

**Norfolk County Council
Minutes of the Meeting Held at 10 am on
Monday 27 September 2021**

Present:		
	ADAMS Timothy	LONG Brian
	ADAMS Tony	MACKIE Ian
	ANNISON Carl	MASON BILLIG Kay
	AQUARONE Steffan	MAXFIELD Ed
	ASKEW Stephen	MIDDLETON Graham
	BAMBRIDGE Lesley	MORIARTY Jim
	BENSLY James	MORPHEW Steve
	BIRMINGHAM Alison	NEALE Paul
	BORRETT Bill	OLIVER Rhodri
	BOWES Claire	OSBORN Jamie
	CARPENTER Penny (Chair)	PECK Greg
	CLANCY Stuart	PLANT Graham
	COLWELL Robert	PRICE Ben
	CONNOLLY Ed	PROCTOR Andrew
	CORLETT Emma	RICHMOND Will
	DALBY Michael	RILEY Steve
	DARK Stuart	ROPER Dan
	DAWSON Christopher	SANDS Mike
	DEWSBURY Margaret	SAVAGE Robert
	DIXON Nigel	SHIRES Lucy
	DUFFIN Barry	SMITH Carl
	DUIGAN Phillip	SMITH-CLARE Mike
	EAGLE Fabian	STONE Barry
	ELMER Daniel	STOREY Martin
	FISHER John	THOMAS Alison
	FITZPATRICK Tom	THOMPSON Vic
	GRANT Andy	VARDY Eric
	GURNEY Shelagh	VINCENT Karen
	HEMPSALL Lana	WALKER Colleen
	HORSBRUGH Michael Chenery of	WARD John
	JAMIESON Andrew	WATKINS Brian
	JERMY Terry	WEBB Maxine
	JONES Brenda	WHITE Tony
	KEMP Alexandra	WHYMARK Fran
	KIDDIE Keith	WILBY Martin

Present: 70

A Apologies

Apologies for absence were received from Cllr David Bills, Cllr Sharon Blundell, Cllr Julie Brociek-Coulton, Cllr Graham Carpenter, Cllr Ed Colman, Cllr Nick Daubney, Cllr Jane James, Cllr Mark Kiddle-Morris, Cllr Julian Kirk, Cllr Judy Oliver, Cllr Saul Penfold, Cllr Richard Price, Cllr Mathew Reilly and Cllr Chrissie Rumsby.

B Chairman's Opening Remarks

The Chairman said that she would like to acknowledge colleagues' anxieties about this Council meeting taking place here in the Chamber today, given the number of people physically present and the amount of business on the agenda for this meeting.

The Chairman therefore proposed (duly seconded by the Vice Chairman) a change to the order of business to use her discretion to take the motions report after the item on the boundary review, given that recent Council meetings had motions after the business items had been dealt with and there was other business that had to be got through in this meeting. The revised order had been shared with Group Leaders and circulated to Councillors for information in advance of the meeting and was agreed in the meeting on a show of hands.

1. Minutes

- 1.1** The minutes of the Council AGM meeting held on 24 May 2021 were confirmed as an accurate record of the meeting.
- 1.2** The minutes of the Extraordinary Council meeting held on 7 June 2021 were confirmed as an accurate record of the meeting.

2 Chairman's Announcements

- 2.1** The Chairman said that it was a pleasure to start receiving invitations to in-person events during the summer as Coronavirus restrictions eased. Details regarding the Chairman's engagements could be found on the Norfolk County Council website, on the Chairman's page.
- 2.2** The Chairman placed on record her congratulations to Cllr Mike Smith-Clare who had recently received an honorary doctorate from the UEA in Civil Law for Community and Education Engagement. All Councillors shared in the congratulations to Cllr Mike Smith-Clare.
- 2.3** The Chairman also placed on record her congratulations on the recent success of Norfolk athletes at the Tokyo Olympics which was also shared by all Councillors.
- 2.4** The Chairman said that she wished to bring to the attention of Councillors that yesterday it was the police national Memorial Day to remember officers who were killed in the execution of their duties, The Chairman's year of office was focused on all blue light services officers and support staff. Over 5,000 police

officers had lost their lives 1,500 of which were due to acts of violence. The Police Federation had set up this charity and the patron was HRH Prince Charles.

- 2.5 The Chairman asked the Council to mark the sad passing earlier this month of Sir Timothy Colman who was the Lord-Lieutenant of Norfolk from 1978 to 2004. As the Queen's representative he promoted cooperation between various groups related to the social cohesion and economic prosperity of Norfolk. Sir Timothy also held many other roles and was a true champion for the county. He played a key part in the establishment of the University of East Anglia and was an important supporter of City College Norwich. He was patron or president of many local organisations including the Norfolk and Norwich Festival, the Friends of Norwich Museums, Norfolk Wildlife Trust, Norfolk and Norwich Horticultural Society and the Royal Norfolk Agricultural Association. He loved the natural world and outdoor pursuits and played a key role in the establishment of Whitlingham Broad.

- 2.6 Councillors joined the Chairman in a minute's silence as a mark of respect for Sir Timothy Colman.

3 Declarations of Interest

- 3.1 Cllr Dan Roper declared an "other interest" in the item on the Norfolk Youth Justice Annual Plan as he was an employee of the Ministry of Justice which was a partner organisation.
- 3.2 Cllr Chenery of Horsburgh declared an "other Interest " in the report of the Records Committee as a Trustee of the Norfolk Record Office Charity.
- 3.3 Cllr Lucy Shires declared an "other Interest " in the motion about Member Champions as the mental health champion for North Norfolk District Council.

4 Any items of business which the Chair decides should be considered as a matter of urgency

- 4.1 There were no items of urgent business

5 Questions to Leader of the Council

5.1 Question from Cllr Emma Corlett

Cllr Emma Corlett said that she shared the Leader's dismay that the recent Government announcement on social care would not even be sufficient to meet this Council's immediate and pressing need this winter and next year. The announcements would also do nothing to address the many systemic failures identified in the Serious Adults Review into the deaths of Joanna, "Jon" and "Ben" at Jeasal Cawston Park which happened in plain sight of many agencies. What steps had the Leader taken since the review was published to ensure that the recommendations were implemented in full and those living with a learning disability who lived or came to Norfolk were safe from harm?

The Leader replied that what had happened at Jeetal Cawston Park was a very serious situation and due to be considered by the Norfolk Health Overview and Scrutiny Committee. There had recently been a debate on this issue in the House of Commons and the Minister of State had agreed to meet the families of Ben, Joanna and Jon. Adult Social Services were taking all necessary steps to protect vulnerable people in our remit, whether they were adults or children; to do all that could be done to learn lessons and take appropriate action.

