



**COUNCIL**

**7.30pm – 9.05pm**

**31 January 2012**

Present: Councillors Lay (Lord Mayor), Ackroyd, Arthur, Banham, Bradford, Bremner, Brociek-Coulton, Carlo, Driver, Fairbairn, Fisher, Galvin, Gayton, Gee, Gihawi, Gledhill, Grahame, Grenville, Haynes, Henderson, Holmes, Jeraj, Kendrick, Little, Lubbock, MacDonald, Makoff, Offord, Sands (S), Sands (M), Stammers, Stephenson, Storie, Thomas, Waters and Wright.

Apologies: Chris Higgins (Sheriff) and councillors Altman, George and Westmacott

**1. LORD MAYOR'S ANNOUNCEMENTS**

The Lord Mayor said that since the last meeting she had attended a performance by Circus Star at St Andrews Hall in aid of the Tapping House Hospice for Children. She had also attended the annual Paul Cross concert in aid of a special school in our twin city of Novi Sad. She had been interviewed on Future Community Radio on the role of Lord Mayor and a television programme of her choice! She opened a seminar at the Assembly House hosted by the Royal Horticultural Society for finalists in the Britain in Bloom competition and Norwich is one of the finalists. She had also introduced the Holocaust Memorial Service at St Peter Mancroft Church which had been well attended by all faith denominations.

**2. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**3. QUESTIONS FROM THE PUBLIC**

The Lord Mayor said that one public question had been received from Patrick Manning –

**Mr Patrick Manning to the leader of the council:-**

"Local authorities are increasingly being driven to the market for service provision but at the same time are constantly constrained by tight procurement legislation and cuts

to funding which make it more difficult for them to undertake their statutory duties and provide the best quality services.

Can the leader of the council give her opinion on calls from Norwich's MPs for an enquiry into the recent demise of Fountains, and can she suggest constructive ways in which they can contribute further to this issue?"

**Councillor Brenda Arthur, leader of the council replied:-**

I am disappointed although not surprised that our MPs have taken this step. At times like this we all need to focus on how to ensure continuity of service and do all we can to help those who have been affected get back to work. But as you have so rightly said we are severely constrained.

The Public Contracts Regulations 2006 are designed to ensure that procurement processes are open, fair and transparent. However, they have increasingly become a source for challenge from organisations who perceive their bid has been evaluated unfairly.

It is at the first part of the tender evaluation process that the council checks the financial standing and technical capacity of an organisation. However, checking an organisation's financial standing is like the MOT on a car – it is only valid on the day it is tested. Evaluations sometimes clearly show that an organisation is not capable of fulfilling a contract; others that an organisation is very capable. However, there are many cases where the answer is not so clear. Contractors have to be evaluated fairly and if they are to be rejected there must be a clear rationale. Rejection cannot be based on "gut feeling" or rumours!

Given that contracts can take up to a year to let in the first place, followed by many years of delivery afterwards, there is always going to be a risk that circumstances change and that the organisations financial standing may change. Indeed in our current climate the vagaries of the market have a real impact on this. Where this happens councils need to ensure that there are good business continuity arrangements in place and we demonstrated last week that, thanks to the hard work of our officers, our model worked.

This council is not the only council to have experienced these issues. In the current climate if there was a public enquiry into every contractor that went in to administration across the public sector there would be significant public resources diverted to this rather than providing services for the communities we serve.

The difficulty with the regulations and the significant case law that surrounds them is that it has become too easy to challenge the decisions made by councils. Often challenges relate to a fine point of law or very particular circumstances with some of the best legal minds in the country ending up arguing and judging the merits of the case at a huge cost. Officers and members are faced with making real time decisions which are then reviewed at leisure through the legal process. Rather like match of the day pundits endlessly commenting in slow motion about referee decisions that were made during a good match.

The regulations do not have any specific details on what to do in the event of a contractor going in to administration. So Councils have to seek legal advice on what they can and cannot do. The safest route is always to put in place temporary arrangements while longer term arrangements are made through a full tendering process. Inevitably this means that there will be disruption while these arrangements are made.

I fully understand the need for transparency and accountability in the public sector. However to hide bound us with legislation such as this does little to help us deliver the value for money that we and our residents want. It also does nothing to ensure any form of continuity for those who lose their jobs.

Following the demise of Connaught we believed that our MPs were going to lobby for an investigation of the company which we welcomed. We were also led to believe they would lobby for a review of the current procurement law in order to give local authorities a level playing field when it comes to deciding how to provide services.

However my understanding is that neither of these happened. So our MPs could do little better than to carry through what they said they would do last time. We want to be able to respond to situations such as this in the same way as the private sector does.

