

### **Scrutiny committee**

**Date: Thursday, 21 March 2019**

**Time: 16:30**

**Venue: Mancroft room, City Hall, St Peters Street, Norwich, NR2 1NH**

#### **All group pre-meeting briefing – 16:00 Mancroft Room**

This is for members only and is not part of the formal scrutiny committee meeting which will follow at 16:30. The pre-meeting is an opportunity for the committee to make final preparations before the start of the formal meeting. The public will not be given access to the Mancroft room before 16:30.

#### **Committee members:**

##### **Councillors:**

Wright (Chair)  
Fullman (Vice-chair)  
Carlo  
Coleshill  
Fulton-McAlister (M)  
Hampton  
Manning  
Raby  
Sands (S)  
Smith  
Stewart  
Thomas (Va)  
Thomas (Vi)

#### **For further information please contact:**

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#### **Information for members of the public**

Members of the public and the media have the right to attend meetings of full council, the cabinet and committees except where confidential information or exempt information is likely to be disclosed, and the meeting is therefore held in private.

For information about attending or speaking at meetings, please contact the committee officer above or refer to the council's website

## Agenda

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- 1 Apologies**  
To receive apologies for absence
- 2 Public questions/petitions**  
  
To receive questions / petitions from the public  
  
Please note that all questions must be received by the committee officer detailed on the front of the agenda by **10am on Monday 18 March 2019**.  
  
Petitions must be received must be received by the committee officer detailed on the front of the agenda by **10am on Wednesday 20 March 2019**  
  
For guidance on submitting public questions or petitions please see appendix 1 of the council's constitution.
- 3 Declarations of interest**  
  
(Please note that it is the responsibility of individual members to declare an interest prior to the item if they arrive late for the meeting)
- 4 Minutes** **7 - 14**  
To approve the accuracy of the minutes of the meetings held on 7 and 14 February 2019.
- 5 Scrutiny committee work programme for 2018-19** **15 - 26**  
**Purpose** - To note the scrutiny committee work programme for 2018-19.
- 6 Norfolk Health and Overview Scrutiny Committee** **27 - 28**  
**Purpose** - To note the update of the representative on the Norfolk Health Overview and Scrutiny Committee.
- 7 Annual review of the scrutiny committee 2018 - 19** **29 - 42**  
**Purpose** - To recommend the annual scrutiny review for approval at the next available meeting of full council.
- 8 Norwich Highways Agency Agreement** **43 - 68**  
**Purpose** - To consider the recent decision regarding the highways agreement and help inform the development of

alternative arrangements to the highways agency agreement that most effectively deliver the Transforming Cities project and the best transport outcomes for Norwich and Norfolk.

Date of publication: **Wednesday, 13 March 2019**

- T** is this, the right **TIME** to review the issue and is there sufficient officer time and resource available?
- O** what would be the **OBJECTIVE** of the scrutiny?
- P** can **PERFORMANCE** in this area be improved by scrutiny input?
- I** what would be the public **INTEREST** in placing this topic onto the work programme?
- C** will any scrutiny activity on this matter contribute to the council's activities as agreed to in the **CORPORATE PLAN**?

Once the TOPIC analysis has been undertaken, a joint decision should then be reached as to whether a report to the scrutiny committee is required. If it is decided that a report is not required, the issue will not be pursued any further. However, if there are outstanding issues, these could be picked up by agreeing that a briefing email to members be sent, or other appropriate action by the relevant officer.

If it is agreed that the scrutiny request topic should be explored further by the scrutiny committee a short report should be written for a future meeting of the scrutiny committee, to be taken under the standing work programme item, so that members are able to consider if they should place the item on to the work programme. This report should outline a suggested approach if the committee was minded to take on the topic and outline the purpose using the outcome of the consideration of the topic via the TOPIC analysis. Also the report should provide an overview of the current position with regard to the topic under consideration.

By using the flowchart, it is hoped that members and officers will be aided when giving consideration to whether or not the item should be added to the scrutiny committee work programme. This should help to ensure that the scope and purpose will be covered by any future report. The outcome of this should further assist the committee and the officers working with the committee to be able to produce informed outcomes that are credible, influential with SMART recommendations.

**Specific, Measurable, Attainable, Relevant and Time-bound**

## Scrutiny committee and a protocol for those attending meetings of the scrutiny committee

- All scrutiny committee meetings will be carried out in a spirit of mutual trust and respect
- Members of the scrutiny committee will not be subject to whipping arrangements by party groups
- Scrutiny committee members will work together and will attempt to achieve evidence based consensus and recommendations
- Members of the committee will take the lead in the selection of topics for scrutiny
- The scrutiny committee operates as a critical friend and offers constructive challenge to decision makers to support improved outcomes
- Invited attendees will be advised of the time, date and location of the meeting to which they are invited to give evidence
- The invited attendee will be made aware of the reasons for the invitation and of any documents and information that the committee wish them to provide
- Reasonable notice will be given to the invited attendee of **all** of the committees requirements so that these can be provided for in full at the earliest opportunity (there should be no nasty surprises at committee)
- Whenever possible it is expected that members of the scrutiny committee will share and plan questioning with the rest of the committee in advance of the meeting
- The invited attendee will be provided with copies of **all relevant** reports, papers and background information
- Practical arrangements, such as facilities for presentations will be in place. The layout of the meeting room will be appropriate
- The chair of the committee will introduce themselves to the invited attendee before evidence is given and; all those attending will be treated with courtesy and respect. The chair of the committee will make sure that all questions put to the witness are made in a clear and orderly manner





**Scrutiny Committee**

**16:30 to 17:55**

**7 February 2019**

Present: Councillors Wright (chair), Fullman (vice chair), Carlo, Hampton, Raby, Sands (S), Sands (M) (substitute for Councillor Fulton McAlister(M)), Smith, Stewart, Thomas (Va) and Thomas (Vi)

Apologies: Councillors Coleshill, Fulton-McAlister (M), and Manning

**1. Public questions/petitions**

There were no public questions or petitions

**2. Declarations of interest**

Councillor Fullman declared a pecuniary interest in item 6 below as he rented a council garage.

**3. Minutes**

**RESOLVED** to approve the accuracy of the minutes of the meetings held on 13 December 2018 and 3 January 2019.

**4. Scrutiny Committee Work Programme 2018-19**

The chair suggested that the scope for the March meeting of the scrutiny committee be discussed at the meeting on Thursday 14 February 2019.

**RESOLVED** to note the scrutiny committee work programme 2018-19

**5. Update of the representative on the Norfolk Health Overview and Scrutiny Committee**

Councillor Fullman said that the committee had discussed two health trusts; the Queen Elizabeth Hospital NHS Foundation Trust and the Norfolk and Suffolk NHS Foundation Trust. The Health Overview and Scrutiny Committee (HOSC) was impressed with the improvement plans being implemented at both of these trusts and the progress would be reported back to the HOSC in six months.

Councillor Fullman had asked HOSC to consider what improvements could be made to services for transgender people. Young transgender people were reporting high

levels of ignorance and misunderstandings by the health service. A first consultation could take up to two years to be arranged.

A member commented that one of the areas covered by the Care Quality Commission was staffing. He felt that training and the deployment of trained staff should be considered and not just how staff were recruited. Councillor Fullman said that this had been taken into consideration by some mental health trusts. On average, staff were only staying in their roles of up to two years so work was being undertaken on the reasons for this and how staff could be retained for longer.

**RESOLVED to:**

- (1) Note the update of the representative on the Norfolk Health Overview and Scrutiny committee; and
- (2) to ask members to discuss and share information on ways of providing timely services to transgender people, and to feed any information back to the NHOSC representative.

**6. Pre-scrutiny of the proposed budget for 2019-20**

(Councillor Fullman had declared an interest in this item.)

The chief finance officer presented the report. She said that councils were facing a decreasing amount of spend which was likely to continue with an increased demand on services.

There had been an increase in spend on commercial properties which was of concern to the Treasury due to the amount of borrowing being undertaken by local authorities.

The savings target for 18-19 had not been achieved, however, £1 million less of reserves had been used due to favorable increases in council tax and business rates along with £500,000 of income from commercial properties. There was a budget gap of £10.2 million over the next four year which would be 'smoothed' to a savings requirement of £2.2 million each year.

There was a need to enhance asset management planning and a review of general fund land and property holdings was recommended to be undertaken. There were also decreasing capital receipts so proposals were being put forward to increase the amount of revenue budget to fund capital expenditure.

Rental income from commercial property investments was diverted to fund council services but cash was also being set aside to repay loans and annual interest costs. To date, £33 million had been invested and there was around £1million in commercial property earmarked reserves which would be used to mitigate any risks such as empty rental periods. Commercial property assets would continue to be purchased within the limits set by cabinet in December 2018 which would allow for continued diversification of the councils commercial property portfolio. Other investments were being explored such as renewable energy or GP surgeries.



A member asked how much of a risk there was around central government imposing further mandatory rent reductions. The senior finance business partner said that the council had assurances that it could use the Consumer Price Index + 1% to calculate rent levels and it was hoped that this would be the case due to the shift in focus around social housing.

Members discussed alternative investments and how innovative the council could be in deciding these. The chief finance officer said that the council was looking to lobby central government on 'freeing up' limitations around fees and charges as there were many restrictions imposed upon local authorities. She gave the examples of planning fees being retained locally or introducing a tourist tax. Preventative work was being undertaken, working with partners to share costs but the work had to happen within the legal frameworks in place.

A member expressed concern regarding property investment and a potential rise in interest rates. He asked what stress tests had been performed and to what extent. The chief finance officer reminded members that the investments in the budget papers referred to commercial properties, not residential, but legal advice was taken in conjunction with monitoring the market. Stress tests were included in the modelling for each commercial property acquisition around interest rates and whether it would be viable to purchase the property. If there was an indication that interest rates would rise, the council would need to consider its position, however, fixed rate loans would be taken out.

Further discussion on commercial property investment included member's concerns about ethical and reputational issues being considered within the Commercial Property Investment Strategy. The strategy manager said that the capital programme was embedded within the council's corporate priorities and all acts of council needed to align with these priorities, including carbon emissions. Individual purchases should reflect the overall objectives but a wide range of issues would be considered, such as social value, alongside carbon emissions.

A member raised concerns about investing in retail properties when this sector was not showing any signs of improvement. The chief finance officer said that retail space had only been purchased within Norwich and was primarily offices. It was unlikely that the council would seek to increase holdings in the retail sphere.

A member asked for clarification on the relationship between the risk register, the Corporate Plan, service plans and the budget. The strategy manager explained that the Corporate Plan was the policy framework and the budget was the resourcing of the Corporate Plan. The budget was nested within the Medium Term Financial Strategy. The risk register was the mechanism for understanding and mitigating risk but sat at many different levels. The risks could be financial, reputational or around political changes and the mitigation of these could be operational. In summary, the framework of the Corporate Plan and the budget were the steady state in which objectives could be delivered and the risk register would mitigate any external factors. These gave an overall steer for the work of the council and were all very important to consider.

Discussion on the risk register continued with a member commenting that extreme weather events should be reflected in the corporate plan and risk register and should

be higher in terms of budget headings. The strategy manager said that the Fit for the Future programme was a move away from silo service working driven by statutory requirements. The council was on a journey to a point where wider things was not framed by statutory services; it was on a path to a culture change.

**RESOLVED** to note the proposed budget for 2019-20

## **7. Exclusion of the public**

**RESOLVED** to exclude the public from the meeting during consideration of items \*8 to \*9 (below) on the grounds contained in the relevant paragraphs of Schedule 12A of the Local Government Act 1972 (as amended).

