



Norfolk County Council
at your service

Environment, Transport & Development Overview & Scrutiny Panel

Date: **Wednesday 17 October 2012**

Time: **10.30am**

Venue: **Edwards Room, County Hall, Norwich**

Persons attending the meeting are requested to turn off mobile phones.

Membership

Mr A Byrne (Chairman)
Mr A Adams
Dr A Boswell
Mr B Bremner
Mrs M Chapman-Allen
Michael Chenery of Horsbrugh
Mr P Duigan
Mr T East
Mr M Langwade
Mr I Mackie
Mr P Rice
Dr M Strong
Mrs H Thompson
Mr T Tomkinson
Mr J Ward
Mr A White
Mr R Wright (Vice-Chairman)

Non Voting Cabinet Members

Mr B Borrett	Environment and Waste
Mr N Dixon	Community Protection
Mr G Plant	Planning and Transportation
Mrs A Steward	Economic Development

Non Voting Deputy Cabinet Member

Mr J Mooney	Environment and Waste
Mr B Spratt	Planning and Transportation

**For further details and general enquiries about this Agenda
please contact the Committee Administrator:**

Julie Mortimer on 01603 223055
or email committees@norfolk.gov.uk

A g e n d a

1 To receive apologies and details of any substitute members attending

2 Minutes of the meeting held on 12 September 2012

(Page **1**)

To confirm the minutes of the Environment Transport and Development Overview & Scrutiny Panel meeting held on 12 September 2012.

3 Members to Declare any Interests

If you have a **Disclosable Pecuniary Interest** in a matter to be considered at the meeting and that interest is on your Register of Interests you must not speak or vote on the matter. It is recommended that you declare that interest but it is not a legal requirement.

If you have a **Disclosable Pecuniary Interest** in a matter to be considered at the meeting and that interest is not on your Register of Interests you must declare that interest at the meeting and not speak or vote on the matter

In either case you may remain in the room where the meeting is taking place. If you consider that it would be inappropriate in the circumstances to remain in the room, you may leave the room while the matter is dealt with.

If you do not have a Disclosable Pecuniary Interest you may nevertheless have an **Other Interest** in a matter to be discussed if it affects

- your well being or financial position
- that of your family or close friends
- that of a club or society in which you have a management role
- that of another public body of which you are a member to a greater extent than others in your ward.

If that is the case then you must declare such an interest but can speak and vote on the matter.

4 To receive any items of business which the Chairman decides should be considered as a matter of urgency

5 Public Question Time

15 minutes for questions from members of the public of which due notice has been given.

Please submit your question(s) to the person named on the front of this agenda by **5pm on Friday 12 October 2012**. For guidance on submitting public questions, please refer to the Council Constitution Appendix 10, Council Procedure Rules or Norfolk County Council - Overview and Scrutiny Panel Public Question Time and How to attend Meetings

6 Local Member Issues/Member Questions

15 minutes for local members to raise issues of concern of which due notice has been given.

Please submit your question(s) to the person named on the front of this agenda by **5pm on Friday 12 October 2012**

7 Cabinet Member Feedback on previous Overview & Scrutiny Panel comments (Page **13**)

Scrutiny Items:

8 Scrutiny Forward Work Programme (Page **15**)

9 Green light for better buses. (Page **23**)

Members are asked to comment on the considerations raised for Norfolk to help inform the consultation response and offer views on bidding for Better Bus Area status for Norfolk.

Overview Items:

10 The Joint Norfolk and Suffolk Gypsy and Traveller Strategy. (Page **31**)

Members are invited to consider the final version of the Gypsy and Traveller Strategy which includes a position statement with action plan and support its endorsement.

11 Independent Panel on Forestry – Report following Call for Views. (Page **75**)

Members are asked to consider and comment on the information contained in the report.

	Group Meetings	
Conservative	9.30am	Colman Room
Liberal Democrats	9.30am	Room 504

Chris Walton
Head of Democratic Services
County Hall
Martineau Lane
Norwich NR1 2DH

Date Agenda Published: Tuesday 9 October 2012



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Environment, Transport and Development Overview and Scrutiny Panel

Minutes of the Meeting held on 12 September 2012

Present:

Mr R Wright (Vice-Chairman)

Dr A Boswell	Dr M Strong
Mr B Bremner	Mrs H Thompson
Mrs M Chapman-Allen	Mr T Tomkinson
Michael Chenery of Horsbrugh	Mr J Ward
Mr P Duigan	Mr A White
Mr T East	
Mr T Garrod	
Mr M Langwade	

Cabinet Members present:

Mr G Plant	Planning and Transportation
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Deputy Cabinet Member present:

Mr B H A Spratt	Planning and Transportation
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Vice-Chairman, Mr R Wright, in the Chair.

1 Apologies

Apologies were received from Mr A Adams, Mr A Byrne, Mr N Dixon, Mr H Humphrey, Mr B Borrett, Mrs A Steward and Mr J Mooney.

2 Minutes of the meeting held on 11 July 2012

- 2.1 The minutes of the meeting held on 11 July 2012 were agreed as an accurate record and signed by the Vice-Chairman.
- 2.2 The Cabinet Member for Planning and Transportation informed the Panel that the surface dressing programme had been completed. He mentioned that the fine weather and May Gurney employing extra staff to complete this work had enabled the work to be completed on schedule. He wished to thank May Gurney and said that this was an excellent example of successful partnership working within Norfolk.
- 2.3 Following a question about whether the suggestions made by members at Panel regarding the item on the ETD equality assessment would be followed

up, the Director for Environment, Transport and Development confirmed that all suggestions made by the Panel were considered by ETD working groups or other groups as appropriate.

The Panel had previously agreed to monitor the progress against the ETD equality actions through the performance dashboard. An update on progress of these actions and the detailed suggestions referred to in the 11 July meeting minutes, would be included in the next performance report.

3 Declarations of Interest

- 3.1 Dr Strong declared an 'other interest' in agenda item 9 - North Norfolk (Kelling to Lowestoft Ness) Shoreline Management Plan (SMP 6) as a Flood Warden Coordinator.
- 3.2 Mr Tomkinson declared an 'other interest' in agenda item 9 - North Norfolk (Kelling to Lowestoft Ness) Shoreline Management Plan (SMP 6), as he lived in a flood plain.

4 Items of Urgent Business

There were no items of urgent business.

5 Public Question Time

The public questions received and their responses are attached at Appendix A to these minutes.

6 Local Member Issues/Member Questions

There were no Local Member issues or Member questions.

