Consents**

Council **RESOLVED** to:

- **Approve** the appointment of Directors to companies in the Norse Group as detailed in Appendix B of the report.

### **7.1.4 Limited Company Consents**

Council **RESOLVED** to:

- **Approve** the appointment of Directors to companies in the Norse Group as



detailed in Appendix C of the report.

- **Agree** the change in registered office for Norse Group companies as detailed below:
  - In August the Group Solicitors team, which is responsible for the administration of the Norse Group company books will move to Fifers Lane. As the registered office of a company is where official communications are sent it would be appropriate to change the registered office of all the Norse Group companies to the Fifers Lane address (Addfills registered office is Fifers Lane). **280 Fifers Lane, Norwich, Norfolk, NR6 6EQ.**

#### 7.1.5 **Officer Employment Procedure Rules**

Council **RESOLVED** to:

- **Agree** that the position of Head of Communications is included in the list set out in Part A of the Appendix to Part 6 of the Constitution (Senior Officers which will be appointed by a Member Panel).
- **Agree** that the Constitution Advisory Group (CAG) should consider if there are any other Senior Officer positions that need to be added to the list of appointments which are made by a Member Panel.

#### 7.2 **Children's Services Committee – Recommendations from the meeting held on 10 July 2018.**

7.2.1 Mrs P Carpenter, Chairman of Children's Services Committee moved the recommendations in the report.

#### 7.2.2 **Youth Justice Plan**

7.2.3 Council **RESOLVED** to **approve** the Norfolk Youth Justice Plan 2018-2021.

### 8 **Reports from Service Committees (Questions to Chairmen)**

#### 8.1 **Report of the Policy and Resources Committee meetings held on 4 June and 16 July 2018.**

Mr A Proctor, Chairman of Policy and Resources Committee, moved the report.

8.1.2 Council **RESOLVED** to note the report.

#### 8.2 **Report of the Adult Social Care Committee meetings held on 14 May and 2 July 2018.**

Mr B Borrett, Chairman of Adult Social Care Committee moved the report.

#### 8.2.1 **Question from Mr B Watkins**

Mr Watkins said that whilst the Liberal Democrat Group welcomed the publication of the new Learning and Disability Strategy, it must bring quantifiable changes across Norfolk as we owed that to the 17000 users who had not always had their

best interests served. Mr Watkins asked the Chairman, when he believed the lives of people who had a learning disability in Norfolk would see an improvement in their lives as a result of the new Strategy.

The Chairman replied that the Strategy was going to inform every decision made by anyone interacting with anybody in that field. The Chairman continued that he thought it was a fantastic new strategy and welcomed the opportunity to talk about it as he thought it was going to be a step change in putting the desires and aspirations of service users at the heart of all decisions. The work would commence from now and Adult Social Care Committee would be monitoring progress.

8.1.2 Council **RESOLVED** to note the report.

8.3 **Report of the Business & Property Committee meetings held on 15 May and 3 July 2018**

Mr B Stone, Chairman of Business & Property Committee moved the report.

8.3.1 **Question from Ms A Kemp**

Ms Kemp said that the Business and Property Committee had set up a company to bring in assets to the Council. She asked if the Chairman was in a position to say how much profit the Business & Property Committee had brought in over the past year for use by other services.

The Chairman replied that Repton Property Company had been set targets and they were included in the Medium Term Plan. The Chairman was unable to give an exact figure at the current time, but did reassure Council that the medium term plan was in operation.

8.3.2 Council **RESOLVED** to note the report.

8.4 **Report of the Children's Services Committee meetings held on 22 May and 10 July 2018.**

Mrs P Carpenter, Chairman of Children's Services Committee moved the report.

8.4.1 **Question from Mr B Watkins**

Mr Watkins referred to recent reports about delays to waiting times for people with suspected autism who were waiting almost four years to receive a diagnosis. He asked the Chairman if any pressure could be put on the NHS to try to reduce waiting times for assessments across Norfolk.

The Chairman responded that a Children's Services and Adult Social Care Partnership Board had now been established to look into that issue and that a report would be presented to a future meeting of the Committee.

8.4.2 Council **RESOLVED** to note the report.

8.5 **Report of the Communities Committee meetings held on 21 May and 4 July 2018.**

Mrs M Dewsbury, Chairman of Communities Committee, moved the report.

8.5.1 **Question from Ms S Butikofer**

Mrs Butikofer asked if the Chairman of Communities Committee was planning to call a Special Meeting of the Committee to oversee the critical service provided by this Council in the form of the Norfolk Fire & Rescue Service, so that Members could debate a joint response to the consultation published by the Police & Crime Commissioner.

The Chairman replied that she would be considering holding a special meeting to consider its response to the consultation.

8.5.2 Council **RESOLVED** to note the report.

8.6 **Report of the Digital Innovation & Efficiency Committee meetings held on 11 May and 11 July 2018.**

Mr T FitzPatrick, Chairman of the Digital Innovation & Efficiency Committee moved the report. The new Chairman thanked both the outgoing Chairman and Vice-Chairman for all the work they had completed.

8.6.1 **Question from Mr S Aquarone.**

Mr Aquarone asked the Chairman if there were any plans in place which would allow parish councils or village hall owners to take part in the same merchandising of possible small transmitter sites that had come out on the back of the mobile phone coverage research. He added that the County Council had a lot of property where it could invite mobile phone network operators to install transmitters and plug the gap in coverage and that it would be a good idea if there was a scheme whereby other community organisations could offer their sites up for inclusion in the process.

The Chairman responded that the IMT Manager was looking into this topic at the moment and that he would find out what progress had been made.

8.6.2 Council **RESOLVED** to note the report.

8.7 **Report of the Environment, Development and Transport Committee meetings held on 18 May and 6 July 2018.**

Mr M Wilby, Chairman of EDT Committee moved the report.

8.7.1 **Question from Mr S Aquarone**

Mr Aquarone referred to the recent incident when a resident was locked in a recycling centre and not allowed to leave until he had paid the DIY waste charge. He added that he made no judgement as to whether this was because they were unaware of the fee and failed to bring any means of payment, or whether they refused to pay, but given the potential for Norfolk people to take matters into their own hands and rebel over these charges, had the Chairman considered whether some sense-checking of management culture might be in order to support centre staff.

The Chairman replied that he had been made aware of the situation as soon as it was happening and that officers at the site had kept him fully involved. The Chairman felt the situation was dealt with professionally and stated he was happy with the way the matter was resolved.

- 8.7.2 **Question from Ms A Kemp**  
Ms Kemp asked if the Chairman would like to comment on the efficiency and ethnicity of the democratic process in Norfolk, bearing in mind that the residents in her division had two public inquiries refused recently – one by the Secretary of State about the EP Power Station and one by Norfolk County Council over the Hardings Way traffic order.
- The Chairman replied that he was very happy with the democratic process in Norfolk.
- 8.7.3 Council **RESOLVED** to note the report.
- 8.8 Following a proposal from Mrs S Butikofer, Council **AGREED** to place on record its thanks to the Norfolk Fire and Rescue Service, particularly the Retained Fire Fighters, for all their hard work during the recent spell of hot weather.
- 9 Other Committees**
- 9.1 **Report of the Health Overview and Scrutiny Committee meetings held on 24 May and 12 July 2018.**
- 9.1.1 M Chenery of Horsbrugh, Chairman, moved the report. Council **RESOLVED** to note the report.
- 9.1.2 **Question from Ms A Kemp**  
Ms Kemp referred to the speech and language therapy waiting times and the fact that people are limited to six sessions and asked what HOSC was going to do about the situation.
- The Chairman replied that he was still waiting for a reply.
- 9.2 **Report of the Personnel Committee meeting held on 19 June 2018.**
- Mr A Proctor, Chairman, moved the report. Council **RESOLVED** to note the report.
- 9.3 **Report of the Health and Wellbeing Board meeting held on 2 May 2018.**
- Mr B Borrett, Chairman, moved the report. Council **RESOLVED** to note the report.
- 9.4 **Report of the Records Committee meeting held on 29 June 2018.**
- 9.4.1 Mr P Duigan, Vice-Chairman, moved the report. Council **RESOLVED** to note the report.
- 9.5 **Report of the Planning (Regulatory) Committee meeting held on 13 July 2018.**
- 9.5.1 Mr C Foulger, Chairman, moved the report. Council **RESOLVED** to note the report.

9.6 **Report of the Norwich Highways Agency Joint Committee meeting held on 7 June 2018**

Mr J Fisher, Chairman, moved the report. Council **RESOLVED** to note the report.

**10 Land at Willows Business Park, Saddlebow, King's Lynn.**

10.1 Council received the report by the Executive Director of Finance and Commercial Services, setting out details of an enquiry received from EP UK Power Development Ltd in relation to land owned by the County Council known as "The Willows" in King's Lynn. Additional land was required for the delivery of a planned Combined Cycle Gas Turbine Power Station and Carbon Capture Plant, which was a requirement of the existing consent for the development and without this provision there could be no development.

10.2 Mr B Long declared a possible conflict of interest as part of the land was owned by the Borough Council of King's Lynn and West Norfolk and was currently leased to Norfolk County Council for the operation of the Household Waste Recycling Centre.

10.3 Council **RESOLVED** to:

1. **Confirm** the Willows site is surplus to the future waste strategy.
2. **Note** the motion 5.5 from full Council in December 2014 is being met.
3. **Approve** delegating the leasing of the property to the Business and Property Committee subject to the controls discussed in Sections 1.6 of the report being in place.
4. If a lease decision is required outside of the normal committee cycle, Council **agrees** to delegate the decision to the Executive Director of Finance and Commercial Services, in consultation with the Chair of the Business and Property Committee.

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

There were none.

The meeting concluded at 2pm

**Chairman**



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## Norfolk County Council 23 July 2018

### MOTION 2 – Amended Motion 2 Proposed by Mr S Aquarone and seconded by Mr T East.

	For	Against	Abstain		For	Against	Abstain
<b>ADAMS</b> Tony		X		<b>KEMP</b> Alexandra	X		
<b>ADAMS</b> Timothy	X			<b>KIDDIE</b> Keith		X	
<b>AQUARONE</b> Steffan	X			<b>KIDDLE-MORRIS</b> Mark		X	
<b>ASKEW</b> Stephen		X		<b>LONG</b> Brian		X	
<b>BARNARD</b> Jess	X			<b>MACKIE</b> Ian		X	
<b>BILLS</b> David		X		<b>MAXFIELD</b> Edward	X		
<b>BORRETT</b> Bill		X		<b>MIDDLETON</b> Graham		Absent	
<b>BOWES</b> Claire		Absent		<b>MOONEY</b> Joe		Absent	
<b>BRAME</b> Roy		X		<b>MORPHEW</b> Steve	X		
<b>BROCIEK-COULTON</b> Julie		Absent		<b>NOBBS</b> George	X		
<b>BUTIKOFER</b> Sarah	X			<b>OLIVER</b> Judy		Absent	
<b>CARPENTER</b> Penny		X		<b>OLIVER</b> Rhodri		Absent	
<b>CASTLE</b> Mick		Absent		<b>PECK</b> Greg		X	
<b>CLANCY</b> Stuart		X		<b>PLANT</b> Graham		X	
<b>CLIPSHAM</b> Kim	X			<b>PRICE</b> Richard		X	
<b>COLLIS</b> David	X			<b>PROCTOR</b> Andrew		X	
<b>COLMAN</b> Ed		X		<b>RICHMOND</b> William		X	
<b>CONNOLLY</b> Edward		X		<b>ROPER</b> Dan	X		
<b>CORLETT</b> Emma	X			<b>ROWNTREE</b> David	X		
<b>DARK</b> Stuart		X		<b>RUMSBY</b> Chrissie	X		
<b>DEWSBURY</b> Margaret		X		<b>SANDS</b> Mike	X		
<b>DIXON</b> Nigel		Absent		<b>SEWARD</b> Eric	X		
<b>DOUGLAS</b> Danny	X			<b>SMITH</b> Carl		X	
<b>DUIGAN</b> Phillip		X		<b>SMITH</b> Thomas		Absent	
<b>EAGLE</b> Fabian		X		<b>SMITH-CLARE</b> Mike	X		
<b>EAST</b> Tim	X			<b>SPRATT</b> Bev		X	
<b>EYRE</b> Simon		Absent		<b>SQUIRE</b> Sandra		Absent	
<b>FISHER</b> John		X		<b>STONE</b> Barry		X	
<b>FITZPATRICK</b> Tom		X		<b>STONE</b> Margaret		X	
<b>FOULGER</b> Colin		X		<b>STOREY</b> Martin		Absent	
<b>GARROD</b> Tom		X		<b>STRONG</b> Marie	X		
<b>GRANT</b> Andy		X		<b>THIRTLE</b> Haydn		X	
<b>GURNEY</b> Shelagh		X		<b>THOMAS</b> Alison		X	
<b>HANTON</b> Ron		X		<b>THOMSON</b> Victor		X	
<b>HARRISON</b> David	X			<b>TIMEWELL</b> John	X		
<b>HORSBRUGH</b> Michael Chenery of		X		<b>VINCENT</b> Karen		X	
<b>HUMPHREY</b> Harry		X		<b>WALKER</b> Colleen	X		
<b>ILES</b> Brian		X		<b>WARD</b> John		X	
<b>JAMIESON</b> Andrew		Absent		<b>WATKINS</b> Brian	X		
<b>JERMY</b> Terry	X			<b>WHITE</b> Tony		X	
<b>JONES</b> Brenda	X			<b>WILBY</b> Martin		X	
<b>JONES</b> Chris	x			<b>YOUNG</b> Sheila		Absent	

With 27 votes in favour, 43 votes against and 0 abstentions, the amended motion was **LOST**.

## Norfolk County Council 23 July 2018

### MOTION 2 – Substantive Motion 2 Proposed by Mr T Jermy and seconded by Mr S Morpew.

	For	Against	Abstain		For	Against	Abstain
<b>ADAMS</b> Tony		X		<b>KEMP</b> Alexandra	X		
<b>ADAMS</b> Timothy	X			<b>KIDDIE</b> Keith		X	
<b>AQUARONE</b> Steffan	X			<b>KIDDLE-MORRIS</b> Mark		X	
<b>ASKEW</b> Stephen		X		<b>LONG</b> Brian		X	
<b>BARNARD</b> Jess	X			<b>MACKIE</b> Ian		X	
<b>BILLS</b> David		X		<b>MAXFIELD</b> Edward	X		
<b>BORRETT</b> Bill		X		<b>MIDDLETON</b> Graham		Absent	
<b>BOWES</b> Claire		Absent		<b>MOONEY</b> Joe		Absent	
<b>BRAME</b> Roy		X		<b>MORPHEW</b> Steve	X		
<b>BROCIEK-COULTON</b> Julie		Absent		<b>NOBBS</b> George	X		
<b>BUTIKOFER</b> Sarah	X			<b>OLIVER</b> Judy		Absent	
<b>CARPENTER</b> Penny		X		<b>OLIVER</b> Rhodri		Absent	
<b>CASTLE</b> Mick		Absent		<b>PECK</b> Greg		X	
<b>CLANCY</b> Stuart		X		<b>PLANT</b> Graham		X	
<b>CLIPSHAM</b> Kim				<b>PRICE</b> Richard		X	
<b>COLLIS</b> David	X			<b>PROCTOR</b> Andrew		X	
<b>COLMAN</b> Ed		X		<b>RICHMOND</b> William		X	
<b>CONNOLLY</b> Edward		X		<b>ROPER</b> Dan	X		
<b>CORLETT</b> Emma	X			<b>ROWNTREE</b> David	X		
<b>DARK</b> Stuart		X		<b>RUMSBY</b> Chrissie	X		
<b>DEWSBURY</b> Margaret		X		<b>SANDS</b> Mike	X		
<b>DIXON</b> Nigel		Absent		<b>SEWARD</b> Eric	X		
<b>DOUGLAS</b> Danny	X			<b>SMITH</b> Carl		X	
<b>DUIGAN</b> Phillip		X		<b>SMITH</b> Thomas		Absent	
<b>EAGLE</b> Fabian		X		<b>SMITH-CLARE</b> Mike	X		
<b>EAST</b> Tim	X			<b>SPRATT</b> Bev		X	
<b>EYRE</b> Simon		Absent		<b>SQUIRE</b> Sandra		Absent	
<b>FISHER</b> John		X		<b>STONE</b> Barry		X	
<b>FITZPATRICK</b> Tom		X		<b>STONE</b> Margaret		X	
<b>FOULGER</b> Colin		X		<b>STOREY</b> Martin		Absent	
<b>GARROD</b> Tom		X		<b>STRONG</b> Marie	X		
<b>GRANT</b> Andy		X		<b>THIRTLE</b> Haydn		X	
<b>GURNEY</b> Shelagh		X		<b>THOMAS</b> Alison		X	
<b>HANTON</b> Ron		X		<b>THOMSON</b> Victor		X	
<b>HARRISON</b> David	X			<b>TIMEWELL</b> John	X		
<b>HORSBRUGH</b> Michael Chenery of		X		<b>VINCENT</b> Karen		X	
<b>HUMPHREY</b> Harry		X		<b>WALKER</b> Colleen	X		
<b>ILES</b> Brian		X		<b>WARD</b> John		X	
<b>JAMIESON</b> Andrew		Absent		<b>WATKINS</b> Brian	X		
<b>JERMY</b> Terry	X			<b>WHITE</b> Tony		X	
<b>JONES</b> Brenda	X			<b>WILBY</b> Martin		X	
<b>JONES</b> Chris	x			<b>YOUNG</b> Sheila		Absent	

With 26 votes in favour, 43 votes against and 0 abstentions, the substantive motion was **LOST**.



- A1 Regulations issued by the Department of Communities and Local Government in 2008 require the Council to approve a Minimum Revenue Provision (MRP) statement in advance of each year.
- A2 Members are asked to approve the MRP statement annually to confirm that the means by which the Council plans to provide for repayment of debt are satisfactory. Any revisions to the original statement must also be issued. Proposals to vary the terms of the original statement during the year should also be approved.
- A3 MRP is the provision made in the Council's revenue budget for the repayment of borrowing used to fund capital expenditure - the Council has a statutory duty to determine an amount of MRP which it considers to be prudent, having regard to guidance issued by the Secretary of State.
- A4 In 2017-18 and 2018-19:
- For capital expenditure incurred before 1 April 2007-which is supported by Formula Grant (supported borrowing), the MRP policy will be to provide the amount to set aside calculated in equal instalments over 50 years.
  - For all capital expenditure since that date which is supported by Formula Grant (supported borrowing), the MRP policy will be to provide the amount to set aside calculated in equal instalments over 50 years from the year set aside is first due.
  - In calculating the amounts on which set aside is to be made pre 1 April 2007 Adjustment A will be applied.
  - The over-provision identified by the change will be released in a phased manner until 2021-22, to the extent that it has not been fully used.
  - For expenditure since 1 April 2008, the MRP policy for schemes funded through borrowing will be to base the minimum provision on the estimated life of the assets in accordance with the guidance issued by the Secretary of State.
  - Having identified the total amount to be set aside for previously unfunded capital expenditure the Council will then decide how much of that to fund from capital resources with the residual amount being the MRP for that year.
- A5 Where loans are made to third parties for capital purposes, the capital receipt received as a result of each repayment of principal, under the terms of the loan, will be set aside in order to re-pay NCC borrowing and to reduce the Capital Financing Requirement accordingly. MRP will only be accounted for if an accounting provision has been made for non-repayment of the loan or if there is a high degree of uncertainty regarding the repayment. This arrangement will also be applied where a third party has committed to underwrite the debt costs of a specific project through amounts reserved for capital purposes.
- A6 The Council will continue to make provision at least equal to the amount required to ensure that each debt maturity is met.

# County Council

Item No: 4

<b>Report title:</b>	<b>Norfolk County Council Carers Charter Task and Finish Group</b>
<b>Date of meeting:</b>	<b>15 October 2018</b>
<b>Responsible Chief Officer:</b>	<b>James Bullion, Executive Director of Adult Social Services</b>
<b>Executive summary</b> <p>Full County Council in October 2017, agreed a motion that recognised the invaluable contribution of informal carers and equally the challenges they face. As such, the Council agreed they deserved a fair deal, and agreed to develop a Carers Charter.</p> <p>Nationally, the picture shows that three in every five people will become a carer at some point in their life and one in five carers gives up work to care. The number of unpaid carers has risen by 16.5% over the last fifteen years, outstripping general population growth (6.2%). It is anticipated that by 2037 the figure for carers will have grown to nine million.</p> <p>In Norfolk, there are an estimated 99,419 unpaid adult carers who look after a family member or friend (Carers UK, 2015). Caring affects people from all walks of life, at all ages, living in the smallest village or the larger towns and cities.</p> <p><b>Recommendations:</b></p> <p><b>To endorse the Carers Charter and agree to promote the Charter to other organisations across the county.</b></p>	

## 1. Background

### 1.1 Norfolk County Council Carers Charter

#### 1.1.1 Full County Council agreed to develop a Carers Charter with a particular focus on:

- Employers and carers
- Young carers
- Respite for carers – and how they are supported to continue to engage in community activities

#### 1.1.2 A Task and Finish Group was established with an Independent Chair. The Group was made up as follows:

- William Armstrong, Independent Chair
- Cllr Graham Middleton (Children's Services Committee)
- Cllr Mike Sands (Adult Social Care Committee)
- Cllr Thomas Smith (replaced Cllr Martin Storey) (Adult Social Care Committee)
- Cllr Mike Smith-Clare (Children's Services Committee)
- Cllr Julie Brociek-Coulton, Carers Champion
- Ben Cawdron, Young Adult Carer
- Malcolm Court, Carer
- Jay Page, Carer

- Delores Williamson, Parent Carer
- Sallie Boyd, Young Adult Carer Support (Project Manager, Connects & Co.)

1.1.3 Over the course of five meetings, the Group has explored the three issues listed above (1.1.1) inviting input from specialists, looking at best practice, and visiting a nearby primary school to see the support for young carers in action. Additional external officer support was from Sharon Brooks, Chief Officer of Carers Voice Norfolk and Waveney (formerly known as Carers Council for Norfolk).

1.1.4 From this evidence gathering, a Charter has been developed and agreed by the Group and is now presented here to Full County Council for endorsement. The detailed report from the Task and Finish Group can be accessed here <https://www.norfolk.gov.uk/-/media/F65CD9E5C6B143448C2D6E06ABF8C2FB>

1.1.5 The Chair of the Group William Armstrong will introduce the Charter at Full County Council and some of the carers who were members of the group will be attending the meeting.

## 1.2 Monitoring the impact of the Charter

1.2.1 The Charter has been developed in a way which sets out what carers have a right to expect and, as a result, what Norfolk County Council pledges to do.

1.2.2 It is proposed that both Adult Social Care Committee and Children's Services Committee consider the detailed report of the Task and Finish Group and ensure the pledges happen.

1.2.3 The Group is determined that the Charter will have impact beyond the County Council, and has asked the Council to lead the promotion of the Charter to other organisations, seeking more organisations to sign-up and to make their own pledges.

1.2.4 The Group has indicated it would be willing to re-convene in 2019 to review progress.

## 1.3 Recommendations for Full County Council

1.3.1 To endorse the Carers Charter and agree to promote the Charter to other organisations across the county.

## Officer Contact

If you have any questions about matters contained in this paper or want to see copies of any assessments, e.g. equality impact assessment, please get in touch with:

**Officer Name:** Debbie Bartlett **Tel No:** 223034 **Email address:** [debbie.bartlett@norfolk.gov.uk](mailto:debbie.bartlett@norfolk.gov.uk)



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# The Carers Charter

## Carers in Work

Carer friendly practices employers should put in place to help and support employees with caring roles:

### Principles:

- Supporting carers is good for employers and for carers
- Carers should be helped and supported by their employer to stay in work
- The unique skills carers gain through their caring role should be recognised and valued in the workplace

### Carers have a right to expect:

- Employers that adopt carer friendly practices
- A Carers Policy that is easy to access that helps them balance their wellbeing, work and caring
- Managers are well trained and skilled to talk with carers about their caring roles and take suitable action to meet carers' needs
- Employers have a positive approach that helps carers identify themselves and understand the help and support available to them

### NCC will:

- Ensure policies relating to carers are all in one place and easy for carers and their managers to find
- Develop HR staff and our managers to make sure they are empowered to talk about caring with staff and make suitable changes to meet carers' needs
- Work with carers within NCC and connect them to help and support services
- Be a model of good practice and work with other employers to encourage them to be carer friendly and become models of good practice

## Young Carers and Young Adult Carers in Education

Support that schools (and other places of learning including colleges, sixth forms, universities and training providers) could provide to young carers and young adult carers whose studies and involvement in school and college life might be affected by caring:

### Principles:

- Young carers are children and young people first
- Schools' ambitions for young carers and young adult carers should be the same as for all students
- Schools should consider the overall health and wellbeing, not just the education needs, of young carers and young adult carers
- Schools should make sure that young carers and young adult carers have equal access to the same opportunities as other students both in and out of school

### Young carers and young adult carers have a right to expect:

- Help and support from schools to succeed in their studies, take part fully in school life and reach their full potential through raising their aspirations from an early age and offering practical help and support
- Staff are well trained and skilled in identifying young carers and young adult carers and talking with them to help them access the right help and support
- A clear Young Carers and Young Adult Carers Policy that young carers and young adult carers and their families are given. This policy should enable young carers and young adult carers to succeed in their education
- Information in school on what being a young carer or young adult carer means and the help and support available. This information should be easy to access and available in different formats

### NCC is committed to:

- Driving improvements in the quality of information collected and used by schools about young carers and young adult carers and their needs
- Promoting the Norfolk Young Carers Forum "Young Carer Friendly Tick" Award scheme to schools
- Working with other services to identify where young carers and young adult carers are in schools and understand how they are doing

## Carers in the Community

Support that the County Council can offer, or be part of, to help all carers, regardless of who they are caring for, access their local community and support services:

### Principles:

- Carers are people first
- It is essential that carers have the opportunity for a life outside of caring
- Carers are, and should be recognised as, the experts in their own lives. Carers must have a voice and be helped and supported to achieve what matters to them

### Carers have a right to expect:

- A dialogue with NCC or one of our service providers that helps and supports carers to explore what they want to achieve in life and how this could happen
- Access to help and support even if they seem to be coping. Carers should not have to be at a crisis point to be heard
- Health and Social Care organisations, voluntary groups and communities that are carer friendly and work to link carers to support networks and services
- Clear, easy to find, jargon free information about carers' rights and help, support and services available to them

### NCC is committed to:

- Having effective and meaningful conversations with carers about what they want to achieve and what is important to them, to meet their needs to enable them to continue caring. Ensuring there is help and support for carers so they can maintain their health and wellbeing
- Working with all our health and district council partners to help identify carers, particularly carers with disabilities and carers of a Black, Asian or other Minority Ethnic background, who are currently less likely to access services
- Reaching out to and hearing the voices of all carers, raising the profile of carers and valuing their contribution. As part of this, making sure that we connect carers with each other and carers support groups
- Train our social care workforce in Carer Awareness, so they know how to identify carers and what help and support we, and others, can offer
- Making information and advice easier to access and simpler to use so carers can find out about the support available. Making sure there are a variety of ways to access any information, not just online



### **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 Chairman will be prepared to intervene if he considers this principle is not being adhered to.

### **Agenda Item 4 – 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 Chairman'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.
2. The Chairman 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 Chairman will invite the Leader of the Liberal Democrat Group to ask a question.
4. When the second question has been answered, the Chairman will invite and select a member of the Independent Group to ask a question.
5. When the third question has been answered, the Chairman will invite and select a member of the Conservative Group to ask a question.
6. If the 15 minutes has not expired, the Chairman will then invite all members of the Council to indicate if they wish to ask a question, by raising their hands. The Chairman will select a member to ask their

question and all other members should put down their hands until the Chairman next invites questions.

7. The Chairman will follow the same principle of selecting questioners alternatively from Groups as in paragraphs 2-5 above.
8. The session will be timed by the existing lights system for timing speeches. The amber light will be lit after 14 minutes and the red light lit after a further minute. If a question is being asked at the point at which the red light is lit, the Chairman will allow the question to be completed and the answer to be given.

### **Notice of Motions**

Notice of the following motions have been given in accordance with the Council Procedure Rules:

1. Proposed by Sandra Squire, seconded by Mick Castle

Council reaffirms its commitment to the protection of the environment, in particular the marine environment, as we are a County with some 90 miles of coastline and acknowledge that we have a responsibility toward keeping it as pristine as possible.

Therefore, this Council resolves to -

A) To create an online 'Balloon and Chinese Lantern Free Charter' for Norfolk by the end of 2018. To work with the remaining councils in Norfolk that have yet to ban the release of Chinese Lanterns and Balloons on their land and other organisations including schools, clubs and land owners to publicise the dangers of such releases, encourage them not to hold them and to sign up to the charter, enabling Norfolk to be a Chinese lantern and balloon release free county.

B) To instruct officers to immediately investigate options to start the process of making the Council and its activities as sustainable as possible. To begin reducing the usage of all single use products, including but not limited to single use plastics, in council owned or operated buildings.

Specifically, to include by the end of 2018:

- The removal of all chilled water dispensers and plastic cups from meeting rooms, providing jugs of water and glasses as an alternative.
- To end the sale of items in single use plastic packaging on Council premises, including drinks bottles, food wrappers, bottle tops and plastic lids.
- To ensure that no single use cutlery or food containers, whether made of plastic or alternative materials are supplied by the council itself or other vendors in council owned or operated buildings and events.

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2. Proposed by Ed Maxfield, seconded by Dan Roper

The Council resolves to suspend its Early Childhood and Family Service consultation and to rewrite it to provide a more balanced and accurate reflection of the council's proposals.

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3. Proposed by Steff Aquarone seconded by Tim Adams

Mobile Libraries are a key front-line service for thousands of people across Norfolk. They provide a lifeline for people in rural or remote communities who are not able to access static libraries or are digitally excluded. They help to combat social isolation and reduce loneliness, as the mobile library for some people can be the only people they meet that week.

They help to maintain a sense of community in rural villages. Some of the people using the service say "I remember when the mobile library was started as a child and it stopped in the street; it was an event."

The 40% cut to the mobile library service could lead to a severe reduction in the number of routes being serviced. At the very least it will have a major effect on thousands of people who rely on this front-line service.

The cut should be reversed so that a full review of the service could be undertaken where its priority is how the service can meet the needs of the people who are using the service rather than how do we cut the service by such a large amount.

The Council resolves that CMM022 in the Medium Term Financial Strategy be revised to exclude any reduction in the mobile library service for 2019-20.

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4. Proposed by Mike Smith-Clare, seconded by Emma Corlett

Council regrets the opening of consultations on the future of Children's Centres before the proposals were agreed for consultation by the Children's Services Committee. Council also regrets the refusal of the chair/vice chair of the committee to hold a special meeting to address this.

Council further notes that annual premises costs for Children's Centres is £1.01 million. The consultation does not make clear where the further £4 million cut will come from.

In the absence of a committee decision and therefore authority to begin consultation on such a significant service alteration council resolves to withdraw the consultation pending proper deliberation and decision on what should be put for consultation and an honest conversation with the public by either Children's Services Committee or Policy and Resources Committee



## **Recommendations of the Policy and Resources Committee meeting held on 24 September 2018**

### **1 Joint Health and Wellbeing Strategy 2018-22**

- 1.1 A report by the Director of Health that was presented to the Committee is enclosed as Appendix A.

#### **1.2 RESOLVED to RECOMMEND**

**That County Council approve the Joint Health and Wellbeing Strategy 2018-22 at Appendix A to this report.**

### **2 Council Tax Exemption for Care Leavers**

- 2.1 A report by the Executive Director of Children's Services that was presented to the Committee is enclosed at Appendix B.

#### **2.2 RESOLVED to RECOMMEND**

**That County Council:**

- 1. Adopt the scheme set out in the report to deliver a full council tax discount for all Norfolk care leavers living either in or out of Norfolk who are under the age of 25 and are solely responsible for payment of the bill, or who occupy a property with other Norfolk care leavers aged up to 25.**
- 2. Commission officers to undertake further work with the seven Norfolk District Councils and the Norfolk Police and Crime Commissioner to seek to agree that all authorities bear their share of the full discount and that a uniform scheme can be implemented across Norfolk.**

### **3 Limited Company Consents**

- 3.1 An extract from a report by the Executive Director of Finance and Commercial Services that was presented to the Committee is enclosed as Appendix C.

#### **3.2 The Committee RESOLVED to RECOMMEND:**

- 1. The appointment of Directors to companies as detailed in Appendix C to this report.**
- 2. The appointment of Mr B Stone to replace Mr K Kiddie as a**

**director of the Hethel Engineering Centre.**

**4. Recommendations from the Constitution Advisory Group meeting held on 4 September 2018**

**4.1** The Committee received a report by the Chairman of the Constitution Advisory Group that asked the Committee to recommend to the County Council the recommendations that arose from the CAG meeting on 4th September 2018 that were set out in the report enclosed as Appendix D.

**4.2 That in respect of the recommendations from the CAG meeting held on 4 September 2018 the Policy and Resources Committee RECOMMEND to FULL COUNCIL:**

**a. Health and Wellbeing Board – Governance and Systems Leadership (report to CAG attached at Appendix A to the report)**

**That Policy and Resources Committee recommends Council to amend the constitution accordingly to enable the changes below:**

- 1. Agree that the Chair of the N&W Sustainability & Transformation Partnership (STP) and the N&W STP Executive Lead become full members of the HWB (para 2.3 of the report refers).**
- 2. Agree that the cabinet member for Community Health and Safety at Waveney District Council (or its successor authority) becomes a full member of the HWB (para 2.5 of the report refers).**
- 3. Agree that there should be provision for members of the public to ask questions in line with procedural rules (as outlined in Appendix B to the report).**

**b. Review of Financial Standing Orders (FSOs) and Consequential Amendments to the Constitution (report to CAG attached at Appendix B to the report).**

**That Policy and Resources Committee recommends to Council the changes to Financial Regulations as set out in Appendix 1 of the report to CAG.**

**c. Communities and Environmental Services – Trading Standards – Addition to Part 6.2 – Scheme of Delegated Powers to Officers (report to CAG attached at Appendix C to the report).**

**That Policy and Resources Committee recommends Council to amend Part 6.2 of the Constitution to include the additional provision as set out in the report to CAG.**

**d. Appointment of Senior Officers (report to CAG attached at**

**Appendix D to the report).**

**That Policy and Resources Committee recommends to Council that the Director of Growth and Development be added to the list of posts set out in Part A of the Appendix to Part 6.4 of the constitution.**

- e. Changes to the Scheme of Delegation for the determination of Planning Applications and the provision of Training for Members of the Planning (Regulatory) Committee (report to CAG attached at Appendix E to the report).**

**That Policy and Resources Committee recommends to Council that the changes to the constitution are adopted as set out in the report and that the training requirements apply to all Members and Substitute Members sitting on the Committee.**

- f. Order of Business at Council Meetings**

**That Policy and Resources Committee recommends to Council that the order of business at Council meetings as currently set out in 2.1 of Part 3.2 of the constitution be amended so that motions under Standing Order 9 be considered after reports/recommendations from Committees and Member questions to Committee Chairmen.**

**Andrew Proctor,  
Chairman, Policy and Resources Committee**

<b>Report title:</b>	<b>Joint Health and Wellbeing Strategy 2018-22</b>
<b>Date of meeting:</b>	
<b>Responsible Chief Officer:</b>	<b>Dr Louise Smith, Director of Public Health</b>
<b>Strategic impact</b>  The Joint Health and Wellbeing Strategy 2018-22 sets the strategic direction for the wider health, wellbeing and care system and provides the overarching framework within which plans are developed for health services, social care, health improvement and other relevant services.	

## Executive summary

This paper outlines the development by partners of the Joint Health and Wellbeing Strategy 2018-22 (the Strategy). It seeks the Policy & Resources Committee's support and endorsement of the Strategy before it is put before Council in October 2018 for sign off.

The vision is of a single sustainable health, wellbeing and care system, with partners working together in leading the change, creating the conditions, and using their resources in the most effective way to prioritise prevention, tackle health inequalities and integrate ways of working.

Preparation of a Joint Health and Wellbeing Strategy is one of the key statutory responsibilities of the Health and Wellbeing Board under the Health and Social Care 2012. Following a review of the Council's Policy Framework in 2017, the Joint Health and Wellbeing Strategy is included in the Framework as one of the Council's significant strategies.

