

Cabinet

Minutes of the Virtual Teams Meeting held on Monday 3 August 2020 at 10am

Present:

Cllr Andrew Proctor	Chairman. Leader & Cabinet Member for Strategy & Governance.
Cllr Bill Borrett	Cabinet Member for Adult Social Care, Public Health & Prevention.
Cllr Margaret Dewsbury	Cabinet Member for Communities & Partnerships.
Cllr John Fisher	Cabinet Member for Children's Services.
Cllr Tom FitzPatrick	Cabinet Member for Innovation, Transformation & Performance.
Cllr Andy Grant	Cabinet Member for Environment & Waste.
Cllr Andrew Jamieson	Cabinet Member for Finance
Cllr Greg Peck	Cabinet Member for Commercial Services & Asset Management.
Cllr Graham Plant	Vice-Chairman and Cabinet Member for Growing the Economy.
Cllr Martin Wilby	Cabinet Member for Highways, Infrastructure & Transport.

Also Present:

Lorne Green	Police & Crime Commissioner for Norfolk (for item 8).
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Executive Directors Present:

Craig Chalmers	Director of Community Social Work (for Executive Director of Adult Social Services)
Helen Edwards	Director of Governance and Monitoring Officer
Simon George	Executive Director of Finance & Commercial Services
Sarah Rhoden	Assistant Director, Performance and Governance (for Executive Director of Community & Environmental Services and Head of Paid Service).
Andrew Stewart	Director Insight & Analytics (for Executive Director of Strategy & Governance)
Sara Tough	Executive Director of Children's Services

The Chairman welcomed everyone to the Cabinet meeting and advised viewers that pursuant to The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020, the meeting was being held under new Regulations which had been brought in to deal with the restrictions under Covid 19. Decisions made in the meeting would have the same standing and validity as if they had been made in a meeting in County Hall.

Cabinet Members and Executive Directors formally introduced themselves.

1 Apologies for Absence

Apologies were received from James Bullion, Executive Director of Adult Social Care; Tom McCabe, Executive Director of Community & Environmental Services and Head of Paid Service; and Fiona McDiarmid, Executive Director of Strategy & Governance.

2 Minutes

The minutes from the Cabinet meeting held on Monday 6 July 2020 were agreed as an accurate record and would be signed by the Chairman as soon as possible.

3 Declaration of Interests

There were no Declarations of Interest made.

4 Matters referred to Cabinet by the Scrutiny Committee, Select Committees or by full Council.

There were no matters referred to Cabinet.

5 Items of Urgent Business

There were no items of urgent business.

6 Public Question Time

6.1 The list of public questions and responses is attached to these minutes at Appendix A.

6.2 As a supplementary question, Dr Boswell asked if the Cabinet Member could explain how the evaluation of companies and their tender bids would ensure that the project requirement to create a biodiversity net gain was met.

The Cabinet Member for Highways, Infrastructure & Transport agreed to provide a written response to this question (Appendix C).

6.3 Lucy Shires referred to the response to her substantive question where it had been mentioned budget growth and capacity and evidence that the previous level of funding had meant there was insufficient capacity and funding to support children and families early enough and the Council was now able to evidence children and families were now being supported earlier. As a supplementary question, Ms Shires asked what the impact was of that under-investment on the safeguarding of young people and when would the public see the evidence to show that the outcomes were improving.

In response, the Cabinet Member for Children's Services stated that evidence was starting to show that early intervention was having much more effect and that more evidence would be seen in the future. He added he was confident the department was now on the right track.

7 Local Member Questions/Issues

- 7.1 The list of Local Member questions and the responses is attached at Appendix B.
- 7.2 As a written supplementary question, Cllr Mike-Smith Clare said that the response to his question stated 'Safeguarding and promoting the welfare of children was everyone's responsibility and everyone who came into contact with children and their families had a role to play' then failed to say what the cabinet member for Children's Services was responsible for. Cllr Smith-Clare asked if the Cabinet Member would now spell it out please.

The Cabinet Member for Children's Services would respond to this question in writing (Appendix C).

The meeting adjourned at 10.15am to resolve a streaming/technical problem. The meeting reconvened at 10.23am.

- 7.3 Cllr Kemp referred to new Surgeries in King's Lynn and the new Public Sector Leaders' Board and said that Cabinet would agree today to dispose of land in the South Wootton for a new doctors surgery. This could lead to three doctors surgeries in North Lynn, but only one in the south, where the growth area was. As a supplementary question, Cllr Kemp asked if the Leader would place on the agenda at the next Public Sector Leaders Board, the South Lynn Millennium Surgery, the new surgery for west Winch where there would be 4000 new homes and reopening the Clenchwarton Branch Surgery.

The Leader replied that the next meeting of the Public Sector Leaders Board was in September 2020 which would agree its Terms of Reference and its Forward Work Programme where the topics the Board would like to consider at future meetings would be discussed.

- 7.4 Cllr Roper, as a supplementary question, asked what guarantees the Cabinet Member could give, in the shadow of covid, that other excess deaths amongst Norfolk's over-85 population would not be ignored in terms of looking at priorities and that the County Council and the health system would not take their eyes off the ball.

The Cabinet Member for Adult Social Care, Public Health & Prevention responded that this was an area the Council continued to focus on and which had not suffered a drop in service delivery as a result of the pandemic. The Cabinet Member added that he was confident that the County Council would continue to be able to make the progress that had already been made with its Partners, Change, Grow, Live.

- 7.5 As a supplementary question, Cllr Tim Adams asked if the Cabinet Member for Growing the Economy supported all the Norfolk Conservative MP's who, in Parliament, had recently voted against the guarantee of a minimum standard to protect British food.

The Cabinet Member for Growing the Economy said that he was unaware of that particular aspect, although he could state that the Council was supporting Norfolk and its food industry and farmers and would continue to do so. He added that he was quite happy that Norfolk's agricultural and farming industries were being supported to ensure they were successful for the future.

- 7.6 As a supplementary question, Cllr Brian Watkins thanked the Cabinet Member for the comprehensive response to his substantive question and asked which outcomes people should be looking for as a result of the actions proposed and how should the public be able to measure the success of those actions.

The Cabinet Member for Growing the Economy replied that, as could be seen from the response to Cllr Watkins' substantive question, the public would be able to see the tourism projects for the city; the support for the Town Deal; the Transforming Cities Fund and the Government's Emergency Active Travel Fund; Community Infrastructure Levy and in east Norwich the Council was working with Partners, including Norwich City Council and Homes England which should see more houses built and the economy rise. He added that, if there wasn't a second outbreak of covid-19, Norfolk should have a successful recovery to the economy as all the measures and money put in place was specifically for that purpose.

- 7.7 Cllr Ed Maxfield, referred to the report at agenda item 14 (Norfolk Children's Services Local Government & Social Care Ombudsman Public Report) and said over the last couple of years parents had been asked to make quite a lot of allowances for the gains relating to the SEND transformation plan. As a supplementary question, Cllr Maxfield asked if the Cabinet Member for Children's Services could give those parents some assurance that the reporting promised from autumn 2020 to the People & Communities Select Committee would be accompanied by real and measurable targets in terms of performance and also include dates by which he would expect the targets to be met.

The Cabinet Member for Children's Services replied that, although he could not give specific dates at the present time, he could reassure Cllr Maxfield that the department was having regular conversations with parents and with groups representing SEND parents. He added that a result of the better communication was that both parties were starting to work together and gain more confidence to deal with any situation that may arise which should in turn alleviate the need for parents to report problems to the Ombudsman.

8 Norfolk Fire & Rescue Service – Annual Statement of Assurance 2019-20.

- 8.1 The Chairman welcomed Norfolk's Police & Crime Commissioner, Lorne Green, to the meeting.
- 8.2 Cabinet received the report by the Executive Director of Community & Environmental Services setting out the Statement of Assurance for the Norfolk Fire & Rescue Service 2019-20.
- 8.3 In introducing the report, the Assistant Director, Performance & Governance advised that the report looked back on the work of the previous year. She added that Cabinet would receive a report at its meeting on 7 September 2020 updating it on the progress with the NFRS Improvement Plan.
- 8.4 The Cabinet Member for Communities & Partnerships introduced the report and moved the recommendations, during which the following points were noted:
- All Fire & Rescue Authorities were required to provide an annual Statement of Assurance showing their performance over the previous 12 months.

- The Statement included information about finance, governance, operational matters and also gave some impressive statistics showing the achievements of the Service over the previous year.
- The report was for the period up to the end of the last financial year, therefore it did not include the impressive work undertaken by the NFRS during the peak of the covid-19 pandemic.

The Statement also mentioned the Service Delivery Plan, the key priorities of which were to:

- Reduce Fires
- Improve road and water safety
- Ensure operational readiness and fire fighter safety.
- Improve availability and response times.
- Develop a diverse and high performing workforce.

8.5 The Cabinet Member for Children's Services drew attention to the section of the report at Appendix A, which referred to the work carried out by NFRS in engaging with young people. Last year NFRS had worked with 130 young people in various engagement schemes. He added that a meeting was being arranged with the relevant officers to discuss how this work could continue and improve for the next year.

8.6 The Police & Crime Commissioner said that he noted the report and congratulated the NFRS on the comprehensive nature of the look back, adding that he looked forward to seeing the report on the improvement plan in September 2020.