7 Cabinet Member Feedback on previous Overview and Scrutiny Panel comments.

- 7.1 The Panel received the annexed report (7) by the Cabinet Members for Planning and Transportation, Economic Development, Environment and Waste, and Community Protection, providing feedback on items discussed at Cabinet which had previously been discussed at an Environment Transport & Development (ETD) Overview and Scrutiny Panel meeting.
- 7.2 The Cabinet Member for Planning and Transportation informed the Panel that procurement of ETD Highways and related services from 2014 was progressing. He informed the Panel that a Board meeting was scheduled for 12 September.
- 7.3 A cross-party Member Project Board to oversee the development of delivery arrangements under any future contract or SLA arrangements for recycling centres had now been established. The Board had met twice and a further meeting was to be held in the near future.

RESOLVED that the report be noted.

8 Forward Work Programme: Scrutiny

- 8.1 The annexed report (8) by the Director of Environment, Transport and Development was received by the Panel. The report set out the forward work programme for scrutiny and Members were asked to consider the Outline programme at Appendix A of the report and consider new topics for inclusion on the scrutiny programme.
- 8.2 The Panel were informed that a special Cabinet meeting would be held on 17 September to discuss Better Broadband Norfolk Contract Award which would give more details about how the project was progressing.
- 8.3 Following a suggestion about asking town and district councils to request broadband infrastructure be included under their planning policies when new developments were proposed and considered for planning approval, the Director of ETD reassured the Panel that officers were already working with district colleagues to identify any possibilities to secure better broadband coverage.
- 8.4 Mr Duigan, the Chairman of the Mobile Phone working Group, agreed with a suggestion to invite senior managers from the mobile phone providers to attend a future Scrutiny Working Group meeting to discuss issues with mobile phone coverage. Mr Duigan said it would be interesting to see if things had improved since managers from Vodaphone had attended a working group meeting some 18-24 months ago when the working group's initial research had been carried out.
- 8.5 Members requested that, although mobile phone coverage for rural and urban areas in Norfolk and digital radio was in the scrutiny work programme, the topic needed further scrutiny to understand the new issues to be faced when 4G was introduced, the areas 4G covered, the media reports that 4G may interfere with television coverage and that 14 million houses would need to have equipment installed to stop interference at a cost of approximately £14m.
- 8.6 It was pointed out that, although the issue of mobile phone coverage was a valid one, it needed to be borne in mind that the providers were commercial companies and not public services so they would place mobile phone masts and provision in places where the most profit was likely to be made.
- 8.7 Mr Duigan agreed to try to set up meetings with mobile phone companies later in the year. He also agreed to provide an update on mobile phone coverage from the working group to a future Panel meeting.

RESOLVED that the report be noted.

9 North Norfolk (Kelling to Lowestoft Ness) Shoreline Management Plan (SMP6).

- 9.1 The Panel received the annexed report (9) by the Director of Environment, Transport and Development, setting out the stages that had been progressed to deliver the Shoreline Management Plan (SMP) for Kelling to Lowestoft Ness (SMP 6) taking on board extensive reviews and public consultation, led by North Norfolk District Council.
- 9.2 Members were asked to consider the final version of the Kelling to Lowestoft Shoreline Management Plan and support its endorsement by Cabinet, for approval by the Environment Agency.
- 9.3 The Panel were informed that the first two plans had been endorsed by Cabinet and this report was the third SMP affecting the north Norfolk coast. Once the Panel had signed off the plan it would be presented to Cabinet for endorsement before being passed for approval by the Environment Agency.
- 9.4 Following Member questions, the following points were noted:
- Members expressed their thanks to officers for the report. Some members also expressed their pleasure that Cabinet had endorsed the first two SMPs and said they would like to see this plan endorsed so the project could move forward.
 - The Climate Change Manager would contact Mr Morse separately, to follow up on his request for county council support for measures to alleviate coastal erosion and Policy Unit 6.11 – Bacton, Walcott and Ostend.
 - A programme of beach recharge was being progressed from Eccles to Winterton in an effort to combat erosion.
 - Maintaining and providing defence of the coastline would not be a viable option. The strategy would have a policy of managed realignment in place with three categories: policy units that would not be defended; policy units that would be defended into the long term; and policy units with a policy change in the future. Further details of these policy units can be found in the Kelling to Lowestoft Ness Shoreline Management Plan, Non-Technical Summary, shown at Appendix A to the report.
- 9.5 **RESOLVED to**
- endorse the Kelling to Lowestoft Shoreline Management Plan to Cabinet, for approval by the Environment Agency, as outlined in the report.

10 Government Spending Programme for Rail

- 10.1 The Panel received the annexed report (10) by the Director of Environment, Transport and Development following the publication of the Government's

High Level Output Specification (HLOS) and Statement of Funds Available (SOFA). The HLOS document set out the government proposed improvements for delivery by the railway companies with the SOFA document setting out the amount of money available to deliver those aims during 2014-19.

10.2 The Panel was asked to consider the case for upgraded rolling stock and major refurbishment/replacement of the Norwich to London trains as well as half hourly services on the King's Lynn to London and Norwich to Cambridge routes as outlined in the report. Members were also asked to endorse sending the letter at Appendix A of the report to the Minister for Transport.

10.3 During the presentation of the report, the following points were noted:

- Network Rail was in the process of working up a detailed spending programme prior to a commencement date during 2014.
- The HLOS did not include any specific improvements in Norfolk apart from the work to improve the Ely junction, and the Panel were reminded that the HLOS was not a detailed programme of schemes; it was a high level government list of proposed improvements. The improvement works at the Ely junction had been welcomed by all interested groups.
- The letter to Patrick McLoughlin MP, Minister for Transport (attached at Appendix A of the report) had been drafted to include the main priorities specific to Norfolk and to make a case for faster journey times between Norwich and London and half-hourly services from Norwich to Cambridge. The letter also requested further investment on the Bittern and Wherry lines, more trains from Norwich to London, increased line speed on the Norwich to Cambridge line and new rolling stock. Station improvements and better access for disabled people had also been included.
- A draft prospectus was being developed, which would give greater detail about the specific works required to improve services for the people of Norfolk. Once this draft prospectus had been finalised, it would be considered by the Panel at a future meeting before being agreed by Cabinet in the New Year. The prospectus would consider all improvements required, including speed, quality of services, rolling stock, etc.

10.4 The following points were noted in response to questions from the Panel:

- The Panel requested that stations be included within the prospectus, particularly the problems encountered at Diss station which were very serious for wheelchair and other less able users.
- Once the prospectus had been finalised, it would be presented to the Minister for Transport for government consideration.

