

**NORFOLK COUNTY COUNCIL**  
**Minutes of Proceedings of a Meeting of the County Council**  
**held at County Hall, Martineau Lane, Norwich on Monday 1<sup>st</sup> September 2003**

Mr N G Chapman in the Chair

**Present:**

Mr A D Adams	Mrs A L King
Mr C W Armes	Ms G P Loveday
Mr L E Austin	Mr A J R Lockett
Mr R Banham	Mrs R Monbiot
Mr J R Baskerville	Mr I A C Monson
Mr D A Baxter	Mr B Morrey
Mr S W Bett	Mr C M Mowle
M A A Blyth	Mr S P Murphy
Mrs H A Bolt	Dr J A Norris
Mr A J Byrne	Mr W J Northam
Ms C Cameron	Mrs T J Paines
Mrs C Cant	Mr A J Panes
Mr M R H Carttiss	Ms H N Panting
Mr M V Castle	Mr J H Perry-Warnes
Mr R M Clayton	Mr L G Randall
Mr B J E Collins	Mrs B M Ravencroft
Ms E J Collishaw	Mr R C Rockcliffe
Mrs S A Cullingham	Ms J Rooza
Mr W Davison	Mr M J Scutter
Mr D M Dewgarde	Mr J A Sheppard
Mr S Dorrington	Mr T B L Stickle
Mr T East	Mr M Taylor
Mrs J Eells	Mr A D Tomkinson
Mrs I E Floering Blackman	Mr D Turnbull
Mr D B Forgan	Mr A J Vincent
Ms J R Fowler	Mr T J Wainwright
Mr J R Gretton	Mrs C M Walker
Mr A J Gunson	Mrs C Ward
Mrs B M Hacker	Ms S J Whitaker
Mr P J Harwood	Mr A J Wright
Mr G B Hemming	Mr R J Wright
Mr J A Holmes	
Mr H A S Humphrey	
Mr B J M Iles	
Mr R Johnson	

**Total present: 67**

**Apologies:**

Apologies for absence were received from Mrs J Caldwell, Mr J Donaldson, Mrs S Gurney, Mrs D Hockaday, Mr C Joyce, Mr E Littler Mr C Lloyd Owen, Ms M McKay, Mr D Rye.

1. **MINUTES**

The Minutes of the meeting held on 7<sup>th</sup> July 2003 were confirmed as a correct record, subject to the following changes:

Minute 3 – Declarations of Interest: Mr Murphy declared an interest as a Non-Executive Director of Broadland Primary Care Trust.

2. CHAIRMAN'S ANNOUNCEMENTS

The Chairman announced how pleased he was to have been involved with the crew of the HMS Norfolk over three days in July, visiting the ship by helicopter in Great Yarmouth on 17<sup>th</sup>, attending a cocktail party aboard the ship in Ipswich on 18<sup>th</sup> and hosting a reception for 80 of the crew at County Hall on the Saturday 19<sup>th</sup> July.

The Chairman also informed Members of a very good day he spent at Gressenhall Museum to which the County's School Governors were invited. He invited Members to attend the Museum for themselves to see how good it was if they had not already done so.

3. DECLARATION OF INTERESTS

Ms S Whitaker declared an interest in Item 5 page 63; Group Accounts, as she was a Director of Norfolk Careers Service.

4. 2002/03 FINAL ACCOUNTS

Ms Whitaker stated that the Social Services income budget had reduced by £31m, this seemed a rather large error to make as this was a quarter of the Social Services budget.

Mr Turnbull stated that the Health Authority income and expenditure had to be excluded from Social Services Budget, thus creating the discrepancy. Mr Turnbull agreed to send a letter of explanation to Ms Whitaker with a copy to Ms Cameron.

Mr Scutter said that the figure of £120m for the capital budget was a completely different figure to the figure of £98m in the report of the Cabinet Meeting of 15<sup>th</sup> September.

Mr Turnbull said that the first figure included accrued expenditure, whereas the second did not. Mr Turnbull agreed to send a written response to Members to clarify this issue. Mr Turnbull also agreed to write to members to give an update on

LMS balances.