We also believe that we should not be forced to the market but should have choices about how we deliver services. So an ideal outcome from our MPs would be for them to also lobby for local authorities to have sufficient resources to be able to deliver services in whatever way they choose. I would have thought should resonant well with a government which promulgates the notion of decisions being made locally.

Instead they have chosen yet again to make statements to the press about enquiries while corresponding with the council appreciating how we have managed the process. It would seem that both Chloe Smith and Simon Wright used the misfortunes of over a hundred of people losing their jobs to gain political points in the media, knowing full well Norwich City Council have acted meticulously in the procurement process.

**Patrick Manning** asked, as a supplementary question, what the council might do if the city MPs do not do what their constituents expect them to do to help. **Councillor Arthur** said she had written to the chair of the Local Government Association asking it to lobby for the sort of actions that could help local authorities deliver direct services.

#### **4. PETITIONS**

No petitions had been received.

#### **5. MINUTES**

**RESOLVED** to agree the accuracy of the minutes of the meeting held on 29 November 2011, and the extraordinary meeting of council held on 11 January 2012.

## 6. QUESTIONS TO CABINET MEETINGS/COMMITTEE CHAIRS

The Lord Mayor advised that 13 questions had been received from members of the council to cabinet members and committee chairs, of which notice had been given in accordance with the provisions of appendix 1 of the council's constitution. The questions were as follows:

- Question 1** Councillor Stammers to the cabinet member for planning and transport on plans to take advantage of the opportunities provided by Norfolk Energy Futures Ltd.
- Question 2** Councillor Gledhill to the cabinet member for planning and transport on the "Water for Life" white paper.
- Question 3** Councillor Galvin to the cabinet member for planning and transport on the Marriotts Way.
- Question 4** Councillor Jeraj to the cabinet member for planning and transport on plans to deal with the effect of changes in housing benefit.
- Question 5** Councillor Makoff to the leader of the council on the Chermond Gym Club.
- Question 6** Councillor Carlo to the cabinet member for planning and transport on Living Streets.
- Question 7** Councillor Stephenson to the deputy leader of the council and cabinet member for resources on business continuity since Fountains went into administration.
- Question 8** Councillor Haynes to the deputy leader of the council and cabinet member for resources on actions to encourage new contractors to take on workers made redundant by Fountains.
- Question 9** Councillor Grahame to the deputy leader of the council and cabinet member for resources on how previous lessons learnt had helped the council's response to Fountains being taken into administration.
- Question 10** Councillor Wright to the leader of the council on the "Say yes to better broadband in Norfolk" campaign.
- Question 11** Councillor Ackroyd to the cabinet member for customer services on the customer contact system.
- Question 12** Councillor Fairbairn to the cabinet member for housing on the former Greyhound Opening site.

**Question 13** Councillor Lubbock to the cabinet member for planning and transport on welcoming Abellio to Norwich and discussing with them, plans to improve cycling in Norwich.

(Details of the questions and replies together with any supplementary questions and replies are attached at appendix A to these minutes.)

## **7. CALCULATION OF THE COUNCIL TAX BASE**

The Lord Mayor said that the following amendment had been received from councillor Wright and had been circulated –

In recommendation i) delete "...in this report" and replace with "...below".

In recommendation ii) delete "...41061" and replace with "...41095".

Add new recommendation iii) – "to use the discretionary powers under Section 75 of the Local Government Act 2003 to remove the 10 per cent discount on long-term empty properties".

Councillor Waters had indicated in advance that he was happy to accept the amendment and with no member objecting, the amendment was accepted and became part of the new substantive motion.

Councillor Waters moved and councillor Arthur seconded the recommendations of the report as amended above.

**RESOLVED**, unanimously, –

- (1) to approve the calculation of the council tax base for the year 2012/13 as set out below;
- (2) pursuant to the report and in accordance with the Local Authorities (Calculation of Tax Base) Regulations 1992, the Local Authorities (Calculation of Tax Base) (Amendment) (England) Regulations 1999, the Local Authorities (Calculation of Tax Base) (Amendment) (England) Regulations 2003, and the Local Authorities (Calculation of Tax Base) (Amendment) (England) (No. 2) Regulations 2003, that the amount calculated by Norwich City Council as its tax base for the year 2012-13 shall be 41095;
- (3) to use the discretionary powers under Section 75 of the Local Government Act 2003 to remove the 10 per cent discount on long-term empty properties.

## **8. INTERIM REPORT OF THE MONITORING OFFICER**

Councillor Waters moved and councillor Gihawi seconded the recommendations in the annexed report.

**RESOLVED**, unanimously, to adopt the interim report of the monitoring officer.

## **9. COMMUNITY INFRASTRUCTURE LEVY**

Councillor Arthur moved and councillor Bremner seconded the recommendations in the annexed report.