### Recommendations:

- 1. That the Committee supports the strategic direction of the Joint Health and Wellbeing Strategy 2018-22 and endorses it for submission to Council**

## 1. Proposal

- 1.1 The Joint Health and Wellbeing Strategy 2018-22 has been developed by Health and Wellbeing Board partners and was agreed by the Board on 17 July 2018. (Attached as **Appendix A**). An outline of the development process is provided in section 4 below.

### Vision and priorities

- 1.2 The Strategy's vision is of a **single sustainable health, wellbeing and care system**, with partners working together and using resources in the most effective way to prioritise prevention and support the most vulnerable. It is built on a strategic framework for **how** HWB partners will work together as system leaders - taking a collective view as a system rather than as individual organisations.

### 1.3 The Strategy **prioritises**:

- **Prevention** - A shared commitment to supporting people to be healthy, independent and resilient throughout life - offering our help early to prevent and reduce demand for specialist services
- **Tackling Inequalities in communities** - Providing support for those who are most vulnerable in localities using resources and assets in communities to address wider factors that impact on health and wellbeing
- **Integrating ways of working** - Collaborating in the delivery of people centred care to make sure services are joined up, consistent and makes sense to those who use them

### **Values**

#### 1.4 Board members have agreed a set of values which describe their shared commitment to working together to make improvements and address the challenges:

- **Collectively Accountable** - As system leaders, taking collective responsibility for the whole system rather than as individual organisations
- **Simplifying systems** - Reducing duplication and inefficiency with fewer organisations - a commitment to joint commissioning and simpler contracting and payment mechanisms
- **Promoting Engagement and Involvement** - Listening to people and being transparent about our strategies across all organisations
- **Based on evidence of needs** - Using data, including the Joint Strategic Needs Assessment (JSNA), to target our work where it can make the most difference – making evidence-based decisions to improve health and wellbeing outcomes.
- **Bringing partners' existing strategies together** - working together to achieve joint outcomes

#### 1.5 The Strategy stands as a shared commitment by all partners to take collective responsibility as system leaders for our role in tackling whole system challenges and improving health and wellbeing outcomes in a sustainable way.

#### 1.6 Policy & Resources Committee is asked to support the strategic direction of the Strategy and to endorse it for submission to Council in October 2018.

## **2. Evidence**

#### 2.1 Health and wellbeing boards have a statutory duty to prepare a Joint Health and Wellbeing Strategy as well as a duty to encourage integrated working.

#### 2.2 The Health and Wellbeing Board brings together local organisations including the County Council, the city, borough and district councils across Norfolk and Waveney, the Clinical Commissioning Groups, Healthwatch Norfolk, the voluntary and community sector, Norfolk Constabulary, the Police and Crime Commissioner, the Norfolk and Waveney Sustainability & Transformation

Partnership and the key providers of health and care services across the Norfolk and Waveney area.

- 2.3 HWB partners take oversight of the health, care and wellbeing system as a whole and work together to make sure it is joined up and makes sense to people who use our services.
- 2.4 Through the Joint Health and Wellbeing Strategy, partners are working to focus the whole system on sustainability of the health, wellbeing and care system, on prioritising prevention, tackling health inequalities in communities and integrating ways of working in delivering people centred care.
- 2.5 The Strategy brings together, and builds on, partners' existing strategies and plans – identifying the added value that collaboration brings and working together to achieve joint outcomes.

### **3. Financial implications**

- 3.1 There are no direct financial implications arising from this report.

### **4. Issues, risks and innovation**

- 4.1 The key risk is the sustainability of the health and social care system and the fact that as a system we are seeing increasing demand as well as increasingly complex needs, so our service improvements must be more co-ordinated and effective. The challenge includes addressing these needs with all partners managing on reducing or level budgets.
- 4.2 Through this Strategy, partners have agreed a strategic framework for *how* HWB partners will work together, as system leaders, to address the challenges facing the system and drive forward improvement in health and wellbeing outcomes.
- 4.3 The Strategy impacts on other areas of the Council including Adult Social Care and Children's Services. These service areas have been directly involved in the development of the Strategy with both the Committee Chairs and Executive Directors being members of the HWB.

### **5. Background**

- 5.1 Health & Wellbeing Boards are places where leaders from across the wider health, wellbeing and care system can collaborate to better understand their local community's needs, agree priorities and work in a more joined-up way.
- 5.2 Boards provide oversight and strategic leadership across many complex organisations and systems, and commissioning across the NHS, social care and public health. HWBs underpin the shared understanding and joint action that are needed to improve outcomes for their area.
- 5.3 The HWB has been developing its Joint Health & Wellbeing Strategy 2018-22 and over the past year Board members have:
  - Agreed that the Board's longer-term strategic priorities are still important - Prevention, Inequalities and Integration
  - Engaged with wider stakeholders to help shape thinking

- Explored partners' existing priorities and potential areas for further collaboration on shared outcomes
  - Reviewed best practice and what other areas are doing to improve health and wellbeing outcomes in these areas
  - Agreed the overall strategic direction through a strategic framework
  - Refined the draft Strategy and explored how partner organisations will need to work together to deliver the Strategy
- 5.4 At its meeting on 17 July 2018, the HWB approved the final draft Joint Health and Wellbeing Strategy 2018-22 and members agreed to take it to their individual partner organisations' governing bodies/boards for formal sign up. You can access the report to the HWB at the following link: [Report to the HWB 17 July 2018](#)

## Officer Contact

If you have any questions please get in touch with:

Name	Tel	Email
Chris Butwright	01603 638339	<a href="mailto:christopher.butwright@norfolk.gov.uk">christopher.butwright@norfolk.gov.uk</a>



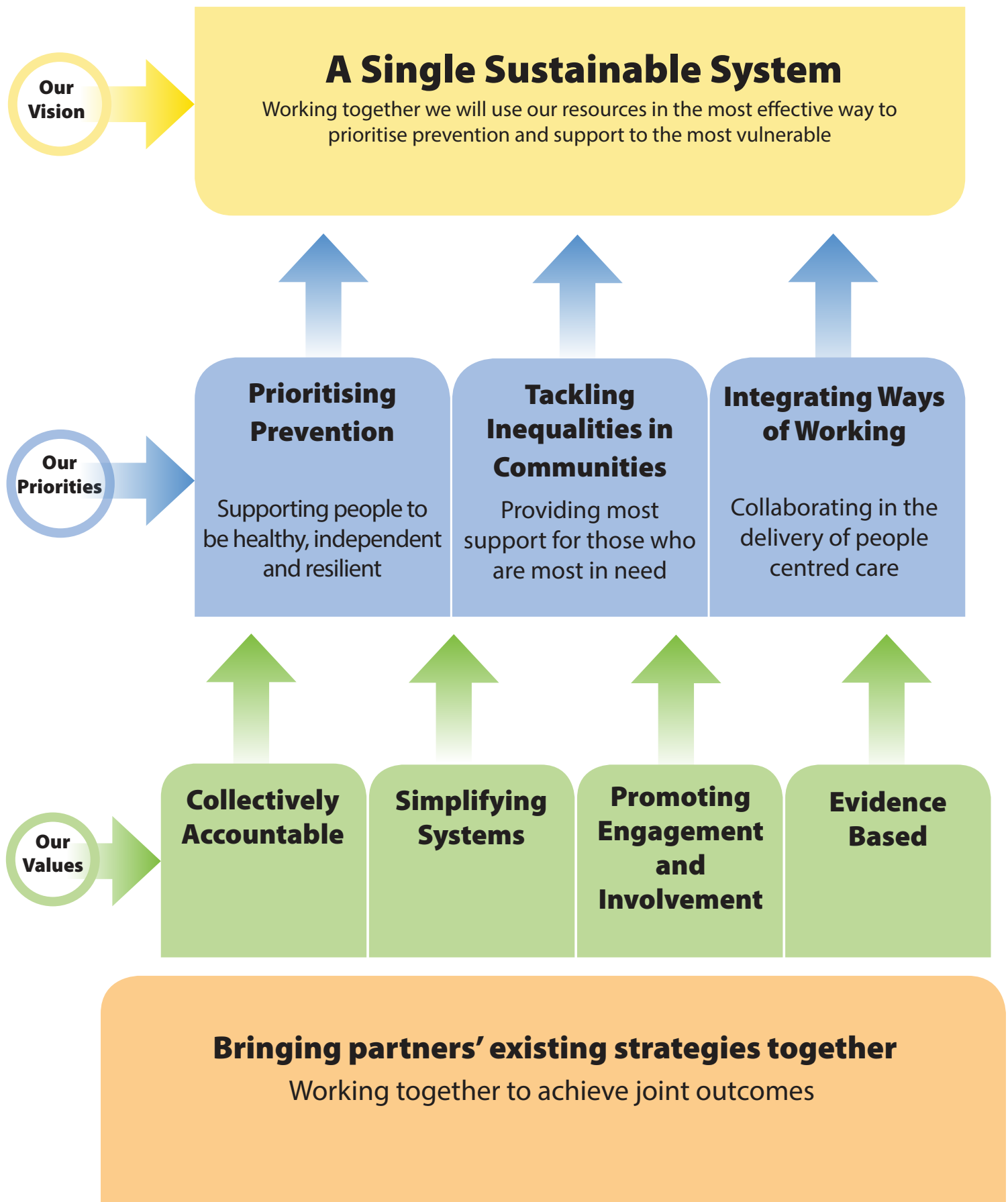
If you need this report in large print, audio, braille, alternative format or in a different language please contact 0344 800 8020 or 0344 800 8011 (textphone) and we will do our best to help.

# Joint Health and Wellbeing Strategy 2018 – 2022

***"A single sustainable health  
& wellbeing system"***



# Our Strategic Framework



# Welcome

## Image to follow

Cllr Bill Borrett  
Chairman Health and Wellbeing Board for  
Norfolk and Waveney

We are delighted to introduce our **Joint Health and Wellbeing Strategy 2018-22: A single sustainable health and social care system** for the people and communities in Norfolk and Waveney.

This Strategy is **different** - it's about **how we all work together** as system leaders to drive forward improvement in the health and wellbeing of people and communities, given the unprecedented challenges facing our health, care and wellbeing system.

Health and care services across the country are under **considerable financial strain** – and Norfolk and Waveney is no exception. There is a significantly large total annual budget for health and social care services in Norfolk and Waveney, but with growing demand our budget spend continues to increase leading to over-spend which needs to be addressed.

At the same time, **our population continues to grow**, and the pattern of family life has changed. **People are living longer** and have access to many more medical specialists than in the past. **Families are under increasing pressure**, and society's concern for children's and adult's safety has placed additional responsibilities for ensuring their protection.

## Image to follow

Dr Louise Smith  
Director of Public Health

The health and social care system is working together under the **Norfolk and Waveney Sustainability & Transformation Partnership** and underpins support for the move towards an **integrated care system** from the Health & Wellbeing Board for Norfolk and Waveney.

This Strategy builds on that **collaborative mandate - our top priority is a sustainable system** and we are evolving our longer-term priorities from our previous Joint Health & Wellbeing Strategy to help us face the challenges of the future. **Prevention and early intervention is critical** to the long term sustainability of our health and wellbeing system. Stopping ill health and care needs happening in the first place and targeting high risk groups, as well as preventing things from getting worse through systematic planning and proactive management. Through our Strategy, we are focusing the whole system on **prioritising prevention, tackling health inequalities in our communities** and **integrating our ways of working** in delivering people centred care.

Through our Strategy, we are **making a difference** – creating a single sustainable health and wellbeing system for Norfolk and Waveney.

# Our Priorities

Our vision of a single sustainable system requires us to work together, implementing what the evidence is telling us about health and wellbeing in Norfolk and Waveney, on these key priorities:

Priorities	By this we mean
1. A Single Sustainable System	Health and Wellbeing Board partners taking joint strategic oversight of the health, wellbeing and care system – leading the change and creating the conditions for integration and a single sustainable system.
2. Prioritising Prevention	A shared commitment to supporting people to be healthy, independent and resilient throughout life. Offering our help early to prevent and reduce demand for specialist services.
3. Tackling Inequalities in Communities	Providing support for those who are most vulnerable in localities using resources and assets to address wider factors that impact on health and wellbeing.
4. Integrating ways of working	Collaborating in the delivery of people centred care to make sure services are joined up, consistent and makes sense to those who use them.

Image to follow

# Our Values

**Our values describe our shared commitment to working together to make improvements and address the challenges:**

Values	By this we mean:
<b>Collectively Accountable</b>	As system leaders, taking collective responsibility for the whole system rather than as individual organisations.
<b>Simpler system</b>	Reducing duplication and inefficiency with fewer organisations - a commitment to joint commissioning and simpler contracting and payment mechanisms.
<b>Engagement</b>	Listening to the public and being transparent about our strategies across all organisations.
<b>Based on evidence of needs</b>	Using data, including the Joint Strategic Needs Assessment (JSNA), to target our work where it can make the most difference - making evidence-based decisions to improve health and wellbeing outcomes.
<b>Bringing partners' existing strategies together</b>	Under the umbrella of the Health and Wellbeing Board for Norfolk and Waveney - identifying the added value that collaboration brings and working together to achieve joint outcomes.

Image to follow

# 1. A Single Sustainable System

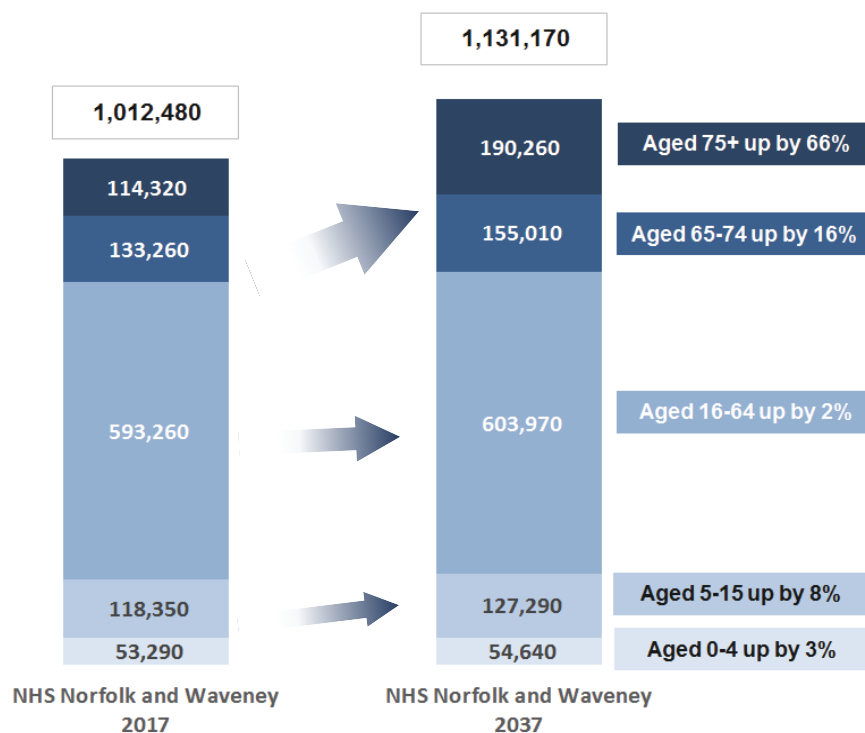
Working together we will use our resources in the most effective way to prioritise prevention and support to the most vulnerable.

## Our Population

Norfolk and Waveney's population of 1.01 million is forecast to increase by over 10% by 2037, about 120,000 people.

The main population growth will be people aged 65+ years. Life expectancy is 80 years for men and 84 years for women.

Currently 90% of retirement age people are economically inactive. By 2037 this is forecast to be 1 in 3 of the population.



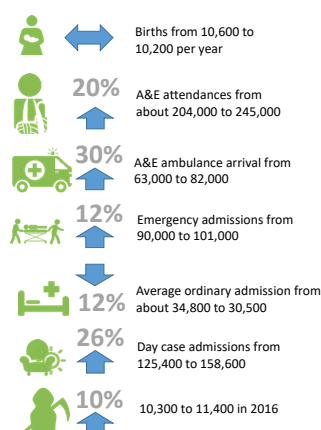
## Our System

Our health and wellbeing system is complex including: Norfolk County Council, 8 District Councils, 5 Clinical Commissioning Groups, 3 acute hospitals, 3 community NHS providers, and mental health, and ambulance trusts, police and Police Crime Commissioner, around 110 GP practices, 400 care homes and 10,000 voluntary, community and social enterprise organisations.

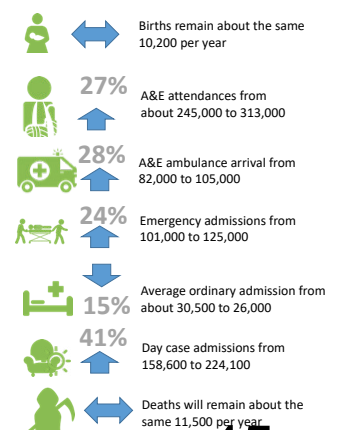
## Future Activity

Planning future services is challenging with increasing demand and needs alongside reducing or level budgets.

**What has happened between 2011 and 2016**  
Median age for emergency admissions has increased from 62 to 64



**What is likely to happen between 2016 and 2022**



# 1. A Single Sustainable System – Actions

## What's important strategically?

Norfolk and Waveney has an annual budget in excess of £1.5bn for health and social care services. However as a system we are seeing increasing demand resulting in budget pressures.

Needs are becoming increasingly complex and so our service improvements must be more co-ordinated and effective for the service user and their carer.

Services are improved where there is a coordinated, effective and seamless response.

### Priority actions

**We will work together to lead change for an integrated financially sustainable system by:**

- Sharing our thinking, planning, opportunities and challenges – informing new ways of working and transformation.
- Engage with and listen to service users, residents and communities to inform our understanding and planning.
- Undertake needs assessments, including the JSNA, to help us keep our Strategy on track and understand its impact.
- Develop mechanisms such as risk stratification tools and the sharing of information to target care where it is needed most.
- Use partners' existing plans - building on the priorities partners are already working hard to address, identifying the added value that collaboration through the HWB's Strategy can bring.

## Key Challenges

- Addressing these needs with all partners managing on reducing or level budgets.
- Working as a single system in the delivery of people centred care, across a complex organisational and service delivery landscape
- Driving the cultural change necessary to deliver a single sustainable health and wellbeing system

## Key Measures

**Each HWB organisation can clearly report to the HWB how they are:**

1. Contributing to financial sustainability and an integrated system.
2. Reviewing the impact of strategy and outcomes.
3. Using the evidence intelligently – including evidence from service users - in our discussions and our planning.
4. Working in partnership with others to support delivery of partners' transformation plans.

Image to follow

# 1. A Single Sustainable System - A case study

## Healthwatch Norfolk (HWN)

The development of the Pharmaceutical Needs Assessment (PNA) is a good illustration of collaborative working in Norfolk.

The Health and Wellbeing Board is responsible for publishing and updating the PNA which sets out the current pharmaceutical services available in Norfolk, identifies any gaps in services, and makes recommendations on future development.

Healthwatch Norfolk (HWN) were selected to coordinate and produce the PNA through a steering group of partners. A HWN survey to support the assessment resulted in over 2700 responses.

Alex Stewart, Chief Executive of Healthwatch Norfolk, said:

*"This has been the liveliest and most interactive Needs Assessment that HWN have been involved in to date and we have had pleasure in helping to ensure that the voice of the public and patients are represented in this process. A feeling of trust and sound working relationships built over time between several group members has enhanced the sense of achievement. Other additional benefits to this collaborative partnership approach has brought a cultural sensitivity to the PNA. Recommendations around translation services in pharmacies have identified possible cost savings with avoidance of potential adverse events."*

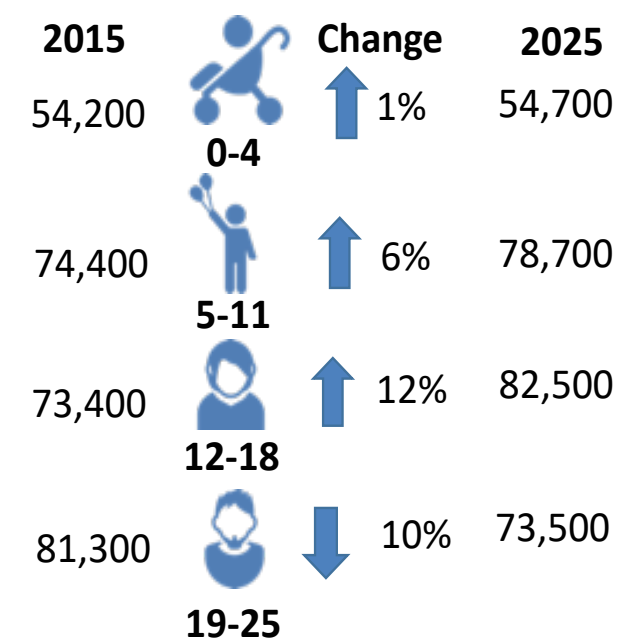
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## 2. Prioritising Prevention

Supporting people to be healthy, independent and resilient

### Children & Young People

About 283,200 under 25 year olds live in Norfolk and Waveney - this number is forecast to remain steady



The health and wellbeing of children is consistent with the England average, as are recorded levels of child development.

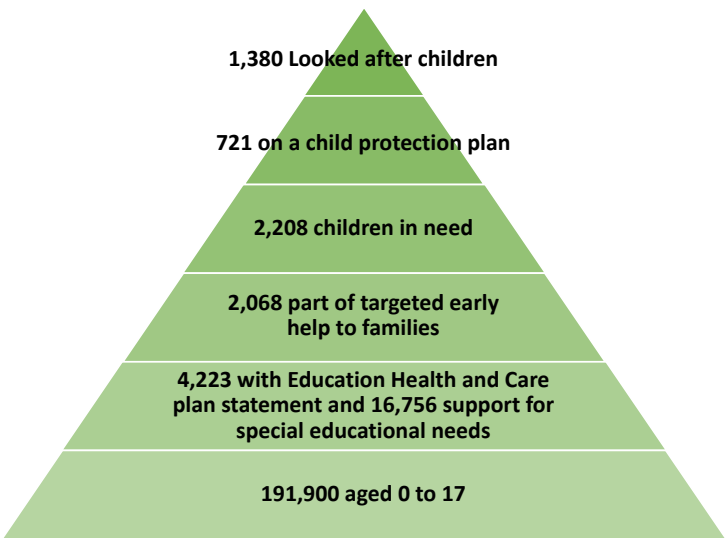
1 in 4 children are overweight by age 4 – 5.

There are fewer teenage pregnancies but remain above England average in Great Yarmouth and Norwich.

1 in 7 women are smokers at the time of having a baby.

Levels of anxiety in young people are rising as are hospital admissions for self-harm.

1 in 7 children live in relative poverty



The vast majority of children and families are supported by universal services such as health visiting, early years provision, schools and colleges. There are some children accessing additional social care and educational support and services based on their needs.



## 2. Prioritising Prevention

Unhealthy lifestyles impact on our health outcomes and need for health services.



### Healthy lifestyles and health services

We are seeing demands on our hospital based services with:

- 10,900 smoking attributable hospital admissions in 2016/17.
- 8,911 hospital admissions where obesity was the main or secondary diagnosis.
- 6,020 hospital admissions for alcohol-related conditions.
- 3,852 emergency hospital admissions due to falls in people aged 65 and over.

### Inequalities in healthy lifestyles

If the most deprived areas had the same rates as other areas then each year we would see:

- 400 more children at a healthy weight.
- 1,000 fewer emergency admissions for older people.
- 60 fewer deaths due to preventable causes.

## 2. Prioritising Prevention - Actions

### What's important strategically?

There is strong evidence that interventions focussed on prevention are both effective and more affordable than just focussing on providing reactive emergency treatment and care. To build a financially sustainable system means we must promote healthy living, seek to minimise the impact of illness through early intervention, and support recovery, enablement and independence.

Priority areas for prevention are:

- Creating healthy environments for children and young people to thrive in resilient, safe families.
- Delivering appropriate early help services before crises occur.
- Helping people to look after themselves and make healthier lifestyle changes.

#### Priority actions

##### **We will prioritise prevention by:**

Developing in partnership a systematic approach for children and young peoples' support and provision.

Embedding prevention across all organisational strategies and policies.

Providing joint accountability so that as a system we are preventing, reducing and delaying needs and associated costs.

Promoting and support healthy lifestyles with our residents, service users and staff.

### Key Challenges

- Identifying and protecting investment in prevention within budgets.
- Identifying needs early and providing early access to support.
- Embedding prevention across all of our strategies and policies.
- Raising awareness of the impact of lifestyle on health, for example with diabetes

### Key measures

#### **Each HWB organisation can clearly report to the HWB how they are:**

1. Implementing an integrated strategy and a single system approach for children and young people where need is understood and priority actions shared.
2. Prioritising prevention both at a policy level and in decision-making.
3. Promoting the health and wellbeing of their workforce.

Image to follow

## 2. Prioritising Prevention - Case study

### Early Help and Family Focus

Early Help and Family Focus Broadland received a request for support for a young couple who had just had a baby and were homeless with no extended family support.

The early help practitioner arranged a joint visit with the health visitor and talked with them about their worries and what was working well for them. (This is the Signs of Safety approach).

The 'team around' the family then worked with the young parents to produce a plan which resulted in the following support.

#### Who did what

The housing options advisor continued searching for a suitable permanent home.

The young parents met with the debt advisor from Broadland District Council who helped them understand how to plan a budget and manage their finances. A benefits advisor made sure they were claiming the correct benefits.

The early help practitioner supported the young parents to talk with each other and to understand both their own and each other's emotions – encouraging them to argue less.

The early help practitioner worked with the health visitor to explain to the young parents how babies develop and what they need at the different stages of development.

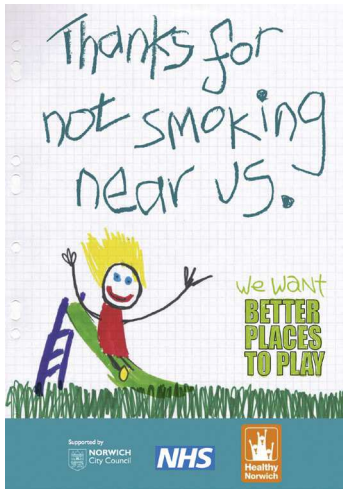
#### Conclusion

The family are now in their own two bedroom flat and have worked hard to decorate and furnish it. Mum is now taking her baby to activity sessions in the community and slowly making some friends.

Image to follow

## 2. Prioritising Prevention - Case study

### A Smoke Free Norfolk



not to smoke nearby. This voluntary code will directly **help prevent children and young people taking up smoking** and potentially help smokers to **seek support to quit**.

#### **Healthy Norwich**

is an example of an approach to improving health and wellbeing in the greater Norwich area by working together to make a healthier community.

#### **Smoke Free Park**

signage has been placed in play areas to ask adults

Smoke-free sport, including **#Smokefree Sidelines**, is backed by Norfolk Football Association (FA) where local youth football clubs are championing the message that smoking has no place in youth sport. – **"#Smokefreesidelines.uses non-judgemental messaging and will encourage people to think twice before exposing young people to smoking. This will make the idea of smoking less normalised."**

Rebecca Burton, Communications Manager, Norfolk FA

As well as discouraging smoking, **Smoke Free Sport** brings about additional benefits including:

- **Protecting the environment** and saving money by reducing tobacco-related litter.
- Offering further protection from the **harmful effects of second-hand smoke**.
- Providing the opportunity for public acceptance of **voluntary smoke-free locations**.

# Image to follow

### 3. Tackling Inequalities in Communities

Providing most support for those who are most in need.

## Deprivation

Norfolk has average levels of deprivation but an estimated 68,700 people live in the most deprived areas of England.

Norfolk and Waveney has a diverse population and deprivation can be experienced in both urban and rural settings.

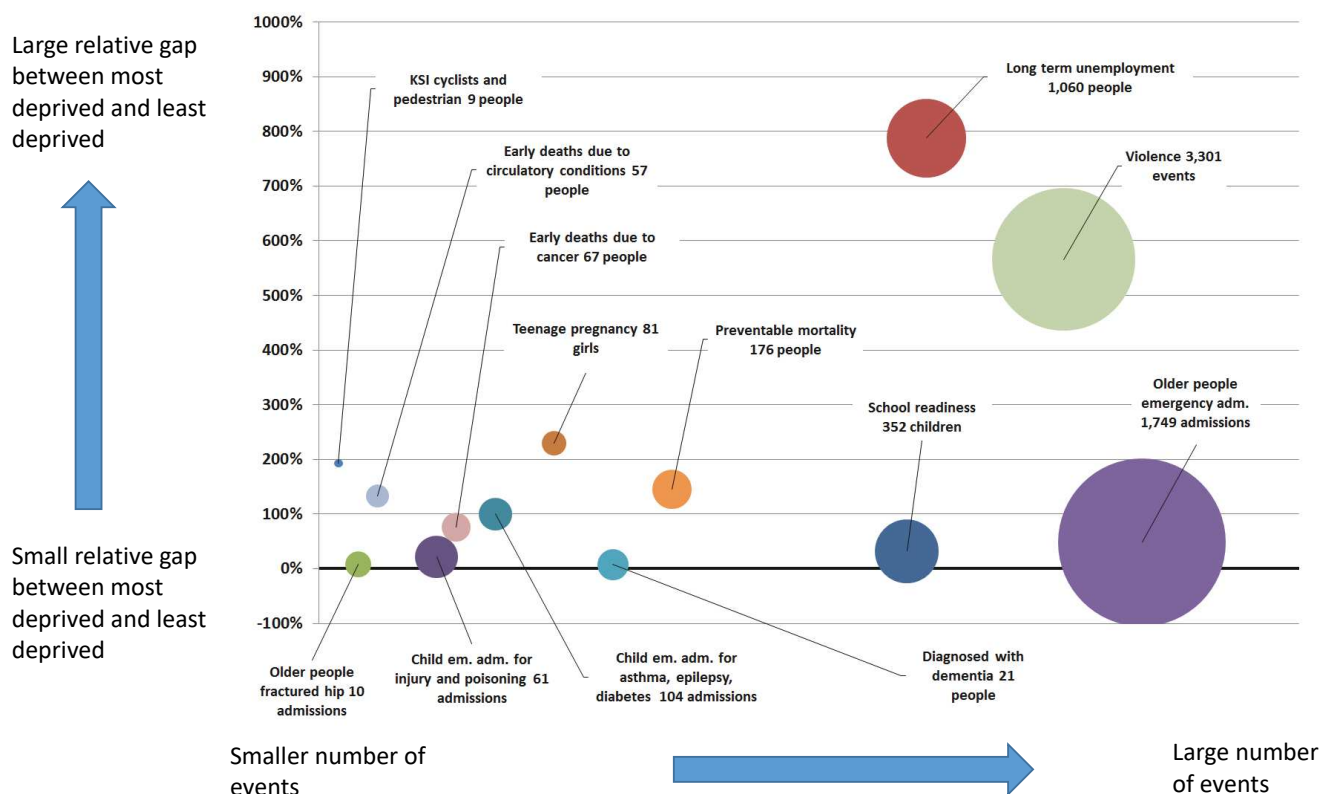
People living in deprivation are more likely to experience violence, crime and accidents despite Norfolk having a low overall crime rate.

Four districts in Norfolk and Waveney are in the lowest quintile in England for social mobility - driven by lower levels of education attainment and skill level.

## Inequalities and life expectancy

The difference in life expectancy gap between those living in the most deprived and the least deprived areas is about 7 years for men and 4.5 years for women.

People living in our 20% most deprived areas are more likely to smoke, have an unhealthy diet and be less active.



Preventable illness, violence, drug overdose, suicide and accidents outcomes do correlate with deprivation. For example, if the most deprived experienced the same rates as the least deprived there will be 3,301 fewer violent events per year.

### 3. Tackling Inequalities in Communities - Actions

## What's important strategically?

Those living in our most deprived communities experience more difficulties and poorer health outcomes. We recognise that together, we need to deliver effective interventions, to break the cycle, mobilise communities and ensure the most vulnerable children and adults are protected.

To be effective in delivering good population outcomes we need to most help those in most need and intervene by working together at county, local and community levels to tackle issues reflecting whole system priorities as well as specific concerns at the right scale.

Reducing inequalities in health and wellbeing will involve addressing wider issues that affect health, including housing, employment and crime, with community based approaches driven by councils, the voluntary sector, police, public sector employers and businesses.

Image to follow

## Key Challenges

- Identifying and ensuring access to services for those most vulnerable.
- Promoting healthy relationships in families and communities.
- Helping people out of poverty, particularly hidden rural poverty.

## Key measures

**Each HWB organisation can clearly report to the HWB how they are:**

1. Promoting alignment and consistency in local delivery partnerships to plan for, and with, their local community.
2. Reducing the impact of crime, injuries and accidents in our most deprived areas.
3. Using source data available (including from the JSNA) to inform strategic plans.

### Priority actions

**We will commit to working together to build on the strengths in local communities, rural and urban, by:**

- Improving locality working and sharing best practice.
- Providing and using the evidence to address needs and inequalities.
- Addressing the impact of crime, violence and injuries.
- Joining up development planning by working with those with planning responsibilities.

### 3. Tackling Inequalities in Communities- Case study

## Great Yarmouth - Neighbourhoods that work

Neighbourhoods that Work (NTW) is a partnership initiative led by Great Yarmouth Borough Council together with seven partner organisations. NTW aims to connect local communities to the benefits of economic growth by:

- Increasing community resilience.
- Improving the responsiveness of voluntary sector support services.
- Increasing the participation of communities in driving forward sustainable economic development.

**The vision is to work with local residents to build stronger communities - focussing on people, neighbourhoods, and the things that matter most. Community Development approaches are used to work with local people in the places they live to identify and act upon things that matter most to communities.**

The project builds upon 10+ years of work in Great Yarmouth building on existing and award-winning community development infrastructure, incorporating active and engaged local residents, neighbourhood boards and a varied and diverse community and voluntary based organisations.

***“Our starting point is that communities are full of people who can provide the connections that make their neighbourhood stronger. People thrive in communities that are well connected.”***

–Director of Housing and Neighbourhoods,  
Great Yarmouth Borough Council.

Image to follow



### 3. Tackling Inequalities in Communities- Case study

## Arts and Culture for health and wellbeing

*“There is growing evidence that engagement in activities like dance, music, drama, painting and reading help ease our minds and heal our bodies. It is most encouraging to see just how much potential and ambition there is for joined-up action on this vital work in Norfolk.”*

**Sir Nicholas Serota, Chair, Arts Council England.**

Collaboration between Norfolk’s arts, culture, health and social care sectors is well established with some major successes in attracting investment to deliver effective joint programmes.

Norfolk County Council’s award-winning **Culture & Heritage, Communities, Information and Learning Services** including museums, libraries, archives, arts, community learning and sports play a key role in supporting local health and wellbeing priorities through the provision of: collaborative programmes; volunteering; learning and skills development; provision of welcoming and enriching spaces and professional development for arts, health and social care professionals.

With ten outstanding museums, **Norfolk Museums Service** is strongly embedded in our local communities, providing excellent and ongoing support for health and wellbeing priorities through its extensive public programmes and targeted projects.

With 47 community libraries, **Norfolk Library and Information Service** has a strong focus on reducing social isolation through providing safe and welcoming venues to enable people to engage with others, participate, volunteer and develop new creative skills.

**Norfolk Arts Service** leads the strategic development of arts, health and wellbeing collaboration in Norfolk. It works with multiple local and national partners to influence policy, identify and broker new collaborative opportunities and secure investment for new initiatives.

# Image to follow



## 4. Integrating Ways of Working

### Collaborating in the delivery of people centred care

#### Living Independently in Later Life

Whilst life expectancy has risen only half of our retirement years are spent in full health. We will see the largest increases in the number of people over 65 years old.

There are 14,000 people living with dementia now - this is forecast to almost double to 25,000 by 2037 and most of these new cases will be in people aged over 85.