### **\*8. Norwich Regeneration Ltd business plan (para 3)**

**RESOLVED** to note the Norwich Regeneration Ltd business plan.

### **\*9. Exempt minute of the meeting of the scrutiny committee on 3 January 2019 (paras 3, 4 and 5)**

**RESOLVED** to approve the accuracy of the exempt minute of the meeting held on 3 January 2019.

CHAIR



**Scrutiny Committee**

**16:30 to 17:40**

**14 February 2019**

Present: Councillors Wright (chair), Fullman (vice chair), Carlo, Hampton, Raby, Smith, Stewart, Thomas (Va) and Thomas (Vi)

Apologies: Councillors Coleshill, Fulton-McAlister (M), Manning and Sands (S)

**1. Public questions/petitions**

There were no public questions or petitions.

**2. Declarations of interest**

There were no declarations of interest.

**3. Scrutiny Committee Work Programme 2018-19**

Members agreed that as relevant research was due to be published, the item on viability assessments would be replaced with an item on the scrutiny of Norfolk County Council's decision not to renew the Highways Agreement. The scope would be worked on by officers and agreed with the chair and vice chair.

The item on the New Anglia LEP would be considered in the new civic year as additional work was needed to devise a scope for this item.

**RESOLVED to:**

- (1) postpone the housing viability item to the new civic year; and
- (2) add an item to the scrutiny work programme for the 21 March 2019 meeting on Norfolk County Council's decision not to renew the Highways Agreement.

**4. Employment practice research**

The economic development officer presented the report.

The research had been commissioned following a motion passed by council in 2018. It was undertaken as three separate strands covering issues relating to zero hours

contracts, issues relating to hard to fill vacancies and the issues facing Norwich workers in relation to low pay and insecure employment.

The research had shown that younger and older employees were more in favour of zero hours contracts. Those employees of 'prime working age' on zero hours contracts often found it difficult to access mainstream financial products which could lead to anxiety, depression and a lack of motivation. Those on zero hours contracts were entitled to the same holiday pay as other employees but many were not aware of this.

The economic development officer gave the example of McDonald's as being a favourable employer to work for on a zero hours contract. Employees on these contracts had the same rights as permanent employees and once they had been employed on a zero hours contract for two years, they would be offered a permanent role. Members noted that 90% of these employees did not take the offer of a permanent contract.

The research policy recommendations were highlighted but it was explained that most of these were not within the gift of local authorities. Local authorities could however lobby central government on good working practices. The economic development officer said that the use of zero hours contracts would grow unless there was legislation in place to stop or regulate these.

Following the presentation of the report, members watched a short video on the Universal Basic Income in Finland <https://www.bbc.co.uk/news/world-europe-47169549>

Members discussed the next steps following the conclusion of the piece of research. When employees were asked what the council could do to support workers in low paid or insecure jobs, the answer was that employees did not know which agencies to approach for advice on employment rights. The economic development manager said that there would always be employers saying that they were not getting good quality applicants for the vacancies being advertised as school leavers still had a lack of skills. This could be improved by employers investing time in their workforces. The chair commented that he had been involved in a programme called 'World of Work' in which employees would visit their old school to speak to the students about work and what employers would expect of them. The economic development team had been involved in a small project on interview skills which had also shown some positive results.

Members discussed the training and wages in the care industry. A member commented that employees in this sector were expected to complete online training which was wholly inadequate for a practical job. There was not enough money in the care system to pay fairly for jobs as care companies were bidding for contracts which meant that it was a competitive systems and costs had to be kept as low as possible. The knock on effect of this was that employers were not able to pay salaries which were attractive enough to keep people in these roles.

A member asked whether the city council could pilot a co-operative model to run a care facility with a view to providing a more satisfying work environment. The

economic development officer said that this could be considered if the will and the resources were available to set up such a project.

The economic development manager said that Norwich had a resilient economy as it had a varied employment sector but the geography of the city also meant that it was a service area for a wide range of people. Although there was a wide spread of employment sectors, the salaries were not high and there were not many progression options; therefore skills provisions needed to be considered over a long term period to enable choice within the labour market and empowering employees through choice.

A member said that she had conducted some research around 'Deliveroo' drivers and had found that many did not know that they were self-employed. When these employees were asked what help could be given to them, they said that they wanted to move to an employment model. She also referred to taxi drivers and asked what could be done to alleviate these problems within small local firms. The economic development officer said that there was a need to advise workers of their rights as it was difficult to get to the employers. If employees could be educated on their rights, they could push this back to the employer.

The chair referred to the annual safeguarding briefing given to taxi drivers at city hall and queried whether this could be a forum to advise them of their employment rights.

A member commented that there seemed to be a great emphasis on investment in infrastructure where there should be more emphasis on soft infrastructure - investing in people including school leavers transitioning into work. If young people did not receive support at home, a mentor should be available to improve their chances of finding employment. The economic development manager said that mentoring scheme had been undertaking in many schools. The scheme was voluntary however which meant that those that needed it the most did not put themselves forward.

**RESOLVED** to ask officers to identify contact points that the council has with organisations and employers and consider how these could be used to inform people of their employment rights.

CHAIR



**Norwich City Council**  
**SCRUTINY COMMITTEE**

## **Item No 5**

**REPORT for meeting to be held on Thursday 21 March**

### **Scrutiny committee work programme 2018/19**

- Summary:** The purpose of this report is to assist committee members in setting the work programme for the rest of the civic year 2018/19 (to end March 2019).
- Conclusions:** It is proposed that any discussion is agreed as a whole committee using 'TOPIC' criteria. This will assist members in achieving the goal of an agreed work programme that is met by consensus.
- The programme is a standing item at each committee meeting and can be adjusted as necessary
- Recommendation:** To consider the scrutiny committee work programme 2018-19
- Contact Officers:** Emma Webster, scrutiny liaison officer  
preferred contact by e-mail  
[emmawebster@norwich.gov.uk](mailto:emmawebster@norwich.gov.uk)

## **Developing a work programme for the scrutiny committee**

- 1.1 When the scrutiny committee considers which items to include on its work programme, it is useful to do so in the context of what the focus is for the council over the coming year and to look at how activity aligns to the council's corporate plan.
- 1.2 This is so that the scrutiny committee will be able to consider where and how it can add value to the work being carried out towards achievement of the council's priorities and ensure that resources are being focussed effectively.
- 1.3 The scrutiny committee has previously adopted the TOPIC flow chart as an aid to selection of scrutiny topics for its work programme. This is attached to the agenda for reference and members are encouraged to pay regard to this in ensuring that any topic that makes it onto the work programme has an agreed scope and may benefit from the scrutiny process.

## **Scope for scheduling items to the work programme**

- 1.4 Although sometimes not possible to achieve, it was previously agreed that the committee should agree as few as possible substantive topics per meeting. The main reason for this is to ensure that there is enough time for the committee to effectively consider the issues and has a fair chance of reaching sound, evidence based outcomes. Ideally, one main item per meeting would be the aim.
- 1.5 Although the future work of the committee has been set up to March 2019, members will have the opportunity on a monthly basis to revise the programme if and when required or due to changing events. This is done via the work programme standing item on the scrutiny committee agendas.
- 1.6 Scrutiny members will shortly be asked to put forward topics for the work programme 2019/20. The scrutiny liaison officer will circulate a copy of the TOPIC form to allow each group to consider any items they would like to be put forward to the first meeting of the scrutiny committee in the new civic year.
- 1.7 Along with this report, members have a copy of the cabinet forward agenda for consideration.
- 1.8 It is proposed that any discussion is as a whole committee using the TOPIC criteria. This will assist members in achieving the goal of an agreed work programme that is met by consensus.



## Scrutiny committee work programme 2018 – 2019

<b>DATE OF MEETING</b>	<b>TOPIC FOR SCRUTINY</b>	<b>RESPONSIBLE OFFICER, CABINET, PORTFOLIO HOLDER, COUNCILLOR,</b>	<b>SCOPE – REASON FOR TOPIC REQUEST and OUTCOME SOUGHT</b>
24 May	<b>Setting of the work programme</b>	Joanna Rowan (Scrutiny liaison officer), Cllr Wright	To assist committee members in setting the work programme for 2018/19
28 June	<b>The impact of Airbnb type properties</b>	Anton Bull, Director of business services Cllr Wright	To consider the growth of short term letting of homes, and the impact of these on both income for the council and the wellbeing of local residents.
28 June	<b>Report of CLF inquiry for consideration</b>	Anton Bull, Director of business services; Jo Rowan, Scrutiny liaison officer	To provide an update to members the current position of Norwich city council in relation to the recommendations made by the communities and local government committee report 'Effectiveness of local authority overview and scrutiny committees'.
19 July	<b>The impact of universal credit on vulnerable groups of people, the impact of existing universal credit roll-out, preparation for full service of universal credit</b>	Anton Bull, Director of Business Services; Adam Clark, Strategy Manager; Nicki Bristow, Universal Credit Team Leader	The objective of this scrutiny would be to scrutinise the plans for UC full service implementation in Norwich based on the data and learning from the live service, and experience of other areas that have already implemented UC full service. This would form the basis of recommendations relating to the council's own preparation (as outlined below), as well as how the DWP nationally and locally are implementing full UC.

## Scrutiny committee work programme 2018 – 2019

DATE OF MEETING	TOPIC FOR SCRUTINY	RESPONSIBLE OFFICER, CABINET, PORTFOLIO HOLDER, COUNCILLOR,	SCOPE – REASON FOR TOPIC REQUEST and OUTCOME SOUGHT
1 August	<b>Approval to Place a Bid on a Potential Asset Investment</b>	Karen Watling, Chief Finance Officer; Andy Watt, Head of City Development Services	This report is not for publication because it would disclose information relating to the financial or business affairs of any particular person (including the authority holding that information) as in para 3 of Schedule 12A to the Local Government Act 1972.
20 September	<b>The impact of operation gravity/organised crime in Norwich since 2016, the role of the council and police when dealing with communities blighted by anti-social behaviour</b>	Bob Cronk, Director of neighbourhoods; Jo Sapsford, Early help and community safety manager	To provide members with key information on County Lines in Norfolk and the work that council officers are progressing with partners to help tackle the issue in Norwich
11 October	<b>Norfolk county councils consultation on Early childhood and family Service - transforming our children's centres</b>	Bob Cronk, Director of neighbourhoods	To identify where the biggest risks are for the children of Norwich so that the council can respond to the consultation.
11 October	<b>Responses to the discussion surrounding county lines</b>	Bob Cronk, Director of neighbourhoods	To ask members to formulate recommendations following the discussion on 20 September.

## Scrutiny committee work programme 2018 – 2019

<b>DATE OF MEETING</b>	<b>TOPIC FOR SCRUTINY</b>	<b>RESPONSIBLE OFFICER, CABINET, PORTFOLIO HOLDER, COUNCILLOR,</b>	<b>SCOPE – REASON FOR TOPIC REQUEST and OUTCOME SOUGHT</b>
22 November	<b>Responses to domestic violence in Norwich</b>	Jo Sapsford, Early help and community safety manager, Cllr Fullman	To understand and improve the City Council response, as part of multi-agency working, to how we as an organisation respond and help citizens facing this form of abuse.
22 November	<b>New Anglia Local enterprise partnership (LEP)</b>	Cllr Carlo	To consider adding an item to the future work programme which explores ways of improving democratic accountability of the New Anglia LEP and public input and increasing its effectiveness
13 December	<b>Corporate plan and performance framework</b>	Adam Clark, Strategy Manager	To consider amendments to corporate performance KPIs.
13 December	<b>Equality information report</b>	Adam Clark, Strategy Manager	Pre scrutiny of the report before it goes to cabinet.
31 January	<b>Pre Scrutiny of the council's 2019-20 budget and medium term financial strategy</b>	Cllr Kendrick, Karen Watling, Chief finance officer	To consider and make any recommendations to cabinet on the council's 2019-20 budget and medium term financial strategy.
14 February	<b>Insecure Jobs and Low Pay in Norwich</b>	Cllr Fullman	To explore how the Norwich economy is changing and how our economic strategy should respond to this so that the positive opportunities can be maximised for Norwich people.
21 March	<b>To scrutinise the decision by County's EDT Committee to end</b>	Andy Watt	Scope to be agreed with chair of scrutiny.