RESOLVED to approve the County Council's Statement of Accounts for 2002-2003.

5. RETHINKING CONSTRUCTION CAPITAL BUILDING WORKS : REPORT OF THE KEY DECISION TAKEN UNDER URGENT BUSINESS

The report was noted.

6. REPORT OF THE CABINET MEETING HELD ON 14<sup>th</sup> JULY 2003

Review of the Management Arrangements for Cultural Services – Paragraph 9

Mrs Hacker was anxious that the review of the management arrangements in Cultural Services move forward as quickly as possible.

Mrs King said that she was keen to get on with the review as soon as possible but it was important to take account of the forthcoming Green Paper on Children's Services, which was due to be published on 8<sup>th</sup> September.

#### Progress Report on A47 Negotiations – Paragraph 17

Mr Gunson reported that there would be a meeting on 15<sup>th</sup> September regarding this matter and invited the Labour and Liberal Democrat Party Spokespersons, Mr Castle and Mr East to attend. The 2 Members of Parliament and the a Breckland District councillor would also be in attendance. Mr Gunson would update the Council after the meeting had taken place.

Mr Castle thanked Mr Gunson for including himself and Mr East in the meeting and said that he could expect full support from the Labour Group over the A47 campaign.

#### Norfolk County' Council's Preferred Approach to Waste – Paragraph 18

Mrs King reported that through consultation the favoured approach to ensure that the County Council meets its duties under the Landfill Directive, was Option B. This would mean the County Council working towards a "zero direct to landfill" position by 2010.

Ms Rooza stated that there was no mention of incineration in the report but felt that there were other methods like treatment plants. Mr Morrey said that no credits were given to councils for incinerating waste as this was classed as disposal and not recycling.

#### Norfolk Local Access Forum – Paragraph 21

Mr Gunson said that Mr Johnson had replaced him as a member of the Norfolk Local Access Forum.

Ms Rooza said that she understood that there was to be a Liberal Democrat representative on the Forum. She was advised that the appointments had been made in line with political proportionality.

### 7. REPORT OF THE CABINET MEETING HELD ON 18<sup>TH</sup> AUGUST 2003

#### Motions referred to Cabinet by Full Council – Area Committees and Public Questions – Paragraphs 1 & 2

Mr Hemming felt that both the Motions were dealt with incorrectly and should not have been referred to the Cabinet without discussion. He felt that under Paragraph

10 of the Constitution the questions should have been dealt with and discussed at Full Council as this was the relevant Body for debating the Constitution, therefore the matter should have been debated firstly at full Council.

The Chief Executive stated that he believed the matter had been dealt with correctly with Cabinet debating and setting out its views for Council to consider.

Ms Cameron said that if there are no Area Committees, district councillors would not get the chance to be see the views and discuss issues which affect their areas. This was particularly important with larger issues like PFI. Ms Cameron also said that Members would need to think seriously about how issues would be pursued through the Scrutiny process.

Mr Dewgarde felt that the Cabinet system was not democratic and he felt that issues should be debated by Members before Cabinet made a decision on them.

Mr Carttiss said that he felt it would be useful if the two resolutions in question were debated in full Council in order to get the views of all 84 Councillors instead of just ten. He felt that there should be more debate in the Council Chamber. He felt that Area Committees were a useful "sounding board" but they had no means of influencing or making decisions.

Ms Rooza thought that a decision had been made on the 2 Resolutions and was not aware of the right to speak and vote on the motions.

Mrs King stated that the report contained the views of the Cabinet only and that no decision had been made, the motion had been brought to Full Council for debate.

Ms Rooza said that she felt that it should have been made clearer in the papers that the matters could have been voted on.

Mr Castle said that he did not intend to call for a vote but the whole issue of Area Committees would be scrutinised and he would wait to see what came out of that process.

It was felt that in future, where there is a choice of whether to vote on a matter or not, this should be made clear in the report.

