



Scrutiny Committee

Minutes of the Meeting Held on 27 January 2021
at 10 am as a virtual teams meeting

Present:

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

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

Cllr Joe Mooney
Cllr Judy Oliver
Cllr Richard Price
Cllr John Timewell
Cllr Haydn Thirtle

Substitute Members present:

Cllr T Jermy for Cllr Chris Jones

Parent Governor Representative

Mr Giles Hankinson

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

Cllr Andy Grant	Cabinet Member for Environment and Waste
Cllr Andrew Jamieson	Cabinet Member for Finance
Tom McCabe	Head of Paid Service and Executive Director Community and Environmental Services
Simon George	Executive Director of Finance and Commercial Services
Louise Smith	Director of Public Health
Grahame Bygrave	Director of Highways and Waste
Mark Ogden	Flood & Water Manager
Scott Norman	Assistant Chief Fire Officer (Delivery)
Helen Edwards	Director of Governance and Monitoring Officer
Karen Haywood	Democratic Support and Scrutiny Manager
Tim Shaw	Committee Officer

1. Apologies for Absence

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

2 Minutes

- 2.1 The minutes of the meetings held on 14 December 2020 were confirmed as an accurate record and signed by the Chair.

3. Declarations of Interest

- 3.1 Cllr Alison Thomas declared an “other interest” in item 8 because she was personally impacted by the flooding event that took place in December 2020 and was having to live in temporary accommodation.

4 Urgent Business

- 4.1 No urgent business was discussed.

5. Public Question Time

- 5.1 There was one public question (from West Dereham Parish Council) regarding the flooding event that took place in December 2020. The question and the answer can be found at the end of these minutes.

6. Local Member Issues/Questions

- 6.1 There were two local member questions (from Cllr Sandra Squire and Cllr Ed Maxfield) regarding the flooding event that took place in December 2020. The questions and the answers can be found at the end of these minutes.
- 6.2 As a supplementary question Cllr Ed Maxfield asked the Committee to carefully consider how strategic partners from across Norfolk (including Town and Parish Councils) and residents could be involved in the response to future flooding events .

In reply the Chair said that this matter would be addressed as the Committee considered item 8 on today's agenda.

7 Call In

- 7.1 The Committee noted that there were no call-in items.

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

- 8.1 The Committee received a report on Norfolk County Council's response to the December 2020 flooding event.
- 8.2 By way of introduction, the Committee was informed that the most recent significant flooding event occurred on the night of 23/24 December 2020 when prolonged rainfall caused widespread flooding and disruption in an arc from Martham through South Norfolk to Watton. The rainfall was intense, and some areas recorded over 50mm of rain falling in 24 hours onto already saturated ground, resulting in many over-flowing watercourses and run-off from surrounding fields into properties. This also impacted on the highway network, with the A140 in Long Stratton particularly affected.
- 8.3 Cllr Andy Grant (Cabinet Member for Environment and Waste), Grahame Bygrave

(Director of Highways and Waste), Mark Ogden (Flood & Water Manager) and Scott Norman (Assistant Chief Fire Officer (Delivery)) were present to answer Councillors questions about the December flooding event and the actions that were being taken.

8.4 During discussion the following key issues were raised:

- Cllr Andy Grant explained the Cabinet decision to invest in additional capital expenditure to cover urgent repairs on the network and to invest in additional revenue for repairs to existing drainage systems following the December storm. In reply to questions it was pointed out that the additional funding would be made available in the new financial year.
- It was pointed out that the NCC Flood and Water Team was currently investigating 180 reports of flooding in December 2020. This (updated) number of events remained subject to change. The investigations would be undertaken in the coming months.
- Repair work on the highway infrastructure damaged in the storm was in progress and would continue in the coming weeks.
- Additionally, there was focus on putting in place meetings with authorities with relevant flood risk management functions, landowners and other stakeholder groups with the aim of ensuring that they were all clear as to their responsibilities in preventing flooding events. Arranging a series of virtual meetings was an efficient way of doing this.
- Risk management authorities must act in a manner consistent with County Council policy on flooding (with the exception of Anglia Water who had to have regard to it).
- Across Norfolk there were some 36 authorities with relevant flood risk management functions some of which had enforcement powers. It was important for them all to be working together in a strategically joined up way.
- The Chair said that the existing arrangements for flood management appeared to be unfit for purpose because there were too many organisations involved.
- The Cabinet Member said that the appointment of additional members of NCC staff would provide the capacity needed for the flood investigation reports (and particularly those that identified internal flooding) to be actioned in a timely manner. The ambition was to turn the current joint consultative arrangements into something more workable.
- It was pointed out that NCC statutory enforcement powers were applied when necessary, however, discussions were held with landowners in the first instance to resolve issues and avoid unnecessary legal action.
- Councillors spoke about issues of where landowners had filled in and blocked ditches and built structures across watercourses for which solutions had to be found.
- Without joined up action the situation would only get worse because Norfolk remained at serious risk from global warming. There was a particularly serious problem in low lying areas of the county and steps needed to be taken to mitigate against global warming at central government level.
- At Councillors request, details from a 2017 assessment of Norfolk properties at risk of flooding would be made available to all Councillors after this meeting. Post meeting note: the 2017 risk assessment identified just over 28,000 properties at risk from a 1:100 surface water flood event. However,