## Scrutiny committee work programme 2018 – 2019

DATE OF MEETING	TOPIC FOR SCRUTINY	RESPONSIBLE OFFICER, CABINET, PORTFOLIO HOLDER, COUNCILLOR,	SCOPE – REASON FOR TOPIC REQUEST and OUTCOME SOUGHT
	the joint highways agreement		
Unallocated	To agree scrutiny work programme for 2019/20 civic year		

# FORWARD AGENDA: CABINET and COUNCIL MEETINGS 2018 - 2019

ALLOCATED ITEMS						
Meeting	Report	Purpose	Portfolio holder + Senior Officer + Report author	Date report signed off by	Management clearance	Exempt?
<b>CABINET 13 MARCH 2019</b>	Quarter 3 2018/19 quarterly performance report	To report progress against the delivery of the corporate plan priorities and key performance measures for quarter 3 of 2018/19	Cllr Waters  Adam Clark		Adam Clark	NO
<b>CABINET 13 MARCH 2018</b>	Scrutiny committee recommendations	To consider the recommendations from scrutiny committee.	Cllr Kendrick Adam Clark		Adam Clark	NO
<b>CABINET 13 MARCH 2019</b>	An overview of external relationships, contracts and grants 2019-20	To consider commissioned services for the period 2019-20. These are both planned and current relationships with external organisations including partnerships, grants, contracts and shared services	Cllr Waters Adam Clark Tracy Woods		Adam Clark	NO
<b>CABINET 13 MARCH 2019</b>	Revised supplementary planning document for affordable housing	To adopt the supplementary planning document for affordable housing	Cllr Stonard Dave Moorcroft Graham Nelson/ Judith Davison		Dave Moorcroft	NO
<b>CABINET 13 MARCH 2019</b>	Pay Policy Statement 2019-20	To consider and recommend to full council the pay policy statement for 2019- 20.	Cllr Waters Anton Bull Dawn Bradshaw		Dawn Bradshaw	NO
<b>CABINET 13 MARCH 2019</b>	The award of contract for an early intervention rental income management tool – <b>KEY DECISION</b>	To seek approval to delegate authority to award a contract for an early intervention rental income management tool.	Cllr Harris Bob Cronk Grant Lockett		Bob Cronk	NO

ALLOCATED ITEMS						
Meeting	Report	Purpose	Portfolio holder + Senior Officer + Report author	Date report signed off by	Management clearance	Exempt?
<b>CABINET 13 MARCH 2019</b>	The award of contract for housing mechanical and electrical repairs and maintenance of common areas – <b>KEY DECISION</b>	To seek approval to award a contract for housing mechanical and electrical repairs and maintenance of common areas.	Cllr Harris Bob Cronk		Bob Cronk	NO
<b>CABINET 13 MARCH 2019</b>	The award of contract for Winchester Tower - Replacement of the electrical power distribution system and communal lighting – <b>KEY DECISION</b>	To seek approval to award a contract for the electrical power distribution system and communal lighting at Winchester Tower and to seek approval to award the contract	Cllr Harris Bob Cronk Carol Marney		Bob Cronk	NO
<b>CABINET 13 MARCH 2019</b>	The award of contract for architectural services for a full viability exercise to be undertaken for a potential leisure development at mile cross – <b>KEY DECISION</b>	To seek approval to delegate authority to award a contract architectural services for a full viability exercise to be undertaken for a potential leisure development at mile cross	Cllr Stonard Dave Moorcroft Richard Carden		Dave Moorcroft	NO
<b>CABINET 13 MARCH 2019</b>	Managing Assets (Housing) – <b>KEY DECISION</b>	To consider the disposal of the land and property assets mentioned in this report.	Cllr Harris Bob Cronk Steven Cleveland		Bob Cronk	YES (para 3)
<b>CABINET 13 MARCH 2019</b>	Procurement of postal collection and delivery services – <b>KEY DECISION</b>	To seek approval to delegate authority to award a contract for postal collection and delivery services	Cllr. Packer Nikki Rotsos Helen Beeson Dan Howes		Nikki Rotsos	NO

ALLOCATED ITEMS						
Meeting	Report	Purpose	Portfolio holder + Senior Officer + Report author	Date report signed off by	Management clearance	Exempt?
<b>CABINET 13 MARCH 2019</b>	Safer neighbourhoods initiative	To seek the views of Cabinet on proposals to respond to the increased levels of crime and disorder occurring in some areas of the city including those relating to county lines	Cllr. Harris, Cllr Maguire Bob Cronk		Bob Cronk	No
<b>CABINET 13 MARCH 2019</b>	Grant of right to buy one for one receipts	To consider the granting of right to buy one for one receipts to support the provision of new homes by registered providers	TBC - Cllr Paul Kendrick Resources or Cllr Gail Harris Karen Watling Andrew Turnbull		Karen Watling	YES (para 3)
<b>CABINET 13 MARCH 2019</b>	Future provision of contracted services	To consider the future provision of contracted services	Cllr Kendrick  Anton Bull		Anton Bull	YES (para 3) + (para 4)
<b>CABINET 13 MARCH 2019</b>	Managing Assets	To consider the disposal of the land and property assets mentioned in this report.	Cllr Kendrick Dave Moorcroft Andy Watt		Bob Cronk	YES (para 3)
<b>COUNCIL 19 MARCH 2019</b>	Pay Policy Statement 2019-20	To consider the pay policy statement for 2019-20.	Cllr Waters Anton Bull Dawn Bradshaw			NO
<b>CABINET 12 JUNE 2019</b>	Revenue and capital budget monitoring 2017/18 – final outturn	To update Cabinet on the revenue and capital outturns for the year 2017/18; the consequent General Fund and Housing Revenue Account balances; and to seek approval to delegate to officers the approval of carry-forward unspent capital budgets into the 2018-19 capital	Cllr Kendrick Karen Watling		Karen Watling	NO

ALLOCATED ITEMS						
Meeting	Report	Purpose	Portfolio holder + Senior Officer + Report author	Date report signed off by	Management clearance	Exempt?
		programme.				
<b>CABINET 12 JUNE 2019</b>	Economic strategy 2019-2024 - <b>KEY DECISION</b>	To approve for publication the economic strategy 2019-2024	Cllr Waters Dave Moorcroft Ellen Tilney		Dave Moorcroft	No
<b>CABINET 12 JUNE 2019</b>	Norwich Airport Masterplan – <b>KEY DECISION</b>	To report back on revisions to the draft masterplan and to seek approval of the final masterplan document.	Cllr Stonard Graham Nelson Judith Davison		Dave Moorcroft	NO
<b>CABINET 12 JUNE 2019</b>	Warden call replacement in Sheltered Housing – <b>KEY DECISION</b>	To inform Cabinet of the procurement process for the replacement of the warden call systems in sheltered housing and to seek retrospective approval to award the contract	Cllr Harris Bob Cronk Carol Marney		Bob Cronk	NO
<b>CABINET 12 JUNE 2019</b>	Managing Assets (Housing)	To consider the disposal of the land and property assets mentioned in this report.	Cllr Harris Bob Cronk Carol Marney		Bob Cronk	YES (para 3)
<b>CABINET 12 JUNE 2019</b>	Managing Assets	To consider the disposal of the land and property assets mentioned in this report.	Cllr Kendrick Dave Moorcroft Andy Watt		Bob Cronk	YES (para 3)
<b>COUNCIL 25 JUNE 2019</b>						
<b>CABINET 10 JULY 2019</b>						



ALLOCATED ITEMS						
Meeting	Report	Purpose	Portfolio holder + Senior Officer + Report author	Date report signed off by	Management clearance	Exempt?
<b>COUNCIL 23 JULY 2019</b>						
<b>CABINET 11 SEPT 2019</b>	Treasury Management full year review 2018/19	To consider and recommend to council the treasury management full year review 2018/19	Cllr Kendrick Karen Watling Miriam Adams		Karen Watling	NO
<b>COUNCIL 24 SEPT 2019</b>						
<b>COUNCIL 24 SEPT 2019</b>	Treasury Management full year review 2018/19	To consider the treasury management full year review 2018/19	Cllr Kendrick Karen Watling Miriam Adams		Karen Watling	NO
<b>CABINET 9 OCT 2019</b>						
<b>CABINET 13 NOV 2019</b>						
<b>COUNCIL 26 NOV 2019</b>						

ALLOCATED ITEMS						
Meeting	Report	Purpose	Portfolio holder + Senior Officer + Report author	Date report signed off by	Management clearance	Exempt?
<b>CABINET 11 DEC 2019</b>						
<b>CABINET 15 JAN 2020</b>	Treasury Management mid year review 2019/20	To consider and recommend to council the treasury management mid year review 2019/20	Cllr Kendrick Karen Watling Miriam Adams		Karen Watling	NO
<b>COUNCIL 28 JAN DEC 2020</b>						
<b>COUNCIL 28 JAN DEC 2020</b>	Treasury Management mid year review 2019/20	To consider the treasury management mid year review 2019/20	Cllr Kendrick Karen Watling Miriam Adams		Karen Watling	NO

**Norwich City Council**  
**SCRUTINY COMMITTEE**

## **Item No 6**

**REPORT for meeting to be held on Thursday 21 March**

### **Norfolk Health and Overview Scrutiny Committee (NHOSC)**

**Summary:** Councillor David Fullman is the council's representative on the Norfolk Health Overview and Scrutiny Committee.

The last meeting of the NHOSC took place on 28 February 2019. Attached is the representative's update from that meeting.

**Conclusions:** The purpose of this report is to receive an update from Scrutiny's representative on NHOSC.

**Recommendation:** To note the update of the NHOSC representative.

**Contact Officers:** Emma Webster, scrutiny liaison officer  
preferred contact by e-mail  
[emmawebster@norwich.gov.uk](mailto:emmawebster@norwich.gov.uk)

## **Notes of Health Overview and Scrutiny Committee 28th February 2019**

The meeting examined ambulance response and turnaround times as well as children's speech and language therapy.

There were reports from the Ambulance Trust, the Norfolk and Norwich University Hospital Trust and the Queen Elizabeth Hospital Trust. The interim chief executive of the Ambulance Trust said that there had been improvements in turnaround times but there was still a very long way to go. They have increased their workforce and there is better co-ordination. The main problem is that patients taken to hospital go through a system that no one organisation has responsibility for. Having said that, partnership working has greatly improved, and there is now an Emergency Care Board which is starting to address the issues.

It seems to me that, meeting after meeting, the HOSC gets presentations from new chiefs of failing parts of the local health service. The pattern seems to be that the failing service renews either their management team or their board, and sometimes both. The new management is committed to improving the service and their commitment cannot be doubted. We interview them and examine their improvement plans and then decide to get them back in six months' time, during which period there is often some sort of crisis which means that they renew their management, their board or both.

The speech and language therapy service for children is getting an injection of £0.5million. This represents an increase of 30% in their funding, but, as the service is underfunded by 45% the parents attending the meeting were not as impressed as the County Council seemed to hope they might be. The parents' group – SENSational Families – is now included in the stakeholder group, which is a good thing. There is a dispute between the commissioners and the parents over whether children with autism and Downs syndrome are included in the service – the commissioners say they are, but the parents' experience contradicts this. The commissioners say that they need to work with children before they are old enough to go to school, but no-one explained how that squares with the closure of most of the children's centres in the county.