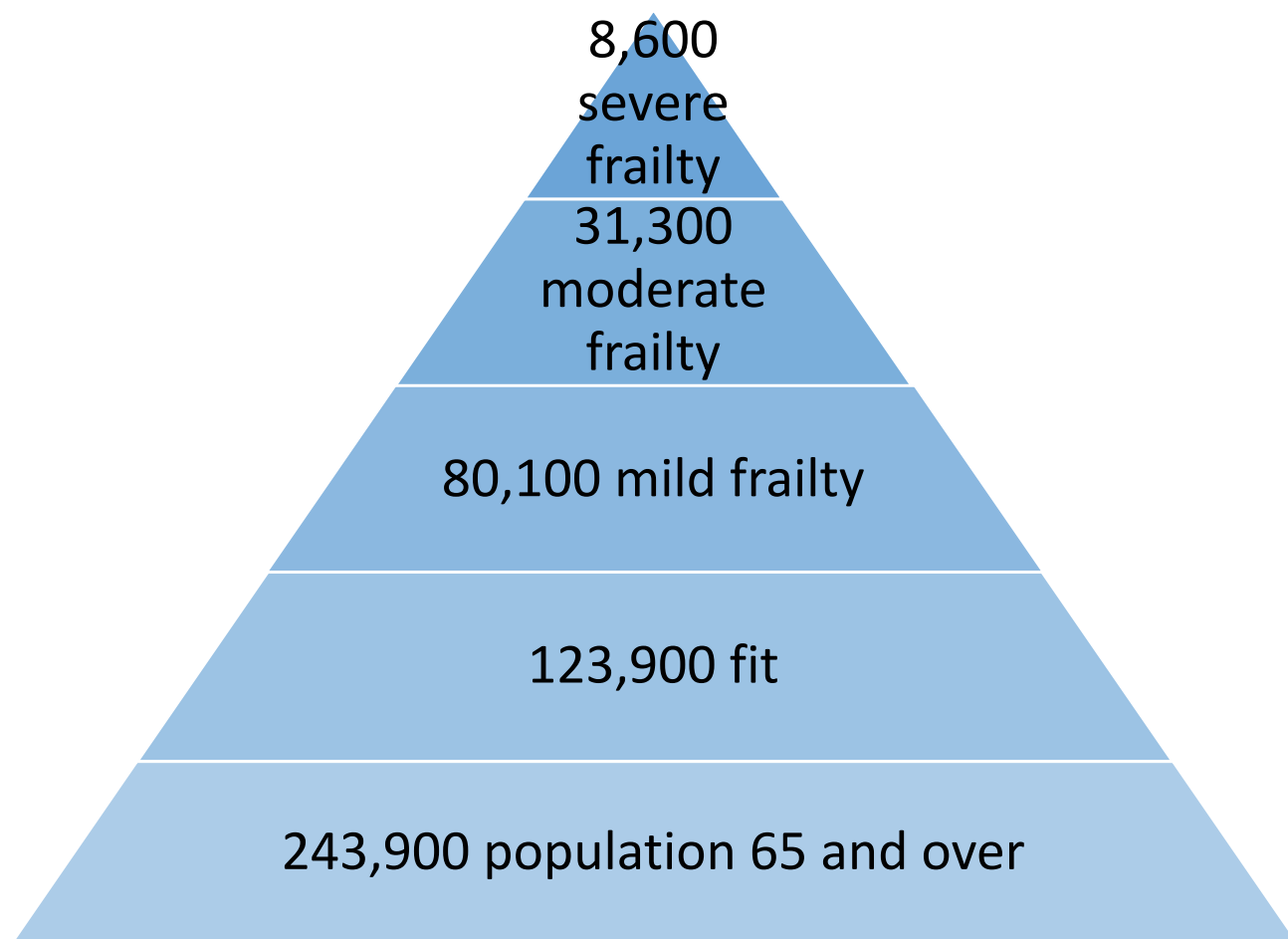
An estimated 23,200 people provide 50+ hours of unpaid care a week.

#### Mental health and wellbeing

About 1 in 7 people in Norfolk and Waveney experience a common mental health disorder with long term mental ill health being higher than the average for England.

- 8% of adults were recorded as having depression.
- 1,712 emergency hospital admissions were for intentional self harm in 2016/17.
- About 110 people die each year from suicide.

The number of ill health conditions an individual has contributes to the complexity of how to manage and increases the cost of health and social care.



## 4. Integrating ways of working - Actions

### What's important strategically?

We are seeing increasing demand with an ageing population. It is only by working together, in an integrated way, that we can meet the needs of people with more complex health and care challenges, managing with reducing or level budgets.

We want vulnerable people of all ages to live as long as possible in their own homes and to be independent, resilient and well - having access to early help and person centred care when needed.

Long term mental ill health is associated with significantly poorer physical health and shorter life expectancy.

Working together with and within communities is important to promote good mental health support and wellbeing.

It is also important to recognise the contribution of carers and the support they need.

### Priority actions

#### **We will ensure integrated ways of working by:**

- Collaborating in the delivery of people centred care to make sure services are joined up, consistent and makes sense to those who use them.
- Working together to promote the important role of carers and the support they may also require.
- Embedding integrated approaches in policy, strategy and commissioning plans.

### Key Challenges

- We are seeing increasing demand with an ageing population.
- Disease patterns are changing: multiple morbidity, frailty in extreme old age, and dementia are becoming more common.
- Ensuring parity of approach between physical and mental health.

### Key measures

#### **Each HWB organisation can clearly report to the HWB how they are:**

1. Prioritising promoting independence and healthy later life both at a policy level and in decision-making.
2. Contributing to the Sustainability & Transformation Partnership's Strategy.

Image to follow

### History of dementia partnerships in Norfolk

Dementia as a priority for Norfolk has been championed by a series of partnership groups over the years: The Norfolk Older People's Strategic Partnership, the Dementia Strategy Implementation Board, the Norfolk and Waveney Dementia Partnership and more recently the Dementia Academy.

#### Areas of focus continue to include:

- Early diagnosis and a gap free pathway for people with dementia and their carers.
- Improving advice and Information.
- Launch of [www.dementiafriendlyNorfolk.com](http://www.dementiafriendlyNorfolk.com).
- Support for employers with a resource pack – addressing an ageing workforce, early onset dementia and more of us becoming carers.
- Medication advice – a leaflet detailing medication effects.
- Life stories as a resource to support stages of dementia.
- Prevention – research and evidence-based approaches to prevent and delay the onset of dementia.
- Involvement as a 'critical friend' in the dementia subgroup of the Norfolk and Waveney Sustainability & Transformation Partnership's Mental Health work stream.

Image to follow

## 4. Integrating Ways of Working - Case study

### Promoting independence in older age

Physical activity has been introduced into Norwich care settings by **Active Norfolk** through the Mobile Me scheme.

Jack, in his 90s, lives in an area where there is little interest in socialising as a community. He was inactive and rarely left his flat. Through Mobile Me Jack is now playing a sport he enjoyed in his youth - ***"I feel better in myself as I can play table tennis again. I'm surprised I still have the touch"***.

**Norse Care** employs a physical activity coordinator for their housing schemes. ***"We have seen an increase in physical abilities, improvements in confidence and general wellbeing. There are also new social groups forming"***.

Cotman Housing has secured funding in order to embed physical activity in their homes. Age UK has integrated physical activity into the **Agewise** project.

Image to follow

## 4. Integrating Ways of Working - Case study

### Improving mental health and wellbeing

Norwich Theatre Royal's **Creative Matters** includes performances and workshops to think about important societal and personal issues. This included sessions on men's mental health, stigma, and male suicide - sessions on dementia and homelessness are planned for 2018/9.

**MensNet** in Norfolk brings together organisations with a strategic interest in mental health. All to Play For is aimed at men struggling with mental health issues. John, 24, participates weekly:

***"It has been very beneficial for me dealing with my mental health, boosting my confidence, and helping improve my people skills".***

The **12th Man** project identified barber shops as positive spaces where discussions could happen. Barbers are trained in Mental Health First Aid and subtle prompts are used to encourage these discussions. This **Healthy Norwich** project won a national award in November 2017.

Image to follow

### Working together to achieve joint outcomes

#### **We commit to:**

- Identifying the actions that each HWB partner will take in delivering our strategy, either through partners' existing plans or new initiatives.
  - Developing an implementation plan so we can focus on the important things we have agreed to do together.
  - Holding ourselves to account and be an accountable public forum for the delivery of our priorities.
  - Monitoring our progress - reviewing data and information which impact on our agreed outcome measures.
- Carrying out in-depth reviews to understand the impact we are making.
  - Reporting on our progress to the HWB – challenging ourselves on areas where improvements are needed and supporting action to bring about change.
  - Keeping our Strategy live – reflecting the changes as we work together towards an integrated system.

Image to follow

## Partner organisations involved in the Health and Wellbeing Board – Norfolk and Waveney

- Healthwatch Norfolk
- Broadland District Council
- NHS Great Yarmouth and Waveney CCG
- Voluntary Community and Social Enterprise Sector representatives
- Police and Crime Commissioner's Office
- Norfolk and Suffolk NHS Foundation Trust
- Breckland Council
- NHS North Norfolk CCG
- Norfolk and Norwich University Hospitals NHS Foundation Trust
- East Coast Community Healthcare Community Interest Company
- Great Yarmouth Borough Council
- Norfolk Independent Care
- Borough Council of King's Lynn and West Norfolk
- Norwich City Council
- NHS West Norfolk CCG
- North Norfolk District Council
- Queen Elizabeth Hospital Kings Lynn NHS Foundation Trust
- South Norfolk Council
- Waveney District Council
- Norfolk and Waveney Sustainability Transformation Partnership
- Norfolk County Council
- NHS Norwich CCG
- Norfolk Constabulary
- NHS South Norfolk CCG
- James Paget University Hospitals NHS Foundation Trust
- Norfolk Community Health & Care NHS Trust

Image to follow

<b>Report title:</b>	<b>Council Tax Exemption for Care Leavers</b>
<b>Date of meeting:</b>	
<b>Responsible Chief Officer:</b>	<b>Executive Director of Children's Services – Sara Tough</b>

As a corporate parent, Norfolk County Council is required to support to care leavers up to the age of 25 years. Providing a council tax exemption for care leavers would help relieve some of the financial pressures of independent living for this particularly vulnerable group and is in keeping with the aims and aspirations stated in the Department of Education document '[Keep on Caring](#)'<sup>1</sup>.

The Children's Services Committee on 22 May 2018 received the [annexed report](#)<sup>2</sup> and approved the report's recommendations.

#### Update on commitment from district councils

Currently Norwich City Council has agreed to the discount up until the age of 25 years, the scheme has been running since April 2018.

The other six district councils have been contacted and five have informal approval up until the age of 25 years from their management teams and are awaiting formal approval following the outcome at Full Council. Broadland District Council have in principal agreed up until the age of 21 years, dependent on Norfolk County Council's decision.

#### Financial preparedness post 25

The extension of the Personal Advisor role will allow more time for care leavers to be provided with appropriate financial support, helping them make positive financial decisions. This support should continue throughout the young person's time in care and up until the age of 25 to ensure we are not just delaying the issue of council tax debt and care leavers are financially prepared to manage the full cost of the council tax post 25. Some tools available in which these skills can be developed are:

- skills learnt through Norfolk's Passport to Independence
- support through the Personal Advisor role
- peer mentors
- life skills training courses
- good pathway planning

<sup>1</sup> <https://www.gov.uk/government/publications/keep-on-caring-supporting-young-people-from-care-to-independence>

<sup>2</sup> <http://norfolkcc.cmis.uk.com/norfolkcc/Meetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/1468/Committee/8/SelectedTab/Documents/Default.aspx>



**Policy and Resources Committee is recommended to:**

- 1) Recommend to Full Council that a scheme be adopted, as set out in the annexed paper and with the extension of Personal Advisor role, to deliver a full council tax discount for all Norfolk care leavers living either in or out of Norfolk who are under the age of 25 and are solely responsible for payment of the bill, or who occupy a property with other Norfolk care leavers aged up to 25.

# Name of Committee

Item No.....

<b>Report title:</b>	Council Tax Exemption for Care Leavers
<b>Date of meeting:</b>	
<b>Responsible Chief Officer:</b>	Executive Director Children's Services, Sara Tough
<b>Strategic impact</b>  Corporate parenting is a statutory function of the Council. Provisions contained in the new Children and Social Work Act 2017 sets out in law what it means for a local authority to be a good corporate parent.  The underlying principle is that every local authority will seek the same outcomes for children and young people in care that every good parent would want for their own children; for example, successful transition to young adulthood and financial independence.  Furthermore, the children's social care inspectorate, Ofsted, has the 'Experience of Looked After Children and Care Leavers' as a key judgement area in its evaluation of local performance, and expects Councils and children's services to provide clear evidence that it supports it's young people leaving care up to the age of 25, in a way that optimises their outcomes.  This proposal for a council tax exemption for Norfolk care leavers is in keeping with the aims and aspirations stated in the DfE document "Keep on Caring", particularly achieving financial independence.	

## Executive summary

<p>Children and young people who are looked after by the local authority are amongst the most vulnerable groups in our community. The County Council has statutory corporate parenting responsibilities towards young people who have left care up to the age of 25. As corporate parents, the Council has the responsibility to keep them safe, make sure their experiences in care are positive, and improve their on-going life chances.</p> <p>A child in the care of the council looks to the whole council to be the best parent it can be to that child. Every member and employee of the council has the statutory responsibility to act for and for that child in the same way that a good parent would act for and for their child.</p> <p>Care leavers can find themselves grappling with the challenges of living independently; managing a household, continuing education or seeking employment, as well as managing their personal finances and paying household bills for the first time – often on a very low income and without the support of family or previous financial education to help them navigate this.</p> <p>This can make care leavers a particularly vulnerable group when it comes to the collection of council tax when moving into independent accommodation.</p> <p>Information provided by Broadland District Council shows of the current five care leavers who have a council tax liability, two have been subject to enforcement action for non-payment.</p> <p>Further anecdotal evidence shows spiralling debt and the threat to their tenancies are amongst the biggest issues in care leaver's lives, often leading to abandonment and tenancy loss, making it extremely difficult for young people to access accommodation at a later stage. This can have a great impact on not only the young person's health and wellbeing but the wider community i.e. homelessness, health, crime and the prison service.</p>
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Research by the Children's Society has found that more than a third of councils across England have taken the step to exempt care leavers from council tax, enhancing their service's 'local offer' to care leavers, the quality of which is a key point of focus in Ofsted inspections.

In a two-tier area like Norfolk it is the district councils who are the billing authority and issue council tax bills to care leavers. Therefore any direct change to care leavers' council tax bills would have to be implemented by the district councils.

This paper sets out a proposal for a full council tax discount for all Norfolk care leavers who are under the age of 25 years and solely responsible for payment of the bill, or who occupy a property with other Norfolk care leavers up to the age of 25.

Under this proposal Norfolk County Council would forgo its share of care leaver's council tax (around 75%) and work with the seven Norfolk district councils and the Norfolk Police and Crime Commissioner to agree that they bear their share of the full discount and seek to implement a uniform scheme across Norfolk.

Currently Norwich City Council has agreed to the discount up until the age of 25 years and Broadland District Council in principal agrees up until the age of 21 years, and dependent on Norfolk County Council's decision.

In order to ensure that Norfolk care leavers residing outside of Norfolk are not disadvantaged, the paper also proposes a grant scheme to compensate these individuals for their council tax bills, subject to the same eligibility criteria.

### **Recommendations:**

Children's Services Committee are recommended to:

- a) **Recommend to Policy and Resources Committee and Full Council that a scheme be adopted as set out in this paper to deliver a full council tax discount for all Norfolk care leavers living either in or out of Norfolk who are under the age of 25 and are solely responsible for payment of the bill, or who occupy a property with other Norfolk care leavers aged up to 25.**
- b) **Commission officers to undertake further work with the seven Norfolk District Councils and the Norfolk Police and Crime commissioner to seek to agree that all authorities bear their share of the full discount and that a uniform scheme can be implemented across Norfolk.**

## **1. Proposal (or options)**

From April 2018 Section 3 of the Children and Social Work Act 2017 requires local authorities to provide a Personal Advisor and leaving care support until the age of 25, removing the existing distinction between care leavers in education and training and those who are not. The Act also places corporate parenting responsibilities on district councils for the first time, requiring for them to have regard to children in care and care leavers when carrying out their functions.

The extension of the Personal Advisor role will allow more time for care leavers to be provided with appropriate financial support, helping them make positive financial decisions. This support should continue throughout the young person's time in care and up until the age of 25 to ensure we are not just delaying the issue of council tax debt. Some tools available in which these skills can be developed are:

- skills learnt through Norfolk's Passport to Independence
- support through the Personal Advisor role
- peer mentors
- life skills training courses

- good pathway planning

This report sets out a proposal to provide a full council tax discount to all Norfolk care leavers living in and out of Norfolk who are under the age of 25 and are solely responsible for payment of the bill, or who occupy a property with other Norfolk care leavers aged up to 25.

It is proposed that the discount be operated as follows:

1. The discount will apply to individuals for whom Norfolk County Council held corporate parenting responsibility at the point when the young person left care (a care leaver).
2. The level of discount applied will be 100 per cent of residual council tax liability after taking account of any other available statutory discounts/exemptions to which the resident may be entitled (for example single person discount).
3. The discount will apply only to those care leavers in single residence who have sole liability, or who are sharing with one or more other eligible care leaver(s) under the age of 25.
4. Eligibility to the discount would cease on the care leaver's 25<sup>th</sup> birthday.
5. The discount would be awarded against any future council tax liability from the date of implementation.
6. The discount will not be means tested or responsive to the individual circumstances of the 'care leaver' if s/he is between the ages of 18 to 24.
7. Where the care leaver resides, and is liable to pay council tax in Norfolk, the County Council will seek to work with the billing authorities to implement a full local council tax discount for Norfolk care leavers under S13A of the Local Government Finance Act 1992 (as amended). The cost of a S13A discount is borne by the billing authority (district council). The County Council would therefore compensate districts implementing such a discount for the county council element of the council tax (approximately 75%) and would engage with the Norfolk Police and Crime Commissioner to seek a contribution to the district in respect of their share. A process to confirm the actual cost of support provided by districts will need to be established for the County Council to make payment. Care leavers for whom the County Council does not have a corporate parenting responsibility (i.e. those from outside Norfolk but now residing in the county) would not be eligible for reimbursement to the district (although are not precluded from applying to a district council under the normal terms of their discretionary relief policy).
8. Where the care leaver resides, and is liable to pay council tax outside of Norfolk, the cost would need to be met fully by Norfolk County Council via a grant claim system, which will need to be developed to include a mechanism to ensure the grant is used for the purpose intended. A grant system could also be implemented where a Norfolk district chooses not to implement a S13A discount.
9. A process will be determined to work with billing authorities to ensure that the individual is a Norfolk care leaver and meets the criteria

There is an option to "do nothing", as the Government intention is for councils to continue to use their local discretion. However, the evidence for supporting care leavers as they move into independent living is persuasive.

## 2. Evidence

The Children's Society published a report "The Wolf at the Door" in March 2015, showing that Care Leavers were a particularly vulnerable group when it comes to the collection of Council Tax when moving into independent accommodation. The report revealed how problem debt such as council tax is having a profound impact on children's lives, causing them stress, depression and anxiety. This stress can lead to a number of young people abandoning accommodation.

In the Government's "Keep on Caring" strategy published in July 2016, councils are encouraged to consider the role of a Corporate Parent 'through the lens of what any reasonable parent does to give their child the best start in life'. For many this may mean providing financial support when first living independently. Local authorities are encouraged to consider exempting care leavers from Council Tax using powers already at their disposal.

### 3. Financial Implications

The ability to implement a council tax discount is only available to billing authorities which would be district, metropolitan borough, and unitary councils rather than the county council. Therefore it is district councils in Norfolk which have the power to offer a discretionary discount to care leavers. In Norfolk agreement to implement this will need to be obtained from the seven district councils who have all been approached and are open to the proposal. As set out in the proposal above, a hybrid scheme with a grant funding element will be required to provide equivalent support to those Norfolk care leavers living outside of the county, and in the event that a Norfolk district does not agree to implement a local discount.

Norfolk County Council currently receives around 75% of council tax collected in Norfolk, with the remaining 25% going to district councils and the police. The financial impact to the County Council of removing council tax liability for care leavers is difficult to forecast. It is dependent on variables such as the number of eligible care leavers, the council tax band of the dwellings they reside in, and whether they qualify for single person discounts or any other form of council tax relief.

Data as of 4 May 2018 shows Norfolk County Council has 471 known open case care leavers aged between 18-25 years. Of these 180 (38%) are living independently and we estimate 116 (25%) living in Norfolk to have a council tax liability (not in education/training or living with other tax paying adults who are liable).

There is also the possibility that a care leaver may choose to leave the Norfolk area therefore a grant scheme will be required to support them with their council tax payment. Of the 180 care leavers living independently 32 are living out of county, of which 15 have a possible liability.

At the Full Council meeting of 12th February, Members approved a council tax increase which will result in a Band A council tax level of £881.82 for Norfolk County Council's share of council tax in 2018-19.

**Removing the council tax liability for an estimate of 116 care leavers could therefore cost the County Council around £102,291 in 2018-19.** This estimate should be treated with caution. A number of these care leavers are in receipt/will be eligible for single person discounts or other forms of council tax relief, which would reduce the cost of the care leaver exemption and the cost to the Council. However, the care leavers could be living in accommodation with a council tax liability higher than a Band A, which would increase the cost of the care leaver exemption and the cost to the Council.

These are currently just estimates of likely numbers and costs. Due to the number of unknowns and variables involved the actual cost to the authority will not be known until the exemption is in place. The maximum cost to the County Council could be substantially higher if the offer of a discount encourages a change in behaviour resulting in higher numbers of care leavers living independently and claiming the discount.

There are currently 479 care leavers who are closed to the Leaving Care service with whereabouts unknown, so the impact of this cohort is difficult to determine. Further work would be required to understand the numbers of those that are living independently and with a council tax liability.

Taking this rate of 25% with a council tax liability and extrapolating based on the total number of care leavers aged (950 individuals) would result in the **council tax discount being required for 238 care leavers once the full cohort becomes known to the Leaving Care service.** The closed case care leavers are of an older age. This number with a council tax liability could be significantly higher if we assume those aged 21-24 are more likely to be in their own accommodation.

On reviewing the age profile of current care leavers who will be eligible to pay council tax it is expected that the number will **increase in 2020 to 250.**

The below table provides an estimate of the annual cost to Norfolk County Council of removing the council tax liability on the current known cohort living in Norfolk, an estimate of the 2018-19 cost if the full cohort of current care leavers were known and an estimate of potential future cost when the full cohort of increased numbers of care leavers is known.

	2018/19 current known cohort	2018/19 if full cohort known	2020 onwards – full cohort known
<b>Number of care leavers currently open to the LC team aged 18-25 years with a council tax liability</b>	116*	238	250
<b>Possible total cost to County Council (based on Band A)</b>	£102,291	£209,873	£220,455

\*excludes those out of county or address unknown

Norfolk County Council is currently forecasting a budget gap of £95m over the next three years to 2021-22. **Any reduction in council tax income will result in increased financial pressures for the County Council to address.**

There is also a cost for the recovery/prosecution process to the billing authorities, where care leavers fall into council tax arrears. It is assumed the cost of administering a S13A discount would be absorbed within districts' existing resources.

#### 4. Issues, risks and innovation

- Other resource implications (staff, property)  
Implementation of the exemption for Norfolk care leavers will be carried out by the billing authorities. There may be resource implications on Children's Services staff in the administration of grant payments to care leavers living out of county.
- Risks  
If this is not adopted, care leavers will continue to be subject to the consequences of recovery action, including the necessity for our Leaving Care service to help and support young people who have been evicted
- Equality  
Care leavers are seen as a vulnerable and disadvantaged group, disproportionately represented in national homelessness data.  
This scheme would be available to those care leavers living in and out of Norfolk, meaning those who choose to move out of Norfolk would not be disadvantaged.
- Environmental implications  
N/A
- Health and safety issues  
N/A

#### 5. Background

Under the Children (Leaving Care) Act 2000 the council's responsibilities to Care Leavers can continue until the age of 25. There is a duty to improve the life chances of young people living in and leaving care, meaning that the council must plan for these individuals so that they have the support needed to make their transition to a successful adult life.

Care leavers often have to take on more financial responsibilities than their peers, when they might be on low income and without similar family support networks. They can often feel

overwhelmed by this, while seeing peers at work or college enjoying more spending power and financial security.

In its role as corporate parent, the council (not just the County Council) should ensure that care leavers are given the same level of care and support their peers would expect from a reasonable parent and they are provided with opportunities to help them move successfully to adulthood and independent living.

The government made recommendations in July 2016 that Local Authorities should consider exempting care leavers from Council Tax, using their existing discretionary powers. This recommendation is part of the government's care leaver strategy "Keep on Caring", in which councils are encouraged to consider their role as a corporate parent "through the lens of what any reasonable parent does to give their child the best start in life".

A growing number of Local Authorities are now setting up the exemption, meaning that more and more Care Leavers across the UK are not having to pay Council Tax.

The Billing authorities have discretion under Section 13A of the Local Government Finance Act 1992 to reduce council tax to nil for individuals, or for classes of taxpayer.

It is proposed that the district councils use this discretion to provide Care Leavers (up to the age of 25) with a discount so that their council tax liability will be reduced to nil from no later than April 2019.

#### Background documents

Norfolk County Council's overall vision;

***'Norfolk County Council will be a consistent, caring and responsible parent to all children and young people in our care through to adulthood. We Promise to put Children First and to work with them and the important people in their lives to ensure they are safe, happy and well. We will always be there at the right time to support children and young people to achieve their own personal ambitions by never giving up on them'***

Keep on Caring" – Government Strategy December 2016  
(available online: <https://www.gov.uk/government/publications/keep-oncaring-supporting-young-people-from-care-to-independence>)

"The Wolf at the Door" – The Children's Society report 2015  
(available online: <http://www.childrenssociety.org.uk/what-we-do/resourcesand-publications/the-wolf-at-the-door-how-council-tax-debt-collection-is>)

Looked after Children and Leaving Care Strategy 2016-2019, Norfolk County Council (available online <https://www.norfolk.gov.uk/what-we-do-and-how-we-work/policy-performance-and-partnerships/policies-and-strategies/childrens-social-care-policies/looked-after-children-and-care-leavers-strategy>)

#### **Officer Contact**

If you have any questions about matters contained or want to see copies of any assessments, eg equality impact assessment, please get in touch with:

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

**Officer Name: Amanda King    Tel No: 01603 306388    Email address:**[amanda.king@norfolk.gov.uk](mailto:amanda.king@norfolk.gov.uk)

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<b>Report title:</b>	<b>Limited Company Consents</b>
<b>Date of meeting:</b>	
<b>Responsible Chief Officer:</b>	<b>Executive Director of Finance &amp; Commercial Services – Simon George</b>
<b>Strategic impact</b> Limited companies owned by the County Council require the consent of the County Council before they can make certain decisions including the appointment of directors.	

<b>Executive summary</b>  <b>Policy and Resources Committee is recommended to:</b>  <ol style="list-style-type: none"> <li><b>1. Recommend to Full council the appointment of directors to companies as detailed in appendix A</b></li> </ol>
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## 1. Background

### Appointment of Directors

- 1.1 Limited companies owned by the County Council require the consent of the County Council to appoint directors to its companies.
- 1.2 The Executive Director of Finance & Commercial Services has reviewed the attached list of appointees (In appendix A) and advises that they are suitable

And subsequently recommends that the Policy and Resources Committee approve the appointment of the attached list of directors to Full Council.

## 2. Financial Implications

- 2.1. The effective management and oversight of the Limited companies owned by the County Council will further enhance the financial return to the Council.

### 3. Issues, risks and innovation

- 3.1. There are no significant risks or implications beyond those set out in the financial implications section of the report.

### 4. Background Papers

#### Officer Contact

If you have any questions about matters contained or want to see copies of any assessments, eg equality impact assessment, please get in touch with:

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

<b>Officer Name:</b>	<b>Tel No:</b>	<b>Email address:</b>
Simon George	01603 222400	<a href="mailto:simon.george@norfolk.gov.uk">simon.george@norfolk.gov.uk</a>



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## Appendix

Company	Resign	Appoint
Great Yarmouth Norse Limited	Clive Whitaker (retiring)	Gary Atkins
Hamson Barron Smith	Karen Knight	None required

<b>Report title:</b>	<b>Recommendations from the Constitution Advisory Group meeting held on 4 September 2018</b>
<b>Date of meeting:</b>	<b>24 September 2018</b>
<b>Responsible Chief Officer:</b>	<b>Managing Director</b>
<b>Strategic impact</b>  <p>Article 13 of the Constitution provides that changes to the Constitution may only be made by full Council following consideration of the proposal by the Constitution Advisory Group (CAG) who will make recommendations to this Committee. The Group met on 4<sup>th</sup> September 2018 and made recommendations to the Policy and Resources Committee which are set out in this report.</p>	

## Executive summary

The **recommendations** from CAG are as follows:

(a) **Health and Wellbeing Board – Governance and Systems Leadership (report to CAG attached at Appendix A)**

That Policy and Resources Committee recommends Council to amend the constitution accordingly to enable the changes below:

1. Agree that the Chair of the N&W Sustainability & Transformation Partnership (STP) and the N&W STP Executive Lead become full members of the HWB (para 2.3 of the report)
2. Agree that the cabinet member for Community Health and Safety at Waveney District Council (or its successor authority) becomes a full member of the HWB (para 2.5 of the report)
3. Agree that there should be provision for members of the public to ask questions in line with procedural rules (as outlined in Appendix B to the report)

(b) **Review of Financial Standing Orders (FSOs) and Consequential Amendments to the Constitution (report to CAG attached at Appendix B)**

That Policy and Resources Committee recommends to Council the changes to Financial Regulations as set out in Appendix 1 of the report to CAG

(c) **Communities and Environmental Services – Trading Standards – Addition to Part 6.2 – Scheme of Delegated Powers to Officers (report to CAG attached at Appendix C)**

That Policy and Resources Committee recommends Council to amend Part 6.2 of the Constitution to include the additional provision as set out in the report to CAG.

**(d) Appointment of Senior Officers (report to CAG attached at Appendix D)**

That Policy and Resources Committee recommends to Council that the Director of Growth and Development be added to the list of posts set out in Part A of the Appendix to Part 6.4 of the constitution.

**(e) Changes to the Scheme of Delegation for the determination of Planning Applications and the provision of Training for Members of the Planning (Regulatory) Committee (report to CAG attached at Appendix E)**

That Policy and Resources Committee recommends to Council that the changes to the constitution are adopted as set out in the report and that the training requirements apply to all Members and Substitute Members sitting on the Committee.

**(f) Order of Business at Council Meetings**

That Policy and Resources Committee recommends to Council that the order of business at Council meetings as currently set out in 2.1 of Part 3.2 of the constitution be amended so that motions under Standing Order 9 be considered after reports/recommendations from Committees and Member questions to Committee Chairmen.

## **2. Implications**

Any financial implications are set out in the reports to CAG which are attached. There are no other relevant implications to be considered by members.

**Background Papers** – There are no background papers relevant to the preparation of this report.

## **Officer Contact**

If you have any questions about matters contained or want to see copies of any assessments, e.g. equality impact assessment, please get in touch with:

**Officer Name:**

**Tel No:**

**Email address:**

Chris Walton

01603 222620

chris.walton@norfolk.gov.uk



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<b>Report title:</b>	<b>Health and Wellbeing Board – Governance and systems leadership</b>
<b>Date of meeting:</b>	<b>2 May 2018 4 September 2018</b>
<b>Sponsor:</b>	<b>Dr Louise Smith, Director of Public Health</b>
<p><b>Reason for the Report</b></p> <p>The Health and Wellbeing Board (HWB) is operating in a rapidly changing health, care and wellbeing landscape. It is appropriate for the Board to consider its governance on a regular basis to ensure that it continues to work efficiently and effectively, and is well placed to pursue its strategic priorities.</p> <p><b>Report summary</b></p> <p>This report highlights some key areas of the HWB’s governance arrangements in terms of membership and current ways of working and invites members to consider and make comments on proposals for change.</p> <p><b>Recommendations:</b></p> <p>The HWB is asked to:</p> <ol style="list-style-type: none"> <li>1 Agree that the Chair of the N&amp;W Sustainability &amp; Transformation Partnership (STP) and the N&amp;W STP Executive Lead become full members of the HWB (para 2.3)</li> <li>2 Agree that the cabinet member for Community Health and Safety at Waveney District Council becomes a full member of the HWB (para 2.5)</li> <li>3 Agree that there should be provision for members of the public to ask questions in line with procedural rules (as outlined in Appendix B)</li> <li>4 Recommend that Norfolk County Council be asked to consider amending its constitution accordingly to enable the changes above (para 4.1)</li> </ol>	

## **1. Background**

- 1.1 The Health and Wellbeing Board (HWB) operates as system leader providing oversight and strategic leadership of the wider health, care and wellbeing system. The system is complex, involving many organisations and systems, and commissioning across the NHS, social care, public health and wider services.
- 1.2 The Board works in the rapidly developing health and care landscape and it regularly reviews its governance to ensure it continues to be effective and is well placed to pursue its strategic priorities. The Board last reviewed its governance in September 2017 and introduced a number of changes to bring the arrangements up to date, strengthen the HWB’s governance and streamline its working practice. The report is available at this link: [Governance and System Leadership approach - September 2017](#).

## 2. Membership

- 2.1 The HWB has a key role in the strategic oversight of the Sustainability & Transformation Partnership's (STP) ambitions for delivering sustainable health and social care services across Norfolk and Waveney. The role will develop as the system works towards an integrated health and care system for Norfolk and Waveney, to drive improvement (see item 6 on this agenda).
- 2.2 The Chair of the Norfolk & Waveney Sustainability & Transformation Partnership (currently Rt Hon Patricia Hewitt) is invited to join all Board meetings and the STP Executive Lead (Antek Lejk is the outgoing Executive Lead) has held a place on the HWB by virtue of his role as Chief Executive of the South Norfolk & North Norfolk CCGs.
- 2.3 In order to strengthen the links between the HWB and the Sustainability & Transformation Partnership (STP) **it is proposed that:**
- The Chair of the N&W Sustainability & Transformation Partnership and the N&W STP Executive Lead become full members of the HWB
- 2.4 The work of the HWB continues to develop and respond to the changing health and wellbeing agenda. The Board's discussions often include the Waveney area - for example, around the STP, and also the Local Transformation Plan (Children and Young Peoples' mental health), and the Transforming Care Partnership (Services for Adults with a Learning Disability). In response to a request, the cabinet member for Community Health and Safety at Waveney District Council has been invited to join all HWB meetings since last autumn.
- 2.5 In order to strengthen these arrangements **it is proposed that:**
- The cabinet member for Community Health and Safety at Waveney District Council becomes a full member of the HWB
- 2.6 The proposed HWB membership is at **Appendix A**. It is recommended that Norfolk County Council be asked to consider amending its constitution accordingly.

## 3. How the Board conducts its work

- 3.1 The HWB holds formal meetings four times a year and, when relevant, these can include private informal discussions to enable the Board's strategy development. The Board also sets aside a half day each year for an informal development session to focus on specific issues in more detail.

### Public questions

- 3.2 The HWB's formal meetings are held in public, although currently there is no provision for public questions at Board meetings. To strengthen these arrangements and provide greater democratic accountability, **it is proposed** that the HWB makes provision for members of the public to ask questions in accordance with the County Council's procedural rules. This is in line with a growing number Health and Wellbeing Boards around the country who have some form of provision for public participation.

- 3.3 The County Council has procedures for questions by members of the public at its service committees and it is proposed that these are adapted for use by the Health and Wellbeing Board as outlined in **Appendix B**.

#### **4. Next steps**

- 4.1 If agreed, these changes to the Board's membership and terms of reference would require change in the County Council's Constitution. **It is recommended** that Norfolk County Council be asked to consider amending its constitution accordingly. The process for changing the Council's Constitution and involves approval by the Council's Constitution Advisory Group, Policy & Resources Committee and then the County Council.