5.2 Question from Cllr Tim Adams

Cllr Tim Adams said that the Safeguarding Review into Cawston Park of hospitals for people with learning disabilities and autism was highly critical and yet the same was said by Norfolk communities about Norfolk County Council therefore when would the public get to see a review of how the County Council was going to better protect those within the social care system?

The Leader replied that in the earlier response he had made it very clear that all that the County Council could do to protect our vulnerable communities was being done.

5.3 Question from Cllr Jamie Osborn

Cllr Jamie Osborn said that the UK would shortly be hosting the United Nations climate talks. The UK had some ambitious climate targets but was insufficient in terms of climate finance. Was it therefore not the case that Local Authorities needed to point out to the government that they would be unable to meet carbon reduction targets unless there was additional funding for climate action? Was the Leader seeking government funding to address this issue and if not provide evidence to show how the County Council would be carbon neutral by 2030?

The Leader replied that the Council was on track to be carbon neutral by 2030. Detailed environmental policies were being put forward by the Council to tackle this issue and everyone shared the view about the requirement for sufficient government finance for all Council services, including funding for climate change.

5.4 Question from Cllr Ed Maxfield

Cllr Ed Maxfield asked if the Leader had taken part in a meeting of the National Resilience Forum (NRF) at the weekend to discuss the situation with the fuel crisis and if he could provide the Council with an update about how he saw the situation evolving.

The Leader replied that while he had not attended the NRF meeting he had been kept informed by officers about what was discussed. The NRF was fully engaged on this issue which was not helped by panic buying on garage forecourts. The County Council had well established business continuity plans in place to deliver its services and manage the situation safely and was doing so.

5.5 Question from Cllr Alison Thomas

Cllr Alison Thomas asked the Leader to join her in congratulating the Senior Management Team on having been nominated for an award by the Municipal Journal.

In reply the Leader said that while the Senior Management Team did not win this award they had done extremely well to get to the final. The Leader added that he wished to use this opportunity to mention that the HR Team had won an award for the best change management organisation and development initiative at the PPMA Awards Ceremony and that Norfolk had won the Internet of Things Award from the Innovation Network at the Connecting Britain Awards which was all positive news for Norfolk.

5.6 Question from Cllr Alexandra Kemp

Cllr Alexandra Kemp asked the Leader what changes in Committee structures were needed within the Council to bring in more regular oversight of situations such as that which had occurred at Cawston Park given that the Executive Director of Adult Social Services had said that he would have closed down Cawston Park if he could have done so and that more needed to be done? Should small groups of Councillors be tasked with oversight of the situation to prevent people with learning difficulties from being failed again?

In reply the Leader referred to three things that needed to be done. The first was to examine the reports from the Executive Director of Adult Social Services on the issue. Secondly there was a report going to the NHOSC. Thirdly there was the need to be more vigilant regarding the current structures of activity and oversight and change things in accordance with the recommendations of the Executive Director for Adult Social Care.

5.7 Question from Cllr Brenda Jones

Cllr Brenda Jones said that Mundesley Hospital closed in 2017 after it was unable to ensure the safety of patients. Ellingham Hospital closed 2 wards in 2019 after the CQC said they were “inadequate in all areas” with significant and immediate concerns. Huntercombe Hospital closed in 2017 following the death of a patient. Milestones Hospital closed earlier this year after the CQC banned them from admitting new patients because of serious safety concerns. And recently Cawston Park, part of the Jeasal Group, closed after scandalous care resulting in the death of three young people. As Leader, what have you done to raise concerns and do you think it’s ethical to purchase care from the Jeasal Group? As far as I can see, the Cawston Park recommendations is not on the agenda for either Cabinet or the Health and Wellbeing Board; should it be?

In reply the Leader reiterated that this issue was due to be considered at NHOSC. The hospitals concerned were mainly private hospitals and not within the Council’s remit. Work was however being done through the offices of the Executive Director of Adult Social Care to take a positive approach to this sad situation and take necessary action.

5.8 Question from Cllr Robert Colwell

Cllr Robert Colwell said that Sir Patrick Vallance has told ministers to react swiftly if cases quickly rise, warning “you can’t wait until it’s late because you’ve got to do more”, so with the number of Covid 19 cases rising in Norfolk what number of cases and/or deaths in Norfolk from Covid would make you start to call for a further lockdown?

- 5.9 In reply the Leader said that the Government was trying to avoid more lockdowns and balance the health needs of the nation with those of the economy. The Council was putting all the health advice it could out to the public about Covid 19 and no one wanted to see the numbers of cases rise to previous levels. The vaccination process was working well and saving lives.

5.10 **Question from Cllr Ben Price**

Cllr Ben Price said that a recent analysis by the BBC had found that more than one in three top tier Councils had formed policies that were in direct contradiction to the climate emergency in relation to road building and airport expansion. Aviation had a disproportionate effect on the climate. NCC did not answer the question about whether it supported airport expansion, Does the Leader recognise that the expansion of Norwich Airport in the airport’s master plan was incompatible with climate targets?

The Leader replied that we needed to balance what we did on transport with the needs of the economy, and we needed to ensure that people did the right things. What was done in the UK in relation to transport was small in relation to carbon emissions from China. It was important for other countries to do as much as was being done here in relation to climate issues.

6 **Recommendations from Committees**

6.1 **Recommendations from Cabinet**

- 6.1 The recommendations from the Cabinet meetings held on 7 June 2021, 5 July 2021, 2 August 2021 and 6 September 2021 were moved by Cllr Andrew Proctor, Chair of Cabinet.

A **Meeting held on Monday 7 June 2021:**

Council RESOLVED

To agree the Annual Treasury Management Outturn Report 2020-21 as set out in Annex 1 of the report to Cabinet.