**RESOLVED**, unanimously, to –

- (1) proceed towards the publication of a draft charging schedule for Norwich incorporating the changes recommended to the documents set out in appendices 2, 3 and 4 to the report to the GNDP (Greater Norwich Development Partnership) Board;
- (2) agree the background and context document incorporating the changes as set out in appendix 5 to the report to the GNDP Board;
- (3) work towards the timetable outlined in paragraph 3.4 of the report to the GNDP Board;
- (4) note the charges sought by other authorities as set out in appendix 6 of the report to the GNDP Board;
- (5) agree that any minor changes to ensure consistency and clarity be delegated to the director of regeneration and development following discussion with the relevant portfolio holder.

## **10. MOTION – WHITE RIBBON STATUS**

Councillor Holmes moved and councillor Jeraj seconded the motion as set out on the agenda.

**RESOLVED**, unanimously, that –

Many local organisations are involved in tackling domestic violence and support the white ribbon campaign, which is aimed at ensuring men take more responsibility for reducing the level of violence against women. To become a white ribbon authority, the council would need to address this issue by increasing awareness, involve men in prevention activities and provide services aimed at reducing the incidents of domestic violence.

Council, therefore, –

**RESOLVES** to ask the cabinet to consider seeking white ribbon status for the city.

## **11. MOTION – LORD MAYOR NOMINATIONS**

Councillor Arthur moved and councillor Waters seconded the motion as set out on the agenda.

**RESOLVED**, unanimously, to delete paragraph 5 .1.2 of article 5 from the council's constitution to remove the requirement for future lord mayors to be nominated on the basis of a system according to the accumulation of points determined by the number of seats held by each political group.

Lord Mayor

## APPENDIX A

### Question 1

#### **Councillor Stammers to the cabinet member for planning and transport:-**

“I hope the cabinet member will join me in congratulating Norfolk County Council on setting up an Energy Services Company (ESCO), Norfolk Energy Futures Ltd, as a wholly owned public sector environmental enterprise. What plans, if any, does the cabinet have to support the ESCO, to take advantage of the opportunities provided and to put forward projects?”

#### **Councillor Bert Bremner, cabinet member for planning and transport’s reply:-**

“The council is an active member of the Norfolk Climate Change Taskforce. Via this partnership our authority is informed about any opportunities which may arise from Norfolk Energy Futures Ltd (NEF). Presently NEF has seed core funding to enable projects within the public, private and voluntary sectors and is also actively working to form partnerships with energy companies.

We view projects and proposals on their own merits, and at present our preference is towards projects that utilise the Feed in Tariff (FIT) scheme or other micro generation incentives. Preference is also being given to projects that are on the council estate or assets owned by the county council.

Norwich City Council actively explores opportunities to invest in micro generation and Norfolk Energy Futures would be considered as a potential work partner in accordance to our standard rules of procurement.”

### Question 2

#### **Councillor Gledhill to the cabinet member for planning and transport:-**

“What is the council doing to progress recommendations in the "Water for Life" white paper, which seeks to improve links residents make between water they use and water in rivers? Is this being linked in with work with the county council who are setting up a Water Management Partnership, eg involving residents by fitting water butts to stop large amounts of water entering storm drains, or reviewing development policies?”

#### **Councillor Bert Bremner, cabinet member for planning and transport’s reply:-**

“The council is progressing the recommendations of "Water for Life" both through its planning policies and by working with Norfolk County Council and a number of other organisations and groups including Anglian Water, Natural England and the Environment Agency through the Water Management Partnership. Water is a particularly important issue in the east as we face the dual threats of increased droughts in what is already the driest part of the country, as well as more frequent heavy rainfall events.



As a result of our work, Norwich has already made significant progress both in relation to water efficiency and in adapting to heavy rainfall events, anticipating the recommendations of "Water for Life".

Through the Joint Core Strategy, Norwich City Council, along with its partners at Broadland and South Norfolk, adopted the most progressive policy nationally in relation to water efficiency in new development in early 2011. The policy requires new developments to achieve higher standards for water efficiency than those set nationally through the Building Regulations. In practice, this means the incorporation of water efficient fixtures and fittings, including water butts, which add very little to the overall cost of new developments. This brings both financial savings for the users of new developments and benefits the environment by reducing the amount of water we have to extract from rivers and groundwater. An advice note is in production to support this. In addition, Norwich City Council officers have worked with government and water companies to produce regional guidance on planning for water efficiency in the East of England. At the same time Anglian Water is increasing the proportion of existing households and businesses in our area which are on water meters, as experience has shown that this is effective in reducing water use, as well as making free water saving devices available.