- The service between King's Lynn and Cambridge had not been recommended for inclusion in the prospectus at present, but may be considered in the future.
- The East/West railway between Great Yarmouth and Swindon could be included as a reference only although the East-West Rail consortium would be the right group to take issues on these services forward.
- The letter and draft prospectus to the Minister for Transport would be on behalf of Norfolk only. The Panel were advised that Suffolk would be drafting their own prospectus and making their own representation for service improvements to the Minister.
- The Cabinet Member for Planning and Transportation confirmed that the Norfolk Local Enterprise Partnership (LEP) had been consulted over the proposed improvement prospectus.
- The Norwich in 90 campaign had highlighted the need for service improvements, but without major changes, a 90 minute service would not be possible. Research, such as train speeds, and issues with overhead lines around the Essex area, had highlighted that only a 10 minute improvement in timings could be achieved. Therefore no further action could be taken on this initiative at the present time.
- The problems with the rail line over Trowse bridge were well known, although the bridge was still useable and accessible. A case would be made in an attempt to propose two tracks were always available over the bridge in case one track was unusable for any reason.
- Working with bus companies to improve the transport interchange would also be considered when preparing the prospectus.
- The Cabinet Member for Planning and Transportation agreed the following amendment so that the final bullet point under Stations in the draft letter would read: "Provision of additional **travel interchange**, car and cycle parking at many stations."
- The main reason for recent weekend closures along the Norwich to London line had been to carry out work on overhead power lines. This work was now progressing following its suspension while the Olympic games were taking place. Greater Anglia (Abellio) had been working closely with Network Rail to try to organise the completion of essential maintenance at times when there was likely to be less disruption for weekend rail users. Once the current programme of works had been completed, an improvement should be seen in weekend services.
- The next meeting of the Norfolk Rail Group was scheduled to take place on 4 October 2012. Representatives from the District Council's attended these meetings and the next meeting would focus on a "wish

list” and on drawing up the prospectus.

- The Cabinet Member for Planning and Transportation would make the amendment to the letter requested by Panel and ensure the letter was sent to Mr McLoughlin as soon as possible. He agreed to let the Panel have a copy of the letter once it had been sent.

RESOLVED to

- endorse the Cabinet Member for Planning and Transportation sending the letter set out in Appendix A of the report (including the amendments agreed at the Panel meeting) to Patrick McLoughlin MP (Minister for Transport).

11 Environment, Transport and Development Department Integrated Performance and Finance Monitoring Report 2012/13.

11.1 The Panel received the annexed report (11) by the Director of Environment, Transport and Development, giving an update of the department’s progress against the 2012/15 service plan actions.

11.2 Members were asked to note that the last sentence at paragraph 5.7 of the report should read "It is too early to establish whether this signifies **an emergent downward trend**".

11.3 The following points were noted in response to questions from the Panel:

- The Postwick hub side road order public enquiry had been postponed. The Director of ETD agreed to let the Panel know when a new date had been set for the enquiry to take place.
- The Director of ETD confirmed that contingency plans were in place in the event that the Energy from Waste Plant was not progressed.
- Existing residual waste disposal contracts continue until 2016. Work was continuing with waste collection authorities to increase kitchen waste collections in an effort to decrease waste being sent to landfill.
- The Health Protection Agency (HPA) had commissioned some further research into dioxin levels emitted by energy from waste plants. The HPA had already confirmed they had no concerns over dioxins and this research was to be completed to provide further public reassurance.
- Members expressed their pleasure in the investment provided to fund apprenticeships for 16-25 year olds and also that Norse was offering apprenticeships and graduate placement opportunities to assist young people to gain skills and experience in paid employment.
- Members also praised the Tread workshops for young drivers aged 17-25 years old and hoped these workshops would assist with a reduction

in the numbers of road casualties.

- The work being carried out in an effort to try to boost the economy in Norfolk and stimulate housing growth was acknowledged and appreciated by the Panel.
- Although the Wild Anglia initiative was welcomed, there appeared to be an issue as to how this scheme would fit in with the possible installation of land wind turbines.
- Mr Tomkinson reminded the Panel that Norfolk County Council, in signing the Armed Forces Covenant, had undertaken to assist ex-service personnel leaving the forces within 5 years of joining entering paid employment.

11.4 RESOLVED to note

1. the progress against ETD's service plan action, risks and budget and any aspects identified for further scrutiny as outlined in the report.
2. the contents of the Economic Intelligence Report.

(The meeting closed at 11.45am)

Chairman



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**Environment Transport & Development O&S Panel
12 September 2012**

QUESTIONS

Item 5 – Public Question Time

5.1 Two questions from Jenny Perryman

- 1 Did the committee recommend that the waste PFI contract should be entered into before planning permission for the waste incinerator had been secured?

Reply by the Vice-Chairman

In recommending to Cabinet that the contract be awarded, the Panel were aware of this. Below is an extract from the report the Panel considered (January 2011):

“As developer, Cory Wheelabrator must apply for planning permission and a permit to operate. Only if it receives both, can the facility be built and allowed to operate. Both these application processes are subject to public consultations. We expect both to start in spring 2011.”

The same report also highlighted the risks around any delays in planning permission being granted and delays in obtaining a permit.

- 2 If so, what were its reasons for so doing, bearing in mind the situation in which NCC now finds itself?

Reply by the Vice-Chairman

The key reason is that bidders involved in this type of very large contracts tend to find it hard to justify the time and cost of going through a planning process if there is no contract in place. Therefore this approach is quite conventional for procurements of this nature and approved by Defra.

5.2 Two questions from Christine Hall

- 1 With regard to Mr Mike Jackson’s report, would the committee care to point out to him that the call-in is not to reassure local people “that the correct procedures were followed”? It involves a completely new determination of the waste incinerator planning application by the Secretary of State himself, after a public inquiry, in total substitution for that made by the Planning (Regulatory) Committee on 29th June.

Reply by the Vice-Chairman

The call-in procedure is clearly laid out in the relevant legislation and officers are fully aware of these. The Council has welcomed the call-in as another opportunity to reassure local people and address any concerns they have about the proposal.

- 2 In the same context, will it remind him that agreement over a bespoke timetable will also have to involve all parties with a statutory right to be heard (including Rule Six parties).

Reply by the Vice-Chairman

This matter has now been called in by the Secretary of State and decisions regarding timings for the inquiry are ultimately a matter for him to decide in consultation with the County Council and other parties.

5.3 Two questions from Alan Hall

- 1 Is the committee aware that it may be as much as two years before the Secretary of State grants or refuses planning permission?

