



NORWICH
City Council

COUNCIL

22 March 2011

Questions to Cabinet Members and Committee Chairs

Question 1

Councillor David Fairbairn to the chair of scrutiny committee:-

At the scrutiny committee meeting of 24 February 2011, five members of the public sat through a three hour meeting, and would have gladly put questions or given their views, if asked to do so by the chair. Indeed this was pointed out to the chair early in the meeting. Can the chair of scrutiny justify why she did not invite these members of the public to ask a question or comment on the session, at the end of the meeting, as they were obviously interested, and very patient, observers?

Councillor Claire Stephenson, chair of scrutiny committee's reply:-

I'd like to thank members of the public who have observed and taken part in scrutiny committee meetings. I would like the general public to be involved far more in scrutiny reviews and I hope that ways will be found to make this happen when the committee sets its work programme for next year.

I have been advised that members of the public may speak at a meeting on an agenda item, at the discretion of and through the chair. Accordingly it is inappropriate to allow the public to question officers directly. At present there is no reference to uninvited members of the public speaking at committee meetings in the council's constitution, and I hope this omission will be dealt with in the next civic year. Following the incident Councillor Fairbairn refers to, I asked that the section of the Annual Scrutiny Review which gives guidance on members of the public speaking at committee meetings was made clearer.

It was unfortunate that none of the interested observers had informed me in advance that they wished to speak at the meeting as I would then have opportunity to do so. As chair, I do not consider repeated interruptions to the meeting from observers to be helpful. Scrutiny committee members had been asked to prepare questions for council officers in advance, and to keep their discussion within the specific area of due diligence. It would therefore be for members of the public to introduce new areas of discussion, without warning.

There is of course an opportunity for residents who live in Norwich or are eligible to stand for election to the city council to ask questions at council, cabinet and committee meetings, in accordance with appendix 1 of the council's constitution. Notice of the question needs to be given to the committee officer by 10.00am on the day before the meeting so that a response can be prepared. This is clearly stated on agendas. However in this instance no questions were received in advance of the meeting.

If any member of the public, or any member of this council would like a particular item to be reviewed or looked into further by the scrutiny committee, I would encourage them to contact the scrutiny officer. It is important that as many people as possible are properly involved in the scrutiny process. The scrutiny officer can be contacted at City Hall: Steve Goddard, scrutiny officer, stevegoddard@norwich.gov.uk or 01603 212491.

Question 2

Councillor Stephen Little to the cabinet member for resources, performance and shared services:-

How many meetings of full council, cabinet and other committees and working groups have been cancelled in the period since last September's election?

Councillor Alan Waters, cabinet member for resources, performance and shared services reply:-

Thank you for your question Councillor Little. The context, as you will be aware, relates to

- (a) the outcome of discussions that have been held between group leaders looking at how to further improve efficiency around the democratic process.
- (b) Unprecedented cuts in local authority budgets by the Tory/Lib Dem government.

In the period since September, 2010 elections, group leaders have agreed that three scheduled meetings of full council should not be convened as there was no business to be transacted that related directly to amending the budget and policy framework.

Following the outcome of the general election and the financial pressures placed on the council by the Coalition Government, the cabinet was quick to consider how to reduce the burden on officers who produce reports and service meetings. In discussion with management, the forward agenda of cabinet items has been revised to allow the necessary business to be transacted by convening five fewer meetings.

So in total 16 council, committee and working party meetings cancelled since the September election.

Question 3

Councillor Samir Jeraj to the cabinet member for resources, performance and shared services:-

I am sure that the cabinet member agrees with me in supporting the actions of civil society groups such as UK uncut in highlighting corporate tax evasion. Can the council show solidarity with these groups and divest from those corporations unwilling to pay their fair share?

Councillor Alan Waters, cabinet member for resources, performance and shared services reply:-

Thank you for your very pertinent question Councillor Jeraj, with which I have much sympathy. I can certainly provide reassurance about the city council's position on companies who have committed tax evasion offences.

The Public Contracts Regulations 2006 clearly state that we **must** treat as ineligible any supplier where we have knowledge of a conviction for cheating the revenue or defrauding the Customs or an offence in connection with taxation in the European Community. Further, we **may** treat as ineligible any supplier who has not fulfilled obligations relating to the payment of taxes under the law of any part of the United Kingdom or of the relevant State in which the economic operator is established. Tax evasion (as opposed to tax avoidance) is defined as efforts not to pay taxes by illegal means. Where the council has knowledge that suppliers have been convicted of the offences listed in the Public Contracts Regulations the council will not award contracts to those suppliers.

On your broader point about tax avoidance or minimising tax payments - the work of civil society groups like UK uncut; the Tax Justice Network and campaigners for a Robin Hood Tax have calculated that the amount lost annually in tax avoidance; tax evasion and uncollected tax amounts to a total tax gap of £121bn – over 81% of the annual budget deficit.

It is a reminder that it was a collapse in tax revenues – not an overspend on public services – and heavy transfusions of ordinary taxpayers money to prop up the banking sector that created the deficit. If the Coalition Government put its energy into dealing with the tax gap, including a punitive tax on banker's bonuses (£7bn paid out in the first quarter of 2011) then many of the cuts in vital services would not be necessary and the economy would not be threatened with a deep recession – which will be damaging to the public, private and voluntary sectors.

