

# Norfolk County Council

Date: **Monday 19 April 2021**

Time: **10.00 am**

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

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

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

## **Prayers**

## **AGENDA**

### **1. Minutes**

To confirm the minutes of the meeting of the Council held on 22 February 2021 Page 5

### **2. To receive any announcements from the Chair.**

### **3. Members to declare any interests**

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

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

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

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

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

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

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

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

Procedure Note attached

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**6 Recommendations from Committees**

**Cabinet**

Meetings held on 7 December 2020; 12 January; 1 February, 8 March.

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Meeting held on 12 April 2021 to follow.

**Corporate Select Committee – Constitution**

Meeting held on 15 March 2021

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**7 Cabinet Report (Questions to Cabinet Members)**

Meetings held on 7 December 2020; 12 January 2021; 1 February 2021 and 8 March 2021.

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Meeting held on 12 April 2021 to follow

Procedure Note attached

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

## 8. Committee Reports

### **Scrutiny Committee** Page 159

Meetings held on 14 December 2020; 27 January 2021; 17 February.

### **Corporate Select Committee** Page 163

Meeting held on 25 January 2021 and 15 March 2021

### **Infrastructure & Development Select Committee** Page 166

Meeting held on 28 January 2021

### **People and Communities Select Committee** Page 168

Meeting held on 29 January 2021

### **Health Overview and Scrutiny Committee** Page 170

Meeting held on 26 November 2020 4 February 2021 and 18 March 2021.

### **Health & Wellbeing Board** Page 174

Meeting held on 10 March 2021

### **Audit Committee** Page 176

Meeting held on 21 January 2021

### **Standards Committee** Page 179

Meeting held on Monday 18 January 2021.

### **Norfolk Records Committee** Page 181

Meeting held on 5 February 2021

### **Joint Museums Committee** Page 183

Meeting held on 5 February 2021

### **Planning (Regulatory) Committee** Page 186

Meeting held on 5 March 2021

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

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

Cllr Brian Watkins to take up the Liberal Democrat place on the Audit Committee.

Cllr Danny Douglas to replace Cllr Julie Brociek-Coulton on the Norfolk Local Access Forum.

Cllr Danny Douglas to replace Cllr Jess Barnard on  
Infrastructure & Development Select Committee.

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

**10 Notice of Motions**

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**11 To answer questions under Rule 8.3 of the council  
Procedure Rules (if any received).**

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

Agenda Published: 9 April 2021

## Norfolk County Council

### Minutes of the Meeting Held on 22 February 2021

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

**Present: 82**

## **Apologies for Absence:**

Apologies for absence were received from Cllr Sarah Butikofer.

### **1 Minutes**

- 1.1 The minutes of the Council meeting held on 23 November 2020 were confirmed as an accurate record of the meeting.
- 1.2 The minutes of the Extraordinary Council meeting held on 11 January 2021 were confirmed as an accurate record of the meeting.

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

- 2.1 Following incidence in Diss and Roydon of the South African variant of covid-19, the Chairman wished to place on record his thanks to the Public Health Team for their fast response and the work they had done in setting up a rapid testing centre for people living in Diss and Roydon.
- 2.2 The Chairman advised Council of the sad passing of former Labour County Councillor Harriet Panting, Ms Panting was elected on 1 May 1997 for Henderson Division until 2005 and then Wensum Division until 2009, serving on the Children's Services Review Panel as well as the Norwich Area Committee; Norfolk School Organisation Committee; Schools Admission Forum; Teacher Joint Consultative Committee and the Children's Services Area Working Group – Central.

Council held a minute's silence as a mark of respect.

### **3 Declarations of Interest**

- 3.1 Cllr Alison Thomas declared an other interest as she had been personally affected by the recent flooding in Long Stratton and was currently living in temporary accommodation.

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

- 4.1 There were no items of urgent business.

### **5 Norfolk County Council Revenue and Capital Budget 2021-22 to 2024-25.**

- 5.2 Council received the report setting out the budget proposals.
- 5.3 The Leader of the Council, Cllr Andrew Proctor, moved the budget recommendations from Cabinet as set out below:-

#### **In respect of the Norfolk County Council Revenue Budget 2021-22 and Medium Term Financial Strategy 2021-25 report (Annexe 1):**

The Cabinet recommendations to County Council in respect of the Budget are shown below. As part of considering the proposed Revenue Budget on 1 February,

Cabinet also resolved to:

**note** the statements regarding the uncertain planning environment, robustness of budget estimates, assumptions and risks relating to the 2021-22 budget, **and authorise the** Executive Director of Finance and Commercial Services, in consultation with the Leader of the Council and the Cabinet Member for Finance, to make any changes required to reflect Final Local Government Finance Settlement information (if available), or changes in council tax and business rates forecasts from District Councils, in order to maintain a balanced budget position for presentation to Full Council. For the avoidance of doubt, to enable a final balanced Budget position to be recommended to County Council, Cabinet **agreed** that any additional resources which become available will be added to the Corporate Business Risk Reserve, and any income shortfall will be addressed from the Corporate Business Risk Reserve (to the extent possible).

All references in the recommendations relate to the annexed reports

**Cabinet RESOLVED to:**

**1) agree to recommend to County Council**

- a) The level of risk and budget assumptions set out in the Robustness of Estimates report (Appendix 4), which underpin the revenue and capital budget decisions and planning for 2021-25.
- b) The principle of seeking to increase general fund balances as part of closing the 2020-21 accounts and that in 2021-22:
  - i) any grant funding received from the Local Tax Income Guarantee scheme be added to the Corporate Business Risk Reserve to offset tax income losses resulting from COVID-19 as they arise;
  - ii) any further additional resources which become available during the year should be added to the general fund balance wherever possible.
- c) The findings of public consultation (Appendix 5), which should be considered when agreeing the 2021-22 Budget (Appendix 1).
- d) An overall County Council Net Revenue Budget of £439.094m for 2021-22, including budget increases of £127.170m and budget decreases of -£118.498m as set out in Table 11 of Appendix 1, and the actions required to deliver the proposed savings, subject to any changes required in line with recommendation 1 above to enable a balanced budget to be proposed.
- e) The budget proposals set out for 2022-23 to 2024-25, including authorising Executive Directors to take the action required to deliver budget savings for 2022-23 to 2024-25 as appropriate.
- f) With regard to the future years, that further plans to meet the remaining budget shortfalls in the period 2022-23 to 2024-25 are developed and brought back to Cabinet during 2021-22.
- g) To note the advice of the Executive Director of Finance and Commercial Services (Section 151 Officer), in section 7 of Appendix 1, on the financial impact of an increase in council tax, and confirm, or otherwise, the assumptions that:
  - i) the council's 2021-22 budget will include a general council tax increase of 1.99% and a 2.00% increase in the Adult Social Care precept, an overall increase of 3.99% (shown in section 7 of

- Appendix 1), and for 2022-23 a 1.00% Adult Social Care precept (being a partial deferral of the 2021-22 Adult Social Care precept), based on the current discretions offered by Government and as recommended by the Executive Director of Finance and Commercial Services.
- ii) the council's budget planning in future years will include general council tax increases of 1.99% for planning purposes, as set out in the Medium Term Financial Strategy (MTFS Table 4 in Appendix 2). These council tax assumptions have regard to the level of referendum threshold expected to be set for the year and take into account the Government's historic assumptions that local authorities will raise the maximum council tax available to them. Notwithstanding any decision to defer a portion of the Adult Social Care precept, the final level of council tax for future years is subject to Member decisions annually.
  - iii) Beyond the 1.00% deferral of the Adult Social Care precept, no further increases in the Adult Social Care precept for 2022-23 onwards are assumed based on current Government policy, but that these will be subject to Member decisions annually within and informed by any parameters defined by the Government.
  - iv) if the referendum threshold were increased in the period 2022-23 to 2024-25 to above 1.99%, or any further discretion were offered to increase the Adult Social Care precept (or similar), then it is likely that the Section 151 Officer would recommend the council take full advantage of any flexibility in view of the council's overall financial position as set out in the assumptions in section 6 of Appendix 1.
- h) That the Executive Director of Finance and Commercial Services be authorised to transfer from the County Fund to the Salaries and General Accounts all sums necessary in respect of revenue and capital expenditure provided in the 2021-22 Budget, to make payments, to raise and repay loans, and to invest funds.
  - i) agree the Medium Term Financial Strategy 2021-25 as set out in Appendix 2, including the two policy objectives to be achieved:
    - i) Revenue: To identify further funding or savings for 2022-23 to 2024-25 to produce a balanced budget in all years 2021-25 in accordance with the timetable set out in the Revenue Budget report (Table 1 of Appendix 1).
    - ii) Capital: To provide a framework for identifying and prioritising capital requirements and proposals to ensure that all capital investment is targeted at meeting the Council's priorities.
  - j) The mitigating actions proposed in the equality and rural impact assessments (Appendix 6).
  - k) Note the planned reduction in non-schools earmarked and general reserves of 43.0% over five years, from £113.949m (March 2020) to £64.953m (March 2025) (Reserves Table 6 in Appendix 3);
  - l) Note the policy on reserves and provisions in Section 3 of Appendix 3;
  - m) Agree, based on current planning assumptions and risk forecasts set out in Appendix 3:
    - i) for 2021-22, a minimum level of general balances of £19.706m, and
    - ii) a forecast minimum level for planning purposes of
      - 2022-23, £21.206m;



- 2023-24, £22.706m; and
- 2024-25, £24.206m.

as part of the consideration of the budget plans for 2021-25, reflecting the transfer of risk from Central to Local Government, and supporting recommendations;

Agree the use of non-school Earmarked Reserves, as set out in Reserves Table 5 of Appendix 3.

**In respect of the Capital Strategy and Programme 2021-22 report (Annexe 2):**

Cabinet **RESOLVED** to:

- 2) refer the programme to the County Council for approval, including the new and extended capital schemes outlined in Appendix D;
- 3) recommend to County Council the Council's Flexible Use of Capital Receipts Strategy for 2021-22 as set out in Section 5;

**In respect of the Annual Investment and Treasury Strategy 2021-22 report (Annexe 3):**

- 4) endorse and recommend to County Council the Annual Investment and Treasury Strategy for 2021-22 at Annex 1, including:
  - the capital prudential indicators included in the body of the report;
  - the Minimum Revenue Provision Statement 2021-22 at Appendix 1;
  - the list of approved counterparties at Appendix 4;
  - the treasury management prudential indicators detailed in Appendix 5.

5.4 The Cabinet Member for Finance, Cllr Andrew Jamieson, seconded the motion.

5.5 The Leader of the Labour Group, Cllr Steve Morphew, seconded by Cllr Emma Corlett, moved the following amendments to the Budget recommendations.

**REVENUE**

	<b>Service / funding source</b>	<b>2021/22</b>	<b>2022/23</b>	<b>Purpose</b>
1	Children's Centres Review of Tranche 5 allocation at period 6	£750,000	£0	To meet the new demand pressures as a result of Covid
2	Children's Centres Review of Tranche 5 allocation at period 6	£50,000	£1,500,000	6 months - 2021/22 - independent study to evaluate the impact of new model. 2022/2023 identify unmet need and barriers to access and where centres need to reopen or outreach needs to expand
3	Youth Service Review of Tranche 5	£1,000,000	£2,000,000	6 months - initiate youth service to provide support for

	allocation at period 6			mental health, career development, social development and independence
4	Laptops for disadvantaged young learners  Corporate Covid Risk Reserve	£150,000	£150,000	Continuing from the EDP's "Every Learner Online" initiative, establish a reliable and sustainable method of providing digital devices to young learners from disadvantaged backgrounds
5	No hungry children in Norfolk  Review of Tranche 5 allocation at period 6	£2,800,000	£1,000,000	To guarantee funding available to meet continued Free School Meals provision across school holidays if the Govt discontinues the Marcus Rashford money
6	Social Care  Adults Covid business risk reserve period 6 onwards	£100,000	£250,000	Commission an independent study to identify the whole cost of social care placements with a view to progressively insourcing services in future from 2022/23
7	Advice service for carers  Adults Covid business risk reserve	£75,000	£25,000	Meeting the new and existing demand pressures over and above those already commissioned, especially as a result of Covid
8	Disability Related Expenditure  Adults Covid risk reserve	£30,000	£0	To undertake analysis of the current level of DRE to determine the most appropriate level of disregard, identify improvements to the process and to ensure optimum use of Council resources
9	Sheltered housing warden service  Adults Covid risk reserve period 6 onwards	£1,000,000	£1,000,000	Re-establish a floating warden service for a proportion of sheltered housing
10	Covid	£250,000	£0	To provide financial

	Commemorative Fund			support for each school in Norfolk to plant a tree in memory of loved ones lost to the pandemic, as well as making funds available to community groups for commemorative projects
	Corporate Covid Risk Reserve			
	<b>TOTAL</b>	<b>£6,205,000</b>	<b>£5,925,000</b>	

**Funded from the following areas:**

1. Costs for revenue projects are from using the Tranche 5 allocation of Covid grant and/or Covid business risk reserves spread over more than one year. Future costs to be included in determining budgets for years beyond 2022/23.
2. As set out in the table above, the funding for some of these proposals would come from the new Covid risk reserves. Items 4, 7, 8 and 10 are an immediate call on the reserve for that service.
3. Items 1, 2, 3, 5, 6 and 9 are subject to a review by the Executive Director of Finance and Commercial Services after period 6, and dependent on the Tranche 5 allocation and/or reserves not being required for other Covid related measures. If the funding available would be insufficient to meet the allocations, they will be scaled back in proportion to the amount available.

**CAPITAL AMENDMENTS / ADDITIONS**

Project	2021/22	2022/23	Details
Parish Partnerships	£1,000,000	£1,000,000	Increase scheme to include local environmental and flood prevention measures as well as highways
Street Lights	£5,000,000	£0	Further conversion to LED street lights
Seedcorn funding for community ownership projects	£200,000	£200,000	To support communities setting up community owned pubs, shops and local enterprises
<b>Total</b>	<b>£6,200,000</b>	<b>£1,200,000</b>	

**Revenue Implications of Capital Expenditure to be funded by:**

4. Interest costs in 2021-22 would be circa £0.100m, this could be found from the existing treasury budget and will be addressed in future year's budget setting.

5.6

The Leader did not accept the proposed amendment which was debated by Council.

- 5.7 Following debate, the budget amendment from the Labour Group was put to a recorded vote (Appendix A). With 19 votes in favour, 54 votes against and 8 abstentions, the amendment was **LOST**.
- 5.8 The Leader of the Liberal Democrat Group, Cllr Steff Aquarone, proposed the following amendment to the Budget recommendations, which was duly seconded by Cllr Dan Roper.

**Revenue Amendment: Emergency budget proposals to help Norfolk better prepare to recover from the effects of the Coronavirus Pandemic.**

**REVENUE**

	<b>Proposal</b>	<b>£m</b>
1.	Increased ring fenced funding for economic development to kick-start Norfolk's economic recovery	£1.000
2.	Protection of rural transport services by making funding available to bridge the period between any reduction in government funding and upturn in passenger revenues	£0.350
3.	One year trial of a Free Household DIY Waste Disposal day across Norfolk for people to properly dispose of DIY waste stored up during the pandemic. This will be available across all centres allowing disposal of up to three items free of charge for a fixed period.	£0.130
	<b>TOTAL</b>	<b>£1.480</b>

**Funded from the following areas:**

		£m
1.	A movement of £1m from the Community and Environmental Services COVID Business Risk Reserve accumulated during 2020/21 into the CES revenue budget	£1.000
2.	To be funded by hypothecating £350,000 of tranche 5 government COVID funding.	£0.350
3.	To allocate £130,000 from Community and Environmental Services Reserves to the revenue account	£0.130
	<b>TOTAL</b>	<b>£1.480</b>

**CAPITAL AMENDMENTS / ADDITIONS**

	<b>Proposal</b>	<b>£m</b>
1.	To reduce air pollution in Castle Meadow, Norwich through two "city tree" installations.	£0.100
	<b>TOTAL</b>	<b>£0.100</b>

**Revenue Implications of Capital Expenditure to be funded by:**

		£m
1.	For maintenance of the “City trees” to be provided in year one by a reduction in travel budgets.	£0.001
2.	Revenue costs of borrowing	£0.002
	<b>TOTAL</b>	<b>£0.003</b>

5.9 The Leader and proposer of the original motion did not accept the amendment which was then debated by Council.

5.10 Following a request from Cllr Aquarone, Council agreed to hold two separate votes on the Liberal Democrat Group proposed budget amendments, as follows.

Vote 1 - Economic Development to kick-start Norfolk’s economic recovery and Protection of Rural Transport services.

Vote 2 - One-year trial of free household DIY Waste Disposal and Reduce air pollution in Castle Meadow through “city tree” installations.

5.11 Following debate, the amendments from the Liberal Democrat Group (Economic Development to kick-start Norfolk’s economic recovery and Rural Transport services) were put to a recorded vote (Appendix B). With 23 votes in favour, 55 votes and 2 abstentions, the amendment was **LOST**.

5.12 Upon the second proposed budget amendments (One year trial of free household DIY waste disposal and Reduce air pollution in Castle Meadow through “city tree” installations) being put to a recorded vote (Appendix C), with 22 votes in favour, 55 votes against and 2 abstentions, the amendment was **LOST**.

Council adjourned from 12.15pm and reconvened at 12.45pm.

5.13 Cllr Sandra Squire moved the following Independent Group amendment which was seconded by Cllr Ed Maxfield.

### **REVENUE**

	Proposal	£
1.	To fund a feasibility study into the potential for providing off road cycle routes south of King’s Lynn, to include the potential upgrading of the Fen Rivers Way between Downham Market and King’s Lynn from a footpath to also include a cycleway.	£30,000
2.	To fund a feasibility study into the creation of a fully accessible cycle route from North Walsham to Mundesley via Knapton which would include the restoration of lost bridges across roads at Little London Road and Knapton Cutting.	£30,000
3.	To create a ‘Hedge Fund’ to fund the restoration of hedgerows in Norfolk, providing planting incentives to landowners and to be delivered through the Parish Partnership	£150,000

	scheme.	
	<b>TOTAL</b>	<b>£210,000</b>

**Funded from the following areas:**

		<b>£m</b>
1.	Item 1 to be funded by a reduction in the CES COVID Business Risk Reserve	£30,000
2.	Item 2 to be funded by a reduction in the CES COVID Business Risk Reserve	£30,000
3.	Item 3 to be funded by a reduction in the CES COVID Business Risk Reserve in 2021-2022 and recurring funding to be identified as part of setting the 2022-2023 budget.	£150,000
	<b>TOTAL</b>	<b>£210,000</b>

- 5.14 Following a request by Cllr Squire, Council agreed to hold 2 separate votes on the proposals as follows:
- Vote 1 – Cycle routes south of King’s Lynn and cycle route from North Walsham to Mundesley.
- Vote 2 – To create of a “hedge fund” for restoration of hedgerows in Norfolk.
- 5.15 As proposer of the original motion, the Leader of the Council did not accept the amendment which was debated by Council.
- 5.16 Upon the first two budget amendments (Cycle routes south of King’s Lynn and Cycle route from North Walsham to Mundesley) being put to a recorded vote (Appendix D), with 11 votes in favour, 69 votes against and 0 abstentions, the amendment from the Independent Group was **LOST**.
- 5.17 Upon the second budget amendment (To create a “hedge fund” for restoration of hedgerows in Norfolk) being put to a recorded vote (Appendix E), with 11 votes in favour, 65 votes against and 0 abstentions, the amendment from the Independent Group was **LOST**.
- 5.18 The following amendment was proposed by Cllr Alexandra Kemp, Independent Member and seconded by Cllr Sandra Squire.

**Capital Amendment: Infrastructure First & Better Regional Connectivity and Prosperity for King’s Lynn and West Norfolk.**

1. Norfolk Council to provide the local contribution for the Major Route Network Funding shortfall (should Government provide funding) to create West Winch Bypass Major Route Network to link the A10 with the A47, and replace substandard West Winch Road, to enable connectivity, safety, trade, productivity, regional prosperity and housing, by providing a proper functioning Major Route Network to King’s Lynn and its international port from Ely, Cambridge, London, Felixstowe Container Terminal and Harwich Continental Ferry Port. The A10 is also the main route for the delivery of sugar beet from NW Norfolk, South Lincolnshire and North Cambs to the largest sugar beet factory in Europe at Wissington, which produces 400,000

tonnes of sugar a year.

2. A developer funding model for the local contribution would be disastrous for West Norfolk as it would lead to development before the bypass, increasing congestion and safety issues on the A10 in West Winch and Setchey, which has a high accident record of 32 Personal Injury Road Traffic Accidents in the last 5 years. Highways England have a 7 year holding objection to the Local Plan's development in West Winch, due to insufficient highway capacity and without the bypass, development cannot go ahead.

### **CAPITAL AMENDMENTS / ADDITIONS**

	<b>Proposal</b>	<b>£m</b>
1.	Set aside in the Capital Programme for 2022/23 the sum of £10m (being an indicative allocation) for the local contribution to the West Winch Bypass scheme	£10.000m
	<b>TOTAL</b>	<b>£10.000m</b>

- 5.19 The proposed amendment was not accepted by the Leader and proposer of the original motion and was debated by Council.
- 5.20 Following debate and upon being put to a recorded vote (Appendix F), with 3 votes in favour, 59 votes against and 14 abstentions, the amendment was **LOST**.
- 5.21 Council then debated the substantive recommendations as set out on pages 41-43 of the agenda and in paragraph 5.3 above.
- 5.22 Following debate and upon being put to a recorded vote (Appendix G), with 54 votes in favour, 22 votes against and 1 abstention the recommendations were **CARRIED** and Council **RESOLVED** accordingly.

### **In respect of the Norfolk County Council Revenue Budget 2021-22 and Medium Term Financial Strategy 2021-25 report (Annexe 1):**

The Cabinet recommendations to County Council in respect of the Budget are shown below. As part of considering the proposed Revenue Budget on 1 February, Cabinet also resolved to:

note the statements regarding the uncertain planning environment, robustness of budget estimates, assumptions and risks relating to the 2021-22 budget, and authorise the Executive Director of Finance and Commercial Services, in consultation with the Leader of the Council and the Cabinet Member for Finance, to make any changes required to reflect Final Local Government Finance Settlement information (if available), or changes in council tax and business rates forecasts from District Councils, in order to maintain a balanced budget position for presentation to Full Council. For the avoidance of doubt, to enable a final balanced Budget position to be recommended to County Council, Cabinet agreed that any additional resources which become available will be added to the Corporate Business Risk Reserve, and any income shortfall will be addressed from the Corporate Business Risk Reserve (to the extent possible).

All references in the recommendations related to the annexed reports

**Cabinet RESOLVED to:**

**1) agree to recommend to County Council**

- a) The level of risk and budget assumptions set out in the Robustness of Estimates report (Appendix 4), which underpin the revenue and capital budget decisions and planning for 2021-25.
- b) The principle of seeking to increase general fund balances as part of closing the 2020-21 accounts and that in 2021-22:
  - i) any grant funding received from the Local Tax Income Guarantee scheme be added to the Corporate Business Risk Reserve to offset tax income losses resulting from COVID-19 as they arise;
  - ii) any further additional resources which become available during the year should be added to the general fund balance wherever possible.
- c) The findings of public consultation (Appendix 5), which should be considered when agreeing the 2021-22 Budget (Appendix 1).
- d) An overall County Council Net Revenue Budget of £439.094m for 2021-22, including budget increases of £127.170m and budget decreases of -£118.498m as set out in Table 11 of Appendix 1, and the actions required to deliver the proposed savings, subject to any changes required in line with recommendation 1 above to enable a balanced budget to be proposed.
- e) The budget proposals set out for 2022-23 to 2024-25, including authorising Executive Directors to take the action required to deliver budget savings for 2022-23 to 2024-25 as appropriate.
- f) With regard to the future years, that further plans to meet the remaining budget shortfalls in the period 2022-23 to 2024-25 are developed and brought back to Cabinet during 2021-22.
- g) To note the advice of the Executive Director of Finance and Commercial Services (Section 151 Officer), in section 7 of Appendix 1, on the financial impact of an increase in council tax, and confirm, or otherwise, the assumptions that:
  - i) the council's 2021-22 budget will include a general council tax increase of 1.99% and a 2.00% increase in the Adult Social Care precept, an overall increase of 3.99% (shown in section 7 of Appendix 1), and for 2022-23 a 1.00% Adult Social Care precept (being a partial deferral of the 2021-22 Adult Social Care precept), based on the current discretions offered by Government and as recommended by the Executive Director of Finance and Commercial Services.
  - ii) the council's budget planning in future years will include general council tax increases of 1.99% for planning purposes, as set out in the Medium Term Financial Strategy (MTFS Table 4 in Appendix 2). These council tax assumptions have regard to the level of referendum threshold expected to be set for the year and take into account the Government's historic assumptions that local authorities will raise the maximum council tax available to them. Notwithstanding any decision to defer a portion of the Adult Social Care precept, the final level of council tax for future years is subject to Member decisions annually.
  - iii) Beyond the 1.00% deferral of the Adult Social Care precept, no



- further increases in the Adult Social Care precept for 2022-23 onwards are assumed based on current Government policy, but that these will be subject to Member decisions annually within and informed by any parameters defined by the Government.
- iv) if the referendum threshold were increased in the period 2022-23 to 2024-25 to above 1.99%, or any further discretion were offered to increase the Adult Social Care precept (or similar), then it is likely that the Section 151 Officer would recommend the council take full advantage of any flexibility in view of the council's overall financial position as set out in the assumptions in section 6 of Appendix 1.
  - h) That the Executive Director of Finance and Commercial Services be authorised to transfer from the County Fund to the Salaries and General Accounts all sums necessary in respect of revenue and capital expenditure provided in the 2021-22 Budget, to make payments, to raise and repay loans, and to invest funds.
  - i) agree the Medium Term Financial Strategy 2021-25 as set out in Appendix 2, including the two policy objectives to be achieved:
    - i) Revenue: To identify further funding or savings for 2022-23 to 2024-25 to produce a balanced budget in all years 2021-25 in accordance with the timetable set out in the Revenue Budget report (Table 1 of Appendix 1).
    - ii) Capital: To provide a framework for identifying and prioritising capital requirements and proposals to ensure that all capital investment is targeted at meeting the Council's priorities.
  - j) The mitigating actions proposed in the equality and rural impact assessments (Appendix 6).
  - k) Note the planned reduction in non-schools earmarked and general reserves of 43.0% over five years, from £113.949m (March 2020) to £64.953m (March 2025) (Reserves Table 6 in Appendix 3);
  - l) Note the policy on reserves and provisions in Section 3 of Appendix 3;
  - m) Agree, based on current planning assumptions and risk forecasts set out in Appendix 3:
    - i) for 2021-22, a minimum level of general balances of £19.706m, and
    - ii) a forecast minimum level for planning purposes of
      - 2022-23, £21.206m;
      - 2023-24, £22.706m; and
      - 2024-25, £24.206m.
- as part of the consideration of the budget plans for 2021-25, reflecting the transfer of risk from Central to Local Government, and supporting recommendations;
- Agree the use of non-school Earmarked Reserves, as set out in Reserves Table 5 of Appendix 3.

## **In respect of the Capital Strategy and Programme 2021-22 report (Annexe 2):**

Cabinet **RESOLVED** to:

- 2) refer the programme to the County Council for approval, including the new and extended capital schemes outlined in Appendix D;
- 3) recommend to County Council the Council's Flexible Use of Capital Receipts Strategy for 2021-22 as set out in Section 5;

**In respect of the Annual Investment and Treasury Strategy 2021-22 report (Annexe 3):**

- 4) endorse and recommend to County Council the Annual Investment and Treasury Strategy for 2021-22 at Annex 1, including:
- the capital prudential indicators included in the body of the report;
  - the Minimum Revenue Provision Statement 2021-22 at Appendix 1;
  - the list of approved counterparties at Appendix 4;
  - the treasury management prudential indicators detailed in Appendix 5.

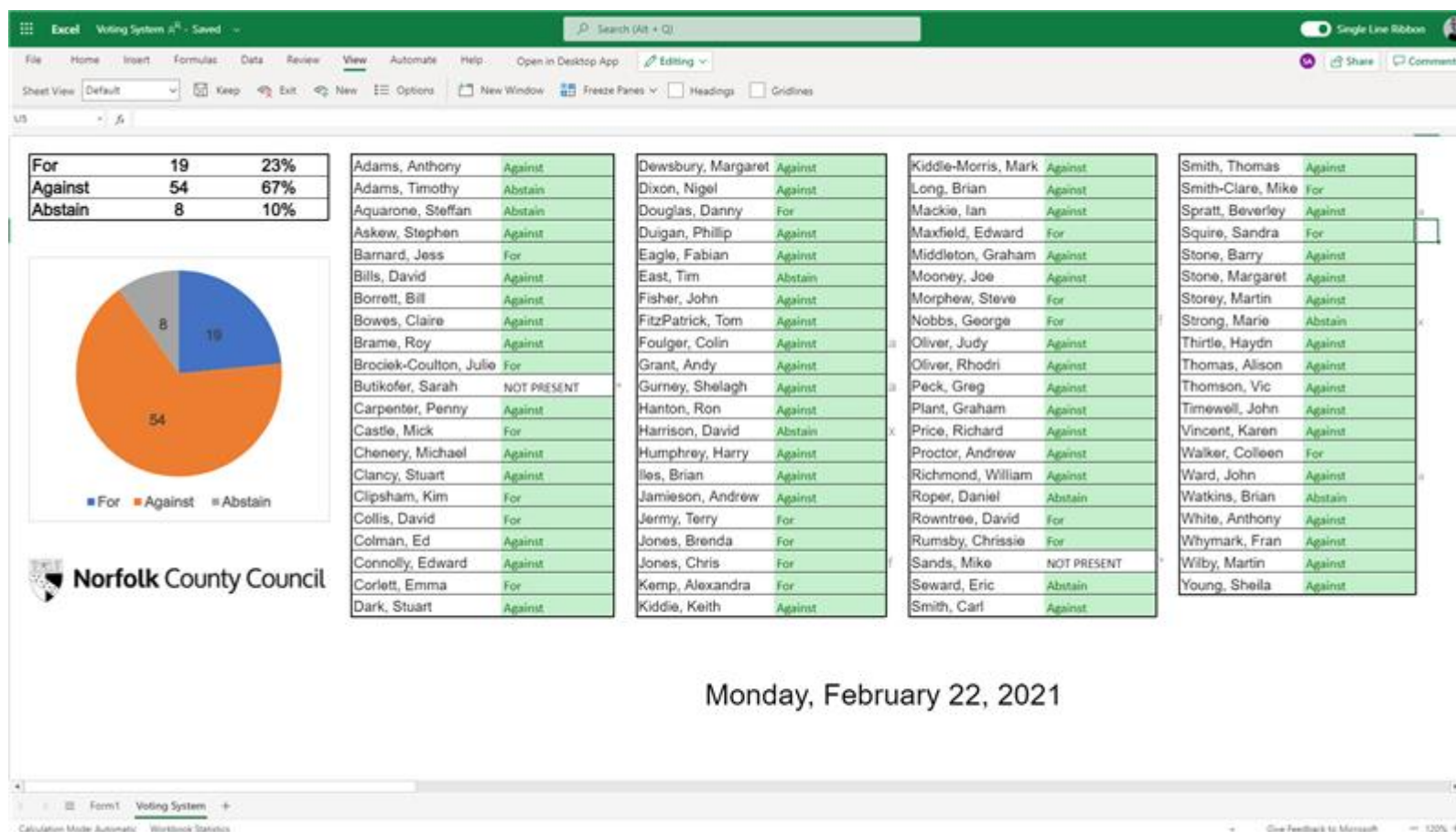
The meeting closed at 2pm.