#### **Officer Contact**

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

<b>Name</b>	<b>Tel</b>	<b>Email</b>
Linda Bainton	01603 223 024	<a href="mailto:linda.bainton@norfolk.gov.uk">linda.bainton@norfolk.gov.uk</a>



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## Health & Wellbeing Board

### Representing

Adult Social Care Committee, Norfolk County Council (NCC)  
 Adult Social Services, NCC  
 Borough Council of King's Lynn & West Norfolk  
 Breckland District Council  
 Broadland District Council  
 Children's Services Committee, NCC  
 Children's Services, Norfolk County Council  
 Director of Public Health, NCC  
 Great Yarmouth Borough Council  
 Healthwatch Norfolk  
 NHS England, East Sub Region Team  
 NHS Great Yarmouth & Waveney CCG  
 NHS Great Yarmouth & Waveney CCG  
 NHS Norwich CCG  
 NHS Norwich CCG  
 NHS North Norfolk CCG  
 NHS North and South Norfolk CCG  
  
 NHS South Norfolk CCG  
 NHS West Norfolk CCG  
 NHS West Norfolk CCG  
 Norfolk Constabulary  
 Norfolk County Council  
 Norfolk County Council  
 North Norfolk District Council  
 Norwich City Council  
 Police and Crime Commissioner  
 South Norfolk District Council  
 Sustainability & Transformation Partnership (Chair)  
 Sustainability & Transformation Partnership (Executive Lead)  
 Voluntary Sector Representative  
 Voluntary Sector Representative  
 Voluntary Sector Representative  
 Waveney District Council

### Membership

Cllr Bill Borrett\*  
  
 James Bullion\*  
 Cllr Elizabeth Nockolds  
 Cllr Paul Claussen  
 Cllr Andrew Proctor  
 Cllr Penny Carpenter  
 Sara Tough \*  
 Dr Louise Smith \*  
 Cllr Andy Grant  
 William Armstrong\*  
 Simon Evans-Evans  
 Dr Liam Stevens\*  
 Melanie Craig  
 Tracy Williams\*  
 Jo Smithson  
 Dr Anoop Dhesi \*  
 Antek Lejk/Helen Stratton  
 Dr Hilary Byrne\*  
 Dr Paul Williams\*  
 John Webster  
 ACC Paul Sanford  
 Cllr David Bills  
 Dr Wendy Thomson  
 Cllr Maggie Prior  
 Cllr Kevin Maguire  
 Lorne Green  
 Cllr Yvonne Bendle  
 Rt Hon Patricia Hewitt  
  
 Antek Lejk  
  
 Dr Joyce Hopwood  
 Dan Mobbs  
 Dr Janka Rodziewicz  
 Cllr Mary Rudd

### Substitute

Cllr Shelagh Gurney  
  
 Debbie Bartlett  
 Cllr Sam Sandell  
 Cllr Trevor Carter  
 Cllr Roger Foulger  
 Cllr Stuart Dark  
 Sarah Jones  
  
 Cllr Emma Flaxman-Taylor  
 Alex Stewart  
  
  
 ACC Nick Davison  
  
 Adam Clark  
 Dr Gavin Thompson  
 Cllr Florence Ellis  
  
  
 Laura Bloomfield  
 Elly Wilson  
 Jon Clemo  
  
  
 Tony Osmanski  
 Anna Davidson  
 Geraldine Broderick  
  
 John Fry  
  
 Gary Page  
 Edward Libbey

### Standing invitation to attend Board meetings:

East Coast Community Healthcare CIC  
 James Paget University Hospital NHS Trust  
 Norfolk Community Health & Care NHS Trust  
 Norfolk Independent Care  
 Norfolk & Norwich University Hospital NHS Trust  
 Norfolk & Suffolk NHS Foundation Trust  
 Queen Elizabeth Hospital NHS Trust

Jonathan Williams  
 Christine Allen  
 Roisin Fallon-Williams  
 John Bacon  
 Mark Davies  
  
 Julie Cave  
 Jon Green

\* Denotes statutory member

## Questions by the public at the Health and Wellbeing Board

### 1. How to ask a question

A question must be put in writing and in advance:

- a) **2 working days' notice** of the question is given in writing to the Head of Democratic Services; e.g. **no later than 9:00am on the Monday** preceding the Health and Wellbeing Board meeting on a Wednesday

Or

- b) If the question relates to **urgent matters**, and it has **the consent of the chairman** to whom the question is to be put, and the content of the question is given to the Head of Democratic Services **by 4pm on the day before the meeting**.

### 2. Who may ask a question and about what

A person resident in Norfolk, or who is a non-domestic ratepayer in Norfolk, or who pays Council Tax in Norfolk, may ask at a public meeting of the Health and Wellbeing Board through the Chairman any question within the terms of reference of the Health and Wellbeing Board about a matter for which the Board has collective responsibility or particularly affects the Board. This does not include questions for individual Board members where responsibility for the matter sits with the individual organisation.

### 3. Rules about questions

- a) **Number of questions** - At any public Health and Wellbeing Board meeting, the number of questions which can be asked will be limited to one question per person plus a supplementary. No more than one question plus a supplementary may be asked on behalf of any one organisation. No person shall be entitled to ask in total under this provision more than one question, and a supplementary, to the Health and Wellbeing Board in any six month period.
- b) **Other restrictions** - Questions are subject to a **maximum word limit** of 110 words. Questions that are in excess of 110 words will be disqualified. **The total time for public questions will be limited to 15 minutes**. Questions will be put in the order in which they are received
- c) **Supplementary questions** - One supplementary question may be asked without notice and should be brief (fewer than 75 words and take less than 20 seconds to put). It should relate directly to the original question or the reply. The Chairman may reject any supplementary question s/he does not consider compliant with this requirement.

### 4. Response

The Chairman shall exercise his/her discretion as to the response given to the question and any supplementary.

**Not attending** - If the person asking the question indicates they will not be attending the Board meeting, a written response will simply be sent to the questioner.

**Attending** - If the person asking the question has indicated they will attend, response to the questions will be made available at the start of the meeting and copies of the questions and answers will be available to all in attendance. The responses to questions will not be read out at the meeting.

**Supplementary question** - The Chairman may give an oral response to a supplementary question or may require another Member of the Board or Officer in attendance to answer it. If an oral answer cannot be conveniently given, a written response will be sent to the questioner **within seven working days** of the meeting.

**Written response** - If the person who has given notice of the question is not present at the meeting or if any questions remain unanswered within the 15 minutes allowed for questions, a written response will be sent **within seven working days** of the meeting.

## **5. Rejection of a question**

The Head of Democratic Services may reject a question if it:

(a) Is not about a matter for which the Board has collective responsibility or particularly affects the Board;

(b) Is defamatory, frivolous or offensive or has been the subject of a similar question in the last 6 months or the same as one already submitted under this provision;

(c) Requires the disclosure of confidential or exempt information, as defined in the Council's Access to Information Procedure Rules

# Constitution Advisory Group

<b>Report title:</b>	<b>Review of Financial Standing Orders (FSOs) and consequential changes to constitution</b>
<b>Date of meeting:</b>	<b>4 September 2018</b>
<b>Strategic impact</b>  It is best practice to undertake an annual review of Financial Regulations, which form part of the Council's Constitution. This review is required to ensure that Regulations continue to comply with legislation, meet the Council's needs, and accurately reflect the environment in which the Council operates. Without a regular review of Financial Regulations, there is a risk that the regulations will become out of date, leading to weaker financial control.	

## Executive summary

Substantial updates to Financial Regulations were made during 2017. This report represents the outcome of the regular annual review for 2018 and recommends minor changes to the Financial Regulations of the County Council.

### Recommendations:

#### Constitution Advisory Group is asked to:

1. **consider the changes to the Financial Regulations as set out in Appendix 1 of this report and propose any further amendments required prior to consideration by Policy and Resources Committee; and**
2. **note the timetable set out in paragraph 1.3 for Financial Regulations and supporting documents to be considered by the Constitution Advisory Group, Policy and Resources Committee, and County Council.**

## 1. Changes to Financial Regulations and Constitution

- 1.1 Norfolk County Council's Financial Regulations were subject to a detailed review and update in 2017-18. Nevertheless, it is good practice to review Financial Regulations annually to ensure that they reflect changes in statute and remain up to date and fit for purpose. The review of Financial Regulations also helps to fulfil the requirement for internal control set out in the Accounts and Audit Regulations 2015, which arise from the Local Audit and Accountability Act 2014. A review has therefore been undertaken in 2018-19, with minor changes proposed as set out in this report.
- 1.2 The draft Financial Regulations are set out as Appendix 2 to this report. Within the appendix, all changes (with the exception of minor formatting changes and other housekeeping updates such as numbering and links to other documents) are shown as tracked changes. Details of key changes in the Regulations are set out in paragraph 1.4 below, and a table of all changes is set out at Appendix 1.

1.3 The anticipated timetable for consideration of Financial Regulations by members is as follows:

- Constitution Advisory Group (CAG) 04/09/2018;
- Policy and Resources Committee 24/09/2018; and
- County Council 15/10/2018.

1.4 Any changes to the draft Financial Regulations recommended by Constitution Advisory Group will be incorporated into the version presented to the Policy and Resources Committee.

1.5 The following key changes to the County Council's Financial Regulations are proposed:

- **Section 4.8 – Norfolk Pension Fund** has been updated to reflect the latest position and requirements regarding pooling of assets and to clarify governance structures.
- **Section 5.3 – Financial Processes and General Data Protection Regulations** has been updated to replace references to the Data Protection Act 1998 with the General Data Protection Regulation 2018.
- **Procedures for writing off debts** – paragraph moved from section 5.4 (Schemes of Authorisation and Financial Responsibility) to section 5.5 (Income).
- **Section 5.13 – Assets** has been amended to include reference to lease assignments and clarify the use of surplus assets.
- **Annex B** has been amended to reflect the Chief Finance Officer's responsibility to form a judgement about the robustness of the Council's budget over all years of the Medium Term Financial Strategy.

1.6 References to the Corporate Property Officer throughout the document have been clarified as relating to the Head of Property.

## 2. Rationale

2.1. The adoption of updated Financial Regulations is essential to ensure that the Council continues to operate in line with statutory requirements. In practice, the County Council has already been meeting the requirements of these new regulations; adoption of the draft regulations will consolidate existing best practice.

## 3. Financial Implications

3.1. There are no direct financial implications of the proposed amendments to Financial Regulations for the Annual Budget. There are however potential financial implications of not updating the Financial Regulations, in that a failure to reflect best practice and the current operating environment may lead to a weakening of financial control in some areas.

3.2. Similarly, there are no direct resource implications from this report. However, updating the Financial Regulations helps ensure that standards for financial management reflect best practice and supports our service objective to safeguard and make the most economical use of resources and assets.

## 4. Issues, risks and innovation

### Legal Implications

4.1. Adoption of these updated Financial Regulations will help the Council to achieve good corporate governance. This, in turn, will help the Council to prevent crime under Section 17 of the Crime and Disorder Act.

### Risks

4.2. Financial Regulations are part of the arrangements for ensuring good corporate governance and financial control.

4.3. Without a regular review of Financial Regulations, there is a risk that the regulations will become out of date, leading to weaker financial control in some areas.

4.4. The risk of a weakening of financial control due to the regulations becoming out of date is currently considered to be low as the Council is already meeting the requirements of the draft regulations. However, this risk would increase if Financial Regulations were not reviewed regularly.

## 5. Background

5.1. As part of the constitutional review in 2014, the Council's Financial Regulations were updated, and were adopted by Full Council on 28 April 2014.

5.2. Financial Regulations were last updated in 2017. Changes were recommended to Policy and Resources Committee on 27/11/2017, and they were agreed by County Council on 11/12/2017.

5.3. Financial Regulations will be subject to a further detailed review as part of the updates to the constitution which will be required as part of the transition to a Cabinet system of governance.

### Background Papers

Norfolk County Council Financial Regulations

<https://www.norfolk.gov.uk/-/media/norfolk/downloads/what-we-do-and-how-we-work/policy-performance-and-partnerships/policies-and-strategies/corporate/constitution/part-7-7-financial-regulations.pdf>

### Officer Contact

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

Officer Name:	Tel No:	Email address:
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Titus Adam	01603 222806	titus.adam@norfolk.gov.uk
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## APPENDIX 1

The key changes proposed to the Financial Regulations are set out in the table below. Please note the table does not reflect formatting changes, updates to job titles, and other similar minor amendments.

<b>Proposed Financial Regulations Changes</b>		
<b>Change</b>	<b>Original (Issue 7)</b>	<b>Proposed</b>
Minor change to wording to clarify Audit Committee terms of reference placement in the Constitution.	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, changes approved by the County Council and published as Appendix 2 to the Constitution. The composition is politically balanced and is reviewed at each appointment to the Committee.	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 4.1 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.
Section 4.8 has been updated to reflect the latest position and requirements regarding pooling of assets and to clarify governance structures.	<p><b>4.8 Norfolk Pension Fund</b></p> <p>4.8.1 The Local Government Pension Scheme (LGPS) is a national pension scheme, with its own regulator (the Department of Communities and Local Government), which is administered locally.</p> <p>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.</p> <p>4.8.3 Norfolk County Council delegates all its responsibilities as Administrator of the</p>	<p><b>4.8 Norfolk Pension Fund</b></p> <p>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.</p> <p>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.</p> <p>4.8.3 Norfolk County Council delegates all its responsibilities as Administrator of the scheme</p>



<b>Proposed Financial Regulations Changes</b>		
<b>Change</b>	<b>Original (Issue 7)</b>	<b>Proposed</b>
	<p>scheme to the Pensions Committee, including admitted bodies which acts as quasi-trustee of the Fund.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>4.8.7 The Pensions Committee is also responsible for the appointment and</p>	<p>to the Pensions Committee who act as quasi-trustee of the Fund.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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,</p>

<b>Proposed Financial Regulations Changes</b>		
<b>Change</b>	<b>Original (Issue 7)</b>	<b>Proposed</b>
	<p>monitoring of Investment Managers, Custodian and other related service providers to the Fund.</p> <p>4.8.8 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 annual report and the statement of accounts. The County Council delegates responsibility for the approval of the annual accounts to the Audit Committee.</p> <p>4.8.9 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.</p> <p>4.8.10 The Executive Director of Finance and Commercial Services is custodian of the Funding Strategy Statement, which sets out the Fund's approach to funding liabilities, based on principles agreed by the Pensions</p>	<p>Eastern &amp; Southern Shires) Pool. The ACCESS Funds are Cambridge, East Sussex, Essex, Hampshire, Hertfordshire, Isle of Wight, Kent, Norfolk, Northamptonshire, Suffolk and West Sussex.</p> <p>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.</p> <p>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.</p> <p>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.</p>

Proposed Financial Regulations Changes		
Change	Original (Issue 7)	Proposed
	<p>Committee. The Executive Director of Finance and Commercial Services is also the custodian of the Fund's Communication Strategy, which details the communication needs of its stakeholders.</p> <p>4.8.11 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.</p>	<p>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.</p> <p>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.</p> <p>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</p>

<b>Proposed Financial Regulations Changes</b>		
<b>Change</b>	<b>Original (Issue 7)</b>	<b>Proposed</b>
		scheme member and scheme employer representatives with an independent chair.
Section 5.3 has been updated to replace references to the Data Protection Act 1998 with the General Data Protection Regulation 2018.	<p><b>5.3 Financial Processes and Data Protection</b></p> <p>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.</p> <p>5.3.2 Executive Directors must ensure that any processing (computerised or manual) that involves personal information is registered in accordance with the Data Protection Act 1998 and that all staff are aware of their responsibilities under the Act and advice from the Information Commissioner.</p>	<p><b>5.3 Financial Processes and General Data Protection Regulations</b></p> <p>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.</p> <p>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.</p>
Procedures for writing off debts – paragraph moved from section 5.4 (Schemes of Authorisation and Financial Responsibility) to section 5.5 (Income).	No change – content moved from 5.4.2	5.5.2 Policy and Resources Committee 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

<b>Proposed Financial Regulations Changes</b>		
<b>Change</b>	<b>Original (Issue 7)</b>	<b>Proposed</b>
		monies owed to the Council.
Section 5.13 – Assets has been amended to include reference to lease assignments and clarify the use of surplus assets.	<p>5.13.4 All property disposals (including lease surrenders), 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. 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. The Council's named and designated Corporate Property Officer (the Head 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 Part 6.2 of the Constitution).</p> <p>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 the Business</p>	<p>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 (Head 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 (Head of Property). The Council's named and designated Corporate Property Officer (Head 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 Part 6.2 of the Constitution).</p> <p>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 the Business and Property</p>

<b>Proposed Financial Regulations Changes</b>		
<b>Change</b>	<b>Original (Issue 7)</b>	<b>Proposed</b>
	and Property Committee to confirm its status as a surplus asset to be disposed of.	Committee to confirm its status as a surplus asset to be disposed of and/or exploited for income purposes.
Annex B has been amended to reflect the Chief Finance Officer's responsibility to form a judgement about the robustness of the Council's budget over all years of the Medium Term Financial Strategy.	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) if there is, or is likely to be, unlawful expenditure or an unbalanced budget. 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 at all possible.	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) 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.

## PART 7.7

### FINANCIAL REGULATIONS

#### Background

- A. The County Council's governance structure is laid down in its [Constitution](#), which sets how the County Council operates; how decisions are made; and how procedures are followed.
- B. The County Council has adopted a Committee 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, the Managing Director at Norfolk County Council, is responsible for the corporate and strategic management of the County Council. The Managing Director must report to, and provide information for, the County Council and its committees. Furthermore, the Managing Director is responsible for establishing a framework for management direction, style and standards and for monitoring the performance of the organisation. The Managing Director is also responsible, together with the monitoring officer, 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:
- 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.

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## **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 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, its Committees, the Audit Committee, 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, its Committees 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 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.

## **2. Financial Management**

### **2.1 Introduction**

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.

### **2.2 The Council**

2.2.1 The Council is responsible for adopting and changing the principles of governance and for approving or adopting the policy framework and budget within which the Committees operate.

2.2.2 The principles of decision making and the roles of the Leader and Committee Chairs are set out in Articles 5, 7 and 11 of the Norfolk County Council Constitution.

### **2.3 Service Committees**

#### **2.3.1 Policy and Resources Committee**

The Policy and Resources Committee has two main areas of responsibility: leading the process for developing the County Council Plan and the Medium Term Financial Plan, and coordinating all other service committees. It monitors performance, budget monitoring and risk. In addition, the Committee has responsibility for developing and monitoring corporate services including: finance and risk management, human resources and organisational development, legal, governance, communications and public affairs, and business continuity.

#### **2.3.2 Adult Social Care Committee**

The Adult Social Care Committee is responsible for the commissioning and quality standards of adult social care services for people in Norfolk. It incorporates all those services, from protection to residential care, that help people live fulfilling lives and stay as independent as possible. It oversees the protection of vulnerable adults. The specific functions are:

- Adult Social Care
- Support for Carers
- Protection for Vulnerable Adults
- Supporting People
- Drug and Alcohol Commissioning

#### **2.3.3 Children's Services Committee**

The Children's Services Committee is responsible for services which help keep

children and young people safe and fulfill their potential. It incorporates schools and social care for children and families. It has a particular focus on those children who are in care, and for whom the Council has corporate parenting responsibility. The specific functions are:

- Early Years and Child Care
- School Improvement
- Additional Educational Needs
- Child Protection
- Children and Young People in Care
- Fostering and Adoption
- Youth Offending

#### 2.3.4 Environment, Development and Transport Committee

The Environment, Development and Transport Committee is responsible for protecting and enhancing the environment. It also incorporates travel and transport services to help keep the county moving, and maintains and develops the highway network. The specific functions are:

- Climate Change Mitigation and Adaptation
- Flood and Water Management (including statutory scrutiny of flood risk management)
- Ecology and Arboriculture
- Countryside Access
- Archaeology, Heritage and Landscape
- Waste Management and Recycling
- Transport Strategy / Highways Network / Passenger Transport
- Planning and Development Strategy and Management

#### 2.3.5 Communities Committee

The Communities Committee is responsible for those services which help build resilience in our communities and keep people safe. It focuses on how we engage with the public and how we make our services as customer friendly as possible. The specific functions are:

- Cultural Services (including Libraries, Museums, Adult Education, Norfolk Records Service, Arts and Events)
- Archive Centre
- Norfolk Community Learning Service
- Trading Standards
- Public Health
- Fire and Rescue
- Emergency Planning and Community Resilience
- Customer Services
- Community Relations and Engagement
- Active Norfolk
- Registration Service

### 2.3.6 Business and Property Committee

The Business and Property Committee is responsible for promoting economic development and regeneration and associated activities. It incorporates focus on four broad areas: infrastructure, enterprise, skills and securing/managing external funds. It also has responsibility for the oversight and development of County Farms, a recognition of their importance in the rural economy. In addition, the Committee has responsibility for developing and monitoring property and asset management.

Its specific functions are:

- Promoting economic growth and enterprise
- Removing barriers to growth
- Inward investment
- Supporting the Council's role on the Local Enterprise Partnership (NALEP)
- Unemployment issues
- Oversight of Norfolk Infrastructure Fund and Norfolk Development Company
- Promoting the rural economy
- Oversight and development of County Farms
- Property and asset management
- Preparing the asset management plan

### 2.3.7 Digital Innovation and Efficiency Committee

The Digital Innovation and Efficiency Committee is responsible for ICT management and for delivering the Council's commitment to exploit digital technologies for the benefit of the County of Norfolk and all its residents.

Its specific functions are:

- Political ownership of the Better Broadband for Norfolk project
- Progression of a technologically driven customer services strategy across the Council's services, enabling personalisation, better access, channel shift and digital delivery models
- Driving Norfolk's ambition to accelerate digital and mobile connectivity and lobby Government and commercial providers for 100% access to high speed broadband and 5G mobile phone coverage in Norfolk
- Providing the political leadership for the reliable delivery of technology-driven efficiencies in the Council's operations and activities, i.e. mobile working

## 2.4 Statutory Officers

### 2.4.1 The Head of Paid Service (Managing Director)

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

#### **2.4.2 The Monitoring Officer (Chief Legal Officer)**

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. He/she is also responsible, in conjunction with the Managing Director and the Executive Director of Finance and Commercial Services, for reporting to the Council or Service Committee if he/she considers 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.

#### **2.4.3 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.

#### **2.5 The Money Laundering Reporting Officer**

The Chief Legal Officer is appointed as the Money Laundering Reporting Officer and the 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.

#### **2.6 Executive Director of Finance and Commercial Services**

##### **2.6.1 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.

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

2.6.3 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.

2.6.4 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 each Service Committee
- 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

2.6.5 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.



2.6.6 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 Finance performs the role of the Deputy Section 151 Officer.

2.6.7 **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, a committee, or 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.

2.6.8 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 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.

2.6.9 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.

## 2.7 **County Leadership Team**

In addition to individual responsibilities the Managing Director and Executive Directors form the County Leadership Team, which, acting together and corporately is responsible for:

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

## **2.8 Executive Directors**

### **2.8.1 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 materially 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.

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

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

## **2.9 Other Financial Accountabilities**

### **2.9.1 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.

### **2.9.2 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.

### **2.9.3 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**

#### **3.1 Introduction**

- 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.

#### **3.2 Revenue Budget**

- 3.2.1 The consolidated revenue budget is proposed by the Policy and Resources Committee, considering Service Committees' recommendations to Policy and Resources, and 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 a committee, subject to the arrangements set out in paragraph 3.7.5 below.

#### **3.3 Capital Budget**

- 3.3.1 The capital budget is proposed by the Policy and Resources Committee and approved by the County Council considering Service Committees' recommendations. The budget should have regard to proper accounting standards and include a statement of the allocation of resources to different services and projects and how the programme is to be funded and any impact on the revenue budget.

#### **3.4 Medium Term Planning and Budget Preparation**

- 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.
- 3.4.2 Policy and Resources Committee is responsible for providing guidance to Service Committees 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 template to ensure that budget proposals are developed on a consistent basis by service committees.

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 the Policy and Resources Committee. The Policy and Resources Committee 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. The Policy and Resources Committee 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 Service Committees and of the need for statutory and other consultation on the budget proposals.

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.

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. 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.

- 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 March 1<sup>st</sup>. The County Council will agree at least a three-year balanced budget and agree the precept for the following year.

### 3.5 **Asset Management Plan**

- 3.5.1 The ~~Corporate Property Officer (the Head of Property)~~Corporate Property Officer (Head of Property) is responsible for ensuring an Asset Management Plan is prepared / updated / reviewed on an annual basis for consideration by the Business and Property Committee before submission to County Council.

### 3.6 **Decisions**

- 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.
- 3.6.2 The Terms of Reference of Committees set out within the Constitution (Part 4.1) confirm that Policy and Resources Committee 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 Managing Director in consultation with the Chairman of the Policy and Resources Committee shall determine, in relation to any decision to be taken by another service committee under delegated authority, if that is a decision which may incur significant expenditure or 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 Policy and Resources Committee in place of any other service committee.

### 3.7 **Budget Monitoring and Control**

- 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 the Policy and Resources Committee on the overall position monthly and to the other Service Committees on their budgets on a monthly basis.

- 3.7.2 The Executive Director of Finance and Commercial Services is responsible for monitoring the prudential indicators and reporting to the Policy and Resources Committee on the overall position monthly.
- 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.
- 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 Chair of the Service Committee or Chair of Policy and Resources Committee, 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 the Policy and Resources Committee.
- 3.7.5 Any policy proposal, which would have the effect of increasing a Service Committee's budget, must be supported by a funding proposal setting out how it can be accommodated within the Service Committee'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 part 3.1 of the Constitution, it must be referred to Full Council for consideration.
- 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 in consultation with the Executive Director of Finance and Commercial Services.

### **3.8 Virement**

- 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 committees. 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).
- 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.

### **3.9 Treatment of Year-End Balances**

- 3.9.1 Service Committees are required to report any under and overspendings to Policy and Resources Committee as part of year-end reporting. Policy and Resources Committee is responsible for reporting the overall under and overspendings to County Council and making recommendations as to how they are utilised or managed taking into account the recommendations from Service Committees.
- 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 Service Committees.
- 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 Service Committees. Any slippage on the capital programme will be carried forward to the next financial year and reported to Service Committees.

### **3.10 Maintenance of Reserves**

- 3.10.1 It is the responsibility of the Executive Director of Finance and Commercial Services to review the Council's financial risks and planning assumptions and advise the Policy and Resources Committee 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.
- 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 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.
- 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 Policy and Resources Committee in-year, based on the advice of the Executive Director of Finance and Commercial Services, with reference to a recommendation from the relevant Service Committee as appropriate in respect of service reserves. There is a general presumption that Policy and Resources Committee will normally approve recommendations for the use of earmarked reserves which are made by Service Committees, 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, Policy and Resources Committee will recommend a course of action but refer the matter to be decided by the County Council.

## **4. Governance, Risk Management and Internal Control**

### **4.1 Governance**

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 changes approved by the County Council and~~ published as Part 4.1 Appendix 2 to 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.

4.1.2 Other member-led bodies that also have a role in governance and internal control include the County Council, the Constitution Advisory Group, and, with respect to members, the Standards Committee.

### **4.2 Internal Control and Internal Audit**

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.

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.

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.

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.

4.2.5 The Leader of the Council and the Managing Director 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.

### **4.3 Risk Management**

4.3.1 The County Council, through the Policy and Resources Committee, is responsible for approving the County Council's Risk Management Policy and Framework, and



ensuring that proper insurance exists where appropriate.

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.

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 Policy and Resources Committee on proper insurance cover where appropriate. The Executive Director of Finance and Commercial Services will also report on the Corporate Risk Register to each meeting of the Audit Committee, and ensure that Departments report their departmental risk register at least twice per annum to their respective Service Committee. In this way, Service Committees own and manage their service-specific risks.

#### **4.4 External Audit**

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.

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.

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.

#### **4.5 Anti-Fraud and Corruption**

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 Strategy. 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

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.

- 4.5.3 Executive Directors are responsible for ensuring that internal controls are such that fraud or corruption will be prevented, where possible, and the measures in the Anti-Fraud and Corruption Strategy are promoted.
- 4.5.4 Under the Anti-Fraud and Corruption Strategy, an Executive Director is required to immediately inform the Executive Director of Finance and Commercial Services of any financial irregularity or suspected financial irregularity.
- 4.5.5 The County Council expects that all who have dealings with it have a similar anti-fraud and corruption ethos and that they have no intent or actions with respect to fraud and corruption. (The County Council has issued guidance in “How to do business with Norfolk County Council” including whistleblowing, to support this).

#### **4.6 Money Laundering and Proceeds of Crime**

- 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 and details can be found on the Norfolk Public Law (nplaw) pages of the County Council's Intranet site.
- 4.6.2 The County Council has nominated the Chief Legal Officer 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.
- 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.

#### **4.7 Treasury Management**

- 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.

- 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.
- 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.
- 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 Policy and Resources Committee on treasury management policies, practices, activities and performance monitoring information.
- 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 Policy and Resources Committee 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.

#### 4.8 **Norfolk Pension Fund**

- 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), ~~Department of Communities and Local Government~~, which is administered locally.
- 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.
- 4.8.3 Norfolk County Council delegates all its responsibilities as Administrator of the scheme to the Pensions Committee who act, ~~including admitted bodies which acts~~ as quasi-

trustee of the Fund.

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.

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.

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 1<sup>st</sup> April 2018.

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.

~~4.8.64~~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.

~~4.8.74~~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, ~~and the statement of accounts.~~ The County Council delegates responsibility for the approval of the annual Pension Fund statutory accounts to the Audit Committee.

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.

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.

~~4.8.8~~ The Executive Director of Finance and Commercial Services is custodian of the Funding Strategy Statement, which sets out the Fund's approach to funding liabilities, based on principles agreed by the Pensions Committee. The Executive Director of

~~Finance and Commercial Services is also the custodian of the Fund's Communication Strategy, which details the communication needs of its stakeholders.~~

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.

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**

### **5.1 Introduction**

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

### **5.2 Data Management**

5.2.1 The County Leadership Team is responsible for ensuring that policies and procedures are in place to enable management of data to support effective decision-making.

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

### **5.3 Financial Processes and General Data Protection Regulations**

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.

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~~Data Protection Act 1998~~ and that all staff are aware of their responsibilities under the Act and advice from the Information Commissioner.

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.

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.

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.

#### **5.4 Schemes of Authorisation and Financial Responsibility**

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 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.

~~5.4.21.1.1 Policy and Resources Committee 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.~~

#### **5.5 Income**

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.

5.5.2 Policy and Resources Committee 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.

#### **5.6 Payments to Employees, Third Parties and Members**

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.

#### **5.7 Taxation**

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.

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.

## **5.8 Trading Accounts**

5.8.1 Policy and Resources Committee 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.

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.

## **5.9 Monitoring Reporting**

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 Policy and Resources Committee.

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 Procurement in consultation with the Executive Director of Finance and Commercial Services.

## **5.10 Companies, Trusts and Charities**

5.10.1 Policy and Resources Committee 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 Policy and Resources Committee 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.

5.10.2 Executive Directors are responsible for informing the Chief Legal Officer 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.



- 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.
- 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.
- 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.
- 5.10.6 The appointment of directors to companies, trusts and charities in which the County Council has an interest must be made by County Council, having regard to the advice of the Executive Director of Finance and Commercial Services. The directors will then have a statutory duty to the company, trust or charity and must therefore act in accordance with the Companies and / or Charities Act where applicable.
- 5.10.7 The Executive Director of Finance and Commercial Services and Chief Legal Officer should be contacted for assistance at an early stage to discuss the proposals.

## 5.11 Early payments and loans to suppliers and service providers

- 5.11.1 In the normal course of business, the County Council may on occasion make **early payments** (in advance of contractual payment terms) to support suppliers or service providers experiencing cash flow difficulties. Early payments will be made on a case by case basis, entirely at the discretion of the County Council, and 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 relevant Finance Business Partner for the service area, with notification provided to the Executive Director of Finance and Commercial Services 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 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, and the arrangements for repayment terms **must** be agreed before any early payment is made.
- 5.11.2 **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.

5.11.3 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.

5.11.4 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, 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.

5.11.5 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 Committee Chair aware of this potential cost to the Committee budget.

## **5.12 Contract Standing Orders**

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.

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.

5.12.3 Any contract with a value exceeding £30,000 entered on behalf of the Council must be made in writing. 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.

### 5.13 Assets

- 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.
- 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 Business and Property Committee for determination.
- 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.
- 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 (Head of Property)~~Corporate Property Officer~~. 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 (Head of Property)~~Corporate Property Officer~~. The Council's named and designated Corporate Property Officer (Head of Property)~~Corporate Property Officer (the Head 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 Part 6.2 of the Constitution).
- 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 the Business and Property Committee to confirm its status as a surplus asset to be disposed of and/or exploited for income purposes.

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 £0.500m (unless disposal specifically agreed within the annual budget-setting process)	Business and Property Committee	Above £0.500m	Business and Property Committee
£0.025m up to and including £0.500m	<del>Corporate Property Officer</del> <u>Corporate Property Officer (Head of Property)</u> in consultation with the Executive Director of Finance and Commercial Services, and Chair of Business and Property Committee	£0.250m up to and including £0.500m	Executive Director in consultation with Executive Director of Finance and Commercial Services
Up to £0.025m	<del>Corporate Property Officer</del> <u>Corporate Property Officer (Head of Property)</u>	Up to £0.250m	Executive Director
All disposals at less than best consideration (irrespective of value)	Business and Property Committee	All disposals at less than best consideration (irrespective of value)	Business and Property Committee
Leases**			
Operational properties – lease out or lease out renewals at a rent of £25,000 or more per annum, or the term is for 10 years or more	Business and Property Committee		
Operational properties – lease out or lease out renewals at a rent below £25,000 per annum, and the term is for less than 10 years	<del>Corporate Property Officer</del> <u>Corporate Property Officer (Head of Property)</u>		

Commercial properties – lease out or lease out renewals at a rent of £50,000 or more per annum, or the term is for 10 years or more	Business and Property Committee		
Commercial properties – lease out or lease out renewals at a rent below £50,000 per annum, and the term is for less than 10 years	<del>Corporate Property Officer</del> <u>Corporate Property Officer (Head of Property)</u> in consultation with the Executive Director of Finance and Commercial Services		
<b>Farm Business Tenancies</b>			
Farm business tenancies or renewals at a rent of £50,000 or more per annum, or the term is for 10 years or more	Business and Property Committee		
Farm business tenancies or renewals at a rent below £50,000 per annum, and the term is for less than 10 years	<del>Corporate Property Officer</del> <u>Corporate Property Officer (Head of Property)</u> in consultation with the Executive Director of Finance and Commercial Services and Chair of Business and Property Committee		
<b>Other Property Transactions</b>			
Granting of all licenses, easements and wayleaves to statutory undertakers, tenancies at will	<del>Corporate Property Officer</del> <u>Corporate Property Officer (Head of Property)</u>		

\* 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~~ Corporate Property Officer (Head of Property) to be able to agree terms of a lease quickly as circumstances dictate.

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 £0.250m	Business and Property Committee	Above £0.250m	Business and Property Committee
£0.025m up to and including £0.250m	<del>Corporate- Property</del> <u>Corporate Property Officer (Head of Property)- Officer</u> in consultation with the Executive Director of Finance and Commercial Services, and Chair of Business and Property Committee	Below £0.250m	Executive Director
Below £0.025m	<del>Corporate- Property</del> <u>Corporate Property Officer (Head of Property)- Officer</u>		
Leases			
Lease acquisitions and renewals where the proposed rental is £25,000 or more per annum, or the term of the lease or renewal is for ten or more years	Business and Property Committee		
Lease acquisitions and renewals where the proposed rental is below £25,000 per annum, and the term of the lease or renewal is for less than ten years	<del>Corporate- Property</del> <u>Corporate Property Officer (Head of Property)- Officer</u>		
Lease acquisitions, lease renewals and wayleaves where	<del>Corporate- Property</del> <u>Corporate Property Officer</u>		

they apply to standard statutory obligations / undertakings for the installation of plant and equipment by statutory undertakers	<u>(Head of Property)- Officer</u>		
<b>Other Property Transactions</b>			
Acquiring licenses not exceeding one year	<del>Corporate Property</del> <u>Corporate Property Officer</u> <del>(Head of Property)- Officer</del>		

5.13.8 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 Business and Property Committee pending the outcome of the consultation. As at August 2017 these have not yet been enacted. If enacted, the following thresholds would apply:

<b>Disposal value</b>	<b>Responsibility and authorisation for land and buildings</b>
Up to £0.025m	<del>Corporate Property</del> <u>Corporate Property Officer (Head of Property)-Officer</u>
Between £0.025m up to but not including 0.500m	<del>Corporate Property</del> <u>Corporate Property Officer (Head of Property)-Officer</u> in consultation with the Executive Director of Finance and Commercial Services, and Chair of Business and Property Committee.
£0.500m or above and all disposals at less than best consideration (irrespective of value)	Full Council

5.13.9 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 Retention of Financial Records**

5.14.1 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.