Mrs Hacker felt that this was the wrong recommendation by Cabinet with regard to her resolution as full Council was the final place for advocacy for the public and there was nothing to fear from public questions at Council it could only be for the good of democracy.

Mr Turnbull said that the way Cabinet operates was laid down by the Local Government Act and they had carried out what they were asked to do by full Council.

Mr Carttiss stated that it was not uncommon for a body to suspend all standing orders to allow that body to do something that it would not normally be able to do under its constitution. It was felt that the system was not the fault of Cabinet or Council and it was asked if Standing Orders could be suspended in order to discuss the issue.

The Chief Executive stated that it required a majority vote only to suspend the Standing Orders.

Mr Turnbull stated that the Cabinet's views were set out as in the report and he hoped that Members of the Council supported that view.

Mrs Hacker moved the following motion, which was seconded by Ms Rooza:

"Norfolk County Council exists to serve and represent the residents of Norfolk. It recognises the prime importance of articulating their concerns, listening to their opinions and incorporating them in local decision-making.

The Council values open government and inclusive democracy. It is committed to increasing accountability to the people it serves and promoting active citizenship amongst them. Council also acknowledges growing political apathy and the need to tackle this by encouraging public participation and providing more opportunities for involvement.

Norfolk County Council, therefore, resolves to revise its present Constitution in order to provide for a 15-minute public session at the start of every Full Council meeting. It agrees that residents of Norfolk should be permitted to ask a question on any matter directly relevant to the business of the Council or County, providing they have made a submission in writing at least two working days prior to the meeting. In addition, one spontaneous supplementary question will be permitted following the Councillor's response.

Council also consents to members of the public using this allocated speaking time to present petitions, with 500 or more signatures, relating to any item on the Council agenda.

Finally, it recognises the importance of promoting and publicising this opportunity for participation so that residents of Norfolk are kept aware of the appropriate mechanisms through which they can air their grievances and seek clarification."

The Motion was put to the vote was lost.

RESOLVED not to accept the motion.

#### Question Received from Ms C Cameron – Paragraph 4

Ms Cameron said that she was not happy with the number of children excluded from school and the number of hours education that they then received. There were a number of parents who were seriously concerned about the actions of the County Council as the Education Authority and she received many phone calls from such parents.

Ms Cameron said that by only providing some 5 hours of tuition a week to some excluded children the County Council was failing vulnerable members of society and their communities.

Mr Byrne stated that exclusions in the County were falling and there had been an extra officer appointed to the Education Service to deal with excluded pupils. He also stated that he was very aware of Ms Cameron's concerns and that tuition for excluded youngsters may start at 5 hours per week but would gradually increase to 25 hours per week.

Ms Cameron was disappointed that the supplementary question that she asked at Cabinet had not been recorded in the report.

#### 20 MPH Speed Limits and Zones – Paragraph 11

Ms Collishaw expressed her concern over Dr Gibson MP promising residents in Taverham 20MPH flashing speed restrictions on a road that was not classed as high priority by Planning and Transportation and for which Planning and Transportation did not have the funding. Ms Collishaw was also concerned that if the sign were to be erected then there would need to be physical restraints included in the scheme.

It was requested that the Director of Planning and Transportation write to Dr Gibson to inform him of the situation. It was confirmed that this would be done.

Mr Gunson said that other MPs accepted that Norfolk County Council were the Highways Authority but could not comment on what Dr Gibson had said.

Mr Gunson also said that The Task and Finish Group had resolved most of the problems brought to him by Ms Collishaw.

#### Members' Allowances – Report of the Independent Panel – Paragraph 14

RESOLVED to:

Approve the report of the Independent Remuneration Panel subject to the amendment detailed in Paragraphs 14.3 and 14.4 of the report.

#### Contract Standing Orders – Paragraph 16

RESOLVED to:

Adopt the revised Contract Standing Orders.

#### 8. REPORT OF THE SCRUTINY COMMITTEE HELD ON 11<sup>TH</sup> JULY 2003

##### Second Report of the Passenger Transport Working Group- Paragraph 2

Ms Cameron said what a good and useful piece of work this was.