Councillor David Fullman

**Norwich City Council**  
**SCRUTINY COMMITTEE**  
**ITEM 7**

**REPORT for meeting to be held on 21 March 2019**

## **Annual review of the scrutiny committee 2018 - 19**

**Summary:**

This annual review reports on the work and progress that has been made by the scrutiny committee for the period 2018–2019

Article 6d of the council's constitution (overview and scrutiny committees) states that the scrutiny committee will report annually to the council on its workings and make recommendations for future work programmes and amended working methods if appropriate.

**Conclusions:**

This snapshot view of outcomes as a result of scrutiny activity helps to reinforce that successful scrutiny is collaboration between the scrutiny committee, the cabinet, residents, partners and the officers of the council.

Scrutiny not only produces outcomes in terms of feeding into the decisions that are made but it can also play a valuable role to inform and develop knowledge for members.

**Recommendation:**

That the scrutiny committee recommends the annual scrutiny review for approval at the next available meeting of full council.

**Contact Officer:**

Emma Webster, scrutiny liaison officer  
preferred contact by e-mail  
[emmawebster@norwich.gov.uk](mailto:emmawebster@norwich.gov.uk)

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**1. Annual review of the scrutiny committee 2018/19**

**1.1 Chairs section - text to follow**

DRAFT

## 2. Working style of the scrutiny committee and a protocol for those attending scrutiny

- All scrutiny committee meetings will be carried out in a spirit of mutual trust and respect
- Members of the scrutiny committee will not be subject to whipping arrangements by party groups
- Scrutiny committee members will work together and will attempt to achieve evidence based consensus and recommendations
- Members of the committee will take the lead in the selection of topics for scrutiny
- The scrutiny committee operates as a critical friend and offers constructive challenge to decision makers to support improved outcomes
- Invited attendees will be advised of the time, date and location of the meeting to which they are invited to give evidence
- The invited attendee will be made aware of the reasons for the invitation and of any documents and information that the committee wish them to provide
- Reasonable notice will be given to the invited attendee of **all** of the committees requirements so that these can be provided for in full at the earliest opportunity (there should be no nasty surprises at committee)
- Whenever possible it is expected that members of the scrutiny committee will share and plan questioning with the rest of the committee in advance of the meeting
- The invited attendee will be provided with copies of **all relevant** reports, papers and background information
- Practical arrangements, such as facilities for presentations will be in place. The layout of the meeting room will be appropriate
- The chair of the committee will introduce themselves to the invited attendee before evidence is given and; all those attending will be treated with courtesy and respect. The chair of the committee will make sure that all questions put to the witness are made in a clear and orderly manner



### **3. Membership of the scrutiny committee**

#### **3.1 Councillors;**

Wright (chair)

Fullman (vice chair)

Carlo

Coleshill

Hampton

Manning

Raby

Sands (M)

Fulton-McAlister (M)

Sands S

Smith

Stewart

Thomas (Va)

Thomas (Vi)

Other non-executive members also took part as substitute members as and when required.

The scrutiny committee is politically balanced and is made up of councillors from the political parties of the council. Only non-cabinet members can be on the committee and this allows those councillors to have an active role in the council's decision making process.

#### **4. What is scrutiny?**

The Local Government Act 2000 introduced a structure within Local Government for decision-making and accountability and created a separation between the cabinet role and the non-executive member role.

Moving forward, subsequent acts of parliament have come in to extend the remit of scrutiny along with its statutory responsibilities. For example, local government scrutiny committees can now look at the work of partner organisations as well. The Local Government and Public Involvement in Health Act 2007 enabled local authorities to scrutinise other partners and agencies. This, along with other legislation relating to scrutiny powers has now been consolidated in the Localism Act 2011.

The cabinet proposes and implements policies and the non-executive members review policies and scrutinise decisions or pre scrutinise proposed decisions of the cabinet.

The committee sets its own work programme via suggestions from councillors, the cabinet and council, or from other issues of public interest. Any scrutiny topic that is undertaken needs to add value, and in considering suggestions for scrutiny the committee will ascertain the reasons why the matter would benefit from scrutiny, and what outcomes might be generated from inclusion to the work programme or other scrutiny activity.

The scrutiny committee assists non-executive and cabinet members in accordance with the Act by:

- Acting as a critical friend by challenging performance and helping improve services
- Ensuring policies are working as intended and, where there are gaps help develop policy
- Bringing a wide perspective, from the city's residents and stakeholders and examining broader issues affecting local communities
- Acting as a consultative body

In carrying out its role, the scrutiny committee can request written information and ask questions of those who make decisions. The committee is also enabled to comment and make recommendations to decision makers. These decision makers include cabinet, partners and other statutory organisations. Successful scrutiny is collaboration between the scrutiny committee, the cabinet, residents, partners and the officers of the council.

## **5. Principles of effective scrutiny**

The Centre for Public Scrutiny ([www.cfps.org.uk](http://www.cfps.org.uk)) has produced a guide to effective public scrutiny, which provides four Principles of Effective Scrutiny:

1. Critical friendship to decision-makers
2. Engaging the public and enabling the voice of the public and communities to be heard in the process
3. Owning the process and work programme with non-cabinet members driving the scrutiny process
4. Making an impact through continuously looking for improvements in public service delivery

For this to happen the scrutiny committee and the processes that support it must be independent, robust and challenging. This is because scrutiny works best when it is part of a positive culture that supports and promotes the scrutiny process. The way in which the scrutiny process has the ability to engage with and involve the council's residents and service users can be a way to ensure that reviews take on the views of local communities.

The effectiveness of scrutiny is balanced on the need to ensure that any purpose and benefits it can provide are clearly understood. The following questions for reviewing the effectiveness of a scrutiny function could ask:

- Is it effectively holding decision-makers to account?
- Is it helping to improve services?
- Is it building links between the council, its partners and the community?
- Is it helping to improve the quality of life for local people?
- Is it adding value?

In addition to the above questions; there should be a continued recognition from both officers and members of the value of effective challenge in helping towards continuous improvement. As Norwich City Council has continuously strived to achieve, the friendly challenge of the scrutiny committee to decision makers needs to not only be informed by ward members but also evidenced by the experiences encountered of service users and residents.

## **6. Setting the work programme for the year**

At the May 2018 meeting of the scrutiny committee members discussed and agreed the work programme; the outcomes of which are detailed in this report.

Standing items each meeting include:

- Public questions/petitions
- Declarations of interest
- Approval of minutes from previous meeting
- Scrutiny work programme (giving members the opportunity to add or remove items from the work programme if they wish).

Standard items annually include:

- Draft corporate plan
- Pre-scrutiny of the proposed budget
- Annual review of the scrutiny committee

Also, verbal updates from the committee's Norfolk Health Overview and Scrutiny Committee representation are brought to meetings as and when.

The agenda papers and minutes of the committee meetings can be found on the council's web-site:

[https://cmis.city.norwich.gov.uk/cmislive/Committees/tabid/62/ctl/ViewCMIS\\_CommitteeDetails/mid/381/id/4/Default.aspx](https://cmis.city.norwich.gov.uk/cmislive/Committees/tabid/62/ctl/ViewCMIS_CommitteeDetails/mid/381/id/4/Default.aspx)

(At the time of this review's publication, work has already begun by the scrutiny liaison officer and the committee members around the work programme for 2018 – 2019 and this will be officially agreed by the scrutiny committee in May at the first meeting of the new civic year.)

## **7. Training**

The committee took part in a training session delivered by the Local Government Association on 16 July 2018.

The aim of this session was to assist existing scrutiny members in gaining knowledge and building upon experience from previous training, and for the newly appointed members to be introduced to their scrutiny role.

The training provided an overview of scrutiny functions, challenges, effective work programming and effective questioning skills.

The members of the scrutiny committee also continue to come together for a pre-meeting in advance of the scrutiny committee so that they can plan the committee's approach for the topic being discussed at the committee meeting.

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## **8. Overview of the year**

There was a total of 11 scrutiny meetings held last year, including two call-ins. This section of the report lists the substantive items discussed at each meeting.

### **24 May 2018**

Setting of the scrutiny committee work programme for 2018/19

### **28 June 2018**

The growth of short term letting of homes in Norwich  
Response to the Communities and Local Government report on effectiveness of local authority overview and scrutiny committees

### **19 July 2018**

The impact of universal credit on vulnerable groups

### **1 August**

Approval to place a bid on a potential asset investment

### **20 September**

Norwich City Council response to county lines activity

### **11 October**

Recommendations – The impact of operation gravity and organised crime in Norwich since 2016  
Norfolk County Council consultation on early childhood and family service – Transforming our children's services

### **22 November**

Council and partner responses to domestic abuse  
Call-in Community Infrastructure Levy Exceptional Circumstances Relief Policy

### **13 December**

Draft corporate plan 2019-22  
Equality information report

### **3 January**

Call-in Commercial property investment strategy

### **7 February**

Pre-scrutiny of the budget

### **14 February**

Insecure jobs and low pay in Norwich - employment practise research

### **21 March**

Termination by Norfolk County Council of the Norwich Highways Agency Committee agreement.  
Annual review of scrutiny

## **Highlight of the year - Norwich City Council response to Operation Gravity and County Lines activity.**

Paul Sandford, assistant chief constable and Chris Small, Norfolk youth offending team attended the meeting.

The committee heard that;

- Norfolk Community Safety Partnership had adopted county lines as a priority to tackle the supply of class A drugs such as heroin and cocaine (and weapons) into more rural areas using vulnerable people to move them.
- County Lines refers to the telephone lines used to co-ordinate the selling of drugs operated by large organised crime groups. Operation Gravity is the name given to tackling this issue by the Police.
- Cuckooing is an issue in Norwich. This is the practise of taking over a vulnerable person's accommodation to use as a base for dealing drugs, usually in return for money or drugs. As a housing provider Norwich City Council has a responsibility for safeguarding vulnerable tenants.
- Social media is generating a huge amount of useful intelligence, and reporting of all intelligence was encouraged.

There followed a discussion on the exploitation of vulnerable children, including those excluded from school, and the importance of information sharing amongst partners.

Scrutiny members agreed to formulate their recommendations on how the city council could impact the reduction of county lines through its services and influence, facilitated by the director of neighbourhood services. At the meeting of scrutiny on 11 October it was resolved to recommend to cabinet that it considers addressing the issues of County Lines through the city council's services and influence, as follows:

- (1) liaise with contractors to provide front line staff with training on safeguarding and awareness of County Lines and that there is a process for reporting incidents to contribute to intelligence gathering;
- (2) following consultation with the police, that the council removes tags which demarcate the territories of drug gangs;
- (3) review the licensing policy and procedures to ensure that County Lines' activity is captured particularly in relation to the fit and proper test in relation to licences for private hire drivers and hackney carriage drivers;
- (4) review tenancy agreements and procedures for rapid response to County Lines' activities and treatment of vulnerable tenants "cuckooed" by criminals.

## **9. Joint scrutiny bodies**

### **Norfolk county health overview and scrutiny committee**

Norwich City Council has a scrutiny member representative who sits on the Norfolk County Health Overview and Scrutiny Committee (NHOSC) plus one substitute member. For the period 2018 – 2019 the member representative has been Councillor David Fullman with Councillor Fulton-McAllister (M) being the substitute member.

The role of NHOSC is to look at the work of the clinical commissioning groups and National Health Service (NHS) trusts and the local area team of NHS England. It acts as a 'critical friend' by suggesting ways that health related services might be improved. It also looks at the way the health service interacts with social care services, the voluntary sector, independent providers and other county council services to jointly provide better health services to meet the diverse needs of Norfolk residents and improve their well-being.

Please follow the link to the Norfolk County Council website for papers and minutes concerning the above:

<http://www.norfolk.gov.uk/index.htm> and click on council and democracy then committee meeting dates, minutes, agendas and reports.

### **Norfolk countywide community safety partnership scrutiny sub panel**

Norwich City Council has a scrutiny member representative who sits on the Norfolk Countywide Community Safety Partnership Scrutiny Sub Panel plus one substitute member. For the period 2018 – 2019 the member representative has been Councillor Stewart with Councillor Thomas (Va) being the substitute member.