B **Meeting held on 5 July 2021**

Council RESOLVED

1. To agree the addition of **£6.787m** to the capital programme to address capital funding requirements as set out in detail in capital appendix 2 of the report, paragraph 4 as follows:

- Older People Estate Transformation £5.000m (Appendix 2 paragraph

- 4.2)
 - Structural repairs to King's Lynn Museum £0.600 (Appendix 2 paragraph 4.3)
 - Better Broadband for Norfolk £0.050m (Appendix 2 paragraph 4.4)
 - Greenways to Greenspaces £0.350m (Appendix 2 paragraph 4.5)
 - Dereham Fire Station (Phase 2) £0.434m (Appendix 2 paragraph 4.6)
 - Emergency Response Vehicles £0.300m (Appendix 2 paragraph 4.7)
 - Card payments Programme £0.053m (Appendix 2 paragraph 4.8)

2. Subject to County Council approval of recommendation 1 above, to delegate:

- 2.1) To the Director of Procurement authority to undertake the necessary procurement processes including the determination of the minimum standards and selection criteria (if any) and the award criteria; to shortlist bidders; to make provisional award decisions (in consultation with the Chief Officer responsible for each scheme); to award contracts; to negotiate where the procurement procedure so permits; and to terminate award procedures if necessary;
- 2.2) To the Director of Property authority (notwithstanding the limits set out at 5.13.6 and 5.13.7 of Financial Regulations) to negotiate or tender for or otherwise acquire the required land to deliver the schemes (including temporary land required for delivery of the works) and to dispose of land so acquired that is no longer required upon completion of the scheme;
- 2.3) To each responsible chief officer authority to:
 - (in the case of two-stage design and build contracts) agree the price for the works upon completion of the design stage and direct that the works proceed; or alternatively direct that the works be recompleted
 - approve purchase orders, employer's instructions, compensation events or other contractual instructions necessary to effect changes in contracts that are necessitated by discoveries, unexpected ground conditions, planning conditions, requirements arising from detailed design or minor changes in scope
 - subject always to the forecast cost including works, land, fees and disbursements remaining within the agreed scheme or programme budget.
 - That the officers exercising the delegated authorities set out above shall do so in accordance with the council's Policy Framework, with the approach to Social Value in Procurement endorsed by Cabinet at its meeting of 6 July 2020, and with the approach set out in the paper entitled "Sourcing strategy for council services" approved by Policy & Resources Committee at its meeting of 16 July 2018.

3. To delegate decisions relating to the use of the extended Covid Local Support Grant to the Director of Community Information and Learning, in consultation with the Leader, as described in Appendix 1 of the report paragraphs 5.6 and 5.7.

4. To note the period 2 general fund forecast revenue **balanced position**, noting also that Executive Directors will continue to take measures to reduce or eliminate potential over-spends where these occur within services;
5. To note the COVID-19 grant funding available of **£53.767m**, including £19.274m brought forward from 2020-21;
6. To note the period 2 forecast 100% savings delivery in 2021-22, noting also that Executive Directors will continue to take measures to mitigate potential savings shortfalls through alternative savings or underspends;
7. To note the forecast General Balances at 31 March 2021 of **£23.763m**.
8. To note the expenditure and funding of the revised current and future 2021-25 capital programmes.

C Meeting held on 2 August 2021

The Leader withdrew the recommendation and said that the Local Transport Plan would now be reported to Council in November 2021 via Cabinet.

D Meeting held on 6 September 2021

Council RESOLVED by 57 votes in favour and 28 votes against:

1. An increase in the capital programme to include the allocation of £1m capital funding to establish a new Road Safety Community Fund (RSCF) to enable delivery of 100 community identified local road safety schemes across Norfolk.
2. To agree that the RSCF will be delivered over four years and will focus on different geographical areas for each of these four years, as set out in paragraph 2.6 of the report.

Council RESOLVED by 58 votes in favour and 3 votes against:

- 1) To increase the Capital programme by £10m to create a Pothole Maintenance Fund.
- 2) To approve the distribution of the £2.5m allocation for 2021/22 from the £10m Highway Maintenance Pothole Fund, as detailed in Appendix A of the report.

To agree that the future reporting arrangements for this fund should form part of the Annual Highways Capital Programme Report to Cabinet.

Council then RESOLVED by 65 votes in favour and 0 votes against and 4 abstentions:

1. The addition of **£4.521m** to the capital programme to address capital funding requirements as set out in detail in capital Appendix 3, paragraph 4.2 of the report as follows:
 - £2.173m for the 2021-22 Highways project for the Foundry Bridge junction funded by the Department for Transport
 - £2.348m for the 2021-22 Highways project for the St. Stephens-

Red Lion-Castle Meadow funded by the Department for Transport

2. As a consequence of 1 above, to delegate:
 - 2.1) To the Director of Procurement authority to undertake the necessary procurement processes including the determination of the minimum standards and selection criteria (if any) and the award criteria; to shortlist bidders; to make provisional award decisions (in consultation with the Chief Officer responsible for each scheme); to award contracts; to negotiate where the procurement procedure so permits; and to terminate award procedures if necessary;
 - 2.2) To the Director of Property authority (notwithstanding the limits set out at 5.13.6 and 5.13.7 of Financial Regulations) to negotiate or tender for or otherwise acquire the required land to deliver the schemes (including temporary land required for delivery of the works) and to dispose of land so acquired that is no longer required upon completion of the scheme;
 - 2.3) To each responsible chief officer authority to:
 - (in the case of two-stage design and build contracts) agree the price for the works upon completion of the design stage and direct that the works proceed; or alternatively direct that the works be recompeted
 - approve purchase orders, employer's instructions, compensation events or other contractual instructions necessary to effect changes in contracts that are necessitated by discoveries, unexpected ground conditions, planning conditions, requirements arising from detailed design or minor changes in scope
 - subject always to the forecast cost including works, land, fees and disbursements remaining within the agreed scheme or programme budget.
 - That the officers exercising the delegated authorities set out above shall do so in accordance with the council's Policy Framework, with the approach to Social Value in Procurement endorsed by Cabinet at its meeting of 6 July 2020, and with the approach set out in the paper entitled "Sourcing strategy for council services" approved by Policy & Resources Committee at its meeting of 16 July 2018.
3. To approve the allocation of capital receipts from the sale of Carrow House for the Norwich Western Link capital reserve. (Appendix 3 paragraph 3.6 of the report).
4. To approve the delegation of authority to the Executive Director of Adult Social Services to approve the utilisation Provider Risk and Resilience Fund (as described in Appendix 1, note 5.13 of the report) to support Adult Social Care (ASC) providers when the situation arises and in line with the criteria established for this fund.
5. To approve the delegation of the authority to the Director of Community Information and Learning in consultation with the Leader to approve the

utilisation of the Council's Hardship Board fund which was set up to address the unexpected consequences of the pandemic (as described in Appendix 1, note 5.11 of the report)

6. To note the period 4 general fund forecast revenue **balanced position**, noting also that Executive Directors will continue to take measures to reduce or eliminate potential over-spends where these occur within services;
7. To note the COVID-19 funding available of **£71.280m**, including £19.274m brought forward from 2020-21;
8. To note the period 4 forecast 100% savings delivery in 2021-22, noting also that Executive Directors will continue to take measures to mitigate potential savings shortfalls through alternative savings or underspends;
9. To note the forecast General Balances at 31 March 2022 of **£23.763m**.

To note the expenditure and funding of the revised current and future 2021-25 capital programmes.