Reply by the Vice-Chairman

This matter has now been called in by the Secretary of State and decisions regarding timings for the inquiry are ultimately a matter for him to decide, until we hear from him any time table is just speculation.

- 2 Will the committee recommend extending the temporary contracts for waste disposal put in place at the end of 2010 for a further two years until 2017?

Reply by the Vice-Chairman

In December 2010 Cabinet approved awarding residual waste disposal contracts up until 2016, including a one year extension

5.4 Two questions from David Franklin

- 1 What has been the total cost to date (taking into account both actual financial expenditure and officer time and including site acquisition costs) of the Saddlebow waste incinerator project?

Reply by the Vice-Chairman

Expenditure on the Waste PFI procurement to date is £3.7 million. £2.0 million has also been spent on site purchase and land related issues for the Waste PFI Contract. These figures do not include officer time spent on the project which is not routinely recorded - e.g. in a time management system.

The county council has incurred costs of £65,115 for external consultants in relation to its scrutiny of the application for the Energy from Waste Plant at Willows Business Park in its role as the Waste Planning Authority.

- 2 Does the committee finally accept that, though the waste incinerator was designed so as to incorporate the technical ability to switch steam from the power turbines directly to Palm Paper, and planning permission sought for the linking pipeline, Palm paper will not now negotiate a heat purchase agreement?

Reply by the Vice-Chairman

The projected savings to the County Council do not include a figure for the sale of the heat, but the option for heat to be sold is still open – it is an additional benefit that is available if required.

5.5 Two questions from Ron Cornell

- 1 In paragraph 4.15 of his report, Mr Mike Jackson states in connection with the former RAF Coltishall site : At the time of reporting an initial exchange of contracts between the Ministry of Justice and the County Council had taken place with the purchase of the site due to be completed by September. Yet in response to a question to the Cabinet on 3rd September the Cabinet Member for Efficiency confirmed that NCC had not yet entered into a binding contractual commitment to purchase the site. Does the Committee know what the true position is?

Reply by the Vice-Chairman

Both comments are correct. An initial exchange has taken place. NCC has not yet entered into a binding commitment.

- 2 In paragraph 4.16 of that report, Mr Jackson refers to the first meeting of a Community Liaison Reference Group taking place on 12th July. Is the committee aware that in a letter published in the EDP on 5th September, Mr John Welton of the Spirit of Coltishall Association stated: Norfolk County Council's reports in the EDP on these positive CLRG meetings are hugely misleading, biased in their favour and do not reflect the concerns raised.

Reply by the Vice-Chairman

All parties are free to express their views on these meetings. The County Council has found them constructive and positive in gathering views to help shape its thinking.

5.6 Two questions from Stuart Wilkie

- 1 Have members of the committee read the independent report on soil contaminant concentrations at the former RAF Coltishall site, passed on to the County Council by the Ministry of Justice?

Reply by the Vice-Chairman

The MoJ consider the report to be commercially confidential. If Members wish to inspect a copy at the NPS office, this can be arranged.

- 2 Has the committee ever recommended that the runway at the site should be dug up?

Reply by the Vice-Chairman

The Council has not yet made any decisions about the use of the site. As was stated in the report considered by Cabinet in June, any subsequent reports on the development of the site will be brought to this committee so that the Panel has the opportunity to consider proposals.

5.7 Two questions from John Martin

- 1 What financial provision has NCC made, in addition to the bid price, to meet the likely cost of the buyer's obligation to effect total separation of all main services to HMP Bure from the remainder of the former RAF Coltishall site, while still maintaining services to the former?

Reply by the Vice-Chairman

This matter was covered in the confidential report to Cabinet in June.

- 2 Has NCC carried out any ground survey to ascertain whether the estimated cost may escalate as a result of adverse ground conditions?

Reply by the Vice-Chairman

The Council has access to the same information as all bidders for the site.

Cabinet Member feedback on previous Overview and Scrutiny Panel comments

A joint note by the Cabinet Members for Planning and Transportation,
Economic Development, Environment and Waste, and Community
Protection

The purpose of this note is to provide feedback on items discussed at Cabinet which had previously been discussed at an ETD Overview and Scrutiny Panel meeting.

Environment and Waste issues

Report/issue	Sustainable Drainage Systems Approving Body (SAB) – Commissioning
Date considered by O&S Panel:	11 July 2012
O&S Panel comments:	<p>The Panel agreed to recommend to Cabinet:</p> <ol style="list-style-type: none">1. The Sustainable Drainage System Approving Body approvals would be undertaken by Local Planning Authorities and the County Council for County Council applications, with an interim service drawing on the resources available as part of ETD's existing Partnership contract with Mott MacDonald if required.2. General pre-application advice would be provided free of charge, and individual application specific pre-application advice would be charged for, to deliver a cost-neutral service.3. A further report would be brought to the Panel once the Government had responded to the consultation and the detailed service design had been worked up.
Date considered by Cabinet:	3 September 2012
Cabinet feedback:	<p>Cabinet agreed that:</p> <ol style="list-style-type: none">1. The Sustainable Drainage System Approving Body approvals be dovetailed with the planning process both at district level with Local Planning Authorities and with the County Council for County Council applications, with an interim service drawing on the resources available as part of ETD's existing Partnership contract with Mott MacDonald if required.2. General pre-application advice be provided free of charge, and individual application specific pre-application advice be charged for, to deliver a cost neutral service.3. A further report be brought to Cabinet once the Government had responded to the consultation and the detailed service design had been worked up.

Planning and transportation issues

No items discussed at Cabinet.

Community Protection issues

No items discussed at Cabinet.

Economic Development issues

No items discussed at Cabinet.

Officer Contact

If you have any questions about matters contained in this paper please get in touch with:

Name	Telephone Number	Email address
Sarah Rhoden	01603 222867	sarah.rhoden@norfolk.gov.uk



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Forward Work Programme: Scrutiny

Report by the Director of Environment, Transport and Development

Summary

This report asks Members to review and develop the programme for scrutiny.

Action required

Members are asked to:

- i) consider the attached Outline Programme (Appendix A) and agree the scrutiny topics listed and reporting dates.
- ii) consider new topics for inclusion on the scrutiny programme in line with the criteria at para 1.2, including considering the Councillor Call for Action detailed at section 2.0 and in Appendix C.