this was not directly comparable to the 2009 data as mapping techniques have improved.

- The NCC Flood and Water Team had built up a close working relationship with colleagues at Breckland DC where they were due to speak about incidents of flooding later today.
- It was important for the NCC Flood and Water Team to be kept aware of all serious flooding incidents across the county.
- There were early warning signs in early December about the flooding event that occurred in Long Stratton and elsewhere on the night of the 23/24 December 2020. Regular storms had overwhelmed existing drainage systems and climate change predictions suggest that this situation would get even worse over time.
- Officers from the NCC Flood and Water Team and the Fire and Rescue service had visited the homes of residents who had suffered from internal flooding issues to assess the situation and to provide help. This action was commended by Members of the Committee.
- It was suggested that steps should be taken by officers to ensure that longstanding knowledge of elderly residents about potential flooding issues was not lost.
- It was noted that it sometimes took political intervention at the highest possible levels before agencies were prepared to take appropriate action on flooding.
- The December floods had occurred at a particularly difficult time just before Christmas when people were having to cope with the Covid-19 pandemic.
- In reply to questions, officers pointed out that plans were in place to have an annual review of actions taken during the year on local flooding issues and for action on where the published recommendations were and were not implemented to be reported back to Councillors at Select Committee level.
- The delivery of many of the solutions was expected to require successful funding bids to be secured from a variety of external sources.
- The Committee's attention was drawn to the significant amount of money that was already spent each year on improving and maintaining drainage systems.
- It was pointed out that the emergency action that was taken by fire crews at a recognised high-risk spot for flooding on a road in Thorpe St Andrew had received significant media coverage. Discussions were taking place with the local landowner to examine what specific physical safety measures might be put in place to prevent a reoccurrence. It was suggested that community safety messages should be produced about the dangers of driving through flood waters. Elsewhere, some flooding was caused or exacerbated by vehicles driving through flood water and creating a bow-wave. The interests of the motorist should not take precedence over those of homeowners. The incidents would be re-examined to see what lessons could be learnt for future social media campaigns about the dangers of driving in flood conditions.
- There was information on the Council's website about grants for those who had suffered flooding. These details would be shared with those concerned.
- It was suggested that the Council's website should include up to date live information on current flooding issues, contact details and links to information on national websites and for these links and information to be shared with town and parish councils.

- The maps of all 36 authorities with relevant flood risk management functions should be integrated and linked with National datasets where appropriate and especially for those critical locations where there were ongoing issues that needed to be investigated.

8.5 **RESOLVED**

That Scrutiny Committee:

- 1. Place on record best wishes to those Norfolk residents who suffered hardship as a result of the December 2020 Flooding Event.**
- 2. Ask officers to take all possible steps to ensure that those residents who suffered hardship were made aware of all sources of support and information about flooding that were available to them.**
- 3. Place on record thanks to the officers who attended the meeting for this item for their helpful and informative answers to Councillors questions.**
- 4. That following on from the Cabinet decision and the actions that are to be taken following this meeting, the Scrutiny Committee receive an update report in Autumn 2021. The update report to include details about the work that has been done and remains to be done to resolve the issue of flooding (with supporting presentational information about outstanding hot spots in the county and attendance by representatives of Anglia Water, the Environment Agency and other appropriate organisations where necessary).**