## **6. External Arrangements**

### **6.1 Introduction**

- 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.

### **6.2 Partnerships**

- 6.2.1 The County Council has formal representation on many external boards.
- 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.
- 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 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.
- 6.2.4 Executive Directors are responsible, in consultation with the Executive Director of Finance and Commercial Services and Chief Legal Officer, 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.

### **6.3 External Funding**

- 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.

### **6.4 Financial Guarantees**

- 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.
- 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 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~~ Corporate Property Officer (Head of Property) (for property contracts) or the Head of Procurement (for other contracts)

## 6.5 Work for Third Parties

6.5.1 The Policy and Resources Committee 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.

## 6.6 State Aid and Competition

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.

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 where appropriate.

## 6.7 Private Finance 2 (PF2)

6.7.1 Executive Directors considering PF2 projects should consult with the Executive Director of Finance and Commercial Services during the preparation of the business case for submission to the Council or Service Committee (Service Committee if less than £100m).

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

6.7.3 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
- 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.

#### 6.7.4 Executive Directors are responsible for:

- preparing a business case for submission to Council / Committee 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 Council / Committee
- 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. Policy and Resources Committee 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 Policy and Resources Committee 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

6.7.5 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.

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.

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.

## **Norfolk County Council's Scheme of Virement**

### **Background**

1. The scheme of virement is intended to enable Committees, 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 service budgets as reported in the service commentaries within the medium term financial plan. 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. Policy and Resources Committee 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 committee(s) concerned.

8. 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% 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 Chair of the appropriate Committee 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 appropriate Committee Chair 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.

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

### Background

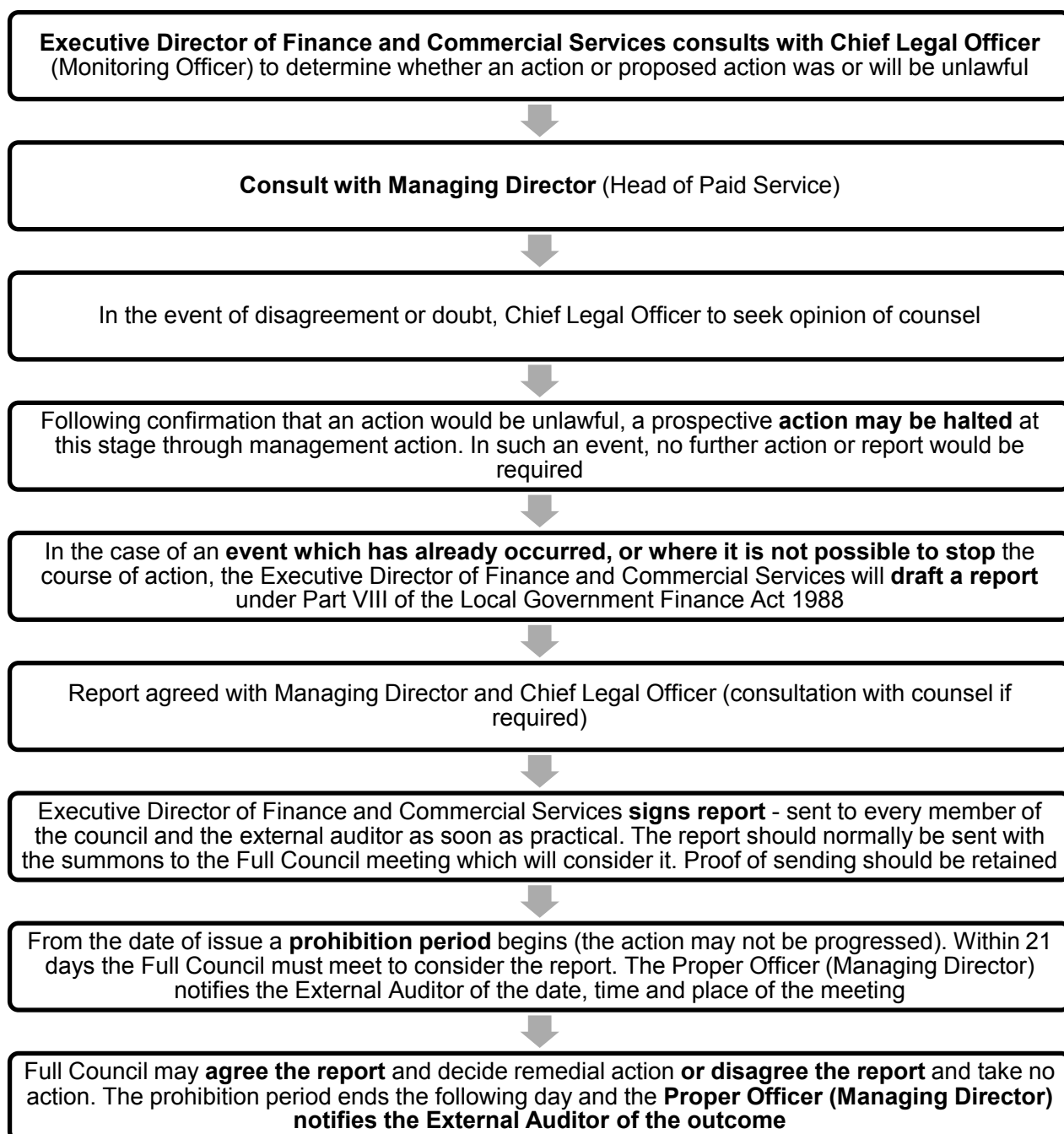
1. Section 114 of the Local Government Finance Act 1988 requires a report to all the authority's members to be made by the Section 151 Officer (Executive Director of Finance and Commercial Services) in consultation with the Monitoring Officer (Chief Legal Officer) if there is, or is likely to be, unlawful 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.



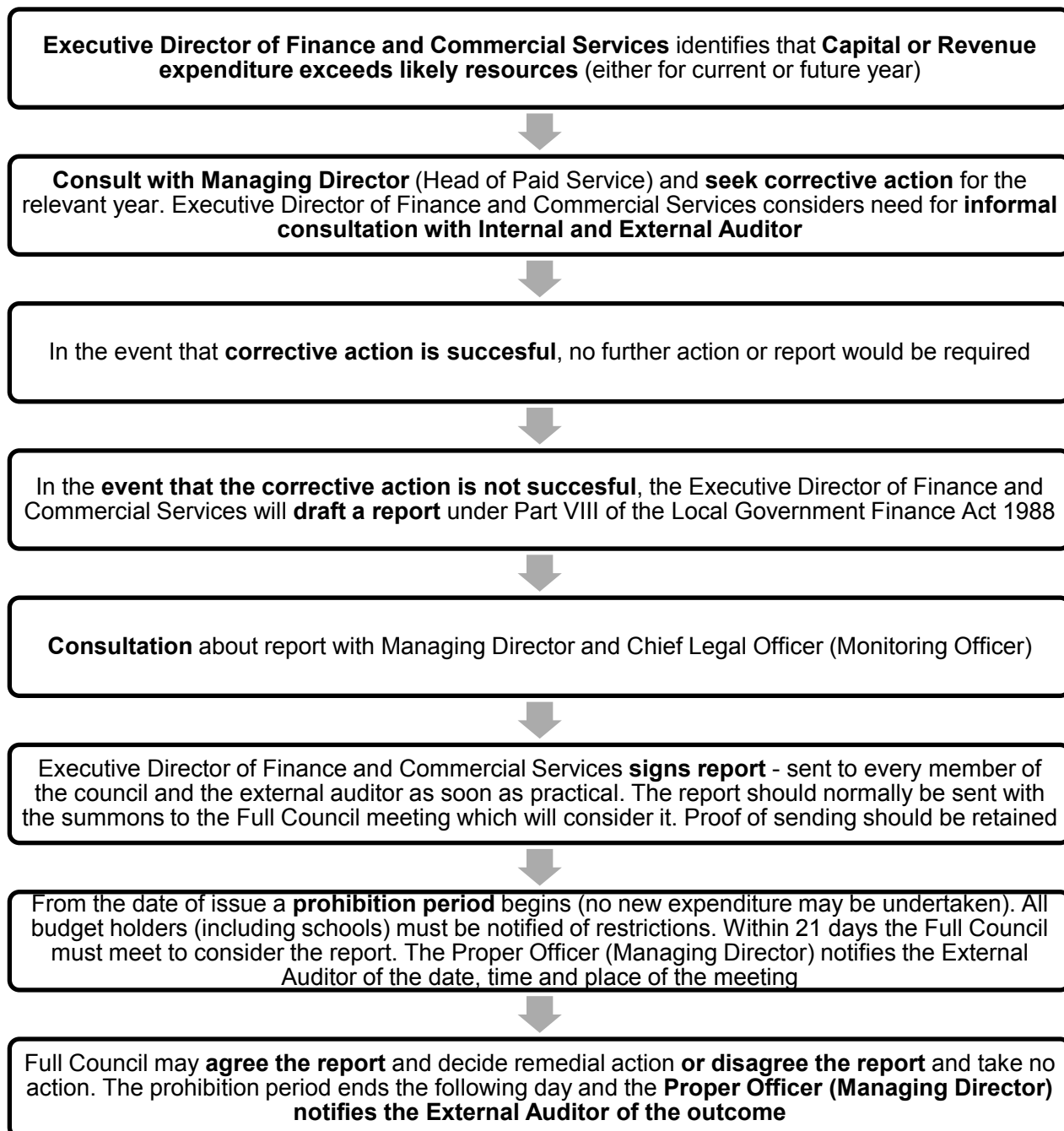
6. A report made under section 114 (2) requires the Executive Director of Finance and Commercial Services to make a judgement that a decision or course of action is unlawful. Such a decision will only be made after consultation with the Chief Legal Officer (Monitoring Officer). A report made under section 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 Managing Director (Head of Paid Service) and Chief Legal Officer (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 committee 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.

# Constitution Advisory Group

Item No.....

<b>Report title:</b>	<b>CES – Trading Standards – Addition to Part 6.2 – Scheme of Delegated Powers to Officers</b>
<b>Date of meeting:</b>	<b>4 September 2018</b>

## Executive summary

An amendment to Part 6.2 of the Constitution – Scheme of Delegated Powers to Officers – is proposed. This relates to the provision of the Trading Standards Service.

### Recommendation:

- **To amend Part 6.2 of the Constitution to include the additional provision as set out in this report.**

## 1. Proposed change

- 1.1 Officers in the Community and Environmental Services Directorate, Trading Standards Service, have requested an addition to the Scheme of Delegated Powers to Officers. The addition is to ensure that all of the relevant provisions included in The Disease Control (England) Order 2003 are reflected; this Order was amended and, subject to Members agreement, there is a need to reflect these changes in the Scheme to ensure that Trading Standards Officers can carry out the full range of licencing activities set out in legislation. In particular, this relates to the work of the Trading Standards' Animal Health and Welfare Officers.
- 1.2 As the proposal is to introduce additional provision into the Scheme, this requires the approval of Members.
- 1.3 The proposal is to add the following to Part B – Officers Scheme of Delegated Powers – for the Executive Director of Community and Environmental Services on Page 10:
  - (47) 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.
- 1.4 In terms of further delegation, the Executive Director is satisfied to extend this specific delegation to Scale M and above graded officers (within the relevant service). If the addition is agreed by Members, this amendment will also be made (page 30).

## Officer Contact

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

**Officer Name:** Sarah Rhoden  
**Email address:** sarah.rhoden@norfolk.gov.uk

**Tel No:** 01603 222867

# Constitution Advisory Group

Item No.....

<b>Report title:</b>	<b>Appointment of Senior Officers</b>
<b>Date of meeting:</b>	<b>4 September 2018</b>
<b>Responsible Chief Officer:</b>	<b>Wendy Thomson, Managing Director</b>
<b>Strategic impact</b> <p>This report is provided in response to a full council resolution to make changes to the Officer Employment Procedure Rules.</p> <p>The delivery of Norfolk County Council's priorities relies on successfully recruiting, developing, motivating and inspiring Officers to deliver strong managerial leadership and direction to implement organisational improvement. (Article 8 of the Constitution).</p>	

## Executive summary

**The recent full council reviewed Officer Employment Procedure Rules and resolved to:**

- **Agree** that the position of Head of Communications is included in the list set out in Part A of the Appendix to Part 6 of the Constitution (Senior Officers which will be appointed by a Member Panel).
- **Agree** that the Constitution Advisory Group (CAG) should consider if there are any other Senior Officer positions that need to be added to the list of appointments which are made by a Member Panel.

## 1. Proposal (or options)

- Consider whether the current list of Officer roles defined as "Senior Officers "and therefore appointable by a Member Panel is fit for purpose and in the spirit of the regulations (now including the Head of Communications).
- Additionally, consider how to strengthen the involvement and contribution of members to the recruitment and selection process for Tier 3 posts which have a service or professional lead accountability. This proposal would seek to ensure engagement through the selection stages and a close engagement between the Chief Officer responsible for the appointment and the key member/s to ensure that full contribution and input to the decision-making process is enabled. Ultimately there is an argument that the Executive Director with accountability (including statutory accountability) needs to be held to account for recruitment decisions, together with the Head of Paid Service, who has accountability for operational decision making for the Authority.

## 2. Background and Evidence

The review in 2016 considered all the relevant regulations and this was validated with the LGA and NPLAW and considered robust. In addition to the provisions of the Constitution, reference must be made to the relevant legislation which defines the terminology used in the Constitution. A summary of our interpretation is provided below:

Appointments <u>may</u> be made by Members (but they could be delegated to officers) to the following posts: Statutory Chief Officers	<ul style="list-style-type: none"> <li>• Head of Paid Service</li> <li>• Director of Children's Services</li> <li>• Director of Adult Social Services</li> <li>• Chief Fire Officer</li> <li>• Director of Public Health</li> <li>• Chief Finance Officer (the section 151 officer)</li> </ul>	In NCC these are: <ul style="list-style-type: none"> <li>• Managing Director</li> <li>• Exec Director Childrens</li> <li>• Exec Director Adults</li> <li>• Chief Fire Officer</li> <li>• Director Public Health</li> <li>• Exec Director Finance &amp;CS</li> </ul>
Non-statutory Chief Officers	Any other post accountable directly to the Head of Paid Service (apart from secretarial etc)	<ul style="list-style-type: none"> <li>• Exec Director CES</li> <li>• Strategy Director</li> <li>• Chief Legal Officer</li> </ul>
Deputy Chief Officer	Any post reporting to a Statutory or Non-statutory Chief Officer (apart from secretarial etc)	We do not recognise the designation of Deputy Chief Officers – our organisation is based on Directors/head of service/professional leads. In 2016, the following were included in member appointments: <ul style="list-style-type: none"> <li>• Head of Democratic Services</li> <li>• Head of ICT</li> <li>• Head of Procurement</li> </ul>
Political Assistants		

Appointments to any other posts **cannot** be made by Members under the regulations.

There are no standard or generally-agreed criteria to guide us as to which posts should/should not appointed by Members that we can ascertain.

In 2016 we reduced the number of posts appointed by members. At that time ALL tier 1-3 posts were subject to member appointment. There was debate at that time, and the consensus was that the number of posts appointed by Members should be no more than necessary, for several reasons:

- the spirit of the regulations is to limit Members' involvement in officer appointments. In fact, the regulations do not require that Members appoint any officer. Any appointment can be delegated to officers
- excessive demands on Members' time
- risk that appointments may become politicised, with Group views emerging as to preferred candidates and favouring internal candidates who are known to members already

- members are responsible for policy, officers for delivery, so Chief Officers and the Managing Director should be responsible for appointing the senior officers responsible for delivering services
- varying levels of recruitment expertise and experience among Members
- difficulties in getting the same panel together at longlist, shortlist, interview stages, hence inefficient and time-consuming recruitment process.

In summary, the factors considered at that time were: managing appropriately political involvement, ensuring a proper separation of policy direction from operational responsibility, and efficiency and effectiveness in recruitment process and decision.

It's useful to consider the rationale for why Members might make certain appointments. This could potentially include:

- Chief Officer posts - to ensure that the most senior posts have good working relationships with the members and provide assurance.
- CFO and DPH - as Statutory Chief Officers these are roles for which Members may additionally wish to be assured on the appointment.
- Monitoring Officer and Head of Democratic Services - scope and role means that members need to be assured and have personal confidence in the appointment

When considering any decision-making process, assessing technical and professional competence should remain a primary determinant.

Additionally, in 2016, the changes included a longer list of Officer roles in which members could be involved informally which is set out in part 6.4 of the Constitution. This list includes all the lead roles for all services in the Authority. This list requires some amendment to reflect the current organisation.

## **Part B**

Members may be informally involved in appointments to the following Posts

Lead Officers responsible for:

Adult Social Work and Health:

- Early Help and Prevention
- Social Work
- Commissioning
- Service Delivery

Children's Services:

- Education
- Children's Social Work
- Early Help
- Quality and performance

Environment and Transport:

- Highways
- Transport
- Cultural Services
- Environment
- Planning
- Economic Development
- Property
- Budgeting and Financial Management
- Pensions Management and Treasury
- Human Resources and Organisational Development
- Corporate Planning, Performance and Intelligence
- Communications



### 3. Financial Implications

Efficient and effective recruitment reduces cost and improves services.

### 4. Issues, risks and innovation

The accountabilities of Chief Officers are set out in Article 8 and enabling them to recruit, direct and manage the performance of their direct reports is a key consideration to enabling the successful delivery of their accountabilities and effective and organisational performance.

If a role is considered as a member appointment and a decision is in conflict to the statutory Chief Officer based on technical competence, this will need a process for resolution.

There is an opportunity and examples in recent recruitment processes in the last year where we have ensured good engagement between Chief Officer and member involvement in panels to improve and value the contribution of members to the decision-making process and this should be built on.

### 5. Background

The previous findings of 2016 as summarised in this paper remain relevant.

The current Tier 3 structure is attached.

#### Officer Contact

If you have any questions about matters contained or want to see copies of any assessments, eg equality impact assessment, please get in touch with:

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

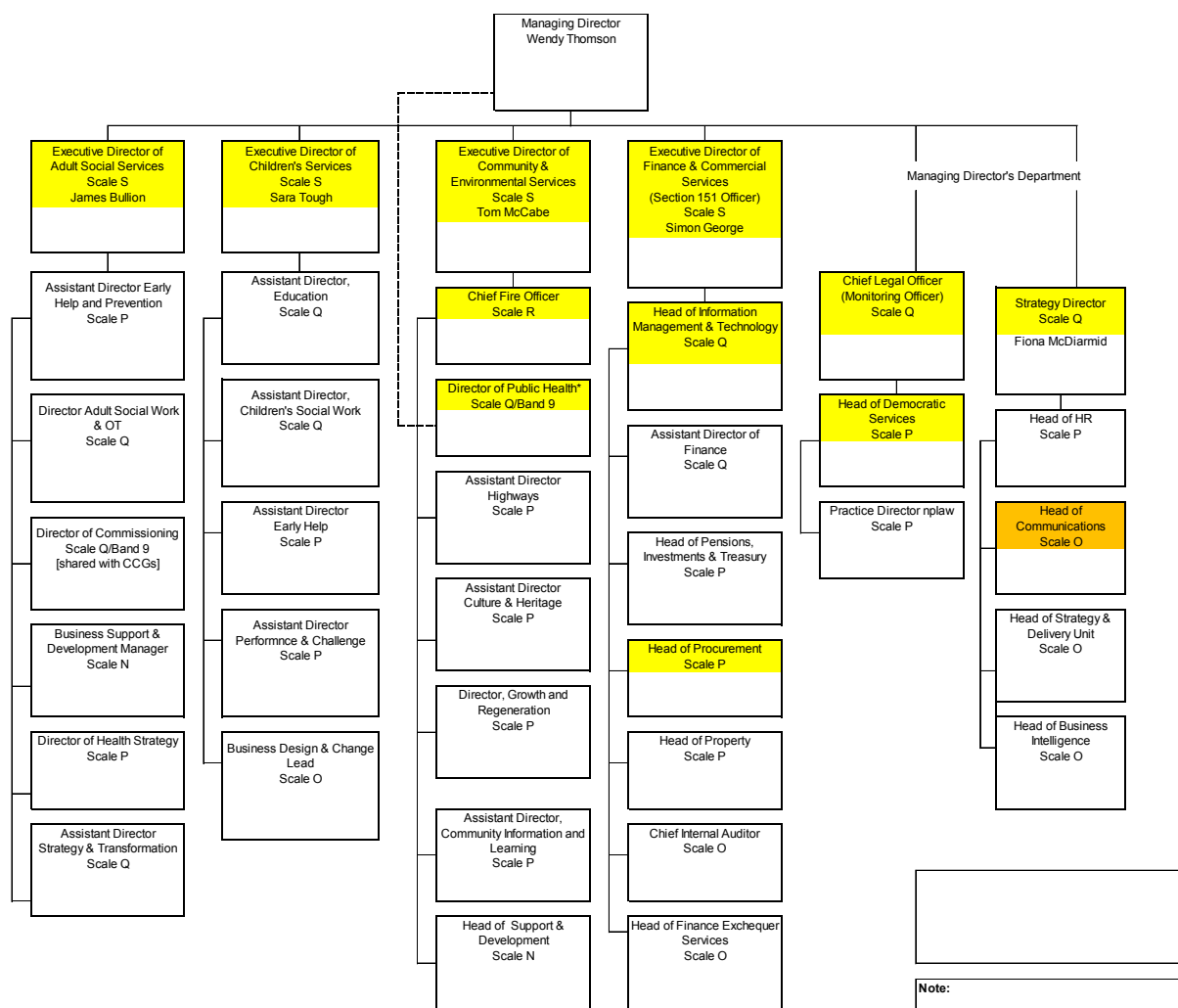
**Officer Name:**  
Sarah Shirtcliff

**Tel No:**

**Email address:**  
Sarah.shirtcliff@norfolk.gov.uk



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## APPENDIX E TO POLICY AND RESOURCES COMMITTEE REPORT

<b>Report title:</b>	<b>Changes to the Scheme of Delegation for the determination of Planning Applications and the provision of training for Members of the Planning (Regulatory) Committee.</b>
<b>Date of meeting:</b>	<b>4 September 2018</b>
<b>Responsible Chief Officer:</b>	<b>Tom McCabe</b>
<b>Strategic impact</b> To ensure the ongoing provision of robust planning decisions in accordance with the requirements of legislation and best planning practice.	

### Executive summary

To revise the existing scheme of delegation in relation Town & Country Planning matters so that the items which raise three or more objections on planning matters are determined by the Planning (Regulatory) Committee. To require that the members who sit on the Planning (Regulatory) Committee attend a training session on the role of the committee at least once a year.

#### **Recommendations:**

That the Constitutional Advisory Group recommend to Policy and Resources Committee that the changes to the constitution are adopted.

## 1. Proposal

### 1.1. The changes proposed are to:

- Reduce from five to three the number of objections on planning grounds that trigger the requirement for an application to be determined by the Planning (Regulatory) Committee. In the case of an approval, the powers to discharge planning conditions attached to planning permissions and to agree non material amendments to the permissions will still be delegated to officers. The change will still ensure that the majority (90%) of applications are delegated to officers.
- To make it a mandatory for to members who sit on the planning (Regulatory) Committee to attend a ½ day training session on the role of the committee before they sit on the committee and at least every 12 months thereafter, while on the committee.
- Provide, additional, non-mandatory training prior to each committee meeting on a range of planning topics to help members develop their planning skills.

### 1.2. This proposal advocates a change to powers specifically delegated to the Executive Director of Community and Environmental Services contained in Part 6.2 of the constitution. Principally, to the number of individual representations raising objections before the matter must be dealt with by the Planning (Regulatory) Committee. The current trigger is “more than four objections” and the proposed trigger is “three or more objections”.

### 1.3. Part 8 of the constitution contains the codes and protocols to be followed to ensure the administration operates in a fair and transparent manner. Part 8.6 *Planning procedures – Codes of Best Practice*, provides guidance for members

and officers as to how they should deal with planning matters. It deals with a number of issues, most notably the operation of the Planning (Regulatory) Committee, site meetings and the training requirements for committee members.

- 1.4. It is suggested that by dividing training between mandatory and non-mandatory (but desirable) sessions, it can be guaranteed that any member sitting on the committee will have received training on a given set of topics. The mandatory training session would consist of a half-day session which would cover the role of the committee and provide basic training on the statutory requirements of decision makers and the format of the committee. It is proposed that prior to serving on the committee members must attend the session and that they will be required to attend a “refresher” session on annual basis. The mandatory session could be run on any given frequency, but it is suggested that twice a year would be sufficient to ensure that everyone can attend and importantly keep up to date. Shorter 45 minute sessions on individual topics to a greater depth could be provided on the day of the committee, either prior to or after the committee. The topics to be covered will be published in advance on a 12 month cycle. The current proposal is that these are non-mandatory sessions, but an option would be to make the sessions mandatory for sitting on the Committee that day. In which case the training session would need to precede the committee. Currently Planning committee starts at 10:00 and logistical terms it would probably need to be moved by 30 minutes if training was to be provided prior to the meeting.
- 1.5. It is not proposed to change the constitution in relation to member’s site visits.
- 1.6. The change recommended to part 6.2 of the constitution appears at 12( a) of the functions delegated to the Executive Director of Community and Environmental Services and is to replace the words “have more than four individual representations” with the words “have three or more individual representations”. The proposed changes to Part 8.6 Planning Procedures – Codes of Practice. Are more widespread and the revised protocol is attached to the report as appendix A.

## **2. Financial Implications**

- 2.1. Determination of applications under delegated powers as opposed to via committee is generally less costly. However it is anticipated that the financial implications will be limited as the majority of applications will still be determined under delegated powers. The costs associated with training arise from officer time and members expenses. By reducing the stand alone training sessions to two ½ day “mandatory” and coupling the non-mandatory sessions to planning committees when the majority of members would already be in County Hall, it is anticipated that the costs implications, if any, will be limited.

## **3. Background**

- 3.1. The exercise of the power to delegate planning functions is generally a matter for individual local planning authorities, having regard to practical considerations including the need for efficient decision-taking and local transparency. National planning policy and guidance advocates that it is in the public interest for the local planning authority to have effective delegation arrangements in place to ensure that decisions on planning applications that raise no significant planning issues are made quickly and that resources are appropriately concentrated on the applications of greatest significance to the local area.
- 3.2. The general provisions applying to delegated powers allow for officers to approve and refuse permissions in accordance with the relevant policies of the

County Council. In the context of the town and country planning development management function this permits officers to approve applications that accord with the development plan and similarly refuse applications that are contrary to the development plan. In this case the development plan means the Norfolk Minerals and Waste Development Framework plus the relevant district local plan.

- 3.3. The specific powers delegated to the Executive Director of Community and Environmental Services under part B of section 6.2 of the Council Constitution identify a number of circumstances where decisions that accord with the general provisions must nevertheless be made by members of the Planning (Regulatory) Committee, most significantly applications that are subject to the Environmental Impact Assessment Regulations 2017 and those that have received a number of objections. In delegating its planning functions the council must balance the benefits of producing speedy decisions, typically associated with the delegation of decisions to officers against the need to provide openness and transparency in decision making that is provided through the planning committee. Historically local Authorities were set a target that a minimum of 90% of decisions be delegated to officers, however in recent years targets/penalties are solely based on the percentage of applications determined within specified or agreed timescales. Under the current scheme of delegation 95% of all decisions are delegated to officers, under the proposed scheme this would be reduced to just over 91%. A modest decrease. Notwithstanding the issues surrounding openness and transparency the modest increase in committee decisions would have the added benefit of assisting elected members gain experience relatively less controversial matters than is currently the case. Whilst the majority of planning decisions are made at the district level, at the county members are faced with determining a disproportionate level of highly controversial minerals and waste matters. By providing a greater opportunity for opportunity for members to exercise their planning judgement it should assist members when they must deal with the most controversial of cases.
- 3.4. It has long been recognised that committee member training is essential if members are to carry out their planning duties effectively. The report of the Nolan Committee on standards of conduct in Local Government in England, Scotland and Wales (1997), the DCLG report on Councillor Involvement in Planning decisions (2007), The Killian Pretty Review (2008) and the Local Government Association report on Probity in Planning (2009) and updated in (2013) all identified training on planning matters as essential. However, it is not a statutory requirement for members of a planning committee to receive training in relation to their role. In practice, most Authorities impose a requirement through their constitution, which in effect means that decisions made by members who have not complied with the training requirements the constitution will open to legal challenge, which may lead to the quashing of the decision. Furthermore individuals may seek redress through the local government ombudsman.
- 3.5. Training requirements for members who sit on the planning committee are currently contained within the constitution at part 8.6 "Planning Procedures – Code of best practice". Section 14 requires that members should receive training either before serving on the committee or as soon as possible after their appointment. Substitutes should receive training before they serve on the committee. No requirements are imposed on the number or frequency of training events that a member should attend. The constitution identifies four half day training sessions to be provided for members, in practice members are provided with 6 training sessions each of 2 hours in duration.
- 3.6. Although not implicit in the constitution, the current practise is that as long as a

member has attended at least one session in the previous year they may serve on the committee. The training they will have received will depend upon the number of events attended and the topics covered.

## **Officer Contact**

If you have any questions about matters contained in this paper or want to see copies of any assessments, eg equality impact assessment, please get in touch with:

**Officer name :** Nick Johnson

**Tel No. :** 228940

**Email address :** [Nick.Johnson@norfolk.gov.uk](mailto:Nick.Johnson@norfolk.gov.uk)



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## PART 8.6

### PLANNING PROCEDURES - CODE OF BEST PRACTICE

#### 1. INTRODUCTION

- 1.1 This is a Code of Best Practice for dealing with planning applications and related matters. It takes account of the recommendations of the Third Report of the Nolan Committee and the guidance produced by the Local Government Association as well as drawing on the County Council's own experience in these areas including the views of the Standards and Planning Regulatory Committees.
- 1.2 The aim of the Code is to give clear guidance to County Council members and officers on how they deal with planning matters. In doing so, it should also seek to ensure that the public have confidence that the decision making of the County Council is open and fair.
- 1.3 The majority (90%) of Ppanning matters are normally ~~dealt with eided~~by officers under delegated powers. Only the most controversial and contentious matters are determined through the County Council's Planning Regulatory Committee. ~~In addition, non-controversial planning matters are usually dealt with by officers under delegated powers.~~ This Code applies whoever takes the decision.
- 1.4 This Code applies to appointed members of the Planning Regulatory Committee and substitutes drawn from the nominated panel. References in the Code to Committee members therefore include substitutes and even the full Council if they take the planning decision.
- 1.5 The Code applies to the full range of planning matters determined by the County Council ~~and enforcement matters considered by the Planning Regulatory Committee.~~
- 1.6 Failure to follow recommendations contained in this code could be taken into account in investigations into allegations of maladministration and might also indicate a breach of the Members Code of Conduct.

#### 2. DECLARATION OF INTERESTS

- 2.1 The provisions of the Members Code of Conduct relating to interests are in Part 8.1 of the Council's Constitution.
- 2.2 There will be a standing item on the agenda of all committees to facilitate the declarations of interest.
- 2.3 To assist Councillors in this difficult area training will be provided in accordance with this code.



### **3. PRE DETERMINATION**

3.1 It is a well understood principle that judicial and quasi judicial decisions must not only be taken in a fair and unbiased way, but must be seen to be so. Although planning committees are not quasi judicial but administrative, the tendency of the courts in recent years has been to apply similar principles to planning committees.

3.2 Where applications are considered for County Council development or development on County Council Land those members of the Committee who have participated in the decision to apply for permission will declare that fact and not take part in the determination.

3.3 Where an external body, including a school, makes, initiates or is closely involved with an application for planning permission and members of the Committee (or their family members) serve on that body then the Committee member must declare an interest and not take part in the determination

3.4 Where a member of the Committee serves on a Parish, Town or District Council which has commented on an application before the Committee, provided the member has not come to a final view on all the relevant matters before the Committee then they will declare that fact but may take part in the determination. If they have participated in a meeting on the application at Parish, Town or District level they should have it minuted at that meeting that they have not come to a final conclusion on the application.

3.5 Where however in the situation referred to in paragraph 3.4 such members have already decided in their own minds how the application should be decided then they must declare an interest and not take part in the determination.

### **4. DEVELOPMENT PROPOSALS SUBMITTED BY COUNCILLORS AND OFFICERS**

4.1 The County Council fully recognises that proposals by serving Councillors and officers and their close friends and relations can easily give rise to suspicion of impropriety. In order to ensure that they are handled in a way that gives no grounds for accusations of favouritism:

- a) the Chief Legal Officer will be informed of such proposals.
- b) such proposals will be reported to the Planning Regulatory Committee for decision and not dealt with by officers under delegated powers. As part of the report the Chief Legal Officer will confirm whether the proposal has been processed normally.
- c) serving Councillors who act as agents for people pursuing a planning matter or who submit planning proposals in their own right must play no part in the decision making process for that proposal.
- d) persons who are employed as planning agents should not serve as members of the Committee.

4.2 An application on the agenda relating to development by a member is likely to be a disclosable pecuniary interest or other interest and the member needs to consider whether he/she should declare the interest and withdraw from the room during consideration of the matter.

## 5. COUNTY COUNCIL DEVELOPMENT

5.1. Proposals for the County Council's own development and that of wholly owned companies will be treated in the same way as those of a private developer particularly in relation to officers' advice, which must be impartial.

## 6. LOBBYING OF AND BY COUNCILLORS

6.1 The County Council recognise that lobbying is a normal and perfectly proper part of the political process. The third report of the Nolan Committee noted that it was essential for local concerns to be properly ventilated and the best way to do this was through the local elected representative. However, lobbying can lead to the impartiality and integrity of a Councillor being called into question and in a number of cases lobbying has caused considerable public mistrust of Councils. As a result:-

a) when being lobbied, Councillors, and members of the Planning Regulatory Committee in particular, should take care about expressing an opinion which may be taken as indicating that they have already made up their mind on the issue before it has been exposed to all the evidence and arguments.

b) rather, they should restrict themselves to giving procedural advice, including suggesting to those who are lobbying that they should speak or write to the relevant Planning Officer in order that their views can be reported to the Planning Regulatory Committee.

c) if Committee members do express an opinion then they should make it clear that they will only be in a position to take a final decision after having heard all the relevant evidence and arguments at the Planning Regulatory Committee.

d) members of the Committee other than those who are Councillors for the affected Division(s) - for which see paragraph (e) - should not openly declare which way they intend to vote in advance of the Committee meeting and of hearing the evidence and arguments on both sides.

e) a Planning Regulatory Committee member who represents a Division affected by an application is in a difficult position if it is a controversial matter around which a lot of lobbying takes place. If the member decides to go public in support of a particular outcome - or even campaigns actively for it - it will be very difficult for that member to argue convincingly when the Committee comes to take its decision that he/she has carefully weighed the evidence and arguments presented. In those circumstances, because of the issue of predetermination the proper course of action would be for the member to declare an interest and not vote. The arrangements for public speaking include an opportunity for the Division Member to make representations

f) Similarly, a Planning Regulatory Committee member who decides to go public in support of a particular outcome for a planning matter which does not affect that member's Division should not speak or vote on that matter when it comes before the Committee.

6.2 In addition:

- a) Councillors should not put pressure on officers for a particular recommendation.
- b) Councillors should not mutually agree with one another on how to vote on particular planning matters.
- c) Councillors should pass any relevant written information which they receive to officers so that it can be reported or responded to.

6.3 The essential point is that decisions on planning applications should be taken in a fair and open manner, in the meeting and on the evidence presented to the meeting.

## **7. GROUP MEETINGS**

7.1 A protocol for group meetings is attached as Annex 1 to this code.

## **8. PRE-APPLICATION DISCUSSIONS**

8.1 The County Council recognise that discussions between a potential Applicant and the County Council prior to the submission of a planning application - and even after its submission - can be of considerable benefit to both parties. However, it would be easy for such discussions to be seen to become part of the lobbying process. To avoid this, the County Council have agreed that all pre-application discussions should take place within the following guidelines:

- a) It should always be made clear at the outset that the discussions will not bind the County Council to making a particular decision and that any views expressed are personal and provisional.
- b) Any advice should be consistent and based upon the Development Plan and material considerations. In addition, all officers taking part in such discussions should make it clear whether or not they are the decision maker.
- c) A written note should be made of all pre-application discussions. At least one officer should attend such meetings and a follow up letter is advisable at least when documentary material has been left with the County Council. A note should also be taken of pre-application telephone discussions. However information shared at pre-application discussions should only be placed on the planning if it is not considered to be confidential.
- d) Care must be taken to ensure that advice is, and is seen to be, impartial; otherwise a subsequent report could appear to be advocacy of a particular case.