**Chairman**



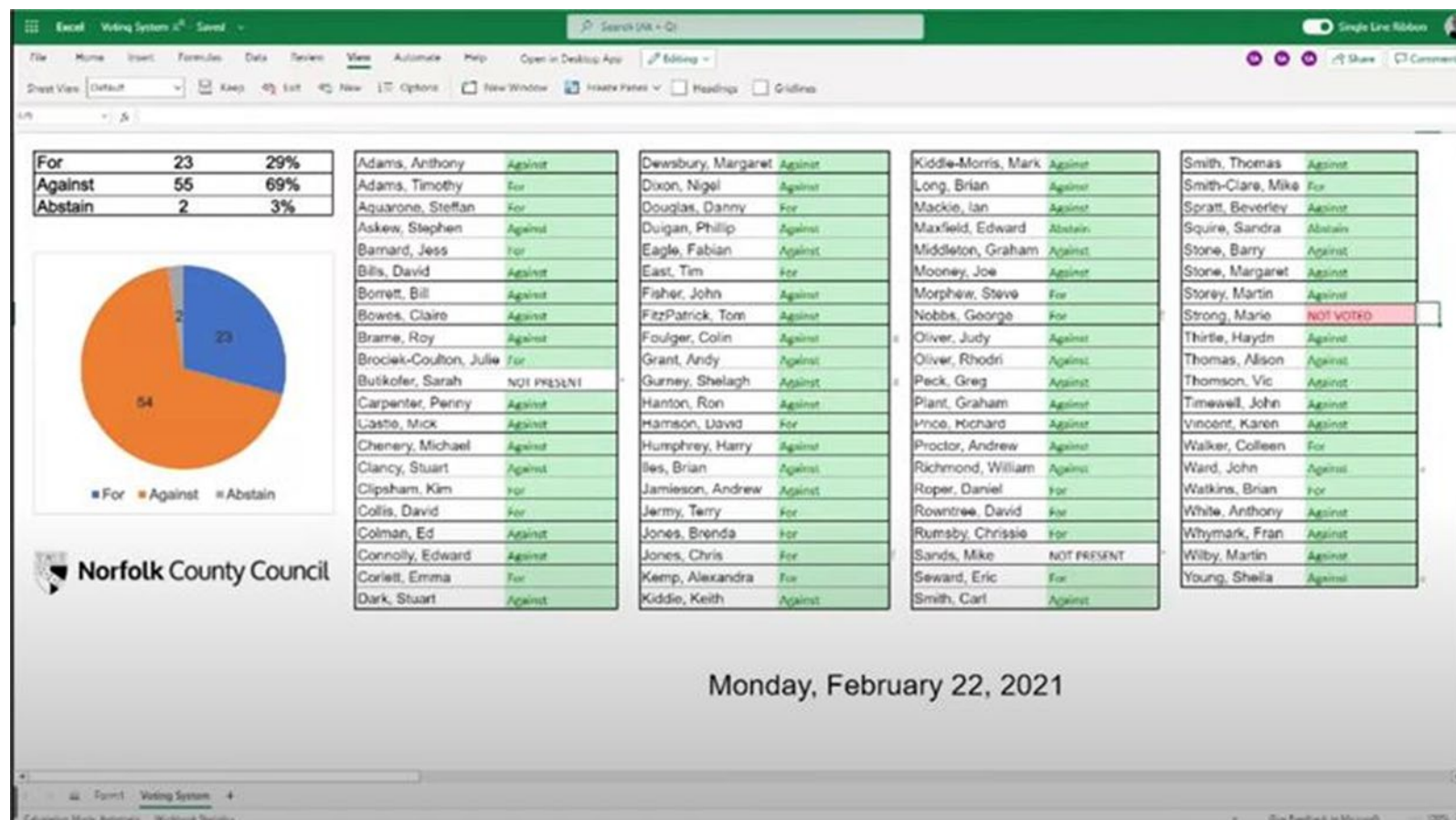
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## Recorded Vote 1. Labour Group Budget Amendments.



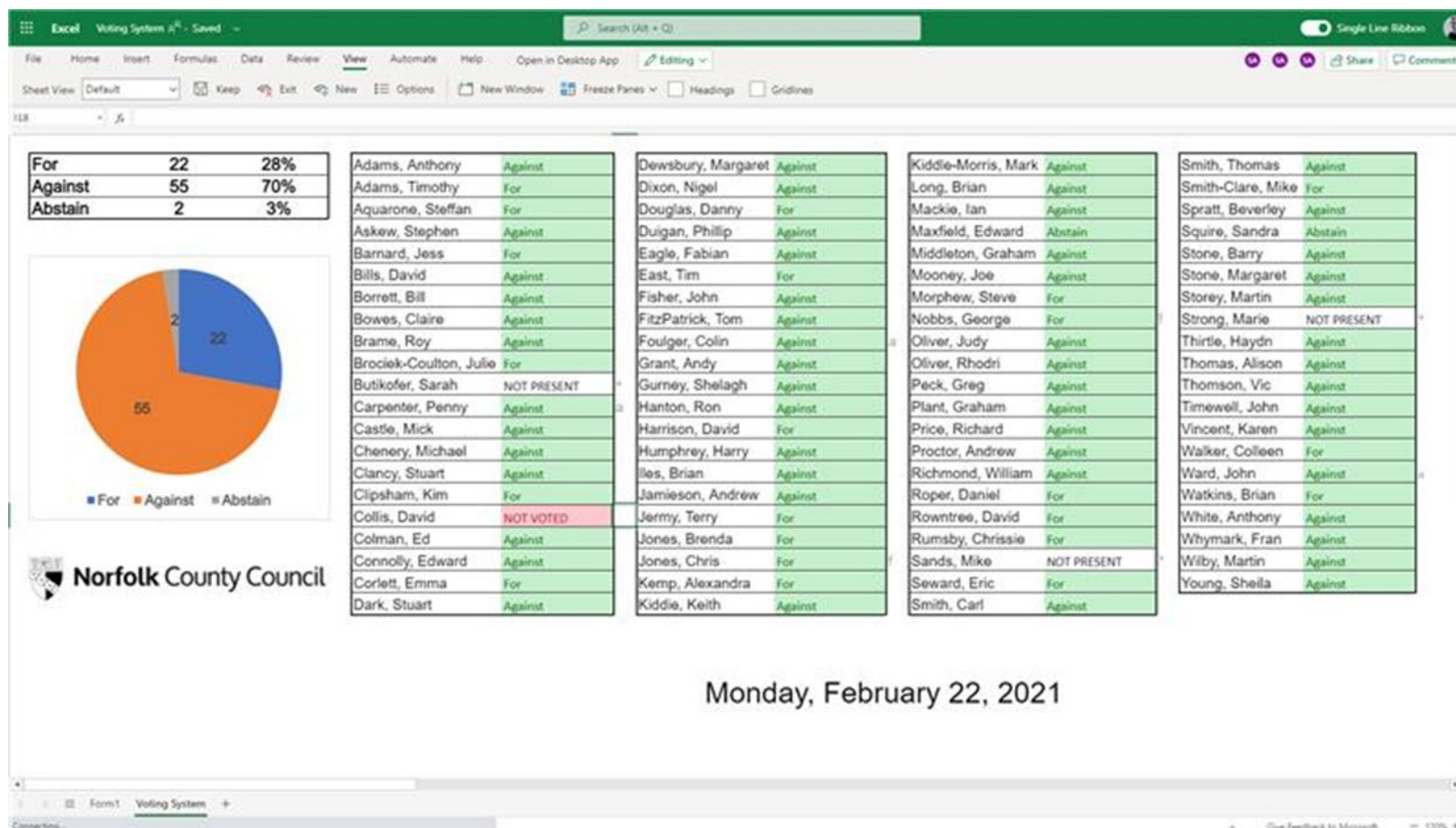
With 19 Votes in favour, 54 votes against and 8 abstentions, the budget amendment was **LOST**.

# Recorded Vote 2 – Liberal Democrat Group Amendments – Economic Development to kick-start Norfolk's economic recovery and Protection of Rural Transport Services.



With 23 votes in favour, 55 votes against and 2 abstentions, the Liberal Democrat Group budget amendment was **LOST**.

**Recorded Vote 3 – Liberal Democrat Budget Amendments One year trial of free household DIY Waste Disposal and Reduce air pollution in Castle Meadow through “city tree” installations.**

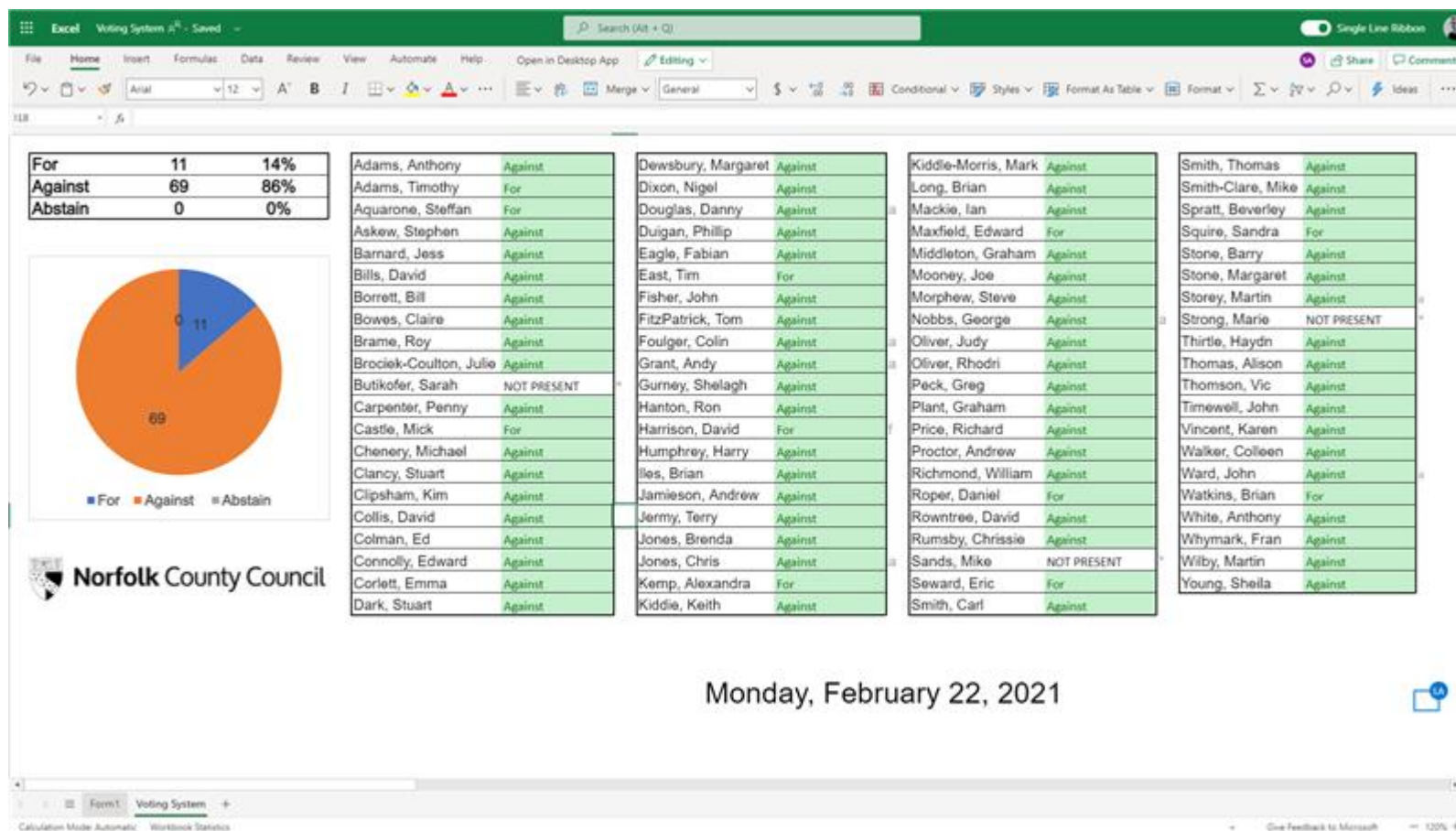


Monday, February 22, 2021

With 22 votes in favour, 55 votes against and 2 abstentions the Liberal Democrat budget amendment was **LOST**.

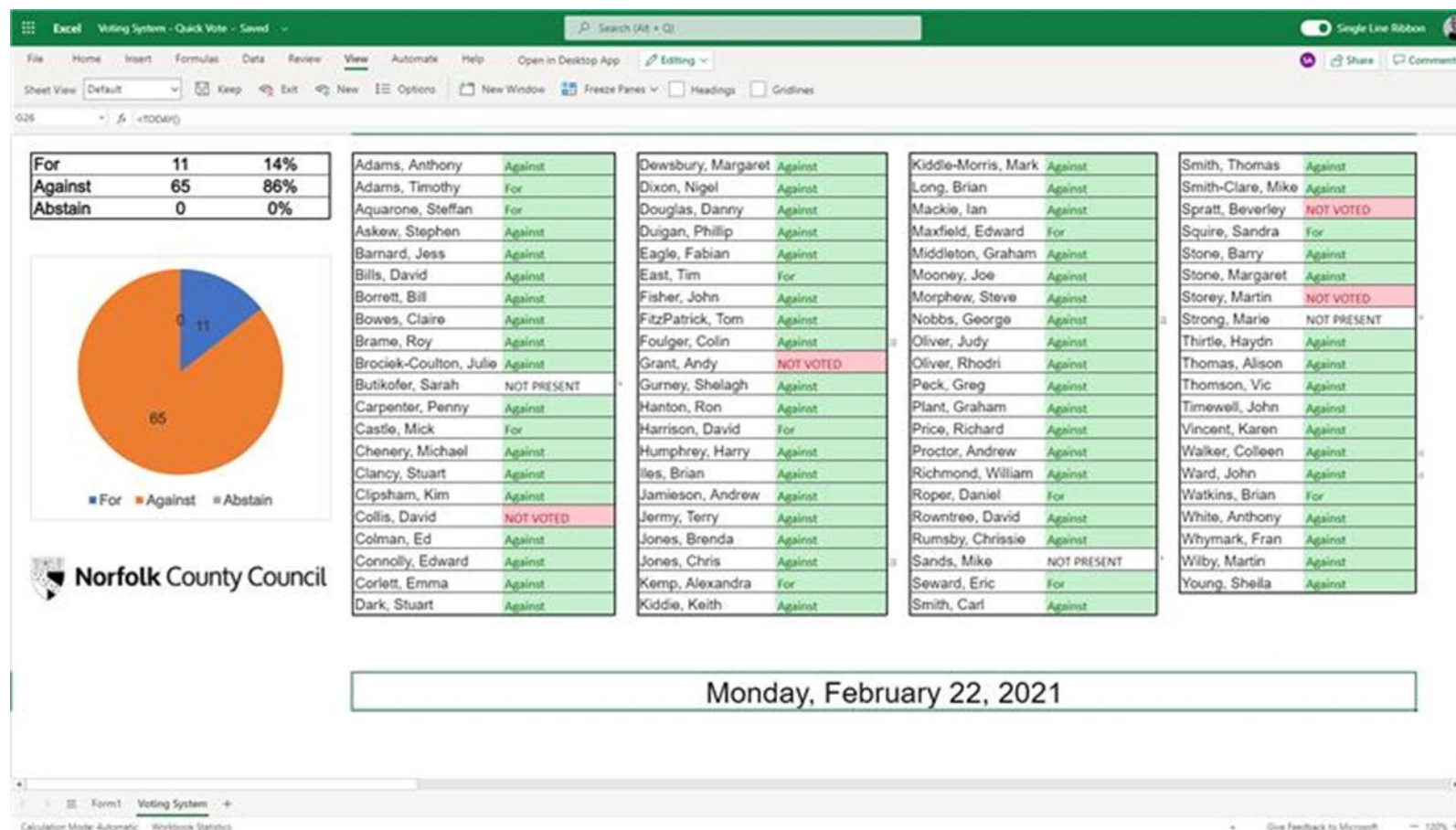


**Recorded Vote 4 – Independent Group – Cycle routes south of King’s Lynn and cycle route from North Walsham to Mundesley.**



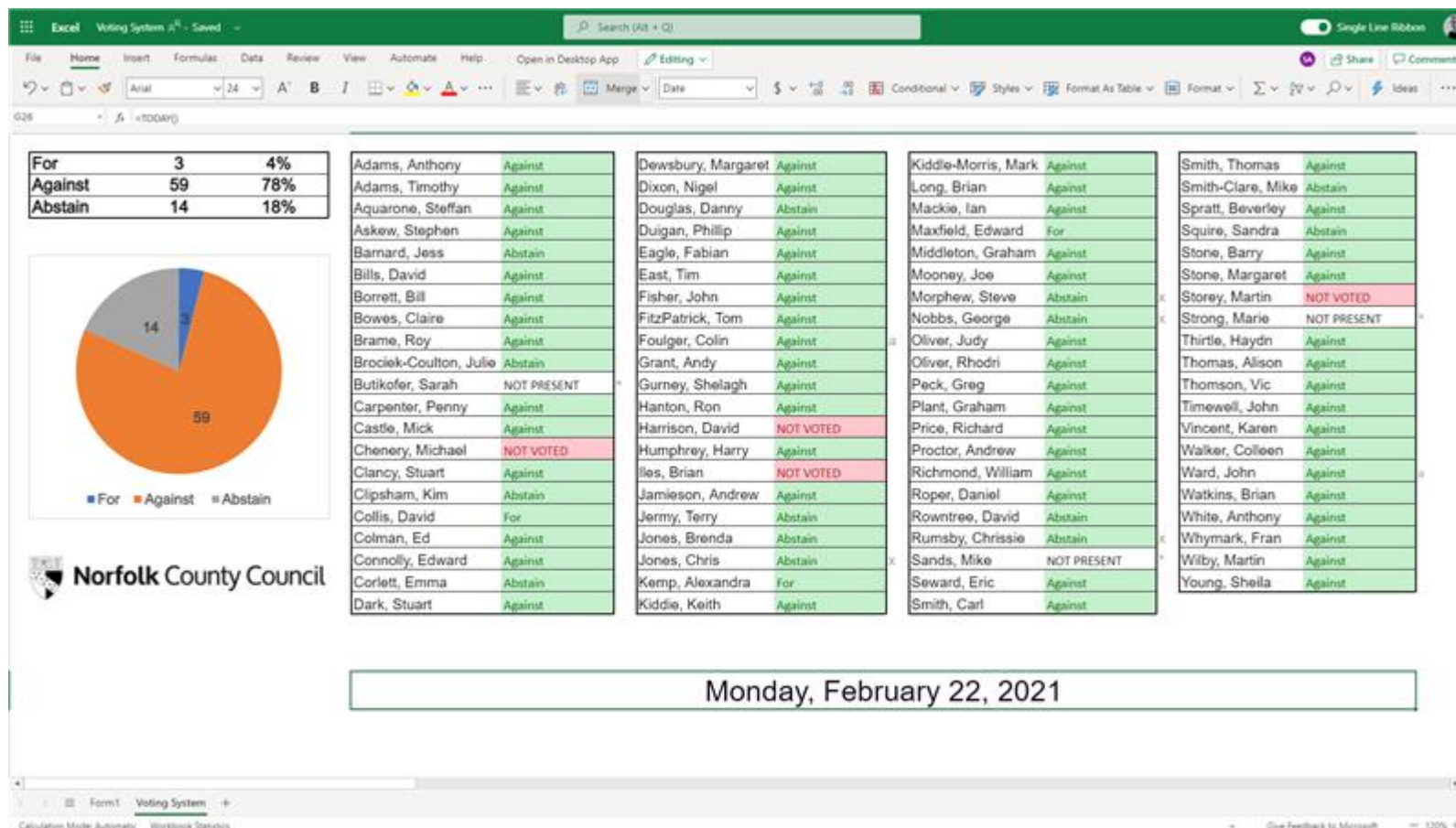
With 11 votes in favour, 69 votes against and 0 abstentions, the proposed budget amendment from the Independent Group was **LOST**.

## Recorded Vote 5 – Independent Group proposed budget amendment – Create a “hedge fund” for restoration of hedgerows in Norfolk.



With 11 votes in favour, 65 votes against and 0 abstentions, the proposed budget amendment was **LOST**.

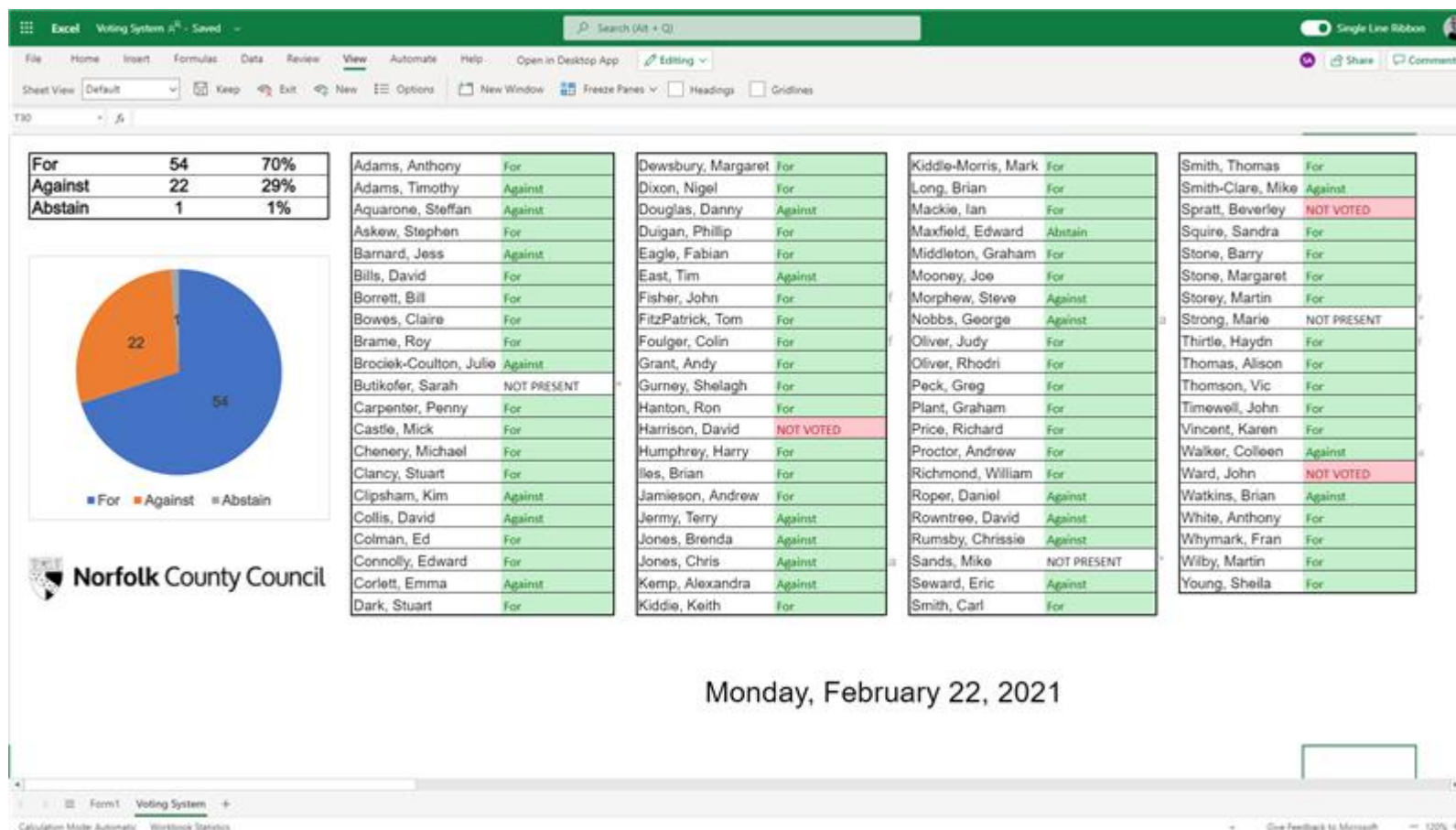
## Recorded Vote 6 – Proposed Budget Amendment from Cllr Alexandra Kemp.



With 3 votes in favour, 59 votes against and 14 abstentions, the proposed budget amendment was **LOST**.



## Recorded vote 7 - Substantive Budget Recommendations from Cabinet.



With 54 votes in favour, 22 votes against and 1 abstention the budget recommendations from Cabinet were **CARRIED** and Council **RESOLVED** accordingly.

### **Procedure for Leader's Question Time**

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

### **Agenda Item 5 – Questions to the Leader of the Council**

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

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

Labour Group  
Liberal Democrat Group  
Independent Group  
Conservative Group

Following round:

Labour Group  
Liberal Democrat Group  
Independent Group  
Conservative Group

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

## Recommendations from the Cabinet Meetings held on 7 December 2020, 12 January, 1 February and 8 March 2021

### A: Meeting held on Monday 7 December 2020

#### 1 Finance Monitoring Report 2020-21 P7: October 2020

- 1.1 Cabinet received the report by the Executive Director of Finance & Commercial Services, including an exempt appendix, giving a summary of the forecast financial position for the 2020-21 Revenue and Capital Budgets, General Balances and the Council's Reserves at 31 March 2021, together with related financial information.
- 1.2 Cabinet **RESOLVED** to:
1. **Approve** the proposed transfers to an Adult Social Services business risk reserve, Children's Services business risk reserve and a corporate Covid risk reserve as set out in paragraphs 2.8, 2.28 and 2.42 of Appendix 1.
  2. **Approve** the allocation of a maximum of £2.645m from the Contain Outbreak Management Fund total of £7.262m to District Councils to support delivery of the objectives of the grant, as set out in paragraph 6.1 of Appendix 1 and noting that full details of the planned use of funding will be reported to Cabinet in January.
  3. **Recommend to County Council** additional prudential borrowing of £0.030m to be available for the development of software to support the Card Payments programme, as set out in paragraph 4.1 of Capital Appendix 2.
  4. **Exempt item: Approve** the allocation of loan funding from within the existing capital programme to Hethel Innovation Limited to purchase additional land as set out in exempt appendix 3, and to delegate the agreement of loan terms to the Executive Director of Finance and Commercial Services in consultation with the Cabinet Member for Finance.
  5. **Note** the period 7 general fund forecast revenue overspend of **£1.256m** noting also that Executive Directors will take measures to reduce or eliminate potential over-spends;
  6. **Note** the COVID-19 grant funding received of **£96.901m**, the proposed use of that funding, and the related expenditure pressures resulting in net Covid-19 pressure of **£11.818m**.
  7. **Note** the period 7 forecast shortfall in savings of **£17.685m**, noting also that Executive Directors will take measures to mitigate savings shortfalls through alternative savings or underspends;

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

## **2 Mid-Year Treasury Management Monitoring Report 2020-21.**

- 2.1 Cabinet received the report by the Executive Director of Finance & Commercial Services providing details of the 2020-21 treasury activities and highlights compliance with policy and strategy previously approved in relation to treasury management.
- 2.2 Cabinet **RESOLVED** to:
  1. **Endorse and recommend to County Council** the Mid-Year Treasury Management Monitoring Report 2020-21.

[Please click on this link to view the reports considered by Cabinet at its meeting on 7 December 2020.](#)

### **B: Meeting held on Tuesday 12 January 2021**

There are no recommendations to Council from the meeting held on 12 January 2021.

[Please click on this link to view the reports considered by Cabinet at its meeting on 12 January 2021.](#)

### **C: Meeting held on Monday 1 February 2021**

There are no recommendations to Council from the meeting held on 1 February 2021, as Council considered the budget recommendations on 22 February 2021.

[Please click on this link to view the reports considered by Cabinet at its meeting on 1 February 2021](#)

### **D: Meeting held on Monday 8 March 2021**

#### **1 Great Yarmouth Operations and Maintenance Campus.**

- 1.1 Cabinet considered the report by the Executive Director of Community & Environmental Services which followed on from the recommendations made by Cabinet in April 2020 to provide detailed costings and anticipated timescales for phase 1 of the project.
- 1.2 Cabinet **RESOLVED** to:
  1. Agree for Norfolk County Council to deliver the Great Yarmouth Operations and Maintenance Campus project

2. Delegate authority to the Executive Director of Finance and Commercial Services, in consultation with the Cabinet Member for Finance to agree the Heads of Terms for Norfolk County Council's £1m investment and the financial risk sharing arrangements for the project (Note that provision for the £1m investment has already been included in the 2021-22 Capital Programme).
3. **Recommend to County Council** that a further £17m is added to the Capital Programme for this project with £9m of this being funded by prudential borrowing.
4. Note that the County Council's £9m prudential borrowing will be formalised through a MoU agreement with Great Yarmouth Borough Council and New Anglia LEP with the expectation that this borrowing will be fully repaid from the Great Yarmouth Enterprise Zone Pot B business rates funding.
5. Agree the delegation to the Executive Director Community and Environment Services of the procurement in accordance with the requirements of the County Council's Contract Standing Orders a contractor to carry out the infrastructure works.

## 2 Finance Monitoring Report 2020-21 P10: January 2021

2.1 Cabinet considered the report by the Executive Director of Finance & Commercial Services providing a summary of the forecast financial position for the 2020-21 Revenue and capital Budgets, General balances and the Council's Reserves at 31 March 2021, together with related financial information.

2.2 Cabinet **RESOLVED** to:

1. Approve additional transfers of £2m to the Adult Social Services Covid Risk Reserve as set out in paragraph 2.21 of Appendix 1.
2. Approve the continuation of financial support to Children's Services and Adult Social Care providers as described in paragraphs 5.27-5.30 of Revenue Appendix 1, including delegating authority to the Cabinet members for Children's Services and for Adult Social Care, Public Health and Prevention to make a decision relating to the ongoing measures that are still needed to support providers until 30 June 2021, subject to those payments remaining within 2021-22 authorised budgets or from Business Risk Reserves.
3. **Recommend to County Council the addition of £1.249m to the capital programme to address necessary improvements to the County Farms Estate, as set out in detail in capital appendix 2, paragraph 4.**
4. Approve the appointment of Titus Adam, Financial Projects and Planning Manager, as a director of Independence Matters CIC, Independence Staff Matters Limited, and Home Support Matters CIC in accordance with Financial Regulations as set out in paragraph 2.1.
5. Note the period 10 general fund forecast revenue **underspend of £0.021m** noting also that Executive Directors will take measures to reduce or eliminate potential over-spends;
6. Note the COVID-19 grant funding received of **£107.514m**, the proposed use of that funding, and the related expenditure pressures resulting in net Covid-19 pressure, of **£16.001m** taking into account proposed transfers to the Corporate Risk reserve.

