



MINUTES

COUNCIL

7.30 p.m. – 10.50 p.m.

24 June 2008

Present: Councillor Hooke (Lord Mayor), Mr Waller (Sheriff) and Councillors Arthur, Banham, Bearman, Blakeway, Blower, Bremner, Brociek-Coulton, Cannell, Collishaw, Divers, Driver, Dylan, Fairbairn, George, Gihawi, Gledhill, Holmes, Jago, Jeraj, Little(A), Little(S), Llewellyn, Lubbock, Makoff, Morphew, Morrey, Offord, Ramsay, Read, Sands, Stephenson, Waters, Watkins, Wright and Wyatt

Apologies: Councillors Bradford, Fisher and Lay

1. LORD MAYOR'S ANNOUNCEMENTS

The Lord Mayor referred to engagements carried out since the last meeting including attendance at a performance of the Seven Deadly Sins, the Norfolk Safer Community Awards, the 50th Anniversary of the Norwich and District Branch of Diabetes UK, the Norwich 100 Bike Ride, the Carers Forum and the Jay Singers concert.

2. QUESTIONS FROM THE PUBLIC

Jean Dunn asked the Executive member for Corporate Resources and Governance:-

"My business, The Unthank Kitchen, has been greatly affected by the Unthank Road Traffic Calming Scheme. This scheme, which started on 9 July 2007, was expected to last 4 to 6 weeks. It was completed in March 2008: 9 months over schedule. The adverse local impact of the Unthank Road Traffic Calming Scheme was enormous. The widening of the pavements caused chaos as buses and other traffic could not freely move up and down the road. It was gridlock. Drainage also became a problem as the road turned into a river when it rained. In November 2007 an attempt was made to modify the original changes to take account of the chaos which had been created. These modifications apparently cost a further £25,000. The final piece of work was undertaken in March 2008 when the Pelican crossing was restored to its original state. This only served to underline the muddled thinking and lack of planning surrounding the Unthank Road affair. In short the whole scheme was a catalogue of errors; errors which have had such an impact on my business. For the best part of a year we could not run our cafe and especially use the outdoor decking because of the filth and dirt caused by these works. So great was our

downturn in trade that we no longer reached a turnover threshold at which the government felt it appropriate to tax us: the Unthank Kitchen de-registered for VAT in Jan 2008. We have felt, since this point, only a short step away from closure. In an area well known for the character of its shopping experience do we really want another locally-owned small business to bite the dust? I have been brief in my background description but the City Council has on file my detailed 'summary of events'. I supplied this when I decided to apply for Hardship Relief on the Business Rates, and for compensation based on my strongly held view that the Council did not exercise reasonable care in carrying out the works at the outset requiring the works to be redone.

I have repeatedly tried to enter into a dialogue with the Council on the issue of Hardship Relief and possible compensation but feel I have been blocked at every turn.

So to my questions:

- (1) who is accountable for my loss of trade/income and near destruction of my business?
- (2) who is accountable for the appalling lack of communication from Revenue Services/ Executives?
- (3) the footpath outside our decking still has to be permanently reinstated to HAUC standards.

When are these works be carried out and what further disruption to trading can we expect?"

Councillor Alan Waters, Executive Member for Corporate Resources and Governance's reply:-

"1. Under the Highways Act, there is no mechanism for Local Authorities to compensate businesses for loss of income while carrying out works in the highway. A business may apply to the Valuation Office for a reduction in the rateable value of the property. They will need to provide evidence that their income has reduced as a result of the highway works. Alternatively, they can apply to the City Council for hardship. Cases are looked at on an individual basis by the Revenues Manager

2. The Head of Legal and Democratic Services wrote to Mrs Dunn on 13 June 2008 regarding the claim for compensation and her appeal against the decision to refuse her application for hardship relief. With regard to the compensation claim Mr Jones stated that " I am investigating the progress of this claim and will write to you separately on this matter. With regard to the refusal to grant Hardship Relief Mr Jones wrote " I have to point out that the decision of the Council is final and the only way of challenging it is by judicial review. On this point you should seek independent legal advice".

3. The footpath outside the Unthank Kitchen will be inspected. If it has not been reinstated to the required standard, remedial works will be arranged as soon as possible. Norfolk County Council are proposing to upgrade the signal equipment at the Pelican crossing near Gloucester Street later this financial year. This will involve switching off the signals for a short period, and some excavation works in the footway.