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

- **Approve** the Norfolk Fire and Rescue Service Statement of Assurance 2019-20 as set out in Appendix A of the report.

8.8 **Evidence and reasons for Decision**

It is a legal requirement to publish an annual Statement of Assurance. The format and content is for the Fire Authority to agree.

8.9 **Alternative Options**

It is a legal requirement to publish this document, therefore, there is no viable alternative.

9 **NCC Response to Covid-19 – initial lessons learned.**

9.1 Cabinet received the report by the Head of Paid Service setting out initial lessons learned from the County Council's response to Covid-19 which have been captured through an initial de-brief process with key officers involved in the Covid-19 response.

9.2 The Assistant Director, Performance & Governance (CES) highlighted that this was an initial learning report and that further learning activities would be carried out when appropriate.

9.3 The Chairman and Cabinet Member for Strategy & Governance introduced the report during which the following points were noted:

- The report gave an appraisal of the actions taken as well as an evaluation and identifying learning opportunities.
- Appendix B of the report contained 13 learning points, all of which had been allocated to the appropriate Lead Officer. The role of Cabinet Members would be to oversee the work.
- The Chairman asked Cabinet to agree to an additional recommendation to receive a report, in three months time, giving an update on the progress made.
- It needed to be accepted that covid-19 was likely to be around for some time and therefore this was the appropriate time to commence the evaluation and learning process.
- The Chairman highlighted the following from the report:
 - The vital role played by volunteers, which would increase as staff moved back to their normal roles.
 - The quality, consistency and ability to share data, led by the County Council's team working as Norfolk Office of Data and Analytics (NODA).
 - The business continuity plans which would provide a firm basis for planning and assumptions to be made. All plans had been developed and adjusted according to the current circumstances.
 - The ability to prioritise and deprioritise projects to allow staff to be available to assist other departments when appropriate to do so.
 - The support provided to vulnerable people which would continue for the future, as well as identifying who those vulnerable people were.
 - Staff were redeployed to other areas where possible, with key roles undertaken by comms and health and safety teams.
 - Future management of staff who were no longer working in an office environment and also how those staff could be supported and managed.
 - The Procurement of PPE, using the knowledge gained to carry out training for the future.
 - How well the County Council had worked with Partners which would further improve if all Partners had the same ICT arrangements, and also how Partners could support each other in the future.

9.4 The Cabinet Member for Growing the Economy supported the recommendation to receive an update report in three months' time. He then referred to the procurement of critical supplies, leading to Learning Point 11 (Develop a plan which ensures we have the health and safety capability as a central source and management capability), adding that when the pandemic had broken out and a lack of PPE for care homes and businesses had been identified, the County Council and the Local Enterprise Partnership had procured over £1m of PPE from China. The County Council's Economic Development Team had contacted Essex County Council, who had links with China, and within a short period of time sufficient PPE had been received to enable supplies to be purchased by any business having difficulty in procuring PPE. The County Council had been able to procure equipment by moving swiftly and the ten officers redeployed from CPE should receive praise for their work in ensuring people in care homes received the PPE to help keep the people of Norfolk and people within our care homes safe.

The Cabinet Member added that there was now over 900 sources of PPE available on the LEP website and any business would be able to link to that website to purchase PPE directly.

- 9.5 The Cabinet Member for Highways, Infrastructure & Transport said he wished to thank everyone, especially the volunteers across the county but he particularly wished to give a special mention to all the County Council staff in Highways that had worked together to make sure people were safe. He added that he would also like to thank the residents in his Division of East Depwade, which covered the town of Harleston and surrounding villages. Those volunteers had been picking up prescriptions, doing shopping, dog walking and keeping in touch with people who lived on their own, so he felt it was important that they were recognised for the work they had done and continued to do.

- 9.6 The Cabinet Member for Adult Social Care, Public Health & Prevention welcomed the report, which was part of a suite of reports which had been considered by Scrutiny Committee and People & Communities Select Committee since the outbreak began.

The Cabinet Member agreed that that it was important that the Council's response to the pandemic was reviewed to ensure that, in the likely event there was a further spike, the Council was ready to meet any challenges as they developed.

The Cabinet Member continued that the report was helpful, and that he was very proud of what had been achieved as well as the response of the staff at the county council which had been magnificent. He added that there was no complacency and that it was right that the procedures were assessed and reviewed and that lessons continued to be learned for the future.

- 9.7 The Cabinet Member for Finance endorsed the additional recommendation for Cabinet to receive an update report in three months and highlighted the following points from the report:

- The ability to respond quickly and in a coordinated way, not only within the County Council but also with the Clinical Commissioning Group, the Local Enterprise Partnership which had made a huge impact on the ability to respond quickly and that those lessons should be carried forward for the future.
- The procurement of the PPE had been carried out effectively, with the team quickly liaising with Essex County Council and initiating a training programme which would also be relevant to the ability to deliver equipment through the Brexit programme.
- The importance of drilling down into individual departments to analyse how effective they had been in responding to the pandemic.

- 9.8 The Cabinet Member for Innovation, Transformation & Performance thanked all the volunteers for the multi-agency work in all divisions across Norfolk as they had carried out some fantastic work. The work with partners had gone well and the County Council was now ready to respond with partners quickly. He added that it was an important part of working together that work continued to ensure communications and sharing of information was improved and he looked forward to the follow-up report to see how that had developed.

- 9.9 The Cabinet Member for Commercial Services & Asset Management said that work in this area was likely to continue for some time, therefore it was important that lessons continued to be learned so improvements could be made where necessary. He added that all staff, agencies and the people of Norfolk deserved credit for the excellent response so far.

The Cabinet Member continued that he had recently read a report in the press that some opposition members were calling for a public inquiry and although he understood they may wish to outsource the job if they were not capable of carrying out the work themselves, he felt a public inquiry would cost a lot of money which could be better spent in responding to any future spikes in the pandemic.

The Cabinet Member agreed this was an excellent report and agreed that the topic should be re-examined in three months' time.

- 9.10 The Cabinet Member for Children's Services supported the suggestion of bringing a further report to Cabinet in three months as, although a lot of the work carried out had been done well and the Council had reacted quickly, analysis should be carried out to identify areas which could be improved.

The Cabinet Member reiterated the comments regarding volunteers and said he had been involved in his local volunteer group which he had found to be a very rewarding experience.

The Cabinet Member referred to section F of the report which referred to staff absence and attendance, stating that from a Children's Services viewpoint, he had been pleased that staff had continued to carry out their work, which had been partly due to the Executive Director of Children's Services sending a daily update to all staff to keep everyone involved and ensure everyone knew exactly what was happening. He felt this had helped staff perform better than expected which in turn had kept attendance levels up and he thanked and congratulated all the staff in Children's Services for their commitment.

- 9.11 The Chairman endorsed the thanks to everyone, all staff, partners and volunteers whose work had made the Norfolk response as good as it had been. He added that there was no complacency and it was now a question of moving forward and learning from events over the recent months.

- 9.12 Cabinet reviewed and considered the initial lessons learned from the County Council's response to Covid-19 and **RESOLVED** to:

- **Approve** the action plan at Appendix B of the report.
- **Agree** to receive a further report in 3 months' time on the progress of the lessons learned.

- 9.13 **Evidence and Reasons for Decision**

It is usual practice to capture learning at the end of an incident. Given the length of the Covid-19 emergency, it will likely be some time before the time is right for a formal de-brief process. Therefore, capturing initial learning points now is crucial to enable us to provide the best possible response to Norfolk communities.

9.14 **Alternative Options**

A full de-brief exercise is not possible at this stage, for the reasons set out in section 2, and therefore there are no alternative options.

10 **Section 75 Agreement for Adult Social Care and Community Health Services.**

10.1 Cabinet received the report by the Executive Director of Adult Social Care providing an overview of the current integrated arrangements for community health and adult social care, governed by a Section 75 Agreement and highlights key findings from a recent review of the service.

10.2 The Director of Community Social Work highlighted that from 2014, there had been an integrated management function in place with NHS Partners, Norfolk Community Health & Care, and the report outlined that the integrated management offer had been improved and that the success, while not in monetary terms, but in terms of integrated care for vulnerable Norfolk people, was valued. He added that some further work would be carried out to produce a metrics to gain further evidence to show how the integration work added real value.

10.3 The Cabinet Member for Adult Social Care, Public Health & Prevention introduced the report and moved the recommendations, highlighting that this was an excellent example of integration work. He added that Norfolk Community Health & Care (NCHC) had been judged as a very high performing organisation and the six year contract with them had been very successful.

The Cabinet Member continued that the Section 75 Agreement was about sharing posts to provide additional integration with health partners as the pandemic had proved that health and social care could not work independently from each other

The Cabinet Member also highlighted that there was a cost pressure to the project as new posts were being added to support the joint arrangements. He asked Cabinet to support the recommendation as the expected outcomes and the focus of the County Council and Partners was moving towards working together to focus on the person using the service rather than the service and how it operated, and it would also send the right messages to Partner organisations.

10.4 The Chairman highlighted this was an example of Working Better Together, one of Norfolk County Council's priorities.

10.5 Cabinet **RESOLVED** to:

- **Agree** a renewal of the Section 75 Agreement between Norfolk County Council and Norfolk Community Health& Care for adult social care and community health services, for a five-year term with a break clause after three years.