8.2 Councillors and officers should avoid indicating the likely outcome of a decision. However, an officer whilst clearly making no commitment may on the basis of the structure and local plans and policy documents give information on the likely planning issues that would need to be addressed.

8.3 These guidelines apply equally to meetings called by third parties, such as Parish Councils, to discuss planning applications.

## 9. OFFICER REPORTS TO COMMITTEE

9.1 Committee reports on planning proposals will comply with the following guidelines:

- a) Reports should be accurate and cover, amongst other things, the substance of objections and the views of consultees. (There will be an Agenda note to say where full copies of third party representations and views of consultees may be inspected).
- b) Relevant points will include a clear exposition of the development plan, the site or related history and any other material considerations.
- c) The report should have a clear recommendation; oral reporting by officers (except to update a report or to report on late response from Committees) should be extremely rare and carefully minuted when it does occur.
- d) Reports should contain a technical appraisal which clearly justifies a recommendation.
- e) If the report's recommendation is contrary to the provisions of the development plan, the material considerations which justify this must be clearly stated.

9.2 Applicants or third parties who wish to bring matters to the attention of the Committee should do so in good time so that they can be incorporated in the written Committee Report. Information submitted less than 48 hours before the committee sits may not be seen until after a decision has been made and therefore not considered when determining the application. Similarly the Chairman may refuse to entertain material submitted for circulation on the day of the committee. ~~Where new information arises without sufficient time for consideration officers will consider making a recommendation that the item be deferred.~~

## 10. PUBLIC SPEAKING AT PLANNING (REGULATORY) COMMITTEE

10.1 The County Council has a scheme for public speaking which is set out at Part 4.4 of the Constitution.

## 11. DECISIONS CONTRARY TO OFFICER RECOMMENDATION AND/OR THE DEVELOPMENT PLAN

11.1 The Law requires that where the Development Plan [i.e. the approved Minerals and Waste Structure Plan and relevant ~~Local~~ Local and neighbourhood Plan(s)] is relevant, decisions must be taken in accordance with it, unless material considerations indicate otherwise. The personal circumstances of an Applicant will very rarely be a relevant consideration.

11.2 It follows that if the Officer's Report recommends approval of a departure, the justification for this should be included in full within the Report.

11.3 In addition, where the Planning Regulatory Committee is minded to take a decision contrary to the Officer's recommendation, they should first give the Officer the opportunity to explain the implications of the contrary decision.

11.4 If the Committee then makes a decision contrary to the Officer's recommendation, the minutes should clearly state the reason(s) why, and a copy placed on the application file.

11.5 A Senior Legal Officer will always attend meetings of the Planning Regulatory Committee to ensure procedures are properly followed.

## 12. COMMITTEE SITE VISITS

12.1 Site Visits can cause delay and should therefore only be used where the expected benefit is substantial, e.g. where the visit will significantly assist the Committee's understanding of the issues or in controversial cases or where it will demonstrate to the public or the applicant that members have listened to their argument. The reason for the site visit should be minuted.

12.2 The purpose of a visit is to make a 'tour of inspection' by Members accompanied by an officer(s) who will point out any relevant issues and areas of interests/importance. It is not a meeting where any decisions will be made or a formal minute written. Decisions will be taken at the next appropriate formal meeting of the Planning Regulatory Committee. However, a note will be drafted, and placed on file of salient issues and points such as:

Date, Venue, Attendance, Duration, Locations Inspected, Issues Addressed

12.3 Invitations to the visit will be extended to other parties as appropriate, e.g.:

The District Council  
Parish Council  
Local Member (where not a Member of the Committee)  
The Applicant  
Representatives of the objector(s)/supporters (where relevant)  
Appropriate Consultees

These invitations will be sent out by the Head of Democratic Services.

12.4 The visit will be chaired by the Chairperson (agreed or substitute) of the Planning Regulatory Committee. It will be at his/her discretion whether to allow those invited to the site visit to address the Members and this will be on the basis of speaking on specific issues previously raised in writing. The Chair will need to ensure that parties are each treated fairly and equitably and the appropriate standards of propriety are seen to be adhered to.

12.5 Members should avoid separate discussions with objectors or applicants during the visit and should not make unaccompanied site visits.

12.6 A substitute who attends the site visit should, if not substituting at the subsequent committee meeting when the application is determined, fully brief the committee member attending the committee meeting. The observations made by the substitute to the sitting member should be recorded in the minutes.

12.7 If a substitute who attended the site visit attends the subsequent committee with the sitting member (but is not voting) then the substitute should be given the opportunity to make comments to the meeting on the site visit.

### **13. REGULAR REVIEW OF DECISIONS**

13.1 As part of the members training programme the Planning (Regulatory) Committee will from time to time visit the sites of implemented planning permissions to assess the quality of decisions made.

13.2 ~~Training for new members of the Committee will also include visits to permitted sites.~~

**Commented [JN1]:** Not needed. does not really add anything to the protocol.

#### 14. TRAINING

14.1 ~~It is recognised that The Nolan Report states (paragraph 292) that~~ the planning system is complex ever changing and therefore it is essential that Councillors have adequate and regular training. ~~It recommends:~~

~~R34 All members of an authority's planning committee should receive training in the planning system either before serving on the committee, or as soon as possible after their appointment to the committee.~~

14.2 Training for members of the Committee (and substitutes) will take the form of mandatory and non-mandatory (but desirable) half day sessions. The mandatory training session consists of a half-day session which addresses the role of the committee. Before serving on the committee councillors must attend the session and must attend a "refresher" session on an annual basis while they serve on the committee. Shorter 45 minute (non-mandatory) session will be provided prior to each planning committee. -and as much notice will be given on the training sessions as possible. The training programme will be the responsibility of the Executive Director of Community and Environmental Services in consultation with the Chief Legal Officer.

14.3 ~~Training is regarded as essential and Members of the Committee and those on the Panel of Substitutes must receive training on the planning process before they are eligible to serve on the Committee.~~

#### 15. COMPLAINTS AND RECORD KEEPING

15.1 If a member of the public or an applicant wishes to complain about the County Council's treatment of a planning application then in the first instance he should contact the Executive Director of Community and Environmental Services in County Council. The complaint will be investigated and an answer given. If the complainant is not satisfied with the answer, the complaint should be put in writing to the Executive Director of Community and Environmental Services, if possible using the County Council's customer complaint form. He/she will investigate the complaint and provide a written response. If this is still unsatisfactory, the complainant should write to the County Council's Managing Director who will carry out an internal review independent of the Community and Environmental Services Department.

15.2 So that complaints can be fully investigated and, in any case, as a matter of general good practice, record keeping will be complete and accurate. Every planning application file should contain an accurate account of events throughout its life, with particular care being taken with regard to applications that are likely to be determined under Officers' delegated powers. Such decisions should be as well documented and recorded as those taken by members.

15.3 Decisions taken by officers under delegated powers will be exercised in an accountable way which will include placing on the file written justification for the exercise of the powers in a particular way. Periodic reports will be made to the Planning Regulatory Committee of cases dealt with under delegated powers.

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## **ANNEX 1**

### **PROTOCOL FOR GROUP MEETINGS**

1. Political Groups represented on the County Council may wish to hold pre-meetings prior to meetings of the Planning (Regulatory) Committee. In principle there is nothing wrong with this but it is important that Members understand their purpose and that there must be no grounds for those interested in planning applications, be they the applicants or objectors, to misunderstand what happens in them.

2. This protocol therefore affirms that the purpose of the Group Meetings is for Group Spokespersons to feed back to the members of their Group on the Committee (or their official substitutes for that meeting) on relevant issues arising from their own briefings with Officers. On this basis, the only persons who may be present at them are members of the Committee (or their official substitutes for that meeting) who will be attending the Committee Meeting which immediately follows. In particular, Local Members and those on the Panel of Substitutes who will not be substituting at that particular meeting will not attend except that substitutes may attend for training purposes.

3. There are existing procedures for Local Members to feed into the Committee any comments which they may have on an application. Provided these comments are received before the finalising of the Committee Report, normally 2 weeks before the meeting, they will be incorporated in it. In addition, there is an opportunity for Local Members to speak at the Committee Meeting itself. However, Local Members may occasionally wish to make their additional comments in writing and to deal with this it is proposed that a note be circulated to all Members of the Committee in time for any Group meetings incorporating any additional views from the Local Member together with details of any further written representations received from other interested parties. The Chairman or one of the Officers will also refer to these additional comments during the introduction of the report.



**Recommendation to Council from the Standards Committee  
Meeting held on 3 October 2018**

**1. Members' Interests**

- 1.1 The Committee considered the report setting out a review of the Members' code of conduct following a motion raised at the Council meeting on the 23 July 2018.
- 1.2.1 Having compared Norfolk County Council's approach, the Acting Monitoring Officer noted that Norfolk's approach was to set out the minimum requirement by legislation, whereas other authorities went beyond the minimum requirement.
- 1.2.2 Paragraphs 4.2-4.4 of the report were variables to be considered for changes to the recommendations, and the Acting Monitoring Officer asked members to consider whether any changes were needed.
- 1.3 The Committee:
- **NOTED** the legislative context.
  - **NOTED** the approach taken to this issue by a selection of other local authorities detailed in section 3 of this report.
  - **RECOMMENDED** to Council that the Norfolk County Council Members Code of Conduct be amended to require Members to declare in their declarations of interest form as an "other interest":
    - If a matter affects, to a greater extent than others in my division:
      - *my wellbeing or financial position or*
      - *that of 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 I am in a position of general control or management*

The full report can be found at item 9 of the Standards Committee Agenda, here:

<http://norfolkcc.cmis.uk.com/norfolkcc/Meetings/tabid/128/ctl/ViewMeetingPublic/mid/496/Meeting/1503/Committee/32/Default.aspx>

**Mark Kiddle-Morris, Chairman,  
Standards Committee**

**Procedure for Questions to Service Committee Chairs**

Questions to the Chairs of:-

- Policy and Resources Committee
- Adult Social Care Committee
- Business and Property Committee
- Children's Services Committee
- Communities Committee
- Digital Innovation and Efficiency Committee
- EDT Committee

The time allowed for questions will 10 minutes for each Chair.

1. The Chairman will begin Questions to Chairs by inviting members to indicate, by raising their hands, if they wish to ask a question of the Chairman of the Adult Social Care Committee.
2. The Chairman will select a member to ask their question and all other members should put down their hands until the Chairman next invites questions.
3. The Chairman will follow the principle of selecting the first questioner from the Labour Group, followed by the Liberal Democrat Group, the Independent Group and the Conservative Group. The Chairman will then revert to the Labour Group etc.
4. The session will be timed by the existing lights system for timing speeches. The amber light will be lit after 9 minutes and the red light after a further minute. If a question is being asked at the point at which the red light is lit, the Chairman 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 Chairman of the Council will be prepared to intervene if he considers this principle is not being adhered to.
6. After questions to the Chair of the Adult Social Care Committee have ended, the Chairman will then invite questions to the Chair of the Business and Property Committee, following the procedure in 1-5 above

## **Report of the Policy and Resources Committee meeting held on 24 September 2018**

### **1 Finance Monitoring Report**

- 1.1 The Committee received a report by the Executive Director of Finance and Commercial Services that summarised the Period 4 (July 2018) forecast financial outturn position for 2018-19, to assist members to maintain an overview of the overall financial position of the Council. The report also provided a brief commentary on budgets which were the direct responsibility of this Committee.

### **1.2 RESOLVED**

**That the Policy and Resources Committee:**

- 1. Note the period 4 forecast general fund revenue overspend of £5.634m (£5.356m), noting also that Chief Officers will take measures throughout the year to reduce or eliminate potential over-spends;**
- 2. Note the forecast General Balances at 31 March 2018 of £19.536m, before taking into account any over/under spends;**
- 3. Note the revised expenditure and funding of the current and future 2018-22 capital programme as set out in Appendix 3 of the report;**
- 4. Approve, subject to internal due diligence and agreed legal terms, the addition of £3m to the capital programme relating to a capital loan to Norse Care Ltd, for the refurbishment of a care home for the elderly focussing on dementia care as set out in Appendix 3 paragraph 3 of the report;**
- 5. Approve the addition of £2.75m to the capital programme to underwrite the acquisition of leases on priority sites at the Great Yarmouth Energy Park as set out in Appendix 3 paragraph 4 of the report;**
- 6. Approve the addition of £0.450m to the capital programme to meet farms capital projects, to be funded by future capital receipts as set out in Appendix 3 paragraph 5 of the report.**
- 7. Approve the addition of £2m to the Children's Services capital programme to replace revenue contributions which can be used to support the 2018-19 Children's Services revenue budget as set out in Appendix 3 paragraph 6 of the report.**

### **2 Delivering Financial Savings 2018/19**

- 2.1 The Committee received a report by the Executive Director of Finance and

Commercial Services that provided details of the forecast outturn position in delivering the savings of £29.999m for the year that were agreed by the County Council as part of the 2018-19 budget setting process. The report commented on the exceptions to successful delivery which were rated RED or AMBER.

## **2.2 RESOLVED**

**That Policy and Resources Committee note:**

- a. the total projected shortfall of £5.264m in 2018-19, which amounts to 18% of total savings;
- b. the budgeted value of 2018-19 savings projects rated as RED of £1.042m, of which £0.214m are forecast to be delivered;
- c. the budgeted value of 2018-19 savings projects rated as AMBER of £14.645m, of which £9.989m are forecast to be delivered;
- d. the budgeted value of GREEN and BLUE rated projects of £14.312m, where we are forecasting to deliver £14.532m.
- e. the forecast non-delivery and delay of savings totalling £3.200m in 2019-20, £1.000m in 2020-21 and £0.500m in 2021-22, which have been reflected in budget planning.

## **3 Strategic and Financial Planning 2019-20 to 2021- 22**

- 3.1 The Committee received a report by the Executive Director of Finance and Commercial Services and the Strategy Director that summarised the Council's current budget planning position, including details of issues and actions being taken by Service Committees to support the whole Council to set a balanced budget for 2019-20 and the Council's responses to two recent consultations, relating to the proposed CIPFA Financial Resilience Index and the Government's Technical Consultation on the 2019-20 Local Government Finance Settlement. The report also provided an overview of the approach to developing savings for 2019-20 for the Policy and Resources Committee's own budgets ahead of the detailed proposals being presented in October.

## **3.2 RESOLVED**

**That Policy and Resources Committee:**

1. Note the revised MTFS forecast gap of £45.322m (table 1 of the report) for the period 2019-20 to 2021-22, which assumes that new savings can be identified at the required level of £22.089m for 2019-20;
2. Consider the Service Committee budget setting issues and pressures identified (section 5 of the report) and the implications for the Council's 2019-20 Budget, which have been reflected in the updated MTFS position set out in this report (section 2 and table 1 of the report);
3. Agree the latest budget planning position and associated council

tax assumptions, including that future year budget planning should be based on an increase in council tax of 1.99% in 2021-22, which will ultimately be subject to agreement by Full Council in the relevant year;

4. In relation to the Committee's own budgets:
  - a. Consider and identify any further key areas of risk in relation to 2019-22 budget planning for the Committee's budgets, including any additional pressures and the robustness of existing planned savings as set out in section 3 of the report, noting that any changes may impact on the overall budget gap and will require additional offsetting savings to be found;
  - b. Agree the proposed approach and key themes to focus on in developing savings proposals for 2019-20 to 2021-22, including how the principles of the Council's Strategy, Norfolk Futures, will inform and shape budget planning activity set out in section 3 of the report, having regard to the existing savings for 2019-20 and beyond which were agreed as part of the 2018-19 budget round (table 3 of the report); and
  - c. Commission officers to develop detailed savings proposals to be presented to the Committee for consideration at the October meeting in order to help close the forecast 2019-20 to 2021-22 budget gap.
5. Note the implications of the technical consultation on the local government finance settlement 2019-20 and the outline terms of the response submitted by the Council (section 4 of the report);
6. Subject to discussions by Norfolk Leaders and in the event that a bid is to be submitted, agree the principle of an application to become a Business Rates Pilot in 2019-20, delegating authority to the Executive Director of Finance and Commercial Services (in consultation with the Leader) to submit a bid in partnership with Norfolk district councils, noting the associated risks in the absence of a "no detriment" offer; and
7. Note the proposals for development of a Financial Resilience Index by the Chartered Institute of Public Finance and Accountancy (CIPFA) and the response submitted by the Council (Appendix 1 of the report).

#### **4 Pension contributions – Payments in advance**

- 4.1 The Committee received a report by the Executive Director of Finance and Commercial Services that summarised a proposal to make an up-front payment of employer pension contributions to the Local Government Pension Scheme (LGPS). The effects of this would be to make a financial contribution to the authority's general fund.

#### **4.2 RESOLVED**

**That the Policy and Resources Committee:**

- 1. Agree in principle the pre-payment of pension contributions for 18 months to March 2020 to realise savings set out in the report;**
- 2. Delegate the actual amount to be pre-paid to the Executive Director of Finance and Commercial Services, following finalisation of the pension contribution rates due for the period by the actuary.**

#### **5 Enterprise Zone Update**

- 5.1 The Committee received a report by the Executive Director of Finance and Commercial Services that provided details of legal agreements required to facilitate the operation of the “Space to Innovate” Enterprise Zone sites, which needed to be agreed between the New Anglia Local Enterprise Partnership (the LEP), County Council, and relevant District Council.

#### **5.2 RESOLVED**

**That Policy and Resources Committee:**

- 1. Delegate authority to the Executive Director of Finance and Commercial Services to agree the final terms of the legal agreements in relation to the Enterprise Zone sites at Scottow, Norwich Research Park and Nar Ouse Business Park (drafts appended to this report) for signature on behalf of Norfolk County Council.**
- 2. Delegate authority to the Executive Director of Finance and Commercial Services to sign the legal agreement in respect of the Enterprise Zone site at Egmore when it is available.**

#### **6. Local Government Association (LGA) Corporate Peer Review**

- 6.1 The Committee received a report by the Managing Director that recommended Norfolk County Council should work with the Local Government Association’s Corporate Peer Review Team to conduct a Corporate Peer Review into how the County Council was transforming services and approaches for the people of Norfolk and gaining additional insights to inform future strategy. It was proposed that the Corporate Peer Review Team came into the Council for four days beginning the 26th November 2018.

#### **6.2 RESOLVED**

**That Policy and Resources Committee confirm that the County Council will work with the LGA to conduct a Corporate Peer Review in the last week of November 2018.**

## **7 Annual Report of Compliments and Complaints**

- 7.1 The Committee received a report by the Managing Director that considered formal complaints and representations made by members of the public and Members of Parliament, received by Norfolk County Council's Complaints Team between 1 June 2017 and 31 May 2018. The report set out the main issues and trends by Department and the service improvements that had been implemented as a result.  
The report also formally reported to Members the annual letter from the Ombudsman.

### **7.2 RESOLVED**

**That Policy and Resources Committee:**

- 1. Note the contents of the report and endorse the action proposed to improve performance set out in paragraph 1.4 of the report.**
- 2. Note the Ombudsman report and the actions to be taken in response.**

## **8. Notifications of Exemptions Under Contract Standing Orders**

- 8.1 The Committee received a report by the Executive Director of Finance and Commercial Services that set out the exemptions that had been made up to 13 September 2018 under paragraph 9.11 of Contract Standing Orders and that were over £250,000 and therefore needed to be notified to the Policy and Resources Committee.

### **8.2 RESOLVED**

**That Policy and Resources Committee:**

**As required by paragraph 9.12 of the Council's Contract Standing Orders, note the exemptions that have been granted under paragraph 9.11 of Contract Standing Orders by the Head of Procurement and Head of Law in consultation with the Chairman of Policy and Resources Committee that are over £250,000.**

## **9 Decisions taken under Urgency Powers**

- 9.1 The Committee noted that the Managing Director had approved the following changes to Councillor Directors of Repton Developments following consultation with the Chairman and Vice Chairman of the Committee:

Barry Stone and Carl Smith replaced Keith Kiddie and Brian Iles.

**Andrew Proctor**  
**Chairman, Policy and Resources Committee**



## Report of the Adult Social Care Committee Meeting held on 03 September 2018.

### 1. Executive Director's Update

- 1.1 The Executive Director updated the Committee on:
- work with the Sustainability and Transformation Partnership (STP) for primary & community care, to develop integrated working proposals between social care & GPs, and extend the work of GPs with people at risk of admission to hospital or worsening health.
  - the appointment of a Director for Winter on behalf of health and social care to organise winter arrangements and plan for winter service provision
  - publication of the Local Government Association (LGA) paper 'Lives We Want to Lead' and the County Council Network (CCN) paper on Sustainable Social Care looking at future funding of Social Care; the Government green paper was due to be published at the same time as the 10-year NHS plan
  - extra care housing being developed working with District Councils and Voluntary Groups to produce a statement of need for extra care houses for older people and disabled people.
  - publication of the intention to extend the blue badge scheme to people with hidden disabilities and at risk of harm due to them

### 2. Chairman's Update

- 2.1 The Chairman:
- Discussed the Housing strategy which he felt was an exciting part of future strategy;
  - Discussed the delay in publication of the Government's green paper;

### 3. Update from Members of the Committee about internal and external bodies that they sit on

- 3.1 Updates were heard from the Vice-Chair on meetings at the Norfolk and Norwich Hospital Trust about plans in place following their recent inspection, and from the Member Champion for Physical Disability and Sensory Impairment.

### 4. Adult Social Care Finance Monitoring Report Period 4 (July) 2018-19

- 4.1 The Committee received the financial monitoring report based on information to the end of July 2018, including variations from the budget, progress against planned savings and a summary of use of the Improved Better Care Fund.
- 4.2 With 6 votes in favour and 5 abstentions, the Committee **RESOLVED** to **AGREE**
- a) The forecast outturn position at Period 4 for the 2018-19 Revenue Budget of a £1.990m overspend
  - b) The planned use of reserves of a net £0.271m above the level agreed when setting the budget

## 5. Strategic and Financial Planning 2019-20 to 2021-22

- 5.1 The Committee considered the report on the Council's overall budget planning position, the forecast budget gap for 2019-20 to 2021-22, and details of the strategic & financial planning framework for Service Committees agreed by Policy & Resources.
- 5.2 When the proposals were taken together, with 6 votes for and 5 against, the Committee **RESOLVED** to
- 1) **NOTE** the Council's budget assumptions and the budget planning principles for 2019-20 which had been approved by Policy and Resources Committee (paragraph 3.3 and 3.4 of the report)
  - 2) **NOTE** the forecast budget gap of £94.696m (table 3 of the report), which reflects the changes from the 2018-22 Medium Term Financial Strategy, and the resulting indicative savings targets for the Committee over the period 2019-20 to 2020-21 (table 4 of the report)
  - 3) **AGREE** that there were no further areas of risk in relation to 2019-22 budget planning for the Committee's budgets, including any extra/more pressures of existing planned savings as set out in section 5 of the report.
  - 4) **AGREE** the proposed approach and key themes to focus on in developing savings proposals for 2019-20 to 2021-22, including how the principles of the Council's Strategy, Norfolk Futures, would inform and shape budget planning activity set out in section 5 of the report, having regard to the existing savings for 2019-20 and beyond which were agreed as part of the 2018-19 budget round (table 1 of the report)
  - 5) **AGREE** to **COMMISSION** officers to develop detailed savings proposals to be presented to the Committee for consideration at the October meeting to help close the forecast 2019-20 to 2021-22 budget gap
  - 6) **NOTE** the budget planning timetable (section 6 of the report)

## 6. Transport

- 6.1 The Committee received the report providing an update on the work being carried out to deliver savings from Adult Social Services transport, following on from reports presented to the Committee in 4 July 2016, 5 September 2016, November 2016, 23 January 2017, 6 March 2017, 4 September 2017 and January 2018.
- 6.2.1 Mrs B Jones **PROPOSED**, seconded by Mr C Jones, that recommendation a) was amended to include the sentence: include a robust assessment of the availability & reliability of public transport.
- 6.2.2 With 5 votes for and 6 against the proposal was **lost**.
- 6.3.1 Mr Watkins **PROPOSED**, seconded by Mr D Harrison to amend recommendation b) by changing the word expected to encouraged, and to remove recommendation c).
- 6.3.2 In votes taken for each amendment, with 5 votes for and 6 against, both proposals were **lost**.
- 6.4.1 With 6 votes for and 5 against the Committee **RESOLVED** to **AGREE**
- a) that all transport requirements for adult service users were referred to the TITAN travel training team and part of the assessment of transport needs includes the potential for the person to travel on public services or contract buses following travel independence training

- b) that all service users were expected to undertake travel independence training to enable them to progress to using public transport unless they were assessed, by the County Council, as being unlikely to benefit from such training

6.4.2 With 6 votes for and 5 against, The Committee **RESOLVED** to **AGREE**

- c) that any person assessed as being suitable for travel training was expected to willingly participate. The County Council would retain the right to withdraw specialist transport if people or their families choose not to take part in the travel training programme or assessment

## **7. Performance Management**

7.1 The Committee discussed the report showing the latest available performance position for Adult Social Services using data from the new LiquidLogic system.

7.2 With 10 votes in favour the Committee:

- a) **DISCUSSED** and **AGREED** the overall performance position for Adult Social Care as described in section 2 of the report

## **8. Assistive Technology**

8.1 The Committee unanimously:

- a) **NOTED** progress to date on the reviewed and work in progress
- b) **AGREED** to receive further updates on the development and implementation of the new strategy and model

**Bill Borrett**  
**Chair, Adult Social Care Committee**

## Report of the Business and Property Committee Meeting held on 04 September 2018

### A– Items from the meeting of 04 September 2018

1. **Feedback from Members of the Committee about Member Working Groups or bodies that they sit on.**
  - 1.1 The Vice-Chairman:
    - had attended the first anniversary of Norwich Aviation Academy
    - had attended his first board meeting as a member of Repton Properties Ltd
    - was due to attend the Revo conference in Manchester as Deputy Leader of Yarmouth Borough Council
  - 1.2 Mr A Jamieson, as Director of Norse, was working with Adult Social Care on the project to develop houses on the Herondale site in Acle and Woodland site in Kings Lynn.
2. **Forward plan and delegated decisions**
  - 2.1 The Committee reviewed the report outlining the forward plan and delegated decisions
  - 2.2 The Committee:
    1. **REVIEWED** the Forward Plan at Appendix A of the report, with the addition of a report on Economic Development
    2. **NOTED** the delegated decisions
3. **Finance Monitoring Report**
  - 3.1 The Committee received the report reflecting the financial position relating to the Committee as at the end of July 2018.
  - 3.2 The Committee **NOTED**:
    - a) The 2018 – 19 revenue position for this Committee
    - b) The 2018 – 19 to 2020 - 21 capital programme for this Committee
    - c) The 2018 - 19 reserves position for this Committee
4. **Strategic and Financial Planning**
  - 4.1 The Committee received the report outlining the Council's overall budget planning position, forecast budget gap for 2019-20 to 2021-22, and details of the strategic & financial planning framework for Service Committees as agreed by Policy and Resources Committee.
  - 4.2 The Committee:
    - 1) **NOTED** the Council's budget assumptions and the budget planning principles for 2019-20 which had been approved by Policy and Resources Committee (paragraph 3.3 and 3.4 of the report);

- 2) **NOTED** the forecast budget gap of £94.696m (table 3 of the report), which reflects the changes from the 2018-22 Medium Term Financial Strategy, and the resulting indicative savings targets for the Committee over the period 2019-20 to 2021-22 (table 4 of the report);
- 3) **CONSIDERED** and **AGREED** the key areas of risk in relation to 2019-22 budget planning for the Committee's budgets, including any additional pressures and the

## 5. Apprenticeships update

- 5.1 The Committee considered the report giving an update on apprenticeships in Norfolk.
- 5.2 The Committee **AGREED** to **ENDORSE** the actions outlined in the report.

## 6. Disposal and acquisition of properties

- 6.1 The Committee reviewed and discussed the report with proposals for disposals, acquisitions and exploitations of property in Norfolk.
- 6.2 Mr M Sands **PROPOSED**, seconded by Mr T Jermy that "*a report on the Elm Road site was referred back to adult social care*". The Head of Property pointed out that the original plans by Norfolk Property Services covered reuse of the existing building which was no longer possible as the building was beyond economic repair. With 3 votes for and 10 against the proposal was **LOST**.
- 6.3 The Committee **AGREED** to:
  - (i) Formally declare the land East of Hargham Road, Attleborough surplus to County Council requirements and instructed the Head of Property to 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 Chair of B&P Committee was authorised to accept the most beneficial offer and report the fact at a subsequent B&P Committee meeting
  - (ii) Formally declare the land at A143 (area A and Area B), Brockdish surplus to County Council requirements and instructed the Head of Property to dispose of the property. In the event of a disposal receipt(s) exceeding delegated limits the Head of Property in consultation with the Executive Director of Finance & Commercial Services and Chair of B&P Committee was authorised to accept the most beneficial offer and report the fact at a subsequent B&P Committee meeting.
  - (iii) Formally declare the land at Kestrel Avenue, Costessey surplus to County Council requirements and instructed the Head of Property to 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 Chair of B&P Committee was authorised to accept the most beneficial offer and report the fact at a subsequent B&P Committee meeting.
  - (iv) Formally declare the land at Shrub Cottage, Long Stratton surplus to County Council requirements and instructed the Head of Property to 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 Chair of B&P Committee was authorised to accept the most beneficial offer and report the fact at a subsequent B&P Committee meeting.
  - (v) Formally declare the land opposite Mill Farm, Litcham Road, Mileham surplus to County Council requirements and instructed the Head of Property to 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 Chair of

B&P Committee was authorised to accept the most beneficial offer and report the fact at a subsequent B&P Committee meeting.

- (vi) Formally declare the land at Gravel Pits, Needham surplus to County Council requirements and instructed the Head of Property to 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 Chair of B&P Committee was authorised to accept the most beneficial offer and report the fact at a subsequent B&P Committee meeting.
- (vii) Formally declare the Strips of land at Old Lane, Reepham surplus to County Council requirements and instructed the Head of Property to 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 Chair of B&P Committee was authorised to accept the most beneficial offer and report the fact at a subsequent B&P Committee meeting.
- (viii) With 3 votes against and 10 votes for the Committee **RESOLVED** to **AGREE** to formally declare Elm Road, Thetford surplus to County Council requirements and instructed the Head of Property to 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 Chair of B&P Committee was authorised to accept the most beneficial offer and report the fact at a subsequent B&P Committee meeting.

## **7. Exclusion of the public**

- 7.1 The Committee **RESOLVED** to exclude the public from discussion of items 14 and 15, below, under section 100A of the Local Government Act 1972 on the grounds that they involved the likely disclosure of exempt information as defined by Paragraphs 1, 3 and 3.5 of Part 1 of Schedule 12A to the Act.

## **8. County Farms Estate Management Update**

- 8.1 The committee considered and discussed the report.
- 8.2 The Committee **AGREED** the recommendations as set out in the report.

**Mr Barry Stone, Chairman,  
Business and Property Committee**

## Report of the Children's Services Committee Meeting held on 11 September 2018

### 1. Review of Children's Services MASH

- 1.1 The Committee received the report which explained the changes being made at the front door into Children's services to help achieve key outcomes for the services and meet the Council's priorities.
- 1.2 The Committee **NOTED** the proposals towards a new approach to managing contacts and referrals into the Council's Children's Services.

### 2. Children's Transformation Programme

- 2.1 The Committee receive the report which outlined the significant and ambitious programme of transformation across a range of service areas.
- 2.2 The Committee **NOTED** the contents of the report and associated presentation and provided the necessary comments to steer the direction of the work.

### 3. Strategic and Financial Planning 2019-2020 to 2021-22

- 3.1 The Committee received the report which provided the Committee with an update on the Council's overall budget planning position, including the forecast budget gap for 2019-2010 to 2021-22, and set out details of the strategic and financial planning for Service Committees.
- 3.2 The Committee **RESOLVED** to;
  - 1. **NOTE** the Council's budget assumptions and the budget planning principles for 2019-20 which have been approved by Policy and Resources Committee (paragraph 3.3 and 3.4);
  - 2. **NOTE** the forecast budget gap of £94.696m (table 3), which reflects the changes from the 2018-22 Medium Term Financial Strategy, and the resulting indicative savings targets for the Committee over the period 2019-20 to 2020-21 (table 4);
  - 3. Consider and identify any further key areas of risk in relation to 2019-22 budget planning for the Committee's budgets, including any additional pressures and the robustness of existing planned savings as set out in section 5, noting that any changes may impact on the overall budget gap and will require additional offsetting savings to be found;
  - 4. **AGREE** the proposed approach and key themes to focus on in developing savings proposals for 2019-20 to 2021-22, including how the principles of the Council's Strategy, Norfolk Futures, will inform and shape budget planning activity

set out in section 5, having regard to the existing savings for 2019-20 and beyond which were agreed as part of the 2018-19 budget round (table 1);

5. **COMMISSION** officers to develop detailed savings proposals to be presented to the Committee for consideration at the October meeting to help close the forecast 2019-20 to 2021-22 budget gap;
6. **NOTE** the budget planning timetable (section 6).

#### **4. Budget Monitoring Report**

- 4.1 The Committee received the report which set out the Period 4 (July) financial forecast for Children's Services, and the programme of transformation and improvement that was continuing.

- 4.2 The Committee **RESOLVED** to consider;

- i. The service transformation and improvement achieved
- ii. The forecast overspend of £3.284m for General Fund Children's Services
- iii. The forecast use of Children's Services General Fund reserves and provisions
- iv. The forecast overspend of £3.023m for Dedicated Schools Grant (DSG) Children's Services that will need to be offset against DSG balances and recovered in future years.
- v. The amendments to and reprogramming of the Children's services Capital Programme.

#### **5. Performance Monitoring Report**

- 5.1 The Committee received the report from the Executive Director of Children's Services which focused primarily on the data as at end of April 2018. In addition to the vital signs performance the report also contained other key performance information via the (MI) report (appendix 2).

- 5.2 The Committee **RESOLVED** to;

Review and comment on the performance data, information and analysis presented in the vital sign report cards and concluded that the recommended actions were appropriate.

#### **6. Committee Forward Plan and update on decisions taken under delegate authority**

- 6.1 The Committee received the report which set out the forward plan for the Committee to enable Members to shape future meetings, agendas and items for consideration.
- 6.2 The Committee **AGREED** the Forward Plan at Appendix A with the additions as noted above.



## Report of the Communities Committee Meetings held on 29 August and 5 September 2018

### A: Meeting held on Wednesday 29 August 2018.

- 1 **Norfolk Fire and Rescue Service – public consultation on business case for changing the governance of the service.**
- 1.1 The Committee received the report by the Executive Director of Community & Environmental Services, asking it to agree the County Council's response to the Police & Crime Commissioner's public consultation on a business case for changing the governance of the Norfolk Fire and Rescue Service.
- 1.2 The Committee received a presentation from the Head of Support and Development (CES) setting the scene for the item. A copy of the presentation is attached to the minutes at Appendix B.
- 1.3 Upon each recommendation being put to a separate vote, the Committee unanimously **RESOLVED** to:
  - 1 **Agree** that the proposal set out in the business case published by the PCC:-
    - Is not in the interests of economy, efficiency or effectiveness, and
    - Will negatively impact on the public safety of Norfolk.
  - 2 **Agree** that the County Council should respond to the PCC's consultation to 'disagree' with the proposal.
  - 3 **Agree** the County Council's detailed formal response to the PCC's consultation, as set out in Appendix A of the report (including the additional comments raised during the discussion at the meeting).
  - 4 **Confirm** the County Council's commitment to continued close collaboration with Norfolk Constabulary, and other emergency services, for example further exploring One Public Estate opportunities.
  - 5 **Ask** the Chair of the Committee to ensure that a copy of the agreed formal consultation response is submitted directly to the Home Secretary so that the County Council's views and concerns can be known.
  - 6 **Agree** to add a new risk titled 'Change of governance in the Fire and Rescue Service' to the Communities Committee risk register, as set out in Appendix C of the report and to recommend to Policy & Resources Committee that this be a corporate risk due to the financial and

reputational impact.