7. Note the period 10 forecast shortfall in savings of **£18.045m**, noting also that Executive Directors will take measures to mitigate savings shortfalls through alternative savings or underspends;
8. Note the forecast General Balances at 31 March 2021 of £19.706m, before taking into account any over/under spends;
9. Note the expenditure and funding of the revised current and future 2020-23 capital programmes.

[Please click on this link to view the reports considered by Cabinet at its meeting on 8 March 2021](#)

**Cllr Andrew Proctor**  
**Chairman, Cabinet**

**Recommendations from the  
Corporate Select Committee Meetings held on  
25 January 2021 and 15 March 2021**

**1. Proposed Amendments to the Council Constitution**

**1.1 Recommendation to Council:**

- 1. To agree the amendments to Council Constitution as set out in paragraph 1.3 of the attached report that were presented to the Committee.**
- 2. To agree that the Director of Governance may make further amendments for proposal to Council, should the need for any arise after the meeting of this Committee, in consultation with the Chair and Vice Chair of this Committee.**

**Cllr Karen Vincent  
Chair**



## As presented to Corporate Select Committee

<b>Report title:</b>	<b>Proposed Amendments to the Council Constitution</b>
<b>Date of meeting:</b>	<b>15 March 2021</b>
<b>Responsible Cabinet Member:</b>	<b>Cllr Andrew Proctor, Leader of the Council and Cabinet Member for Strategy &amp; Governance</b>
<b>Responsible Director:</b>	<b>Helen Edwards, Director of Governance</b>
<p><b>Executive Summary</b></p> <p>The Council adopted its Constitution in May 2019, when it changed from the Committee system to the Executive leadership model. It was always intended that the governance arrangements would be reviewed within the first year. The intention is that a revised Constitution will be in place in time for the AGM in 2021.</p> <p>This Committee reviewed Appendices 5, 15 and 16 at its meeting on 9 November 2020, and these were subsequently adopted by Full Council at its meeting on 23 November 2020.</p> <p>This Committee subsequently reviewed further proposed amendments at its meeting on 21 January 2021 and agreed that they should be recommended to Council at its meeting on 19 April 2021.</p> <p>This report is to enable the Committee to consider further proposed amendments to the Constitution, as set out in para 1.3 below. If agreed they will be recommended to Council on 19 April 2021 along with proposed amendments previously agreed. A summary of all the sections of the Constitution showing where changes are to be recommended is attached as Appendix 1.</p> <p><b>Actions required:</b></p> <ol style="list-style-type: none"> <li><b>1. To agree the amendments proposed for recommendation to Council on 19 April 2021, as set out in para 1.3 below.</b></li> <li><b>2. To agree that the Director of Governance may make further amendments for proposal to Council, should the need for any arise after the meeting of this Committee, in consultation with the Chair and Vice Chair of this Committee.</b></li> </ol>	

## 1. Background and Purpose

- 1.1. The Council adopted a revised Constitution in May 2019 when it reverted to the Executive leadership model of governance. It agreed to review governance arrangements within the first year.
- 1.2. At its meeting in July 2020 the Corporate Select Committee agreed a process through which the Constitution would be reviewed. At its meeting on 9 November 2020 the Committee agreed to recommend revised Appendices 5, 15 and 16 to Council, and Council agreed those revisions at its meeting on 23 November 2020.
- 1.3. It is proposed that the Committee considers and recommends to Council that the following appendices should be amended. Track changed versions of the amendments are attached at Appendix 2, and are summarised below:

Original numbering	Revised numbering (if appropriate)	Section	Summary of proposed change
App 2		Composition, Terms of Reference of Regulatory and Other Committees	Add East of England Ambulance trust to membership of health & Wellbeing Board (as recommended by Health & wellbeing Board)
App 2A		Statutory Scrutiny	Changes to NCCSP terms of Reference etc
App 5		Scheme of Delegated Powers to Officers	Slight change of delegations between ED CES & Chief Fire Officer (may be further minor changes under Director of Governance delegated powers, or recommendations to April Council if necessary)
App 13		Access to Information Procedure Rules	Amendment to para 1.5 to confirm commitment to keeping exempt information to the minimum necessary
App 17		Register of Members Interests & Members Code of Conduct	Deleted & replaced by new LGA code
App 19	Deleted	Gifts & Hospitality – A Code of Conduct for Councillors	Relevant content in App 17, remainder that is

			relevant will be in a handbook for councillors
App 30	App 27	Monitoring Officer Protocol	Amend declaration value to £50 to reflect proposed Code of Conduct (Annex para B)
App 33	Deleted	Guidance for Members serving on outside bodies	Deleted – to be included in a separate handbook

- 1.4. The most significant change is the adoption of the revised Code of Conduct. This was considered at a meeting on 18 January 2021 by the Standards Committee, which recommended the adoption of the Local Government Association's Model Code, with some changes to the requirement to declare other interests, retaining the Council's current provisions for this, rather than the more onerous LGA recommendations.
- 1.5. At the time of writing this report, it is still not known whether local authorities will be permitted to hold remote meetings after the May elections. If the current legislation is amended to allow remote meetings to continue, amendments will be made to include the provisions for such meetings. Further, the Constitution should be a living document, and will be kept under review and further changes may be proposed in the new municipal year.

## **2. Proposals**

If Corporate Select Committee agrees the proposals, it is proposed that:

- 2.1. The changes identified will be recommended to Council at its meeting on 19 April 2021.

## **3. Impact of the Proposal**

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

## **4. Financial Implications**

- 4.1. None (aside from the cost of officer time)

## **5. Resource Implications**

- 5.1. **Staff: None**

- 5.2. **Property: None**

5.3. IT: None

## 6. Other Implications

6.1. **Legal Implications:** the Council is obliged to have an up-to-date Constitution, and these proposals will allow it to continue to meet this obligation

6.2. **Human Rights implications:** None

6.3. **Equality Impact Assessment (EqIA) (this must be included):** None

6.4. **Any other implications:** None

## 7. Actions required

7.1. As set out in the recommendations.

### Officer Contact

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

**Officer name:**  
Helen Edwards

**Tel No.:**  
**01603**  
**493627**

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



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## Appendix 1: SUMMARY OF CONSTITUTION CHANGES PROPOSED

Original numbering	Revised numbering (if appropriate)	Section	Summary of proposed change	Action
		Executive summary	<p>The only change proposed is to allow Select Committees to carry out an element of scrutiny in so far as it relates to developing policy, by considering what has worked well, or less well, in the past.</p> <p>This change is replicated in other places in the Constitution referring to Select Committees.</p>	Agreed by Corporate Select Committee (CSC) at Jan 2021 meeting
Art 1		The Constitution	None	None
Art 2		Members of the Council	None	None
Art 3		The Public and the Council	None	None
Art 4		The Full Council	None	None
Art 5	Deleted	Chairing the Council	Deleted, as it duplicates the role descriptions set out in the Annex to Article 2 (Chair and Vice Chair of Council)	Agreed by CSC at Jan 2021 meeting
Art 6	Art 5	Overview & scrutiny arrangements	Renumbered after deletion of article 5 and includes at 5.5 reference to the Children's Services Scrutiny Sub-Committee	Agreed by CSC at Jan 2021 meeting

			established by the Scrutiny Committee Includes at 5.8.1.5 the reference to “scrutiny” referred to under the Executive Summary above	
Art 7	Art 6	The Executive	Includes details of Cabinet members (for ease of reference, instead of having these set out separately in Appendix 26, which has been deleted)	Agreed by CSC at Jan 2021 meeting
Art 8	Art 7	Regulatory & Other Committees	Amalgamated former Articles 8 & 9	None (administrative change only)
Art 9	Deleted	The Standards Committee	Deleted as a separate article and included in Art 7 above	None (administrative change only)
Art 10	Art 8	Joint Arrangements	None	None
Art 11	Art 9	Officers	Amendments at 9.1(a) & (e) to reflect change in job title of Executive Director Strategy & Governance, to Strategy & Transformation (note reference to Director of Governance is renamed role of Chief Legal Officer)	Agreed by CSC at Jan 2021 meeting
Art 12	Art 10	Decision making	None	None
Art 13	Art 11	Finance, Contracts and legal Matters	None	None
Art 14	Art 12	Review and Revision of the Constitution	None	None
Art 15	Art 13	Suspension and Publication of the Constitution	Updated to refer to electronic copy of Constitution	Agreed by CSC at Jan 2021 meeting

App 1		Summary of Executive Arrangements	Numbering updated	None (administrative change only)
App 2		Composition, Terms of Reference of Regulatory and Other Committees	Add East of England Ambulance trust to membership of health & Wellbeing Board (as recommended by Health & wellbeing Board)	Consider at March meeting
App 2A		Statutory Scrutiny	Changes to NCCSP terms of Reference etc	Consider at March meeting
App 3		Delegations to Members of the executive	Delete reference to App 26	Agreed by CSC at Jan 2021 meeting
App 4		Joint Arrangements	Amendments to remove reference to Norwich Joint Highways Agency Committee (which no longer exists) and add in reference to Norfolk Parking Partnership and Eastern Inshore Fisheries Company, and include terms of reference	Agreed by CSC at Jan 2021 meeting
App 5		Scheme of Delegated Powers to Officers	Slight change of delegations between ED CES & Chief Fire Officer (may be further minor changes under Director of Governance delegated powers, or recommendations to April Council if necessary )	Consider at March meeting
App 6		Proper Officer Provisions	None	None
App 7		Council Procedure Rules	Para 15 amended to allow roll to be called or alternatively	Agreed by CSC at Jan 2021 meeting (Note – may

			indicate presence as requested by Chair	be amended prior to April Council meeting if remote meeting regulations extended)
App 8		Committee Procedure Rules	None	None
App 9		Cabinet Procedure Rules	None	None
App 10		Overview & Scrutiny Procedure Rules	None	None
App 11		Councillor Call for Action	None	None
App 12		Budget and Policy Framework Rules	None	None
App 13		Access to Information Procedure Rules	Amendment to para 1.5 to confirm commitment to keeping exempt information to the minimum necessary	Consider March meeting
App 14		Officer Employment Procedure Rules	Removal of roles that are not normally, and need not, be member appointments: -Head of Governance & Regulatory Services -Head of Information & Technology -Director of Procurement -Assistant Director of Growth & Development	Agreed by CSC at Jan 2021 meeting
App 15		Financial Regulations	None	Agreed at Council November 2020



App 16		Contract Standing Orders	Social value amended to include young people in care & care leavers as agreed by CSC	Agreed by CSC at Jan 2021 meeting
App 17		Register of Members Interests & Members Code of Conduct	Deleted & replaced by new LGA code	Consider at March meeting
App 18		Planning procedures – Code of best Practice	None	None
App 19	Deleted	Gifts & Hospitality – A Code of Conduct for Councillors	Relevant content in App 17, remainder that is relevant will be in a handbook for councillors	Consider at March meeting
App 20	App 19	Members protocol for Contracts & Purchasing	None	None
App 21	App 20	Standards Committee: Rules of Procedure for Hearings	Amended to include press queries in relation to Standards matters Amended to delete the Standards Committee Publicity Protocol, but to add in Press Notices	Agreed by CSC at Jan 2021 meeting
App 22	App 21	Protocol on Member/ Officer relations	Clarification at para 26 that Members may visit a school with the permission of the headteacher, but will not have the “right” if it is an Academy school	Agreed by CSC at Jan 2021 meeting
App 23	App 22	Principles and Protocols for dealing with the media	None	None
App 24	Deleted	Standards Committee Publicity Protocol	Protocol has been simplified for clarity, and included for ease	Agreed by CSC at Jan 2021 meeting

			of reference within Appendix 20 above	
App 25	App 23	Member Allowances Scheme	Deletion of Appendix E which refers to outdated tax rules – preferable to refer to HMRC rules, need not be in Constitution In App B reference to Chair of Norwich Highways Agency Joint Committee will be removed (post does not exist after April 2020) Note App A current allowances will be updated when published on website to reflect agreed allowances applicable at the time	Agreed by CSC at Jan 2021 meeting
App 26	Deleted	Details of members of the Executive	Included in Article 7	Agreed by CSC at Jan 2021 meeting
App 27	App 25	Corporate Management structure	Updated to reflect revised position	None (factual amendment only)
App 28	App 26	Public Speaking at Committee	None	None
App 29	Deleted	Register of members' Interests	Incorporated as required in App 17	Agreed by CSC at Jan 2021 meeting
App 30	App 27	Monitoring Officer Protocol	Amend declaration value to £50 to reflect proposed Code of Conduct (Annex para B)	Consider at March 2021 meeting
App 31	App 28	Protocol on the use of media equipment at meetings held in public	None	None
App 32	App 24	Procedure for appointing Members to	Amended to remove reference to App 34 which is deleted	None (administrative change only)

		serve on internal and external bodies		
App 33	Deleted	Guidance for Members serving on outside bodies	Deleted – to be included in a separate handbook	Consider at March meeting

# CONSTITUTION

## **APPENDIX 2**

### **COMPOSITION, TERMS OF REFERENCE OF REGULATORY AND OTHER COMMITTEES**

#### **PLANNING (REGULATORY) COMMITTEE**

##### **Composition**

13 Members of the Council but may not include any Members of the Cabinet.

Substitutes will be drawn from a nominated panel of trained Members.

##### **Terms of Reference**

To exercise the Council's powers and duties in respect of town and country planning and development control which are not the responsibility of the Council's Cabinet.

To exercise the Council's powers and duties in respect of obtaining information as to interests in land under Section 330 of the Town and Country Planning Act 1990.

To exercise the Council's powers and duties in respect of obtaining particulars of persons interested in land under Section 16 of the Local Government (Miscellaneous Provisions) Act 1976.

Additionally, the Planning Regulatory Committee shall:

1. Deal with those nationally significant infrastructure project consultations, where the promoter/applicant is Norfolk County Council
2. Deal with explosives
3. Review applications under the Marriage Act 1994
4. Deal with registration of common land and village greens and variation of rights of common
5. Deal with public rights of way and access (insofar as they are not executive functions of the Council)
6. Any other issues of a quasi-judicial nature requiring a Member decision or referred to this Committee by a Chief or other officer (including the determination of any appeal against any decision made by or on behalf of the Council), and not allocated to any other Member body.

#### **PLANNING (REGULATORY) URGENT BUSINESS SUB-COMMITTEE**

##### **Composition**

5 named members of the main Committee.

##### **Terms of Reference**

To exercise all the powers of the main Committee where a decision is required urgently (having been agreed as such by the Head of Governance and Regulatory Services and relevant Chief Officer).

## **PENSIONS COMMITTEE**

### **Composition**

5 Members of the Council which may include 2 Members of the Cabinet

2 additional voting Members nominated by the Norfolk Leaders Board to represent the interests of District Councils and other authorities which are admitted to the Norfolk County Superannuation Fund

1 staff representative, with full voting rights.

NOTE: The Members have Trustee status and no substitution is permitted.

### **Terms of Reference**

1. To administer all aspects of the Norfolk Pension Fund on behalf of Norfolk County Council as Administering Authority of the Local Government Pension Scheme, and on behalf of Norfolk County Council as an employer within the Scheme alongside all other contributing employers, and on behalf of all scheme beneficiaries (scheme members) including:
  - (a) Functions relating to local government pensions etc. under regulations made under Sections 7, 12 or 24 of the Superannuation Act 1972.
  - (b) To receive and consider the draft Financial Statements for the Norfolk Pension Fund.
  - (c) To comment on the draft Financial Statements and make a recommendation to the Audit Committee that they be approved/not approved.

## **AUDIT COMMITTEE**

### **Composition**

7 Members of the Council, on a politically balanced basis. Cabinet members may not be members of this Committee. No more than 1 Scrutiny Committee Member to serve on this Committee but may not serve as Chair.

### **Terms of Reference**

- A. *Governance*
  1. Consider the Annual Governance Statement, and be satisfied that this statement is comprehensive, properly reflects the risk and internal control environment, including the System of Internal Audit, and includes an agreed action plan for improvements where necessary.
- B. *Internal Audit and Internal Control*
  1. With Chief Officers, to provide proactive leadership and direction on audit governance issues and champion audit and internal control throughout the Council.

2. Consider annually the effectiveness of the system of internal audit including internal audit's strategy, plan and performance 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.
3. Consider an annual report and quarterly summaries of internal audit reports and activities which include an opinion on the adequacy and effectiveness of the Council's internal controls including risk management, any corporately significant issues arising, and receive assurance that action has been taken as necessary.
4. Consider reports showing progress of all clients against the audit plan and proposed amendments to the Council's audit plan.
5. Ensure there are effective relationships between internal audit and external audit, other inspection agencies and other relevant bodies and that the value of the audit process is actively promoted.

**C. *Risk Management***

1. Provide proactive leadership and direction on risk management governance issues and champion risk management throughout the council and ensure that the full Council is kept sufficiently informed to enable it to approve the Council's risk management Policy and Framework and that proper insurance exists where appropriate.
2. Consider the effectiveness of the system of risk management arrangements.
3. Consider an annual report and quarterly reports with respect to risk management including, an opinion on the adequacy and effectiveness of the Council's risk management, any corporately significant issues arising, and receive assurance that action has been taken as necessary.
4. Receive assurances that action is being taken on risk related issues identified by both internal and external auditors and other inspectors.
5. Independent scrutiny of the authority's financial and non-financial performance to the extent that it affects the authority's exposure to risk.
6. Report annually to full Council as per the Financial Regulations.

**D. *Anti-Fraud and Corruption***

1. Provide proactive leadership and direction on Anti-Fraud and Corruption and champion Anti-Fraud and Corruption throughout the Council.
2. Consider the effectiveness of the Council's Anti-Fraud and Corruption arrangements.
3. Consider an annual report on activity with respect to Anti-Fraud and Corruption performance and receive assurances that action is being taken where necessary.

*E. Annual Statement of Accounts*

1. Consider the external auditor's reports and opinions, relevant requirements of the International Standards on Auditing and any other reports to Members with respect to the Accounts, including the Norfolk Pension Fund, Norfolk Fire-fighters' Pension Fund and approve the Accounts on behalf of the Council and report required actions to the Council. Monitor management action in response to issues raised by the external auditor.
2. Consider the External Auditors' Annual Governance Report and approve the Letter of Representation with respect to the Accounts and endorse the action plan contained in this Report.

*F. External Audit*

1. Consider reports of external audit and inspection agencies.
2. Ensure there are effective relationships between external audit and internal audit.
3. Consider the scope and fees of the external auditors for audit, inspection and other work.

*G. Norfolk Pension Fund*

1. Following presentation to the Pensions Committee and with due regard to any comments and observations made, consider the draft Accounts of the Norfolk Pension Fund.

*H. Treasury Management*

1. Consider the effectiveness of the governance, control and risk management arrangements for Treasury Management and ensure that they meet best practice.

*I. Administration*

1. Review the Committee's own terms of reference no less frequently than annually and where appropriate make recommendations to the Council for changes.
2. Ensure Members of the committee have sufficient training to effectively undertake the duties of this committee.
3. Consider the six monthly and Annual Reports of the Chair of the Committee.



## HEALTH AND WELLBEING BOARD

### Composition:

Relevant Cabinet member for Adults, Public Health/ and Prevention  
Relevant Cabinet member for Children's Services and Education  
Leader of the Council or their nominee  
Director of Public Health\*  
Head of Paid Service (or their nominee), Norfolk County Council  
Director of Children's Services\*  
Director of Adult Social Services\*  
Chair of Healthwatch Norfolk\*  
Representatives agreed with each of the CCGs\*  
Representatives agreed with all 7 District/City/Borough Councils  
Area Director NHS England East Sub Region Team  
Three representatives from the voluntary sector, as agreed through Norfolk  
Voluntary, Community and Social Enterprise System Leadership Group  
Norfolk's Police and Crime Commissioner  
Norfolk's Chief Constable  
Norfolk & Waveney Sustainability & Transformation Partnership (Chair)  
Norfolk & Waveney Sustainability & Transformation Partnership (Executive Lead)  
Cabinet Member for Community Health & Safety - Waveney District Council (or its successor authority)  
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  
Cambridgeshire Community Services NHS Trust  
[East of England Ambulance Trust](#)

\* Denotes statutory Member

### Terms of Reference

#### *Aim*

The Norfolk Health and Wellbeing Board will lead and advise on work to improve the health and wellbeing of the population of Norfolk by providing strategic leadership of, and oversight for, the commissioning across the NHS, social care and public health.

#### *Purpose is to:*

1. Lead the development, with Norfolk County Council and Norfolk's Clinical Commissioning Groups, of the Joint Strategic Needs Assessment (JSNA).
2. Influence and support commissioners of health and wellbeing services to act in line with the evidence-based findings of the JSNA, and to highlight where commissioning is out of step with best evidence.

3. Lead the development, with Norfolk County Council and Norfolk's Clinical Commissioning Groups, of the Joint Health and Wellbeing Strategy (JH&WBS).
4. Undertake the Norfolk Pharmaceutical Needs Assessment (PNA).
5. Speak up for Norfolk, championing the health and wellbeing needs of the people of Norfolk at a local, sub-regional and national level and challenging central government policy where it conflicts with locally identified priorities.
6. Lead and encourage a broad base of partners outside of formal health, public health and social care settings to tackle the wider determinants of health and wellbeing, including, for example, housing.
7. Work as system leaders to drive the further integration of health and social care services, and other public services and to ensure collaboration across the health and social care system, seeking assurance of the vision of the Norfolk and Waveney Sustainability and Transformation Plan (STP).
8. Promote the sharing of good practice and learning across the Norfolk health and wellbeing system, through workshops, training sessions, HWB events, good practice awards, etc.
9. Seek assurance on whether the Clinical Commissioning Groups' (CCGs) commissioning plans take proper account of the JH&WBS, and provide a view to NHS England, as part of the annual performance assessment of CCGs, on the CCGs' contribution to the delivery of the JH&WBS.

In addition to the above Terms of reference, the following provisions apply:

- Establishment of sub-committees and delegation – The Health and Wellbeing Board will have the power to establish sub-committees and to delegate functions to them.
- Voting restrictions – voting rights will be extended to all members of the Health and Wellbeing Board (not just elected Members).
- Political proportionality requirements – will not be a requirement for the Health and Wellbeing Board.
- Disqualification for membership – provision for disqualification for membership will apply to the Health and Wellbeing Board.
- Codes of Conduct and declarations of interest – the provisions in the Council's Constitution relating to Codes of Conduct and the disclosure of pecuniary interests will apply to all Members of the Health and Wellbeing Board.

#### *Questions by the Public*

The public are entitled to ask questions at meetings of the Health and Wellbeing Board, in line with the following procedures:

#### *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 Governance and Regulatory 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 chair to whom the question is to be put, and the content of the question is given to the Head of Governance and Regulatory 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 Chair 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 more than 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 Chair may reject any supplementary question they do not consider compliant with this requirement.

4. *Response*

The Chair shall exercise their 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 Chair 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 Governance and Regulatory 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 six 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.

## **STANDARDS COMMITTEE**

### **Composition**

The Standards Committee is composed of seven non-Cabinet Councillors appointed on a politically balanced basis.

### **Terms of reference**

1. The general functions of the Committee are to:
  - (a) promote and maintain high standards of conduct by Members and co-opted Members of the Council
  - (b) assist Members and co-opted Members of the Council to observe the Council's Code of Conduct.
2. The specific functions of the Committee are to:
  - (a) advise the Council on the means of carrying out the general functions in para 1
  - (b) advise the Council on the adoption and revision of codes of conduct for Members and officers
  - (c) monitor the operation of the Council's Code of Conduct
  - (d) advise and arrange training for Members of the Council and co-opted Members on matters relating to the Council's Code of Conduct for Members
  - (e) arrange for Councillors and co-opted Members to receive dispensations to speak on, and participate in matters in which they have a prejudicial interest
  - (f) convene sub-Committees of three non-Cabinet Council Councillors (drawn from at least two political parties and where possible, gender balanced) to hear complaints against Councillors relating to conduct, ethics and propriety referred to them by the Director of Governance. Such sub-Committees to have power to take no further action or such actions as are necessary and permitted under arrangements for dealing with standards allegations which are published on the Council's website.

## **EMPLOYMENT COMMITTEE**

### **Composition**

The Employment Committee is composed of seven Councillors appointed on a politically balanced basis but to include the Leader of the Council, the Deputy Leader of the Council and the Leader of the majority opposition group.

### **Terms of Reference**

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

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

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

## APPENDIX 2A

### STATUTORY SCRUTINY

Commented [EH1]: Numbering needs tidying up

#### 1. General

There is a statutory requirement for the Council to make arrangements for the scrutiny of certain matters, as specified in the following legislation:

- Section 21 of the Local Government Act 2000 and Section 7 of the Health and Social Care Act 2001 as amended by the Health and Social Care Act 2012 and the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 (SI 2013/218).
- These powers shall be exercised by the Norfolk Health Overview and Scrutiny Committee.

The Council has a role as lead authority under joint arrangements for the Norfolk Police and Crime Panel.

The Council has also agreed to establish a scrutiny function of the Norfolk Community Safety Partnership. This function shall be exercised through the Countywide Community Safety Partnership.

#### 2. Norfolk Health Overview and Scrutiny Committee

The Council has established a Norfolk Health Overview and Scrutiny Committee, with powers to scrutinise National Health Service bodies in Norfolk. The quorum for meetings of Norfolk Health Overview and Scrutiny Committee is 5.

##### 2.0 Membership of the Norfolk Health Overview and Scrutiny Committee

###### (1) Membership

- 8 Norfolk County Council Members (politically balanced).
- 7 District Council Members – one co-opted from each District.
- District Council Members must be Members of an Overview and Scrutiny Committee of the Council(s) which they are representing.
- Each Member of the Committee to have one named substitute. No other substitutes acceptable.
- The Chair to be elected from the Norfolk County Council Members on the Committee, on an annual basis.
- The Vice-Chair to be elected from the Norfolk District Council Members on the Committee, on an annual basis.

###### i. Co-opted Members (non-voting) to represent the Waveney area of Suffolk

- 2 Members of Suffolk Health Scrutiny Committee

- 1 must be an East Suffolk District Councillor
- 1 must be a Suffolk County Councillor
- Each co-opted Member may have one named substitute. No other substitutes acceptable.

(c) Contributions from others

1. The Committee will invite contributions from commissioners and providers of local NHS funded healthcare, Local Healthwatch, client groups, voluntary organisations, patients and public, or any other stakeholder involved in 'health'.
2. Depending upon the issue under scrutiny, stakeholders may be invited to contribute to relevant meetings of the Committee or to submit their views in writing or both. Individual stakeholders may also be asked to become a Member of a task-and-finish Working Group set up by the Committee.

**b. Terms of Reference of the Norfolk Health Overview and Scrutiny Committee**

Aims of the Committee

- To ensure that the needs and wishes for health and health-related services of all the population (including minorities, socially excluded groups and other targeted equality groups) have been identified towards achieving local health improvement.
- To scrutinise whether services provided that have an impact on the health of local inhabitants are accessible to, and can be accessed by, all parts of the local community.
- To scrutinise whether the outcomes of intervention (whether through services or other intervention designed to have a positive impact on the health of local inhabitants) are equally good for all groups and sections of the local population.

**Legal background**

- (b) Local authority overview and scrutiny committees are part of the arrangements for local government under Part II of the Local Government Act 2000. Local authorities are given the power under the 2000 Act to review and scrutinise executive decisions in relation to local authority functions including local services planned and provided as part of their wider responsibility to see health improvements and reduce health inequalities for their area and its inhabitants.
- (c) The Health and Social Care Act 2001 (Section 7) extends the overview and scrutiny power of local authorities with social services responsibilities to review and scrutinise matters relating to the health service in the authority's area and make reports and recommendations on such matters. The scrutiny role also covers social care services commissioned or provided by NHS bodies exercising local authority functions under the Health Act 1999 (Section 31).
- (d) The Health and Social Care Act 2012 introduced the following changes to the local authority health scrutiny functions;
  - Health Scrutiny powers are now vested in the upper tier local authority rather than in health overview and scrutiny committees.
  - There does not have to be a designated health overview and scrutiny committee as the local authority can choose to discharge its health scrutiny powers in other ways.

- (e) As a Committee of the County Council, the County Council's Constitution will apply, except only for differences specified in this Constitution.

## **Roles**

To review or scrutinise health services commissioned or delivered in the authority's areas within the framework set out below:

- Arrangements made by local NHS bodies to secure hospital and community health services to the inhabitants of Norfolk;
- The provision of such services to those inhabitants;
- The provision of family health services, personal medical services, personal dental services, pharmacy and NHS ophthalmic services;
- The NHS public health arrangements in Norfolk, e.g. Arrangements by the NHS bodies for the surveillance of, and response to, outbreaks of communicable disease;
- The planning of health services by NHS bodies, including plans made in co-operation with local authorities setting out a strategy for improving both the health of the local population and the provision of health care to that population;
- The arrangements made by NHS bodies for consulting and involving patients and the public under the duty placed on them by Section 11 of the Health and Social Care Act 2001;
- To make reports and recommendations to the Board of the NHS body scrutinised, with copies to individuals and organisations as follows:
  - the local Members of Parliament
  - the NHS Commissioning Board
  - Local Healthwatch
  - relevant patients' groups
  - local voluntary organisations with an interest
  - other bodies or organisations with an interest in the issues dealt with in the report and made available on the local authority website and on request;
- The Committee has been given delegated power by the County Council to enter into, and to appoint Members to Joint Health Overview and Scrutiny Committees as required and the Council has waived the requirement for the Committee's appointments to such Joint Committees to be in line with the political balance on Norfolk County Council and the requirement for any other Council participating in such Joint Committees to make its appointments in line with the political balance on its Council.
- The Committee (and any joint health scrutiny committees in which Norfolk participates) has been given delegated powers to make referrals to the Secretary of State in accordance with the Regulations, but the Committee (and any joint health scrutiny committees in which Norfolk participates) must notify the Council of its intention to make such a referral before the referral is made.



**c. Operation of the Norfolk Health Overview and Scrutiny Committee**

- (4) The views of all Members of the Committee should be taken into account when deciding their work plans.
- (5) Party whipping will not take place.
- (6) The Relevant Chief Officer should present reports and attend meetings.
- (7) Reports to Council will include the views of Members dissenting from the majority recommendation of the Committee.