6.2 **Recommendations from Audit Committee**

The recommendation from the Audit Committee meeting held on 29 July 2021 was moved by Cllr Ian Mackie, Chairman of Audit.

Council RESOLVED in respect of the Audit committee meeting held on 27 July 2021 to direct the Executive Director of Finance and Commercial Services to formally 'opt in' with the Government's designated appointing person (in this case PSAA), as allowed under Section 17 of the Act, as the preferred option offering the greatest potential economic and efficiency savings.

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

Cllr Andrew Proctor, Leader and Chair of Cabinet, moved the report of the Cabinet meetings held on 7 June, 5 July, 2 August and 6 September 2021.

Council **RESOLVED** to **AGREE** the reports.

7.1 **Question from Cllr Emma Corlett to Cllr Bill Borrett, Cabinet Member for Adult Social Care, Public Health and Prevention**

Cllr Emma Corlett said that as of last week 54 individual care packages were handed back by private providers since the 16th August 2021 and that there were over 600 people on the unmet needs list, including a resident in her division who was left unable to leave the house for several days and facing the humiliation of having to call the emergency duty number if they needed personal care. What action was the Cabinet Member taking to address the urgent issue of lack of care and to ensure that people's dignity was maintained, and their rights upheld?

In reply Cllr Bill Borrett said that the figure was 60 rather than 54 individual care

packages handed back and more than the whole of the previous year which gave an indication of the pressure that the system was under. There were currently some 630 people on the unmet needs list who received interim care which relied on family cooperation and permanent care that was arranged when packages became available. The individual care needs of people were being met in priority order and external factors such as the Covid -19 pandemic had impacted on this. The Cabinet Member said that he wished to take this opportunity to thank the staff for their hard work and commitment at this difficult time.

7.2 Question from Cllr Steve Riley to Cllr Bill Borrett, Cabinet Member for Adult Social Care, Public Health and Prevention

Cllr Steve Riley said that as the County Councillor for Aylsham he was only too aware of the local concerns raised by what had happened at Cawston Park. The way residents were let down and treated was so appalling and shameful that this had brought national condemnation as reported on national news. Given that 27% of Norfolk care homes failed to reach 'good' or 'outstanding' by the Care Quality Commission and care homes regularly close in Norfolk would the Cabinet Member consider reviewing and enhancing the Council's quality assurance procedures and team support to ensure that such events cannot happen again?

In reply Cllr Bill Borrett said that it was very important to make clear that the County Council had not commissioned services at Cawston Park, a private hospital commissioned by the CCG. The County Council had commissioned social care from the company's care homes across Norfolk and had made clear to those people who received such services that the Council could not recommend that they continued to do so given the manifest failings at their hospital. It was however for those individuals to make that decision for themselves and the Council would do all it could to assist those who wished to move elsewhere. Assisting private care providers to provide the best possible quality care remained high on the Council's agenda.

7.3 Question from Cllr Andrew Neale to Cllr Jamieson, Cabinet Member for Finance

Cllr Andrew Neale said that in July 2021 the Cabinet Member for Finance stated that "There can be no long-term solution to local authority funding without a long-term solution to adult social care funding." The funding of social care has been a problem that has been avoided by successive Governments, meaning that we are now at crisis point. The impact of this was seen in the September Cabinet report which demonstrated that the Council was well below target in 5 of its 6 metrics for adult social services. The Government's announcement that an increase in National Insurance would still be insufficient to adequately fund social care and would mean that people who were already on the breadline would pay disproportionately more. Would the Cabinet Member join the calls for a fairer and more sustainable settlement for social care funding?

In reply Cllr Jamieson said that the response of the Resources Committee of

the LGA on this matter was reported in the media. There was no doubt that Local Government needed more money. There were many additional burdens that the Council faced in this sector and changes of funding was part of this. Clarification was being sought from the Government as part of the comprehensive spending review which was due on 27 October 2021 and should explain the position in relation to social care.

7.4 Question from Cllr Ed Maxfield to Cllr Martin Wilby Cabinet Member for Highways, Infrastructure and Transport

Cllr Ed Maxfield asked if the County Council could next year communicate better with Parish Councils and local communities in advance of its grass and hedge cutting programme and allow for greater flexibility in its definition of where it would provide assistance than just for vision displays around road junctions?

In reply Cllr Martin Wilby said that the Council had a very good record on verge cutting and maintenance and would always work with others on schemes that they could take on to support the cutting of verges and hedgerows and the planting of wildflowers.

7.5 Question from Cllr Stuart Dark to Cllr Martin Wilby Cabinet Member for Highways, Infrastructure and Transport

Cllr Stuart Dark asked if given the recent support from the business community for the dualling of the A47 the Cabinet Member would join him in congratulating the Council on its declaration of a renewed campaign for recognition of the importance of infrastructure improvements across the county?

In reply Cllr Martin Wilby said that infrastructure improvements were crucial to Norfolk's prosperity. Cllr Wilby explained the infrastructure priorities of the Council going forward and asked for everyone to support the improvements to the A47 that were planned to improve its safety record and journey times,

7.6 Question from Cllr Alexandra Kemp to Cllr Martin Wilby Cabinet Member for Highways, Infrastructure and Transport

Cllr Alexandra Kemp asked what would be done to ensure that the in-house verge cutting teams had the flexibility that they needed to deal with issues concerning the cutting of the undergrowth from pathways in King's Lynn south and to review the contract to outsource this service so that the Council could use its own in-house teams where they were needed?

In reply Cllr Martin Wilby said that the Council had a good track record on this issue and would work with parish councils and local communities to support work on such issues where this was possible.

7.7 Question from Cllr Maxine Webb to Cllr Bill Borrett, Cabinet Member for Adult Social Care, Public Health and Prevention

Cllr Maxine Webb asked how many children, young people and adults had their respite cancelled in the last six months and how many had not had their respite

reinstated following Covid-19 and what were Cabinet Members doing about it?

In reply Cllr Bill Borrett said that all respite care facilities were open.

7.8 Question from Cllr Lucy Shires to Cllr Andy Grant Cabinet Member for Environment and Waste

Cllr Lucy Shires said that given that now more than 90% of councils in England have declared Climate Emergencies, was Cllr Grant embarrassed that Norfolk was still, as usual, lagging behind?

In reply Cllr Andy Grant said that the Council continued to act on what needed to be done rather than talk about it.

7.9 Cllr Jamie Osborn to Cllr Martin Wilby Cabinet Member for Highways, Infrastructure and Transport

Cllr Jamie Osborn asked why the local transport plan did not take account of the cumulative effect of road building programmes?