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

- 9.1 The Committee received a report that provided an update on Provisional Local Government Finance Settlement 2021-22.
- 9.2 Cllr Andrew Jamieson (Cabinet Member for Finance) in introducing the report said that the provisional Local Government Finance Settlement for 2021-22 was lower than in previous years. The key details of the provisional settlement were contained in paragraph 3.2 of the report.
- 9.3 During discussion the following key issues were raised:
 - The Council continued to take up with Government sources issues such as the fair funding review, the business rates review and the need for a sustainable model of funding for social care.
 - The Administration did not believe the Government would penalise the Council if it were to apply a 4 % increase in Council Tax in 2021/22 rather than the permitted 5 % increase.
 - The local council tax support grant was in relation to the County and District Councils. This grant was to compensate against the additional claims that people were expected to make in 2021/22.
 - The sum of Norfolk Covid-19 monies that the County Council had allocated to the council tax assistance scheme would be made known to Councillors outside of this meeting.
 - Final allocations by the Government of Public Health grant remained to be

confirmed.

- It was recognised that going forward more Government financial support was required to maintain Local Authority public health functions.

9.4 **RESOLVED**

That Scrutiny Committee note the report.

10 **Covid-19– NCC response**

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

10.2 Louise Smith, Director of Public Health, was present in the meeting to answer questions from Councillors.

10.3 During discussion the following key issues were raised:

- The current overall rate of Covid-19 infection in Norfolk was 400 per 100,000 people. While this rate was high, this was slightly lower than the average rate of infection for the east of England.
- Norfolk had passed the 1 000 deaths figure.
- The roll out of vaccines was in accordance with national guidance. The vaccination priority was about saving lives.
- The supply of vaccination was NHS centrally led.
- There was no national guidance on priority groups for those younger than 50 years of age. It remained to be seen if the Government were to regard schoolteachers as a priority.
- Special school staff were however being treated in Norfolk as a priority.
- Furthermore, all County Council front facing staff who were eligible for vaccination were seen being seen as a priority.
- The Vice-Chair suggested that some people who were staying/working at home might be willing to defer their vaccination so that others could be vaccinated.
- Councillors suggested that there needed to be clearer messages about the behaviour expected of people who were vaccinated. The Director said that this comment would be passed back to NHS communications.
- The advice from Public Health was that rapid Covid-19 tests for young school children were done most effectively by trained professional staff.
- The Chair said that at a later date it would be important to understand the reasons why the infection rates in Norfolk care homes were higher in the second wave of the pandemic after all the good work done on issues of PPE and staff movement at the end of the first wave.
- The Director of Public Health said that there was less room for improvement in reducing care home infection rates than there was during the first outbreak. Inspection regimes had pointed out that rigorous infection control measures were in place. The main explanation for the rise in case numbers was that the rates of infection in society generally were now much higher than during the first wave. Norfolk was not in a worse position on care home deaths than elsewhere, but currently the wave of infection was hitting Norfolk hard. A detailed analysis of the reasons would be provided later.
- It was noted that guidance for health and social care staff on the use of PPE

had not changed significantly since the first wave of the pandemic. The issue needed to be flagged up nationally to see if changes were needed in response to the heightened levels of anxiety being shown by staff.

- The effect of family bereavement had become a matter of some concern for the mental wellbeing of young people.
- The District Councils had enforcement powers in relation to Covid-19 rules regarding supermarkets.
- The Scrutiny Committee should concentrate scrutiny on the added value that it could bring to dealing with the pandemic.

10.4 **RESOLVED**

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

11 **Scrutiny Committee Forward Work Programme**

11.1 The Committee received a report (on the supplementary agenda) that set out a draft forward work programme.

11.2 It was pointed out that at their meeting on 12 January 2021 Cabinet had considered a report entitled “Adult Social Services charging policy for non-residential care - next steps following Judicial Review”. The Vice-Chair moved, duly seconded, that scrutiny of this issue should be referred to the People and Communities Select Committee and this was agreed unanimously.

11.3 The Committee was fully aware that the County Council still faced a very serious Covid-19 crisis and that some Officers were likely to be redeployed from their current roles to support ongoing work during the pandemic. Councillors therefore wanted to focus the Committee’s forward work programme at this time on requests for reports on essential information and to be able to adapt and change long-term areas of scrutiny work to meet constantly changing situations.