Question 4

Councillor Ash Haynes to the cabinet member for environment:

In flats and houses on Alternate Weekly Collections which have communal facilities, some residents with mobility difficulties are having trouble carrying and lifting their waste and recycling into the communal bins. Could the Council do more to directly assist these residents?

Councillor Victoria MacDonald, cabinet member for environment's reply:

If any tenant is finding it difficult to manage disposing of their rubbish we will visit and discuss individual requirements and options for disposing of their rubbish including self help, signposting for support packages and reasonable adaptations to ensure access the new disposal service. We are also conscious that where this change has highlighted individual issues there may be wider personal issues that become apparent that we can also address in a positive way with partnering agencies, this

might include an occupational therapist to provide a holistic assessment of needs. We can then use that information to explore what reasonable adjustments we can then offer to allow you equal access not just our services but improved quality of life.

In these specific/ individual circumstances we will make temporary arrangements until we have undertaken the personal holistic assessment work and found a sustainable solution.

Question 5

Councillor James Wright to the cabinet member for resources, performance and shared services:-

At the recent Budget Council, the cabinet member for resources, performance and shared services alluded to his support for freedom of information in the public sector, something which I fully advocate. Could he please let me know how many times in the last 18 months Norwich City Council has used provisions in the Freedom of Information Act to withhold information when a request has been made?

Councillor Alan Waters, cabinet member for resources, performance and shared services reply:-

As you well know Councillor Wright the council has fully embraced the spirit of openness; including publishing a very comprehensive publications scheme and website to provide information to the public. We also provide all information requested under Freedom of Information, including information that could, under exemptions in the Act, be withheld, unless there are very clear reasons not to do so.

There are absolute exemptions (such as personal information; information provided "in confidence" or information accessible to the applicant by other means), and qualified exemptions (including commercial interests and legal professional privilege)

In the last 18 months the council has received 661 FOI requests by email or letter – however, most of these requests have multiple individual questions (for example a recent "round robin" FOI to all councils in the country by a daily telegraph journalist had four separate questions including – "Please provide any documents, memos, letters or emails related to twinning written in the above mentioned (financial year 2009/10 and 2010/11) period." !!)

Of the 661 requests received, 23 have included some information that the council was unable to provide under the exemptions. An additional nine requests were refused where responding to the request would have taken time/cost over the appropriate limit as specified in the FOI Act.

As I stated in reply to a question on FOIs at the January council meeting, the council's web site and content is under review as part of a refresh exercise and I will ask that publishing FOI responses on the site be considered as part of that exercise.

Question 6

Councillor Judith Lubbock to the cabinet member for housing:-

Recently an enquiry from a leaseholder revealed that it was not council policy to allow leaseholders to improve the condition of their flat by installing loft insulation. I quote from the letter received from the council.

“As the loft space is the responsibility of the council unfortunately I am unable to grant you permission to insulate the loft.”

On behalf of the leaseholder I questioned this policy which did not allow the leaseholder to improve their property and reduce fuel bills.

My enquiry prompted an investigation into this situation which resulted in a change to policy and now the leaseholder has been told that they can instruct contractors to do the work to insulate the loft as long as they adhere to a long list of conditions.

Will the cabinet member for housing agree with me that this policy not to allow leaseholders to insulate their lofts was completely unacceptable, an embarrassment to her administration and completely at odds with this council's policy of reducing CO² emissions?

Councillor Brenda Arthur, cabinet member for housing's reply:-

As with most issues there are two sides to this. Given that the vast majority of the council's housing properties had their lofts insulated some years ago to a level which was in excess of the minimum requirement requests to have work of this kind carried out are extremely rare.

The policy of not allowing work to be carried out by within the loft space by other contractors had been in place for a considerable time – and although I cannot put an exact date of it - I am assured it was in place during the period that the Liberal Democrats controlled the council. Councillor Lubbock is a member of that former Liberal Democrat administration whose record on window replacements and recycling are examples of why she is not in a good position to criticise on carbon reduction measures.

This policy was introduced after other contractors carrying out work on residents behalf has caused damage in lofts resulting in the city council having to repair the damage at a disproportionate cost to the HRA (housing revenue account). I am sure Councillor Lubbock will support me in saying we must use HRA funds prudently. At the time it was felt that the best option was to not allow work to be undertaken in roof voids. As it had been a very long time since anyone had made a request to add insulation to their loft the policy had not been reviewed or changed to bring it in line with the more cooperative approach we have developed for working with tenants and leaseholders. However following this request and in view of the spiralling energy costs the policy has been revised and revised. Permission can now be given subject to certain conditions and assurances which reduce the risk of tenants having to foot the bill through the HRA by having to make good any damage after the works are completed.

This clearly demonstrates the way the city council is listening to and working with residents. It reflects the progress over the past five years to change the culture within the organisation to one which responds positively to changes in circumstances and requirements.

It also highlights a need to review policies in a timely and ongoing manner which as part of our housing improvements we are increasingly doing. We would feel embarrassed if we had something brought to our attention that is archaic or has been overlooked and we failed to deal with it properly and promptly. But by Councillor Lubbock's own testimony this matter was dealt with entirely appropriately. Indeed I would be delighted if she is happy to highlight any other areas where the Labour administration has listened and quickly updated policies in response to representations from councillors or residents.