10.6 **Evidence and Reasons for Decision**

An in-depth review of the current Section 75 arrangements concluded that it has enabled better support for patients and service users across Norfolk

11 Finance Monitoring Report 2020-21 P3: June 2020

11.1 Cabinet received the report by the Executive Director of Finance & Commercial Services which gave a summary of the forecast financial position for the 2020-21 Revenue and Capital Budgets, General Balances, and the Council's Reserves at 31 March 2021, together with related financial information.

11.2 The Cabinet Member for Finance introduced the report and moved the recommendations, during which the following points were noted:

- A significant reduction of just over £8m had been seen in the level of forecast overspend, now standing at £7.784m. This was principally due to Norfolk's share of the third round of covid-19 grant funding allocation of £6m.
- A further £1m had been received from Defra to enable the County Council to help people struggling to meet food and other essential provision.
- The total of government funding received so far was £50.691m.
- Covid-related cost pressures currently stood at £62.288m.
- A significant decrease of just over £2m had been seen in the anticipated overspend within adult social services, which was now forecast to be £7.934m, down from £9.983m last month.
- Adult Social Care had received the majority of the Council's covid-19 grant funding and this would also be the case with the £6m additional funding.
- Adult Social Services had been able to quantify some likely budget savings within transport and subsistence due to the adaptation of different ways of working throughout the pandemic. Principally savings were identified within the care and assessment teams of community social work and community health and social care.
- A small reduction in the substantial overspend within the purchase of care budget was being forecast.
- Children's Services was currently maintaining their forecast of a balanced budget and any overspend was expected to be offset by the already allocated covid-19 funding.
- The results of the continuing discussions over the lost income support with the MHCLG was awaited and this would have a material effect on all departments, although mainly in Community & Environmental Services where income was a major factor in their overspend, along with the impact of a reduction in incineration tax announced early in 2020.
- Net pressure specifically from the pandemic was now forecast at £11.597m and the difference between £7.784m and the £11.597m was due to non-covid related savings offsetting some of the covid shortfall.
- The ability to achieve the planned net savings of over £40m agreed in the 2020-21 budget had been profoundly affected by the pandemic. Currently, savings were forecast of £22.46m, leaving a shortfall of £17.78m, nearly 44% of the total target. The implications of the non-achievement of savings would have a significant impact on the 2021-22 financial year.
- General reserves remained stable and earmarked reserves were being monitored closely. Whilst the reserves were currently higher than anticipated when the budget was agreed in February 2020, this was mainly due to the receipt of covid-19 funding and the position was likely to reverse in the coming year.

- Capital spending had been affected by the pandemic which was particularly relevant to future savings where the SEND capital programme and completion of new schools may be delayed beyond the original target dates.
- Finance General was currently holding £6m tranche three funding which resulted in a net underspend at £3.972m. However this would be reversed out as funds were allocated to individual departments.

11.3 The Cabinet Member for Adult Social Care, Public Health & Prevention thanked Cabinet for its support, as Adult Social Care had played a major part in the overspend to date, which was down to the issues with the pandemic and the importance the Council had placed on providing social care and the care market. He added that purchase of care was the biggest expense and the overspend was down to the efforts to ensure providers in the care market were paid to ensure their cash flow was protected and their increased costs were offset so they could continue to provide their high standards of care to protect the vulnerable people of Norfolk. The Cabinet Member apologised to Cabinet for creating the situation and highlighted that some funding from the government to offset the pressures had been received, although it was unknown how long the current situation would continue for. Therefore engagement was being maintained with the Minister for Social Care to explain the County Council's predicament, although whilst waiting for an outcome, the County Council was ensuring that the service within the localities was as good as it could be to protect Norfolk's vulnerable people.

11.4 The Cabinet Member for Children's Services brought to Cabinet's attention that the Transformation Programme in Children's Services was now back on track and that three SRB's would be opening in September 2020.

The Cabinet Member for Children's Services flagged up a warning which was currently being faced across the country, about concerns there could be an increase in referrals as children returned to school, which would need to be managed and that this could have a major impact on the budget.

11.5 The Chairman recognised the financial difficulties faced by Local Government as a whole and reiterated that pressure was being maintained on central government to ensure more money was received, not only for the money spent to date, but also to ensure the upcoming comprehensive spending review provided a good settlement for local government for the future. The Chairman also highlighted that the risk register provided a full description of corporate risks and that these would have a significant financial impact on the County Council if they were not properly managed.

11.6 Cabinet **RESOLVED** to:

1. **Note** the period 3 forecast general fund revenue overspend of **£7.784m** noting also that Executive Directors will take measures to reduce or eliminate potential over-spends;
2. **Note** the Covid-19 grant funding received of £50.691m, the proposed use of that funding and the related expenditure pressures.

3. **Note** the period 3 forecast shortfall in savings of **£17.789m**, noting also that Executive Directors will take measures to mitigate savings shortfalls through alternative savings or underspends;
4. **Note** the forecast General Balances at 31 March 2021 of £19.706m, before taking into account any over/under spends;
5. **Note** the expenditure and funding of the revised current and future 2020-23 capital programmes.

11.7 **Evidence and Reasons for Decision:**

Two appendices are attached to this report giving details of the forecast revenue and capital financial outturn positions:

Appendix 1 summarises the revenue outturn position, including:

- Forecast over and under spends
- Covid-19 pressures and associated grant income.
- Changes to the approved budget
- Reserves
- Savings
- Treasury management
- Payment performance and debt recovery

Appendix 2 summarises the capital outturn position, and includes:

- Current and future capital programmes
- Capital programme funding
- Income from property sales and other capital receipts.

11.8 **Alternative Options**

In order to deliver a balanced budget, no viable alternative options have been identified to the recommendations in this report. In terms of financing the proposed capital expenditure, no grant or revenue funding has been identified to fund the expenditure.

12 **Disposal, Acquisition and Exploitation of Property.**

- 12.1 Cabinet received the report by the Executive Director of Finance & Commercial Services, including two exempt appendices, setting out proposals aimed at supporting Norfolk County Council priorities by exploiting properties surplus to operational requirements, proactively release property assets with latent value where the operational needs could be met from elsewhere and strategically acquiring property to drive economic growth and wellbeing in the County.
- 12.2 The Chairman referred to the exempt Appendices containing commercially sensitive information, which Cabinet Members had received a copy of and said that, as no one had indicated they wished to refer to them in the discussion, they would not be discussed during the meeting. He added that the information would become available through the Land Registry once the sales had been completed.

12.3 The Cabinet Member for Commercial Services and Asset Management introduced the report and moved the recommendations, during which the following points were noted:

- **Industrial Land at London Road, Attleborough.** This site was a former county farms field of 13 acres which had been deemed surplus to requirements. The site had originally been divided into three sub-plots and the sale of sites 2 and 3 had been agreed subject to the purchaser of site 1 delivering services to the whole site. This proposal had also included provision for Norfolk County Council to pay a proportion of the infrastructure costs. A viability assessment and a review of the options for the site had been carried out and it had been decided to withdraw from the previously agreed plot sales and sell the whole site to a single commercial organisation. A deal had now been negotiated with a potential purchaser to purchase the site as unserviced development land which would avoid the need for NCC to invest significant capital and also avoid any construction risks. The deal was favourable when compared to the independent valuation carried out and also avoided any capital investment or significant risk to NCC. The purchaser was understood to be planning to develop commercial and industrial accommodation at the site, which would support jobs and generate economic growth.
- **Beeston Park** was a proposed urban extension to the north of Norwich in the Broadland District Council area. Norfolk County Council was a member of a consortium of land owners with approximately 90 acres of county farms estate land included in the proposed development, the total of which was approximately 512 acres. Due to the phasing of the original development, it was expected to take approximately 20 years to complete and the Council Council would receive capital receipts over a lengthy time period. Outline Planning Permission had been granted by Broadland District Council on 17 February 2016 for 3520 dwellings; 16800 sq m of employment space; 2 primary schools; 8000 sq m of space for shops, services, cafes, restaurants and drinking establishments; 2000 sq m of community space including a health centre, library, community hall and an energy centre. Since the site was allocated, there had been no progress made, however, the promoter had now submitted a proposal which had been reviewed by the Council's agents NPS and which had been accepted by all the other lands owners. The proposal was a positive step and showed the strength and resilience of the Norfolk economy.
- **Fakenham Academy** had opened on 1 October 2013 and had operated on two sites – Wells Road and Field Lane. Both sites had been leased to Norfolk Academies. Norfolk Academies had released the Wells Road site back to the County Council on 1 March 2019 and, following a review by the Director of Property, in consultation with the Capital Priorities Group, it had been confirmed that the overall site was no longer required for Norfolk County Council use. Subsequently, part of the site had now been identified by Children's Services as suitable for a new SEND school. The Corporate Property Team had now commenced investigations as to how the remainder of the site could be utilised, exploited or disposed of which would include assessing community opportunities. Initial discussions had been held with the Town Council, the District Council and the Local Member to

ascertain which parts of the site were no longer required.