Norwich City Council has worked with the "lead local flood authority," Norfolk County Council, and other partners, on the Water Management Partnership. This covers a variety of water issues and in Norwich is focussing particularly on making us more resilient to heavy rainfall events. A Surface Water Management Plan has been produced for Norwich, one of the first in the country, identifying those areas of the city most prone to flooding from heavy rainfall. This evidence is being used in drawing up detailed planning policies promoting sustainable drainage (SuDS) through measures such as water butts and green roofs and will be used by the county council in seeking to bid for funding for schemes to reduce such flood risk. The councils have already made a start in providing advice to residents in parts of the city and will be working on this further in the future."

**Councillor Gledhill** referred to the surface water management plan in the final paragraph of the answer above and asked, as a supplementary question, is the council making any progress towards unblocking drains? **Councillor Bremner** understood the concern regarding drains and said that the council was working with Norfolk County Council to improve deep cleans in certain areas including trying to ensure that cars that made this difficult, were moved. The council understood the difficulties and was getting on with addressing it.

### **Question 3**

#### **Councillor Galvin to the cabinet member for planning and transport:-**

"Dereham Road is having major investment as part of the Bus Rapid Transit. I feel there is scope for Marriotts Way to benefit as a parallel, non-motorized route. What is the city council doing to make sure the citizens of Norwich who live locally to the Marriotts Way get benefit, for example, by introducing more local signage, bike linkage, loops and links from the trail? Is there a possibility of achieving this through the Norfolk Trails initiative?"

**Councillor Bert Bremner, cabinet member for planning and transport's reply:-**

“Just as an education point to start the reply to this question, Norfolk is the Highway Authority, and has been since 1974 when Norwich lost its independence, its county borough status, and became a District Council.

Marriotts Way is well known to me as a cycle and walking route in and out of the city and a way out to Drayton and beyond. As a Mile Cross teacher, myself and my colleagues found the route excellent as a walk route for big groups of youngsters heading for an educational experience further into the city, and also as a cycling experience for them, out even as far as Drayton. We even used parts of it combined with Sloughbottom Park as an excellent cross-country route.

Over the last few years there has been a variety of investment in Marriotts Way, recently the most significant being maintenance works to the former railway A-frame bridge that brought the route up to an adoptable standard. As a consequence, the majority of the route within the city boundary is now adopted highway, securing the long term maintenance of the route. Land ownerships issues on the last section of the route that connects it to St Crispin's Road have prevented this part being adopted, but officers are working to resolve this and are confident of a positive outcome. You may be interested to know on this part of the route one can see remains of the old City Station platforms and fittings.

I am surprised you haven't mentioned the new cycle network for the city which was recently adopted and will be formally launched in the spring. This includes routes all over the city and will help us secure funding for cycle improvements all across the city in the coming years. While there are no specific plans for Marriotts Way at the moment, there is a lot of work on other routes all over the city, and this does not exclude works relating to Marriotts Way in the future.

I understand that a meeting with key stakeholders is being set up by the Norfolk Trails initiative to discuss whether they could promote and improve Marriotts Way. The city council will be sending an officer to this meeting and when we know more about what the project is about we can decide how best to support it.

In terms of it's relation with the Bus Rapid Transit (BRT) scheme that is currently being promoted for Dereham Road I would not disagree that it would be a good opportunity to promote non-motorised routes in the west of the city, and £190k has been spent on green infrastructure as part of this project. However the Growth Point funding that is being used for the current phases of the Dereham Road BRT project is fully committed and there is no scope for any of it to be spent on Marriotts Way.”

**Councillor Galvin** asked, as a supplementary question, if the £300,000 remaining in Connect2 funding could be used to deliver the Marriotts Way project and would city council officers be involved in drawing up plans? **Councillor Bremner** said that Councillor Galvin could have consulted her group's members on the sustainable development panel who would have known that there was not £300,000 available. Officers had worked very hard to access various funding available to deliver improvement schemes and would continue to do so.

#### **Question 4**

##### **Councillor Jeraj to the cabinet member for planning and transport:-**

“The Chartered Institute for Housing estimates that Norwich will lose 2500 private houses at affordable rents due to changes in housing benefit. How is the city council preparing to deal with the prospect of a large number of people forced out of their homes due to these changes?”

##### **Councillor Bert Bremner, cabinet member for planning and transport’s reply:-**

“Can I thank Councillor Jeraj for highlighting the concern that many of us share about the coalition governments housing and welfare reform changes. I make no apology that my response is long because this is such a key issue for many of our residents.

While Norwich boasts a healthy rented provision – approximately 10,000 properties – the changes to Local Housing Allowance (LHA) since April 2011 have highlighted a number of potential impacts on the private rented sector.

In line with national market trends, Norwich has seen a rise in the private rents being charged across the city. In addition, we have been advised that some private landlords are reluctant to continue to let their properties to LHA claimants, especially those who are less than 35 years of age. This in turn will inevitably lead to further demand for Houses in Multiple Occupation (HMOs), a market which is already squeezed.