He said that he would monitor progress with her case and hoped that it would be possible to reach a satisfactory resolution."

Jean Dunn asked, as a supplementary question, whether future works to the footpath outside her decking could be undertaken at times when it would minimise the impact on her business. **Councillor Waters** said that he would discuss this issue with the officers and get back to her with a clear date for the works as soon as possible.

3. PETITION

The Lord Mayor received a petition from Richard Edwards as follows:-

"We the undersigned want the Council to stop the felling of the purple Norwegian maple trees on Gresham Road which are not dead but do need deadwood clean out and the branches trimmed up just in case of high winds in the late autumn and early winter."

Councillor Brociek-Coulton, Executive Member Residents and Customer Care responded:-

"The trees in question were surveyed by our Arboricultural Officer in May this year. It was identified that some of the trees were suffering from Verticillium wilt. The wilting is due to toxic substances produced by the fungus Verticillium, which infects the roots of the tree and then spreads upwards in to trunk and branches. The tree will produce gums as a defensive reaction - unfortunately these block the plant tissues and prevent the passage of water through the tree leading to the death of the tree. As well as causing large amounts of dead wood in the crown of the tree the root rotting effect can also make the tree unstable.

The decision to remove any tree is not taken lightly and if possible other solutions will be found, with felling being the last resort.

As these trees are on main pedestrian and traffic routes with a school in close proximity and they are up to 50% dead, the removal of just the dead wood would not been seen as a sound arboricultural practice.

We have over the last two years planted over six hundred new trees across the City and will be looking to replace these trees either in the coming 2008/09 planting season or the 2009/10 season. Because the fungus can remain in soil for years, we will not be able to replant with the same species."

4. MINUTES

RESOLVED to agree the accuracy of the minutes of the meetings held on 20 May and 3 June 2008.

5. QUESTIONS TO EXECUTIVE MEMBERS/COMMITTEE CHAIRS

The Lord Mayor advised members that 24 questions, including one urgent question, had been received of which notice had been given in accordance with the provisions of Appendix 1 of the Council's Constitution. The questions were as follows:-

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| Question 1 | Councillor Wyatt to the Executive Member for Sustainable City Development on housing development at Three Score. |
| Question 2 | Councillor Collishaw to the Leader of the Council on motions passed at Council since May 2006. |
| Question 3 | Councillor A Little to the Executive Member for Children and Young People on the Every Child Matters Agenda. |
| Question 4 | Councillor George to the Executive Member for Sustainable City Development on trees and bushes in Bowthorpe and Earlham. |
| Question 5 | Councillor Watkins to the Leader of the Council on empty shops and businesses in Norwich. |
| Question 6 | Councillor Driver to the Executive Member for Children and Young People on improvements planned for the Jenny Lind playground. |
| Question 7 | Councillor Wright to the Leader of the Council on the Regulation of Investigatory Powers Act. |
| Question 8 | Councillor Divers to the Executive Member for Housing and Adult Services on fuel poverty. |
| Question 9 | Councillor Fairbairn to the Executive Member for Sustainable City Development on the double yellow lines to be painted on part of Mansfield Lane. |
| Question 10 | Councillor Lubbock to the Executive Member for Residents and Customer Care on graffiti removal. |
| Question 11 | Councillor Gledhill to the Executive Member for Neighbourhood Development on post office closures. |
| Question 12 | Councillor Ramsay to the Executive Member for Corporate Resources and Governance on the use made of the Guildhall. |
| Question 13 | Councillor Stephenson to the Executive Member for Sustainable City Development on the house building targets for the Greater Norwich Development Partnership. |
| Question 14 | Councillor Read to the Leader of the Council on the provision of a cycle park for Norwich. |

- Question 15** Councillor Bearman to the Executive Member for Sustainable City Development on the establishment of a voluntary tree warden scheme.
- Question 16** Councillor Dylan to the Executive Member for Corporate Resources and Governance on the use of temporary workers by the Council.
- Question 17** Councillor Llewellyn to the Executive Member for Corporate Resources and Governance on water meters in Council properties.
- Question 18** Councillor Jeraj to the Executive Member for Housing and Adult Services on the assistance available to rough sleepers.
- Question 19** Councillor Makoff to the Executive Member for Corporate Resources and Governance on the IT provided to councillors.
- Question 20** Councillor S Little to the Executive Member for Residents and Customer Care on litter on Lakenham Way.
- Question 21** Councillor Holmes to the Leader of the Council on Norwich Airport.
- Question 22** Councillor Offord to the Executive Member for Sustainable City Development on the roll out of the alternate weekly collection system.
- Question 23** Councillor Jago to the Executive Member for Housing and Adult Services on the Council garages in Dolphin Grove.
- Question 24** Councillor S Little, Chair of the Audit Committee, to the Executive Member for Corporate Resources and Governance on the availability of the draft annual statement of accounts for 2007/08.