- The five other plots listed for disposal were a variety of former highways land and county farms land with no operational use.
- **Land at Hall Lane, South Wootton.** There had been some interest in this site for the provision of a doctors surgery and extra care housing and these options were currently being assessed. If these proposals were not realised, it was proposed to dispose of the site by open market sale through auction or tender, however the Property Team would do its best to realise the preferred option to provide extra care facilities at the site.

12.4 The Cabinet Member for Innovation, Transformation & Performance fully supported the proposals and referred to the old grammar school site at Fakenham saying that he commended the proposal for a SEND academy which would fill a much needed gap in provision in Fakenham and the surrounding area. He added that he had been involved in discussions around the disposal of the remainder of the site and commended the team on the work they had carried out with various local stakeholders which he hoped would lead to a good news announcement in the near future.

12.5 The Chairman referred to Beeston Park which was a key element of the Greater Norwich area growth plans for the future. He added that he hoped this new venture would progress the development.

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

1. Delegate authority to the Director of Property in consultation with the Executive Director of Finance and Commercial Services and the Cabinet Member for Asset Management and Commercial Services to implement the sale of the land at London Road, Attleborough (3002/038) or any part on an un-serviced basis of it so long as the sale is at market rate and confirm that the existing approvals remain effective notwithstanding this additional proposed approval.
2. To authorise in respect of Beeston Park the implementation of the terms as set out in Exempt Appendix B.
3. Formally declare the land at Wells Road, Fakenham (1029/028A) (excluding the part retained for a new school) surplus to County Council requirements and instruct the Director of Property to dispose of the property. In the event of a disposal receipt(s) exceeding delegated limits the Director of Property in consultation with the Executive Director of Finance and Commercial Services and Cabinet Member for Commercial Services and Asset Management is authorised to accept the most advantageous offer(s).
4. Formally declare the Land at West Hall Farm, Gayton (2033/018) surplus to County Council requirements and instruct the Director of Property to dispose of the property. In the event of a disposal receipt exceeding delegated limits the Director of Property in consultation with the Executive Director of Finance and Commercial Services and Cabinet Member for

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

5. Formally declare the Land adjacent to Lionwood Junior School, Norwich (4114/019B) surplus to County Council requirements and instruct the Director of Property to dispose of the property. In the event of a disposal receipt exceeding delegated limits the Director of Property in consultation with the Executive Director of Finance and Commercial Services and Cabinet Member for Commercial Services and Asset Management is authorised to accept the most advantageous offer.
6. Formally declare the Land at Hall Lane, South Wootton (2072/011) surplus to County Council requirements and:
 - (i) Instruct the Director of Property to dispose of the site to a doctor's surgery and/or extra care housing provider, or
 - (ii) In the event of no satisfactory agreement instruct the Director of Property to dispose of the property on the open market.

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

7. Formally declare the additional Land at Mill Road, Walpole Highway (2105/105A) surplus to County Council requirements and instruct the Director of Property to dispose of the property. In the event of a disposal receipt exceeding delegated limits the Director of Property in consultation with the Executive Director of Finance and Commercial Services and Cabinet Member for Commercial Services and Asset Management is authorised to accept the most advantageous offer.
8. Formally declare the Land adjacent to the Primary School, Watlington (2089/014) surplus to County Council requirements and instruct the Director of Property to dispose of the property. In the event of a disposal receipt exceeding delegated limits the Director of Property in consultation with the Executive Director of Finance and Commercial Services and Cabinet Member for Commercial Services and Asset Management is authorised to accept the most advantageous offer.

12.7 Evidence and Reasons for Decision

1. The disposal of the land at London Road, Attleborough releases land that is surplus to County Council use, in addition provides a significant capital receipts provides an opportunity for commercial development to support jobs.
2. In respect of Beeston Park, the county Council has received no income from the disposal of its assets but is incurring professional fees and is spending officer time. There is no definite date for when the development will commence, and it is clear the Promotor no longer wishes to carry the risk.

3. Declaring the land holdings at Wells Road, Fakenham; West Hall Farm, Gayton; Adjacent to Lionwood School, Norwich; Land at Hall Lane, South Wootton; Mill Road, Walpole Highway and land adjacent to Watlington Primary School surplus to County Council use means that the Corporate Property Team can consider options for the disposal and exploitation of these sites.

12.8 Alternative Options

1. For the disposal of the land at London Road, Attleborough the alternative would be to retain the site.
2. For Beeston Park, not to join the other land holders in disposing of the land will mean retaining the current situation of no development commencing, the ongoing delay of any income and accruing additional professional fees.
3. Declaring land holdings surplus is a result of the sites no longer being required for service delivery. The alternative would be to retain resulting in incurring holding costs for an asset that is not contributing to service delivery.

13 Schools Capital Programme

- 13.1 Cabinet received the report by the Executive Director of Children's Services providing a summary of schools' capital funding sources; a summary of the priorities which underpin the programme; proposals developed by Capital Priorities Group for the new programme; a financial summary of the proposed forward programme.
- 13.2 The Executive Director of Children's Services advised that this was an annual report to Cabinet, explaining how the County Council sought to fulfil its school place sufficiency duty.
- 13.3 The Cabinet Member for Children's Services introduced the report and moved the recommendations, during which the following points were noted:
 - The department was very aware of where new houses were being built and was making provision to meet demand on school places in those areas.
 - Since the report had been published, a number of enquiries had been received from Councillors concerned that their area was not included. He reassured Councillors that Children's Services were aware of the growth areas of Norwich North, near Rackheath and Salhouse; Attleborough; Wymondham; Bradwell; Ormiston Venture Academy; Long Stratton; Blofield; Poringland and Hellesdon and although these areas were not a priority at the current time, they remained on the radar for inclusion in future reports to the Capital Priorities Group before being presented to Cabinet.
 - The report identified an expansive programme which highlighted the investment being made in schools in Norfolk.
- 13.4 The Cabinet Member for Communities & Partnerships welcomed the inclusion of the proposed expansion of the Ormiston Victory Academy because, over the last few years, limited places had been available for children in her division moving up from the local primary schools into secondary school.
- 13.5 The Cabinet Member for Finance welcomed the fact that the department would be constantly monitoring house building as he felt further work would need to be

done on the location of schools around the Kings Lynn area due to the housing developments taking place in the area.

The Cabinet Member drew attention to the list of proposed schemes and highlighted that Norfolk County Council borrowing showed it was prepared to spend money to offer significantly better outcomes for children.

- 13.6 The Cabinet Member for Adult Social Care, Public Health & Prevention welcomed the report and projects in over 40 of Norfolk's schools together with the capital expenditure with the majority of projects being delivered within the next 12 months. He added that this would have a significant impact in all the schools listed in the report and he heartily endorsed the recommendations.
- 13.7 The Cabinet Member for Growing the Economy commended the report and thanked the Cabinet Member for highlighting Bradwell in particular, where there was a large amount of housing development. He also highlighted that there was a SEMH school being built at a cost of £7m in Great Yarmouth, together with the John Grant complex and the Caister Infant and Junior schools so he felt Great Yarmouth was well served by the improvements in schools.
- 13.8 The Chairman highlighted that the report demonstrated the key role Norfolk County Council played in infrastructure and that schools were a key part of that infrastructure. He added that the report also demonstrated that the County Council was continuing with its normal business so these projects would be delivered in the timescales proposed.
- 13.9 Cabinet **RESOLVED** to:
- **Note** known grant settlements as summarised in section 2 of the report.
 - **Note** the principles on which the programme is based.
 - **Endorse** the basis of 2020-2023+ programme prioritisation for delivery.

13.10 **Evidence & Reasons for Decision.**

A decision to support the proposed Schools' mainstream capital programme will ensure the Council can discharge its statutory responsibility to ensure sufficient school places in the area.

13.11 **Alternative Options**

The schemes in this report are those set out in the Schools' Local Growth and Investment Plan and have formed the basis of the mainstream capital programme development discussion by Children's Services Capital Priorities Group and approval by the Executive Director of Children's Services. New schemes are subject to approval and at this stage do not need to be accepted into the programme.

14 Norfolk Children's Services Local Government & Social Care Ombudsman (LGSCO) Public Report.

- 14.1 Cabinet received the report by the Executive Director of Children's Services setting out the Local Government & Social Care Ombudsman (LGSCO) public report regarding an investigation into a complaint about special educational

needs (SEND) assessment and alternative provision for the child and the impact this had on the child and family. The investigation had found that an injustice had been suffered as a result of fault.

14.2 The Executive Director of Children's Services reiterated the apology that had been made to the family referred to in the report. She asked Cabinet to note that key performance indicators would be reported to the People & Communities Select Committee on 18 September and a written statement of action in response to the Ofsted report would also be prepared which would be overseen by an Improvement Board which would commence in September 2020 once the plan had been agreed with the Department for Education and Ofsted. Cabinet would receive a report on the progress of the Plan in due course.

14.3 The Cabinet Member for Children's Services introduced the report and moved the recommendations. He reiterated the apology by the Executive Director of Children's Services to the family concerned adding that he had been in personal contact with the family. The Cabinet Member continued that action was being taken on the recommendations and as already mentioned, People & Communities Committee would review the key performance indicators, with the Improvement Board overseeing the progress, as per the recommendations from the LGSCO.

The Cabinet Member took the opportunity to reassure parents that Children's Services was now managing its services to ensure this situation did not occur again in the future and that discussions with parents and parent groups as a result of the recent Ofsted report were taking place which would hopefully improve communications with all parties, as well as improving SEND performance.