LHA claimants are already competing with the student market for shared accommodation across the city. As a result of there being a lack of supply of the right property types at affordable rates, the council will continue to see an increase in demand for its housing options and homelessness services along with an increased demand for social housing.

#### **Preparations**

The council runs a full housing advice service, with a strong focus on the prevention of homelessness and the provision of a wide range of housing options. Anybody at risk of losing their accommodation in Norwich through benefit changes or affordability issues should seek specialist housing advice from us in the first instance.

The 'enhanced housing options' approach includes a homeless prevention fund to assist with rent deposits, budgeting and benefits advice including transitional relief and discretionary housing payments. It also includes the continued expansion of the council's successful private sector leasing scheme which currently manages over 350 properties in Norwich.

The council continues to work closely with private landlords and their representative bodies to ensure that wherever possible, landlords continue to let their properties to LHA claimants whilst minimising rents to enable tenants to meet shortfalls due to their loss of benefit income. We are currently, as part of a wider consultation being run by the Association of Housing Advice Services, canvassing the views of local landlords on the issues affecting them. The results are due in March 2012. However,

it is unlikely that the market is able to provide the right property mix at affordable rates, particularly for those people under the age of 35. This is an issue affecting many other towns and cities across the country, particularly so in a city such as Norwich where relatively low earnings mean that housing affordability is a major issue for households.

The need for affordable housing is continuing to grow and outpace supply. Despite continual development of new affordable housing, the council is still struggling to meet increasing housing need but wherever possible we will seek to increase the supply of affordable housing in the city."

**Councillor Jeraj** asked, as a supplementary question, if the cabinet member would be willing to write jointly with him to the Secretary of State expressing concern at the proposed changes? **Councillor Bremner** said that he would be happy to do that.

### **Question 5**

**Councillor Makoff to the leader of the council:-**

"What is the council doing to help the Chermond Gym Club find new premises?"

**Councillor Brenda Arthur leader of the council's reply:-**

"Thank you for the question. I am well aware of the work of the gym club and the difficulties it is having in finding new premises from which to operate.

I met representatives of the gym club on 13 January along with officers from the planning and sports development teams to discuss how the council can help. I can assure you that the council is helping the gym club as much as it can. It is clear that the gym club is struggling not only with finding an appropriate new premises but also securing the funding to allow it to equip and operate from a new premises.

Since we met the council has secured expert planning assistance for the gym club from Planning Aid (an independent charitable body) and has also offered advice and further information in relation to various planning and building control issues they are likely to encounter. We have also given them advice on possible funding sources and have been actively investigating the availability of temporary places for them to operate from pending them finding a new permanent home."

### **Question 6**

**Councillor Carlo to the cabinet member for planning and transport:-**

"Will the council sign up to the Living Streets (<http://www.livingstreets.org.uk/>) initiative to keep pavements safe and ice free this winter?"

**Councillor Bert Bremner, cabinet member for planning and transport's reply:-**

"The main legal duty referred to by Living Streets is section 41, part 1A of the Highways Act 1980 where "In particular, a highway authority [is] under a duty to ensure, so far as is reasonably practicable, that safe passage along a highway is not

endangered by snow or ice." There is also a duty to remove snow from the highway, if an obstacle, under section 150 of the Act.

Previously the responsibility for these sections of the Highways Act was delegated to the council through the highways agency agreement. The city council through its contractors carried out the salting of the public highway in Norwich in line with the Norfolk County Council's winter maintenance plan. A new agency agreement was agreed last year and as part of the review it was agreed that it would be more efficient if the county council did the winter maintenance for the whole county including the city and therefore the new agency agreement no longer delegates this function to the city.

As we don't provide the services, we don't salt and sand Norwich's roads anymore, it would seem inappropriate for the City to sign up to the initiative. Just as a reminder I repeat the point from Question 3 - "Norfolk is the Highway Authority, and has been since 1974 when Norwich lost its independence, its county borough status, and became a district council.

Councillor Carlo will know that despite the changes to the agency agreement the city council continues to provide grit bins for local residents to use for use on both the carriageway and footway with the county council putting in the salt and sand mix. The city council provided increased funding towards grit bins in 2011/12 allowing 71 more highway bins to be provided. Some grit bins are also provided on housing land. The city council arranges precautionary salting in sheltered housing areas and the city centre car parks and assists the county council in determining if precautionary salting is required.

The above is similar to other areas of Norfolk where either district or parish councils may provide such services. During severe weather the council has provided staff from other contract areas to help with snow clearance etc. Such collaboration is something officers hope to be able to develop further in preparation for winter 2012/13.