1. The Programme

1.1. An Outline Programme for Scrutiny is included at Appendix A.

1.2 Members of the Overview and Scrutiny Panel can add new topics to the scrutiny programme in line with the criteria below: -

14 High profile – as identified by:

- Members (through constituents, surgeries, etc)
- Public (through surveys, Citizen's Panel, etc)
- Media
- External inspection (Audit Commission, Ombudsman, Internal Audit, Inspection Bodies)

(ii) Impact – this might be significant because of:

- The scale of the issue
- The budget that it has
- The impact that it has on members of the public (this could be either a small issue that affects a large number of people or a big issue that affects a small number of people)

(iii) Quality – for instance, is it:

- Significantly under performing
- An example of good practice
- Overspending

(iv) It is a Corporate Priority

- 1.3 Appendix B shows a list of the scrutiny projects relating to Environment, Transport and Development services completed in the last 12 months.
- 2.0 **Councillor Call for Action**
- 2.1 Cllr John Dobson has submitted a Councillor Call for Action, which has been referred to this Panel to consider. The Call for Action, as submitted by Cllr Dobson, is included at Appendix C.
- 2.2 The Call for Action relates to signage at Snettisham Beach/common which has been the subject of an ongoing dispute. Cllr Dobson has requested that the County Council seeks to achieve a unified view of the signage by bringing together all involved authorities round a table at a Panel meeting.
- Officer advice is that we should wait until the outcome of the related footpath Modification Order currently being processed is complete so that there can be clarity about the access rights, after which we will seek to ensure that appropriate signage is in place.
- 2.3 The Call for Action has been included as part of this report so that a way forward and timescale for its consideration can be agreed by the full Panel.
3. **Section 17 – Crime and Disorder Act**
- 3.1 The crime and disorder implications of the various scrutiny topics will be considered when the scrutiny takes place.
4. **Equality Impact Assessment**
- 4.1 This report is not directly relevant to equality, in that it is not making proposals that will have a direct impact on equality of access or outcomes for diverse groups.

Action Required

The Overview and Scrutiny Panel is asked to:

- (i) consider the attached Outline Programme (Appendix A) and agree the scrutiny topics listed and reporting dates.
- (ii) consider new topics for inclusion on the scrutiny programme in line with the criteria at para 1.2, including considering the Councillor Call for Action detailed at section 2.0 and in Appendix C.

Officer Contact

If you have any questions about matters contained in this paper please get in touch with:

Name	Telephone Number	Email address
Sarah Rhoden	01603 222867	sarah.rhoden@norfolk.gov.uk



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Outline Programme for Scrutiny

Standing Item for the Environment, Transport and Development O & S Panel: Update for 17 October 2012

This is only an outline programme and will be amended as issues arise or priorities change

Scrutiny is normally a two-stage process:

- Stage 1 of the process is the scoping stage. Draft terms of reference and intended outcomes will be developed as part of this stage.
- The Overview and Scrutiny (O&S) Panel or a Member Group will carry out the detailed scrutiny but other approaches can be considered, as appropriate (e.g. 'select committee' style by whole O&S Panel).
- On the basis that the detailed scrutiny is carried out by a Member Group, Stage 2 is reporting back to the O&S Panel by the Group.

This Panel welcomes the strategic ambitions for Norfolk. These are:

- A vibrant, strong and sustainable economy
- Aspirational people with high levels of achievement and skills
- An inspirational place with a clear sense of identity

These ambitions inform the NCC Objectives from which scrutiny topics for this Panel will develop, as well as using the outlined criteria at para 1.2 above.

Changes to Programme from that previously submitted to the Panel on 12 September 2012

Added

- None.

Deleted

- None.

Topic	Outline Objective	Cabinet Portfolio Area	Stage 1 (scoping report)	Stage 2 (report back to Panel by Working Group)	Requested by	Comment
Scrutiny Items – Active						
1. Mobile Phone coverage for rural and urban areas in Norfolk and digital radio	To review provision of effective mobile phone coverage for rural and urban areas in Norfolk and review arrangements for Digital radio.	Economic Development		Various	1 September 2009 (by a Scrutiny Task & Finish Group set up by the former ED&CS O&S Panel).	Being progressed by a Member Working Group, Chaired by Cllr Duigan. The Working Group met on 3 October 2012 and are planning to bring an update report to the Panel in January.
2. The Future Role of the Forestry Commission Estate in Norfolk	To identify the potential implications for Norfolk if land currently managed by the Forestry Commission was sold.	Environment and Waste	Initial report considered at March 2011 Panel meeting		ETD O&S Panel – March 2011 meeting	Response to call for views from Independent Panel on Forestry agreed July 2011. Panel agreed to receive a further report once a Government response to the consultation previously carried out is known – a separate report on this is included on the agenda.
Scrutiny Items – Ongoing/identified for possible future scrutiny						
3. Broadband coverage for rural and urban areas in Norfolk	To review broadband coverage for rural and urban areas in Norfolk (following implementation of the Broadband for Norfolk project).	Economic Development	TBC	TBC	14 September 2011 O&S Panel	

Completed Scrutiny Items – last 12 months

List of scrutiny projects completed by the Panel in the last 12 months, date of final report presented to the Panel and method of scrutiny:-

Date completed	Topic	Panel/Method
11 January 2012	Highway and Community Rangers	Full Panel
14 March 2012	The economic recovery	Full Panel
14 March 2012	New funding streams for infrastructure	Full Panel
14 March 2012	Digital TV Switchover	Member Working Group

Councillor Call for Action as submitted by Cllr John Dobson

SUMMARY OF THE ISSUE INVOLVED.

Background

Snettisham Common which includes parts of the beach was first registered in 1766. More recently it was registered under the Commons 1965 Registration Act. A dispute has now arisen because a few owners of chalets located on the beach under the auspices of the Snettisham Beach Property Association have erected signs on the common which are misleading and thus contravene the CROW Act 2000 section 14. The signs are misleading because they seek to deny access to the public illegally, in that they are showing that access is forbidden to land which is officially open for access to public. It is alleged that they are doing this because they appear not to want the public to walk in front of their chalets. Natural England, The Open Spaces Society and Norfolk County Council Access Officer agree that these signs are misleading and therefore contravene the CROW Act section 14. Furthermore, Natural England and The Open Spaces Society contend that the signs are additionally misleading in respect of Public Access and completely understate the access to the Public under the CROW Act 2000. Natural England has asked the official spokesperson of the residents to either remove their logo and/or replace the signs with signs that are not misleading. The spokesman's response has been to put up additional signage which adds to the misleading information by implying that the Parish Council and Natural England have approved the signs. Local activists, working with the Parish Council, claim that they have tried on many occasions without success through communication with Mr. Mills, Mr. Allen, Mr. Jackson of the NCC Transport, Environment & Planning Department to resolve this issue. Furthermore they say they have written to David White Chief Executive of NCC and have involved Henry Bellingham MP but to date this matter has not been resolved.