14.4 Cabinet considered the LGSCO Public Report and **RESOLVED** to:

- **Agree** the actions we are proposing to take;
- **Respond** to the LGSCO within three months of publication to endorse the action that Norfolk Children's Services has taken to comply with the LGSCO recommendations and remedy the fault.

14.5 **Evidence & Reasons for Decision.**

It is a statutory duty to comply with the recommendations of the Local Government & Social Care Ombudsman.

14.6 **Alternative Options**

None identified.

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

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

Decisions by the Cabinet Member for Adult Social Care, Public Health & Prevention:

- [Use of the Infection Control Fund.](#)

Decision by the Cabinet Member for Finance

- [Future Provision of PPE in relation to Covid-19.](#)

Decision by the Cabinet Member for Highways, Infrastructure & Transport

- [Hethersett, Canns Lane, TRO](#)

Decision by the Cabinet Member for Children's Services

- [Covid-19 – Nelsons Journey Financial Support](#)

The meeting ended at 11.40am.

Chairman



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**Cabinet
3 August 2020
Public & Local Member Questions**

Agenda Public Question Time

item 6

6.1

Question from Gary Blundell

Why does Costessey seem to get the short end of the stick from Norfolk County Council on highways work? Examples of this are the danger to pedestrians crossing between Next and Sainsburys on William Frost Way and the 10 years of waiting for plans for a second exit from Queens Hills.

Money can always be found for improvements to places like Thickthorn yet improvements which have been at least 13 years in the making are yet to materialise for the Longwater roundabouts even with commuted sums of money from developers.

Response:

The County Council has completed work on a Longwater Strategy. This included an analysis of the issues and identification of various measures that could be taken forward to overcome these issues. A number of these measures have already been delivered including a free-flow slip road from William Frost Way to Dereham Road and extensive widening of Dereham Road to two-lanes in either direction. These measures have substantially improved traffic flows. There are elements of the strategy that have yet to be delivered and we will continue to look for suitable funding opportunities to bring these forward. We have already successfully secured commitment to further improvements that will be delivered by the developers of the new housing at Easton. This includes cycle / footway links across the A47 and a crossing on William Frost Way.

Thickthorn Junction is part of the trunk road network maintained and managed by Highways England who are directly funded by government. The proposed improvements at Thickthorn will therefore be delivered by Highways England, not Norfolk County Council We welcome these improvements and will work closely with Highways England on their continued development.

We have also made arrangements to undertake a pedestrian crossing assessment during the autumn and a following feasibility study into a pedestrian crossing on William Frost Way

6.2

Question from Mr Richard Carter:

Cabinet is respectfully asked to suspend their approval of a school site in Holt which would breach NCC policy guidelines

The consequences of Cabinet Approval would:

- increase the Council's debt burden by £6m as S106 funds are insufficient
- create 130 surplus school places leading to closure of Pilgrim Foundation Schools or support a Developer in his Appeal against a Local Planning Authority
- contribute to financial and infrastructure "damage" to NNDC whilst financially enriching a Developer
- support a Developer in his Appeal against a Local Planning Authority
- deny public access to Officer evidence underlying the above assumptions

Response:

Cabinet is asked to approve a capital programme based on the agreed Schools Local Growth and Investment Plan. There is agreement regarding the need for places and approval is based on site availability, which is a matter for the local planning process. In line with our policy we have been working over the last five years to identify suitable sites to relocate and expand Holt Primary School.

- increase the Council's debt burden by £6m as S106 funds are insufficient

As a Local Authority NCC has a duty to provide sufficient places. If school places are needed, they have to be funded regardless of the availability of funding sources such as government grants or S106 developer contributions.

- create 130 surplus school places leading to closure of Pilgrim Foundation Schools or support a Developer in his Appeal against a Local Planning Authority

There is no plan to close Pilgrim Foundation Schools and no evidence that we would be creating surplus places. We are pleased with the success of the Pilgrim Federation and its four good schools, which are serving local villages. We aim to provide places close to where children live to enable walking and cycling to school. We will be providing more places in Holt for children who live in Holt and who will live in the new developments. We will be building a 21st Century school to benefit the children who live in Holt.

- contribute to financial and infrastructure "damage" to NNDC whilst financially enriching a Developer.

This is for NNDC to comment.

- support a Developer in his Appeal against a Local Planning Authority.

We are not supporting a developer, the Local Planning Authority originally supported this development and in line with planning processes, NCC is seeking to fulfil its duty to provide sufficient places and to address condition issues of an old Victorian school.

- deny public access to Officer evidence underlying the above assumptions

Queries relating to the proposal for a new school building for Holt are currently being dealt with a Freedom of Information request as appropriate.

6.3 **Supplementary Question from Mr Richard Carter**

Will Cabinet suspend this recommendation and reassess the evidence ?

- NCC assessed its Education Contribution as £334,000
- The Developer assessed the benefit to NCC as £743,000, and charged this against District Council Planning Obligations.
- The £409,000 difference significantly increased Open Market Housing to the benefit of the Developer whilst reducing the Affordable Housing entitlement of the District

Response:

I cannot comment on the above. These are questions for NNDC as they relate to

the local planning process.

6.4 **Question from Sue Catchpole**

As Norfolk has the highest percentage of Primary School age pupils with social, emotional and mental health needs in the East of England and indeed a higher percentage than England, what is the strategy that this council has implemented to ensure that these Norfolk children have received the support they have needed during the pandemic and for these children to adjust to the 'new normal' in September?

Response:

We have previously recognised our challenges to address a range of SEND in Norfolk and our SEND Strategy together with the SEND and AP Transformation Programme has been widely communicated. During the COVID-19 crisis we have been working with schools and providers to provide support for all children, including those with social, emotional and mental health needs. This included both bespoke support for individuals (details outlined below) and extensive transition support co-created with professionals.

The Transition Toolkit Recovery and Learning contains a wide range of resources including support for mental health (Aspect 7 of the toolkit). Schools and providers are pro-active in planning both their curriculum and support for children and young people when they return in September. We also work closely with our colleagues in the health sector, who have launched high quality resources such as 'JustOneNorfolk' (www.justonenorfolk.nhs.uk) and Kooth an app for young people to support mental well-being.

We will be working with schools as they take advantage of the National Tutoring programme and other measures to support learning and increase resilience.

Support during the pandemic

- Bespoke support, guidance and advice has been provided for many pupils, for pupils on school rolls and for pupils who the Local Authority has a direct responsibility for, to enable pupils to attend settings where deemed appropriate
- Additional support and capacity has been bolstered into teams providing this support including from specialist teams facilitated by a central triage system within Children's Services Learning and Inclusion 'Inclusion Team'
- Points of contacts for schools have been streamlined through one specialist team but additional methods of contacting the team have been developed so that advice and support can be accessed more quickly and easily. Children's Services teams across multiple departments have signposted to these to ensure professionals and schools know how to access support within NCC.
- The Norfolk STEPs team has been refocused to provide practical support and advice for families who are supporting pupils at home who have social, emotional and mental health needs. This has included providing practical parenting support to help prevent behaviours escalating to help create calmer, safer and more consistent family responses to children and young people. This support has been accessed by schools, settings, and professionals across Children's Services including High Needs SEND teams, social workers and Early Help practitioners - around 100 requests for support

- have been received and responded to and this is continuing over the summer break
- Some of the most vulnerable pupils with social, emotional and mental health needs have been prioritised for the most intensive support, including attendance at commissioned alternative provision settings

Transition Support

- Specific transition support, guidance and advice has been provided, based upon advice from the DfE, PHE and NCC H&S team, to support the return of pupils in September. This has been produced by a multi-disciplinary team across Children's Services.
- Existing commissioned emotional support is being focussed on supporting children and families who may find the return to school difficult where children may be experiencing attachment difficulties
- The inclusion and outreach services which support schools, settings and colleges are ready for a possible surge in requests for support in September: this includes ensuring points of contact continue and that the breadth of specialist services which have supported schools and settings will continue to be available to provide bespoke support, guidance and advice through the transition period back to school.

6.5 **Question from Dr Andrew Boswell**

The Council has stated that it seeks to improve the environment with the Norwich Western Link, but codes concerning environmental issues are lacking in the tender notice. In particular, codes 71313000-5 (Environmental engineering consultancy services) and 71313400-9 (Environmental impact assessment for construction). Does this mean that there will be other tenders for the environmental impact assessment and environmental engineering related to the scheme?

Response:

CPV codes are a system of classification for public procurement which uses standardised vocabulary to help procurement personnel classify their contract notices consistently and to make it easier for suppliers and contracting authorities to find notices.

The main CPV code used in the OJEU Contract Notice was 45000000 Construction Work, because this is the core requirement for this procurement. Only a Contractor capable of constructing the Norwich Western Link will be able to bid. If they do not have the specialist skills (e.g. environmental engineering consultancy services) to meet the requirements in the contract documentation, they will be able to sub-contract to a company with those skills. The contract documentation clearly lays out the requirements for the environmental aspects the contractor will be required to deliver.