All this is no consolation to everyone who tries to walk, cycle and drive on sheets of ice, be they on roads, cycle paths or pavements. A few years ago my younger daughter slipped on ice on a path in Edinburgh causing a severe ankle break which still affects her many years later. I remember cycling down Park Lane in Cllr Carlo's ward and meeting a long sheet of ice with me sliding in one direction and the bike another. Luckily there were no vehicles trying to use the same stretch. I hate cycling with the thaw as the slush piles up at the side just where the cyclist would normally be.

As an extra, this is from the Norfolk County Council website:

**'Paths, cycle routes and cycleways:** Snow clearance of paths is initially concentrated in the main shopping areas of towns and larger villages as resources permit. If conditions persist more paths will be cleared and treated on a priority basis, which is based on the level of use of the path. Cycleways will be cleared at key locations in urban areas and rural lengths linking communities. Cycleways will be attended to as resources permit and having first established reasonable conditions on the designated higher priority road and path network."

**Councillor Carlo** asked, as a supplementary question, if the cabinet member would ask the county council to sign up to Living Streets? **Councillor Bremner** said that he would give this consideration and get back to **Councillor Carlo**.

#### **Question 7**

**Councillor Stephenson to the deputy leader of the council and cabinet member for resources:-**

“What has the council done to ensure business continuity since Fountains went into administration?”

**Councillor Alan Waters, the deputy leader of the council and cabinet member for resources’ reply:-**

“Fountains were contracted to deliver four essential environmental contracts for the council that provided waste management (including refuse collection, and recycling services), grounds maintenance, arboriculture work and street cleansing services.

On the morning of Monday 23 January , the council received a phone call from the chief executive of Fountains notifying us that they were facing administration and that further announcements would be made during the day. At 12.20pm the council was notified that Fountains had gone into administration and OCS had acquired some, but not all, of their existing contracts, but that the four contracts being delivered in Norwich were not part of the sale.

As a consequence the council implemented its business continuity plans and these included the following:-

Contact was made with Biffa who deliver the waste management service and an agreement was reached for them to continue to delivery the service on an emergency basis. Service continues as normal.

In relation to the other services, the administrator made the workforce redundant and so normal service ceased. Contact was made with the administrator to obtain full details of their decision and to secure access to staff information and plant and equipment.

The first 24 hours were focussed on the delivery of essential services including arrangements to enable limited cleansing operations to be undertaken within the city centre including the provisions market, the provision of “hit squad” to remove fly tipping, sharps/needles and other hazardous items. Part of the city centre was cleaned on Monday evening and out of hours cover was provided. This included emergency cover for trees to ensure highways were safe.

By day two the following services were covered:

- safety inspections of play equipment;
- grave digging;
- arrangements for the marking out of sports pitches.

Since then, the following has been organised:

- additional cleansing for Prince of Wales Road;
- locking of parks cemeteries and other grounds as appropriate;
- a stray dogs service;
- specific treatments for pest control and tree work that have been started will be completed.

As Councillor Stephenson will be aware as a member of the contracts working party, on Wednesday both the contracts working party and cabinet were briefed on the situation and were advised on the work being undertaken to reinstate a comprehensive service with formal contractual arrangements. The contracts working party was also advised on the role they will play in this process.

Overall this is a significant achievement within just over a week of the withdrawal of Fountains from these contracts. It demonstrates that the council's business continuity planning is robust. I would like to express my appreciation of the work undertaken by all staff, members and contractors in ensuring a continuation of core services during a difficult and challenging period. I would be surprised if many other organisations could have coped in such a competent and professional manner.

Inevitably there are still a number of areas where full service is not being delivered, particularly planned ground maintenance work and programmed street cleansing particularly in the outer areas. However, discussions are now underway to let a temporary contract to ensure business as usual.

In the meantime if any member is aware of any waste management, street cleansing or grounds maintenance issue that needs to be addressed these should be reported in the normal manner through the councillor enquiry system."

**Councillor Stephenson** asked, as a supplementary question, if the cabinet member considered this was a good time to consider taking these services in-house and if this required making views known to government that laws and regulations needed to change, we should do that? **Councillor Waters** said that he had welcomed the question above which had given him the chance to highlight how effectively and quickly the council had dealt with the situation and he wanted to recorded his gratitude to all involved in the council on how effectively this had been done. In response to the supplementary question he said it was clear from what Eric Pickles MP had said to the Local Government Select Committee that the government's proposals for local government, including front loaded cuts, were not related to the global financial crisis but were aimed at restricting the direct delivery of services by the public sector. Councillor Stephenson would know from her involvement in the contracts working party that the council always looked at all options for procurement of services, including the in-house option. What was required was a political and public "head of steam" to ensure a level playing field. He had always believed that public delivery of services gave better value.