The role of the Norfolk countywide community safety partnership scrutiny sub panel is to:

- Scrutinise the actions, decisions and priorities of the Norfolk Countywide Community Safety Crime and Disorder Partnership in respect of crime and disorder on behalf of the (County) community services overview and scrutiny panel
- Scrutinise the priorities as set out in the annual countywide community safety partnership plan
- Make any reports or recommendations to the countywide community safety partnership.

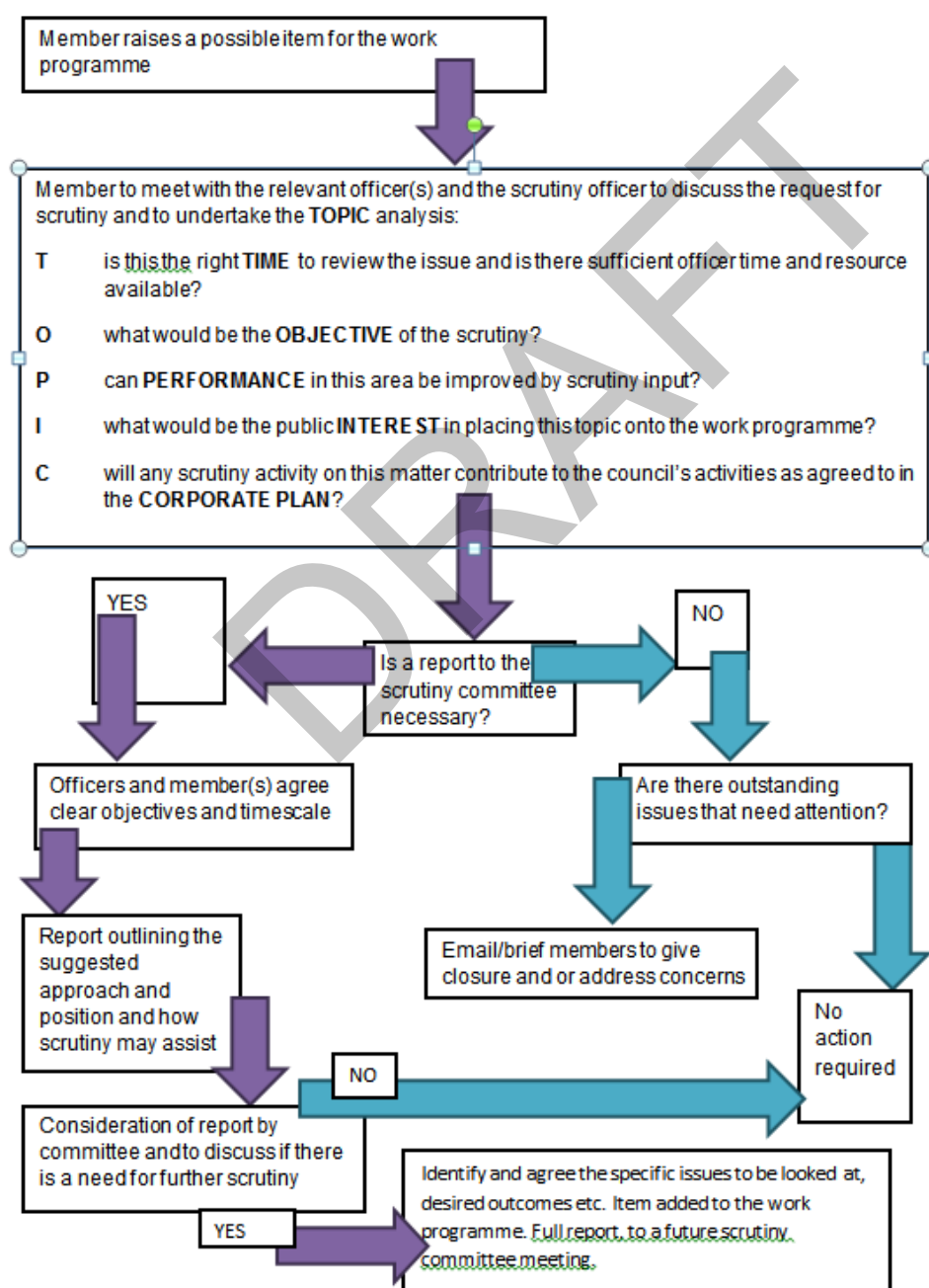
While the scrutiny sub panel has the duty of scrutinising the work of the CCSP the police and crime panel scrutinises the work of the Police and Crime Commissioner. There is a protocol regarding the relationship of these two panels to encourage and exchange information and to co-operate towards the delivery of their respective responsibilities. The community safety partnership meets on a half yearly basis at county hall.



## 10. Guidance for placing items onto the scrutiny committee work programme

The guidance takes the form of a **flow chart** which outlines the process by which members and officers can discuss the merits of producing a report to the committee. Once a request for scrutiny has been received by the scrutiny officer; the process begins with a meeting between the member making the request, the scrutiny officer and the relevant responsible officer to discuss whether a report to the committee is necessary and justified while taking account of the **TOPIC analysis**.

**Guidance flow chart for placing items onto the scrutiny committee work programme**



## **11. Public involvement and getting in touch with scrutiny**

Meetings of the scrutiny committee are usually as informal as possible and as well as scrutiny members, are attended by cabinet portfolio members, officers, partners and anyone else who can assist with the work and provide evidence for reviews.

Members of the public are also welcome to attend the scrutiny committee meetings and can participate at the discretion of the committee's chair. If you do wish to participate regarding an agenda item at a scrutiny meeting you are requested to contact the scrutiny liaison officer who will liaise with the chair of the committee. Any questions for the committee have to be received no later than 10.00 am three days before the meeting but in order for you to obtain a thorough answer it would be helpful if you could contact us as early as possible. To contact the scrutiny liaison officer please e-mail [emmawebster@norwich.gov.uk](mailto:emmawebster@norwich.gov.uk)

### **Getting in touch with scrutiny**

If you are a member of the public and wish to find out more about the scrutiny process and the committee or if you have any queries regarding this Annual Review, please feel free to contact the council's scrutiny liaison officer.

The way in which members of the public can contact us to put forward a topic for scrutiny has been updated in the last civic year. Previously people would have to print off the form from the Council's website, fill it in and post it to us. We thought that that may be a barrier to people getting in touch.

Now we have a new online form, you can see it. It just needs to be completed, hit send and it comes straight into the scrutiny liaison officer's inbox. The sender receives the following message automatically;

*Thank you for your request to scrutiny.*

*Your suggestion has been received by the scrutiny liaison officer and will be considered for inclusion in the work programme. We will let you know the outcome by e-mail.*

*If your suggestion is included in the work programme we will let you know which date the scrutiny committee will consider the topic so that you have the opportunity to attend the meeting.*

Please do feel free to tell people how easy it is to suggest a topic to scrutiny, and encourage them to use the new on-line form.

**Norwich City Council**  
**SCRUTINY COMMITTEE**

## **Item No 8**

**REPORT for meeting to be held on 21 March 2019**

### **Norwich Highways Agency Agreement**

**Summary:**

Norfolk County Council has decided not to renew its highways agency agreement with the council and it will therefore cease from 1 April 2020.

The decision comes at a key point in developing the Transforming Cities project which the council has been working hard with Norfolk County Council to achieve. Cabinet recently considered the implications of the decision on this and the delivery of highway services more generally. Cabinet concluded that either the agreement should be renewed or alternative arrangements are developed that continue to deliver the best transport outcomes for Norwich and Norfolk.

**Conclusions:**

Scrutiny committee is asked to consider the recent decision and help inform the development of alternative arrangements to the highways agency agreement that most effectively deliver the Transforming Cities project and the best transport outcomes for Norwich and Norfolk.

**Recommendation:**

1. To endorse the following recommended amendments to improve the proposed Transforming Cities governance:
  - a) Member group meetings are held in public;
  - b) The proposed member group is constituted to make decisions rather than to make recommendations to an existing Norfolk County Council decision making body or individual;
  - c) The make-up of the member group reflects the impact that TCF has within each area; e.g. three county council members, two city council members and one each from Broadland and South Norfolk
  - d) Where there is not a consensus agreement within the member group voting on a decision that is wholly within a specific district administrative area, the final decision should be made between the Norfolk County Council members and those of the district concerned; and

2. To note that there is on-going discussion to confirm the detailed arrangements for transferring highway and traffic functions 'back' to Norfolk County Council which will seek to ensure the parking element that remains delegated can be satisfactorily delivered alongside other highly integrated areas; notably highways development control, air quality and economic development/regeneration and alongside the city council's own district council highway functions..

**Contact Officer:** Andy Watt  
01604 212691  
[andywatt@norwich.gov.uk](mailto:andywatt@norwich.gov.uk)

## **Background**

1. Since local government re-organisation in 1974 a series of consecutive highways agency agreements have been in place between Norfolk County Council (NfkCC) and Norwich City Council which have delegated local highway authority functions to the city council to undertake on the county council's behalf. The agreement is a delegation of function under the Local Government Act 1972 and whilst it is for this council to decide whether to deliver the functions, the decision whether to delegate them in the first place rests with Norfolk County Council as highway authority.
2. Prior to any renewal the agreement is reviewed by the two councils. The current agreement was extended by a year and is due to expire at the end of March 2020. Following a review NfkCC has decided not to renew the current agreement and decided that NfkCC "delivers all the highway and traffic functions that are currently delegated to the City Council". The decision does not, however include delegated on-street parking and camera enforcement functions. A copy of the county council's report which informed this decision is appended.
3. The council is disappointed in the decision and a report to the February 2019 cabinet describes the implications of it in more detail (see report also appended).

## **Key issues**

4. Cabinet agreed to ask NfkCC to reconsider its decision and either:
  - a) Renew the agreement for a further period; or
  - b) Develop with the city council alternative arrangements that continue to deliver the best transport outcomes for Norwich and Norfolk.
5. It is recognised that renewal for a further period is very unlikely to be acceptable to NfkCC. However neither is a simple 'lift and shift' of functions likely to be practical or beneficial to public at least in some areas. Given the decision, the opportunity should be taken to improve service delivery; both for Norwich and the people in the rest of the county who rely on it and to realise efficiencies for both authorities. Taking steps to improve service delivery is particularly relevant at this time given that the Norwich 2040 vision has identified better transport connectivity as one of its' 5 key themes.
6. Since cabinet met there have been a number of high level discussions with NfkCC. These indicate a willingness to explore arrangements to succeed the present agency agreement.
7. Officers consider that there are two key issues arising from the decision that would benefit from specific arrangements. The first stems from Norwich having been shortlisted as one of 12 cities entitled to bid for a share of the Department for Transport's £1.2billion Transforming Cities Fund. The second is how parking, land use planning, air quality and economic development/regeneration issues, which very much link to the successful delivery of Transforming Cities, can be successfully managed, developed, planned and improved for the benefit of all who rely on Norwich.

## **Transforming Cities**

8. The Transforming Cities expression of interest focuses on improving connectivity and reducing congestion in the urban area. The vision is to "invest in clean transport creating a

healthy environment, increasing social mobility and boosting productivity through enhanced access to employment and learning”.