**(a) Norfolk Police and Crime Panel**

The Police Reform and Social Responsibility Act 2011 introduced significant changes in police governance and accountability, in particular replacing the Police Authorities with directly elected Police and Crime Commissioners (Commissioners). The Act also requires the local authorities in each police force area to establish a Police and Crime Panel (panel), as a joint committee, primarily to scrutinise the commissioner. The Act also prescribes many of the arrangements with regard to the panel and the way in which it conducts its business. Norfolk County Council is the host authority for the Norfolk Police and Crime Panel. The Panel's membership, terms of reference and procedures can be viewed at:

<https://www.norfolk.gov.uk/what-we-do-and-how-we-work/policy-performance-and-partnerships/partnerships/crime-and-disorder-partnerships/police-and-crime-panel>

**• Functions of the Norfolk Police and Crime Panel**

- The functions of the PCP must be exercised with a view to supporting the effective exercise of the functions of the PCC for Norfolk:
- The PCP must: -
  - review the draft police and crime plan, or draft variation given to the PCP by the PCC, and
  - make a report or recommendation on the draft plan or variation to the PCC.
- The PCP must: -
  - arrange for a public meeting of the PCP to be held as soon as practicable after the PCP is sent the PCC's annual report;
  - ask the PCC, at that meeting, such questions about the annual report as the members of the PCP think appropriate;
  - review the annual report, and
  - make a report or recommendations on the annual report to the PCC.

- The PCP must hold a confirmation hearing to review the proposed appointment by the PCC of:
  - the PCC's chief executive
  - the PCC's chief finance officer
  - a deputy PCC

The PCP must make a report to the PCC and the report must include a recommendation as to whether or not the candidate should be appointed.

- The PCP must respond to any proposal by the PCC to call upon the Chief Constable to retire or resign, by making a recommendation to the PCC as to whether or not the PCC should call for the retirement or resignation.
- 6 The PCP must review, make a report and may make recommendations on the precept which the PCC proposes to issue for the financial year.
  - i) The PCP must hold a confirmation hearing to review the proposed appointment by the PCC of a Chief Constable. The PCP must make a report to the PCC and the report must include a recommendation as to whether or not the candidate should be appointed or must include a statement that the PCP has vetoed the appointment.
  - ii) The PCP must: -
    - a. review or scrutinise decisions made, or other action taken, by the PCC in connection with the discharge of the PCC's functions; and
    - b. make reports or recommendations to the PCC with respect to the discharge of the PCC's functions.
  - 9 The PCP must publish any reports or recommendations made by it to the PCC and must determine the manner in which such reports or recommendations are to be published.
  1. The PCP must send copies of any reports or recommendations it makes to the PCC, to each local authority (county, city, district and borough councils) in Norfolk.
  2. The PCP must fulfil functions in relation to complaints about conduct matters, in accordance with the responsibilities given to the PCP by the Act.
  3. The PCP must appoint an Acting PCC in the circumstances set out in the Act.
  4. The PCP may not exercise any functions other than those conferred by the Act.
- **Scrutiny of the Norfolk Countywide Community Safety Partnership**
- The Scrutiny Committee has the power to scrutinise and make reports and recommendations, regarding decisions taken by the 'responsible authorities' in connection with the discharge of their crime and disorder functions. For this purpose, the Committee has established a Countywide Community Safety Partnership Sub Panel.

The 'responsible authorities' in Norfolk are:

- The County Council
- District Councils
- Norfolk Constabulary
- Norfolk Fire and Rescue Service
- Health – Clinical Commissioning Groups
- Probation service

### **Role of the Sub Panel**

- The role of the Norfolk Countywide Community Safety Partnership Sub Panel is to:
- Scrutinise on a quarterly basis the Community Safety Partnership Plan and on such other occasions as are required to scrutinise the actions, decisions and priorities of the Norfolk Countywide Community Safety Crime and Disorder Partnership in respect of crime and disorder.
- Scrutinise the priorities as set out in the annual Countywide Community Safety Partnership Plan.
- Make any reports or recommendations to the Countywide Community Safety Partnership and/or where considered appropriate to the Scrutiny Committee.

### **Membership of the Sub Panel**

- 3 County Councillors (Politically balanced and can be drawn from the Police and Crime Panel)
- 7 District Council Members – one co-opted from each District.
- Each member of the Sub Panel to have one named substitute. No other substitutes are acceptable.
- The Sub Panel may wish to consider co-opting additional non-voting members onto it if appropriate.
- The Chair to be elected from the County Council Members on the Sub Panel on an annual basis.
- The Vice Chair to be elected from other members on the Sub Panel on an annual basis.

### **Working Style**

- .

- The Community Safety Scrutiny Sub Panel meetings will be held ~~on an annual basis~~ [quarterly](#) to scrutinise the [progress being made with delivering the Community Safety Partnership Plan](#) and on such other occasions as are required.
- [The Chair will provide regular update reports to the Scrutiny Committee.](#)
- The quorum for the Sub Panel will be five members.
- Unless otherwise stated meetings of the Sub Panel will be held in accordance with Appendix 8 of the County Council's constitution.

#### **General issues**

- Democratic support to the Sub Panel will be provided by the County Council.

## **APPENDIX 5**

### **SCHEME OF DELEGATED POWERS TO OFFICERS**

#### **1. GENERAL CONDITIONS APPLYING TO ALL DELEGATED POWERS**

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

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

1. Officers can only act within delegated powers and these are exercisable subject to:
  - (a) strategies, policies, priorities and Financial Regulations determined by the Members of the County Council;
  - (b) referral to the Executive for consultation or decision on all matters of public controversy or undecided matters of policy or substantial change from previous practice or which involve difficult or major issues where custom and practice or initial consultation with elected Members indicates that such referral should take place;
  - (c) compliance with the law and all policies, Regulations, Orders, codes, protocols, and similar documents approved by Council, the Leader, the Cabinet, or a relevant Committee;
  - (d) consultation with appropriate officers and proper regard to any advice given;
  - (e) other specific delegations in this Scheme or similar documents to another officer;
  - (f) decisions by the Head of Paid Service or the Monitoring Officer on whether Chief Officers should exercise any delegated power;
2. In addition to the constraints referred to above, there are exceptions to all officers' delegated powers. In particular, there is no delegation to officers of:
  - (a) matters specifically reserved to the Council, the Leader, the Cabinet or a Committee;
  - (b) approval to exceed the provision in the revenue or capital budgets for their service responsibilities; (subject to the rules on virement contained in the Financial Regulations in Appendix 15);
  - (c) decisions on permanent savings in the budget to achieve the Council's policies;
  - (d) the making of an Order for the compulsory acquisition of land;
  - (e) the right to determine a major employee reorganisation;
  - (f) Any key decision falling within the definition set out in Article 10.3 which:-
    - recommends a budget to the full Council
    - proposes an amendment to the Council's Policy Framework (as defined in the Constitution)
    - involves the adoption of any other policy or a works programme
    - involves the expenditure or savings of more than £1.25M over one accounting year unless expressly provided for in the adopted budget or Policy Framework

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

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

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

#### **GENERAL CONDITIONS APPLYING TO ALL DELEGATED POWERS LISTED BELOW**

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

3. In addition, a Chief Officer may authorise in writing any named officer to exercise a delegated power:
  - (a) in their absence, or
  - (b) when they are otherwise not available to exercise it at the relevant time.
4. Any authorisation under paragraphs (i) and (ii) must be documented.
5. Any authorisations given under paragraphs (i) and (ii) will be recorded in the Schedule at the end of this Appendix.
6. Chief Officers shall also be required to liaise with and inform:
  - (a) the relevant Cabinet Member regarding the exercise of powers and duties in appropriate cases;
  - (b) the local Member on those issues listed in the Local Member Protocol at the end of this Appendix.
7. A Chief Officer need not exercise their delegated power in any particular matter and unless prohibited by law, may instead refer the matter to Members for a decision.
8. Failure to carry out the consultations in paragraph 1(b) and 3 will not invalidate the exercise of the delegated power.
9. Where in the opinion of the appropriate Chief Officer and of the Head of Governance and Regulatory Services a decision which would otherwise be a Planning Regulatory Committee decision is required urgently, that Chief Officer, after consultation with any other appropriate Chief Officers, the Committee Chair and the main political group Spokespeople thereof, may take such a decision in respect of any matter falling within the remit of the Committee on the understanding that details of the matter, together with the decision, are reported by way of letter, to the Members of the Committee. In the event of there not being unanimous agreement between the Party Spokespeople, the matter should be referred to the Urgent Business Sub-Committee.
10. Any reference in these delegations to any Act or Statutory Instrument or any section or clause thereof, is deemed to refer to the same as at any time amended, and where such Act, Instrument, section or clause has been replaced, consolidated, or re-enacted, with or without amendment, such mention shall be deemed to refer to the relevant provisions of the replacing, consolidating or re-enacting statute or instrument.
11. The power to grant licences, consents, approvals, permissions, certificates and authorisations includes the power to vary, revoke or refuse such licences etc. and to grant them with or without conditions.
12. This Scheme does not apply to the statutory responsibilities placed on the Head of Paid Service, Executive Director Finance & Commercial Services and Director of Governance nor to any non- statutory tasks which Central Government from time to time requests of individual Chief Officers.



13. Any decision or appointments made, or authorisation given by a Chief or other officer before 7 May 2019 remains effective and in force unless or until expressly revoked.

## **B. OFFICERS' SCHEME OF DELEGATED POWERS**

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

### **HEAD OF PAID SERVICE**

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

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

### **EXECUTIVE DIRECTOR OF CHILDREN'S SERVICES**

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

- (a) Filling vacancies for Local Education Authority School Governors on the basis of nominations recommended by the appropriate nominating Party Spokesperson.
- (b) Dismissal of Local Education Authority School Governors.

- (c) Variations to the Scheme for the Local Management of Schools and any cases of a withdrawal of delegated powers; but excluding.
- (d) The adoption of a syllabus of religious education on the recommendation of the Standing Advisory Committee on Religious Education.
- (e) Major school reorganisation proposals.
- (f) Proposals to open and close schools.

In addition:

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

#### **EXECUTIVE DIRECTOR OF ADULT SOCIAL SERVICES**

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

#### **EXECUTIVE DIRECTOR OF COMMUNITY AND ENVIRONMENTAL SERVICES**

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

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

- (1) Approving minor or uncontroversial changes to the County Council's planning policies and plans and minor or uncontroversial comments on other organisations' plans and policies.
- (2) Responding to District Council consultations on planning applications or to development

proposals by Government departments, statutory undertakers, local authorities or other decision-making bodies provided that the proposal is consistent with County Council policy, is unlikely to raise controversial issues of a strategic nature and the Local Member has been informed of the proposed response.

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

objections are raised by statutory consultees;

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

- (21) To grant Street Works licences.
- (22) To permit the deposit of builders skips on the highway.
- (23) To license the planting, retention and maintenance of trees etc on the highway.
- (24) To licence works in relation to buildings etc which obstruct the highway.
- (25) To consent to temporary deposits or excavations in streets.
- (26) To dispense with the duty to erect hoardings or fences.
- (27) To restrict the placing of rails, beams etc. over highways.
- (28) To consent to the construction of cellars etc under streets.
- (29) To consent to the making of openings into cellars etc under streets, and pavement lights and ventilators.
- (30) To remove things deposited on highways so as to be a nuisance.
- (31) To assert and protect the rights of the public to the use and enjoyment of highways.
- (32) To create footpaths, bridleways and restricted byways by agreement or by order.
- (33) To divert, stop up and extinguish footpaths, bridleways and restricted byways.
- (34) To enter into access agreements under Section 35 of the Countryside and Rights of Way Act 2000.
- (35) To provide access in the absence of agreement under Section 37 of the Countryside and Rights of Way Act 2000.
- (36) To authorise temporary disturbance of the surface of footpaths, bridleways and restricted byways.
- (37) To temporarily divert footpaths, bridleways and restricted byways.
- (38) To exercise functions relating to the making good of damage and removal of obstructions from public paths.
- (39) To authorise the erection of stiles etc on footpaths and bridleways.
- (40) To designate footpaths as cycle tracks.
- (41) To enter into agreements under Section 278 of the Highway Act 1980.
- (42) To license the movement of cattle from a market.
- (43) To license the movement of animals under specific disease orders.

- (44) To permit the placing of scaffold/hoarding on the highway.
- (45) To licence the cultivation of areas subject to full highway rights.
- (46) To licence the movement of animals, where such movements would otherwise be allowed under general licence, in an instance where the ability of livestock keeper to use the general licence has been removed.
- (47) To exercise all the Council's functions in relation to the safety of sports grounds legislation.

#### **EXECUTIVE DIRECTOR – FINANCE & COMMERCIAL SERVICES**

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

#### **CHIEF FIRE OFFICER**

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

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

Chief Fire Officer  
Deputy Chief Fire Officer  
[Assistant Chief Fire Officer](#)  
Area Managers  
Brigade Managers

#### **DIRECTOR OF PUBLIC HEALTH**

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

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

- Emergency planning

## **DIRECTOR OF GOVERNANCE**

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

Appointed as:

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

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

## **HEAD OF GOVERNANCE AND REGULATORY SERVICES**

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

Appointed as:  
Statutory Scrutiny Officer

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

1. The Registration Act 1953
2. The Marriages and Civil Partnerships (Approved Premises) Regulations 2005
3. the Marriages Act 1949
4. the Coroners Service
5. making appointments to the Norfolk Valuation Panel
6. To declare vacancies in office and give public notice of a casual vacancy under Sections 86 and 87 of the Local Government Act 1972.

## **A. LIMITATIONS ON OFFICERS DELEGATED POWERS**

### **a. GRANTS THRESHOLDS**

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

In respect of the following service areas: -

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



## SCHEDULE OF DELEGATIONS OF CHIEF OFFICERS' POWERS

### EXECUTIVE DIRECTOR OF CHILDREN'S SERVICES

#### SECTION A.2

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

## EXECUTIVE DIRECTOR OF CHILDREN'S SERVICES

### SECTION B

#### GENERAL DELEGATION

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

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

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

## EXECUTIVE DIRECTOR OF ADULT SOCIAL SERVICES

### SECTION A2

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

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

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## EXECUTIVE DIRECTOR OF ADULT SOCIAL SERVICES

### GENERAL DELEGATION

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

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

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

### **DIRECTOR OF GOVERNANCE**

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

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

## HEAD OF GOVERNANCE AND REGULATORY SERVICES

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

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

## EXECUTIVE DIRECTOR OF COMMUNITY AND ENVIRONMENTAL SERVICES

### GENERAL DELEGATION

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

Specific delegations are detailed below.

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

### SECTION A2 – SPECIFIC DELEGATION

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

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

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

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

## EXECUTIVE DIRECTOR OF COMMUNITY AND ENVIRONMENTAL SERVICES

### SECTION B – SPECIFIC DELEGATION

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

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

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

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

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

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

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

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

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



(47) To exercise all the Council's functions in relation to the safety of sports grounds legislation	Head of Trading Standards Scale M and above graded officers
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## CHIEF FIRE OFFICER

### GENERAL DELEGATION

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

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

### SECTION B – SPECIFIC DELEGATION

Area of Delegation	Officer(s) Range of Grades
RR (Fire Safety) Order 2005 – Article 31 – Prohibition Notices	Chief Fire Officer Deputy Chief Fire Officer <a href="#">Assistant Chief Fire Officer</a> Area Manager
RR (Fire Safety) Order 2005 – Article 30 – Enforcement Notices	Chief Fire Officer Deputy Chief Fire Officer <a href="#">Assistant Chief Fire Officer</a> Area Manager Group Manager Station Manager Operational Support Officer Fire Safety Advisor
RR (Fire Safety) Order 2005 – Article 29 – Alterations Notices	Chief Fire Officer Deputy Chief Fire Officer <a href="#">Assistant Chief Fire Officer</a> Area Manager Group Manager Station Manager Operational Support Officer Fire Safety Advisor
RR (Fire Safety) Order 2005 – Article 27 – Powers of Inspectors	All Grades

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## DIRECTOR OF PUBLIC HEALTH

### SECTION A.2

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

### SECTION B – SPECIFIC

#### DELEGATION GENERAL

#### DELEGATION

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

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

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## **NORFOLK COUNTY COUNCIL CONSTITUTION**

### **ANNEX TO APPENDIX 5 LOCAL MEMBER PROTOCOL**

#### **PROTOCOL FOR INFORMING MEMBERS OF ISSUES RELATING TO THEIR ELECTORAL DIVISION**

##### **CHILDREN'S SERVICES**

- Reviews of provision including new services or closures of establishments or services and school closures or amalgamations.
- Changes in procurement of services.
- Significant building work, i.e. provision of additional accommodation, new school buildings, early years or nursery provision, remodeling of a school requiring building work, replacement of mobile classrooms.
- Outcome of inspections.
- Local events, activities, presentations.
- Local school admission issues.
- Governor vacancies.
- Key visitors to County Councillor's Divisions.
- Major accidents, injuries or violent incidents affecting children's services, staff or property (including fire, flood, vandalism, burglary which affect operational efficiency).
- Meetings with Members/Members of Parliament.
- Funding/grants to voluntary organisations.

##### **YOUTH JUSTICE**

- Local initiatives for youth crime and prevention.
- Serious incidents involving a young offender subject to supervision where there is likely to be significant public reaction.

##### **ADULT SOCIAL SERVICES**

- Major accidents, injuries or violent incidents affecting Social Services staff or property (including fire, flood, vandalism, burglary which affect operational efficiency).
- Controversies (i.e. forthcoming court hearings and inquests concerning clients or staff, deaths, missing clients, service problems or complaints, inter-departmental issues).
- Meetings with Members/Members of Parliament.
- Opening of new premises or a new service.
- Closure of a home, establishment or service.

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- Changes/developments to social services delivery (e.g. new structure, re-organisation of services).
- Funding/grants to voluntary organisations.
- Key visitors to Divisions.
- New partnership/joint ventures.

## **COMMUNITY AND ENVIRONMENTAL SERVICES**

### **HIGHWAYS AND TRANSPORT**

- Road and bridge design.
- Publicity statements relating to highway maintenance schemes.
- Major highways developments.
- Traffic Management proposals and objections to proposals.
- Provision of new pedestrian crossings.
- Traffic calming schemes.
- Footway improvement proposals.
- Footpath maintenance and improvements.
- Land acquisitions for maintenance schemes.
- Cycling schemes.
- Route hierarchy reviews.
- Progress on enforcement action in relation to development control.
- Schools, participating in the Healthier and Safer Journeys to School Initiative.
- Revised bus services, local bus service contracts.
- Major public transport service changes.
- Changes to home to school transport arrangements.
- Definitive Map Modification Order applications.
- RUPP Reclassification Orders.
- Applications re: new village greens.

### **ENVIRONMENT AND PLANNING**

- Issues relating to the presence of travellers:
  - Traveller group locations (where known).
  - Placing of facilities at the location.
  - Case conferences under the Traveller protocol.
- Any local concerns/media interest.
- 'County Matter' planning applications.
- Formulation of the Minerals and Waste Local Plan.
- Planning applications under Regulation 3 of the Town and Country Planning General Regulations 1992.

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## **TRADING STANDARDS**

- Major breaches of legislation identified which may be of significant public interest, including animal disease outbreaks.
- Significant results of inspections of businesses, i.e. those involving the discovery of major breaches of legislation and the corrective action being taken to address them.
- Consumer complaints about businesses that may have a significant or wide local impact within the community – or nationally (e.g. serious safety issues or fraudulent behaviour).
- High profile enforcement activities, including public enforcement interventions (e.g. prosecution, injunction orders).
- Applications for new Safety Certificates at sports grounds.
- Amendments to Safety Certificates involving any changes in permitted capacity.
- Prohibition notices relating to sports grounds.

## **ECONOMIC DEVELOPMENT & STRATEGY**

- Planning applications in respect of which the County Council as Strategic Planning Authority is consulted by District Planning Authorities.
- Proposals to make a very strong recommendation for refusal of planning permission on highways grounds.
- New local investment.
- Successful projects under one of our grant schemes.
- Regional/International meetings/visits taking place in a Member's division.
- Area specific policy issues.
- Where there is a likelihood of an application for funding being turned down.
- Changes to the local economic base – expansions, closures, redundancies, prosecution etc.
- Closure (or re-opening) of a rural shop or rural or urban Post Office.

## **EMERGENCY PLANNING**

- Emergencies/Incidents of significance.
- Training/Exercise events.
- Community engagement events.
- New Initiatives.

## **LIBRARIES**

- Library closures due to refurbishment or emergencies.
- Changes/developments to libraries, re: new services or plans for development or changes to opening hours.
- Changes/reduction in service due to budget pressures or permanent closures of libraries.

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- Changes to mobile library routes and arrival times.
- Key visitors to Divisions.

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## **MUSEUMS**

- Museums achievements and archaeological investigations.
- Museums developments, including closures or reductions in hours.
- Key visitors to Divisions.

## **ADULT EDUCATION**

- Local events, activities, presentations within the Adult Education Service.

## **NORFOLK FIRE AND RESCUE SERVICE**

- Variations to standards of fire cover e.g. changes to location of stations, number and type of fire appliances, numbers of firefighters.
- Initiatives relating to community safety.
- Key visitors to Divisions

## **CUSTOMER SERVICES**

- Proposals or changes relating to divisional or major customer access arrangements.

## **CORPORATE PROPERTY TEAM** (or agents on instruction)

- Property reviews
- Property sale particulars.
- Property disposals (freehold/leases over 7 years)
- Planning applications on surplus property or for County Council developments.
- Property acquisitions by lease or purchase.
- Partnership projects.
- Planned maintenance programme for local properties.

## **RESOURCE -**

### **NPLAW**

- Temporary Traffic Regulation Orders.
- Cycle Track Orders.
- Applications re: common land.

## **CORPORATE PLANNING AND PARTNERSHIPS SERVICE**

- Initiatives relating to collaborative working with partnership projects, equalities and community relations.



## **GOVERNANCE & REGULATORY SERVICES**

- Register Offices - closures/amalgamations.
- Register Offices – change of opening hours.
- Register Offices – details of building projects.
- Applications by venues to be approved for marriage ceremonies.
- Notification of constituents due to receive an M.B.E. and an invitation to the ceremony.
- Notification of visits organised by the Chair's office.

## **COMMUNICATIONS**

- Informing local Members of divisional news, issues/events.

## **PUBLIC HEALTH**

- Communicable Disease Outbreaks
- Significant Health Protection Issues
- Launch of any national/countrywide road safety campaigns to be made from local school.

## **ALL DEPARTMENTS**

All departments should notify local Members if they become aware of any proposals for the closure or opening of community facilities, including post offices, bank branches, health facilities etc.

## APPENDIX 13

### ACCESS TO INFORMATION PROCEDURE RULES

#### 1. Meetings

- 1.1 Procedure Rules 1.2-1.8 below apply to all meetings of the Council, Cabinet, the Council's Committees and Joint Committees.

##### Rights to attend meetings

- 1.2 Members of the public and the media may attend all meetings, subject to the exceptions specified in the particular rules that govern meetings of the Council, the Cabinet and the Council's Committees and Joint Committees as well as the exceptions below.

##### Notice of meeting

- 1.3 The Head of Governance and Regulatory Services will give at least five clear days' notice of any meeting by posting details of the meeting at County Hall, Norwich and on the Council's website.

##### Access to agenda and reports before the meeting

- 1.4 The Head of Governance and Regulatory Services will make copies of the agenda and reports available for public inspection at County Hall and on the Council's website at least five clear days before the meeting. If an item is later added to the agenda, the revised agenda will be open to public inspection from the time the item was added to the agenda. Where reports are prepared after the agenda has been sent out, the Head of Governance and Regulatory Services will make such reports available for public inspection as soon as the report is sent to Members.

- 1.5 The Head of Governance and Regulatory Services may withhold reports, or appendices to reports, from public inspection if they consider the reports contain exempt or confidential information (as defined in paragraphs 8 and 9 of these Rules). Such reports will be marked "Not for publication" and the exemption category of information indicated and will be printed on pink paper. The Council is committed to transparency and will keep information withheld from public inspection to the minimum necessary.

##### Exclusion of the Media and Public from Meetings

- 4.51.6 The media and the public must be excluded from meetings whenever it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that confidential information (as defined in paragraph 8 of these Rules) will be disclosed.

- 4.61.7 The media and the public may be excluded from meetings whenever it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that exempt information (as defined in paragraph 9 of these Rules) will be disclosed.

4.71.8 The decision to exclude the media and the public must be made after considering the public interest test, by a resolution of the meeting which must (in the case of exempt information) state the reasons for the exclusion (by reference to the relevant statutory category) which must be recorded in the minutes of the meeting.

## **2. Access to minutes of meetings**

The Head of Governance and Regulatory Services will retain and make available for public inspection for six years after a meeting of a decision-making body, copies of the following:

1. the minutes of the meeting, excluding any part of the minutes of proceedings when the meeting was not open to the public or which disclose exempt or confidential information;
2. a summary of any proceedings not open to the public where the minutes open to inspection would not provide a reasonably fair and coherent record;

## **3. Supply of copies**

Following a request by any person and on payment by them of a reasonable charge to meet copying and clerical costs, the Council will supply copies of any agendas, reports, minutes and records of decisions which are open to public inspection, although any requestor will be encouraged to use electronic copies that are readily available.

## **4. List of background documents**

The author of any report will set out in the report a list of background documents relating to the subject matter of the report which in their opinion:

1. disclose any facts or matters on which the report, or an important part of the report, is based and
2. have been relied on to a material extent in preparing the report (not including published works or those which disclose exempt or confidential information as defined in paragraphs 8 and 9 of these Rules.

## **5. Public inspection of background documents**

The Head of Paid Service and Chief Officers are responsible for ensuring that one copy of each background document included in the list of background documents is retained and made available for public inspection and published on the Council's website after the date of any meeting or decision.

## **6. Summary of public's rights**

- 6.1 These rules do not affect any more specific rights to information contained elsewhere in this Constitution or the law.

- 6.2 A summary of the public's rights to attend meetings and to inspect and copy documents will be retained and made available to the public at County Hall, Norwich.

## **7. RIGHTS OF ACCESS FOR MEMBERS GENERALLY**

- 7.1 Under Section 100F of the Local Government Act 1972, a Member has a right to see any document in the possession of, or under the control of, the Council relating to any business to be transacted at a meeting of the Council, a Committee or Sub-Committee. However, the Head of Governance and Regulatory Services has the power to withhold any such document which in their opinion contains exempt information of certain types: e.g. relating to individuals, the terms of a proposed contract, consultations or negotiations regarding labour relations matters, or legal proceedings.
- 7.2 A member has a right, under Section 228 of the Local Government Act 1972, to inspect the accounts of the Council and of any proper officer of the Council.
- 7.3 At common law a Member has a right to see any document under the control of the Council if that Member can show a "need to know" the contents of the document in order to perform their duties as a Councillor. A Member is not given a roving commission; nor can inspection be demanded out of idle curiosity or if there is any improper or indirect motive. In the event of a dispute as to whether a Member has a "need to know", the question is to be decided ultimately by the Council itself.
- 7.4 Annex 1 to this Appendix contains a protocol agreed by the County Council for the exercise of the rights of Members to inspect and have copies of documents.
8. **Confidential information** means information given to the Council by a Government Department on terms which forbid its public disclosure or information which cannot be publicly disclosed by virtue of a Court Order.
9. **Exempt information** means information which falls within one or more of the following seven categories and in respect of which, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
1. Information relating to any individual.
  2. Information which is likely to reveal the identity of an individual.
  3. Information relating to the financial or business affairs of any particular person including the authority holding that information. (However, information is not exempt information under this category if it is required to be registered under the Companies Act 2006, the Friendly Societies Acts 1974 and 1992, the Industrial and Provident Acts 1965 to 1978, the Building Societies Act 1986 or the Charities Act 2011).

4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the County Council or a Minister of the Crown and employees of, or office holders under, the County Council.
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
6. Information which reveals that the Council proposes:
  - (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
  - (b) to make an order or direction under any enactment.
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

Information falling within any of the above paragraphs (1) to (7) is not exempt by virtue of that paragraph if it relates to proposed development for which the local planning authority can grant itself planning permission under Regulation 3 of the Town and Country Planning General Regulations 1992.

## APPENDIX 17

### REGISTER OF MEMBERS' INTERESTS & MEMBERS' CODE OF CONDUCT

Commented [EH2]: This is the LGA code, with minor amendments

#### Introduction

The Local Government Association (LGA) has developed this Model Councillor Code of Conduct, in association with key partners and after extensive consultation with the sector, as part of its work on supporting all tiers of local government to continue to aspire to high standards of leadership and performance. It is a template for councils to adopt in whole and/or with local amendments.

All councils are required to have a local Councillor Code of Conduct.

The LGA will undertake an annual review of this Code to ensure it continues to be fit-for-purpose, incorporating advances in technology, social media and changes in legislation. The LGA can also offer support, training and mediation to councils and councillors on the application of the Code and the National Association of Local Councils (NALC) and the county associations of local councils can offer advice and support to town and parish councils.

Norfolk County Council will keep this Code under review as guidance and best practice develops.

#### Definitions

For the purposes of this Code of Conduct, a "councillor" means a member or co-opted member of a local authority or a directly elected mayor. A "co-opted member" is defined in the Localism Act 2011 Section 27(4) as "a person who is not a member of the authority but who

- a) is a member of any committee or sub-committee of the authority, or;
- b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority;

and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee".

For the purposes of this Code of Conduct, "local authority" includes county councils, district councils, London borough councils, parish councils, town councils, fire and rescue authorities, police authorities, joint authorities, economic prosperity boards, combined authorities and National Park authorities.

#### Purpose of the Code of Conduct

The purpose of this Code of Conduct is to assist you, as a councillor, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against you. It is also to protect you, the public, fellow councillors, local authority officers and the

reputation of local government. It sets out general principles of conduct expected of all councillors and your specific obligations in relation to standards of conduct. The LGA encourages the use of support, training and mediation prior to action being taken using the Code. The fundamental aim of the Code is to create and maintain public confidence in the role of councillor and local government.

### **General principles of councillor conduct**

Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, councillors and local authority officers; should uphold the Seven Principles of Public Life, also known as the Nolan Principles.

Building on these principles, the following general principles have been developed specifically for the role of councillor.

In accordance with the public trust placed in me, on all occasions:

- I act with integrity and honesty;
- I act lawfully;
- I treat all persons fairly and with respect; and
- I lead by example and act in a way that secures public confidence in the role of councillor.

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community;
- I do not improperly seek to confer an advantage, or disadvantage, on any person;
- I avoid conflicts of interest;
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest.

### **Application of the Code of Conduct**

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a councillor.

This Code of Conduct applies to you when:

- you are acting in your capacity as a councillor and/or as a representative of your council;
- you are claiming to act as a councillor and/or as a representative of your council;
- you are giving the impression that you are acting as a councillor and/or as a representative of your council; and
- you refer publicly to your role as a councillor or use knowledge you could only obtain in your role as a councillor.