11.4 **It was then RESOLVED**

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

The meeting concluded at 12.50 pm

Chair

MEMBER/PUBLIC QUESTIONS TO SCRUTINY 27 JANUARY 2021

1.1 Question from West Dereham Parish Council

What is NCC doing about flooding in the Borough Council of King's Lynn and West Norfolk, particularly in West Dereham? Properties in Station Road, West Dereham have suffered severe external flooding so far in 2021, with the concern that any further incidence may result in flooded homes and damage to property. Homeowners in Station Road, West Dereham say that they have reported the problem to Norfolk County Council but no positive action to remedy the situation has been taken. Could you please explain why this is the case?

Response by Chairman of Scrutiny Committee

When the Lead Local Flood Authority (LLFA) learn of a flood event in Norfolk, the Council will consider whether an investigation should be carried out, under Section 19 of the Flood and Water Management Act 2010, in order to determine:

- Which authorities have relevant flood risk management functions
- Whether each of those authorities has exercised, or is proposing to exercise, those functions in response to the flood.

The Council take a risk based approach to investigating flooding, using the [Flood Investigation Protocol](#) and [impact criteria](#). The following types of flooding will initiate a flood investigation

- Any risk to loss of life or serious injury
- One or more properties flooded internally and/or one or more properties rendered inoperable or their functions severely compromised due to the access to the premises being impassable
- Any section of a national category 3 road or above made impassable due to flooding and/or flooding to [priority 1 and 2 gritting routes](#).

If any property owners have suffered internal flooding please can they report it via our website: [Report a flood - Norfolk County Council](#)

If the flooding is connected to the ordinary watercourses to the south and east of Station Road, please contact the Downham Market Group of Internal Drainage Boards, who may be able to advise. Following the submission of your question, our Flood and Water Management Team have contacted them to alert them to the issues in West Dereham.

1.2 Question from Cllr Sandra Squire

In low lying areas of the Fens, it can be hard to ascertain the cause of drainage issues and flooding or who is responsible for solving issues so they don't reoccur in the future. When it is ascertained that the problem is a drain managed by a riparian owner that causes flooding, the council is reluctant to engage with riparian owners and make them undertake required maintenance, so the problem persists. Is it time that areas that raise concerns, have their drains audited to ensure they work efficiently and that residents are given a single point of contact when issues arise, rather than having to negotiate with several different organisations.

Response by Chairman of Scrutiny Committee

The regulatory responsibility for the ordinary watercourses in the low lying areas of the Fens rests with the Internal Drainage Boards (IDBs) who have their own bylaws for applying their powers for maintenance and obstructions.

Outside the IDB areas the Council have regulatory responsibility for ordinary watercourses, and we may take measures, in line with the Council's Flood and Water Management Enforcement Protocol, where an action has or is likely to increase flood risk and relates to:

- Internal flooding of a residential property which can include an attached garage (please note - a detached garage or shed is not considered internal)
- Flooding of critical infrastructure e.g. hospitals
- Flooding of main roads e.g. priority 1 and 2 winter gritting routes

1.3 Question from Cllr Ed Maxfield

The Flood Management Team worked hard in response to the December flooding event. I only heard positive comments locally about how it was handled at the time. However, has the event exposed the need for more resources to be invested? I do hear that dealing with the results of the December flooding is still affecting the team's ability to tackle other work. Do we also need clearer lines of accountability following the adoption of a new Flood Management Strategy: the workings of the North Norfolk Surface Water Steering Group remain opaque to me and their web page only lists two flood reports, one of which is not in North Norfolk.

Response by Chairman of Scrutiny Committee

On the 12th of January 2021 Cabinet agreed to invest £650,000 in additional revenue and capital funding to increase the resource in the Flood and Water Team, to cover urgent repairs on the highway network caused by floodwater damage, and to repair existing drainage systems. A further £1.5m has been allocated in 2021/22 for a Flood Reserve to assist with flood related issues.

The Cabinet also agreed to set up a task force to work with MPs and other stakeholders to ensure that the Environment Agency develops comprehensive, costed and funded plans to meet the challenges as set out

in the recently published national strategy for England. The Council will also be developing a “memorandum of understanding” with other organisations who are key stakeholders in flood events (e.g. Environment Agency, Internal Drainage Boards, Anglian Water, other councils etc) to set out respective responsibilities, and a framework to help support and deliver common objectives and potential pooled funding in terms of how we collectively respond to and manage flooding events.

Additionally, when the Council prioritises and progresses flood risk mitigation studies in areas of local flood risk, stakeholder groups are formed that include the Districts, Anglian Water, local Internal Drainage Boards and other relevant stakeholders to assist the identification of flood risk issues and their potential solutions.