9. The Norwich Transforming Cities expression of interest has a predominantly urban focus, as required of all Transforming Cities and whilst not to diminish accessibility issues in the city’s wider catchment, the pressing need that will be addressed is intra-urban accessibility where connectivity is poor and congestion at its worst. In particular Norwich has been designated as a social mobility “coldspot” and it is hard for people from deprived neighbourhoods to reach employment, education and vocational training.
10. The urban area identified in the bid as the greater Norwich region covers the whole of the city council administrative area along with the northern suburbs and the Broadland Growth triangle in Broadland district council area, and the southern suburbs and Wymondham and Hethersett within the South Norfolk district council area. In Norwich 68% of the population of the administrative area lives within 500m of a proposed clean transport corridor. In Broadland it is 14% of their area, and 17% in South Norfolk
11. NfkCC’s initial proposals for the governance of the Transforming Cities programme is to make use of their existing governance arrangements but for recommendations to be made to inform NfkCC decisions by a Transforming Cities member group. The latter would comprise of members representing NfkCC (3) and the three district councils (1 each).
12. Transport proposals often result in considerable public attention and scrutiny. To provide credibility to the decision making it is therefore concluded that the group’s considerations should be held in public. This would build upon the success that has been achieved through the Norwich Highways Agency Committee, which will no longer exist.
13. Further public confidence and greater transparency would be provided if the member group was constituted to actually make the decisions rather than just making recommendations. It is anticipated that a member group of this nature would generally reach consensus on decisions. However, the chair would sit with NfkCC so ultimately their views would hold sway if such consensus did not emerge. Either way accountability would be clear to all concerned.
14. With Transforming Cities predominantly affecting Norwich City Council residents, a further recommendation would be to ensure that the city council have more representation on the member group than Broadland and South Norfolk. This could be achieved by increasing the county membership to 4, the city membership to 2 and retaining one member each for Broadland and South Norfolk. This would more fairly reflect the interests of the public affected by the proposals who mainly reside in the city.
15. It is recognised that the three district councils all have an interest in Transforming Cities; both within their administrative and in their neighbouring administrative areas. Not least many schemes are likely to be cross-boundary in nature. However the three district councils are answerable to their residents and business and not those in other district area. It would seem undemocratic for Members of neighbouring districts to vote in a way that meant a decision is taken that the district, where the intervention is to be implemented, were not in favour of. It is therefore argued where there is not consensus that the constitution of the group ensures that the decision is voted for by the NfkCC members and those of the district concerned (rather than the other districts as well).
16. Scrutiny is invited to endorse the above amendments to the proposed Transforming Cities governance.

## **Integration of parking, land use planning, regeneration and air quality**

17. NfkCC's decision only relates to highway and traffic functions that are the responsibility of the highway authority. These include;

- highway inspections and repairs,
- tree and grounds maintenance in the highway,
- co-ordination of road works
- providing advice on highway matters to the development management team
- responding to highway and transportation enquiries from the public

18. As mentioned already, on-street parking and camera enforcement functions will continue to be delegated to this council. This raises a number of practical issues about the precise delivery of these remaining functions and recognising, for example, that council is the off-street parking authority and as a district council it has a number of functions it has to fulfil itself in regard to the highway such as providing bus shelters and street furniture and managing street licences.

19. More generally there are the practical and contractual issues associated with having delivered services in a particular way and now having to unravel these arrangements whilst still preserving – and preferably enhancing – delivery to the public. Matters are further complicated due to the high level of integration between highway and traffic functions and other services such as street cleansing and events that have developed over many years.

20. Therefore whilst most areas may lend themselves to a simple transfer – albeit taking steps to try to preserve integration where appropriate – in a few areas a more nuanced approach may have merit. For example, if on-street parking functions are to be retained it is simpler to the public and provides financial efficiencies if enforcement, back office processes and the introduction or amendment of waiting restrictions and permit parking is kept together at this council. Furthermore it enables fixed costs to be spread across both off and on street parking to the financial benefit of both councils. Similarly it would be helpful to retain highway development control capacity to work alongside other planners and so as to ensure new development is facilitated to meet public needs and as efficiently as possible for those wishing to bring such development forward<sup>1</sup>.

21. Development control is a component in the wider toolset to help achieve wider economic development and regeneration. Economic development is at the heart of Transforming Cities where transport interventions that are funded by it will be expressly introduced to facilitate growth and improve productivity. Having transportation expertise working alongside economic development and regeneration professionals is therefore considered optimal to achieving these growth and productivity rewards even if delivery of interventions falls more to NfkCC in future than has hitherto been the case.

22. Such coordination of activity also has merit in relation to air quality. This is a statutory responsibility that sits with this council but where the majority of interventions required to improve air quality – for residents and those who work, shop or otherwise visit Norwich – are transport related. Some of the work on interventions is in any case parking related but as with economic development/regeneration the key issue is to ensure different professionals work alongside each other on an inter-disciplinary basis to maximise impact and avoid contradictory approaches.

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<sup>1</sup> The county already co-locate such staff into the other district councils to do just this

23. Retaining some transport planning expertise within the city council also enables the district council functions to be covered.
24. The detailed financial and other consideration of the above is now being taken forward by officers. Initial discussion acknowledges that a simple transfer may not be appropriate in all cases. Further work is now required to tease out the issues more fully and define arrangements that would work in practice. City officers have been invited to develop specific ideas in light of their experience in delivery functions for potential agreement between the parties.
25. Scrutiny committee is invited to endorse the above approach to achieve the best outcomes for Norwich and those that rely on the city in the rest of Norfolk.



# Environment, Development and Transport Committee

<b>Report title:</b>	<b>Review of Norwich Highways Agency Agreement</b>
<b>Date of meeting:</b>	<b>18 January 2019</b>
<b>Responsible Chief Officer:</b>	<b>Tom McCabe – Executive Director, Community and Environmental Services</b>
<b>Strategic impact</b> Norfolk County Council (NCC) and Norwich City Council have arrangements in place for the discharge of various highway and traffic functions by the City Council on behalf of the County Council. These arrangements are covered by the Highways Agency Agreement. This report outlines a review of the performance of the Highways Agency Agreement and details how this should evolve in future.	

## Executive summary

There are two major elements to the delivery of highways related activities in the City - the Highways Agency Agreement and the delivery of the Transport for Norwich (TfN) programme of transport schemes. The Agency Agreement covers the day-to-day delivery of highway functions and services, whereas the TfN programme is the wider delivery of strategic transport schemes outlined in the NATS Implementation Plan (now called TfN), which was adopted by the County Council in April 2010.

The current Highways Agency Agreement is dated 19 September 2014, and was due to expire on 31 March 2019. This time last year, the agreement was extended by twelve months, to enable a more detailed review to be undertaken, along with the identification of financial savings going forward. Therefore, the current agreement is due to expire on 31 March 2020.

The agreement states that either party must give 12 months notice to terminate the Agreement, and if by 1 April 2019 neither party has given notice, the Agreement will automatically be renewed for a period of 5 years from 1 April 2020.

Any decision to terminate the Highways Agency Agreement would need to consider the necessary transfer of staff from the City to the County Council under the TUPE arrangements that are set out in the Agreement.

### Recommendations:

Members are recommended to:

- 1. Discuss the details of this review of the Norwich Highways Agency Agreement;**
- 2. Decide whether the County Council wishes to enter into another Agency Agreement period, and if so, the duration of that agreement. The alternative would be for the County Council to deliver all functions covered by the existing agreement.**

## 1. Proposal

- 1.1. Norfolk County Council (NCC) and Norwich City Council have arrangements in place for the discharge of various highway and traffic functions by the City Council on behalf of the County Council. These arrangements are covered by the Highways Agency Agreement.
- 1.2. The decision on whether to carry on with the Highways Agency Agreement between the County Council and City Council is a finely balanced decision. There are advantages and disadvantages for both options considered in this report, as detailed below. All options considered achieve revenue budget savings, although the timing on the delivery of these and the risks associated with them vary.
- 1.3. Officers have considered the following options:
  - **Option A:** Give 12 months' notice to terminate the existing agreement so that the County Council delivers all the remaining highway and traffic functions that are currently delegated to the City Council. This would be effective from 1 April 2020.
  - **Option B:** Renew the Agency Agreement for five years, based on the current agreement but reviewed in line with current best practice from across the industry. This agreement would run from 1 April 2020 to 31 March 2025.

## 2. Evidence

- 2.1. The Highways Agency Agreement was subjected to reviews in 2010, 2013 and 2017. The overall conclusions in 2010 and 2013 was that the arrangement should continue but with regular reviews and improvements as appropriate. In 2017, it was concluded that the agreement should be extended by twelve months to allow a more detailed review to be completed and to identify possible enhancements and efficiencies which could result in a revenue saving to NCC.
- 2.2. Staff from both the County and City Councils, who work day-to-day on the delivery of the Highways Agency Agreement, have worked closely together over the past year to review the current arrangements and identify where potential savings could be realised. Particular emphasis has been placed on:
  - how effective the working arrangements are between both Councils in terms of delivering the outcomes to residents and stakeholders;
  - the costs of managing and delivering the Agreement.
- 2.3. It is worth highlighting that at the current time, not all highways functions are delivered by the City Council. There are some areas where due to the required specialisms, it is not cost effective for the City Council to deliver these functions. Over time, a number of services have been transferred back to be delivered by County Officers. The latest such event was the transfer of Highway Design staff in summer 2018, as it was not cost effective for the City Council to both recruit, train and retain a specialist Highway Design team. The table below highlights the current split within Highways services.

Work type	Who delivers?
Bridges	County
Traffic signals	County
Potholes	City using County Roadworkers /

	Tarmac
Streetlights	Both – separate assets owned by both City and County
Highway Maintenance – capital, including surface dressing and resurfacing schemes	Both
Highway Maintenance - routine	City using County Roadworkers / Tarmac
Highway Improvements - policy / strategy	City, but both for TfN schemes etc
Highway Improvements & Maintenance – design	County (recently transferred from City)
Streetworks / Permitting	City
Winter - Client side	Both
Winter – Delivery	County
Trees on Highway	City
Highways customer queries	City
Highways Member queries	Both
Highways MP queries	Both
Civil Parking Enforcement	City
Development Control	City

As can be seen from the table above, there are a number of interdependencies between City and County teams. The existing arrangements work well as the teams work very closely together, however, it can also be seen that for customers and staff outside of Highways, it can be confusing to know which organisation to speak to about which particular issue.

2.4. In summer 2018, Grant Thornton undertook a detailed audit on whether the existing City Agency agreement provided value for money. The main findings of this audit were:

- Areas of strength around the Agreement include the strong working relationship which has been built between the two authorities, and the benefits that this has brought both in terms of the Agreement and other related linkages including external funding success.
- The Norwich Joint Highways Agency Committee (NJHAC), which oversees the running of the Agreement, provides a clear decision-making process for decisions made in the area. This helps provide an audit trail should any of these decisions be challenged.
- The Annual Report on the delivery of the Agreement, provided to NHJAC, ensures that all of the relevant stakeholders are clear on the output of the Agreement over the course of a year.
- Areas where, in any future agreement, further clarity and precision would help strengthen the Governance and Value for Money arrangements around the Agreement, include:

- i). The Agreement itself is largely unchanged from the initial Agreement that was issued back in the 1970's following the re-organisation of Local Government functions. Given the time which has passed since then it would be beneficial for both parties to review and update the Agreement so it remains fit-for-purpose for the 21st Century.
- ii). The Agency Fee element of the Agreement has continued to increase over the past four years despite changes in the services covered by it, which should also be reviewed as part of the review of the Agreement.
- iii). Since the early months of the current Agreement, there has been very little formal performance monitoring being undertaken by either side of the Agreement. This area should be developed to give both organisations a clear understanding of the Value for Money of the Agreement.