The Code applies to all forms of communication and interaction, including:

- at face-to-face meetings
- at online or telephone meetings
- in written communication
- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements and comments.

You are also expected to uphold high standards of conduct and show leadership at all times.

Your Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from your Monitoring Officer on any matters that may relate to the Code of Conduct. Town and parish councillors are encouraged to seek advice from their Clerk, who may refer matters to the Monitoring Officer.

## **Standards of Councillor Conduct**

This section sets out your obligations, which are the minimum standards of conduct required of you as a councillor. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.

Guidance is included to help explain the reasons for the obligations and how they should be followed.

### **General Conduct**

#### **1. Respect**

##### **As a councillor:**

**1.1 I treat other councillors and members of the public with respect.**

**1.2 I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.**

Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a councillor, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.



In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in councillors.

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider or the police. This also applies to fellow councillors, where action could then be taken under the Councillor Code of Conduct, and local authority employees, where concerns should be raised in line with the authority's councillor-officer protocol.

## **2. Bullying, harassment and discrimination**

### **As a councillor:**

**2.1 I do not bully any person.**

**2.2 I do not harass any person.**

**2.3 I promote equalities and do not discriminate unlawfully against any person.**

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

## **3. Impartiality of officers of the council**

### **As a councillor:**

**3.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.**

Officers work for the local authority as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

**4. Confidentiality and access to information**

**As a councillor:**

**4.1 I do not disclose information:**

- a. given to me in confidence by anyone**
- b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless**
  - i. I have received the consent of a person authorised to give it;**
  - ii. I am required by law to do so;**
  - iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or**
  - iv. the disclosure is:**
    - 1. reasonable and in the public interest; and**
    - 2. made in good faith and in compliance with the reasonable requirements of the local authority; and**
    - 3. I have consulted the Monitoring Officer prior to its release.**

**4.2 I do not improperly use knowledge gained solely as a result of my role as a councillor for the advancement of myself, my friends, my family members, my employer or my business interests.**

**4.3 I do not prevent anyone from getting information that they are entitled to by law.**

Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the local authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

**5. Disrepute**

**As a councillor:**

#### **5.1 I do not bring my role or local authority into disrepute.**

As a councillor, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other councillors and/or your local authority and may lower the public's confidence in your or your local authority's ability to discharge your/it's functions. For example, behaviour that is considered dishonest and/or deceitful can bring your local authority into disrepute.

You are able to hold the local authority and fellow councillors to account and are able to constructively challenge and express concern about decisions and processes undertaken by the council whilst continuing to adhere to other aspects of this Code of Conduct.

#### **6. Use of position**

##### **As a councillor:**

#### **6.1 I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.**

Your position as a member of the local authority provides you with certain opportunities, responsibilities and privileges, and you make choices all the time that will impact others. However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

#### **7. Use of Local Authority Resources and Facilities**

##### **As a councillor:**

#### **7.1 I do not misuse council resources.**

#### **7.2 I will, when using the resources of the local authority or authorising their use by others:**

- a. act in accordance with the local authority's requirements; and**
- b. ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which I have been elected or appointed.**

You may be provided with resources and facilities by the local authority to assist you in carrying out your duties as a councillor.

Examples include:

- office support
- stationery
- equipment such as phones, and computers
- transport
- access and use of local authority buildings and rooms.

These are given to you to help you carry out your role as a councillor more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the local authority's own policies regarding their use.

### **8. Complying with the Code of Conduct**

#### **As a councillor:**

**8.1 I undertake Code of Conduct training provided by my local authority.**

**8.2 I cooperate with any Code of Conduct investigation and/or determination.**

**8.3 I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.**

**8.4 I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.**

It is extremely important for you, as a councillor, to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the local authority or its governance. If you do not understand or are concerned about the local authority's processes in handling a complaint you should raise this with your Monitoring Officer.

### **Protecting your reputation and the reputation of the local authority**

#### **9. Interests**

#### **As a councillor:**

**9.1 I register and declare my interests.**

You need to register your interests so that the public, local authority employees and fellow councillors know which of your interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether or not you should declare an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be declared by you or other councillors when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

The Council's Monitoring Officer has established, and maintains, a register of the interests of the Members and co-opted Members of the County Council, as required by Section 29 of the Localism Act 2011. This register contains details of members' Disclosable Pecuniary Interest (DPIs).

The register is open to inspection by the public.

Members' interests are published on the County Council's website unless the Monitoring Officer has agreed that the interest if disclosed, could lead to the Member being subject to violence or intimidation (section 32 of the Localism Act 2011).

## 10. Gifts and hospitality

### As a councillor:

10.1 I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.

10.2 I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt.

10.3 I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept.

In order to protect your position and the reputation of the local authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a councillor. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a councillor, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a councillor. If you are unsure, do contact your Monitoring Officer for guidance.

## **Appendices**

### **Appendix A – The Seven Principles of Public Life**

The principles are:

#### **Selflessness**

Holders of public office should act solely in terms of the public interest.

#### **Integrity**

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

#### **Objectivity**

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

#### **Accountability**

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

#### **Openness**

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

#### **Honesty**

Holders of public office should be truthful.

#### **Leadership**

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

## Appendix B Registering

### interests

1. Within 28 days of this Code of Conduct being adopted by the local authority or your election or appointment to office (where that is later) you must register with the Monitoring Officer the interests which fall within the categories set out in Table 1 (Disclosable Pecuniary Interests) and Table 2 (Other Interests). Disclosable Pecuniary Interests means issues relating to money and finances.
2. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
3. A 'sensitive interest' is as an interest which, if disclosed, could lead to the councillor/member or co-opted member, or a person connected with the member or co-opted member, being subject to violence or intimidation.
4. Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

### Declaring interests

5. Where a matter arises at a meeting which directly relates one of your Disclosable Pecuniary Interests, you must declare the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to declare the nature of the interest, just that you have an interest.

6. In addition, 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; or
- any body –
  - (a) exercising functions of a public nature; or
  - (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

then I will declare an interest (an "Other Interest") but provided it is not a DPI I may speak and vote on the matter.

**Commented [EH3]:** This is in accordance with NCC's current Code, not the more onerous LGA Code



**Table 1: Disclosable Pecuniary Interests**

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012.

<u>Subject</u>	<u>Description</u>
<u>Employment, office, trade, profession or vocation</u>	Any employment, office, trade, profession or vocation carried on for profit or gain. [Any unpaid directorship.]
<u>Sponsorship</u>	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by them in carrying out their duties as a councillor, or towards their election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
<u>Contracts</u>	Any contract made between the councillor or their spouse or civil partner or the person with whom the

	<p>councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council —</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
<b><u>Land and Property</u></b>	<p>Any beneficial interest in land which is within the area of the council.</p> <p>'Land' excludes an easement, servitude, interest or right in or over land which does not give the councillor or their spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners (alone or jointly with another) a right to occupy or to receive income.</p>
<b><u>Licences</u></b>	<p>Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer</p>
<b><u>Corporate tenancies</u></b>	<p>Any tenancy where (to the councillor's knowledge)—</p> <p>(a) the landlord is the council; and</p> <p>(b) the tenant is a body that the councillor, or their spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.</p>
<b><u>Securities</u></b>	<p>Any beneficial interest in securities* of a body where—</p> <p>(a) that body (to the councillor's knowledge) has a place of business or land in the area of the council; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or their spouse or civil partner or the person with whom the councillor is living as if they were</p>

	spouses/civil partners has a beneficial interest which exceeds one hundredth of the total issued share capital of that class.
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\* 'director' includes a member of the committee of management of an industrial and provident society.

\* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

## MEMBERS' CODE OF CONDUCT

I, \_\_\_\_\_ undertake to observe Norfolk County Council's Members' Code of Conduct.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

## INTRODUCTION TO THE CODE

This Code of Conduct is a key part of the Authority's discharge of its statutory duty to promote and maintain high standards of conduct by its Members and co-opted Members. It is very much focused upon the principles of conduct in public life of selflessness, integrity, objectivity, accountability, openness, honesty, and leadership and it is the intention of the Authority that the Code be used exclusively in that context and not for any other purpose. It sets an objective, non-political and high standard whose purpose is to remind Members of the Authority of the behaviour expected of them in public life and to set out clearly the key principles against which their conduct will be measured.

The Code also contains provisions for registration and declaration of interests the breach of which will now attract potential criminal sanctions.

The Council's Standards Committee hears breaches of the Code and decides on sanctions against Members found to be in default. Working closely with the Council's Monitoring Officer and Independent Person, the Standards Committee will oversee a straightforward and robust regime dealing only with substantial ethics and standards issues and filtering out the

inconsequential, trivial and vexatious. The Code will deal in broad common-sense principles and neither it nor the supporting arrangements are intended to be over-technical or over-procedural. To return to the wording of the statute, the Code is the Authority's public statement on the promotion and maintenance of high standards of conduct in public life.

Every Member and co-opted Member of Norfolk County Council, must sign an undertaking to observe the Code in the terms set out below.

#### **THE CODE**

As a Member or co-opted Member of Norfolk County Council, I have a responsibility to represent the community and work constructively with our staff and partner organisations to secure better social, economic and environmental outcomes for all.

In accordance with the Localism Act 2011 provisions, when acting in this capacity I am committed to behaving in a manner that is consistent with the following principles to achieve best value for our residents and maintain public confidence in this authority.

**SELFLESSNESS:** Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

**INTEGRITY:** Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

**OBJECTIVITY:** In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

**ACCOUNTABILITY:** Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

**OPENNESS:** Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

**HONESTY:** Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

**LEADERSHIP:** Holders of public office should promote and support these principles by leadership and example.

As a Member of Norfolk County Council my conduct will in particular address the statutory principles of the Code by:

- Championing the needs of residents — the whole community and in a special way all my constituents and putting their interests first.
- Dealing with representations or enquiries from residents, members of our communities and visitors fairly, appropriately and impartially.
- Not allowing other pressures, including the financial interests of myself or others connected to me, to deter me from pursuing constituents' casework, the interests of Norfolk nor the good governance of the authority in a proper manner.
- Exercising independent judgement and not compromising my position by placing myself under obligations to outside individuals or organisations who might seek to influence the way I perform my duties as a Member/co-opted Member of this authority.
- Listening to the interests of all parties, including relevant advice from statutory and other professional officers, taking all relevant information into consideration, remaining objective and making decisions on merit.

- Being accountable for my decisions and co-operating when scrutinised internally and externally, including by local residents.
- Contributing to making this authority's decision-making processes as open and transparent as possible to enable residents to understand the reasoning behind those decisions and to be informed when holding me and other Members to account but restricting access to information when the wider public interest or the law requires it.
- Behaving in accordance with all our legal obligations, alongside any requirements contained within this authority's policies, protocols and procedures, including on the use of the Authority's resources.
- Valuing my colleagues and staff and engaging with them in an appropriate manner and one that underpins the mutual respect between us that is essential to good local government.
- Always treating people with respect, including the organisations and public I engage with and those I work alongside.
- Providing leadership through behaving in accordance with these principles when championing the interests of the community with other organisations as well as within this authority.

The Localism Act provides for the disclosure and registration of Disclosable Pecuniary Interests ("DPIs"). I agree to notify the Monitoring Officer of my DPIs as soon as I become aware of them and in any event within 28 days. The Monitoring Officer will retain a register of my DPIs and will publish these on the Authority's website. If I have a DPI in a matter to be considered at a meeting and I have not notified the Monitoring Officer of that DPI, I shall disclose it to the meeting. In all cases where I have a DPI in a matter to be considered at a meeting I will not speak or vote at that meeting.

In addition, 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

then I will declare an interest (an "Other Interest") but provided it is not a DPI I may speak and vote on the matter.

## APPENDIX ~~19~~

### GIFTS AND HOSPITALITY – A CODE OF CONDUCT FOR MEMBERS

**Commented [EH4]:** Deleted. There is sufficient info in App 17 Code of Conduct. Remainder that is relevant will be included in a handbook for councilors

#### ~~1. Introduction~~

~~1.1 The acceptance of gifts and hospitality by Councillors is not merely an administrative issue. It reflects directly upon the perception of Councillors and of the County Council as acting in the public interest or as acting for the personal advantage or friends and for what personal benefit Councillors can get out of their position.~~

~~1.2 A Member must within 28 days of receiving any gift or hospitality over the value of £25 in their capacity as a County Councillor, provide written notification to the Chief Legal Officer of the existence and nature of that gift or hospitality. Failure to comply with this requirement is a breach of the Code reportable to the Standards Committee.~~

~~1.3 In addition, the Bribery Act 2010 provides an offence of bribing another person or being bribed. This could apply to the holder of a public office where the intention is to bring about an improper performance of a relevant function or an activity by another person or to reward such improper performance. Conviction could result in a fine or imprisonment.~~

~~1.4 Against this background, the purpose of this Code is to set out –~~

~~(a) the principles which a Councillor should apply whenever they have to decide whether it would be proper to accept any gift or hospitality;~~

~~(b) a procedure for obtaining consent to accept a gift or hospitality, when a Councillor considers that it would be proper to accept it;~~

~~(c) a procedure for declaring any gift or hospitality which a Councillor receives and for accounting for any gift to the authority.~~

~~This Code does not apply to the acceptance of any facilities or hospitality which may be provided by the County Council itself.~~

~~In addition, the Code only applies to offers of gifts or hospitality made to a Councillor in their role as such. However, in this respect, there may be circumstances where a Councillor needs to be cautious as to the basis on which an offer is made.~~

#### ~~• General Principles~~

~~In deciding whether it is proper to accept any gift or hospitality, the following principles should be applied. Even if the gift or hospitality comes within one of the general consents set out below, it should not be accepted if to do so would be in breach of one or more of these principles:~~

**~~(a) — Never accept a gift or hospitality as an inducement or reward for anything done as a Councillor.~~**

~~A Councillor must act in the public interest and must not be swayed in the discharge of their duties by the offer, prospect of an offer, or the non-offer of any inducement or reward for discharging those duties in a particular manner.~~

~~As already explained the acceptance of such an offer amounts to a criminal offence.~~

~~Councillors must act in the public interest, serving the authority and the whole community, rather than acting in the interests of any particular individual or section of the community. It is a breach of the Code improperly to confer any advantage or disadvantage on any person, including oneself.~~

**~~(b) — A gift or hospitality should only be accepted if there is a commensurate benefit to the authority.~~**

~~The only proper reason for accepting any gift or hospitality is that there is a commensurate benefit for the authority which would not have been available but for the acceptance of that gift or hospitality.~~

~~Acceptance of hospitality can confer an advantage on the authority, such as an opportunity to progress the business of the authority expeditiously through a working lunch, or to canvass the interests of the authority and its area at a meeting. Acceptance of a gift is much less likely to confer such an advantage. But unless the benefit to the authority is clear and is commensurate with the value of the gift or hospitality, the presumption must be that the gift or hospitality is purely for Councillor's personal benefit.~~

~~Councillors must not improperly confer any advantage on anyone, including themselves. Acceptance as a Councillor of a gift or hospitality for their own benefit or advantage, rather than for the benefit to the authority, would be a breach of the Council's Code of Conduct.~~

**~~(c) — Never accept a gift or hospitality if acceptance might be open to misinterpretation.~~**

~~The appearance of impropriety can be just as damaging to the authority and to a Councillor as actual impropriety. The Council's ability to govern rests upon its reputation for acting fairly and in the public interest. Councillors must therefore consider whether the acceptance of the gift or hospitality is capable of being interpreted as a sign that they or the authority favours any particular person, company or section of the community or as placing themselves under any improper obligation to any person or organisation. If there is any possibility that it might be so interpreted, a Councillor must either refuse the gift or hospitality or take appropriate steps to ensure that such a misunderstanding cannot arise.~~

~~Certain occasions are particularly sensitive and require the avoidance of any opportunity for such misunderstanding. These include:—~~

- ~~(i) — occasions when the authority is going through a competitive procurement process, in respect of any indication of favour for a particular tenderer;~~



- ~~(ii) — determinations of planning applications or planning policy, in respect of any person or organisation which stands to gain or lose from the determination;~~
- ~~(iii) — funding decisions, when the authority is determining a grant application by any person or organisation.~~

**~~(d) — Never accept a gift or hospitality if that places a Councillor under an improper obligation.~~**

~~It is important to recognise that some commercial organisations and private individuals see the provision of gifts and hospitality as a means of buying influence. If a Councillor accepts a gift or hospitality improperly, it is possible that they may seek to use this fact to persuade the Councillor to determine an issue in their favour. Equally, if others note that a Councillor has been prepared to accept a gift or hospitality improperly, they may feel that they will no longer be able to secure impartial consideration from the Council.~~

**~~(e) — Never solicit a gift or hospitality.~~**

~~Councillors must never solicit or invite an offer of a gift or hospitality in connection with their position as a Councillor unless the acceptance of that gift or hospitality would be permitted under this Code. Councillors should also take care to avoid giving any indication that they might be open to such an improper offer.~~

**2. — Consent Regimes**

**~~(a) — General consent provisions~~**

~~For clarity, the authority has agreed that Councillors may accept gifts and hospitality in the following circumstances:—~~

- ~~(i) — civic hospitality provided by another public authority;~~
- ~~(ii) — modest refreshment in connection with any meeting in the ordinary course of their work, such as tea, coffee, soft drinks and biscuits;~~
- ~~(iii) — tickets for sporting, cultural and entertainment events which are sponsored by the authority;~~
- ~~(iv) — small gifts of low intrinsic value of £25 or less, branded with the name of the company or organisation making the gift, such as pens, pencils, mouse pads, calendars and diaries. However, care should be taken not to display any such branded items when this might be taken as an indication of favour to a particular supplier or contractor, for example in the course of a procurement exercise;~~
- ~~(v) — a modest alcoholic or soft drink on the occasion of an accidental social meeting, such as a pint of beer from an employee of a contractor or party with whom a Councillor has done business on behalf of the Council if that person is met accidentally in a public house, café or bar. In such cases, reasonable efforts should be made to return the offer where this is practicable;~~

- ~~(vi) a modest working lunch not exceeding £25 a head in the course of a meeting in the offices of a party with whom the Council has an existing business connection where this is required in order to facilitate the conduct of that business. Councillors should not make such arrangements themselves, but request officers to settle the detailed arrangements, and officers are under instruction, when arranging any such meeting, to make it clear to the other party that such a lunch must not exceed a value of £25 a head;~~
- ~~(vii) modest souvenir gifts with a value of £25 or less from another public authority given on the occasion of a visit by or to the authority;~~
- ~~(viii) hospitality received in the course of an external visit or meeting which has been duly authorised by the authority. Councillors should not make such arrangements themselves, but request officers to settle the detailed arrangements, and officers are under instruction to make it clear that any such hospitality for Councillors and officers is to be no more than commensurate with the nature of the visit;~~
- ~~(ix) other unsolicited gifts, where it is impracticable to return them to the person or organisation making the gift, provided that the Councillor deals with the gift strictly in accordance with the following procedure: The Councillor must, as soon as practicable after the receipt of the gift, pass it to the Chair of the Council's Officer together with a written statement identifying the information set out in Paragraph 3(b) below. The Chair's Officer will then write to the person or organisation making the gift thanking them on your behalf for the gift and informing them that the Councillor has donated the gift to the [Chair's Charity Fund], on whose behalf it will be raffled or otherwise disposed of in due course, the proceeds being devoted to a charitable cause chosen by the Chair.~~

**~~(b) Special consent provisions~~**

~~Councillors who wish to accept any gift or hospitality which is in accordance with the General Principles set out in Paragraph 2, but is not within any of the general consents set out in Paragraph 3(a), may only do so if they have previously obtained specific consent in accordance with the following procedure:~~

~~A written application must be made to the Chief Legal Office, setting out:~~

- ~~(i) the nature and an estimate of the market value of the gift or hospitality;~~
- ~~(ii) who the invitation or offer has been made by or on behalf of;~~
- ~~(iii) the connection which the Councillor has with the person or organisation making the offer or invitation, such as any work which the Councillor has undertaken for the authority in which they have been involved;~~

~~(iv) any work, permission, concession or facility which the Councillor is aware that the person or organisation making the offer or invitation may seek from the authority;~~

~~(v) any special circumstances which lead the Councillor to believe that acceptance of the gift or hospitality will not be improper.~~

~~The gift or hospitality must not be accepted until consent has been given by or on behalf of the Standards Committee.~~

~~The Chief Legal Officer will enter details of any approval in a register which will be available for public inspection on the occasion of the public inspection of the authority's accounts for the relevant year. But note that this does not relieve the Councillor of the obligation to register the receipt of gift or hospitality in accordance with Paragraph 4 below.~~

### ~~3. — Reporting~~

~~Where a Councillor accepts any gift or hospitality which is estimated to have a market value or cost of provision of more than £25, the Councillor must, as soon as possible after receipt of the gift or hospitality, make a declaration in writing to the Chief Legal Officer setting out the information set out in Paragraph 3(b) above. The Chief Legal Officer will retain a copy of any such declaration in a register which will be available for public inspection until the approval of the authority's accounts for the year in question.~~

~~Even if the value of the gift or hospitality is £25 or less, if the recipient is concerned that its acceptance might be misinterpreted, and particularly where it comes from a contractor or tenderer, they may make a voluntary declaration in the same manner to ensure that there is nothing secret or underhand about the gift or hospitality.~~

### ~~4. — Gifts to the Authority~~

~~Gifts to the authority may take the form of the provision of land, goods or services, either to keep or to test with a view to future acquisition, an offer to carry out works or sponsorship of a function which is organised or supported by the authority. A Councillor should not solicit any such gift on behalf of the authority except where the authority has formally identified the opportunity for participation by an external party and how that participation is to be secured, for example in relation to sponsorship of public musical and theatrical performances developers' contributions under Section 106 Agreements. A Councillor who receives such an offer on behalf of the authority, must first consider whether it is appropriate for the authority to accept the offer (in terms of whether the acceptance of the gift might be seen as putting the authority under any improper obligation, whether there is a real benefit to the authority which would outweigh any dis-benefits). A Councillor who does not have delegated authority to accept the gift, should report the offer directly to the Chief Legal Officer who has such delegated authority, together with a recommendation as to whether the gift should be accepted. The Chief Legal Officer will then write back to the person or organisation making the offer, to record the acceptance or non-acceptance of the gift, record the gift for audit purposes and ensure that the gift is properly applied for the benefit of the authority. A Councillor who has concerns about the motives of the person or organisation making the offer, or whether it would be proper for the authority to accept the gift, you should consult the Chief Legal Officer directly.~~

### ~~5. — Refused Offers~~

~~As a result of this protocol, there will be a number of circumstances when offers of gifts and hospitality must be refused. In addition, there will be circumstances where a Member wishes to refuse an offer even though the protocol allows its acceptance. Whilst it is not considered necessary in every case that such offers are recorded there will be circumstances when it is in the public interest that they should be. These are:-~~

~~(a) when the offer appears to be an inducement or reward for something expected from the Councillor (see paragraph 2(a));~~

~~(b) offers from commercial organisations or private individuals over £25 in value.~~

~~In these circumstances, details should be passed to the Chief Legal Officer within 28 days of the offer being made.~~

#### ~~6. — Definitions~~

~~(a) "Councillor" includes outside appointments to Committees.~~

~~(b) "Gift or hospitality" includes:~~

~~(i) the free gift of any goods or services;~~

~~(ii) the opportunity to acquire any goods or services at a discount or on terms which are more advantageous than those which are available to the general public;~~

~~(iii) the opportunity to obtain any goods or services which are not available to the general public;~~

~~(iv) the offer of food, drink, accommodation or entertainment, or the opportunity to attend any cultural, sporting or entertainment event.~~

~~(c) References to the "value" or "cost" of any gift or hospitality are references to the higher of:~~

~~(i) the estimate of the cost to the person or organisation of providing the gift or consideration;~~

~~(ii) the open market price which a member of the public would have to pay for the gift or hospitality, if it were made available commercially to the public, less the cash sum of any contribution which the Councillor would be required to make towards that price to the person or organisation providing or offering the gift or hospitality.~~

## APPENDIX 27

**Commented [EH5]:** Annex B3 change of financial limit to reflect revised Code of Conduct

### MONITORING OFFICER PROTOCOL

This protocol has been produced following the recommendation of the District Auditor that guidelines be produced for the benefit of Members and Senior Officers on the role of the Monitoring Officer which in Norfolk is discharged by the Director of Governance.

#### 1. **INTRODUCTION**

This protocol explains the role and functions of the County Council's Monitoring Officer and the arrangements for ensuring this role is effectively carried out. It is based on the understanding that the ability of the Monitoring Officer to undertake this role effectively depends on excellent working relations with colleagues and Members and on the flow of information and access to debate particularly at early stages.

#### 2. **FUNCTIONS**

The specific functions of the County Council's Monitoring Officer are detailed in the Appendix. The chief responsibilities can be summarised as these:

- (a) A duty to report to the Council in any case where the Monitoring Officer is of the opinion that any proposal or decision is or is likely to be illegal or to constitute maladministration. These matters are referred to in this Protocol as "reportable incidents".
- (b) A range of functions relating to Members' conduct.
- (c) Specific functions under the Council's Constitution.

#### 3. **DISCHARGE OF FUNCTIONS**

3.1 In order to ensure the effective undertaking of these duties, the Monitoring Officer will:

- (a) Have regular meetings with each of the Head of Paid Service, Executive Director Finance & Commercial Services and Commercial Services, and Head of Governance and Regulatory Services to review current and likely future issues with legal, constitutional or ethical implications.
- (b) Maintain good liaison and working relations with the District Auditor.
- (c) Ensure that the County Council is kept up to date on new legislation and changes in the law which are relevant to the carrying out of the County Council's activities. This will generally take the form of reports to Members and briefing notes to Chief Officers but where appropriate will involve training sessions for relevant Members and Officers. These activities will be carried out in consultation and conjunction with relevant Chief Officers.

3.2 In addition, Chief Officers will ensure that:

- (a) The Monitoring Officer, their Deputy and the Senior Officers at nplaw are consulted at an early stage on new policy proposals and on matters which have potentially significant legal implications. Where there is any doubt, the Chief Officer should always consult.
- (b) All draft reports to the Council and Committees should as a matter of routine be cleared with the Monitoring Officer, Deputy or the senior staff at nplaw.
- (c) The Monitoring Officer is informed of all emerging issues of concern of a legal, ethical or constitutional nature.

Similarly, Members should ensure that the Monitoring Officer is routinely informed and consulted in respect of new policy proposals.

The Monitoring Officer will always seek to resolve any potential illegality by identifying alternative and legitimate means of achieving the objective of the purpose. (See also para. 3.5(a)).

3.3 Also, in cases where external Lawyers are acting for the County Council, it will be necessary for the relevant Chief Officer and the Monitoring Officer to agree arrangements for ensuring that vires and constitutional issues are satisfactorily addressed.

- 3.4 (a) The Monitoring Officer will seek to resolve potential reportable incidents (as defined in para 2(a)) by avoiding the illegality, etc., or by identifying alternative and legitimate means of achieving the objective of the proposal. Accordingly, and given that County Council Officers and Members are encouraged to consult the Monitoring Officer in respect of any proposal, the Monitoring Officer will only need to make a public report on the matter if the proposal were to be a potential reportable incident and the Officer or Member subsequently took any action to progress that proposal despite being advised to the contrary by the Monitoring Officer.
- (b) Where the Monitoring Officer receives a complaint of a potential reportable incident, they must in appropriate cases seek to resolve the matter amicably, by securing that any illegality or failure of process is rectified. However, it is recognised that the Monitoring Officer may decide that the matter is of such importance that a statutory report is the only appropriate response.
  - (c) In appropriate cases, and to secure the rapid resolution of a potential reportable incident or avoid a separate statutory report, the Monitoring Officer will be entitled to add their written advice to the report of any other County Council Officer.
  - (d) Notwithstanding the above, the Monitoring Officer retains the right to make a statutory report where, after consultation with the Head of Paid Service and the Executive Director Finance and Commercial Services, they are of the opinion that such is necessary in order to respond properly to a reportable incident.

3.5 Finally, and to assist in the effective undertaking of these duties, the Monitoring Officer will have the following rights:

- (a) To receive advance notice of meetings whether formal or informal between Chief Officers and the Leader, Cabinet Members, the Executive or Committee Chairs will be given to the Monitoring Officer where any procedural, vires or other constitutional issues are likely to arise, together with the right to attend such meetings.
- (b) To receive advance notice of meetings of the Council's, Corporate Board, Executive Directors and agenda and reports and the right to attend and speak.
- (c) To see all documents and information held by or on behalf of the County Council, including documents and information held by any Council Officer or Member. However, this right does not extend to documents and information held by or on behalf of any political party represented on the Council.
- (d) To attend any meetings of Officers or Members (or both), whether such meetings include any other persons. However, this right does not extend to any meetings held by or on behalf of any political party represented on the Council.
- (e) To require any County Council Officer or Member, or any contractor to provide an explanation of any matter under investigation.
- (f) To report to the Council, and its Committees, including a right to present a written report and to attend and advise orally.
- (g) To have access to the Head of Paid Service and to the Executive Director Finance & Commercial Services and Commercial Services (as the Council's Section 151 Officer).
- (h) After consultation with the Head of Paid Service and the Executive Director Finance & Commercial Services and Commercial Services, to notify the Police, the Council's Auditors and other regulatory agencies of concerns in respect of any matter and to provide them with information and documents in order to assist them with their statutory functions.
- To obtain, at the Council's expense, legal advice, either internally or from an independent external Solicitor or Barrister, on any matter which it is believed may be a reportable incident.

#### **4. CONFLICTS**

Where the Monitoring Officer is in receipt of a complaint or is aware of a potential reportable event relating to a matter upon which they have previously advised the County Council, they must consult the Head of Paid Service who may then either refer the matter to the Deputy Monitoring Officer for investigation and report back to the Head of Paid Service or request a neighbouring authority to make their Monitoring Officer available to the County Council to investigate the matter and report to the Head of Paid Service and/or the County Council as appropriate.



## **Annex**

### **FUNCTIONS OF MONITORING OFFICER**

#### **A. FUNCTIONS UNDER SECTION 5 OF THE LOCAL GOVERNMENT AND HOUSING ACT 1989**

To report to the Council in any case where the Monitoring Officer is of the opinion that any proposal or decision of the authority in respect of any matter which, in their opinion, has given rise to or is likely to or would give rise to any illegality or maladministration.

#### **B. FUNCTIONS RELATING TO STANDARDS**

- (1) To act as the principal adviser to the Standards Committee and in that role to contribute by training and otherwise to the provision and maintenance of high standards of conduct.
- (2) To maintain the Register of Members' Interests and in this connection to receive from Members written notification of disclosable pecuniary interests and other interests and to receive written notification of any change to those interests.
- (3) To receive written notification from Members of the existence and nature or any gift or hospitality exceeding £~~50~~<sup>25</sup>.
- (4) Dealing with complaints against Members, including the conduct of investigations and reporting to the Standards Committee.
- (5) To process requests from Members for dispensations to speak and vote at meetings.
- (6) To maintain and promote the Council's Anti-Fraud and Corruption Strategy.
- (7) To keep the Code of Corporate Governance under review.