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

6. MOTION – CYCLE PROVISION IN NORWICH

With the agreement of the Council, Councillor Read, on behalf of Councillor Jeraj, moved and Councillor Makoff seconded an amended motion as follows:-

“Council notes:-

- The strong demand for cycling in Norwich.
- The relatively fragmented and piecemeal nature of the present cycling network.
- The existence of plans for a full ‘Norwich cycling network’.

Council believes:-

- That Norwich deserves coherent and high quality conditions for cycling.
- That this can be achieved through the production and implementation of an 'improvement plan' which identifies key improvements to cycling infrastructure and completes that the Norwich Cycling Network.
- Opportunities for implementing this plan will become available through the County Council Local Transport Plan; Section 106 Agreements; as part of regeneration schemes such as the Northern City Centre Area Action Plan: and works programmes in addition to any external funding sought for the specific development of cycling in Norwich.

Council resolves to ask officers to investigate the possibility of:-

- Producing a plan for systematic improvements to the Norwich cycling network including junction treatments and new links.
- Consulting partners and community groups such as TRAs and Norwich Cycling Campaign in the designing of both the plan and of the specific proposals when opportunities arise.
- Submitting this document to the Norwich Highways Agency Committee requesting that the plan is incorporated into the Norwich Area Transportation Strategy (NATS) to inform the detailed implementation of the relevant NATS policies and to input into the Local Development Framework."

Councillor Lubbock moved and Councillor Wright seconded the following amendment:-

"The addition of the following under Council notes:-

- That Norwich would benefit from a cycle hire scheme to encourage usage for all as demonstrated in many European cities including Paris, Brussels and Barcelona and in this Country, by OYBike System Ltd.

and the addition of the following under Council resolves:-

- Ask officers to investigate the feasibility of a cycle hire scheme."

The amendment was carried, 18 members voting in favour and none against with 16 abstentions.

RESOLVED, 18 members voting in favour and none against with 16 abstentions, that:-

"Council notes:-

- The strong demand for cycling in Norwich.
- The relatively fragmented and piecemeal nature of the present cycling network.
- The existence of plans for a full 'Norwich cycling network'.
- That Norwich would benefit from a cycle hire scheme to encourage usage for all as demonstrated in many European cities including Paris, Brussels and Barcelona and in this Country, by OYBike System Ltd.

Council believes:-

- That Norwich deserves coherent and high quality conditions for cycling.
- That this can be achieved through the production and implementation of an 'improvement plan' which identifies key improvements to cycling infrastructure and completes that the Norwich Cycling Network.
- Opportunities for implementing this plan will become available through the County Council Local Transport Plan; Section 106 Agreements; as part of regeneration schemes such as the Northern City Centre Area Action Plan; and works programmes in addition to any external funding sought for the specific development of cycling in Norwich.

Council resolves to ask officers to investigate the possibility of:-

- Producing a plan for systematic improvements to the Norwich cycling network including junction treatments and new links.
- Consulting partners and community groups such as TRAs and Norwich Cycling Campaign in the designing of both the plan and of the specific proposals when opportunities arise.
- Submitting this document to the Norwich Highways Agency Committee requesting that the plan is incorporated into the Norwich Area Transportation Strategy (NATS) to inform the detailed implementation of the relevant NATS policies and to input into the Local Development Framework.
- Ask officers to investigate the feasibility of a cycle hire scheme."