The additional CPV codes used include 71000000 (Architectural, construction, engineering and inspection services), which is the top level of the hierarchy and therefore includes 71313000-5 and 71313400-9

6.6 **Question 1 from Bryan Robinson**

I am concerned at the limited number of CPV Codes in the Tender Contract Notice emphasising specialist works only. Is this likely to lead to a legal challenge as many elements of work particularly Code 45233000 (Construction, foundation and surface works for highways roads) are excluded?

Response:

The reasons for this are set out in the response to Dr Boswell's question at 6.5 above.

The main CPV code 45000000 and the additional CPV code 452000000 (Works for complete or part construction and civil engineering work) include CPV code 45233000 in their hierarchy. It is not necessary to list every single CPV code which may apply.

6.7 Question 2 from Bryan Robinson

The list also excludes any reference to relating to the landscaping for roads and motorways under Code 4511273000 which is a key environment issue. How is the Council going to ensure that the shortlisted contractors have this expertise and undertake the 3 year maintenance and replacement policy? I trust the omission does not indicate an intention to contract this work separately as the NDR with its failed performance issues.

Response:

Please see answer to 6.5 above.

The main CPV code 45000000 includes CPV code 451127300 in its hierarchy.

The contract for the Norwich Western Link consists of three stages, with the third stage being 3 years of landscape maintenance. This stage 3 of the contract has been included as it better allocates the risk of any planting attrition to the contractor.

6.8 Question from Lucy Shires

As the Council who spends the second lowest amount in the East of England and significantly less than the average National spend on Safeguarding children and young people's services, when will we see the impact report to fully understand the effect of this council's underinvestment in the safeguarding of our young people?

Response:

The 2019/20 Budget for Safeguarding Children and Young People's services as per the Section 251 published figures was £19.942m compared to £16.413m in 2018/19. An uplift of £3.529m, an increase of 21.5% Year on Year. The published figures are not yet available for 2020/21 however there has once again been significant additional growth and capacity in the service with new support services and a new social care operating model. The increased investment has improved performance in key areas, including evidence we are supporting children and families earlier.

**Agenda Local Member Issues/Questions
item 7****7.1 Question 1 from Cllr Steve Morpew.**

It is extremely important that Council contractors WSP do not trap bats when they are heavily pregnant or have young dependent pups, because of the potential harm this would do to the pups of this protected species. Why has the council proceeded with trapping barbastelle bats at a site to the south of the proposed Western Link Road?

Response:

It is important that we are able to gather data about this protected species in order to inform measures to protect and support bats as part of the Norwich Western Link project.

The County Council sought approval from Natural England, the Government's advisory body for the natural environment, through their licencing process. We will of course always follow the advice of key bodies like Natural England and throughout all stages we have arranged and carried out activities in accordance with the licence and conditions they have issued to us. We would not progress any surveys without their prior approval.

In this case, Natural England issued us with a licence to carry out these surveys. Natural England reportedly subsequently received evidence that the bats in this area of Norfolk have different mating habits than other populations nationally and issued an amended licence. We stopped the surveys originally planned and have made new arrangements that meet the requirements of the revised licence.

It is for Natural England to determine whether and when it is appropriate for surveys to be carried out.

7.2 Question 2 from Cllr Steve Morpew

How many pregnant or lactating barbastelle bats is it acceptable to the Council to trap during this process and how many have been trapped so far?

Response:

No pregnant or lactating bats have been trapped.

Surveyors working on our behalf had planned to start carrying out radiotracking surveys on private land on the evening of Friday 24 July, in accordance with the licence issued by Natural England. The selected location for the trapping was in a woodland on private land where we have the permission of the land owner.

However, at around 9.15pm, whilst setting up the nets, the surveyors were interrupted by a group of objectors who had trespassed onto the private land in order to confront our surveyors. The police and the landowner were called and eventually the group appeared to leave the immediate area, however the surveyors had ongoing concerns that the objectors had remained nearby. Shortly afterwards the survey was aborted as our surveyors felt bat and staff welfare could be compromised by continuing to work in these conditions.

It is unfortunate that our surveyors found themselves in this situation and that some campaigners felt it necessary to behave in this way. Staff were on site to carry out

legitimate and lawful surveys that have been licensed by Natural England. A condition in the Natural England licence for this work states:

'Trapping must be suspended if heavily pregnant or suspected early lactating bats of any species are being caught in high single figures on any given survey night.'

7.3 Question from Cllr Emma Corlett

The ability for children to safely play outdoors is more important than ever, yet of the 77 councils who support Play Streets, Norfolk is the only council who charges for road closures. Any charge is prohibitive to the most disadvantaged communities, including Town Close. Will the cabinet member therefore commit that there will be no charge to communities who wish to close their road for Car Free Day in September?

Response:

We have agreed to not only support Car Free Day in Norwich, but to roll it out across the county and encourage residents in all local communities to apply to close their road should they wish. There will obviously be certain restrictions on the types of roads that can be closed but you will be pleased to hear that we have agreed to waive fees on this day. We hope that this will help to make the initiative as accessible as possible and support our wider long term aims to build strong communities and reduce pollution across the county. Further details on this initiative will shortly be published

7.4 Supplementary Question from Cllr Emma Corlett

Will he further commit to explore permanently scrapping all charges for street play road closures?

Response:

We are looking at Car Free Day as the starting point but will be looking closely at what more we can do in terms of promoting street play road closures moving forward. So yes, I will certainly commit to exploring it.

7.5 Question from Cllr Jess Barnard

Following the comments made at People and Communities Select Committee by Conservative councillors regarding young people, will the cabinet member for children's services condemn the unfounded and sweeping accusations made against the young people of Norfolk, and thank our young people who throughout this pandemic have volunteered in covid response teams, raised money for local services, been essential workers, young carers and overwhelmingly taking precautions against covid to protect their communities?

Response:

Young people have had to cope with enormous changes to their lives during Covid. Such changes and sacrifices have impacted on their wellbeing, their relationships, their learning, activities and routines. Young people in Norfolk have undoubtedly made significant and invaluable contribution during this time. They have supported not only one another and their families, but also their communities. They have also helped NCC and our partners to plan and evaluate how we deliver our services

through the pandemic. During lockdown, young people have shaped our media campaigns around safeguarding, support for young carers, online safety, returning to school, young people's mental health and how we develop and reshape services and support for young people going forward.

While any community will have pockets of individuals, young and old who choose to ignore guidance, the vast majority of young people have joined with the collective effort to keep Norfolk safe and they should be recognised and thanked for that effort.

7.6 Question from Cllr Colleen Walker

What steps is the council taking to add to the numbers of laptops available to young learners from disadvantaged backgrounds in addition to the 1800 already distributed?

Response:

Through our work to distribute laptops to children with a social worker we have learned that about 60-65% of identified children required a device. A very small proportion of parents even returned their device. We already had a very successful scheme to provide devices for looked after children. For other disadvantaged children, schools are provided with Pupil Premium Funding and can consider how they utilise this, particularly as recent government guidance contains an expectation that schools deliver online and remote learning in the event of further localised lockdowns. Some schools are already using Pupil Premium funding to provide devices. In line with our role, we will support and challenge schools to have robust systems for online and remote learning for all children. Our Online Learning Toolkit was produced together with colleagues from schools and academies and includes a discussion of technology use.

7.7 Supplementary Question from Cllr Colleen Walker

What will the cabinet member do to ensure young people without access to technology do not fall behind with remote learning during possible future Covid spikes?

Response:

This response is answered within the main question.

7.8 Question from Cllr Mike Smith-Clare

Last month the children's cabinet member replied to a question 'It is not the place of schools, or Children's Services to feed all children, nor to monitor whether children arrive at school hungry, and therefore unable to learn effectively.' Whose responsibility is it to monitor whether children arrive at school hungry and therefore unable to learn effectively?

Response:

We recognise that whilst it is of course a parental responsibility to ensure that children have a nutritious breakfast and don't go hungry, some families may need support in the current crisis. Many schools do excellent work to support children and families by utilising the community offer available. We have provided a partner

resource pack (<https://www.schools.norfolk.gov.uk/coronavirus/partner-support-pack>) to all schools, which details not only food related support, but also a much wider range of community and third sector offers to support families and children.

Where children arrive hungry and unable to learn, this can be part of a safeguarding concern. Safeguarding and promoting the welfare of children is everyone's responsibility and everyone who comes into contact with children and their families has a role to play. Schools and colleges and their staff are an important part of the wider safeguarding system for children as they are in a position to identify concerns early, provide help for children, and prevent concerns from escalating. Statutory guidance 'Keeping Children Safe in Education', clearly outlines the safeguarding responsibilities of all schools and colleges. School have safeguarding policies that outline this process.

7.9 Question from Cllr Terry Jermy

Further to the answer provided in May 2020, could the Cabinet Member for Assets provide an update in relation to the former Cosy Carpets building in Thetford and the legal case with Mr Nolan Guthrie referred to in response to my written question at the time, and confirm whether or not the case has now been resolved.

Response:

"All parties are working together to resolve the case in advance of reaching Land Tribunal. It is therefore inappropriate to discuss at this point"

Cllr Jermy has been previously briefed on this issue by officers and they are happy (subject to commercial confidentiality) to provide further updates, including once the case has been concluded.

7.10 Question from Cllr Danny Douglas

Can the County Council leader please re-examine the possibility of using a TRO to divert buses away from Magdalen Street leaving the street for more walking and cycling? The existing pavement space is not sufficient to allow social distancing at present.