#### **C. FUNCTIONS RELATING TO THE CONSTITUTION**

- (1) To refer matters relating to conduct, ethics and propriety to the Standards Committee.
- (2) To monitor the operation of the Constitution and to make recommendations on how it can be amended in order to better to achieve the overall purposes. This may include observing meetings of different parts of the Member/Officer structure; undertaking an audit trail of a sample of decisions; recording and analysing issues raised by Members, Officers, the public and other relevant stakeholders; and comparing practices in this authority with those in other comparable authorities, or national examples of best practice.

- (3) To be consulted by the Head of Governance and Regulatory Services -on changes to factual references in the Constitution or changes required by a change in the law. Also, to publish changes to the Constitution.
- (4) To publicise the Constitution by ensuring that access is given to each Member on their being elected to the Council; ensuring that copies are available for inspection at Council offices, libraries and other appropriate locations, and can be purchased by members of the local media and the public on payment of a reasonable fee; ensuring that the executive summary is made widely available within the area and is updated as necessary; and ensuring the publication of changes made.

## APPENDIX 33

**Commented [EH6]:** Deleted and a guidance handbook will be provided for members

### GUIDANCE FOR MEMBERS AND OFFICERS SERVING ON OUTSIDE BODIES

#### INTRODUCTION

- 1.1 The County Council appoints Members and, less often, officers to serve on a wide range of outside bodies, including companies, charities and other public bodies.
- 1.2 The purpose of this guidance is to summarise the legal position of Councillors and officers whom the County Council appoint to serve on outside bodies. It is not intended to be an exhaustive explanation of the law and if further advice is required the [Chief Legal Officer](#) should be contacted.
- 1.3 Separately, the County Council has put in place guidelines for making appointments to outside bodies, in particular for helping to decide when appointments should be made and whether they should be Members or officers. Occasionally, this may mean it is appropriate for the County Council to have observer status only e.g. where there is likely to be a major conflict of interest or a financial risk for the appointee.
- 1.4 The County Council has also agreed the introduction of arrangements to provide officer support for Members appointed to certain outside bodies and also for Members to report back to the Council in appropriate cases. In this respect, Members should refer to the relevant Chief Officer for advice and guidance relating to the outside body to which they are appointed.

#### GENERAL

- 2.1 Before accepting the directorship or trusteeship of an external organisation, the Member or officer should consider how onerous the responsibilities are likely to be and should only accept the office if satisfied that they have the time and capacity to undertake them.
- 2.2 Consideration should also be given to whether there is likely to be any significant conflict of interest between the role as a director or trustee and their role as a Councillor or officer. If such a conflict is likely to arise to a significant degree, then the role should not be taken on.
- 2.3 Also, the Member or officer should assess the risks of things going wrong which might raise the prospect of a personal liability. Matters to be taken into account are the nature of the functions of the outside body and the amount of money it holds or deals with. For example, some external companies handle considerable sums of money in the course of each year and have major functions. On the other hand, the risks associated with relatively small local charities (e.g. educational charities) are much less.

- 2.4—Members and officers who serve on outside bodies must exercise independent judgement in the interests of the organisation in which they are involved. Whilst it is recognised that they may have a commitment to representing the County Council on the outside organisation, they must also be aware that it is their responsibility to decide what view to take on any question before the organisation. Where a Member or officer serves on the outside body in a representative capacity, this should be made clear to that body. There will be a fine line to tread between the duty to the outside body and to the County Council.
- 2.5—Ultimately the Member or officer in acting as a Director or Trustee or Member of a Management Committee of an outside body, must act in accordance with that body's interests, and not those of the Council or even the council tax payers at large. A mandate from the Council to vote one way or the other would put the Member or officer in breach of the duty to the organisation. It is permissible to take account of the County Council's wishes, but not to vote simply in accordance with them. The overriding duty in considering an item before the outside body is to vote in accordance with the interests of that organisation.
- 2.6—A Member or officer serving on an outside body must also ensure that avoidable loss is not incurred in managing that body. Individual responsibility cannot be avoided by not reading the papers or failing to ask for appropriate reports. Professional advice should also be sought where appropriate.
- 2.7—If there is a major dispute between the County Council and the outside body, then the Council's representative can be placed in an untenable position. In these circumstances, the appointee should take advice from either the Head of Paid Service, the relevant Chief Officer or the Chief Legal Officer Director of Governance.
- 2.8—
- 2.9—At the end of the day, it is possible that a representative on an outside body may find themselves unable to adequately carry out their responsibilities properly, both as a Member or officer of the County Council and as a Director/Trustee/Committee Member of the outside body. That would be an exception and should not deflect those appointed to outside bodies from being prepared to participate in the management and running of outside organisations.
- 2.10—Finally, it is recommended that:—
- (a)—Upon being appointed to an outside body, appointees obtain essential documents such as the outside body's governing document and the latest annual report and accounts
  - (b)—Appointees to outside bodies should take advice from the **Executive Director Finance & Commercial Services** and Commercial Services or the Chief Legal Officer Director of Governance (as appropriate) if they have any financial or other concerns about the body to which they have been appointed.

## **COMPANY DIRECTORS**

### **1.1— Company Directors have the following duties:—**

~~A duty to the company (not individual shareholders) to act honestly and in good faith and in the best interests of the company as a whole. This means taking proper care of the assets of the company.~~

~~A general duty of care and skill to the company. This means that Directors must exercise a degree of skill as may reasonably be expected from someone with that individual's particular knowledge and experience. However, Directors are not deemed to be experts, but are expected to use due diligence and to obtain expert advice if necessary.~~

~~Directors must exercise independent judgement, although they may take account of the interests of any third party whom they represent. This may well require interests to be declared (see below). However, Directors cannot vote simply in accordance with the Council's mandate.~~

~~Directors are not allowed to make a profit from their position. They must therefore disclose any interests they or their family may have in relation to the company's contracts. Whether they are then allowed to vote will depend on the company's Articles of Association.~~

~~Directors must ensure compliance with the Companies Act in relation to the keeping of accounts and making of returns to the Registrar of Companies and the information to be shown on stationery.~~

~~There is a duty to have regard to the interests of the company's employees, particularly, for example, in respect of health and safety.~~

~~Directors also have a range of accounting and financial responsibilities, including the preparation of accounts for each financial year, ensuring accounting records are maintained sufficiently to demonstrate the company's day to day transactions, approving the annual accounts and laying them before a general meeting and ensuring that annual accounts and reports are sent to shareholders and anyone else entitled to receive them.~~

### **1.2— Individual Directors can also be liable in certain circumstances, including the following:—**

~~A company can only act within the scope set out in its Memorandum of Association, and those Directors who knowingly cause the company to act beyond these activities will be liable personally.~~

~~Directors may also be liable for breach of trust if they misapply the money or property of the company. Directors may also be liable if they fail to take action to prevent the breach of a Co-Director of which they are aware.~~

~~In the event of a failure to act in accordance with the best interests of the company, or if Directors use their powers improperly or make a personal profit from their position as a Director, then they may be personally liable for loss to the company and may be required to give to the company the personal profit made.~~

~~If the level of skill and care shown by a Director falls below that which could reasonably be expected, and the company suffers loss, the Director will be liable for the loss incurred. However, if it believes the Director acted honestly and reasonably, a Court may excuse the Director from this liability.~~

~~If a Director knows or ought to know that there is no reasonable prospect of the company avoiding liquidation, the Court may require the Director to contribute to the company's assets on liquidation if the company continues to trade. This is known as wrongful trading. No such order will be made if the Court is satisfied that the Director took all reasonable steps to minimise the loss to the creditors.~~

~~Directors will also be liable if to their knowledge the company carried on business with intent to defraud creditors or any other person, or for any other fraudulent purpose.~~

~~Where a company fails to pay National Insurance contributions, and this is due to fraud or neglect on the part of any director(s) of the company, they may be held personally responsible for the outstanding contributions.~~

~~1.3— Finally, Information (apart from confidential information) must be given to other Councillors about their activities as required by the local authority.~~

### **CHARITY TRUSTEES**

~~1.1— Trustees must acquaint themselves with the terms of the Trust. In the case of a charity which is also a company, these terms will be found in the Memorandum and Articles of Association. Other Trusts will be found in the document under which the charity was established, such as a will or deed of gift or constitution.~~

~~1.2— Charity Trustees have the following duties:—~~

~~Trustees must act in accordance with the terms of the Trust.~~

~~The property of the charity must be used for the purposes for which the charity was set up. It must also be applied fairly between those properly entitled to benefit from it.~~

~~Trustees have a duty to exercise such care and skill as is reasonable in the circumstances having particular regard to any special knowledge or experience that they have or holds themselves out as having. In addition, where a Trustee acts in the course of a business or profession, particular regard must be had to any special knowledge or experience which it is reasonable to expect of a person acting in the course of that kind of business or profession.~~

Trustees must always act in the interests of the charity and of its beneficiaries or potential beneficiaries and without regard to their own private interests. This means that Charity Trustees must not put themselves in a position where their interests and duties conflict.

The work must generally be unpaid. Trustees may be paid for their expenses from the charity's income and, very occasionally, the Charity Commission may allow wider remuneration where this is in the interests of the charity.

Trustees cannot benefit either directly or indirectly from the charity.

They must act reasonably and prudently in all matters relating to the charity and must always bear in mind the interests of the charity. They should manage the charity as carefully as if they were running their own business. Although they may delegate certain of their functions under the Trustee Act 2000 and also under any powers in the trust document, they remain legally responsible and must supervise and control the work of officers.

Trustees must act in accordance with all relevant legislation.

They have a duty to provide information to the Charity Commissioners. Most charities (except small ones with an annual income under £1000 a year) are required to register under the charities legislation. The Charity Commissioners rely on this information when making a decision about a charity, so it is very important that it is accurate. It is an offence to give the Charity Commissioners false or misleading information, or to alter, conceal or destroy charity documents which may be required by the Commissioners.

All registered charities are subject to a number of accounting and reporting requirements, depending on their income and expenditure. These involve maintaining proper accounts, preparing the annual statement of accounts and an annual report and in some cases submitting them to the Charity Commission; and where the charity's gross income and total expenditure exceeds £10,000, making an annual report to the Charity Commission. Charity trustees are under a duty to ensure that these accounting and reporting requirements are carried out and to approve the annual report and accounts.

The accounts of registered charities with a gross income or total expenditure exceeding £10,000 must, at the option of the trustees, be either audited or independently examined. In addition, if either income or expenditure has been more than £250,000 in either of the previous two financial years then accounts must be audited by a registered auditor.

Retaining accounting records and statements of account for at least 6 years.

## **MANAGEMENT COMMITTEES**

- 5.1 Groups which are not charitable trusts or limited companies are "unincorporated associations" and have no separate legal identity from their Members. The rules governing the Members' duties and liabilities will be set out in a constitution, which is simply an agreement between the Members as to how the organisation will operate. Usually the constitution will provide for a management committee to be responsible for the everyday running of the organisation. An unincorporated organisation may be charitable and registerable as a charity (in which case the rules in paragraph 3 will apply).
5. Broadly, management committee Members must act within the terms of the constitution and must take reasonable care in exercising their powers.
- 5.3 Generally, Members of management committees are liable for the acts of the organisation but are entitled to an indemnity from the funds of the organisation if they have acted properly. If there are not enough funds, the committee Members are personally liable for the shortfall. If one person is appointed by the constitution to act as the agent of the organisation for certain purposes, then that person acts as the agent of all the Members, who have joint liability for the agent's actions. Members of the management committee will have a personal liability if they act outside the authority given them or if they do not comply with the law.

## **OTHER PUBLIC BODIES**

- 1.1 There are bodies created by an Act of Parliament to carry out particular functions and whose constitution is set out in the legislation relating to that specific body. Examples include the Broads Authority, Internal Drainage Boards and school governing bodies.
- 1.2 The powers of the Members of the body and duties and liabilities of those Members individually and collectively depend upon the wording of the legislation in question. In general terms, however, the position of a Member is similar to that of a Councillor. It is therefore wise for a Member of any of these bodies to obtain information for themselves from that body on its powers and duties, its Standing Orders and other procedures which they must follow and financial or other regulations which govern the conduct of its business.
- 1.3 In addition, conflicts of interest can occasionally arise for such appointees. In this respect, the general provisions described in Section 2 will apply.
- 1.4 Finally, there is the developing area of partnerships and partnership boards. Generally, these are not legal entities in their own right and Members are appointed purely to represent the County Council. In these circumstances the specific duties referred to above will not therefore tend to apply nor will there be a potential for a conflict of interest. On the other hand, the position may well be different if a separate legal entity is formed as part of the partnership working.



## **INTERESTS**

~~7.1—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. However, the effect of the Code of Conduct is that in most (but not necessarily all) cases a Member will not have a Disclosable Pecuniary Interest (and therefore need not make any declaration)) if the matter relates to an outside body to which the County Council have appointed the Member as its representative.~~

~~7.2—If you do not have a Disclosable Pecuniary Interest you may nevertheless have another Interest in a matter to be discussed if it affects:~~

- ~~— your wellbeing or financial position~~
- ~~— that of your family or close friends~~
- ~~— any body—~~
  - ~~— (a) exercising functions of a public nature~~
  - ~~— (b) directed to charitable purposes; or~~
  - ~~— (c) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union); of which you are in a position of general control or management~~

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

~~7.3—When Members discuss at Council meetings matters relating to an outside body on which they serve, they may take account of that outside body's interest. However, they must not vote simply in accordance with the mandate of that outside body. In short, the primary consideration is the public interest.~~

## **INDEMNITIES**

~~8.1—Local Authorities now have express powers to indemnify Members and officers who represent them on outside bodies. In exercise of these powers, the County Council has agreed to indemnify all Members and officers who represent the County Council on outside bodies against claims made against them while serving on that body, subject to the following:—~~

- ~~(a)—The indemnity only applies to the extent that the outside body does not have in place relevant insurance cover.~~
- ~~(b)—The indemnity does not extend to criminal actions, any other intentional wrong doing, fraud, recklessness or the bringing of an action for defamation.~~
- ~~(c)—The appointment to the outside body must be approved by Members or alternatively, in the case of an officer appointment, by the Head of Paid Service.~~
- ~~(d)—The indemnity will not apply if the appointee, without the express permission of the County Council, admits liability or negotiates or attempts to negotiate a settlement of the claim.~~
- ~~(e)—The indemnity is given on the condition that the County Council may, at its discretion, take over the defence of any case to which the indemnity relates and to see any legal~~

advice obtained by the Member or officer concerned.

8.2 ~~As to the provision of indemnities by the outside body to which a Member or officer has been appointed:—~~

~~(a) Companies can now give their Directors indemnities. However, such indemnities cannot cover:—~~

~~(i) the Director's liability to the company itself or to other companies within the same group;~~

~~(ii) fines imposed on a Director in criminal proceedings or in respect of a sum payable to a Regulatory Authority by way of penalty for non-compliance with any requirement of a regulatory nature; or~~

~~(iii) liabilities incurred by a Director in defending criminal proceedings where convicted, or in defending any civil proceedings brought by the company, or an associated company in which judgement is made against such Director.~~

~~(b) With regard to Charitable Trusts, an indemnity can be given from the Trust Fund provided the Trustee has acted properly and within their powers. Trustees may take out insurance to protect themselves against personal liability, but not for criminal acts, fraud etc. There will be no problem if the Trustees themselves pay the premiums but if they are paid out of the Charitable Funds the Trustees will need to consent to the Charity Commission unless the Trust Deed specifically allows it.~~

~~(c) With regard to Management Committees, Members will be entitled to an indemnity if they act in accordance with the Constitution and are not at fault. It is also possible to obtain insurance but if the organisation is to pay the premium it must be permitted by the Constitution.~~

## **RELATED ISSUES**

Finally, there are three related issues:—

~~(a) Occasionally, the County Council will be represented on outside bodies by third parties, rather than Members or officers. This guidance applies in principle to these representatives, although some parts of it will necessarily not apply e.g. Section 7.~~

~~(b) From time to time, officers are, as a result of their position with the County Council, appointed to serve on an outside body by the body itself, rather than by the County Council. Examples include serving on the managing body of a professional association or appointment to a national body as a local authority representative. Again, most of the principles contained in this guidance will apply to that situation, depending on the nature of the outside body.~~

~~(c) Finally, officers may from time to time be asked to serve in their private capacity on outside bodies funded by the Council. This can often give rise to a conflict of interest for the officer, particularly in the situation where the officer is employed within the funding department. In these circumstances, the County Council takes the view that there will be circumstances where an officer should not serve on the outside body because of the potential for a conflict of interest.~~

### **FURTHER INFORMATION**

If you require any further information about the issues raised in these Guidance Notes please contact the following:-

For legal/constitutional advice — Helen Edwards, [Chief Legal Officer](#), on (01603) 223415

For audit advice — Adrian Thompson, [Chief Internal Auditor](#), on (01603) 222784

For advice on Tax issues, please contact Hayley Buckland, [Tax Accountant](#), on (01603) 223177

### **CHECKLIST**

Checklist for protecting Members and officers appointed to external bodies. A local authority appointing Members and officers to external bodies can ensure the necessary protections are in place by applying the following checklist. It should:

- ~~Ensure powers permit participation in the type of body and in the manner envisaged.~~
- ~~Ensure internal policies are complied with and ongoing decision-making will not be compromised by the individual Members participating in the organisation.~~
- ~~Train all Members and staff on liabilities, for example by making a standard advice note available.~~
- ~~Check every external company carries insurance cover for directors.~~
- ~~Ensure individuals appointed to outside bodies have training on recognising and addressing conflicts of interest.~~
- ~~Ensure that the external body provides an indemnity and insurance for Members appointed to it, or that the Council's indemnity insurance covers extended liability.~~
- ~~Consider whether a resolution is required to indemnify all Members and officers participating in external organisations.~~
- ~~Take whatever steps are necessary to record the appointment in the Members' register of interests~~
- ~~With regard to the appointment of officers, the County Council should:~~

- ~~Ensure job descriptions are extended to include work for external bodies (with the appropriate approvals, for example from the Chief Executive or director).~~
- ~~Extend the standard indemnity to include approved outside work where it comes within the extended job description.~~
- ~~Have regard to the remuneration ceiling applied by law to directors of local authority controlled or influenced companies.~~

## **Report from the Cabinet Meetings held on 7 December 2020, 12 January, 1 February and 8 March 2021**

### **A: Meeting held on Monday 7 December 2020**

#### **1 Items of Urgent Business**

- 1.1 The Cabinet Member for Highways, Infrastructure & Transport advised that, for the second year running, Norfolk County Council had come first among its peers in the National Highways and Transport Survey. Over the summer 2020, 3,300 people in Norfolk had been asked for their views on topics such as road safety, highways maintenance, congestion and public transport. The results were ranked against other participating councils from across the country to provide a nationwide picture of how Norfolk was performing and out of the 29 county council and larger unitary authorities, Norfolk had secured first place for overall satisfaction.

Norfolk County Council had also achieved its highest average scores in both satisfaction with traffic levels and congestion and condition of highways which was testament to the hard work and dedication of all the highway and transport teams, with one area where Norfolk County Council had been ranked in first place was “professionalism of staff responding to enquiries”.

Despite the challenges brought about by the covid pandemic, Norfolk County Council had continued to focus its efforts and expenditure on the things people had highlighted as being the most important to them, for example safe roads that were in good condition. One of the biggest schemes made available by the extra government funding which had been secured was the resurfacing of the A1066 near Thetford which had recently been completed.

The survey had allowed Norfolk County Council to identify areas which needed improvement, for example the investment being made in installing LED streetlights on Norfolk’s main roads would help cut electricity consumption and also contribute towards Norfolk’s journey to a net zero carbon emission gain, whilst also improving customer satisfaction with street lighting in future surveys.

The Cabinet Member placed on record his thanks to all the teams in Highways, who did a fantastic job, working in all weathers to keep the county moving.

- 1.2 The Cabinet Member for Adult Social Care, Public Health & Prevention highlighted the arrival of the covid vaccine in Norfolk, which was due to be received on 8 December. Norfolk had two vaccination hubs –the Norfolk & Norwich University Hospital and the James Paget Hospital, Gorleston, where facilities were available to store the vaccine at the required temperature. The Cabinet Member thanked the Minister, Helen Whatley, who had ensured care home residents, care workers and vulnerable people were given high priority to receive the vaccine first. Cabinet noted that staff in Adult Social Care had worked with care providers over the

weekend of 6/7 December to identify people for the first round of vaccination appointments, which it was hoped would commence in hospitals soon.

The Cabinet Member urged all residents to have the vaccine if they were offered an appointment.

The Cabinet Member placed on record his thanks to all care workers for their continued efforts, adding that Norfolk County Council would continue to support them with advice, outbreak support and also financial support, which it had done since the start of the outbreak.

The Cabinet Member reiterated that the vaccine would take some months to roll out and the spread of the virus needed to reduce before life could return to normal, therefore it was important people did not become complacent as there was still a high risk of infection until the vaccine had been completely rolled out. He asked everyone to ensure they complied with the guidelines and not take risks; and until the full roll out of the vaccine, maintain personal space and wear a mask when in a crowd, whether indoors or outside, which really did make a difference.

## **2 Business Rates Pool – Annual Report 2019-20 and Pooling Decision 2021-22**

2.1 Cabinet considered the report by the Executive Director of Finance & Commercial Services providing a summary of the financial benefits of the Business Rates Pool and decisions taken to date in respect of allocating the pool's resources to economic development projects in Norfolk. The report also provided details of the work undertaken with Norfolk Leaders in submitting an application to the Ministry of Housing, Communities and Local Government (MHCLG) for a Norfolk Business Rates Pool in 2021-22.

2.2 Cabinet **RESOLVED** to:

1. **Note** the performance of the Norfolk Business Rates Pool and endorse the decisions taken by Norfolk Leaders in respect of:
  - Allocation of the 2018-19 Pool resources; and
  - Allocation of the 2019-20 Pilot resources.
2. **Note** the update on the application for a 2021-22 Norfolk Business Rates Pool, considering the increased risks of pooling in 2021-22 highlighted in section 5 and the potential need to dissolve the Norfolk Business Rates Pool, and delegate to the Executive Director of Finance and Commercial Services in consultation with the Leader and Cabinet Member for Finance to confirm (or otherwise) the County Council's participation, taking into account the latest available forecasts for pool income and the level of financial risk.

## **3 CES Compliance and Enforcement Policy**

3.1 Cabinet considered the report by the Executive Director of Community & Environmental Services setting out the CES Compliance and Enforcement Policy which provided a framework for a number of services within the CES directorate to ensure the Council worked in an equitable, practical and consistent manner when undertaking regulatory activities and law enforcement.

3.2 Cabinet **RESOLVED** to:

1. **Approve** the revised CES Compliance and Enforcement Policy at Appendix A and its annex documents (A-1 to A-6).
2. **Agree to delegate the functions** of the Council for the purposes of the Environmental Protection (Plastic Straws, Cotton Buds and Stirrers) (England) Regulations 2020 and the Air Quality (Domestic Solid Fuels Standards) (England) Regulations 2020 to the Head of Trading Standards by making an addition to the County Council's Constitution Appendix 5 (Scheme of Delegation to Officers).

**4 Norfolk Strategic Infrastructure Delivery Plan (NSIDP) Refreshed for 2020.**

4.1 Cabinet considered the report by the Executive Director of Community & Environmental Services setting out the Norfolk Strategy Infrastructure Delivery Plan for 2020.

4.2 Cabinet **RESOLVED** to:

1. **Approve** the 2020 NSIDP as set out in Appendix A of the report.
2. **Agree** to continue to review and update the NSIDP annually.

**5 No Wrong Door**

5.1 Cabinet considered the report by the Executive Director of Children's Services explaining the rationale of Children's services adopting No Wrong Door, the background of No Wrong Door itself and the expected benefits this would bring to children and young people.

5.2 Cabinet **RESOLVED** to:

1. **Endorse** the No Wrong Door model, the benefits this delivers to young people and their families and the rationale for the service level decision to implement No Wrong Door in Norfolk.
2. **Acknowledge and endorse** the proposed plan for how No Wrong Door will be implemented in Norfolk.
3. **Support / agree** the decision made by the Children's Services Leadership Team to develop and implement the No Wrong Door Model in Norfolk.

**6 Norfolk Carers Social Impact Bond: Young Carers and Families Expansion.**

6.1 Cabinet considered the report by the Executive Director of Children's Services setting out how Children's Services had the opportunity to join the current social impact bond led by Adult Services to include young carers and their families from April 2021, enabling the support for families to increase, and improve outcomes for children and young people who are young carers.

6.2 Cabinet **RESOLVED** to:

- **Expand** the Carers Social Impact Bond (SIB) to include support for young carers and their families.

## **7 A Social Impact Bond for the Prevention of Homelessness**

7.1 Cabinet considered the report by the Executive Director of Adult Social Care providing details of the Social Impact Bond which had been approved by Department of Culture, Media and Sport (DCMS) and, if agreed by Cabinet, would result in mobilisation of services in April 2021.

7.2 Cabinet **RESOLVED** to:

- **Delegate** the approval of the final contract for 'A Social Impact Bond for the Prevention of Homelessness' to the Executive Director of Adult Social care and Executive Director of finance and Commercial Services.

## **8 Review of Outdoor Learning Services at Holt Hall.**

8.1 Cabinet considered the report, including an exempt Appendix, by the Executive Director of Children's Services setting out that Norfolk County Council had undertaken a review of its approach to outdoor learning in the county because the current arrangements, which included the council acting as a direct provider of outdoor learning services at Holt Hall, were not financially sustainable.

8.2 Cabinet **RESOLVED** to **agree**:

- that the Council should become an enabler of outdoor learning through providing advice, support and access to resources.
- to discontinue delivering outdoor learning provision from the Holt Hall site, with immediate effect.

## **9 Disposal, acquisition and exploitation of property.**

9.1 Cabinet considered the report by the Executive Director of Finance and Commercial Services setting out proposals aimed at supporting Norfolk County Council priorities by exploiting properties surplus to operational requirements; pro-actively releasing property assets with latent value where the operational needs can be met from elsewhere and strategically acquiring property to drive economic growth and wellbeing in the county

9.2 Cabinet **RESOLVED** to **agree**:

1. To formally declare 5 former County Farms Estate sites as listed in the report at Brisley, Litcham, Terrington St Clement, Stow Bardolph and Southery surplus to County Council requirements and instruct the Director of Property to dispose of the properties. In the event for each disposal the disposal receipt exceeds delegated limits the Director of Property in consultation with the Executive Director of Finance & Commercial Services and Cabinet Member for Commercial Services and Asset Management is authorised to accept the most advantageous offers.
2. Should Adults Services decide not to reuse the property Cabinet is asked to formally declare the Land at Reephams Road, Drayton (5021/014 part)



surplus to County Council requirements and instruct the Director of Property to dispose of the property. In the event the disposal receipt exceeds delegated limits the Director of Property in consultation with the Executive Director of Finance & Commercial Services and Cabinet Member for Commercial Services and Asset Management is authorised to accept the most advantageous offer.

3. To formally declare 3 former highway sites as listed in the report at Erpingham, Repps with Bastwick and Swaffham surplus to County Council requirements and instruct the Director of Property to dispose of the properties. In the event for each disposal the disposal receipt exceeds delegated limits the Director of Property in consultation with the Executive Director of Finance & Commercial Services and Cabinet Member for Commercial Services and Asset Management is authorised to accept the most advantageous offers.
4. Should Childrens Services and Adults Services decide not to reuse the property at Thorpe End, The Railway Crossing, Great & Little Plumstead (5026/015), Cabinet is asked to formally declare the site surplus to County Council requirements and instruct the Director of Property to dispose of the property. In the event the disposal receipt exceeds delegated limits the Director of Property in consultation with the Executive Director of Finance and Commercial Services and Cabinet Member for Commercial Services and Asset Management is authorised to accept the most advantageous offer.
5. That, subject to the decision at Cabinet on the future of outdoor learning on the 7<sup>th</sup> December 2020, which would lead to the property no longer being required for NCC service delivery, Cabinet is asked to formally declare Holt Hall, Kelling Road, Holt NR25 7DU (1049/024) surplus to County Council requirements and instruct the Director of Property to dispose of the property. In the event a disposal receipt exceeding delegated limits the Director of Property in consultation with the Executive Director of Finance & Commercial Services and Cabinet Member for Commercial Services and Asset Management is authorised to accept the most advantageous offer.
6. To formally declare Land at Manor Road, North Walsham (1074/034B part) surplus to County Council requirements and instruct the Director of Property to dispose of the property. In the event the disposal receipt exceeds delegated limits the Director of Property in consultation with the Executive Director of Finance & Commercial Services and Cabinet Member for Commercial Services and Asset Management is authorised to accept the most advantageous offer.
7. To formally declare Land at Newman Road, Rackheath (5045/015) surplus to County Council requirements and instruct the Director of Property to dispose of the property. In the event the disposal receipt exceeds delegated limits the Director of Property in consultation with the Executive Director of Finance & Commercial Services and Cabinet Member for Commercial Services and Asset Management is authorised to accept the most advantageous offer.

- 10.1 Cabinet considered the report by the Executive Director of Finance & Commercial Services setting out proposals aimed at supporting Norfolk County Council priorities of investing in schools to promote high educational outcomes and providing enough school places to meet demand.
- 10.2 Cabinet **RESOLVED** to:
- **Agree** to the transfer of the freehold of Greenpark Academy, Greenpark Avenue, Kings Lynn to the Ad Meliora Academy Trust and the acquisition of the freehold of the St Edmund's Academy, Kilham's Way, King's Lynn and delegate to the Director of Property in consultation with the Executive Director of Finance & Commercial Services the agreement of the final terms and oversee the completion of the transfers.
- 11 **Reports of the Cabinet Member and Officer Delegated Decisions made since the last Cabinet meeting:**
- Cabinet **RESOLVED** to **note** the Delegated Decisions made since the last Cabinet meeting.