##### Possible Topics for Scrutiny and Forward Work Programme –Paragraph 4

A topic for further scrutiny would be the working of the Forum and Ms Cameron said that she would value any comments by Members on this.

#### 9. REPORT OF THE STANDARDS COMMITTEE HELD ON 11<sup>TH</sup> August 2003

The Chairman welcomed the new Chairman of the Standards Committee, Mrs Middleton, to her first Council Meeting.

##### Standards Committee Determinations – Paragraph 2

Mrs Middleton said that there had been a lack of regulations to guide the Committee in the past but some had just been issued and there would be more to follow in the Autumn when she would be able to report more fully on the matter.

RESOLVED to note the report.

10. NOFOLK HEALTH OVERVIEW AND SCRUTINY COMMITTEE HELD ON 30<sup>TH</sup> JULY 2003

Dr Norris reported on the two very active working groups set up by the Committee.

RESOLVED to note the report.

11. REPORT OF MATERS CONSIDERED BY THE REVIEW PANELS

Social Services Review Panel

Mrs Monbiot stated that the Action Plan had been brought forward on the Scrutiny of Fostering Services. There had also been feedback from items scrutinised that would be brought back to the Panel in due course.

RESOLVED to note the report.

12. REPORT OF THE MEETING OF THE NORFOLK RECORDS COMMITTEE HELD ON 3<sup>RD</sup> JULY 2003

Dr Norris said that opening of the centre would be a few weeks later than anticipated and would take place in early October due to a plumbing problem on site.

13. REPORT OF THE NORWICH HIGHWAYS AGENCY COMMITTEE HELD ON 10<sup>TH</sup> JULY 2003

Resolved to note the report.

14. APPOINTMENTS TO COMMITTEES 2003/04

The appointment of Mr A J Vincent to the Corporate Affairs Review Panel in place of Mr S Dorrington was noted.

15. EXCLUSION OF THE PUBLIC

RESOLVED:

To exclude the public from the meeting under Section 100A of the Local Government Act 1972 for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A to the Act.

**SUMMARY OF MINUTE EXCLUDED FROM PUBLIC DEPOSIT**

16. REPORT OF THE PERSONNEL COMMITTEE HELD ON 28<sup>TH</sup> AUGUST 2003

Mr Sheppard felt that it was unreasonable to exclude the Chairman of the Standards Committee, Mrs Middleton from the room, considering the item to be discussed concerned her as the Chairman of the Standards Committee. Ms Cameron also felt that Mrs Middleton should be able to stay in the meeting as she should hear what was being said. She felt that there needed to be a change in the Council's constitution to allow for the attendance of the Chairman of the Standards Committee for such items. Mrs King agreed.

#### Officer Code of Conduct

Mrs King reported that national guidance was awaited and she hoped that this would not be too long.

#### Gifts and Hospitality: A code of Conduct for Councillors

Mrs King reported that there had been concerns about the financial thresholds of certain gifts and hospitality. It was felt that the level of gifts and hospitality should remain at £25. This would be fed back to Members of the Standards Committee before their next meeting for their views.

#### Chief Executives Terms and Conditions of Employment

Council discussed the changes to the salary of the Chief Executive as agreed by the Personnel Committee. Council discussed the specific level of salary increase, as well as associated matters including the time that has elapsed since the previous increase, the size of the last Council Tax rises and the salaries required to recruit and retain high-calibre Chief Executives. Whilst some members felt that the proposed increase was difficult to justify, it was generally considered that the revised salary reflected an appropriate amount given the nature of the job and the need for the County Council to have a Chief Executive of sufficient competence.

Some members referred to the issue of low pay and a perception that the size of the gap between the highest and the lowest paid council staff was unfair. It was acknowledged that members were free to lobby the local government employers side to look at some of the points being raised by the relevant trades unions to address the issue.

RESOLVED to note the report.

The meeting closed at 12.03pm

CHAIRMAN