Response:

To assist with social distancing, a one-way system has been set up as well as two metre markers put on the pavements on Magdalen Street.

Magdalen Street forms the main route in and out of the city centre from the north of the city for buses and Anglia Square is a busy bus interchange serving local shops and services. We are aware from feedback from businesses along Magdalen Street that access by public transport is very important to them.

There are currently no plans to remove bus services from Magdalen Street but will of course keep the existing arrangements under review. In the meantime, we continue to progress opportunities across the county to encourage and support cycling and walking, including through the significant Transforming Cities programme in Norwich.

7.11 Supplementary Question from Cllr Danny Douglas

Will the County Council leader join me in a request to Simon Bailey Chief Constable of the Norfolk Constabulary in requesting additional police resources to ensure the county councils scheme to promote licensed outdoor chairs and tables on St Benedict's and Exchange Street is a success without effecting the 10,000 residents of the city centre through anti-social behaviour?

Response:

The recently implemented emergency highway works on St Benedict's Street and Exchange Street were designed to allow more space for people to socially distance. Businesses who are interested in outdoor tables and chairs licenses are liaising with the City Council; it is unclear at this stage how many licenses will be requested and provided. At this stage, it is therefore not possible to ascertain what issue(s) may arise that require police intervention.

The question of how much police resource is required in these areas is something that Norfolk Constabulary are best placed to consider. I am sure that all public authorities across Norfolk will continue to work together to support communities across Norfolk to keep safe and well during Covid-19 recovery.

7.12 **Question from Cllr Chrissie Rumsby**

Last week the government made an announcement about tackling obesity. Given the motion brought to this council by the Labour group was to address food poverty and poor nutrition will the cabinet think again and review the way they perceive food poverty and take a more holistic approach to public health? Poverty and poor nutrition has a consequence and that often is obesity as cheapest food often has the worst nutritional value.

Response:

As you will already be aware the new approach to healthy living (or lifestyle behaviours) – which includes consumption of a poor diet as one of the key risk behaviours – was approved by Cabinet in October 2019. This approach, which was referred to as the Systems Approach, will aim to look wider than just commissioning services. It will include significant workforce development to upskill key workforces around behaviour change so that they can support people to address barriers to change. In addition, efforts to promote 'positive' health behaviours will be supported by communities. Looking at these issues more widely will start to address wider determinants such as food poverty and health literacy in ways that we have not been able to previously.

7.13 **Question from Cllr Mike Sands**

Holt Hall and Whitlingham Adventure Centre have supported children and young people though access to additional learning activities. Beneficiaries have included SEND learners. If these centres are closed what provision will fill the gap and what risks have been identified in not providing extended learning opportunities?

Response:

Our outdoor learning centres at Holt Hall and Whitlingham Adventure have been closed since March, in line with government guidance. Our review into the future of outdoor learning was also paused at that time, whilst we dealt with the ongoing emergency.

We have adapted the review, and this restarted on 17th July. We are asking schools, as the main users of these services, for their views on the future of outdoor learning in Norfolk. This engagement will enable us to consider any implications to Norfolk schools and Learners.

Press statement:

Holt Hall and Whitlingham Adventure have been closed since March, when the country went into lockdown. At that time, we had been reviewing our outdoor learning service because both centres were running at a loss and the buildings required significant maintenance. The financial situation is now even more challenging because Covid-19 has created a bigger funding gap for the council and the centres have been unable to operate or make any money.

Our review had been paused while we dealt with the emergency but will now continue. We are therefore asking schools for their views on how outdoor learning should look in the future. It might be that we provide more school-based support for outdoor learning, as schools make the most of their outdoor spaces, in light of the pandemic. No decisions have been made on the future of Holt Hall and Whitlingham Adventure and we are looking at a range of options, which include the possible closure of Holt Hall and the transfer of Whitlingham to a new provider.

7.14 Question and supplementary question from Cllr David Collis

What is happening to Norfolk's Music Service?

Response:

We are pleased to note that some of the provision offered by the Music Service will resume in September, as requested by schools. However, there will still be a need to consider how we can offer a cost-effective service, which can also be targeted to reach groups, including more disadvantaged children, who may not be able to afford individual instrumental tuition. As with many of our traded services we are considering the impact of the COVID-19 crisis and the opportunities available in the future.

I was particularly pleased to witness an online concert organised by our Music Service during the recent lockdown.

Supplementary Question from Cllr David Collis:

Are cuts still being proposed?

Response:

This response is answered within the main question.

7.15 Question from Cllr Alexandra Kemp:

This May, Cabinet set up a Public Sector Leaders' Board, of local government, health, police and Local Enterprise Partnership, to drive the local strategic agenda for Norfolk's recovery.

As the Local Member for Clenchwarton and King's Lynn South, I note the plethora of poor centrally-made strategic decisions (and omissions) affecting West Norfolk,

including -: unwanted incinerator contract; harmful traffic order to cannibalize the £5.3 million bus-and-cycle-only lane; economically damaging plan for an A10 roundabout before West Winch Bypass; and neglect of local health with the non-delivery of both the South Lynn Millennium Surgery and local hospital rebuild. What strategic decisions has the Board made to benefit West Norfolk?

Response:

The Norfolk Public Sector Leader Board is not due to meet for the first time until September 2020, therefore this Board has not made any decisions to date. A forward work plan for the Public Sector Leader's Board has been proposed at the Norfolk Leader's Group meeting on 31 July 2020 and that will be considered at the September meeting referred to.

7.16 **Question from Cllr Tim Adams**

How important are the agriculture and farming sectors to reviving Norfolk's economy following Covid and the challenges of Brexit?

Response:

Agriculture is a significant sector across Norfolk and is recognised as such, not least as one of the three key sectors outlined by the Local Industrial Strategy, alongside Clean Energy and Digital, as well as well as our Norfolk and Suffolk Economic Strategy.

Supporting and lobbying for Norfolk farming is a key pillar of our Norfolk Rural Strategy and pivotal in time of change. As such, in the last week, we have responded to the DEFRA's consultation on a new Environmental Land Management (ELM) scheme, to ensure the programme attains the greatest possible participation by Norfolk farmers and land managers, with prompt and accessible payments for participants.

In the long term, water security will be vital for the continued strength of agriculture in Norfolk. We are board members of Water Resources East, together with a wide range of organisations with and interest in water resources and are building a strategy to achieve this. A current bid has been received into the Norfolk Strategic Fund to accelerate this development.

As well as supporting existing agriculture for the future, we are working hard to drive the industry up the value chain and see more of our produce prepared for market in the county; our Food Enterprise Park is part of one the first Food Enterprise Zones in the country and provides commercial space to encourage food production and processing.

The LEADER programme, administered by Norfolk County Council, with decisions made by community-based Local Action Groups, has demonstrated a high level of impact in rural areas – directing vital funds to support agri-tech projects and diversification. The programme has committed nearly £8.5m of grants for projects that include:

- increasing farm productivity
- supporting micro and small businesses and farm diversification
- boosting rural tourism

- increasing forestry productivity

7.17 Question from Cllr Steffan Aquarone

What is the moral justification for trapping lactating barbastelle bats in the name of surveying in the proposed area of the Norwich Western Link, and why were contractors not wearing appropriate PPE?

Response:

These are legitimate and lawful surveys that have been licensed by Natural England for the purpose of gathering data about a protected species, in order to inform measures to protect and support bats as part of the Norwich Western Link project.

On Friday evening, the surveys were aborted while our surveyors were setting up their equipment after objectors had trespassed onto private land to confront our surveyors. They were aborted due to concerns that bat and staff welfare could be compromised by continuing work with trespassers present. Full PPE was present on site and would have been used for any bat handling activities as per guidelines for protecting bats, but was not being worn as the surveys had not started

7.18 Supplementary Question from Cllr Steffan Aquarone

This is now the second time the council has made a mistake in trying to survey this land. Will he stake his cabinet position on there being no more?

Response:

I'm not clear what is being referred to here when Cllr Aquarone says 'This is now the second time the council has made a mistake in trying to survey this land'. The County Council sought approval from Natural England, the Government's advisory body for the natural environment, through their licencing process. We will of course always follow the advice of key bodies like Natural England and throughout all stages we have arranged and carried out activities in accordance with the licence and conditions they have issued to us.

I would like to categorically state that staff working on the project and our consultant and sub-contractor have conducted themselves professionally and with integrity at all times, in some very challenging circumstances. The actions taken by the group who confronted our surveyors on the evening of Friday 24 July are completely unacceptable.

7.19 Question from Cllr Dan Roper

Statistically Norfolk sees higher than national average excess winter deaths in our over 85s population (50.5% in 17/18 compared to 41.1% nationally), so what new approaches will the council take to reduce the levels of excess death amongst the 85s this winter?

Response:

Norfolk has a particular demographic profile with more retirees than other counties. As you would expect the County Council is already working closely with the Norfolk and Waveney Clinical Commissioning Group and other Health and Care system

partners. We are all planning for winter 2020/21 and drawing on the national report "Preparing for a challenging winter 2020/21" from the National Academy of Sciences, and taking into account the context of the Covid-19 pandemic. As well as reviewing the delivery of existing schemes to support winter planning, a number of new or enhanced initiatives are being developed. This includes strengthened work on flu vaccinations (including in care settings), step-down bed facilities to support people safely out of hospital, and a review of how we can ensure sufficient capacity in the community that keeps people safe and well. We will also continue to reinforce the important actions everyone can take to stay safe during the pandemic, including handwashing, social distancing, and self-isolating.