**B: Meeting held on Tuesday 12 January 2021.**

- 1 **Adult Social Services charging policy for non-residential care – next steps following Judicial Review**
- 1.1 Cabinet considered the report by the Executive Director of Adult Social Services brought forward at the earliest possible moment as a result of the judgment of the High Court in respect of Norfolk County Council (the Council) changing its charging policy to reflect the Government's national guidelines.
- 1.2 Cabinet **RESOLVED** to:
- a) make an initial amendment to the charging policy for non-residential care for people of working age, setting a minimum income guarantee of £165 per week, and using discretion to disregard the enhanced daily living allowance element of Personal Independence Payment
  - b) apologise to those affected and implement that amendment as soon as practicable and backdate it to July 2019
  - c) initiate further detailed work on the impact of the charging policy as it relates to the group of severely disabled people identified by this judgment, and wider groups
- 2 **Fee levels for adult social care providers 2021/22**
- 2.1 Cabinet reviewed the report by the Executive Director of Adult Social Services, detailing the adult social care provider fee uplift 2021-22. The Council has legal duties under the Care Act 2014 to promote the effective and efficient operation of this market including its sustainability including setting and maintaining adequate fee levels.
- 2.2 Cabinet considered the report and **RESOLVED** to:

**AGREE** the approach to fee uplifts for the 2021/22 financial year as set out below:

- a) In respect of contracts where an inflation index or indices are referenced, an uplift is implemented to match any changes in the relevant index or indices
- b) In respect of contracts where there is a fixed price for the duration of the contract, no additional uplift in contract prices takes place
- c) In other contracts, where the Council has discretion in relation to inflationary fee uplifts, that uplifts are considered in line with those set out in this report
- d) In respect of fees above usual price that have been negotiated within the last six months, including short term residential services, it is recommended that no automatic uplift be applied for 2021/22
- e) In the case of residential and nursing care any final uplift including other adjustments is subject to formal consultation, with implementation being through the use of Chief Officer delegated powers following that process

### **3 Progress with delivering the NCC Environmental Policy**

- 3.1 Cabinet considered the report by the Executive Director, Community & Environmental Services with an update for Cabinet on progress to date on the Member Oversight Group to provide the governance for delivering our new Environmental Policy, including NCC carbon reporting and future trajectory, tree planting, a concept for a land management best practice project, an approach for internal engagement within NCC which would inform department and organisation-wide future activities to deliver the Policy, and how the Policy sits within the wider context of the County's 25 Year Environment Plan
- 3.2 Cabinet reviewed the progress to date on the deliver of the Environmental Policy and **RESOLVED** to:
- 1. **approve** changes to the Member Oversight Group's Terms of Reference (Appendix 1), reflecting ongoing activities to deliver the Policy.

### **4 Local Flood Risk Management Strategy Review**

- 4.1 Cabinet considered the report by the Executive Director of Community & Environmental Services detailing a review of the existing policies in the Local Flood Risk Management Strategy against new and emerging national strategies and policies which had resulted in the proposal of 3 new policies and minor updates to our existing policies.
- 4.2 Cabinet **RESOLVED** to:
- 1. **approve** the new policies set out in para 2.1 of this report and the amendments to the existing policies set out in Appendix A for inclusion in the Local Flood Risk Management Strategy.
  - 2. **note** the heightened risk to Norfolk from flooding and coastal change when compared to much of England and agrees to set up a task force to work with our MPs and other stakeholders to ensure that the Environment Agency develops comprehensive, costed and funded plans to meet these challenges as set out in the recently published national strategy for England.

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

## 5 Responding to Ash Dieback over the next two years.

- 5.1 Cabinet considered the report by the Executive Director of Community & Environmental Services reporting on the scale of ash dieback in Norfolk and outlining the resources required to manage the disease over the next two years
- 5.2 Cabinet **RESOLVED** to:
  1. **Increase** the resource to manage Ash Dieback across NCC departments to £1m over the coming two financial years, with a view to developing a comprehensive 10 year programme.
  2. **Thank** Defra for their support in our work to date and work with Central Government to develop the case for a nationally funded programme to manage Ash Dieback.

## 6 Finance Monitoring Report 2020-21 P8: November 2020

- 6.1 Cabinet considered the report by the Executive Director of Finance and Commercial Services giving a summary of the forecast financial position for the 2020-21 Revenue and Capital Budgets, General Balances, and the Council's Reserves at 31 March 2021, together with related financial information.
- 6.2 Cabinet **RESOLVED** to:
  1. **approve** the setting up of a CES business risk reserves of £1.681m as set out in paragraph 2.35 of Appendix 1, and to approve proposed additional transfers to the Adult Social Services business risk reserve (£3.857m), Children's Services business risk reserve (£1m) and the corporate Covid risk reserve (£2.5m) as set out in paragraphs 2.8, 2.28 and 2.43 of Appendix 1.
  2. **Note** the period 8 general fund forecast revenue overspend of £0.349m noting also that Executive Directors will take measures to reduce or eliminate potential overspends;
  3. **Note** the COVID-19 grant funding received of £97.320m, the proposed use of that funding, and the related expenditure pressures resulting in net Covid-19 pressure, of £10.161m taking into account proposed transfers to the Corporate Risk reserve.
  4. **Note** the period 8 forecast shortfall in savings of £17.685m, noting also that Executive Directors will take measures to mitigate savings shortfalls through alternative savings or underspends;
  5. **Note** the forecast General Balances at 31 March 2021 of £19.706m, before taking into account any over/under spends;
  6. **Note** the expenditure and funding of the revised current and future 2020-23 capital programmes.

## **7 Performance and Governance of Norfolk County Council owned companies**

7.1 Cabinet received the report by the Executive Director of Finance and Commercial Services providing Cabinet with details of the Council's companies and setting out the governance arrangements on how the Council's interests as shareholder are safeguarded.

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

- **Endorse** the governance arrangements for the Council's companies
- **Note** the performance of the Council's companies

## **8 Norse Group Business Plan**

8.1 Cabinet received the report by the Executive Director of Finance and Commercial Services providing details of the Norse Group Business Plan for 2021-22.

8.2 Cabinet welcomed Dean Wetteland, Chief Executive of Norse Group and Fiona McDiarmid, Chair of Norse Board to the meeting for the presentation of the report.

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

- **Approve** the Norse Group Business Plan for 2021-22 to ensure that it reflects the aspirations of the shareholder.

## **9 Corporately Significant Vital Signs report**

9.1 Cabinet considered the report by the Director of Transformation providing an update on the Council's current performance towards achieving its strategic outcomes set out in Together, For Norfolk. Each quarterly performance report provides an opportunity to review current performance, validate the actions being taken to address gaps in performance and identify further opportunities for improvement using the resource and knowledge of the Council as a whole.

9.2 Cabinet reviewed the current performance data and **RESOLVED** to:

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

## **10 Risk Management**

10.1 Cabinet received the report by the Executive Director of Finance and Commercial Services setting out key messages and the latest corporate risks.

10.2 Cabinet considered the report and **RESOLVED** to **agree**:

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

## **11 Health, Safety and Well-being Annual Report 2019-20**

- 11.1 Cabinet received the report by the Director of Transformation providing data and analysis on the Health, Safety and Well-being (HSW) midyear performance of Norfolk County Council (NCC) as an employer.
- 11.2 Cabinet considered the report and **RESOLVED** to:
  1. **Note** the reported performance of NCC
  2. **Note** that the health and safety team have redirected efforts to manage service changes to create “COVID-Secure” services and workplaces, and more recently have provided professional support to Public Health colleagues and educational settings managing situations and outbreaks
  3. **Agree** that priority actions for the HSW team are to:
    - a. Continue to focus on the response to the COVID-19 pandemic,
    - b. Re-instigating the monitoring programme in a COVID-Secure way
    - c. Develop the training offer to enable remote delivery
  4. **Agree** that actions for services are to focus on key priorities during continued pandemic which will support mental health, well-being and safety including:
    - a. Effective people leadership and management practice as priority
    - b. Working from home arrangements including DSE assessment
    - c. Lone working procedures
    - d. Continued well-being of staff

## **12 Reports of the Cabinet Member and Officer Delegated Decisions made since the last Cabinet meeting:**

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

## **C: Meeting held on Monday 1 February 2021.**

### **1 Finance Monitoring Report 2020-21 P9: December 2020**

- 1.1 Cabinet considered the report by the Executive Director of Finance and Commercial Services giving a summary of the forecast financial position for the 2020-21 Revenue and Capital Budgets, General Balances, and the Council's Reserves at 31 March 2021, together with related financial information.
- 1.2 Cabinet **RESOLVED** to:
  1. **approve** proposed additional transfer of £1m to the corporate Covid Risk Reserve as set out in paragraph 2.46 of Appendix 1 of the report.
  2. **approve** the forecast allocation of the Contain Outbreak Management Fund (COMF) budget as set out in paragraph 5.13 of Appendix 1.
  3. (a) **approve** the continuation of financial support to providers as described in section 5, including specifically grants described in

paragraphs 5.8 and 5.14 of Revenue Appendix 1, consistent with detailed government guidance relating to the latest lockdown and (b) **delegate authority to relevant Cabinet members** to make decisions relating to the ongoing measures that are still needed to support providers for the remainder of 2020-21, subject to those payments remaining within the remaining budgets, and Covid-19 funding available for that purpose.

4. **Note** that the Council has received £0.602m of funding to provide support to Clinically Extremely Vulnerable individuals, and that further allocations are due to be received for the January / February 2021 lockdown period, and to agree that this will be used for the purposes set out by MHCLG in their guidance to local authorities, as summarised in Appendix 1 paragraphs 5.5-5.7.
5. **Note** the period 9 general fund forecast revenue underspend of £0.165m noting also that Executive Directors will take measures to reduce or eliminate potential over-spends;
6. **Note** the COVID-19 grant funding received of £104.588m, the proposed use of that funding, and the related expenditure pressures resulting in net Covid-19 pressure, of £9.838m taking into account proposed transfers to the Corporate Risk reserve.
7. **Note** the period 9 forecast shortfall in savings of £17.580m, noting also that Executive Directors will take measures to mitigate savings shortfalls through alternative savings or underspends;
8. **Note** the forecast General Balances at 31 March 2021 of £19.706m, before taking into account any over/under spends;
9. **Note** the expenditure and funding of the revised current and future 2020-23 capital programmes.

## **2 Dedicated Schools Grant (DSG) Funding**

- 2.1 Cabinet considered the report by the Executive Director of Children's Services presenting the changes to the distribution of the Dedicated Schools Grant from April 2021 in line with the Department of Education's National Funding Formula arrangements.
- 2.2 Cabinet **RESOLVED** to **agree**:
  - (i) the Dedicated Schools Grant funding including
    - a. the changes to the schools funding formula;
    - b. the changes to the early years funding entitlements formula;
    - c. agreeing the high needs block budget noting that it has been assessed to meet our statutory duties and it adds to the DSG cumulative deficit;
  - (ii) to delegate decision making powers to the Executive Director of Children's Services, in conjunction with the Lead Member for Children's Services, delegated authority to agree the final funding cap, or allocation of additional funds, once the final DSG calculations of individual school allocations are known and in line with the principles of Cabinet's decision.

## **3 School Place Sufficiency – Schools' Local Growth and Investment Plan**

- 3.1 Cabinet considered the report by the Executive Director of Children's Services focusing on the Annual Schools Local Growth and Investment Plan.

3.2 Cabinet **RESOLVED** to:

- Endorse the Schools' Local Growth and Investment Plan.

#### **4 Schools' Capital Programme Update**

4.1 Cabinet considered the report by the Executive Director of Children's Services providing an update on all financial adjustments to the schools' capital programme resulting from recommendations by Capital Priorities Group and decisions by the Executive Director of Children's Services with her delegated powers from Norfolk County Council Cabinet. The report also restated the reporting cycle for the schools' capital programme to Cabinet.

4.2 Cabinet **RESOLVED** to:

- Sign off the report for publishing on the Norfolk County Council website.

#### **5 Admission Arrangements for the School Year 2022/23.**

5.1 Cabinet received the report by the Executive Director Children's Services providing details of the admissions coordination scheme for all schools and the proposed admissions policy for all Community and Voluntary schools.

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

- **agree** the continuation of the current co-ordinated admission arrangements and to agree the inclusion of a priority within over-subscription rules for Community and Voluntary Controlled Schools for Service Personnel.

#### **6 Adult Learning Annual Plan**

6.1 Cabinet received the report by the Executive Director of Community & Environmental Services asking it to note the Adult Learning Service's exceptional performance over the 2020.

6.2 Cabinet reviewed the current performance data and **RESOLVED** to:

1. **approve** the Adult Learning Annual Plan
2. **commend** the Adult Learning Service's performance.

#### **7 Acquisition of Property for the Great Yarmouth Third River Crossing project.**

7.1 Cabinet received the report (including an exempt appendix) by the Executive Director of Finance and Commercial Services setting out a proposal for the County Council to acquire the leasehold interest and stock of South Denes Car Centre at South Denes Road, NR30 3LW to enable construction of the Great Yarmouth Third River Crossing Scheme. The report sought approval for the acquisition of the leasehold interest and stock of South Denes Car Centre, effectively extinguishing the business.



7.2 The Chairman referred to the exempt Appendix which contained commercially sensitive information, which Cabinet Members had received a copy of and said that, as no one had indicated they wished to refer to it in the discussion, it would not be discussed during the meeting. He added that the information would become available through the Land Registry once the purchase had been completed.

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

- **approve** the acquisition of the leasehold interest and stock of South Denes Car Centre, South Denes Road, Great Yarmouth NR30 3LW on terms agreed and instruct the Director of Property to oversee the implementation of the acquisition.

## 8 **Reports of the Cabinet Member and Officer Delegated Decisions made since the last Cabinet meeting:**

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

### **D: Meeting held on Monday 8 March 2021.**

#### **1 Highway Parish Partnership Schemes 2021-11**

1.1 Cabinet considered the report by the Executive Director of Community & Environmental Services setting out the proposed parish partnership programme for 201-22.

1.2 Cabinet **RESOLVED** to:

1. **Approve** the 90 local schemes listed in Appendix B of the report for inclusion in the Parish Partnership Programme for 2021/22.
2. **Approve** the 23 vehicle activated sign schemes listed in Appendix C of the report for inclusion in the Parish Partnership Programme for 2021/22, subject to securing funding from the Safety Camera Partnership.

#### **2 Highways Capital programme 2021/22/23/24 and Transport Asset Management Plan.**

2.1 Cabinet considered the report by the Executive Director of Community & Environmental Services summarising the one-year settlement following the Governments November 2020 budget and the proposed allocations for 2021/22. It also includes the successful progression of the 3rd River Crossing in Great Yarmouth, the Transforming Cities Fund in the Greater Norwich Area and Long Stratton Bypass.

2.2 Cabinet **RESOLVED** to:

1. **Approve** the Highways Capital programme including the proposed draft allocations and programme for 2021/22 and indicative allocations for 2022/23/24 (as set out in Appendices A, B and C of the report).
2. **Approve** the temporary maintenance and deck fixing proposal for Carrow Bridge as set out in paragraph 2.2.7 of the report
3. **Approve** the Transport Asset Management Plan (TAMP) for 2021/22 to 2025/26.

### 3 West Winch Housing Access Road

3.1 Cabinet considered the report by the Executive Director of Community & Environmental Services which described the work that had been carried out in partnership between the Borough and County Councils since late 2017 to develop a scheme using WSP to carry out technical work and sought Cabinet agreement to the submission of the Strategic Outline Business Case.

3.2 Cabinet **RESOLVED** to:

1. **Confirm** in principle support for the delivery of the West Winch Housing Access Road.
2. **Agree** that the contents of the Strategic Outline Business Case (SOBC) document set out a strong Strategic Case for the scheme
3. **Task** officers to submit the Strategic Outline Business Case (SOBC) to the Department for Transport at the earliest opportunity.

### 4 Project Member Group Review by Local Partnerships

4.1 Cabinet considered the report by the Executive Director of Community & Environmental Services providing a number of proposals intended to assist project delivery and governance by responding to issues identified during the review by Local Partnerships, an independent body owned by the Local Government Association and HM Treasury.

4.2 Cabinet **RESOLVED** to:

- **Note** the details and findings in the Local Partnerships report and to
- **agree** the proposals set out in paragraph 2.3 of the report.

### 5 Norfolk Strategic Planning Framework update - 2021

5.1 Cabinet considered the report by the Executive Director of Community & Environmental Services setting out the key updates to the NSPF document, which when endorsed will be the third edition of the document. The NSPF document is going through a comparable endorsement procedure with all the Local Planning Authorities in Norfolk.

5.2 Cabinet **RESOLVED** to:

- **Endorse** the updated Norfolk Strategic Planning Framework as part of the County Council's ongoing "duty to co-operate".

### 6 Libraries supporting Covid recovery for children and young people.

6.1 Cabinet considered the report by the Executive Director of Community & Environmental Services offering proposals from Norfolk Library and Information Service about how the service could respond to issues related to children and young people and reading that have been exacerbated by the covid-19 pandemic.

6.2 Cabinet **RESOLVED** to:

1. **Agree** the children's e-lending proposal.
2. **Agree** to remove children's overdue charges in perpetuity.
3. **Agree** the 1000 books before school proposals.

## **7 Accelerating the Development of Supported Housing**

7.1 Cabinet considered the report by the Executive Director Adult Social Services setting out a proposal and business case for accelerating the development of supported, adapted and specialist housing in Norfolk. The creation of supported, adapted and specialist housing across the county will provide many people with care and support needs with an alternative housing option that recognises their care needs and allows them to live in an independent and dignified way in their local communities.

7.2 Cabinet **RESOLVED** to:

- a) **Set up a** housing programme to encourage and accelerate the delivery of supported, adapted and specialist housing in Norfolk:
  - i. On privately owned land, setting up a capital contribution process to support the development of supported, adapted and specialist housing in Norfolk in new builds or as adaptations to existing properties
  - ii. On publicly owned land, following the most appropriate process when bringing forward supported, adapted and specialist schemes. This may include the establishment of a developer/provider framework or individual procurement process depending on the source of the land and stakeholders involved
- b) **Fund** programme costs of £108k per annum
- c) **Agree** that NCC funds capital investment of between £9m and £18m over the life of the programme

## **8 Repton Property Developments Ltd Business Plan**

8.1 Cabinet received the report by the Executive Director of Finance & Commercial Services which provided details of the Business Plan for Repton property Developments Limited to 31 March 2022.

8.2 Cabinet reviewed the Business Plan to ensure it reflected the aspirations of the shareholder and **RESOLVED** to:

- **Approve** the Repton Property Developments Ltd Business Plan to 31 March 2022.

## **9 Hethel Innovation Ltd Business Plan**

- 9.1 Cabinet received the report by the Executive Director of Finance & Commercial Services which provided details of the Hethel Innovation Ltd (HIL) Business Plan for 2021-22.
- 9.2 Cabinet reviewed the Business Plan to 2021-22 to ensure it reflected the aspirations of the shareholder and **RESOLVED** to:
- **Approve** the HIL Business Plan for 2021-22.
  - **Approve** the Terms of Reference for the Hethel Engineering Centre Expansion Project Officer Steering Group, as set out in Appendix B of the report.

## **10 NCC Nurseries Limited Business Plan**

- 10.1 Cabinet received the report by the Executive Director of Finance & Commercial Services which provided details of the Business Plan for NCC Nurseries Limited Business Plan for 2021-22.
- 10.2 Cabinet reviewed the Business Plan for 2021-22 to ensure it reflected the aspirations of the shareholder and **RESOLVED** to:
- **Approve** the NCC Nurseries Limited Business Plan for 2021-22.

## **11 Disposal, Acquisition & Exploitation of Property**

- 11.1 Cabinet received the report (including an exempt appendix) by the Executive Director of Finance and Commercial Services setting out proposals aimed at supporting Norfolk County Council priorities by exploiting properties surplus to operational requirements, proactively releasing property assets with latent value where the operational needs can be met from elsewhere and strategically acquiring property to drive economic growth and wellbeing in the county.
- 11.2 The Chairman referred to the exempt Appendix which contained commercially sensitive information, which Cabinet Members had received a copy of and said that, as no one had indicated they wished to refer to it in the discussion, it would not be discussed during the meeting. He added that the information would become available through the Land Registry once the purchase had been completed.
- 11.3 Cabinet **RESOLVED** to:
1. **Formally declare** the existing Hunstanton Library site surplus to County Council requirements and instruct the Director of Property to dispose of the property to the Borough Council of King's Lynn and West Norfolk, and  
Enter a lease with the Borough Council of King's Lynn and West Norfolk for the new library building and instruct the Director of Property to oversee the completion of the acquisition on the best terms possible.

2. **Formally declare** the land at Regent Place, King's Lynn surplus to County Council requirements and instruct the Director of Property to dispose of the property to the adjoining owner. In the event of no agreement then the Director of Property is authorised to sell by auction or tender.

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

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

**Cllr Andrew Proctor**  
**Chairman, Cabinet**

### **Procedure for Questions to Cabinet Members**

Questions to the Cabinet Members for

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

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

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

**Report of the  
Scrutiny Committee meetings  
held on 14 December 2020, 27 January 2021 and 17 February  
2021.**

**Items from the meeting of 14 December 2020**

**1 Early Childhood and Family Service**

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

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

**1.3 RESOLVED**

**That Scrutiny Committee:**

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

commissioned due to the ongoing Covid-19 pandemic and any potential recession that might follow.

- 6) Data that placed the ECFS in the context of referrals to the wider social care system (for example the numbers of referrals to social care in the past 12 months that had prior contact with ECFS, the missed opportunities that had been identified and evidence to show if ECFS put safety in place quickly enough for those children who needed to be protected).
- 7) Data that placed the ECFS in the context of the Greater Parent Voice (for example those who had not accessed the service, how ECFS intervention was addressing risks and the impact of intervention).
- 8) Information that identified the ECFS benefits for those living in remote rural areas in terms of issues specific to those areas (for example the availability of rural transport services).

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

**2.1 RESOLVED**

**That Scrutiny Committee:**

**Endorse proposed amendments to the Sub Panel's Terms of Reference.**

**3 Scrutiny Committee Forward Work Programme**

**3.1 RESOLVED**

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

**Items from the meeting of 27 January 2021**

**4 Norfolk County Council's Response to the December 2020 Flooding Event**

**4.1 The Committee received a report on Norfolk County Council's response to the December 2020 flooding event.**

**4.2 RESOLVED**

**That Scrutiny Committee:**

- 1. Place on record best wishes to those Norfolk residents who suffered hardship as a result of the December 2020 Flooding Event.**
- 2. Ask officers to take all possible steps to ensure that those residents who suffered hardship were made aware of all sources of support and information about flooding that were available to them.**
- 3. Place on record thanks to the officers who attended the meeting for this item for their helpful and informative answers to Councillors questions.**
- 4. That following on from the Cabinet decision and the actions that are to be taken following this meeting, the Scrutiny Committee receive an**



update report in Autumn 2021. The update report to include details about the work that has been done and remains to be done to resolve the issue of flooding (with supporting presentational information about outstanding hot spots in the county and attendance by representatives of Anglia Water, the Environment Agency and other appropriate organisations where necessary).

**5 Update on Provisional Local Government Finance Settlement 2021-22**

5.1 The Committee received a report that provided an update on Provisional Local Government Finance Settlement 2021-22.

**5.2 RESOLVED**

**That Scrutiny Committee note the report.**

**6. Covid-19– NCC response**

6.1 The Committee received a report that provided a brief update on the NCC response to the Covid-19 pandemic.

**6.2 RESOLVED**

**That Scrutiny Committee note the latest update report and the hard work that continues to be done by the Norfolk Public Health team to contain the pandemic.**

**7 Scrutiny Committee Forward Work Programme**

**7.1 RESOLVED**

- 1. To ask the People and Communities Select Committee to examine the issue of “Adult Social Services charging policy for non-residential care - next steps following Judicial Review” and to report back their findings to the Cabinet.**
- 2. That the next meeting of the Scrutiny Committee should be for the scrutiny of the Council’s budget with considerations as to the future shape of the Committee’s forward work programme deferred to the Chair and Vice-Chair and held in abeyance until the subsequent meeting where possible.**

**Items from the meeting of 17 February 2021**

**8 Norfolk County Council Budget 2021-22**

8.1 The Committee received an overview of the Council’s proposed 2021-22 Revenue Budget, Capital Programme and Annual Investment and Treasury Strategy as these matters were presented to Cabinet and were considered by Full Council.

**8.2 RESOLVED**

**That the Committee note the reports and thank the Cabinet Members and officers who had attended the meeting for their help in answering**

**Councillors detailed questions.**

**9 Scrutiny Committee Forward Work Programme**

**9.1 RESOLVED**

**That the future shape of the Committee's forward work programme should be deferred to the Chair and Vice-Chair.**

**Steve Morpew  
Chair**

## **Report of the Corporate Select Committee meeting held on 25 January 2021 and 15 March 2021**

### **Items from the meeting of 25 January 2021**

- 1 Business Transformation (Smarter Working) Programme Update**
  - 1.1 The Director of Transformation gave the Select Committee a presentation (that can be found on the Committee pages website) that outlined progress made by the Business Transformation and Smarter Working Programme, established following the adoption of 2020-2024 Medium-Term Financial Strategy. The presentation and the report explained the impact of COVID-19 on the programmes' activities, set out the priorities for the next 6 months, provided an opportunity to identify any other areas of work that should be included and asked Councillors to agree when a further report would be made to the Select Committee.
  - 1.2 **The Committee RESOLVED:**
    1. To acknowledge how the COVID-19 pandemic had continued to impact, in both a positive and negative manner on the Business Transformation (Smarter Working) Programme.
    2. To acknowledge the identified priority areas for our Business Transformation over the next 6 months that were fully set out in the report.
    3. Agree that a further report be made to Select Committee, with an updated plan that takes our transformation forward going during normalisation, in July 2021 (assuming we have re-entered the normalisation phase).
- 2 Digital Strategy and Roadmap Progress Update**
  - 2.1 The Director of IMT & Chief Digital Officer gave the Committee a presentation (that can found on the Committee pages website) that included an executive summary of progress made so far as the strategy continued to be delivered in collaboration with departments, the Council's service delivery partners, key external digital suppliers and internationally recognized technology consultant specialists.
  - 2.2 **The Committee RESOLVED:**
    1. To acknowledge that the draft Digital Norfolk Strategy and Roadmap provided the feedback on all the changes that the Committee wished to see incorporated.
    2. To agree that the Strategy and Roadmap were ready to share with wider Public Sector service partners before returning to the Committee/ Cabinet for final approval.
- 3 Human Resources and Finance Programme– Update**

3.1 The Assistant Director Strategy & Governance, gave the Committee a presentation (that can be found on the Committee pages website) on the actions taken since the last substantive report in November 2020 and on the work planned as part of the playback approach described in the report for the next 30, 60 and 90 days.

3.2 **The Committee RESOLVED:**

**To acknowledge that the Human Resources and Finance Programme is in the implementation phase and that the strategic benefits and focus areas for the next 30, 60 and 90 days are fully contained in the report.**

4 **Proposed Amendments to the Council Constitution**

4.1 The Committee received and debated proposed changes to the Constitution that are included in a separate report to the County Council.

4.2 **The Committee RESOLVED:**

1. **To agree amendments proposed for recommendation to Council at its final meeting before the 2021 AGM.**
2. **To agree to recommend to Council Articles and Appendices retained in their current format (No changes proposed).**
3. **To agree that remaining appendices are considered at the March meeting of this Committee.**

5 **Corporate Select Committee Forward Work Plan**

5.1 **The Committee RESOLVED**

**That the Chairman and Vice-Chairman be authorised to consider what items need to go to a meeting in March 2021 and the implications any changes has on the shape of the forward work programme.**

**Items from the meeting of 15 March 2021**

6 **NCC Customer Experience Strategy 2021 to 2026**

6.1 The Committee received a report setting out Norfolk County Council's (NCC) Customer Experience Strategy developed to reflect and support delivery of the Council's overarching priorities and target outcomes outlined in 'Together for Norfolk', Norfolk County Council's business plan for 2019-2025.

6.2 The strategy had been devised to ensure customer service met the expectations of local people, with the use of technology helping services to be available at any time while recognising that some people would prefer or need to visit sites or call or write to have information sent to them. The strategy had been developed from the information gathered from two customer surveys and was focussed on ensuring a customer centric approach to delivering services.

6.3 The strategy was designed to be easy to deliver and read and to be as easy as possible for people to seek help. An impact assessment had been carried out

as part of development of the strategy. The service was at the forefront of the pandemic approach and Cllr Dewsbury thanked the service and all other services who had helped people during the pandemic.

**6.4 The Committee:**

- 1. REVIEWED and CONSIDERED the proposed Customer Experience Strategy, as set out in section 2 of the report.**
- 2. REVIEWED and CONSIDERED the Customer Charter as set out in Appendix 1 of the report.**

**7 Proposed Amendments to the Council Constitution**

- 7.1** The Committee received and debated proposed changes to the Constitution that are included in a separate report to the County Council.

**Cllr Karen Vincent, Chairman  
Corporate Select Committee**

## Report of the Infrastructure and Development Select Committee Meeting held on 28 January 2021

### 1. Flooding

- 1.1 The Committee received a verbal update from the Executive Director of Community and Environmental Services regarding the recent flooding throughout the County and what plans were in place to alleviate the flooding in the future.

### 2. Adult Learning Annual Plan

- 2.1 The Select Committee received the report which outlined the annual plan. The annual plan had been developed to reflect the changing demands of the current landscape and was closely aligned to both local and national priorities and responded to the needs of the county as a result of the impact of Covid-19.
- 2.2 The Select Committee **RESOLVED** to
1. Note Adult Learning's performance outcomes and contribution to Norfolk priorities
  2. Consider and comment on the Adult Learning Annual Plan for 2020-21 and beyond.

### 3. Norfolk Library and Information Service Update

- 3.1 The Select Committee received the report which provided an update on how the library service had responded to the pandemic, and how it continued to support reading, learning, literacy and provide information to citizens in Norfolk.
- 3.2 The Select Committee considered and **NOTED** the report.

### 4. Progress with the Rights of Way Improvement Plan (ROWIP)

- 4.1 The Select Committee received the report which provided an update for members on progress with delivering the Norfolk Access Improvement Plan.
- 4.2 The Committee **RESOLVED**:
1. To note ongoing work to deliver the Norfolk Access Improvement Plan;
  2. To note processes in place to monitor the plan
  3. To note recommendations made by the Norfolk Local Access Forum arising from the monitoring reports.

**5. Forward Work Programme**

- 5.1 The Select Committee received the report by the Executive Director of Community and Environmental Services setting out the Forward Work Programme to enable the Committee to review and agree it.
- 5.2 The Select Committee reviewed the report and **AGREED** the Forward Work Programme for Infrastructure & Development Select Committee.

**Cllr Barry Stone, Chair  
Infrastructure and Development Select Committee**

## Report of the People and Communities Select Committee meeting held on 29 January 2021

### 1. Post 16 Education - Summary Report

- 1.1 The Committee received the report providing key updates on post 16 provision, quality and outcomes and the impact of the COVID-19 crisis on providers so far.
- 1.2 The Committee **NOTED** that Norfolk County Council will:
  1. **work** with the EFSA to press for targeted resources where flexible funding is required to jointly commission provision to address gaps.
  2. **work** with education, training, and transport providers to carry out and consult on a policy review to create a more integrated and innovative transport system in the County.
  3. **provide** leadership for the development of post 16 education and training in the County:
    - a. As an employer and working with other public sector employers establish public sector pathways into work including prioritising care leavers and other vulnerable groups
    - b. Work pro-actively with both our in-house provider and other partners to establish new provision targeting specific groups of young people.
    - c. Continue work with the Education and Training Strategy Group and the LEP Skills Advisory Panel to foster collaboration across Education, Training and employer sectors.
    - d. Continue to contribute to the forthcoming Norfolk County Council Apprenticeships Strategy.