Norfolk County Council Position

Officer advice is that the dispute has been going on for several years, and has led to a claim for a new Public Footpath which is currently being processed by the Definitive Map team at County Hall. There is a dual issue of whether this linear public right of way exists, and also issues relating to 'Open Access' arrangements on Common land. As a result of the changes introduced by the Big Conversation review, Senior officers advised that as most of NCC's involvement in Common land issues under recent legislation (CROW act 2000) are powers not duties, we would not tend to get involved.

We did not place the signs. We had an input into content, which appeared to be correct on the basis of information available at the time. While the signs have subsequently been shown to be not entirely accurate, these are relatively small details that do not significantly change the general purpose they were designed for, and therefore they do not deliberately mislead people. There are some issues with the mapping of the boundaries of the common, but these are for Natural England to address.

NCC's position is that it does not intend to get involved any further in disputes relating to the common land while it is determining the footpath claim. The Snettisham activists are well aware of that.

Natural England Position

In their latest letter on the subject (May 2012) Natural England contest the County Council's stance as follows: "As we have previously explained, in terms of wider issues of interpretation it is not our statutory role to approve (or otherwise) the wording of local signage or any policy regarding sign placement, or to adjudicate between local parties on whether particular wordings are lawful or accurate, or on whether particular areas of land have the status of excepted land under CROW. As you know, Norfolk County Council (which is access authority and highway authority for the area) has responsibility for enforcement against any misleading notices in relation to either CROW access rights or public rights of way."

Latest position

The latest position is that Snettisham residents with the common right (registered at County Hall) to access the land for the purpose of collecting shingle and members of the public with the right of access under the CROW Act 2000 are being challenged by individual chalet owners and this has led to altercations, with incidents being reported to the police. Unless firm action is taken as a matter of urgency by a lead authority, acting together with other involved agencies and the police, the situation may well escalate to the commission further acts of criminal damage and threats, with a possibility of people concerned being injured.

OUTCOMES THE LOCAL MEMBER IS HOPING TO ACHIEVE.

The most important outcome is to achieve an agreed, unified view of the signs issue between the key responsible authorities in order to give the police a firm line to prevent further escalation in acts of criminal damage or violence. Norfolk County Council should show leadership in seeking to achieve this by bringing all involved authorities round a table at a Scrutiny Panel meeting as allowed for under section 119 of the Act, which appears to be the ideal instrument for this purpose.

‘Green Light for Better Buses’

Report by the Director of Environment, Transport and Development

Summary

In March, the Department for Transport issued a policy paper, ‘Green Light for Better Buses’, setting out plans for increasing the use of buses, cutting congestion and increasing the competitiveness of the bus industry. The proposals only apply in England and do not affect the scheduled long distance coach market. The document sets out a package of measures that:- changes the way Bus Service Operators Grant (BSOG) is paid to operators

- incentivises partnership working between local transport authorities and operators
- improves competition and develops multi-operator ticketing schemes
- supports local transport authorities to procure non-commercial services.

Government propose to provide incentives for local councils and bus companies to improve the quality of services and attract more passengers and seeks more effort to get young people onto buses and retain them. This will be through a mix of devolution of some localised funding which is currently paid by government direct to operators and a competitive bidding process to become a new ‘Better Bus Area’.

The practicalities of devolution need careful consideration to understand the opportunities and risks that will exist. Government have been working with key stakeholders to inform a consultation released on 13 September and subsequent guidance will be issued in the autumn. Norfolk has been able to influence thinking through representation in the working groups.

This green paper from Government comes at a time when Norfolk has already been reshaping the public transport network and moving towards more demand responsive transport in rural areas, shifting towards a network of services that complement and integrate with commercial public transport services.

This report is intended to give members an opportunity to discuss the proposals and help shape Norfolk’s response to the consultation and seek views on bidding for Better Bus area status.

Action Required

Members are invited to:

- i) Consider the implications of the proposed bus policy reforms
- ii) Comment on the considerations raised for Norfolk to help inform the consultation response
- iii) Offer views on bidding for Better Bus Area status for Norfolk.

1. **Background**

1.1. In March, the Department for Transport issued a green paper setting out plans for increasing the use of buses, cutting congestion and increasing the competitiveness of the bus industry. The proposals only apply in England and do not affect the scheduled long distance coach market. The document sets out a package of measures that:

- changes the way Bus Service Operators Grant (BSOG) is paid to operators
- incentivises partnership working between local transport authorities and operators
- improves competition and develops multi-operator ticketing schemes
- supports local transport authorities to procure non-commercial services.

Bus Service Operators Grant was first introduced in 1964 as fuel duty rebate. Payments to operators are based on the fuel used with payment at a flat rate. In 2011/12 around £450 million will be paid to operators in England through BSOG. From April 2012 the amount paid per litre of fuel used has been reduced by 20% in England, with devolved administrations in Scotland and Wales making their own changes.

2. **Proposals for Reform**

The Government propose to provide incentives for local councils and bus companies to improve the quality of services and attract more passengers and seeks more effort to get young people onto buses and retain them.

It is proposed to introduce, subject to consultation, changes to the BSOG system as follows:

- i) rather than paying directly to bus companies, the funding that relates to tendered services provided by local councils will be passed to them to allow decisions to be taken locally on how it should be spent (April 2013)
- ii) some of the current funding will be used to set up a new local government fund - Better Bus Areas - to encourage transport authorities and bus companies to improve services and boost passenger numbers
- iii) to move to a more environmentally sustainable basis than one based on fuel usage (recommendations by April 2014)
- iv) changes to the incentive payments to bus companies for using automatic vehicle location or smart ticketing equipment.
- v) changing the rules, defining which bus services are eligible for BSOG.

2.1. **Details of the proposed reforms and *considerations for Norfolk***

The proposals are shown below, with early thoughts on Norfolk's position offered in *italics*.

- 2.1.1 BSOG is currently claimed by bus companies for all services operated. BSOG which would be paid to bus companies operating tendered services would be paid direct to councils instead. This funding would be ring-fenced for a transitional period, until the next Spending Review. It is not possible to be certain about the scale of funding involved for Norfolk as the data is not available in one source. However our best estimate suggests that £350-£400k per annum would be paid by grant to this council

This means that operators running costs will increase by around 6% on tendered services. Operators would factor in the higher fuel cost of running the service when submitting their bid to the council for supported routes. Contracts already in operation are likely to require a variation in price and it is hard to see how any "savings" could be achieved. Likewise, local authorities would continue to act as they are, the only difference being that the costs of running a supported or franchised route would be higher. However, the devolved funds from DfT should cover the additional tender costs.