7. MOTION – POST OFFICE SERVICES

Councillor Lubbock moved and Councillor Divers seconded the following motion:-

"Council notes:

Post office network income from government services fell by £168m in 2005/06

The government has withdrawn key services from the Post Office including pensions, TV licences and passports

The contract for the Post Office Card Account (POCA), worth £1billion to the post office network between 2003 and 2010, will undergo a competitive tender process with the result expected this summer

Of the 24 million visits made to post offices every week, 6.5 million are made by POCA customers

Our post offices provide a lifeline to many in Norwich and this social value must be taken into account by the government

Failure to address the decline of the post office network and the loss of POCA could lead to further branch closures on top of those already proposed in Norwich

The second contract for POCA is necessary, but not sufficient, to safeguard the future of the post office network

There is a possibility of delivering council services through the post office network

Council resolves:

To ask the Scrutiny Committee to consider which council services may be delivered or made available through local post offices and for the council to enter into negotiation with Post Office Ltd

To write to the Prime Minister and demand: -

- A review across government departments of services offered through post offices with a view to providing additional services at branches
- That the importance of the post office network is taken fully into account when the second POCA contract is awarded
- A commitment that the post office network will not be allowed to shrink below the 11,500 that will remain when the current network change programme is complete."

RESOLVED accordingly.

8. MOTION – POLYCLINICS

With the consent of the Council, Councillor George moved and Councillor A Little seconded the motion as set out on the agenda incorporating the following amendments submitted by Councillors Ramsay and Collishaw respectively:-

Amendment 1 – the penultimate bullet point be amended to read ‘write to the Secretary of State for Health and NHS Norfolk to support the concept of maintaining a system of local GP surgeries and opposing the establishment of polyclinics run by private companies’.

Amendment 2 – the addition of the following under This Council Resolves ‘write to NHS Norfolk to ask them to restore services that have been withdrawn since 2007 including blood tests and ear syringing’.

RESOLVED, following a recorded vote, with 20 members voting in favour, (Councillors Bearman, Collishaw, Divers, Dylan, Fairbairn, George, Gledhill, Holmes, Jago, Jeraj, A Little, S Little, Llewellyn, Lubbock, Makoff, Offord, Ramsay, Stephenson, Watkins and Wright) and none against with 12 abstentions (Councillors Arthur, Banham, Blakeway, Bremner, Brociek-Coulton, Cannell, Driver, Gihawi, Morphew, Morrey, Sands and Waters) that:-

“Council notes that: -

- NHS Norfolk is currently engaged in a consultation over plans to close the Thorpe St Andrew Walk in Centre and introduce a new “Polyclinic” in Norwich.
- the consultation ends on 4th July.
- campaigners have raised a 3,400 name petition against the closure of Thorpe St Andrew Walk in Centre.
- the Thorpe St Andrew Walk in Centre serves people across the City.
- the Thorpe St Andrew Walk in Centre currently serves 5000 people per month.
- the opening hours of any new centre will be shorter than the current Walk in Centre hours: 8am - 8pm, not 7am - 10pm.
- this reorganisation has come about because of a national government decision.

This Council believes that: -

- there is a lot of confusion surrounding the consultation process.
- the Thorpe St Andrew Walk in Centre has good transport links and is well used by City residents.
- GPs in Norwich are not short of capacity - as stated by GPs at consultation meeting 04/06/08 and agreed by PCT at same meeting.
- as a principle, GP services ought to be retained, invested in and supported at the hub of our communities.
- as a principle, patients have a right to see their regular doctor wherever possible.
- GPs in Norwich are strongly against the proposal because they feel it is unnecessary and will adversely affect their practices.
- any change will be expensive and disruptive.
- shorter opening hours are against the aim of widening access.
- far from offering a more personalised service, Polyclinics will create a wider gap between patient and professional and may lead to a deterioration in care.

This Council resolves to: -

- congratulate all those who have campaigned to save the Thorpe St Andrew Walk in Centre and the petition organisers.
- write to the Secretary of State for Health and NHS Norfolk to express concern that a consultation is happening which contains no location details of any alternative to the Thorpe St. Andrew Walk in Centre.
- write to the Secretary of State for Health and NHS Norfolk to support the concept of maintaining a system of local GP surgeries and opposing the establishment of Polyclinics run by private companies.
- write to the Secretary of State for Health and NHS Norfolk to support the idea of keeping Thorpe St Andrew Walk in Centre open and put the money set aside for investment and/or reorganisation into providing better GP services in the City.
- write to NHS Norfolk to ask them to restore services that have been withdrawn since 2007 including blood tests and ear syringing.”

Chair