- 2.5. As explained in Section 1, two main options have been considered. These are explained in detail below.
- 2.6. **Option A** is to terminate the Agency Agreement and bring all functions back in house. This would bring clarity as all the functions outlined in the table in 2.3 would be delivered by County Council teams. It would increase resilience and also foster greater consistency between the existing functions delivered by the County Council Highways teams, including the Area Offices and other client teams. There is also the potential to remove some areas of duplication such as the double handing of some customer queries, HR, Finance etc. Although it is expected that there will be cost savings once the transfer is complete, there will also be set up costs and risks. The cost savings are based on replicating the existing West Area Highways team model for delivery. Set up costs and risks include staff TUPE, office accommodation (ideally the staff would be split between County Hall and the Ketteringham Highways depot) and a significant risk around trees. The City have a far higher number of Highway Trees than the County, the maintenance of which is currently part-subsidised by City Council funds.
- 2.7. To clarify, **Option A** would give 12 months' notice to terminate the existing agreement, so that the County Council would deliver all the remaining highway and traffic functions that are currently delegated to the City Council. Subject to all HR, legal and financial issues being resolved, this would be effective from 1 April 2020.
- 2.8. **Option B** is to renew the Agency Agreement for five years, based on the current agreement but reviewed in line with current best practice from within the industry. This agreement would run from 1 April 2020 to 31 March 2025. This is the continuity option which continues with the close working relationship between City Council and County Council officers with delivery of the City Agency function the same as it is today, but with a greater focus on delivering revenue savings, as detailed in section 3 below. The split of functions would be the same as in Table 2.3.
- 2.9. As a result of the Grant Thornton audit and in line with the joint City / Council Officers review, proposals have been identified to reduce the costs of the current Agency Agreement arrangements outlined in **Option B**. These are dependent on external funding bids being successful, including the Housing Infrastructure Fund (HIF) and Transforming Cities bids. More detail of the financial implications of this proposal is detailed in Section 3 of this report.

### 3. Financial Implications

#### Current arrangements

- 3.1. The current Highways Agency Agreement consists of payments made to the City Council for works and functions delivered, as well as income generated by these activities. Any surplus income over and above that required to deliver works is payable to the County Council. This is then used to support the delivery of highways activities in the Norwich area.
- 3.2. Payments made to the City Council are summarised in the table below.

Payment in 2018/19	Amount
Annual City Agency Fee	£615,433
City Streetworks Permit Scheme	£52,852
City Structural Maintenance Fee (revenue)	£108,000
Winter Maintenance	tbc – being managed on staff recharge basis in 2018/19
<b>TOTAL</b>	<b>£776,285</b>

- 3.3. Payments are subject to annual index linking as calculated by the Executive Director of Finance and Commercial Services at the County Council.
- 3.4. The Annual City Agency Fee makes up the largest element of cost required to deliver the Highways Agency Agreement and covers a wide range of activities, ranging from highway inspections to network management and handling requests from the public for new highway schemes. To deliver this element of the Agreement, the City Council allocates the equivalent of **14.7** Full Time Equivalent (FTE) staff members. The allocation of this is outlined in the table below.

Role	FTE
Highway enquiries and inspections	5.7
Streetworks / network management	4.9
Traffic advice, enquiries and request for service	4.1
<b>TOTAL</b>	<b>14.7</b>

- 3.5. Staff at the County Council work closely with the City Council on many of the activities outlined above but not to the extent that there is duplication of service delivery. The City Council performs the lead or first contact role in these activities.
- 3.6. Income received from the City Council can be broken down into the following categories:
- Permits from items in the highways (such as scaffolding and skips). This is in the region of £10,000 net income per annum. This has been retained by the City Council in previous years.
  - Any surplus generated from delivering Civil Parking Enforcement (CPE) activities and the enforcement of bus lanes. Income varies year on year, depending on the level of infringements, new-hardware requirements etc.

The surplus is then transferred to the County Council for spending on highways and transport measures within the Norwich area.

- Advertising income from roundabout sponsorship etc. This has been retained by the City Council in previous years.

3.7. It should be highlighted that the figures quoted in 3.2 already reflect a £48,000 in year saving due to the removal of the winter maintenance allocation and a small reduction in the annual fee. This will be reduced by the actual staff recharge relating to winter at the end of the season, but demonstrates the ongoing partnership work between City and County Officers with regards to positively responding to the financial challenges.

### 3.8. **Proposed Options**

The two suggested options for the future of the City Agency Agreement are:

- **Option A:** Give 12 months' notice to terminate the existing agreement and from 1 April 2020 all remaining highway and traffic functions are delivered by the County Council;
- **Option B:** renew the Agency Agreement for a further five years, based on the current agreement but reviewed in line with current best practice from within the industry. This agreement would run from 1 April 2020 to 31 March 2025.

3.9. **Option A** would bring clarity to all functions as the County Council would be responsible for all areas of highway and transportation in Norwich. This option would provide improved resilience and improve consistency between City and County areas. It should be highlighted that, in line with other District and Borough Councils in Norfolk, the City Council would still be responsible for all matters related to off street car parking. The arrangements for on street parking enforcement would need to be reviewed with the countywide parking review work currently being developed.

3.10. With **Option A**, it is anticipated that there will be cost savings of between £50,000 to £75,000 per year. This is based on the current West Area Highways team model being replicated. There will also be set up costs and risks. These include staff TUPE arrangements, finding office accommodation and a significant risk around trees. The City have a high number of trees on Highway land, the maintenance of which is currently subsidised by City Council funds. The previous Highway licence status of these trees would need to be researched further.

3.11. **Option B** continues the status quo and renew the Agency Agreement for five years, based on the current agreement but updated to reflect current best practice from within the industry. This agreement would run from 1 April 2020 to 31 March 2025. This is the continuity option which continues with the close working relationship between City Council and County Council officers with delivery of the City Agency function the same as it is today, but with a greater focus on delivering revenue savings.

3.12. Officers have identified that revenue savings of £110,000 can be achieved from the current annual agency fee through part capitalisation. This will come predominantly from the transport planning element as a result of the changes in working practices around the development of highway improvement programmes. In recent years, with the reduction in the LTP improvements budget, the scope for the City Council identifying and administering their own

transport improvement programme using LTP investment has declined and the City Council now works very closely with the Transport for Norwich team to secure investment from outside sources. The City Council have been awarded over £13m of cycle ambition funding in the last 5 years from the Department for Transport, which alongside the £11.175m funding from the LEP has driven the Transport for Norwich programme. Looking forward to the next 4-5 years, the exciting opportunity afforded by these successful bids to get the Greater Norwich area awarded Transforming Cities status means that majority of work that was previously undertaken through the agency transport planning fee can be capitalised to the Transforming Cities fund.

- 3.13. In addition, there are savings which can be made to the highways element of the lump sum fee by ensuring that fees are capitalised wherever possible; this is particularly relevant to staff in the Streetworks team who will be helping with the development and co-ordination of Transforming Cities schemes. Therefore, overall **Option B** would result in the annual Agency Fee reducing down from its current total level of £776,285 to around £660,000.
- 3.14. It should also be noted that some of the proposed savings under Option B would also be possible under Option A. However, as these costs are currently managed by the City Council, the exact amount is not currently known.

## **4. Issues, risks and innovation**

- 4.1. When making any decision related to the future of the Highways Agency Agreement, it is important to note that this Agreement and the delivery of the Transport for Norwich (TfN) programme of transport schemes are separate entities. The Highways Agency Agreement is focused around the day-to-day delivery of highway functions, whereas the TfN programme is the delivery of strategic transport schemes outlined. For example, removal of through traffic from St Stephens Street in Norwich is linked to delivery of the TfN Implementation Plan and is not as a result of having a Highways Agency Agreement in place.
- 4.2. Risks have been highlighted within the two options contained within this report. Given the significant change, Option A represents the highest risk option which will require careful management. Option B represents a lower risk option as it is a continuation of the status quo (although resilience is an area of risk).
- 4.3. In light of the above information, the decision on whether to carry on with the Highways Agency Agreement between the County Council and City Council is a finely balanced decision. There are advantages and disadvantages for the options considered in this report. All options considered achieve revenue budget savings, although the timing on the delivery of these and the risks associated them vary.

## **5. Background**

- 5.1. The following papers provide background to the Norwich City Agency:

[1 March 2010 Cabinet – paper on Norwich City Highways Agency Review](#)

[19 Jan 2018 EDT committee – Review of the Norwich Highways Agency Agreement](#)

## Officer Contact

If you have any questions about matters contained in this paper or want to see copies of any assessments, eg equality impact assessment, please get in touch with:

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<b>Report to</b>	Cabinet	<b>Item</b>
	13 February 2019	
<b>Report of</b>	Head of city development services	<b>1</b>
<b>Subject</b>	Norwich Highways Agency Agreement	

## KEY DECISION

### Purpose

To ask Norfolk County Council to reconsider its' decision not to renew the Norwich Highways Agency Agreement

### Recommendation

- (1) To ask Norfolk County Council to reconsider its decision not to renew the Norwich Highways Agency Agreement based on the implications for Norwich and Norfolk set out in this report that were not made clear in the report to the Environment, Development and Transport committee; and
- (2) Either:
  - a) Renew the agreement for a further period; or
  - b) Develop with the city council alternative arrangements that continue to deliver the best transport outcomes for Norwich and Norfolk.

### Corporate and service priorities

The report helps to meet the corporate priority a safe, clean and low carbon city.

### Financial implications

This report focuses on the strategic and reputational issues. There are negative financial implications should the agency agreement not be renewed some of which are described in the officer report to the county council's Environment, Development and Transport Committee of 18 January 2019.

**Ward/s:** All Wards

**Cabinet member:** Councillor Stonard - Sustainable and inclusive growth

### Contact officers

Andy Watt, Head of city development	01603 212691
Joanne Deverick, Transportation & network manager	01603 212461

### Background documents

None

# Report

## Background

1. Since local government re-organisation in 1974 a series of consecutive highways agency agreements have been in place between Norfolk County Council and Norwich City Council which have delegated local highway authority functions to the city council to undertake on the county council's behalf. As part of the agreement the city council agrees not to exercise certain district powers relating to highways.
2. It is important to recognise that the delivery of these functions by the city council is made within the context and direction set by relevant county council policies. Also the programmes and schemes delivered, such as Transport for Norwich projects, arise out of county council programmes and plans. The county council's Transport for Norwich programme, which has resulted in such measures as improvements at the Dereham Road/Sweet Briar Road roundabout or the closure of Westlegate, should not be confused with the agency agreement.
3. At its meeting on 18 January 2019, the county council's Environment, Development and Transport (EDT) committee resolved not to renew the current agency agreement when the existing agreement ends on 31 March 2020. The exception to this is on-street Civil Parking Enforcement (CPE)<sup>1</sup> which remains delegated to the council.
4. The EDT report has a relatively narrow focus and in particular is concerned with the costs associated with the agency agreement and operational matters. It does not necessarily consider the impact on Norwich nor its position as regional capital and the interdependence between the city and its wider county catchment. It is for this reason that the city council believes the county council was premature in making the decision it did.
5. It is therefore respectfully asking that the following wider implications are considered before any final decision is made:

### Norwich 2040 vision

6. The council has been working with a huge range of interests and stakeholders whose geographical remit includes the city but also very often Norfolk and East Anglia more widely to develop a vision for the city. This vision sees Norwich becoming "a shining example for medium-sized cities across the globe", leading rather than following and taking steps to make sure it prospers for all who live, work, and visit or otherwise rely on it.
7. One of the key themes that have emerged is the need for a connected city, both within but also with its wider catchment into Norfolk and the world more generally. Transport plays a key role in this and a wide range of organisations need to work together to ensure that it is effective, clean, affordable and

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<sup>1</sup> On-street CPE is also delegated to other district councils in Norwich. The county propose to review CPE in the coming months with the district councils.

integrated. The integration of planning, parking and regeneration activities with transport that arises from the agency agreement is a key tool in delivering effective transport in the urban area that best meets the needs of all who live or use the city; balancing the need for good connectivity with managing the consequences that can arise.