- 2.1.2 The Government proposes to set up Better Bus Areas. (Note: this is not the same as the Better Bus Area Fund competition from which Norfolk won £2.6m for projects in Norwich in February.) Local transport authorities can bid to be designated as a Better Bus Area where they can demonstrate a plan for improving bus services developed in partnership with bus companies. Where such an area is established the government will calculate the BSOG paid to all bus companies in the area covered and that funding will be paid to the authority to introduce a wide range of measures to improve bus services; a key consideration in the designation of an area will be a local council using traffic management powers to improve punctuality. Each year these areas will receive a share of a new top-up fund so that more funding is received than the area would have otherwise received under the existing BSOG system. However, at this stage DfT have no idea what the value of the top-up fund will be. It is proposed to set up a small number of areas (up to 12) during 2013 for a period of around 4 years that could be extended if the initiative proves successful in improving bus services. It is likely that these will be larger conurbations to maximise government targets to deliver growth and reduce carbon and there is a risk that key urban areas of Norfolk may not be large enough.

The key to identifying proposals that will deliver good value for money is close cooperation between the council and relevant bus operators. Plans will need to take good account of the impact on both large and small operators within the area. Local authority proposals for bus priority and traffic management will be particularly important and need to generate growth in bus patronage overall and meet policy objectives to cut carbon. This means that bus operators would have to forego the

commercial BSOG for their routes and contribute to a pooled fund in a specific area or route corridor, which ever was determined to be the Better Bus Area. The reward for doing so would be extra top up funding, the level of which is yet to be set. Any area bidding for BBA status will need to demonstrate a strong partnership and commitment from the majority of bus operators and the council would need to ensure that bus friendly policies were delivered.

- 2.1.3 In areas that are not 'Better Bus Areas', BSOG for commercial services will continue to be paid to operators.

There will be no changes to the arrangements for payments of commercial BSOG in Norfolk unless we choose to bid for BBA status and are successful.

- 2.1.4 At present bus companies can qualify for extra incentive payments, as part of BSOG, where they use low-carbon emission buses, install automatic vehicle location (AVL) equipment or fit buses with smart ticketing equipment. These incentives will continue at present. Further options will be explored to encourage all bus operators to fit smart ticketing equipment, and the incentive at 8% above the BSOG base rate will continue. A new £15 million fund to achieve smart ticketing will be created. To encourage operators to fit automatic vehicle location systems, and share data with local councils for use in real time information systems and punctuality partnerships, the 2% incentive above BSOG rate will continue at present. The low-carbon incentive will remain until at least March 2015.

If Norfolk progressed to BBA status, there may be an opportunity to use the incentive payments to operators for AVL and smart ticketing to add value to the overall scheme. This might be by helping to demonstrate the business case for investment to smaller bus operators in order to enable smart enablement across more of the Norfolk fleet.

- 2.1.5 Community transport services operating local registered bus services are eligible for BSOG and the payment for services operated under a section 22 permit under tender to local councils will be devolved to them. For section 19 operations community transport services will continue to claim BSOG as at present.

Operating costs will increase on these services as the direct payment from DfT ceases. CT operators would factor in the higher fuel cost of running the service and require a variation to contract price paid by the council. The costs should be covered by the devolved funds from DfT.

- 2.1.6 Rail replacement buses, tourist services and services connecting seaports and airports to dedicated car parks will be excluded from entitlement to BSOG under the proposals.

The role of BSOG is to help support local bus services. In recent years, some funding has been paid out to a wider range of services which DfT do not believe it was originally intended to cover. The proposals broadly bring eligibility for BSOG in

line with services that also offer free travel for the English National Concessionary Travel pass. There are no significant impacts for Norfolk services. Park and ride services would continue to be eligible to receive BSOG.

- 2.1.7 It is proposed that transitional arrangements be put in place. A consultation was launched on 13 September. Guidance on how the new arrangements are intended to operate will be published in the autumn.

On balance, our preference would be for a single date of transfer for new BSOG arrangements for supported services to start, rather than a rolling period based on contract end dates. This will ensure clarity for the council and operators and a clear process of contract renegotiation can be completed in the time available.

- 2.1.8 As a response to the Competition Commission enquiry into the bus market, changes to the registration process for bus services will be introduced to prevent bus companies in engaging in predatory behaviour when a new entrant registers a service.

This is a helpful step in helping to stabilise bus markets, though the incidence of “predatory behaviour” is very small in Norfolk.

- 2.1.9 Guidance will be issued on developing mandatory, competitively priced bus-only multi-operator tickets, sold in the same way as individual operator tickets.

Multi-operator tickets are a key tool in increasing bus use making it easier and more attractive for people to use services. Journeys can be made with more than one operator on the payment of one fare, effectively increasing journey choice.

- 2.1.10 The Public Service Vehicles (Lost Property) Regulations, setting out how property left on buses should be treated, will be withdrawn.

No impacts for the council, applies to bus operators only.

- 2.1.11 The regulations applying to new vehicles, and the use of vehicles including regulations on carrying capacity, will be streamlined.

This is a process of tidying up of existing legislation and there are no impacts for Norfolk.

- 2.1.12 The Public Service Vehicles (Conduct of Drivers, Inspectors, Conductors and Passengers) Regulations will be reviewed.

No impacts for the council, applies to bus operators only.

- 2.1.13 Local authorities are to ensure that procurement procedures do not exclude the Community Transport Sector from bidding for work.

The council has already reviewed our procurement process to ensure that community transport and third sector operators are not excluded from bidding. Our project to build capacity through the Norfolk community Transport Association has a

specific theme relating to this area, so the proposals are consistent with this council's approach to supporting the voluntary sector.

- 2.1.14 The possibility of changing primary legislation will be explored so that revenue and patronage information about commercial services if they are deregistered is made available to other companies looking to bid to operate the service under contract.

Data and performance figures would help demonstrate the likely level of investment required from the council, and give other prospective operators a clearer picture of the bus market. Overall this would be beneficial to inform commissioning activity for services that are considered by operators to be no longer commercially viable.