Cllr Martin Wilby in reply said that infrastructure improvements were a priority for the Council and that the Council had a good track record in this area.

7,10 Cllr Barry Stone to Cllr Greg Peck, Cabinet Member for Commercial Services and Asset Management

Cllr Barry Stone referred to the work that had been done on the Civic Suite which enabled Norfolk residents to watch Council proceedings in person and online and asked if the cabinet member wished to comment on this matter?

In reply Cllr Greg Peck said that he agreed with the comment made by Cllr Barry Stone and wished to place on record thanks to the Director of Property and all staff who had helped to complete a 20-months project in 8-months and under budget. This was particularly impressive in the middle of the Covid-19 pandemic and with staff and material shortages.

7.11 Cllr Terry Jermy to Cllr Bill Borrett, Cabinet Member for Adult Social Care, Public Health and Prevention

Cllr Terry Jermy said that the Government had mandated that staff who go in to CQC registered care homes must be double vaccinated. Any staff who had not yet had their first dose of vaccine would not be double vaccinated by the deadline. We were already in a social care staffing crisis. How many social care staff across Norfolk were not yet vaccinated, what would the impact be on continuity of care and what contingency was he putting in place to ensure there was no failure of care.

In reply Cllr Bill Borrett said that there were a few hundred people who had not had their vaccinations in time. The arrangements to deal with such situations were down to the employers of these people. The Council as one of the chief commissioners of services would do all it could to help facilitate that these people were double vaccinated.

7.12 Cllr Brian Watkins to Cllr Graham Plant, Deputy Leader and Cabinet Member for Growing the Economy.

Cllr Brian Watkins said that with rising food prices, increasing food shortages, energy firms collapsing, energy prices rising, petrol shortages, rising inflation and the huge number of job vacancies, do you agree with the comment by the Chief Executive of the New Anglia Local Enterprise Partnership at the Scrutiny Committee last week that Brexit has added to the economic problems caused by Covid?

In reply Cllr Graham Plant said that while there might be economic issues in the country in the lead up to Christmas the economy in Norfolk was going through a huge boost due to the influx of tourism. The Norfolk economy was in a strong position irrespective of Covid-19 and Brexit.

7.13 Cllr Ben Price to Cllr Andy Grant Cabinet Member for Environment and Waste

Cllr Ben Price said that nearly two years ago the County Council committed to become carbon neutral by 2030. At the Scrutiny Committee it had become apparent that the Council had not tracked the carbon emissions associated with the County Farms Estate and did not have a plan for reducing them. Why after 2 years did the Council not have a plan for meeting its carbon reduction targets?

In reply Cllr Andy Grant said that he would provide an answer outside of the meeting regarding the County Farms Estate and that the Council was dealing with the issue of carbon reduction in the way that it had said that it would.

7.14 Cllr John Ward to Cllr Greg Peck, Cabinet Member for Commercial Services and Asset Management

Cllr John Ward asked what the County Council position was about investing in commercial property outside of its geographical area which had achieved mixed results elsewhere?

In reply Cllr Greg Peck said that in recent years some Councils had made increased use of cheap borrowing to invest in this way even though the National Audit Office had warned that such income was high risk over the long term. The Government had recently changed the rules governing the purposes for which Councils could borrow money. Norfolk County Council had always only borrowed money for commercial investment that met its service requirements.

8 Committee Reports

Scrutiny Committee meetings held on meetings held on 23 June 2021 and 21 July 2021.

Cllr Steve Morphew, Chair, moved the report.

Following questions to the Chair of Scrutiny Council **RESOLVED** to note the report.

The Chair said that he would speak to the Leader outside of this meeting about the work of the Performance Review Panels that reported to the Scrutiny Committee.

Corporate Select Committee meetings held on 12 July 2021 and 13 September 2021

Cllr Kay Mason Billig, Vice Chair, moved the report.
Following questions, Council **RESOLVED** to note the report.

Infrastructure & Development Select Committee meetings held on 14 July 2021 and 15th September 2021

Cllr Barry Stone, Chair, moved the report.
Following questions, Council **RESOLVED** to note the report.

The Chair said that he would write to Cllr Kemp about when the next round of active travel funding would commence,

Cllr Osborn requested that the Committee consider the total inbuilt carbon emissions of the A47 and Norwich Western Link proposals at its next meeting. In reply Cllr Stone said that he hoped I&D would consider the total carbon emissions of these projects within the LTP4 policy before sending on to Cabinet and Council for approval.

People and Communities Select Committee meetings held on 16 July 2021 and 17 September 2021 (which was published with a supplementary agenda)

Cllr Fabian Eagle, Chair, moved the report.

Following questions, Council **RESOLVED** to note the report.

Health Overview and Scrutiny Committee meetings held on 15 July 2021 and 2 September 2021.

Cllr Alison Thomas, Chair, moved the report.

Following questions, Council **RESOLVED** to note the report.

Audit Committee meeting held on 29 July 2021

Cllr Ian Mackie, Chairman, moved the report.

In reply to questions Cllr Mackie said that he would take up with the Chief Internal Auditor after the meeting whether removing "RM028 - Risk of any failure to monitor and manage health and safety standards of third-party providers of services" was appropriate given the Cawston Park situation and report back to the Audit Committee on this matter.

Council **RESOLVED** to note the report.

Norfolk Records Committee meeting held on 23 July 2021

Cllr Chenery of Horsbrugh moved the report.

Council **RESOLVED** to note the report

Joint Museums Committee meeting held on 23 July 2021

Cllr John Ward, Chair, moved the report. Council **RESOLVED** to note the report.

Planning (Regulatory) Committee meetings held on 18 June 2021 and 30 July 2021

Cllr Brian Long, Chair, moved the report.

Council **RESOLVED** to note the report.

9 Proportional Allocation of Seats on Committees

9.1 The Leader of the Council, Andrew Proctor, moved the recommendation in the report.

9,2 Group Leaders commented on the report.

Council then AGREED

The allocation of Committee places set out in the report and noted that the Conservative Group had given up 1 place on the Pensions Committee to the Labour Group and 1 place on Planning (Regulatory) Committee to the Liberal Democrat Group.

10. Appointments to Committees, Sub-Committees and Joint Committees (Standard Item).

10.1 Council **RESOLVED** to note the following changes made under delegated powers since the last meeting:

a. To note any changes made under delegated powers since the last meeting:

(i) Cllr Brociek-Coulton to replace Cllr Rumsby on the Norfolk Joint Museums Committee.