### 2. Education Health and Care Plan Dashboard Update

- 2.1 The Committee received the second report on a developing Special Educational Needs and Disabilities (SEND) performance framework in a series of reports scheduled for each Committee meeting over a 2-year period. The requirement to provide regular reports followed on from a recommendation by the Local Government & Social Care Ombudsman (LGSCO) and the current improvement work linked to our Written Statement of Action with Ofsted/Care Quality Commission (CQC).
- 2.2 The Committee
  1. **NOTED** the ongoing content of a new SEND performance framework and agree ongoing reporting at all subsequent meetings for a period of two years in total; complying with the outcome of the LGSCO report.
  2. **AGREED** that the range of performance measures will directly assist with decision making regarding any policy changes needed over time as part of the range of SEND improvement programmes.

### 3. Healthwatch Norfolk Report

- 3.1 The Committee received the report and saw a presentation by Emily Woodhouse of



Healthwatch Norfolk detailing the results of research commissioned by Norfolk Adult Social Services and carried out by Healthwatch Norfolk to hear the voices of people in care homes about the impact of Covid-19.

3.2 The Committee:

- a) **COMMENTED** on the findings and recommendations which will be presented
- b) **SUPPORTED** the recommendations and share the report once circulated
- c) **AGREED** to help to amplify the voice of care home residents and staff and to assist Norfolk County Council fulfil its role in developing and supporting the care home sector

4. **Forward plan**

- 4.1 The committee considered and **agreed** the forward plan with the addition of items suggested during discussion.

**Cllr Shelagh Gurney, Chair  
People and Communities Select Committee**

**Report of the Norfolk Health Overview and Scrutiny  
Committee virtual meetings  
held on 26 November 2020, 4 February 2021  
and 18 March 2021**

**A: Meeting of 26 November 2020**

**1. Access to local NHS services for patients with sensory impairments**

- 1.1 The Committee received the report examining the experiences of people with hearing impairments and sight impairments when accessing local NHS services and received NHS England and NHS Improvement East of England's plans for engagement with BSL users and others in advance of re-procurement of interpreting services for primary care in 2021. British Sign Language interpreters were present for this item for people watching on YouTube, secured through the Council's INTRAN contract via Deaf Connexions.
- 1.2 The Norfolk and Waveney Overview and Scrutiny Committee (NHOSC):
- a) **ASKED** NHS England and Improvement representatives:
    - To ensure the 'tell us once' policy is in place and adhered to so that there is improved access for patients with sensory impairments.
    - To ensure that all frontline staff receive training in the requirements and implementation of the accessibility standards.
    - To make a contract variation to enable patients to ask a BSL interpreter to make an appointment for them, to protect their privacy and dignity.
    - To ensure a rapid response to members of the public who are currently having difficulty accessing services.
  - b) **INVITED** NHS England and Improvement representatives to return to the committee in early spring 2021.

**2. Suicide Prevention**

- 2.1 The Committee received the report examining the work to prevent suicides in Norfolk and Waveney, focusing on the action delivered by NHS partners and particularly Norfolk and Suffolk NHS Foundation Trust (NSFT).
- 2.2 The Norfolk Health Overview and Scrutiny Committee:
- a) **ASKED** Norfolk and Suffolk NHS Foundation Trust (NSFT) to increase efforts to advertise of the First Response 24/7 helpline, reaching out to local government and primary care to advertise to their residents and patients.
  - b) **REQUESTED** a briefing from NSFT and Norfolk and Waveney CCG with the following information:
    - Latest information on numbers of suicides.
    - The number of changes of healthcare worker that patients are experiencing along their pathway of care.
    - Evaluation of the impact of the new NSFT first response 24/7 helpline including:

- the numbers of patients who have called the helpline that have subsequently been brought into the NSFT service for help.
- information on development of the helpline service (i.e. freephone; text service; link to NHS 111).
- Numbers of people who are referring themselves back into NSFT's care within 3 months of discharge from the service, and how many of those are accepted back into the service.
- Numbers of Coroner Prevention of Future Death notices received, and action taken.
- If possible, comparison with other Trusts on the number of families who take part in reviews following a Serious Untoward Incident.

### 3. St James' Medical Practice, King's Lynn – consultation on proposed relocation

3.1 The Committee received a consultation and saw a presentation from St James' Medical Practice regarding a proposal for relocation to a new site in King's Lynn

3.2 The Norfolk Health Overview and Scrutiny Committee

- **AGREED** that every reasonable effort has been made on engagement and consultation around the proposed relocation and recognised that it is probably not realistic to expect two new surgeries to be delivered concurrently.
- **RECOMMENDED** to the CCG:
  - That a business case for provision of a second new surgery in King's Lynn, to serve the south of the town, should be taken forward as quickly as possible.
  - That the scope for facilitating a primary care hub in the central area, which could assist in service integration and ease pressure across all the town's practices, should be explored.
  - That meetings should be held with local councillors to pick up issues around:
    - Mitigating the effect of the relocation to Edward Benefer Way on vulnerable patients, including suggestions made by NHOSC Members at the meeting on 26 Nov 2020.
    - Progress of the business case for a second new surgery in King's Lynn.
- **ASKED** The CCG and St James' Medical Practice to report progress to NHOSC.

### 4. Forward work programme

4.1 The Norfolk Health Overview and Scrutiny Committee received reviewed and **AGREED** the forward work programme with the addition of additional reports and information.

## B: Meeting of 4 February 2021

### 1. Prison healthcare – access to physical and mental health services

1.1 The Committee received the report examining commissioning and delivery of physical and mental health services provided at the three mainstream prisons in Norfolk; HMP Norwich, HMP Bure and HMP Wayland.

1.2 The Norfolk and Waveney Overview and Scrutiny Committee (NHOSC):

- **REQUESTED** additional information from NHSE&I on:
  - The number of prison officers who have received mental health awareness

- training, including both the the number and percentage of total number of prison officers trained.
- Details of the training given to prison officers to spot prisoners' health needs, mental and physical.
- Details of the work programme to update SystmOne so that people are registered with a GP prior to release from prison.
- Details of the communication possible between SystmOne in prisons and SystmOne in the community.
- Information on the point at which prisoners are told how to complain about healthcare services.
- Information on the point at which prisoners are given details of the interpreting service that can assist them with making complaints.
- Waiting times for Improving Access to Psychological Therapies (IAPT) one year ago, before the effects of the pandemic.
- **RECOMMENDED** that NHSE&I:
  1. Put in place a performance indicator for monitoring provision and use of interpreting services in prison healthcare.
  2. Check whether prison staff at Norwich prison are given the results of their regular Covid-19 tests and advise they should be as a matter of healthcare ethics
- **AGREED** that Prison healthcare would be included on NHOSC's forward work programme for 12 months' time

## 2. Forward work programme

- 2.1 The Norfolk Health Overview and Scrutiny Committee received, reviewed and **AGREED** the forward work programme with the addition of 'Prison healthcare – access to physical and mental health services' for February 2022

## A: Meeting of 18 March 2021

### 1. The Queen Elizabeth Hospital NHS Foundation Trust

- 1.1 The Committee received the report examining the Queen Elizabeth Hospital NHS Foundation Trust's (QEH) progress following the Care Quality Commission (CQC) full inspection in 2019 and the hospital's last report to the Norfolk Health Overview and Scrutiny Committee in February 2020.
- 1.2 The Norfolk and Waveney Overview and Scrutiny Committee (NHOSC)
1. **AGREED** to:
    - Write to Norfolk MPs and the Secretary of State for Health and Social Care about the condition of the QEH building and the need for funding for a new hospital. Details of the risks to the local population and the cost of mitigation measures to be included.
      - Letter to be drafted & circulated to committee member for comment before final sign off by the Chairman.
    - Recommend that Norfolk and Suffolk NHS Foundation Trust liaises with the QEH to provide joined up community mental health services to support staff.
  2. **ASKED** QEH representatives to return to NHOSC with a progress update before the end of 2021.

### 2. Local actions to address health and care workforce shortages

- 2.1 The Norfolk Health Overview and Scrutiny Committee received the report examining the Norfolk and Waveney Health and Care Partnership's workforce workstream's local action to address and mitigate the effects of national workforce shortages affecting health and care services.

Norfolk Health Overview and Scrutiny Committee

- **AGREED** to write to Norfolk MPs highlighting concerns affecting recruitment and retention of health and care staff including:
  - Impact of recent changes to pension and tax rules on retention of senior staff
  - Overly bureaucratic recruitment procedures for people wishing to help in the response to Covid 19
  - Impact of the issue of low pay in care careers.
    - Letter to be drafted & circulated to committee members for comment before final sign off by the Chairman.
- **RECOMMENDED** that the Health and Care Partnership provides careers advice on new health care roles, liaising with Children's Services to make schools aware of the emerging new roles.
- **AGREED** that the Health and Care Partnership provide a written update on progress in 12 months' time.

**3. Forward work programme**

- 3.1 The Norfolk Health Overview and Scrutiny Committee received, reviewed and **AGREED** the forward work programme with the addition of reports.

**Cllr Penny Carpenter, Chair,  
Norfolk Health Overview and Scrutiny Committee**

## Report of the Health and Wellbeing Board Meeting held on 10 March 2021

### 1. Health and Wellbeing Board Covid-19 update

- 1.1 The Health and Wellbeing Board received the report and presentation providing an update on Covid-19 health impacts in Norfolk and a verbal update on the local vaccination programme and inclusion programme.
- 1.2 The Health and Wellbeing Board
  - a) **Received** a presentation on Covid-19 Health impacts on Norfolk.
  - b) **Received** a verbal update on the local vaccination programme.

### 2. NHS Norfolk and Waveney Clinical Commissioning Group Annual Report

- 2.1 The Health and Wellbeing Board received the report setting out the draft narrative for the NHS Norfolk and Waveney Clinical Commissioning Group (CCG) 2020/21 annual report about how they had supported and contributed to the delivery of Norfolk Health and Wellbeing Board's priorities (as set out in the Joint Health and Wellbeing Strategy).
- 2.2 The Health and Wellbeing Board **AGREED** the narrative set out in the NHS Norfolk and Waveney CCG annual report.

### 3. Developing Norfolk and Waveney's Integrated Care System

- 3.1 The Health and Wellbeing Board received the report updating the Board on the development of the Norfolk and Waveney Integrated Care System (ICS).
- 3.2 The Board expressed concern on how the white paper proposals on procurement aligned with the general direction of travel for social care procurement in the future from the green paper. The Council and the NHS were both submitting responses to the proposals. The Executive Director of Adult Social Care **agreed** to amend the Norfolk County Council submission to the green paper to say that Health and Wellbeing Board Partners saw the contradiction between the two approaches and the need for alignment.

The Health and Wellbeing Board

- a) **RECOGNISED** the progress made by our partnership as we become an integrated care system.
- b) **SUPPORTED** the proposed engagement process to develop our partnership working at a more local level.

### 4. Joint Strategic Needs Assessment Work Plan for 2021/2022

- 4.1 The Health and Wellbeing Board received the report presenting a summary of work completed during 2020/2021 and proposed work programme for the Joint Strategic Needs Assessment (JSNA) for 2021/22.

- 4.2 The Health and Wellbeing Board:
- a) **ACKNOWLEDGED** for information the progress report for 2020/2021
  - b) **REVIEWED** and **ENDORSED** the proposed JSNA workplan for 2021/2022
  - c) **SUPPORTED** the JSNA working group to deliver the workplan through the liaison group.

## **5. Norfolk's Better Care Fund: Opportunities for the Future**

- 5.1 The Health and Wellbeing Board received the report and saw a presentation providing an update on the progress of the Better Care Fund (BCF) Review, asking the Health and Wellbeing Board to set the priorities to which the BCF would deliver moving forward, and an update on formally required "End of Year" reconciliation information for national submission.
- 5.2 The Health and Wellbeing Board
- a) **CONSIDERED** the report and directed future delivery priorities of the BCF programme.
  - b) **AGREED** to receive "End of Year" reconciliation information on the 20/21 BCF and delegated, to the Chair & Vice-Chairs, decision making on submission to the national team if reconciliation is required between HWB meetings.

**Cllr Bill Borrett**  
**Chair, Health and Wellbeing Board**

## Report of the Audit Committee Meeting held on 21 January 2021

### **1 Items of business which the chairman decides should be considered as a matter of urgency.**

- 1.1 The Committee received a presentation by the Director for People on the support Norfolk County Council provided to staff during the covid-19 pandemic. The presentation included a summary of workforce priorities; feedback from staff about working for Norfolk County Council – before and after lockdown; a summary of the well-being offer; a summary of the learning offer and communications provided to staff to keep them connected whilst working from home.
- 1.2 The Committee also received information on the latest data relating to staff absence and noted that staff availability was currently at approximately 93.5% compared to between 90 and 95% previously. Staff being unavailable due to Covid was approximately 2-2.5%, with the percentage of staff unavailable for reasons other than covid currently at 4.2%. Members noted the position reflected the efforts put in by the Director of People and her team.
- 1.3 The Chairman thanked the Director of People for providing the information and also expressed his thanks, on behalf of the Committee, to all staff and Managers who had worked so hard in quickly changing circumstances to ensure services provided by Norfolk County Council were delivered.

### **2 Norfolk Audit Services Report for the Quarter ending 31 December 2020.**

- 2.1 The Committee received the report by the Executive Director of Finance & Commercial Services which supported the remit of the Audit Committee in providing proactive leadership and direction on audit governance and risk management issues. The report updated the Committee on the progress with the delivery of the internal audit work and advised on the overall opinion on the effectiveness of risk management and internal control. The report also set out work to support the opinion and any matters of note.
- 2.2 The Committee considered the report and **RESOLVED** to **agree**:
- the key messages featured in this quarterly report, that the work and assurance meet their requirements and advise if further information is required
  - The governance arrangements for the Covid-19 response and the Recovery (as described in Appendix D) continue to be sound and effective and will be reported in the draft Annual Governance Statement 2020-21 when it is published.



### 3 Risk Management

3.1 The Committee received the report by the Executive Director of Finance and Commercial Services referencing the corporate risk register as it stood in January 2021 following the latest review conducted during December 2020.

3.2 The Committee considered the report and **RESOLVED** to **agree**:

- a. The key messages as per section 2.1 of this report
- b. The key changes to the generic corporate risk register (Appendix A),
- c. The corporate risk heat map (Appendix B)
- d. The latest generic corporate risks (Appendix C);
- e. Scrutiny options for managing corporate risks (Appendix D)
- f. Background Information (Appendix E)

### 4 Counter Fraud, Bribery and Corruption Annual Report 2020-21 (including whistleblowing).

4.1 The Committee received the report by the Director of Governance providing an annual report in respect of the counter fraud activity undertaken by Norfolk Audit Services during the financial year 2020-21.

4.2 The Committee considered the report and **RESOLVED** to:

- **agree** that the content of the Anti-Fraud, Bribery and Corruption and Whistleblowing annual report 2020-21 (Appendix A), the key messages, that the progress is satisfactory, and arrangements are effective.

### 5 Internal Audit Strategy, Our Approach and the Audit Plan 2021-22.

5.1 The Committee received the report by the Executive Director of Finance & Commercial Services setting out the background, Internal Audit Strategy, Our Approach to developing the Audit Plan 2020-21, the Audit Plan for 2020-21 and the Performance of the Strategy.

5.2 The Committee considered the report and **RESOLVED** to **approve**:

- The Internal Audit Strategy, the approach to developing the Audit Plan for 2021/22 and the Audit Plan for 2020/21, supported by the 'Days Available to Deliver NAS Services 2020/21 (Appendix C) and the 'Detailed Audit Plan for the First Half of the Year for 2020/21' (Appendix D), and that this work will deliver sufficient scope for the assurances required
- That the arrangements are compliant with all applicable statutes and regulations, including the Public Sector Internal Audit Standards (2017) and the Local Authority Guidance Note of 2013, including safeguards in place to limit impairments to independence and objectivity for the roles of the Chief Internal Auditor (described at paragraph 5.7 of this report), and any other relevant statements of best practice
- That the approach to minimise the audit burden during the pandemic response (described at 5.24 in this report) is risk based, necessary, proportionate and that normal coverage will resume on a risk assessed

basis at the earliest opportunity. The reasons for deferring audits will be reported to this Committee

## **6 Work Programme**

- 6.1 The Committee received the report by the Executive Director of Finance and Commercial Services setting out the work programme.
- 6.2 The Committee agreed to ask Geoff Connell, Head of IMT to attend the next meeting to provide an update on the work IMT was carrying out on cyber-security; disaster recovery, etc.
- 6.3 The Committee considered and **agreed** the report.

**Ian Mackie**  
**Chairman, Audit Committee**

**Report of the Standards Committee  
Meeting held on 18 January 2021**

**1. Performance and Monitoring Report**

- 1.1 The Committee received a report from the Director of Governance and Monitoring Officer updating it on matters of standards and conduct since the last meeting.
- 1.2 The Committee considered the report and **RESOLVED** to **note** the Council's performance in relation to Member standards and conduct during the period 11 July 2020 to 31 December 2020.

**2. Appointment of Independent Persons**

- 2.1 The Committee received a report from the Director of Governance and Monitoring Officer which updated them on the situation for the recruitment of the independent persons.
- 2.2 The Committee **RESOLVED** to;
  - 1. Extend the appointment of the current two independent persons until the end of April 2021 to allow for a recruitment process to take place early in 2021.
  - 2. Ask Officers to proceed with the recruitment process to appoint two new independent persons for a period of 4 years as from May 2021

**3. Local Government Association Model Councillor Code of Conduct 2020**

- 3.1 The Committee received the report by the Director of Governance and Monitoring Officer which set out the proposed Councillor Code of Conduct from the Local Government Association.
- 3.2 The Committee considered the Model Councillor Code and Conduct from the Local Government Association and **RESOLVED**;
  - 1. **To recommend to Council\*\*** that the code be adopted with the local amendments as follows;
    - a. To remove paragraph 6,7,8,9, 10 and table 2, and to remove any reference to unpaid directorship.
  - 2. That the Chair, vice-Chair and the Monitoring Officer look at the impact of adopting the model code of conduct on the appendices of the Constitution.

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

**\*\* Note from the Assistant Director of Governance (Democratic & Regulatory Services)**

This recommendation is covered in the 'Recommendations from the Corporate Select Committee' report enclosed with this agenda at item 6.



## Report of the Norfolk Records Committee Meeting held on 5 February 2021

### 1. Finance and Risk Report

1.1 The Committee received the report outlining the Norwich Record Office revenue budget for 2020/21, capital programme and reserves and provisions and an update on the service risk register.

1.2 The following points were discussed and noted:

- The unprecedented nature of the budgetary pressures facing the Service were being managed at a wider CES departmental level.
- Emergency grant funding had been sought from the Government to help meet the predicted loss of income for the Service during the extended period of closure and reduction in normal activity due to Covid-19.
- The staff savings at the Norfolk Record Office were to be achieved by making changes in project funded work and staff redundancies had been avoided.
- The Record Office capital budget currently included two projects. These were the Metadata Migration Management project ( which included an extensive new catalogue that had gone live at the end of December 2020) and work on Storage and Additional Mobile Racking in the Strong room (for which a supplier was recently appointed).
- The new capital funding included the development of a Norfolk Record Office 2050 Vision.
- It was pointed out that only minor adjustments had been made in the risk register since this matter was last reported to the Committee in October 2020.

1.3 The Committee **CONSIDERED** and **COMMENTED** on:

1. Forecast position of the revenue budget, capital programme, reserves and provisions.
2. Management of risk for 2020/21.

### 2. Long term planning for the Norfolk Record Office

2.1 The Committee received a report that provided information on the Record Office's progress towards achieving its long-term aims. The report set out where these aims required some modification to existing policy and where priorities should lie over the next three years. The report also marked a first stage in the process of forming a new long-term plan that included consultation with staff, the public, community groups, local authorities and other stakeholders.

2.2 The following points were discussed and noted:

- The Norfolk Record Office 2050 Vision marked the first stage in the process of forming a new long-term plan for the Norfolk Record Office that included taking appropriate steps to address the long-term storage needs of the

Service. This issue needed to be addressed well before the situation reached a critical stage, estimated to be in no later than 2027.

- Interim solutions might have to be found in the meantime, particularly if large collections were donated to the Norfolk Record Office following the pandemic.
- It was pointed out that there were many community archives and local history groups throughout Norfolk that had continued to be supported throughout the pandemic and would be able to participate in the new vision for the service.
- The Norfolk Record Office aimed to provide the skills that enabled community archives to collect their own archives.
- All six of the aims set out in the report contributed to providing a financially and environmentally sustainable Service that reflected Norfolk County Council's aim of net zero carbon emissions by 2030. This would, in part, be achieved by continuing to increase the amount and spread of catalogue metadata available to the public, thereby enabling the public to order more digitized images.
- The pandemic could change the way in which people looked to access archives in the future, but access in the searchroom would always be an essential part of the service.
- The long-term plan would provide for the expansion of digital records and for their storage. The Norfolk Record Office had not yet experienced requests for large deposits of material born in a digital form but going forward this issue would need to be addressed.
- Income from accessing websites was expected to increase in future years particularly after the release of the results of the 1921 census.
- The pandemic had resulted in increased attendance at outreach activities which had been well attended and which would not have been so easily possible in the limited space of the NRO Green Room. The use of virtual meetings could be expected to continue.

### 2.3 The Committee **CONSIDERED** and **COMMENTED** on:

1. The long-term aims detailed in this report and on its future development.
2. Approved the start of a programme which will inform long-term planning and address the Record Office's accommodation needs.
3. Approved the change of the sixth long-term aim from 'Providing a Sustainable Service' to 'Providing an Environmentally and Financially Sustainable Service.'
4. Approved the prioritization of the aims of 'Providing an Environmentally and Financially Sustainable Service', and 'Enabling the Norfolk Record Office to continue Receiving Accessions'.
5. The actions taken by the Record Office to provide a service during this period and commented accordingly.

**Michael Chenery of Horsbrugh, Chair,  
Norfolk Records Committee**

## **Report of the Norfolk Joint Museums Committee meeting held on 5 February 2021**

### **1 Area Museums Committees**

- 1.1 The Joint Committee received updates about Museums activities in Breckland, Great Yarmouth, King's Lynn and West Norfolk and Norwich. The Joint Committee praised the excellent work that continued to be done during the lockdown period, particularly in developing a stronger social media presence, with Twitter and Facebook accounts being actively used and maintained by staff.

### **2 Norfolk Museums Service - Finance Monitoring Report for 2020/21**

- 2.1 The Joint Committee received a report that covered the forecast Norfolk Museums Service (NMS) budget out-turn for 2020/21 and detailed the latest monitoring position of the revenue budget, capital programme, reserves and provisions.
- 2.2 Members noted the very dynamic position of the budget and the financial management approach needed during an unprecedented year for the service. NMS had received vital financial support from DCMS, Arts Council England, and through the CES allocation of other Government income support funds. This invaluable and continuing financial support at a Governmental and Departmental level would help NMS to achieve a balanced budget position at the end of 2020/21 and support NMS in continuing to deliver a strong countywide service and critical Covid-19 recovery projects over the short and medium-term.
- 2.3 **The Joint Committee resolved –**
- 1. To note the latest monitoring position of the revenue budget, capital programme, reserves and provisions and forecast out-turn for 2020/21.**
  - 2. Note the proposed budget savings and changes for 2021/22.**

### **3 Norfolk Museums Service - Risk Management Report**

- 3.1 The Joint Committee received a report that provided Members with the latest Norfolk Museums Service Risk Register as at January 2021.
- 3.2 The Joint Committee noted that there was one change to the overall risks in the register:

RM14162 - Failure to generate additional income streams for the remainder of 2020/21 in accordance with service plan.

With museums remaining temporarily closed, the prospects rating of lowering the risk from 15 to 12 by year end 2020/21 was revised from amber to red.

### **3.3 The Joint Committee resolved to agree to the following:**

**The active and dormant risks as per appendices A and B of the report, noting latest updates associated with the COVID-19 pandemic.**

## 4 Norfolk Museums Service – Performance & Strategic Update Report

4.1 The Joint Committee received a report that provided progress with performance over the current financial year, including the Service's award-winning learning programmes and the Service's work with groups including Looked After Children, carers and foster families. The report also provided an update on all major projects, including the Norwich Castle: Gateway to Medieval England project and the National Lottery Heritage Fund supported youth development programme, Kick the Dust Norfolk. Members were asked to note that many normal activities, including site visits and school visits, were severely impacted due to Covid-19. However, Museum staff and volunteers continued to adapt very well to the major changes over the last 10 months and, overall, the Service continued to deliver strongly against many of its key objectives.

4.2 During discussion, the following key points were noted:

- Members were encouraged to explore the links in the restyled periodic performance report to museum blogs and museum activities that were designed to be of interest to a wide range of NMS audiences.
- Of particular interest to Joint Committee Members was the brand-new YouTube channel which included a new video series named 'Talking Objects' that had been launched recently at Norwich Castle.
- The wider online activities of interest to Members included the 30th Apple Day event at Gressenhall Farm and Workhouse which remained a beloved event of both staff and visitors alike.
- The Joint Committee noted that whilst very few school visits were possible since March, the Museums Learning Team had been kept very busy in terms of online provision and were developing future plans for a 'hybrid model', blending physical visits with high-quality digital resources for pre- and post-visit.
- Staff had risen to the challenge of using digital technology to engage with new audiences and were producing digital content that was professionally recognised both nationally and internationally to be of a high quality. The Director said that he would report back to the Joint Committee later in the year on plans for making more commercial use of digital technology.
- The Joint Committee received an update from Dr Robin Hanley on progress regarding the Kick the Dust project which remained the subject of regular update reports to the Area Committees. The evaluation responses for the project had shown NMS to have exceeded national participation rates and participants felt that they were well respected by NMS staff. Members found this to be particularly pleasing given the hard work done by NMS to get more young people involved in developing social media output and to take on responsibility for managing project budgets.
- Of particular interest to Members of the Joint Committee was work of the Kick the Dust Youth Team, The Time Turners, in putting together their own online exhibition on Ancient Egypt, sharing their favourite artefacts from the Egyptology collection at Lynn Museum and in developing to a very high standard a board game in a physical form based on the Ancient Egypt exhibition. At the request of the Joint Committee retail opportunities for the board game would be explored.
- The Joint Committee asked for their thanks to be sent to all those members of staff involved in the success of the Kick the Dust project.
- The Teaching Museum Programme continued to proceed well. A blog produced by one of the trainees recently featured on the website of the national body the



Museums Association. Details were sent to Members of the Joint Museums Committee separately from the agenda papers.

- Members received an update on progress on the Norwich Castle: Gateway to Medieval England project which had been very positive with construction work visibly under way. Work was currently concentrated on the Keep and the rotunda areas of Norwich Castle. Members could keep up to date on the progress of the project on the website which outlined the latest position.  
<https://www.museums.norfolk.gov.uk/norwich-castle/castle-keep-transformation>

**4.3 The Joint Committee resolved:**

- 1. To note 2020/21 position in light of the impact of Covid-19.**
- 2. To note progress regarding development of the Norwich Castle: Gateway to Medieval England project.**
- 3. To note progress in terms of our key Arts Council England and National Lottery Heritage Fund programmes for 2020/21.**

**5 To receive a presentation by Director of Culture and Heritage about the Castle Keep Project Interpretation**

- 5.1 The Joint Committee received a detailed presentation with photographs from Tim Pestell, Andrew Ferrara and Agata Gamolka of NMS about the Castle Keep Interpretation Project entitled “Recreating the Royal Palace, the King’s Chamber.”

**John Ward**  
**Chair**

## Report of the virtual Planning (Regulatory) Committee Meetings held on 5 March 2021

### A: Meeting of 5 March 2021

1. **FUL/2020/0094 Norfolk County Council, Martineau Lane, Norwich, NR1 2DH**
  - 1.1 The Committee received the report setting out planning permission being sought under section 73 of the Town and Country Planning Act 1990 to vary the approved planning permission FUL/2019/0066 at County Hall, Norwich, for the construction of a new car park to the perimeter of the annex building, upgrade including surface water drainage to existing annex car park and the installation of a single car park deck to main car park.
  - 1.2 With 8 votes for, 1 vote against and 3 abstentions, the Committee **RESOLVED** to **APPROVE** that the Executive Director of Community and Environmental Services be authorised to:
    - I. Grant planning permission subject to the conditions outlined in section 11.
    - II. Discharge conditions where those detailed above require the submission and implementation of a scheme, or further details, either before development commences, or within a specified date of planning permission being granted.
    - III. Delegate powers to officers to deal with any non-material amendments to the application that may be submitted.

**Colin Foulger**  
Chair, Planning (Regulatory) Committee

## Notice of Motions

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

- 1      Proposer:    Cllr Mick Castle**  
**Seconders: Cllr Sandra Squire and Cllr Ed Maxfield**

This Council recognises that a successful 2021 Summer Holiday Season will be critical if Norfolk is to avoid large-scale business closures and redundancies. The Cabinet – using earmarked balances - is urged to take a lead in bringing together the County's Tourist Boards, City and District Councils and Norfolk Attractions and Hospitality Businesses to promote Norfolk's holiday offer in a high profile co-ordinated campaign running through from May to September - including the County's outstanding Museums and drawing on the positive engagement of the Norfolk Media to enhance this mission to attract major spending in Norfolk this Summer.

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- 2      Proposer:    Cllr Steve Morphew**  
**Seconders: Cllr Terry Jermy**

Council believes it is now time to end part time night lighting and turn back on street lights for those areas that have the lights switched off in the small hours.

Recent disturbing events and reports from women who feel unsafe on our streets shows we must do whatever we can to reduce feelings of fear and opportunities for malicious acts. This is one positive step Council can take now.

Council recognises that since the introduction of part night lighting a decade ago many lights have been converted to LEDs that reduce the costs and emissions from leaving lights on through the night.

Council calls upon the Leader to use delegated powers to restore full night lighting in areas where it has been restricted and to reprioritise the LED replacement programme to ensure there is LED lighting where the lights will be switched back on.

- 
- 3      Proposer:    Cllr Brenda Jones**  
**Seconders: Cllr David Collis**

Council recognises that the QE hospital in Kings Lynn is no longer fit for purpose and must be rebuilt urgently.

Council welcomes the campaign being run by the Eastern Daily Press to highlight the urgent need for a decision.

Council urges the Secretary of State for Health to urgently approve a new build hospital for Kings Lynn to replace the Queen Elizabeth and to fast track its build and design.