7.20 Question from Cllr Tim East

Will you give a guarantee that the council will not use the financial impact of Covid as a reason to reduce the future care packages for disabled people?

Response:

Norfolk County Council will not use the Covid-19 Pandemic to reduce any disabled persons package, this has been said before. Ensuring care packages are reviewed and 'right sized' is an ongoing part of the Care Act which is the legislative framework for the work of Adult Social Services. We continue to do this in line with our Promoting Independence strategy which seeks to reduce demand, re-able and build greater resilience in communities and families. Throughout the Pandemic the Council has done everything it can to protect those who rely on its services.

7.21 Question from Cllr David Harrison

During the pandemic and beyond, as a council with a greatly lower percentage of successful completions of drug treatments in non-opiate users than the rest of the region and indeed nationally; How have you taken the knowledge and instances of best practice from the other Councils in the East of England to improve the recovery rates for those people using the Council's services?

Response:

Although Norfolk has a lower percentage completion rate for non-opiate users than some other areas in the East of England, it is an improving picture. Throughout the pandemic, the County Councils drug behaviour change service provider, Change Grow Live (CGL), has remained open. They have continued to support all clients, positively contacting over 1800 clients per week through various digital platforms and via telephone. All CGL bases have remained open for people to access harm minimisation advice and equipment. New referrals have been managed based on support needs and those with high risk factors, including poor physical and mental health have been seen face to face by clinicians. Since April, CGL made the decision, supported by commissioners, not to discharge clients during lockdown, preferring to provide ongoing emotional wellbeing support and interventions during this very stressful time. However, as lockdown relaxes, clients who are ready are now being prepared for discharge with ongoing recovery support being in place.

We work very closely with colleagues in the East of England region and we have continued to meet as a region regularly over the last four months to share good practice. During the pandemic each local authority area has experienced similar practice, with services remaining open but moving to an online offer and clients not

being discharged.

7.22 Question from Cllr Brian Watkins

According to a recent survey from the Centre for Cities, Norwich has been identified as one of the slowest cities to recover from the coronavirus lockdown. What are the key actions the Council is taking in partnership with other councils and stakeholders, to try and address this worrying situation?

Response:

The Centre for Cities study measures footfall, not spending and confidence. As is well known, many of the City's businesses are in the financial and digital creative sectors, which have been able to operate effectively with home working (eg Aviva), while still contributing to the economy of Norwich. The safety measures we have had in place have meant that Norfolk and Norwich have had some of the lowest incidences of the virus in the country

It is also far too soon to talk about the recovery of any city from the pandemic at this early stage, in terms of footfall. In line with government guidance, non-essential shops have only recently re-opened, the leisure and cultural offer (eg libraries) that many people venture into the City for is only now opening up again, and not all of the City's car parks have yet re-opened. However, anecdotal evidence suggests the City is busy at weekends, since the re-opening of non-essential shops - last weekend St Andrew's car park was full, for the first time since lockdown.

The city of Norwich is central to the County Council's recovery plans, with a range of business and infrastructure-related interventions in place, to speed up the recovery:

- A £500k tourism project to support the City, as part of package of £2.225m of measures to get the Norfolk tourism sector back on its feet. The funding will support the improvement of the presentation, cleanliness and hygiene of key areas, communication of safety messages with visitors and visitor assistance. A small grants programme is also being developed for businesses to support the costs of making the changes needed to extend the season.
- Support for the city's Town Deal for c.£25m of funding from Government to improve the city centre for businesses and the local community.
- Securing over £30m of Transforming Cities funding, focussed on measures to help people's connectivity, allowing them to get to job opportunities, leisure, retail, etc.
- Securing £300k from Phase 1 of the Government's Emergency Active Travel Fund, covering Covid signage, physical-distancing measures and closures to traffic on Exchange Street and St Benedict's, to help traders recover. A Phase 2 bid will be submitted by 7 August, looking at further recovery measures.
- Greater Norwich's pooled Community Infrastructure Levy (the Infrastructure Investment Fund) has opened a call for new infrastructure projects, with priority being given to those that support the economic recovery of Covid-19.
- In East Norwich, the Council is working with partners including Norwich City Council, Homes England and developers and landowners to produce a masterplan for the area, with the Council provide funding towards the plan.

We have also secured circa £50k for study into the buildability of links (road, public transport and walking and cycling) to open up the various sites

7.23 Question from Cllr Ed Maxfield

The Local Government and Social Care Ombudsman recently instructed the Council to provide more regular updates to its committee members on the number of children out of education in the county - and those at risk of having their education break down. Can the Cabinet Member for Children's Services tell us what plans he has for providing this information and what steps he will take to review Council practices where it risks failing to meet its statutory obligations to provide education for children?

Response:

We will be reporting routinely to People and Communities Select Committee starting from the meeting on 18 September 2020 for two academic years. We have extensive plans in place to as part of our SEND and AP Transformation Programme to address these issues. This includes, but is not limited to securing sufficient places for children with a range of needs. To date we have:

- Worked across multi-agency teams to enable full support around each child register under CME (Children Missing Education)
- Conducted regular welfare calls to the families these are continuing during the summer holiday
- Established a tuition framework, which is being added to on a regular basis
- Held multi-agency triage meetings to ensure the most appropriate support provided from the start
- Rapidly developed working practices to adapt to new ways of working – e.g. laptops provided to all who required devices through distributing refurbished LA laptops
- Ensured tracking of engagements through an attendance register
- Forged transition plans for all year 6 and 7 pupils
- Updated the CME register regularly
- Provided Free School Meals for all those eligible (vouchers)
- Secured tuition for all students, which is reviewed every six weeks and some continues throughout the summer

The LGSCO said:

The Council should provide its People and Communities Select Committee with regular updates on its performance for two full financial years in terms of the following:

- number of children out of education;
- average time for arranging alternative education provision for children who have been out of education;
- average time taken to produce final EHC plans and EHC plan reviews compared with statutory timescales; and
- number of upheld complaints about EHC plans and education provision from both the Council's own complaints process and us.
- These updates should be provided each time the Committee meets during the above period

Appendix C

Questions requiring written responses from the Cabinet Meeting held on Monday 3 August 2020

	Question and response:
<p>Agenda item 6 Public Question Time</p> <p>Supplementary Question from Dr Andrew Boswell</p>	<p>As a supplementary question Dr Boswell asked if the Cabinet Member could please explain how your evaluation of companies, and their tender bids, will ensure that the project requirement to create a biodiversity net gain is met? ".</p> <p>Response from the Cabinet Member for Highways, Infrastructure & Transport:</p> <p>The February 2020 Cabinet report set out that 'Aspects of the scheme that deliver biodiversity net gain will be included in the specification or will be added later through change control where they cannot be specified precisely prior to detailed design – for example, because of the need for landowner negotiations to obtain land where planting can be undertaken'. This process is still active and being developed and led by the project team. All proposals will be developed and included as part of the planning and other related statutory approval processes.</p> <p>The main contractor will be responsible for delivering all requirements within the site extent boundary, that will be defined within the planning process, including measures which have been included for biodiversity net gain reasons. A significant number of ecological and environmental surveys have already been carried out and surveys are continuing to ensure we are establishing a thorough understanding of habitats and wildlife in the area around the route, and to provide up-to-date information ahead of the planning application being submitted next year. So work is ongoing to help inform what measures are needed, however bidders will need to demonstrate that they have accounted for our biodiversity net gain goals in their design, landscaping and mitigation proposals.</p> <p>Ultimately the main contractor will be responsible for delivering the project as agreed following the approvals processes. This will include the specified biodiversity net gain. Under the contract they will also be responsible for maintaining planted areas for 3 years after completion of the construction phase. All of the planted areas will be monitored to ensure they are maintained during that period.</p>
<p>Agenda item 7 Local Member written Supplementary Question from Cllr Mike Smith-Clare</p>	<p>As a written supplementary question, Cllr Mike-Smith Clare said that the response to his question stated 'Safeguarding and promoting the welfare of children was everyone's responsibility and everyone who came into contact with children and their families had a role to play' then failed to say what the cabinet member for Children's Services was responsible for. Cllr Smith-Clare asked if the Cabinet Member would now spell it out please</p> <p>Response from the Cabinet Member for Children's Services: Due to a streaming issue, the Cabinet Member for Children's Services agreed to provide a written response.</p> <p>The Cabinet Member replied, as he had said previously, that he would like to be able to feed all Norfolk's Children, although it was the responsibility of families to do so.</p> <p>As the Cabinet Member, Cllr Fisher said he was responsible for ensuring the needs of all children and young people, including the most disadvantaged and vulnerable and their families and carers were met. In doing so, he would work closely with other local partners to improve the outcomes and wellbeing of children and young people. He added that it was not his role to get drawn into the day to day operational management of education and children's services, although it was his role to provide strong, strategic leadership and support and challenge to the Executive Director of Children's Services and relevant members of the Senior Management Team as appropriate.</p>