(ii) Cllr Julian Kirk to replace Cllr Michael Chenery on Norfolk Health Overview and Scrutiny Committee

b. To consider any proposals from Group Leaders for changes to committee places or consequential positions:

**(iii) Cllr Robert Colwell to take up the vacancy on Planning
Regulatory Committee.**

11 Norfolk Youth Justice Annual Plan

- 11.1 Cllr John Fisher, Cabinet Member for Children's Services, introduced the Norfolk Youth Justice Annual Plan.

During discussion of the report the Cabinet Member agreed to provide detailed figures regarding numbers of ethnic minority young offenders and how they compared with the national situation.

Appendix C to the minutes refers.

- 11.2 Council **RESOLVED**

To approve the Norfolk Youth Justice Plan 2021-24.

12 Pay Policy Statement 2021-22

- 12.1 The Leader of the Council, Andrew Proctor, moved the recommendation in the report.

- 12.2 The Leader agreed to take up outside of the meeting how the Council applied the cost of living pay award for health workers who had moved employment from the NHS to the Council.

- 12.3 Council **RESOLVED by 49 votes in favour and 12 votes against and 4 abstentions:**

To agree the Pay Policy Statement 2021-22.

13 Local Government Boundary Commission Review

- 13.1 The Leader of the Council, Andrew Proctor, introduced the report.

- 14 It was noted that the Labour Group would be writing to the Boundary Commission separately to express their own views on this issue.

It was also noted that the Liberal Democrat Group did not support the Council's response.

Cllr Terry Jermy said that he did not support the Council response in relation to the village of Croxton in his own division.

Council RESOLVED

- 1. Note the final recommended division boundaries as proposed by the Local Government Boundary Commission for England (LGBCE).**
- 2. Note the response from the NCC Electoral Review Working Group (ERWG).**

15 **Motions**

15.1 **Protecting Norfolk Residents from Air Pollution from Incineration**

15.1.1 Cllr Kemp moved the amended version of the motion duly seconded by Cllr Jamie Osborn

15.1.2 The motion was then debated and put to a recorded vote (Appendix A).

With 21 votes in favour, 39 votes against and 7 abstention, the motion was LOST.

Chairman's Remarks—Duration of the Meeting

At this point in proceedings the Chairman pointed out that in accordance with the Constitution unless the Council passed a motion to extend the meeting beyond 3 hrs the meeting would end in 15 minutes time.

Cllr Steve Morphey moved duly seconded by Cllr Jamie Osborn that the meeting be extended for a further 1 hour.

On being put to the vote the motion was LOST, there were 20 votes in favour and 44 votes against.

The Chairman then said that the meeting would end at 1.35 pm.

15.2 **Footpaths**

15.2.1 Cllr Steffan Aquarone moved the motion as set out in the report duly seconded by Cllr Tim Adams.

15.2.2 **On being put to the vote the motion was LOST, there were 20 votes in favour and 44 votes against and 2 abstentions.**

15.3 **The Glasgow Food and Climate Declaration**

15.3.1 Cllr Emma Corlett moved the motion as set out in the motions report duly seconded by Maxine Webb.

15.3.2 Cllr Andy Grant moved as an amendment duly seconded Cllr Maxine Webb

To refer this matter for consideration at an Environmental Services Working Group in anticipation that it would be reported back to the next meeting of Council.

16 **Remaining Motions**

16.1 The Chairman asked the Council to agree whether to refer back the remaining motions on the agenda to the next meeting of the Council.

On being put to the vote this was LOST, there were 17 votes for, 43 votes

against and 5 abstentions.

Council noted that while the motions had not been held over to the next meeting they could be resubmitted.

17 To answer questions under Rule 8.3 of the Council Procedure Rules (if any received).

17.1 Council noted the following question which was submitted by Cllr Webb:

“I note the Department for Education’s “Skills For Jobs” consultation and a new Skills Fund proposal which will restrict funding to Adult Learning courses with an employment outcome only. With the potential in Norfolk for over 4,500 lost learner registrations per academic year in free courses such as Family Learning, Healthy lifestyle, mental wellbeing, living skills, Lipreading and British sign language, will the Cabinet Member for Communities and Partnerships submit a formal response to the consultation, write to the Secretary of State for Education to make clear the impact of these proposals on Norfolk’s most vulnerable residents and lobby all Norfolk MPs to raise this issue before the consultation closes on 7th October 2021?”

17.2 Cllr Margaret Dewsbury agreed to respond in writing to the question.

18 The Chair then ended by thanking everyone who had attended the meeting.

The meeting ended at 1.35 pm.

Chairman



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Motion 1: Protecting Norfolk Residents from Air Pollution from Incineration

Alteration to motion:

Proposer: Cllr Alexandra Kemp

Seconded: Cllr Jamie Osborn

65,000 West Norfolk Residents voted no to an incinerator in South Lynn in the Borough Council poll. Now Medworth (MVV UK) wish to build a Waste Incinerator Facility in Wisbech, just 13 miles upwind of King's Lynn and the Wash ~~triple~~ ~~SSSSS~~. It is outrageous and undemocratic that Medworth are refusing to consult with the people of King's Lynn, despite requests from local councillors. Air Pollution knows no boundaries.

~~Burning waste produces emissions and destroys precious resources like fossil fuels.~~
Burning waste produces CO2 emissions. Incineration of 1 tonne of municipal waste (MSW) is associated with the release of about 0.7 to 1.7 tonnes of carbon dioxide, on average, meaning it generates proportionately more CO2 pollution even than some fossil fuel sources. Reports have stated that continued promotion of "waste-to-energy" incineration is incompatible with the targets of decarbonisation set out in the Paris Agreement. Furthermore, the opening of the Wisbech Incinerator would mean at least 386 lorry movements to and from the site every day, locking-in carbon emissions from transport.

Incineration produces air pollution. Even the most advanced technologies cannot guarantee the capture of all particulate matter (fine pollutants) from burning waste, with the emissions of dioxins, heavy metals and particulate matter unavoidable. So air, soil and water can be contaminated ~~and pollutants can enter the food chain.~~

Even if all recyclables like metals, wood, paper, glass are removed, incinerators still encourage the burning of plastics ~~and consequent depletion.~~ More than half of finite oil resources, which waste that is currently incinerated could be ~~prevented by alternative packaging recycled or reuse composted.~~

~~The incinerator will increase Climate Change as it will act as a perverse incentive not to reduce residual waste or carbon emission producing processes like crude oil extraction.~~

~~The World is embracing Zero Waste so~~

Incineration is a backwards step in regards to efforts to reduce waste. "Waste-to-energy" is often described as a good way to extract energy from resources, but this forgets that if the waste burnt is capable of being recycled, its destruction is contrary to the Circular Economy and the fundamental principles of the waste hierarchy, Prevent, Reduce, Reuse, Recycle.