### **Transforming cities fund**

8. Norwich has been shortlisted as one of 12 cities where the highway authority, i.e. Norfolk County Council, is entitled to bid for a share of £1.28 billion for work to transform the way people move around the urban area; making it more efficient to improve productivity and facilitate sustainable economic growth.
9. The city council was instrumental in preparing the initial successful expression of interest bid (much more so than Broadland or South Norfolk District Councils) working with county colleagues. Use was made of the expertise that the city has in urban planning and land use issues and the knowledge that the council has about the needs of the city's residents and those that use the city.
10. The dismantling of the agency agreement has the potential to derail the potential success of the transforming cities programme and the preparation of the business cases to secure the funding for which urban Norwich is eligible. In turn this runs the risk that the rewards of improved productivity and connectivity that would be enjoyed by both those living in the urban area and those that rely on it travelling from further afield would be lost.
11. The urban area of Norwich is the preeminent employment location in Norfolk and one of the fastest growing cities in the country with very good prospects for this to continue. However the bidding for and delivery of transforming cities projects will be undoubtedly challenging. To best benefit Norwich and its hinterland it would seem to make most sense to build on the existing strengths that the two authorities have in place through the agency agreement rather than remove them. The skills and joint working that have been instrumental in the success of this bid – as well as in previous bidding such as the City Cycle Ambition Grant programmes – should not be jeopardised.

### **Norwich highways agency committee**

12. Since 1996 all decisions relating to changes to the highway in the city have been considered by the Norwich Highways Agency Committee (NHAC). NHAC is a joint committee of both councils, which the county has control of by way of the chair's casting vote.
13. The combination of county and city members is its strength as it elegantly ensures that both county and city interests are properly represented, that these interests also take account of all perspectives and not just those associated with the city administrative area and that ultimately the county council's strategy prevails. It is perhaps for good reason that the recent audit of the highways agency commissioned by the county council commented on the strength of the workings of the joint committee.
14. Without NHAC the proposal is for decisions about transforming cities to be made by the relevant county cabinet member in consultation with member

representatives from the city council, Broadland and South Norfolk District Councils. This appears to be a retrograde step which diminishes the transparency, inclusiveness and accountability provided via NHAC.

### **Development management**

15. The quality of development in the city is significantly enhanced by the integration of the planning and transportation teams. There are many constraints that arise from trying to develop in an urban area, particularly an historic city such as Norwich. The integration of planning and transportation through the agency agreement ensures that there is the best possible balance between the provision of new uses, their design and the provision of high quality access, which does not adversely affect existing road users.

16. For example

- Through the agency agreement, the development management service is able to give clear and quick – and hence less costly – advice to developers, that incorporates transport and highways considerations.
- Recognition can be given to future highway schemes which may not yet be in the public domain to ensure that development does not conflict with them.
- Having transport professionals working alongside planners ensures key traffic and highway details are always picked up.
- Highway streetworks professionals are able to advise on the programming and construction management of development.
- Officers working at the city council under the agency agreement have developed a high level of expertise in dealing with the specific transport and design requirements of an urban environment
- The close working ensures both transport professionals and planners have a more rounded perspective allowing more creative solutions and better decisions.

17. There is no doubt that the rounded advice this helps ensure is seen as beneficial by planning applicants. Termination of the agreement would remove the close integration in place and consequently introduce an additional impediment to development, putting new commercial and residential investment at risk.

### **On street parking**

18. On-street parking issues including the creation of controlled parking zones or yellow lines to improve access make up a substantial proportion the work delivered via the agency agreement. Norwich is a successful city economy but relies on an historic road layout, which means parking is a major issue for residents and businesses.

19. Operationally there is considerably increased potential for confusion if one council is dealing with the day to day administration of parking permits and

penalty charge notices, while another council is responsible for making changes to parking restrictions or introducing new permit areas.

20. On-street parking is one component of the parking offer the city provides; the others being park and ride (provided by the county council) and off-street parking (provided by the city council and other third parties). The agency agreement has helped ensure that the constituent elements operate in harmony and are consistent with jointly agreed policies to best meet demand and help control congestion. Without an agency agreement the risk arises that such integration breaks down and commercial drivers to maximise income prevail at the expense of effective network management.

### **Air quality**

21. The need to manage and improve air quality is a district council responsibility, however vehicle traffic is the main contributor to excessive levels of nitrogen dioxide in parts of the city centre where statutory limit values are exceeded. Air quality therefore necessarily has to involve the transport authority, i.e. Norfolk County Council.
22. Until now the city and county councils have worked collaboratively to resolve air quality issues with the agency agreement providing a means for environmental health and transport disciplines to work effectively together resulting in reduced emissions in many streets. There is undoubtedly more work to do and the separation that would arise if the agency agreement ended would lead to less efficient working and potential for conflict and hence reduced effectiveness in addressing the issue. In turn this creates the risk of continuing health impacts affecting not only residents but also those who work and visit the city more generally.

### **Events**

23. Norwich is noted for the range and quality of events held in the city centre and elsewhere. These include the Lord Mayor's procession, Battle of Britain and Remembrance events and various other sporting and cultural occasions which are enjoyed by city residents along with those living in the rest of Norfolk. These very popular events are important to the economy helping to sustain the city centre economy.
24. With the events team and street works teams co-located in City Hall there is a very strong working relationship between the two which ensures the events themselves are a success and that the impact of such events is minimised on road users. The work done between these teams has resulted in the success of national level events such as Radio 1 Big Weekend and the upcoming British Cycling Championships.

### **Operational implications not fully addressed in the EDT report**

25. Street trees – As the EDT report mentions, currently the city council makes a significant financial contribution to the inspection and maintenance of trees that are within the highway. Street trees provide multiple environmental services to the city - cleaner air, wildlife habitat, flood mitigation, sense of well-being, mitigating urban heat island effects and aesthetic pleasure.

26. The city council currently spends in the region of £300k above that which Norfolk County Council provides and if it reduces its expenditure because it no longer has responsibility for the highway then the county council will need to spend more. The alternative is to remove trees, just when the Government is consulting on measures to ensure that local authorities are more sensitive to tree provision and views of communities following on from the controversial tree felling in Sheffield.
27. Avoidable contact – While the county council report suggests there is confusion among the public as to which authority to approach on a highway issue, in reality the numbers experiencing this are low and the vast majority of correspondence comes to the city council in the first instance. The city council takes responsibility and ownership of issues providing one point of contact for customers.
28. Ending the agency will therefore mean that all those that are used to contacting the city council will now be directed to the county council resulting in significant levels of avoidable contact, which is both inefficient and will be costly to both authorities. Furthermore contact often relates to a variety of issues. The efficiency of being able to address such contact on a 'one-stop' basis would be lost in the absence of the agency agreement. The reality is that avoidable contact is likely to increase to the detriment of both authorities.
29. Joint working – present arrangements allow for district and highway/transportation functions to be integrated. The link between planning and transportation has already been highlighted. Other examples include:
- a) The integrated approach to gully and street cleaning in streets so that activities are coordinated improving customer satisfaction and reducing flooding risk. This integration is possibly unique within two tier authority areas.
  - b) Collaboration between all staff involved in street scene management so that highway defects or overhanging vegetation issues are more quickly addressed.
  - c) Coordinating highway authority and district powers (e.g. development control) to more effectively address streetscene problems such as advertising trailers or encroachments.
  - d) Coordinated maintenance of open spaces which are part adopted highway and party land owned by the council, for example Hay Hill and areas in Bowthorpe.
  - e) Enhanced planting on roundabouts through city council and Norwich in Bloom initiatives which also deliver planting more cheaply and offer horticultural training for students.

## **Conclusion**

30. It is very regrettable that when transport in Norwich is on the cusp of the beneficial opportunities offered by the transforming cities fund, that the county council are seeking to dismantle a successful delivery mechanism that has

operated in the city over many years. An independent audit report commissioned by the county council to inform the decision about whether the agency agreement should continue which was not shared with members of EDT or NHAC concluded “Areas of strength around the Agreement include the strong working relationship which has been built between the two authorities, and the benefits that this has brought both in terms of the Agreement and other related linkages including external funding success.”

31. The agency agreement has been an important element in the set of collaborative working arrangements that have enabled ever closer joint working and improved governance between the two councils as well as our neighbours. These have involved the creation of the Greater Norwich Development Partnership, preparation of the Norwich Area Transport Strategy and Joint Core Strategy, entering into the City Deal, forming the Greater Norwich Growth Board, pooling community infrastructure levy, obtaining central government and Local Enterprise Partnership infrastructure funding and more recently the exceptionally close working on the transforming cities fund.
32. It would be deeply regrettable if the cessation of the agency agreement led to a reversion to the poor relations between the two councils that existed in the past when the city council challenged various major transport projects through planning and legal processes. It is appreciated that circumstances and context change. However the council concludes that an agency agreement remains a relevant and very important component in the delivery of good transport for Norwich and those who rely on Norwich. If the county council are determined to terminate the present agreement then robust alternative provisions should be put forward to ensure the risks of negative implications set-out in this report are avoided.

## Integrated impact assessment



**NORWICH**  
City Council

### Report author to complete

<b>Committee:</b>	Cabinet
<b>Committee date:</b>	13 February 2019
<b>Director / Head of service</b>	Andy Watt
<b>Report subject:</b>	Norwich highways agency agreement
<b>Date assessed:</b>	4 February 2019



	Impact			
Economic (please add an 'x' as appropriate)	Neutral	Positive	Negative	Comments
Finance (value for money)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	There are positive (savings on tree and grounds maintenance expenditure) and negative (overhead recovery) implications of the termination of the agreement. However on balance the impact on overall public purse is judged to be positive if the agreement is retained or successor arrangements agreed.
Other departments and services e.g. office facilities, customer contact	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The effectiveness of the council's planning, streetscene and parking functions is greater with the agency agreement than without.
ICT services	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Economic development	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The agency agreement allows for transportation aspects of local economic development and regeneration to be more effectively addressed.
Financial inclusion	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The recommendation has no impact on financial inclusion.
Social (please add an 'x' as appropriate)	Neutral	Positive	Negative	Comments
Safeguarding children and adults	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The recommendation has no social impact.
<u>S17 crime and disorder act 1998</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The recommendation has no social impact.
Human Rights Act 1998	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The recommendation has no social impact.
Health and well being	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Retention of the agreement or satisfactory successor arrangements will help ensure effective means are in place to tackle traffic related air pollution and hence improve health and wellbeing.

Equality and diversity (please add an 'x' as appropriate)	Neutral	Positive	Negative	Comments
Relations between groups (cohesion)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The recommendation has no impact on equality and diversity.
Eliminating discrimination & harassment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The recommendation has no impact on equality and diversity.
Advancing equality of opportunity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The recommendation has no impact on equality and diversity.
Environmental (please add an 'x' as appropriate)	Neutral	Positive	Negative	Comments
Transportation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The agency agreement ensures a balanced transport system for the city that helps it meet its economic potential whilst reconciling the needs and perspectives of people living in and outside the urban area.
Natural and built environment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The agency improves links between the natural & built environment and transportation through the integration that exists with the planning process for example.
Waste minimisation & resource use	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Pollution	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Retention of the agreement or satisfactory successor arrangements will help ensure effective means are in place to tackle traffic related air pollution.
Sustainable procurement	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Energy and climate change	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

(Please add an 'x' as appropriate)	Neutral	Positive	Negative	Comments
<b>Risk management</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Retention of the agreement or satisfactory successor arrangements will help ensure the risks associated with terminating the current effective and successful arrangements.

Recommendations from impact assessment	
<b>Positive</b>	
Retaining the agency agreement or satisfactory successor arrangements ensure transport in Norwich is effectively managed and improved for the benefit of the city and Norfolk as a whole.	
<b>Negative</b>	
Terminating the agreement presents a variety or significant risks which are rehearsed in the report and are opposite to the reasons for retaining it.	
<b>Neutral</b>	
<b>Issues</b>	
The council will need to consider its position should the agency agreement not be renewed satisfactory successor arrangements come forward.	