- 7 In submitting the County Council's formal response, **ask** the PCC to consider not progressing or submitting the business case to the Home Office, on the basis that there is insufficient evidence to demonstrate a case for change.
- 8 **Note** that the business case includes a number of assumptions and costings that have not been verified or validated and to suggest to the PCC that, if he wishes to pursue the process, he first commissions a process similar to one used to develop the Integrated Risk Management Plan in order to first validate assumptions and assess risks.
- 9 **Ask** the Chair of Communities Committee to write to the PCC to request a copy of the full set of responses to the public consultation so that the Fire and Rescue Authority is able to view and consider any comments relating to the Fire and Rescue Service, to ensure any suggestions and learning can be captured and acted on.

## **B: Meeting held on Wednesday 5 September 2018**

### **1 Urgent business**

- 1.1 The Chairman reported that she had recently taken part in the Nick Conrad Show on Radio Norfolk and that she had issued an invitation to the Chief Constable to attend a Communities Committee meeting. The Executive Director of Community & Environmental Services had spoken with the Chief Constable and had invited him to attend the Communities Committee meeting on Wednesday 7 November 2018 when the Committee was due to consider an update on collaboration from the Chief Fire Officer.

### **2 Verbal update/feedback from Members of the Committee regarding any Member working groups or bodies they sit on.**

- 2.1 There was nothing to report.

### **3 Update on the Business and Intellectual Property Centre.**

- 3.1 The Committee considered and **noted** the report by the Executive Director of Community & Environmental Services advising it on progress made with the British Library to develop and deliver a Norfolk based Business and Intellectual Property Centre (BIPC) within the Norfolk and Norwich Millennium Library. The BIPC was part of a national network of similar centres, providing specialist business information and resources for anyone thinking about self-employment, setting up, or growing, a business.

## **4 Health Improvement Campaigns**

- 4.1 The Committee considered the report by the Executive Director, Community and Environmental Services presenting a summary of the most recent public health campaigns and media initiatives. It set out the proposals for two sustained public health campaigns aimed at two core demographic groups, plus two further partnership campaigns through 2018-19.
- 4.2 The Committee viewed a short video clip highlighting some of the work being undertaken through publicity campaigns.
- 4.3 The Committee **RESOLVED** to:
- **Approve** proposals for a public health media campaign activity including two core year-long campaigns promoting the health of our target demographics, men aged 40 to 70 years and young families.
  - **Approve** the partnership campaigns on road safety and 'Stay well in winter'.

## **5 Development of Healthy Lifestyle Service.**

- 5.1 The Committee considered the report by the Executive Director of Community and Environmental Services proposing a comprehensive review and redesign of lifestyle and behaviour changes services commissioned and provided by Norfolk County Council. Current services were siloed, based on a medical model and did not sufficiently reflect the distribution of need across the county.
- 5.2 The Committee **RESOLVED** to
- **Recommend** a comprehensive review of the council's healthy lifestyle services to develop a modern, integrated and affordable service offer for implementation in 2020.

## **6 Norfolk Fire and Rescue Service – Community Safety Strategy.**

- 6.1 The Committee considered the report by the Executive Director of Community and Environmental Services setting out the Norfolk Fire and Rescue Service Community Safety Strategy 2018-20.
- 6.2 The Committee **RESOLVED** to:
1. **Approve** the Norfolk Fire and Rescue Service Community Safety Strategy 2018-20 as set out in Appendix A of the report.
  2. **Note** the intention to carry out an annual assessment of community safety risk, and include it with the Fire and Rescue Service – Service Delivery Plan which was considered annually by the Committee.

## **7 Finance Monitoring**

- 7.1 The Committee considered the report by the Executive Director of Community and Environmental Services providing it with financial monitoring information for the services reporting to Communities Committee for 2018-19.

7.2 The Committee **RESOLVED** to **note**:

- a) The 2018-19 revenue budget and forecast out-turn position for this Committee.
- b) The Capital programme for the Committee.
- c) The balance of reserves brought forward to 2018-19 and the planned use of reserves

## **8 Strategic and Financial Planning 2019-20 to 2021-22**

8.1 The Committee considered the report by the Executive Director of Community & Environmental Services providing it with the latest information about service budget planning for 2019-20 to 2021-22. The report detailed the link between the Council Strategy, Norfolk Futures and the development of transformation and savings plans relevant to the Committee.

8.2 The Committee **RESOLVED** to:

- a) **Note** the Council's budget assumptions and the budget planning principles for 2019-20 which have been approved by Policy & Resources Committee (paragraphs 3.3 and 3.4 of the report);
- b) **Note** the forecast budget gap of £94.696m which reflects the changes from the 2018-22 Medium Term Financial Strategy, and the resulting indicative savings targets for the Committee over the period 2019-20 to 2021-22;
- c) Consider and identify any further key areas of risk in relation to 2019-22 budget planning for the Committee's budgets, including any additional pressures and the robustness of existing planned savings as set out in section 5, noting that any changes may impact on the overall budget gap and will require additional offsetting savings to be found;
- d) **Agree** the proposed approach and key themes to focus on in developing savings proposals for 2019-20 and 2021-22 including how the principles of the Council's Strategy, Norfolk Futures, will inform and shape budget planning activity set out in section 5 of the report, having regard to the existing savings for 2019-20 and beyond which were agreed as part of the 2018-19 budget round;
- e) **Commission** officers to develop detailed savings proposals to be presented to the Committee for consideration at the October meeting in order to help close the forecast 2019-20 to 2021-22 budget gap; and
- f) **Note** the budget planning timetable (section 6 of the report).

## **9 Forward Plan and Decisions taken under delegated authority**

9.1 The Committee considered the report by the Executive Director of Community and Environmental Services setting out the Forward Plan for Communities Committee, together with the relevant decisions taken under delegated powers by the Executive Director (or his team) within the Terms of Reference of Communities Committee.

9.2 The Committee agreed to add the following items to the Forward Work Programme.

- Report on Collaboration for November meeting.

- Mobile Libraries – October meeting.

9.3

The Committee **RESOLVED** to **note**:

1. The Forward Plan at Appendix A of the report.
2. The delegated decisions detailed in Section 2 of the report.

**Margaret Dewsbury**  
**Chairman, Communities Committee**

## **Report of the Digital Innovation and Efficiency Committee meetings held on 12 September 2018**

### **1 Finance monitoring**

- 1.1 The Committee received a report by the Executive Director of Community and Environmental Services and Executive Director of Finance and Commercial Services that provided the Committee with information on the budget position for services reporting to Digital Innovation and Efficiency Committee. The report also provided information on the use of reserves and details of the capital programme.

### **1.2 RESOLVED**

**That the Committee note:**

- 1. The 2018 - 19 revenue position for this Committee.**
- 2. The 2017 - 18 to 2020 – 21 capital programme for this Committee.**
- 3. The 2018 – 19 reserves position for this Committee.**

### **2 Strategic and Financial Planning 2019-20 to 2021-22**

- 2.1 The Committee received a report by the Executive Director of Community and Environmental Services and Executive Director of Finance and Commercial Services that explained the actions that the Committee was taking to support the Council to set a balanced budget for 2019-20. The report also sought Members' views on the Committee's approach to developing savings for 2019-20.

### **2.2 RESOLVED**

**That the Committee:**

- 1. Note the Council's budget assumptions and the budget planning principles for 2019-20 which have been approved by Policy and Resources Committee (paragraph 3.3 and 3.4 of the report);**
- 2. Note the forecast budget gap of £94.696m (table 3 of the report), which reflects the changes from the 2018-22 Medium Term Financial Strategy, and the resulting indicative savings targets for the Committee over the period 2019-20 to 2020-21 (table 4 of the report);**
- 3. Note further key areas of risk in relation to 2019-22 budget planning for the Committee's budgets, including any additional pressures and the robustness of existing planned savings as set out in section 5 of the report, noting that any changes may impact on the overall budget gap and will require additional offsetting savings to be found;**
- 4. Agree the proposed approach and key themes to focus on in developing savings proposals for 2019-20 to 2021-22, including how the principles of the Council's Strategy, Norfolk Futures, will inform and shape budget planning activity set out in section 5 of the report, having regard to the existing savings for 2019-20 and beyond which were agreed as part of the 2018-19 budget round (table 1 of the report);**

5. **Note additional detailed savings proposals in order to help close the forecast 2019-20 to 2021-22 budget gap (section 5 of the report);**
6. **Note the budget planning timetable (section 6 of the report).**
7. **Approve the proposed savings for 2019-20 Budget Round for recommendation to Policy and Resources Committee in October (table 5 of the report).**

### **3 IMT Performance Indicators**

- 3.1 The Committee received a report by the Executive Director of Community and Environmental Services and Executive Director of Finance and Commercial Services that provided operational dashboard information based on the eight vital signs performance indicators that fell under the remit of this Committee. All IMT indicators were reported as on target (green).
- 3.2 The Committee was informed of two further indicators that were recorded at this committee periodically and then passed onto Policy & Resources Committee. These were Better Broadband for Norfolk Coverage and 4G Mobile telephony coverage. These indicators were currently at 92% (1% higher than reported against a target of 90% for 2018/19 Q1) and 83% respectively (which was the baseline measure). Work continued to review what other data might be appropriate to report to committee. Items under consideration included digital inclusion indicators which continued to be developed as a vital signs indicator.

#### **3.3 RESOLVED**

**That the Committee note the information provided in the report.**

### **4 Use of Technology by Highways**

- 4.1 The Committee received a report by the Executive Director of Community and Environmental Services that explained how the Highways Service were exploiting digital and technological innovations that delivered efficiencies, service improvements and a better way of working. The report provided examples of these technological developments and highlighted areas of work that were being considered for the future.

#### **4.2 RESOLVED**

**That the Committee note the information provided in the report and ask for a further update report sometime in the new year.**

### **5 Fibre Broadband for new build developments**

- 5.1 The Committee received a report by the Executive Director of Community and Environmental Services and Executive Director of Finance and Commercial Services that was intended to provide an update on progress with fibre Broadband for new build developments since the matter was last discussed in January 2018.
- 5.2 **That the Committee direct NCC IMT and Planning officers to continue to work with the Norfolk Strategic Planners group to ensure the updated Norfolk Strategic Planning Framework requires fast broadband connectivity for new developments using Fibre to the Premises wherever possible.**

**6 Website satisfaction**

- 6.1 The Committee received a report and a presentation by the Executive Director of Community and Environmental Services that gave Members the background to the changes and factors which were impacting website satisfaction on an ongoing basis.

**6.2 RESOLVED**

**That the Committee note the content of the presentation (see Appendix 4 of the report) and approve the proposals for ongoing website satisfaction improvement.**

**7. Forward Plan and decisions taken under delegated authority**

- 7.1 It was noted that no decisions had been taken under delegated authority since the previous meeting.

**7.2 RESOLVED**

**That the Committee amend the forward work programme so that it includes an update on the use of technology by Highways being taken to a future meeting sometime in the new year.**

**Tom FitzPatrick  
Chairman**



## **Report of the Environment, Development and Transport Committee Meeting held on 07 September 2018**

### **1. Member Questions**

- 1.1 Two Member questions were heard during the meeting from Cllr B Spratt and Cllr T Jermy

### **2. Update from Members of the Committee about Member Working Groups or bodies that they sit on.**

- 2.1 An update was circulated from the Norwich Western Link Member working group.

### **3. Fly Tip Campaign**

- 3.1 The Committee received the report providing an update on fly tipping and proposing a co-ordinated campaign to bring together stakeholders and the Norfolk Waste Partnership to deliver interventions based on best practice elsewhere in the Country.
- 3.2 The Committee **SUPPORTED** the delivery of a co-ordinated campaign to address the illegal dumping of waste delivered by working with stakeholders and as part of the Norfolk Waste Partnership.

### **4. Norwich River Wensum Strategy – Adoption**

- 4.1 The Committee considered the report outlining the proposed final version of the River Wensum Strategy
- 4.2 The Committee **AGREED** to adopt the River Wensum Strategy on behalf of Norfolk County Council.

### **5. Finance Monitoring**

- 5.1 The Committee received the report detailing financial monitoring information for the services reporting to the Committee for the financial year 2018-19.
- 5.2 The Committee **NOTED**:
- a) The 2018-19 revenue budget the Environment, Development and Transport Committee and the current forecast outturn position
  - b) The Capital programme for this Committee
  - c) The balance of reserves brought forward to 2018-19.

### **6 Strategic and Financial Planning 2019-20 to 2021-22**

- 6.1 The committee received the report with an update on the Council's overall budget planning position, the forecast budget gap for 2019-20 to 2021-22, and details of the strategic and financial planning framework for Service Committees agreed by Policy

and Resources Committee.

- 6.2 Cllr B Spratt **PROPOSED** that the Chairman write to Government or discuss with MPs about the amount of concessionary fare subsidisation by the Council. The Chairman **PROPOSED** that the matter was brought back to Committee to decide how to move forward. The Committee **AGREED** the Chairman's proposal.
- 6.3 The Committee:
- 1) **NOTED** the Council's budget assumptions and the budget planning principles for 2019-20 which had been approved by Policy and Resources Committee
  - 2) **NOTED** the forecast budget gap of £94.696m which reflects the changes from the 2018-22 Medium Term Financial Strategy, and the resulting indicative savings targets for the Committee over the period 2019-20 to 2021-22
  - 3) **CONSIDERED** key areas of risk in relation to 2019-22 budget planning for the Committee's budgets, including any extra/more pressures and the robustness of existing planned savings as set out in section 5 of the report, noting that any changes may impact on the overall budget gap and would require extra/more offsetting savings to be found
  - 4) **AGREED** the proposed approach and key themes to focus on in developing savings proposals for 2019-20 to 2021-22, including how the principles of the Council's Strategy, Norfolk Futures, would inform and shape budget planning activity set out in section 5, having regard to the existing savings for 2019-20 and beyond which were agreed as part of the 2018-19 budget round
  - 5) **AGREED** to **COMMISSION** officers to develop detailed savings proposals to be presented to the Committee for consideration at the October meeting in order to help close the forecast 2019-20 to 2021-22 budget gap; and
  - 6) **NOTED** the budget planning timetable
  - 7) **AGREED** that a report would be brought back to committee on subsidisation of concessionary fares by the Council for the Committee to decide a way forward

## 7 Norfolk Vanguard Offshore Windfarm Consultation

- 7.1 The Committee received the report detailing the formal Development Consent Order (DCO) consultation by the Planning Inspectorate on a proposal by Vattenfall (Swedish Energy Company) for an offshore wind farm 47 km off the Norfolk coast comprising up to 200 turbines and onshore supporting infrastructure.
- 7.2 Feedback was heard on the information contained within the report from Local Members Cllr Seward, Cllr Kiddle-Morris and Cllr Price.
- 7.3 The Committee:
- (a) **SUPPORTED** the principle of this offshore renewable energy proposal, which was consistent with national renewable energy targets and objectives subject to:
    1. The holding highway objection set out in the report being satisfactorily resolved
    2. The implementation of appropriate highway; historic environment; and surface water conditions / requirements being resolved through the DCO and
    3. The detailed comments set out in the report and Appendix 1 being addressed through the DCO process.
  - (b) **SUPPORTED** the use of HVDC technology which removes the need for an extra/more HVAC Booster / Cable Relay Station near Happisburgh.

From discussion in the meeting, the Committee **AGREED** to:

- **ASK** Vattenfall to ensure maximum possible replanting / mitigation of

hedgerows after works were undertaken

- **ASK** Vattenfall that sea defence safeguards and mitigation measures were put in place where the offshore cable route makes landfall to the south of Happisburgh (as a planning requirement), to ensure work did not exacerbate existing coastal erosion in the area
- **NOTE** that the County Council would address all local highway issues arising from construction by seeking suitable planning requirements (conditions), in particular with regard to updating the outline Construction Traffic Management Plans. In addition, the County Council would **EXPECT** the developer to:
  - (A) enter into a legal agreement with the Highway Authority to make sure any damage was rectified;
  - (B) set up local stakeholder involvement group/s to enable any traffic issues arising during the construction phase to be discussed and resolved.

## 8. Forward Plan

- 8.1 The Committee reviewed and **NOTED** the forward plan and delegated decisions taken by Officers.

## 9 Commercialisation of highways

- 9.1 The Committee considered the report detailing eight alternative service models offering the potential to create opportunities to expand to other markets on a commercial basis and reduce the net cost of delivering the Highways Service.
- 9.2 The Chairman, seconded by the Vice-Chairman, **PROPOSED** that the Chairman and Vice-Chairman would meet with the Assistant Director of Highways and Waste, the Executive Director of Community and Environmental Services and Norse to find out detail on the proposals and report back to Committee when they were satisfied the proposals were ready. Committee Members could feed in questions to the Assistant Director of Highways and Waste.

The Committee:

- **CONSIDERED** the opportunities, benefits and risks outlined in this paper and agreed above proposal
- **AGREED** that the Chairman and Vice-Chairman would meet with the Assistant Director of Highways and Waste, the Executive Director of Community and Environmental Services and Norse to find out detail about the proposals and report back to Environment, Development and Transport Committee when they were satisfied the proposals were ready to come back to Committee.

## 10 Exclusion of the public

- 10.1 The Committee **AGREED** to exclude the public.

## 11 Commercialisation of Highway Services – Business Case

- 11.1 The Committee received and **REVIEWED** the report by the Executive Director of Community and Environmental Services.

**Martin Wilby, Chairman,  
Environment Development & Transport Committee**

## **Report of the Norfolk Health Overview and Scrutiny Committee meeting held on 6 September 2018**

### **Items from 6 September 2018**

#### **1. Chairman's Announcements-Norfolk Community Health and Care NHS Trust**

- 1.1 A meeting with SENSational Families had been arranged at Harford Community Centre, Norwich, at 10am on Thursday 20 September 2018 following discussions at the Health Overview and Scrutiny Committee meeting on 12 July 2018.

#### **2. New Model of care for Norwich**

- 2.1 Representatives from Norwich CCG introduced the report discussing a new model of care for health and social care services in Norwich and circulated a handout
- 2.2 The Committee **NOTED** the report

#### **3. Physical Health checks for adults with learning disabilities**

- 3.1 The Associate Director of Primary Care (Contracting & Performance), Great Yarmouth and Waveney CCG, and the Director of Primary Care, Great Yarmouth and Waveney CCG, introduced the report discussing Health Checks for Adults with learning disabilities in Norfolk

#### **3.2 The Committee **AGREED**:**

- That the Chairman will write to the Chairman of the Health and Wellbeing Board recommending it to examine what it can do to
  - Raise awareness amongst people with learning difficulties, aged 14 years or over, and families, that the annual health check is an entitlement and they should be getting it.
  - Support the provision of Learning Disability health checks across general practice.
- That the CCG and Healthwatch Norfolk consider working together on how barriers preventing people coming forward for a Learning Disability health check can be overcome
- That the outcome of NHOSC's examination of this subject should be communicated to the Norfolk County Council Member Champion for Learning Difficulties, Cllr Sandra Squire

#### **4. Norfolk Health Overview and Scrutiny Committee appointments**

#### **4.1 The Committee **APPOINTED**:**

- Cllr Emma Flaxman-Taylor as the NHOSC link for Great Yarmouth & Waveney CCG
- Cllr Emma Flaxman-Taylor as the NHOSC link for James Paget University Hospitals NHS Foundation Trust

- Cllr David Fullman as the NHOSC substitute link for Norfolk Community Health & Care NHS Trust

## **5. Forward Work Programme**

- 5.1 The Committee reviewed the report outlining the Forward Work Plan.
- 5.2 The Committee **AGREED** the forward plan with addition of information on the Care Quality Commission inspection of the mental health trust, when it becomes available and a report back on Physical Health Checks for Adults with Learning Disabilities in September 2019

**Michael Chenery of Horsburgh  
Chairman**

## **Report of the Audit Committee Meetings held on 31 July 2018 and 27 September 2018**

### **A: Meeting held on Tuesday 31 July 2018**

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

- 1.1 Mr I Mackie was elected Chairman of Audit Committee for the ensuing year.

#### **2 Election of Vice-Chairman**

- 2.1 Mr A Jamieson was elected Vice-Chairman of Audit Committee for the ensuing year.

#### **3 Norfolk Pension Fund Governance Arrangements 2017-18**

- 3.1 The Committee received the report by the Executive Director of Finance & Commercial Services and the Head of Pensions outlining the ongoing governance arrangements of the Norfolk Pension Fund.

- 3.2 The Committee considered the report and **RESOLVED** to:

- **Note** the Norfolk Pension Fund's governance arrangements were fully compliant with legislative requirements, regulatory guidance and recognised best practice.

#### **4 Norfolk County Council and Norfolk Pension Fund Audit Results Reports – Summary for the year ended 31 March 2018.**

- 4.1 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 2018.
- 4.2 A copy of the amendments to the Statement of Accounts since the agenda had been published was tabled at the meeting. The amendments are attached to the minutes at Appendix A.
- 4.3 The Chairman welcomed Mr M Hodgson and Mr D Riglar, from External Auditors Ernst & Young to the meeting.
- 4.4 Mr M Hodgson, introduced the Norfolk County Council Audit Results Report and was pleased to advise that there were no matters which needed to be brought to the attention of the Committee and that they would be issuing an "unqualified opinion".

- 4.5 The Committee considered the matters raised in the Ernst & Young Norfolk County Council and Norfolk Pension Fund Audit Results Reports before Ernst & Young issued their audit opinions and **RESOLVED** to:
- **Note** the report.
- 5 Annual Statement of Accounts and Annual Governance Statement 2017-18.**
- 5.1 The Committee received the report by the Executive Director of Finance and Commercial Services introducing Norfolk County Council's Annual Governance Statement and the Statement of Accounts of Norfolk County Council for 2017-18 which had been subject to external audit by Ernst & Young. The Executive Director of Finance and Commercial Services anticipated that the Council would receive an unqualified audit opinion.
- 5.2 In introducing the report, the Corporate Accounting Manager advised the Committee of some amendments to the Annual Governance Statement made by the Leader. A copy of the amendments could be seen at Appendix B of the minutes.
- 5.3 The Chairman, on behalf of the Audit Committee, thanked the Executive Director of Finance & Commercial Services, the Finance Team and Ernst & Young for their efforts in achieving an unqualified audit opinion.
- 5.4 The Committee considered the report and **RESOLVED** to:
- **Note** that, following annual reviews, the systems of internal control and internal audit were considered adequate and effective;
  - **Approve** the Annual Governance Statement (At Annex 1 of the report);
  - **Approve** the Council's 2017-18 Statement of Accounts (at Annex 2 of the report).
- 6 Letters of Representation 2017-18**
- 6.1 The Committee received the report by the Executive Director of Finance and Commercial Services introducing the letters of representation of Norfolk County Council and Norfolk Pension Fund for 2017-18. The letters of representation covered matters material to the financial statements and possible non-compliance with laws and regulations.
- 6.2 In presenting the report, the Corporate Accounting Manager advised that, since the agenda had been published, the External Auditors had requested an additional paragraph in the Letters of Representation to be signed by the Executive Director of Finance and Commercial Services and the Chairman of Audit Committee. Copies of the revised letters are attached at Appendix C to the minutes.
- 6.3 The Committee considered the report and **RESOLVED** to:
- **Endorse** the letters of representation in respect of the Pension Fund and of Norfolk County Council, and

- **Authorise** the Chairman of the Audit Committee and Executive Director of Finance and Commercial Services to sign the letters on behalf of the Council.

## **7 Counter Fraud, Bribery and Corruption – Audit Committee Annual Report.**

7.1 The Committee received the report by the Chief Legal Officer providing an annual summary against the criteria set out in the Norfolk County Council Anti-Fraud, Bribery and Corruption Operational Strategy (v2019) (The Strategy), based on the work undertaken during the reporting period in accordance with the agreed activity plan.

7.2 The Committee **RESOLVED** to:

- **Note** the content of the Anti-Fraud, Bribery and Corruption Annual Report 2017-18.

## **8 Deputy Monitoring Officer's Annual Report 2017-18**

8.1 The Committee considered the report by the Chief Legal Officer summarising the internal governance work carried out by the Monitoring Officer and Deputy Monitoring Officer in 2017/18 and providing assurance that the organisation's control environment, in the areas which were the responsibility of the Monitoring Officer, was adequate and effective.

8.2 The Committee **RESOLVED** to:

- **Note** the contents of the report and in particular, the key messages set out in the Executive Summary and Appendix A of the report.

## **9 Risk Management Report**

9.1 The Committee considered the report by the Executive Director of Finance and Commercial Services providing it with the corporate risk register as it stood in July 2018, along with an update on the Risk Management strategy, and other related matters, following the latest review conducted during June 2018.

9.2 The Committee **RESOLVED** to **Note**:

- a) The changes to the corporate risk register, the progress with mitigating the risks;
- b) The scrutiny options for managing corporate risks;
- c) The movement of corporate risks since the last meeting; and
- d) The background information to the report.

## **10 Great Yarmouth Third River Crossing – Progress Update**

10.1 The Committee considered the report by the Executive Director of Communities and Environmental Services providing assurance to Members of the effective current and continuing project governance.



- 10.2 The Committee welcomed Tom McCabe (Executive Director of Community & Environmental Services), Andrew Skiggs (Finance Business Partner Community and Environmental Services) and David Allfrey (Infrastructure Delivery Manager) who attended the meeting to update the Committee on the latest risks on the project and answer questions from the Committee.
- 10.3 The Committee **RESOLVED** to:
- **Note** the report.
- 11 Governance, Control and Risk Management of Treasury Management**
- 11.1 The Committee considered and **noted** the report by the Executive Director of Finance and Commercial Services providing assurance as to the adequacy and effectiveness of Governance, Control and Risk Management of Treasury Management arrangements.
- 12 Liquidlogic/Social Care System Replacement Implementation**
- 12.1 The Committee considered the report by the Executive Director of Adult Social Services informing it of the progress of the Social Care System Replacement (SCSR) programme in light of the corporate risk (Risk RM109 – Failure to deliver a new fit for purpose social car system on time and to budget).
- 12.2 The Committee welcomed Janice Dane (Assistant Director Early Help and Prevention, Adult Social Care), Amy Lees (Social Care Systems Support Manager), Andrew Pettitt (Senior Project Manager – Adult Social Services) and Miles Fox-Boudewijn (Senior Project Manager – Children’s Services) who gave the Committee a brief overview about how the Liquidlogic system worked. The Chairman asked that the Committee’s thanks be recorded to everyone who had worked on the Project for the fantastic achievement in setting up the system.
- 12.3 The Committee **RESOLVED** to:
- **Note** the progress on delivering the new Social Care System for Adult Social Services, Children’s and Finance Departments.
- 13 Norfolk Audit Services Report for the Quarter Ending 30 June 2018.**
- 13.1 The Committee received the report by the Executive Director of Finance and Commercial Services setting out the work of Internal Audit and how the work would contribute to the new Council priorities.
- 13.2 The Committee **RESOLVED** to **note**:
- The overall opinion on the effectiveness of risk management and internal control being ‘acceptable’ and therefore considered ‘sound’.
  - Satisfactory progress with the traded schools audits and the operation of the Audit Authority for the France Channel England Interreg Programme.
  - That plans are being established to strengthen corporate development themes of: Strategy into Action/Accountability, Commerciality/Business

Like, Data Analytics/Evidence Based and Collaboration/Influencing for the internal audit function.

#### **14 Yearly Update of the Audit Committee**

- 14.1 The Committee received the report by the Executive Director of Finance and Commercial Services summarising the work of the Audit Committee from 1 April 2017 to 31 March 2018 and confirms, during 2017-18, its function had been consistent with best practice, demonstrating the impact of its work and explained how it added value.
- 14.2 The Committee **RESOLVED** to **Note** that Audit Committee was:
- Independent of the executive function, reports directly to full Council and had terms of reference that were consistent with CIPFA's 2016 guidance and best practice.
  - Provided effective challenge across the Council and independent assurance on the system of internal control, including the management of risk, to members and the public, and
  - Can demonstrate the impact and value of its work.

#### **15 Work Programme**

- 15.1 The Committee received the report by the Executive Director of Finance and Commercial Services setting out the work programme.
- 15.2 The Committee asked that consideration be given to introducing Brexit contract risks.
- 15.3 The Committee considered and **noted** the report.

#### **B: Meeting held on Thursday 27 September 2018**

##### **1 Norfolk Audit Services Report for the Quarter ended 30 September 2018.**

- 1.1 The Committee received the report by the Executive Director of Finance & Commercial Services setting out how Internal Audit's work would contribute to the Norfolk County Council priorities through the activity set out in the Policy & Resources Committee Service Plan.
- 1.2 The Committee considered the report and **RESOLVED** to **note**:
- the overall opinion on the effectiveness of risk management and internal control being 'acceptable' and therefore considered 'sound'.
  - Satisfactory progress with the traded school's audits and the operation of the Audit Authority for the France Channel England Interreg Programme.
  - The Plans to strengthen corporate development themes.

## **2 Risk Management Report**

2.1 The Committee considered the report by the Executive Director of Finance and Commercial Services providing it with the corporate risk register as it stood in September 2018, along with an update on the Risk Management Strategy, and other related matters, following the latest review conducted during August 2018.

2.2 The Committee **RESOLVED** to **Note**:

- a) The changes to the corporate risk register, the progress with mitigating the risks;
- b) The scrutiny options for managing corporate risks;
- c) The heat map of corporate risks.
- d) The background information to the report.

## **3 External Auditor's Annual Audit Letter 2017-18.**

3.1 The Committee considered and **noted** the report by the Executive Director Finance & Commercial Services introducing the External Auditor's Annual Audit Letter 2017-18. The letter was one of certain communications that EY must provide to the Audit Committee of the audited client.

3.2 The Committee welcomed Mr M Hodgson and Mr D Riglar from External Auditors Ernst & Young, who attended the meeting to present the report and answer questions from the Committee.

3.3 The Committee thanked the Executive Director of Finance & Commercial Services, the Finance Team and Ernst & Young for their work in achieving an unqualified audit opinion.

## **4 Revised Internal Audit Plan 2018-19**

4.1 The Committee considered the report by the Executive Director of Finance and Commercial Services setting out the revised Internal Audit Plan for 2018-19 and **RESOLVED** to **agree**:

- That Internal Audit's Strategy and Plan contribute to meeting the Council's priorities of 'Norfolk Futures', an effective system of internal audit and that those arrangements are compliant with all applicable statutes and regulations, including the Public Sector Internal Audit Standards and the Local Authority Guidance Note of 2013 and any other relevant statements of best practice.
- That the 2018-19 Internal Audit Strategy has been revised for the second half of the year. The actual days available to deliver the audit opinion work within the Strategy by Norfolk Audit Services (NAS) and external contractors has increased from 743 to 765 and this is sufficient to support the opinion.
- The revised Internal Audit Plan to support the opinion for the whole year is 765 days which includes 100 days of external contractor time as part of our

planned mixed economy delivery model. This opinion work plan will be managed flexibly to support the traded schools approach. Some audits which commenced in quarters 1 and 2 will continue into the second half of the year as work in progress.

- The three year Internal Audit Strategy, Approach, Strategic Plan 2018-21 agreed in January 2018, remains largely unchanged and will be refreshed in January 2019.
- The overall target for 2018-19 final reports and draft reports for audits is for 35 final audit reports to support the annual opinion, nine draft reports and seven audits in progress (51 topics), to be reported on in the Annual Internal Audit Report.

## **5 Work Programme**

- 5.1 The Committee considered and **noted** the report by the Executive Director of Finance and Commercial Services setting out the Committee's work programme.

**Ian Mackie**  
**Chairman, Audit Committee**

## Report of the Personnel Committee Meeting held on 25 September 2018

### 1. Pay Structure Review

- 1.1 Following a national collective agreement some of the national pay points that the Council uses within its pay scales have been deleted, while new ones have been created. The Council's structure of pay scales therefore needs to be reviewed and changes made. In June 2018 the Committee agreed that work to review the Council's pay structure should continue and costed changes would be brought back to this meeting.
- 1.2 The Committee received a confidential report which summarised work undertaken so far and provided illustrative models for a revised pay scale, to enable formal consultation. A final recommended structure will be brought to Committee in December 2018 with a view to achieving collective agreement to implement changes from 1 April 2019.
- 1.3 The Committee has **RESOLVED** to agree the confidential recommendations in the report.

Andrew Proctor  
Chairman

**Report of the Standards Committee  
Meeting held on 3 October 2018**

**1. Appointment of Chairman**

- 1.1 Cllr Kiddle-Morris was elected Chairman of the Standards Committee for the ensuing Council Year

**2. Appointment of Vice-Chairman**

- 2.1 Cllr Peck was elected Vice-Chairman of the Standards Committee for the ensuing Council Year

**3. Performance and Monitoring Report**

- 3.1 The Committee received the report from the Monitoring Officer updating Members on matters related to standards and ethics.

- 3.2 The Committee **NOTED** the report.

**4. Review of Ethical Standards in Local Government by the Committee on Standards in Public Life**

- 4.1 The Committee heard a verbal update following on from discussions held about the consultation started by the Standards Committee and Government about Councillors' disqualification process; a report was due at the end of 2018

- 4.2 Members **NOTED** the update

**Mark Kiddle-Morris, Chairman  
Standards Committee**

## Report of the Health and Wellbeing Board Meeting held on 17 July 2018

### 1. Election of Chair

- 1.1 The Board **agreed** that Mr B Borrett be elected Chair of the Board.

### 2. Election of Vice Chairs

- 2.1 The Board **agreed** to appoint Mrs Yvonne Bendle as Vice-Chair of the Board for the ensuing year.
- 2.2 The Board **agreed** to appoint Ms T Williams as Vice-Chair of the Board for the ensuing year.

### 3. Chairman's Opening Remarks

- 3.1 The Chair paid tribute to Joyce Hopwood who was retiring in September 2018 and would be standing down as Voluntary Sector representative on the Health & Wellbeing Board. The Board, thanked Joyce for her work and wished her a well-earned retirement.
- 3.2 The Chair thanked William Armstrong who was standing down as Chair of Healthwatch Norfolk and therefore as a member of the Health and Wellbeing Board
- 3.3.1 The Chair drew the Board's attention to the following action which had been undertaken since the last meeting:
- Better Care Fund (BCF) Quarterly Monitoring: The Chair and Vice Chairs Group had signed off, on behalf of the HWB, the BCF Qtr 1 monitoring report for submission to NHSE by the deadline
  - changes in the NHS England requirements for the Annual Refresh of Local Transformation Plans (LTP) which no longer required full HWB approval. It was **proposed** that the LTP Annual Refresh for 2018-19 should be delegated to the Chair and Vice Chairs Group to consider in October before submission to NHSE by the deadline of 31 October 2018. A Draft Resolution to this effect had been circulated to the HWB with the agenda papers
- 3.3.2 The Board **resolved** to:
- **Agree** that the HWB Chair and Vice Chairs Group consider the annual refresh of the LTP in advance of its submission to NHSE.

### 4. Norfolk & Waveney Sustainability and Transformation Partnership (STP) – Update including the integration of health and care services.

- 4.1 The Board received the report updating it on the integration of health and care services in Norfolk and Waveney and about significant developments with STP

projects.

4.2 The Board **resolved** to:

1. **Support** the continued development of our integrated care system.
2. **Endorse** conducting a strategic review of mental health services and the development of a long-term mental health strategy for Norfolk and Waveney.
3. **Agree** to align the work programmes of the STP and the Health and Wellbeing Board.
4. **Agree** to receive two reports from the STP at future meetings; a paper providing an overview of progress and a detailed report into one of the strategic workstreams.

5. **Norfolk & Waveney Sustainability and Transformation Partnership (STP) – Update on Governance.**

5.1 The Board received and discussed the report updating it on the current governance arrangements.

5.2 The Board **resolved** to:

1. **Note** the current governance arrangements and consider the implications for the wider health and wellbeing system.

6. **Our Joint Health and Wellbeing Strategy 2018-22**

6.1 The Board received the report from the Director of Public Health, Norfolk County Council, which outlined the Board's development of its draft Joint Health and Wellbeing Strategy over past months. The report included the key points from the HWB workshop on 2 May, which focused on the outstanding issues following consultation with all HWB Partners and how they might be addressed.