Burning waste creates fewer employment opportunities than recycling Incinerators offer relatively few jobs when compared to recycling. The

large footprint of a huge Incinerator could produce more jobs if it were a manufacturing space.

1. This Council does not support the construction of an incinerator in Wisbech, because of its impact on West Norfolk and on Climate Change.

2. This Council will write to the Secretary of State to make clear our opposition to the plan.

Norfolk County Council
Date: 27 September 2021

AGENDA ITEM NUMBER 11: RECORDED VOTE

	For	Against	Abstain			For	Against	Abstain
ADAMS Timothy	x			MACKIE Ian		x		
ADAMS Tony		x		MASON BILLIG Kay		x		
ANNISON Carl		x		MAXFIELD Ed	x			
AQUARONE Steffan	x			MIDDLETON Graham				x
ASKEW Stephen		x		MORIARTY Jim	x			
BAMBRIDGE Lesley			x	MORPHEW Steve	x			
BENSLY James		x		NEALE Paul	x			
BIRMINGHAM Alison	x			OLIVER Rhodri				
BORRETT Bill		x		OSBORN Jamie	x			
BOWES Claire		x		PECK Greg		x		
CARPENTER Penny			x	PLANT Graham		x		
CLANCY Stuart		x		PRICE Ben	x			
COLWELL Robert	x			PROCTOR Andrew		x		
CONNOLLY Ed		x		RICHMOND Will		x		
CORLETT Emma	x			RILEY Steve	x			
DALBY Michael		x		ROPER Dan				
DARK Stuart			x	SANDS Mike	x			
DAWSON Chris			x	SAVAGE Robert		x		
DEWSBURY Margaret		x		SHIRES Lucy	x			
DIXON Nigel		x		SMITH Carl		x		
DUFFIN Barry		x		SMITH-CLARE Mike	x			
DUIGAN Phillip		x		STONE Barry		x		
EAGLE Fabian		x		STOREY Martin				
ELMER Daniel		x		THOMAS Alison		x		
FISHER John		x		THOMPSON Vic		x		
FITZPATRICK Tom		x		VARDY Eric		x		
GRANT Andy		x		VINCENT Karen				x
GURNEY Shelagh		x		WALKER Colleen	x			
HEMPSALL Lana		x		WARD John		x		
HORSBRUGH Michael Chenery of		x		WATKINS Brian	x			
JAMIESON Andrew		x		WEBB Maxine	x			
JERMY Terry	x			WHITE Tony		x		
JONES Brenda	x			WHYMARK Fran		x		
KEMP Alexandra	x			WILBY Martin		x		
KIDDIE Keith		x						
LONG Brian			x					

For	21
Against	39
Abstentions	7

LOST / CARRIED

Appendix C Response to Questions at Full Council –Minute 11 refers

I would like to offer an opportunity to those Councillors who raised questions to join us for a session during which we can brief them on the YOT's work.

In response to specific questions:

Questions from Councillors Shires, Smith-Clare re: funding

Over a number of years an operational budget deficit has arisen due to;

1. Reduction in some partner contributions
2. Loss of time-limited external funding sources
3. No ongoing inflationary uplift from partners
4. Reductions in nationally determined contributions
5. A level of increased demand

At the Norfolk Youth Justice Board on 27 September 2021 a proposal was put to the Board that included some back-office efficiencies, change in some roles, request for a statutory partner cash uplift for 2022/23, and an ongoing percentage increase in funding from 2023/24. The proposal was accepted and will help to ensure the YOT can continue to operate whilst fulfilling its statutory obligations and focusing on diverting children from the Youth Justice system.

Questions from Councillors Shires, Smith-Clare re: data/throughput

The table (A) below shows the throughput of community cases since 2014/15. The table does not include the number of custodial cases (see Table B), pre-sentence support (bail /intensive support packages), Criminal Behaviour Orders and Sexual Harm Prevention Orders.

Table A also shows that our diversion activity has grown significantly since the implementation of our diversion project 'Challenge 4 Change' and statutory cases have reduced over time. The impact of our diversionary activity is smaller numbers of young people moving into the statutory system from which our reoffending rate is determined by the Youth Justice Board.

Every child who might have previously received a first youth caution is offered the opportunity to engage voluntarily with Norfolk YOT rather than receive a formal disposal outcome and therefore avoid having a criminal record. Without this initiative all of these children would become a first-time entrant to the youth justice system, which would impact adversely on their life opportunities and outcomes.

In the first three months of the 2021/22, the numbers of new cases suggest that the volume of work is beginning to return to pre-pandemic levels, and there are early indications that diversion work is increasing week on week with a potential higher level of demand to previous years.

Table B shows the numbers of children receiving custodial sentences including their ethnicity. This demonstrates that the number young people in custody has halved since 2017/18, and we will be undertaking a deep dive into any disparity based on ethnicity as a key priority in YOT's 2021-24 plan.

Table A: Voluntary and statutory interventions in the community

	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21 (Covid)	2021/22 Q1
Early help	71	115	88	102	76	60	31	2
Diversion	N/A	246	290	318	382	420	264	78
Youth Caution	118	46	23	22	24	24	41	11
Youth Conditional Caution	104	111	63	65	46	50	41	
Referral Order	185	183	173	152	135	97	87	20
Youth Rehabilitation Order	111	95	80	95	81	52	36	4
Totals	589	796	717	754	744	703	500	123