## Question 8

**Councillor Haynes to the deputy leader of the council and cabinet member for resources:-**

“What's the council doing to encourage the new contractor to take on workers recently made redundant by Fountains?”

**Councillor Alan Waters, deputy leader of the council and cabinet member for resources' reply:-**

“The priority for the council is to ensure that business as usual in the delivery of the environmental contracts is re-instated as soon as possible. To do this the new contractor will require experienced staff to undertake the work. Clearly the work will not go away and the council has the money to do it. It needs to be done by a local workforce and we are doing everything we possibly can to ensure those who have been made redundant will be prioritised in any new appointments.

We are already in contact with JobCentre Plus and trade unions. All staff engaged on the waste management contract continue to be employed by Biffa and are continuing to provide a full waste management service.

About 30 former Fountain employees have been engaged on emergency street cleansing and grounds maintenance work. As we move to a more formal contractual arrangement for this work we will ask the contractor to re-employ as many of the former Fountains workers as possible.”

**Councillor Haynes** asked, as a supplementary question, if the council kept information on employees and contractors that could be used to help ensure that those affected had a chance to be involved in new contracts? **Councillor Waters** said he was very concerned that the council had work that was required to be carried out and a skilled local workforce who, if allowed, would be able to deliver those services. He was sorry that this skilled workforce was caught up by the problems of procurement law. The names of those made redundant had been given to Jobcentre Plus and the council was working with trade unions to try to draw on those to deliver services, wherever possible.

## Question 9

**Councillor Grahame to the deputy leader of the council and cabinet member for resources:-**

“What lessons did the city council learn after the Connaught collapse and how has the council's response to Fountains being taken into administration been better as a result?”

**Councillor Alan Waters, deputy leader of the council and cabinet member for resources' reply:-**

“Following the collapse of Connaught the council reviewed our process for business continuity. These are highlighted in service plans, included on the corporate risk register and are regularly reviewed and kept up to date.



This meant that when we were informed that Fountains were ceasing service with no notice we were able to respond immediately as in my answer to Councillor Stephenson's earlier question."

**Councillor Grahame** asked, as a supplementary question, how much extra cost had there been as a result of failed contractors from having to do crisis management and procurement processes more than once and how could we avoid this in the future?

**Councillor Waters** said that clearly there was significant additional cost and additional resource required from managing emergency contracts and additional procurement processes. He would only be able to give estimates of that cost and the best way to avoid this and the inevitable disruption to public service would be for proper and stable funding of local government.

### **Question 10**

#### **Councillor Wright to the leader of the council:-**

"The 'Say Yes to Better Broadband in Norfolk' campaign represents an excellent way for the whole of Norfolk to benefit from improved broadband speeds of up to 30Mbps. Poor broadband speed has traditionally been seen as a problem for the county, but there are areas of Norwich which do not have access to consistently higher speeds. Will Councillor Arthur commit Norwich City Council to supporting this campaign and do all that she can to facilitate its promotion using our website and other channels?"

#### **Councillor Brenda Arthur, leader of the council's reply:-**

"We are already supporting this campaign through the LEP, the Greater Norwich Development Partnership and the Norfolk Economic Development Officers group.

Unfortunately, the BDUK funding secured by Norfolk County Council is only eligible to support improvement of Broadband services in "not-spots" – i.e. rural areas which currently have no or very limited access to Broadband and will therefore not be used to improve services in Norwich or the surrounding urban area.

Norwich already benefits from the best broadband service in East Anglia but further investment in this key infrastructure is essential to ensure that residents and businesses are able to access fast-unfolding opportunities online such as home working, online learning and the increased speed and capacity which is particularly important for the creative and technical clusters in the city.

The city centre is served by the Norwich city exchange which has ADSL 2+ as well as Virgin Cable coverage. The exchange is Local Loop Unbundling (LLU) with several key telecoms providers active. The exchange has been chosen as part of BT's 21<sup>st</sup> century network rollout with completion expected in June 2012. The other key business location is the Broadland Business Park, which is served by the Thorpe Exchange; it shares similar characteristics to the Norwich city Exchange. It will also be connected to the 21<sup>st</sup> Century network, with superfast broadband by June 2012.

All that said I am aware that Norwich is the main economic driver for the County and as such we have a responsibility to work with other authorities to enable the

business sector to thrive. We all know that greater employment and ensuring that there is a healthy business sector is a central plank in economic recovery. So I am happy for us to use our website to promote the campaign.”

**Councillor Wright** asked, as a supplementary question, will the leader of the council also commit the council to doing all that it can to ensure that policy is flexible giving those residents who cannot afford fixed line internet, the potential to access fast wireless internet, which is often free of the upfront financial commitments required of traditional broadband? **Councillor Arthur** said that, subject technical advice, she would be happy to look into this.