6.2 Board members **resolved** to:

1. **Confirm** that they were happy with the content and agree the HWB's Joint Health and Wellbeing Strategy 2018-22.
2. **Agree** to taking the finalised Strategy to HWB partners' organisations/bodies boards for formal sign off prior to 31 October 2018 and report back to the Board.
3. **Commit** to taking an active role in the implementation of the Strategy, as outlined at paragraph 3.2 of the report.

7. **Autism Strategic Update**

7.1 The Board received the report by the Executive Director Adult Social Services, Norfolk County Council, updating the Board on progress to support the implementation of the Autism Act (2009), National Autism Statutory Guidance (2016) and Strategy 'Think Autism' over the past six months.

7.2 The Board **resolved** to:

1. **Acknowledge** the development of The Norfolk All Age Autism Partnership Board.
2. **Acknowledge** and **support** the development of the working groups in the



undertaking of priority work.

3. **Agree** to receive the Norfolk All Age Autism Strategy that will be informed by the completion of the National Autism Self-Assessment (2018).
4. **Support** the undertaking of a community engagement exercise that will seek to obtain the life experiences of people with autism and their families living in Norfolk further inform the priorities of a local autism strategy.

**8. Information and Support for unpaid carers in Norfolk (Healthwatch Norfolk presentation).**

- 8.1 The Board received a presentation from Ed Fraser, Healthwatch Norfolk, and Sharon Brooks, Chief Executive of Carers Council for Norfolk.
- 8.2 The Board **noted** the presentation and its links to the next item on the agenda.

**9. Norfolk and Waveney Strategy for Carers**

- 9.1 The Board received a report by the Executive Director Adult Social Services, Norfolk County Council providing Members with information about unpaid carers' in Norfolk and Waveney and asking the Board to support the development of a Norfolk and Waveney Carers Strategy.
- 9.2 Board members **resolved** to:
  1. **Agree** to the development of a Norfolk and Waveney Carers Strategy, which is overseen and monitored by the Health and Wellbeing Board.
  2. **Agree** to receive a report in October 2018 with a more detailed plan for developing the strategy in a way which puts the voice of carers at the centre, and through good collaboration ensures the commitment of key health and social care stakeholders.
  3. HWB Members, including District Councils and VCSE representatives, are asked to engage their own organisations in discussions about the issues set out in the report in readiness for a fuller report in October 2018.

**Mr Bill Borrett**

**Chairman, Health and Wellbeing Board**

## Report of the Norfolk Joint Museums Committee meeting held on 26 July 2018

### 1 Gressenhall Farm and Workhouse

- 1.1 The Joint Committee placed on record thanks to Hannah Jackson, NMS Operations Manager (West) and Dr Megan Dennis, NMS Curator, for the tour that they had conducted of Gressenhall Farm and Workhouse that immediately preceded the meeting. Members were given the chance to find out about what life was like within the workhouse walls through the stories of those who lived and worked there over its 200 year history. The tour included the recently completed Collections Gallery with over 2,000 objects telling the story of life, work and play across the County.

### 2 Area Museums Committees

- 2.1 The Joint Committee received reports from meetings of the Breckland, King's Lynn and West Norfolk and Norwich Area Museums Committees.
- 2.2 From the Breckland report, Members' attention was drawn to the new exhibition highlighting the story of the Maharajah Duleep Singh and his family, launched as part of the *Festival of Thetford and Punjab* at Thetford Ancient House. The *Festival of Thetford and Punjab* was a partnership project between Essex Cultural Diversity Project, working with Norfolk Museums Service, Norfolk Library & Information Service and Norfolk Arts Service, and funded by the Heritage Lottery Fund. The Festival worked with a wide range of partners, venues and event organisers to put on different events that appealed to a wide variety of audiences and had the potential to grow in importance in the Norfolk cultural calendar in future years.
- 2.3 Also from the Breckland report, the Joint Committee noted the NMS nominations and winners at the 2018 SHARE Museums East Volunteer Awards held at the Museum of East Anglian Life in Stowmarket on 6 June 2018. Those from the NMS who received awards were:-
- **Highly Commended** - The research team for digital from Gressenhall Farm & Workhouse
  - **Highly Commended** – Casey Hobbs, Stories of Lynn
- 2.4 From the King's Lynn and West Norfolk report, the Joint Committee noted that for Norfolk Day on 27 July 2018 it was possible for the public to buy a special Norfolk Day ticket for use at Stories of Lynn, Lynn Museum, True's Yard Museum and the Custom House.
- 2.5 From the Norwich report, the Joint Committee noted a new partnership with an organisation called *History Mystery* to create a range of unique Escape Room games with an historic theme which would complement existing operational offers at the Shirehall and at the Museum of Norwich at the Bridewell. The NMS was the first museums service in England to enter into a commercial arrangement where the historic building and objects from museum collections were used as the direct inspiration for games of this kind.

- 2.6 The Joint Committee's attention was drawn to the work of the 2018-19 cohort of Teaching Museum Trainees who delivered a huge range of impressive projects and programmes across the county. In reply to questions, it was pointed out that there were over 400 applicants for these posts and that the British Museum had introduced a similar training scheme to that of the NMS. The NMS trainees came from a wide range of backgrounds. On completion of their individualised training programmes virtually all of the former trainees had gone on to secure jobs in the culture and heritage sector.

### **3 Finance Monitoring Report for 2017/18 (Outturn)**

- 3.1 The Joint Committee received a report that covered the Norfolk Museums Service (NMS) budget outturn for 2017/18, including the revenue budget, reserves and provisions and the capital programme.
- 3.2 Members pointed out that the budget over-spend of £49,000 on staffing was spent on extended opening hours and additional events across the County and should be considered in the context of the £90,000 surplus on admissions income which was 6.85% above target.
- 3.3 **The Joint Committee resolved to note the final revenue budget, capital programme and reserves and provisions positions for 2017/18.**

### **4 Risk Management report**

- 4.1 The Joint Committee received a report that provided Members with the latest Norfolk Museums Service Risk Register as at 31<sup>st</sup> January 2018.
- 4.2 The Joint Committee **resolved** to note –
1. **The closure of risk RM14132 - Failure to secure Arts Council England (ACE) funding as a National Portfolio Organisation, following sign-off in June 2018 of Arts Council Funding for 2018-2022 and that a new risk would be added to the risk register at the next meeting to stress the importance of the NMS performing well in the delivery of the Arts Council England (ACE) Business Plan.**
  2. **The risks included in Appendix A to the report and that the mitigating actions were appropriate.**

### **5 Norfolk Museums Service – Performance & Strategic Update Report**

- 5.1 The Joint Committee received a report that provided progress with the current financial year 2018/19, details as to museum education and learning programmes, marketing and PR, partnerships, commercial developments, Norwich Castle Keep and other strategic developments, NMS fundraising, the Arts Council England funding programme and national priorities for the museum sector.
- 5.2 During discussion, the following key points were noted:
- The Joint Committee was informed that the NMS had successfully delivered its Service Plan priorities for 2017/18, including a balanced budget. The Service remained on track to deliver its key priorities in terms of programmes and events for 2018/19.

- The Joint Committee analysed the number of visits made by members of the public to the museums operated by the Norfolk Museums Service for the financial year 2017/18. During that period, Museum visits across all 10 NMS sites were 426,110, a 10% increase on what had been a very successful previous year.
- The numbers of school visits to NMS museums for the financial year 2017/18 were confirmed as 49,229, a 1% decrease on the previous year's record breaking figures but the second highest annual figures for schools visits ever recorded. The Service expected to maintain school visits at the 45,000+ level for 2018/19.
- Wedding bookings for 2017/18 had continued to exceed the year-to-date figure in comparison to the previous year's bookings and to have a positive impact on attendance figures and on the use of museum facilities.
- The Joint Committee's attention was drawn to the large amount of work that was put into the opening of *The Paston Treasure: Riches and Rarities of the Known World* exhibition, the result of years of research, undertaken jointly with the Yale Center for British Art, part of Yale University.
- The Norwich Castle: Gateway to Medieval England was progressing well and according to schedule. The second round application to the Heritage Lottery Fund was submitted on time in June 2018, and the planning application had been submitted to Norwich City Council. Outcomes on both of these key pieces of work would be decided at the end of September 2018.

### 5.3 The Joint Committee resolved:

1. **To note progress regarding development of the Norwich Castle: Gateway to Medieval England.**
2. **To note the final 2017/18 position in terms of delivery, and the key Service Plan priorities for the current financial year 2018/19, including delivery by the NMS against Arts Council England and Heritage Lottery Fund programmes.**

## 6 Review of NMS Collections Development Strategy

6.1 The Joint Committee received a report that reviewed the NMS Collections Development Strategy.

### 6.2 Resolved:

**That the Joint Committee agree to the Collections Development Strategy as set out in the report and place on record thanks to all the officers in the NMS Collections Management Team for their hard work in the management and care of museum collections.**

## 7 NMS involvement in the Heritage Lottery Fund's (HLF) "Kick the Dust" programme

7.1 The Joint Committee received a presentation on NMS involvement in the HLF "Kick the Dust" programme.

7.2 The Joint Committee noted the following key points:

- The NMS had been awarded £776,500 by the HLF for the "Norfolk Journeys"

project which involved working in partnership with YMCA Norfolk, Creative Collisions - Great Yarmouth and Norfolk Library and Information Service.

- Additional match funding was contributed by Arts Council England, the Borough Council of King's Lynn & West Norfolk, the Geoffrey Watling Charity and Norfolk County Council.
- The NMS was to be the only museum service in England to take a leading role in the Heritage Lottery Fund's 'Kick the Dust' initiative.
- Taking place at heritage sites across the County, including Gressenhall Farm and Workhouse, Time and Tide Museum, Lynn Museum and Norwich Castle, the four-year "Norfolk Journeys" project would work with nearly 8,000 young people aged 11 to 25 years, giving them the opportunity to play a role in shaping their heritage.
- Despite NMS' excellent track record of working with this age group, "Norfolk Journeys" could be expected to have a transformative impact on the NMS, challenging the Service to change its organisational culture and embed a new way of working which really met the aspirations of young people in the County.
- The national project "Norfolk Journeys" was supported by a steering group of young Heritage Ambassadors, who were on a mission to 'stir up heritage', and to help advise on how money should be allocated.

**John Ward**  
**Chairman**

## **Report of the Planning (Regulatory) Committee Meeting held on 14 September 2018**

### **1 C/5/2017/5007: SPC Atlas Works, Norwich Road, Lenwade.**

- 1.1 Proposal and Applicant: Change of use from B8: Warehousing to a Sui Generis use for waste processing and the production of refuse derived fuel (RDF) with an annual throughput of 150,000 tonnes; Installation of office, 2 x weighbridges and photovoltaic panels and highway improvement scheme consisting of the major upgrade and realignment of the north-western estate access with the A1067 (Mr Richard Cubitt, Serruys Property Company Ltd).
- 1.2 The Committee considered the report by the Executive Director of Community and Environmental Services seeking planning permission for the development of a waste processing and RDF production facility on a site that was both industrial land and moreover a site (WAS 78) that was allocated for waste development within the Council's adopted Waste Site Specific Allocations Development Plan Document. Therefore, in land use terms the proposal accorded with the development plan.
- 1.3 The Executive Director of Community and Environmental Services was authorised to:
- i. Grant planning permission subject to the conditions outlined in section 13 of the report and a Unilateral Undertaking relating to the £7500 contribution for maintenance of the Mariott's Way.
  - ii. Discharge conditions (in discussion with the Chairman and Vice-Chairman of the Committee) where those detailed in the report 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 (in discussion with the Chairman and Vice-Chairman of the Committee) to deal with any non-material amendments to the application that may be submitted.

**Colin Foulger**  
Chairman, Planning (Regulatory) Committee

## Norwich Highways Agency Committee Report of the meeting held on 20 September 2018

- 1 **Transport for Norwich – 20mph Areas Associated with the Blue and Yellow pedalways – Consultation Results.**
  - 1.1 The Committee received the report asking it to consider the responses from the consultation and approve installation of the northern and southern 20mph speed restriction orders with associated traffic calming and waiting restrictions.
  - 1.2 The Committee considered the report and unanimously **RESOLVED** to:
    - (1) approve installation of the 20mph scheme for the northern and southern areas and associated amended traffic calming and waiting restrictions including:
      - (a) installation of speed cushions on Constitution Hill;
      - (b) the retention of the two signalised pedestrian crossings on Woodcock Road and the amended traffic calming comprising of speed cushions, needing further advertising as below.
      - (c) highway improvement of widening a section of footpath outside St Andrew Churchyard on Church Lane as shown on plan No.CCAG2/21/25;
      - (d) installation of sinusoidal humps on Eaton Road;
      - (e) installation of a mini roundabout, speed cushions, reduced double yellow lines and bus stop clearways on Coleburn Road, Sandy Lane and Theobald Road;
      - (f) installation of a pedestrian refuge and speed cushions on South Park Avenue;
    - (2) ask the head of city development services to carry out the statutory legal procedures to:
      - (a) finalise the speed restriction orders for the northern and southern areas as outlined on plans CCAG2/21/05 and 06, excluding the area as shown on plan No. CCAG2/21/06/A

- (b) finalise the traffic regulation order for amended double yellow lines in Astell Road, Coleburn Road, Sandy Lane and Theobald Road as shown on plan No.CCAG2/21/23, and
- (c) finalise the traffic regulation order for changing a section of permit parking to double yellow lines in Eaton Road as shown on plan No.CCAG2/21/21;
- (d) advertise and consult on the revised proposals for traffic calming on Woodcock Road as shown on plan No.CCAG2/21/08A;
- (e) advertise and carry out a 12 month experimental extension of a 20mph zone with minimum traffic calming in the Eaton area shown on plan No.CCAG2/21/06/A.

## 2 **Transport for Norwich – Earlham Road – Outer Ring Road to Heigham Road safety scheme.**

2.1 The Committee received the report asking it to consider the responses from the consultation, approve installation of the Earlham Road / Outer Ring Road to Heigham Road safety scheme and agree advertising and consultation on further improvements described in the report.

2.2 The Committee unanimously **RESOLVED** to:

- (1) approve the installation of the scheme including:-
  - (a) Earlham Road / ORR roundabout (Appendix 2);
    - (i) upgrading the existing signalised pedestrian crossing to a toucan crossing;
    - (ii) building a new cycle zebra crossing on Earlham Road (eastern arm);
    - (iii) connecting the toucan crossing and cycle zebra with a shared path facility (excluding proposed shared path adjacent to Colman Road) ;
    - (iv) modifying the central island of the roundabout and splitter islands;
  - (b) Earlham Road between A140 and Christchurch Road (appendix 3);
    - (i) implementing 1.5m wide light-segregated cycle lanes on both sides of the carriageway;
    - (ii) creating a new raised table and cycle zebra crossing at the junction with Christchurch Road;
  - (c) Earlham Road between Christchurch Road and Heigham Road (Appendix 4);
    - (i) introducing a 20mph restriction including the side streets;



- (ii) installing a new zebra crossing on a raised table near to Wellington Road;
  - (iii) building pedestrian priority crossings on side roads;
  - (iv) making changes to waiting restriction but existing waiting restrictions outside St Thomas Church to remain unchanged;
- (d) Heigham Road/ Mill Hill Road / Earlham Road junction (Appendix 5):
  - (i) improving junction including narrowing of the carriageway;
  - (ii) installing cycle zebra over Earlham Road;
  - (iii) constructing a raised table across the junction;
  - (iv) the closure of West Pottergate at its junction with Heigham Road /Earlham Road to motor-vehicular through traffic.
- (2) ask the head of city development services to carry out the necessary statutory procedures to:
  - (a) finalise the traffic regulation order for the necessary amendments of no waiting restriction on Earlham Road;
  - (b) finalise the speed restriction order on Earlham Road and side roads;
  - (c) finalise the Traffic Management Order for West Pottergate;
- (3) agree for consultation the proposed extension of the 20mph zone (including traffic calming features) to include the area between Christchurch Road and the Outer ring road (Appendices 6 and 7);
- (4) delegate consideration of any comments received from the consultation to the head of city development services, in discussion with the chair and vice chair of this committee.

### **3 Transport for Norwich – Earlham Fiveways Roundabout**

- 3.1 The Committee considered the report asking it to consider the responses from the consultation and approve installation of the Earlham Fiveways safety scheme.
- 3.2 The Committee unanimously **RESOLVED** to:
  - (1) approve installation of the scheme as shown in Appendix 2 including:
    - (a) upgrading three existing signalised pedestrian crossings to Toucan crossings;
    - (b) connecting all crossings with a shared path facility;
    - (c) building splitter islands on the four arms of the roundabout;

- (d) resizing the central island to reduce the width of circulatory lanes;
  - (e) building a new raised table on Gypsy Lane near to the roundabout;
  - (f) installing new street lighting on the central island;
  - (g) implementing a 20mph speed restriction order on Gypsy Lane (part), Gypsy Close, Beverley Road (part) and Beverley Close.
- (2) ask the head of city development services to carry out the necessary statutory procedures to proceed with the scheme.

#### **4 Lakenham Area Permit Parking Review**

4.1 The Committee considered the report advising Members of the responses to the recent consultation in the Lakenham area which covered those homes previously excluded from the permit parking scheme installed in 2017.

4.2 The Committee unanimously **RESOLVED** to:

- (1) note the responses to the permit parking consultation;
- (2) agree to implement a permit parking scheme operating Monday to Saturday 8 am to 6:30 pm in Abbot Road, Elwyn Road, Gamewell Close, Hall Road (part), Latimer Road and Randolph Road as shown on plan no . PL/TR/3584/439.1 attached in Appendix 1;
- (3) agree not to implement permit parking in Barrett Road (part), Beeching Close, Beeching Road, Cavell Road, Coke Road, Duckett Close, Mansfield Lane (part) and Springbank, but to implement double yellow lines on the junctions as shown on plan no . PL/TR/3584/439.1 attached in Appendix ;
- (4) ask the head of city development services to complete the statutory processes to implement these proposals.

#### **5 Goldsmith Street Area Parking and 20mph Proposals**

5.1 The Committee considered the report advising it of representations to the recent consultation on parking and speed management in the Goldsmith Street area and to propose a way forward.

5.2 The Committee unanimously **RESOLVED** to:

- (1) note the responses to the consultation as summarised in Appendix 1 of the report;

- (2) agree to allow permit entitlement for properties within the Goldsmith Street area redevelopment as listed in appendix 2 of the report;
- (3) agree to implement waiting restrictions and 20mph zone as shown on the plan in Appendix 3 of the report, and agree to advertise amendments as shown by the plan in Appendix:
- (4) note that a road hump notice for speed tables has been advertised:
- (5) ask the head of city development services to complete the statutory processes to implement these proposals as advertised and to advertise an amendment Traffic Regulation Order;
- (6) ask the head of city development, in consultation with the chair and vice chair to determine any objections to the amendment traffic regulation order.

## **6 Transport for Norwich – Rose Lane and Prince of Wales Road.**

6.1 The Committee considered the report, asking it to agree changes to the proposed layout of the junction of Rose Lane with prince of Wales Road and agree to advertise revised Traffic Regulation Orders to facilitate the revised layout.

6.2 The Committee unanimously **RESOLVED** to:

- (1) agree the revised layout for the area surrounding the junction of Rose Lane with Prince of Wales Road as shown on the plan contained in Appendix 1 of the report:
- (2) ask the head of city development services to commence the statutory procedures associated with the following traffic regulation orders and notices associated with this phase of the scheme, which is shown on the plan contained in Appendix 1 of the report:
  - (a) reversing the direction of flow of traffic on Eastbourne Place, but maintaining cycle contraflow;
  - (b) introducing a 'Restricted Zone' in Eastbourne Place allowing loading only;
  - (c) relocate the existing light controlled crossings and upgrade them to Toucan crossings linking them via the newly created open space (one on Prince of Wales Road and one on Rose Lane);
- (3) delegate consideration of any objections to these traffic regulation orders to the head of city development services in consultation with the chair and vice chair.

## **7 Review of Parking Permit Pricing**

7.1 The Committee considered the report asking it to review the current pricing structure of the permit parking scheme to ensure that the scheme remained self-financing.

7.2 The Committee unanimously **RESOLVED** to:

- (1) note the report;
- (2) approve the following changes to the parking permit charges, for the reasons as set out in the report, as follows:
  - (a) increase the monthly parking fee by 25p for all residential permits, and,
  - (b) the 2-hour charity rate business permit, which is charged at residential rates.

## **8 On-Street Parking Charges Review**

8.1 The Committee received the report asking it to consider the current level of on-street parking charges and recommending that there should be no change this year.

8.2 The Committee considered the report and unanimously **RESOLVED** to agree not to increase on-street parking charges this year for the reasons as set out in the report.

## **9 Annual Report of the Norwich Highways Agency Agreement 2017-18**

9.1 The Committee considered the report detailing the performance during 2017-18 of the Norwich Highways Agency Agreement between Norwich City Council and Norfolk County Council.

9.2 The Committee unanimously **RESOLVED** to approve the Norwich Highways Agency Annual Report for 2017-18.

**John Fisher**  
**Chair, Norwich Highways Agency Committee**

# Full Council

<b>Report title:</b>	<b>Great Yarmouth 3<sup>rd</sup> River Crossing</b>
<b>Date of meeting:</b>	<b>15 October 2018</b>
<b>Responsible Chief Officer:</b>	<b>Tom McCabe – Executive Director, Community and Environmental Services</b>
<b>Strategic impact</b> The delivery of the 3 <sup>rd</sup> River Crossing in Great Yarmouth supports Norfolk County Council's commitment to the delivery of infrastructure in support of economic growth and job creation. This report covers the proposed award of the contract to deliver the scheme.	

## Executive summary

An Outline Business Case (OBC) for the project was submitted to the Department for Transport (DfT) in March 2017. Programme entry and a government contribution of £98m were confirmed by the Department for Transport on 28 November 2017.

At its meeting in January 2018, EDT committee approved the commencement of the procurement process to secure the contractor to design and build the project. The committee agreed the evaluation criteria for award of the contract, and noted the delivery programme for the scheme.

The procurement process includes 'competitive dialogue' with each of the bidders to ensure the bids are as good as possible with any points of uncertainty being resolved early, before the final tenders are submitted. We expect to conclude the competitive dialogue procurement process and receive tenders at the end of November, with the planned award of the contract by January 2019.

The Council's constitution requires that all decisions that commit the authority to spending over £100m be approved by Full Council. Whilst the contract will be for less than this value, the overall scheme budget including fees and land compensation is in excess of £100m. The award of the 3<sup>rd</sup> River Crossing contract will, in effect, confirm the Council's commitment to the scheme. However, it is still subject to certain safeguards in case, for instance, the statutory planning process is unsuccessful.

To ensure the successful delivery of this scheme, it is vital that the successful bidder is permitted to be involved in and contribute to the Development Consent Order process. As such, it is critical that we are able to award the contract on time to maintain the overall programme to deliver the scheme. The project remains on track for a start of main works in October 2020 and completion of the project, with the new bridge in operation by the end of January 2023.

### Recommendations:

Full Council is asked to:

- 1. Approve the addition of the £120.653m, full cost of the scheme in to the capital programme. This includes the £98m DfT contribution, the £20.565m which is currently underwritten by the Council's prudential borrowing and a contribution from the LEP as set out in table 2; and**
- 2. Delegate the award of the contract to design and build the 3<sup>rd</sup> River Crossing scheme to the Executive Director of CES and Executive Director of Finance**

## **1. Background**

1. *Norfolk Futures, the Council's Strategy for 2018-2021* reaffirms the importance of the delivery of infrastructure and recognises the plan to start construction on the new river crossing at Great Yarmouth in 2020. The crossing offers a direct route into the town from the south, provides the link between the A47 trunk road network and the expanding port and South Denes Enterprise Zone sites, and overcomes the problem of limited road access to the peninsula of Great Yarmouth. As such, the Third River Crossing is vital to the economic prosperity of Great Yarmouth.
2. An Outline Business Case (OBC) for the project was submitted to the Department for Transport (DfT) in March 2017. The Autumn Budget 2017 confirmed a Government contribution of £98m to support the Crossing and programme entry was confirmed by the Department for Transport in November 2017.
3. The report to EDT committee in January 2018 agreed to commence the procurement process and highlighted the importance of maintaining the delivery programme as submitted to DfT.

## **2. Procurement of Contractor**

4. At its meeting in January 2018 EDT committee approved the contract strategy and the evaluation model and criteria for the award of the contract. These criteria, set out in Appendix A, are now fixed, and the award of the contract will follow a process based on the award criteria.
5. The Council's Constitution requires that all decisions that commit the authority to spending over £100m be approved by Full Council.
6. The Outline Business Case sets out the anticipated timescales for delivery, with construction anticipated to start in October 2020. We have been working on a tight programme coordinating two major exercises, the procurement and the planning (the Development Consent Order (DCO) application).
7. As outlined in the procurement strategy we have sought to manage and mitigate risk by following a two-stage design and build contract, where the successful bidder will take responsibility for the final detailed design required for the project to minimise design changes at the construction stage.
8. In order to maintain the timetable for the DCO process (and hence the scheme as a whole) we need to award the contract by January 2019.

## **3. Financial Implications**

9. The Outline Business Case submission to DfT set out the £120.653m scheme cost, which is the out-turn capital cost of the scheme with inflation factors applied to produce the total scheme out-turn spend profile. The summary in table 1 below sets out the cost profile for key elements of the project.

10. The Government has confirmed an 80% contribution (£98m) towards the project, subject to satisfactory resolution of the necessary statutory approval processes and final approval of the Full Business Case by DfT.

Table 1							
Scheme element	TOTAL £,000	2017- 2018 £,000	2018- 2019 £,000	2019- 2020 £,000	2020- 2021 £,000	2021- 2022 £,000	2022- 2023 £,000
Construction	64,496			2,156	20,965	29,366	12,008
Utilities	2,747			1,035	1,324	215	173
Land	12,560	20	1,964	3,456	3,597	1,686	1,836
Fees	12,763	1,851	3,409	4,668	1,257	802	775
<b>Base cost</b>	<b>92,566</b>	<b>1,871</b>	<b>5,373</b>	<b>11,315</b>	<b>27,144</b>	<b>32,069</b>	<b>14,793</b>
Quantitative risk allowance	28,088		2,164	3,604	11,066	9,768	1,486
<b>Risk-adjusted base cost</b>	<b>120,653</b>	<b>1,871</b>	<b>7,537</b>	<b>14,918</b>	<b>38,210</b>	<b>41,836</b>	<b>16,280</b>

11. The OBC set out the profile of expenditure and the anticipated local contribution as set out in the table 2 below:

Table 2	Total £,000	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23
<b>DfT funding requested</b>	<b>98,088</b>		3,941	4,668	31,362	41,837	16,280
<b>Local contribution</b>	<b>20,565</b>	189	3,278	10,250	6,848	0	0
<b>LEP contribution</b>	<b>2,000</b>	1,682	318				
<b>Total</b>	<b>120,653</b>	<b>1,871</b>	<b>7,537</b>	<b>14,918</b>	<b>38,210</b>	<b>41,837</b>	<b>16,280</b>

12. As part of the Full Business Case submission Norfolk County Council will need to set out the local funding contribution towards the project which, as per the table above, is circa £20m. The details of the local funding mechanism will be clarified as the scheme is developed. It is likely that the local funding contribution could come from a variety of sources, possibly including, but not limited to, the New Anglia LEP and other Local Authorities.
13. In view of the uncertainty about the sources of local funding at this stage, the County Council has recognised the need to underwrite these costs, to provide certainty of funding and deliverability. If NCC were required to fund the full element of the local contribution through additional prudential borrowing this would equate to an annual estimated cost of circa £1.3m.
14. If the outturn cost is greater than the £120.653m, the Council will have to cover the difference. There is some inevitable uncertainty in costing a scheme of this scale. In summary, the key uncertainties are:
- the budget for land compensation is an estimate;
  - professional fees are estimated;
  - the construction contract is not for a fixed amount.
15. As can be seen, a substantial risk allowance (£28million) has been included to offset these risks and is based on the level of knowledge at the time of the outline business case submission.

#### Financial risk in the construction contract

16. The construction contract is a design-and-build contract. In Stage One, which will run parallel to the DCO process, the contractor will complete the design and develop the target cost. The target cost will be based on the tendered cost, but

will be adjusted for a variety of factors as more detailed information becomes available. In Stage Two, the Contractor will construct the scheme.

17. To minimise the uncertainty in Stage One, the council has taken substantial steps to get the best possible basis for bidders to price on. This has included:
  - undertaking substantial ground investigation, on land and under the water, so that physical conditions are well understood;
  - obtaining detailed information about buried cables and pipes from the utility companies, and digging ‘trial pits’ in critical positions to improve the quality of information;
  - requiring bidders to undertake a substantial amount of design work pre-tender;
  - holding detailed discussions with the port authority, the district council, the streetworks authority and others to understand the constraints that they are likely to impose on the works.
18. Nevertheless, until the end of Stage One, by when the Contractor will complete the more-detailed design work and provide a target cost for the construction works, these issues remain uncertain. Further surveys will be undertaken (including some that cannot be undertaken at present for access reasons) and detailed estimates for any necessary diversions will be obtained from the utilities companies. The DCO process will also run its course and we will know the actual conditions that will be imposed on the construction activities and the final design of the structures, as defined by the Order.
19. Other factors that can affect the target cost are inflation and foreign exchange risk.
20. The contract terms will enable the contract to be cancelled at the end of Stage One if the target cost has risen excessively from the tendered cost or if DfT funding or DCO approval is not forthcoming. But otherwise, signing the contract commits the Council to the scheme.
21. Once the target cost has been set at the end of stage one, the target can change only because of inflation or if there is a “compensation event” – such as a change in design instructed by the council, or a major weather or flood event. On the basis that the contractor will have a substantial opportunity to carry out further investigations during stage one, most other risks that would normally constitute compensation events have been excluded from the contract.
22. The difference between the target cost (adjusted for compensation events and inflation) and the actual cost is shared 50/50 between the council and the contractor. If the actual cost is less than the adjusted target, the parties share the ‘gain’. If the cost is above the adjusted target, the parties share the ‘pain’, up to a threshold set at 115% of the adjusted target cost. If the actual cost is more than fifteen percent above the adjusted target, the contractor will take all the ‘pain’ above that level.

## **4. Issues, risks and innovation**

### Other resource implications

23. The project will require a dedicated delivery team. This will be developed utilising specialist input provided by the in-house Infrastructure Delivery Team, supported by WSP (the highways service term consultants), specialist legal advisors (including nplaw), and contract administration and cost specialists.



### Legal implications

24. All procurement projects carry with them a risk of legal challenge. The council has adopted good procurement practice to manage this risk.

25. The DCO process is a complex and rules-driven one, and there is the possibility of legal challenge at the end of the process. We are using external counsel and specialist solicitors, in addition to nplaw's resources, to help manage these risks.

### Risks

26. Other than the financial and legal risks set out above, risks associated with the scheme include the following.

<b>Risk</b>	<b>Mitigation</b>
Environmental impact of construction activity	Strict environmental criteria imposed by the terms of the contract and compliance with the DCO, which will include requirements set out by the Environment Agency and the Marine Management Organisation.
Disruption and nuisance caused by construction activity	These issues cannot be mitigated entirely but there are strict conditions in the contract concerning noise, vibration and road and river closures. These will be supplemented by communications activities before and during construction.
Higher frequency of bridge openings resulting in a reduction in the expected benefits to road traffic	Frequent opening of the bridge is a given. Great Yarmouth is a working port and the assumption is that the bridge will open fifteen times per day. The bridge has been specified to open and close rapidly, and traffic modelling shows that substantial benefits will be achieved even with this or higher frequency of opening.

### Equalities issues

27. The bridge is intended to benefit all classes of users including drivers, bus users and non-motorised users – including pedestrians, cyclists, wheelchair users and users of mobility scooters. The bridge has been specified to give good access for non-motorised users, with slopes at a suitable gradient to meet current design standards and the provision of appropriate traffic segregation and crossing points.

### Health and safety issues

28. The contract requires that design of the bridge minimises risks in the construction, use, maintenance and inspection phases.

## **5. EDT Committee Reports**

29. Reports were presented to EDT Committee on 15 September 2017 and 10 November 2017 to provide an update on progress since the submission of the OBC. On 19 January 2018, EDT Committee approved recommendations in a further update report that included the commencement of the procurement process for the project and details relating to the procurement evaluation criteria.

### **30. Background reports:**

Cabinet 7 December 2009 - Follow this [link](#) (see item 22)

EDT Committee 20 May 2016 – Follow this [link](#) (see item 9 page 28)

EDT Committee 17 March 2017 - Follow this [link](#) (see item 11 page 43)

EDT Committee 15 September 2017 – Follow this [link](#) (see item 15 page 98)

## Officer Contact

If you have any questions about matters contained or want to see copies of any assessments, eg equality impact assessment, please get in touch with:

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

Officer Name:	Tel No:	Email address:
David Allfrey	01603 223292	<a href="mailto:david.allfrey@norfolk.gov.uk">david.allfrey@norfolk.gov.uk</a>
Al Collier	01603 223372	<a href="mailto:al.collier@norfolk.gov.uk">al.collier@norfolk.gov.uk</a>



If you need this report in large print, audio, Braille, alternative format or in a different language please contact 0344 800 8020 or 18001 0344 800 8020 (textphone) and we will do our best to help.

## Appendix A

### 1.5. Evaluation Criteria

1.5.1. The evaluation criteria for tender award are as follows.

Award Criteria – Weighting of key aspects				
	Technical Award Criteria			
Criterion	Subject area	Topic	Sub-weighting as a percentage of the marks available for quality	Weighting as a percentage of the marks available for quality
1	Engineering design methodology (including whole life cost, value for money (within budget), innovation to drive efficiency, organisation chart, achieving objectives (Strategic, maintenance & operations))	Outcome of methodology to date in terms of meeting the Client's objectives of the bridge being aesthetically pleasing, enhancing the visual environment and the public realm, whilst being affordable, maintainable & buildable (Volume 3 Part A Section WI100). Robustness of the design process undertaken to produce the design as an import into the DCO process	10%	15%
		Methodology for taking Tendered design forward, including potential for value engineering (in terms of constructability, construction cost and maintainability), and support to the DCO process	4%	
		Organisation chart (coherence of structure)	1%	

<b>2</b>	Construction methodology (including traffic management, programme, logistics, testing & commissioning considerations, organisation structures and impact on port operation)	Traffic management, logistics, bridge installation and Impact on port	8%	20%
		Timelines	2%	
		Testing & Commissioning of Bridge	8%	
		Environmental Protection	2%	
<b>3</b>	Experience and qualifications of key personnel	<ul style="list-style-type: none"> <li>• CVs for design &amp; construction key personnel</li> <li>• organisation chart (in terms of understanding the roles of key personnel)</li> <li>• Programme (in terms of understanding when key personnel will be needed/available)</li> <li>• retention approach (to ensure that there will be continuity)</li> </ul>	20%	20%
<b>4</b>	Project controls	<ul style="list-style-type: none"> <li>• Project QSRA</li> <li>• Risk management approach,</li> <li>• Programme management approach</li> <li>• Approach to cost management, including the financial system</li> </ul>	N/A	Pass/fail
<b>5</b>	Change management approach to Brexit and any other changes			Pass/fail
<b>6</b>	Stakeholder management and engagement strategy			Pass/Fail
<b>7</b>	Collaborative approach			Pass/Fail

8	Health and Safety management approach			Pass/Fail
Total for Technical Criteria				55%
9	Completed price workbooks/ activity schedule, fee percentages and preliminary items	Based on Total of Tendered Prices for stages 1 & 2	24%	24%
10a	Risk	Value of Risk Pot	6%	6%
10b		<ul style="list-style-type: none"><li>• Comprehensiveness</li><li>• Robustness of risk quantification</li><li>• Risk Mitigation</li></ul>	2%	2%
11	Contract Compliance (Fail if compromise is unacceptable)		4%	4%
12	Programme Robustness	<ul style="list-style-type: none"><li>• Constraints consider appropriately</li><li>• Logic correctness</li><li>• Comprehensiveness (critical path, dependencies, sequencing, granularity)</li><li>• Activity durations and lead times</li><li>• Quality of information</li><li>• Contingency/float (programme &amp; terminal)</li></ul>	4%	4%
13	Supply Chain (procurement & management, including the recruitment and development of local labour)	Procurement methodology for supply chain contracts and management of sub-contractors	3%	5%
		Use of local labour and development opportunities, including apprenticeships	2%	
Total for Commercial Criteria				45%
Total				100%