Table B: Numbers of Children sentenced to custody including ethnicity

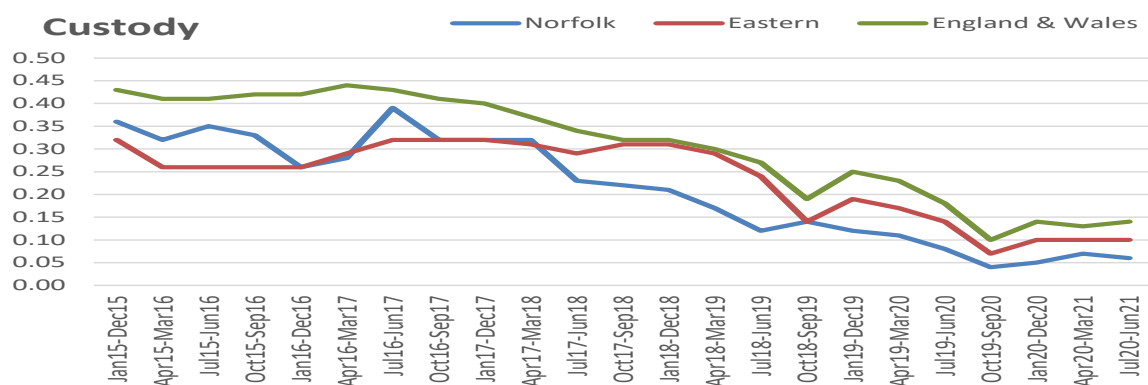
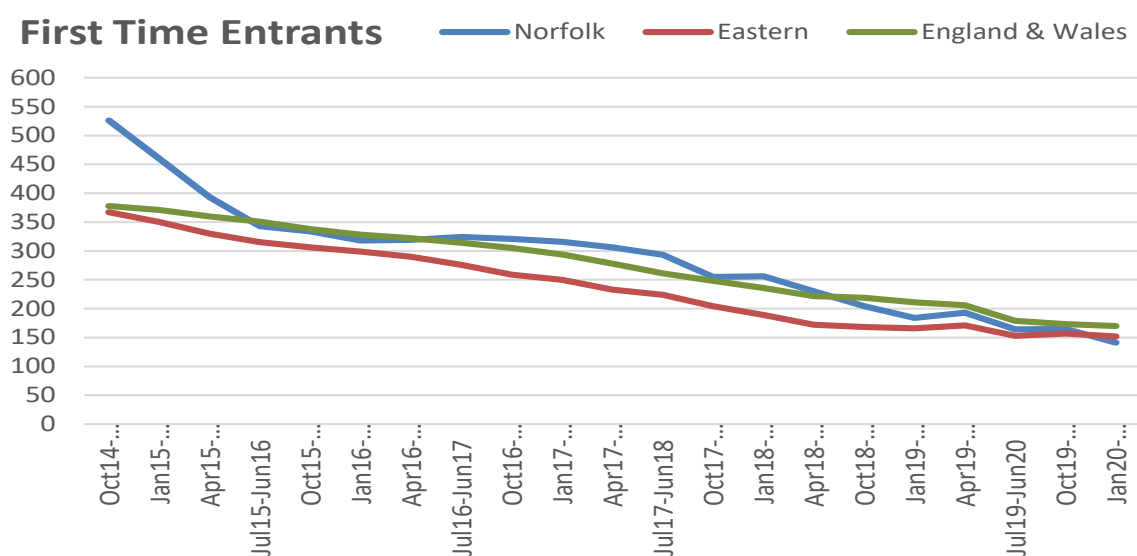
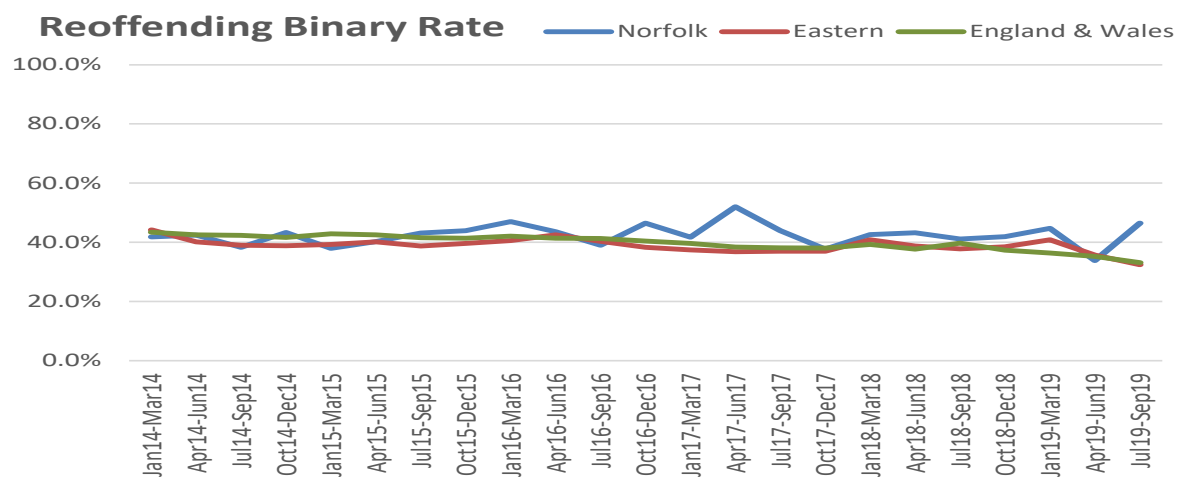
	Number of individual children						
Intervention v ethnicity 2017-18	Asian or Asian British	Black or Black British	Mixed	Unknown	White	Total	Total BAME
Detention and Training Order (DTO) / Custody	1	-	-	-	15	16	1
Percentage of Total %	6.25	-	-	-	93.75	100	6.25
	Number of individual children						
Intervention v ethnicity 2018-19	Asian or Asian British	Black or Black British	Mixed	Unknown	White	Total	Total BAME
DTO / Custody	-	-	1	-	6	7	1
Percentage of Total %	-	-	14.3	-	86.7	100	14.3
	Number of individual children						
Intervention v ethnicity 2019-20	Asian or Asian British	Black or Black British	Mixed	Unknown	White	Total	Total BAME
DTO / Custody	-	1	-	-	7	8	1
Percentage of Total %	-	12.5	-	-	87.5	100	12.5

Latest Performance Figures including reoffending.

Reoffending rates, whilst not where we would want them, it is worth noting that it includes those children who receive outcomes at Court such as Discharges and Fines. These children may not be involved with Norfolk YOT but if they commit a further offence, they are counted in the reoffending rate.

We are successful in avoiding sending children to custody and compare well with our family of YOTs and the region.

Our first-time entrant rate is continuing to reduce and also compares well with other YOTs. Our diversion work is the critical factor in this reduction. There is an associated impact on the level of children who go on to receive a statutory disposal.



Question from Councillor Kemp re: disparity

Understanding and addressing disparity in the Youth Justice System is a national and local priority and one of eight priorities in the 2021-24 plan. The paragraph below shows the high-level actions which will be supported by a more detailed delivery plan of activity and actions.

2021-24 Priority: Reduce disparity in the youth justice system

Purpose: Ensure that the 'child first' culture is built into the youth justice system, so that all agencies take responsibility for understanding every child's background and experiences and take appropriate actions to minimise disparity

Proposed Areas of Activity:

- To establish a multi-agency group responsible for the development of a local joint disparity protocol and scrutiny of outcomes and processes
- To ensure staff are skilled in identifying and eliminating bias in respect of all decisions (includes training, induction processes etc)
- Understand the terminology used and how we differentiate between groups (including Gypsy, Roma, Traveller) to help us understand any disparity
- Collect and analyse data to understand where disparity is occurring

Quarterly reports on progress/proposals will be presented to the Norfolk Youth Justice Board.