#### **Question 11**

##### **Councillor Ackroyd to the cabinet member for customer services:-**

“I have been approached by a resident who has had the following problem: Having sent three emails to the customer contact service and receiving only the automated reply, she then emailed the chief executive still to no avail. I have raised this issue with officers who said that the first email was directed to the wrong department whilst the next three were lost in the system and that someone will get back to her shortly to respond to her initial question which she first raised in October. I am concerned that other residents may be experiencing similar frustrations. Without giving me a list of statistics, can the cabinet member tell me what is being done to rectify these problems to ensure that the customer contact system is fit for purpose?”

##### **Councillor Julie Brociek-Coulton, leader cabinet member for customer services’ reply:-**

“The council recently implemented a new customer contact system which provides additional functionality that would not have been available on the old system which was in place in October. This new system means that telephone calls, messages left by customers and emails from the councils main email address are routed through to customer contact advisors. The customer contact advisors will, where ever possible, respond with a full answer at the first point of contact. If they cannot answer themselves, the email will be passed to the respective service area to respond.

The new system means that emails that are handled this way are performance and quality managed in exactly the same way phone calls are, and an audit trail of handling them and the response will be available for 90 days. So we can track who has dealt with an email when it was dealt with, and where it has gone to if passed on.

The system also has the capability to auto-suggest responses for the customer advisor to use. In addition customer contact advisors can direct customers to use FAQ’s and website links to assist them, wherever possible, to resolve their enquiry themselves.

If Councillor Ackroyd provides me with the details of this particular case I will ask the head of customer contact to investigate. Also, if Councillor Ackroyd has not already visited the customer centre I would be happy to take her round so that she can see this work in action.”

## Question 12

### **Councillor Fairbairn to the cabinet member for housing:-**

“Can the cabinet member for housing give an update on progress on the former Greyhound Opening site, a vital housing site that has now been derelict for over 2 years?”

### **Councillor Victoria Macdonald, leader cabinet member for housing’s reply:-**

“I share Councillor Fairbairn’s concern about the delay in the development of this site, but, like several other affordable housing projects across the country, this scheme has been the victim of a decision by the coalition government to both reduce the overall level of funding for social housing and to change eligibility arrangements.

Members will recall that cabinet approved the sale and development of this site at affordable rent last June. At that time the site was to be developed by two of our housing development partners, Orbit Housing Association and Flagship Housing Group.

Changes to the national affordable housing programme halved the level of grant available for this site and made it conditional on the use of the new affordable rent tenancies (set at up to 80% of market rent) as opposed to social rent. This created a delay whilst our development partners analysed the risks of proceeding under the new regime and complied with the new bidding process.

Orbit’s bid for funding to the Homes and Communities Agency (HCA) has been confirmed and they are now ready to proceed with their half of the site. Flagship, on the other hand, was not in a position to request HCA funding and have now decided to withdraw from the project.

As a consequence, officers have had to review how development on this site can be funded and delivered. A range of options will be presented to cabinet in February.”

**Councillor Fairbairn** asked, as a supplementary question, if the decision to go out to architects had increased the delay and costs? **Councillor MacDonald** said that she was not aware of a delay but would look into this. She said it was clear that it was the economic climate that was the main reason that the companies involved being unable to continue with the scheme.

## Question 13

### **Councillor Lubbock to the cabinet member for planning and transport:-**

“Abellio, the Dutch train operator is taking over the East Anglian rail franchise from National Express in February. They have a record of providing cycle facilities at their stations where they already hold the franchise. I believe it is important to start a dialogue with them to provide secure cycle parking at Norwich Station in the short-term. However if they win the franchise beyond 2014 there is the possibility of a cycle centre at Norwich station along with involvement in a cycle hire scheme for Norwich. Would the cabinet member join me in welcoming Abellio to Norwich and letting them know the council’s aspirations to improve cycling in Norwich?”

**Councillor Bert Bremner, cabinet member for planning and transport's reply:-**

"I thank Councillor Lubbock for the question and I certainly will be among those welcoming Abellio to Norwich. In view of their reputation and record I am looking forward to working with them, alongside colleagues from the County Council, to improve the experience of train travellers on the Greater Anglia routes in and out of Norwich and particularly the linkages to other modes of transport.

A dialogue has already started with Abellio and I am particularly pleased that they have indicated that among their short term priorities are some significant improvements to the provision being made for cyclists at rail stations. Among these are possible provision of both cycle hire and secure cycle storage facilities at Norwich station and I am sure that we will be involved in discussion to take these ideas forward.

Over the longer term a cycle centre may also be a possibility and of course we will want to be involved in taking this idea forward. As well as any discussion with Abellio, we will need to involve other companies who may be bidding for the post 2014 franchise."