2.2. **Bidding for a Better Bus Area**

- 2.2.1 Norfolk has a strong history of partnership working with local bus operators. This includes initiatives like joint investment plans, punctuality improvement partnerships, BusNet (real time tracking), the Fusion multi-operator tickets and the most recent 16-19 discounted fare scheme.
- 2.2.2. The two principle success factors in winning Better Bus Area status is to demonstrate a) strong effective partnerships and b) a commitment to drive through strong transportation policies based on pro-bus traffic management policies and aligned parking principles.
- 2.2.3 This council could be confident that we could clearly evidence our strong support and partnership with bus operators. The majority of operators would need to be in agreement for a bid for BBA and clearly state their support of it. It would be expected that they are heavily involved in shaping a proposal for BBA.
- 2.3. We would need some time to work towards demonstrating the second success factor. We would need to ensure that other key stakeholders e.g. districts and the City councils, businesses and major shopping venues were aligned with the need to make any potential BBA area "bus friendly", in order to meet the objective to grow passenger numbers. This might mean reviewing car parking spaces and prices and offering more bus priority measures.
- 2.4. Given the relatively short timescale in which bids will be required, it is therefore suggested that Norfolk does not bid in April 2013. However we should begin to engage with stakeholders to inform a decision about a future round of BBA bidding. Government has indicated that further tranches could come forward, pending the outcome of the early adopters, sometime during 2015.

3. **Resource Implications**

3.1. **Finance:**

The costs of running supported services for local authorities will increase as a result of devolution. However, this cost should be met from the devolved funds from DfT, which would cover the additional tender costs. As the funding is ring-fenced during this spending review period, there should be no costs pressures associated with this change of policy.

- 3.2. **Staff:** There will be a requirement to perform additional contract monitoring and compliance duties. This will be absorbed within existing resources.
- 3.3. **Property** : None
- 3.4. **IT:** None
- 4. **Other Implications**
 - 4.1. **Legal Implications** : None
 - 4.2. **Human Rights** : None
 - 4.3. **Equality Impact Assessment (EqIA)** : There are no implications from this policy reform as the result should be an unchanged public transport network.
 - 4.4. **Communications:** An engagement and consultation strategy with bus operators will be implemented to give confidence and ensure stability and resilience during a time of change.
 - 4.5. **Health and Safety Implications** : None
 - 4.6. **Environmental Implications:** Devolved BSOG is likely to place a greater incentive for operators to invest in low carbon buses, eco-driver training and conserve fuel. It could be argued that detaching bus subsidy from fuel consumption and having bus operators incur the full cost of fuel might improve the business case for investing in low carbon emission buses. Low carbon buses deliver at least 30% saving in greenhouse gas emissions compared to a similar sized standard diesel bus.
 - 4.7. **Any other implications:** Officers have considered all the implications which members should be aware of. Apart from those listed in the report (above), there are no other implications to take into account.
- 5. **Section 17 – Crime and Disorder Act**
 - 5.1. The local bus network helps to tackle social exclusion, and access to services enhances opportunities for people in employment, healthcare, education and general well-being. Public transport makes a significant contribution to the economic, social and environmental aspects of local communities.
- 6. **Assessment**
 - 6.1. A key risk is devolved BSOG could be seen as “new money”, when in effect it is a redistribution. Devolved BSOG is ring-fenced until the end of the current spending review (March 2014). It is important to retain stability and protect the core networks of bus services to give confidence to both customers and operators about our public transport systems.
 - 6.2. There is a risk that by encouraging local authorities and bus operators to jointly bid to become a BBA, potential competition could be reduced. The intention is to design the BBA in a way that limits this and also ensures it is inclusive for new entrants wanting to enter the market.

7. **Alternative Options**

- 7.1. Devolution of BSOG is planned to be introduced in October 2013, subject to the outcome of the consultation. DfT could choose to abandon this plan, but it is thought unlikely.

8. **Reason for Decision**

- 8.1. Devolution of BSOG is a positive outcome given the Government's review of bus policy and planned reform. This provides the best balance between giving local authorities, and so local people, more influence over how bus services can be designed to meet the transport needs of their individual areas, without introducing wholesale untested changes to the subsidy regime at a time when economic conditions mean the bus market is relatively fragile.

Action Required

Members are asked to:

- i) Consider the implications of the proposed bus policy reforms
- ii) Comment on the considerations raised for Norfolk to help inform the consultation response
- iii) Offer views on bidding for Better Bus Area status for Norfolk.

Background Papers

Green Light for Better Buses – Department for Transport green paper (copy in the Member's Room)

Officer Contact

If you have any questions about matters contained in this paper please get in touch with:

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The Joint Norfolk & Suffolk Gypsy and Traveller Strategy

Report by the Director of Environment, Transport and Development

Summary

In August 2011 Norfolk and Suffolk County Councils agreed a merger between the two Gypsy and Traveller Liaison services. This resulted in NCC operating the service for both counties as a shared service. Suffolk County Council and Suffolk district and boroughs buy the service from NCC. This means that we now have a more efficient, cost effective and streamlined process of delivery, which is more consistent across both counties.

Since the merger, we now have a combined Gypsy and Traveller steering group and subgroups for each county, chaired by officers from the Gypsy and Traveller Liaison Service. The subgroups are attended by partners from statutory and non statutory agencies as well as representatives from the Gypsy and Traveller community.

Norfolk first developed a three year strategy for Gypsies and Travellers in 2005. It was developed out of research to support the profile of need, supply and gaps in services related to Gypsies and Travellers in the county. The strategy expired in 2008 and was not renewed or replaced. Suffolk had a similar strategy that expired in September 2011. Strategies are not a statutory requirement but act as a good practice tool to enhance partnership working and delivery of effective services. As part of the shared service agreement we are required to produce a joint strategy for Norfolk and Suffolk, reflecting the joint approach to services and ongoing drive for efficiency.

The Strategy recognises six priority areas of need, accommodation, community cohesion, community safety, education, health and wellbeing. These areas are divided into three themes in the action plan and represented by three subgroups in each county under the headings of 'Accommodation', 'Community Cohesion', 'Education, Health and Wellbeing'. The action plan within the strategy will guide the focus and aims of each subgroup.

Norfolk County Council is in the process of divesting its five permanent sites to other registered Providers (district Councils, Housing Associations etc).

There are no Transit sites in Suffolk at present. Norfolk currently has four transit sites. One of the Strategy's aims is to identify and develop a network of transit sites across Norfolk and Suffolk over the next two to five years to improve provision for Gypsies and Travellers and thereby reduce the number of unauthorised encampments. Identifying these sites is the responsibility of local planning authorities (districts and boroughs).

The strategy is being presented for endorsement across the 14 districts and boroughs either through their cabinets or through relevant strategic/policy committees.

Action Required

Members are invited to consider the final version of the Gypsy and Traveller Strategy, which includes a position statement with action plan and support its endorsement.

1. Background

- 1.1. Gypsies and Travellers have been part of the UK community since at least the 16th Century. Gypsy and Travelling communities in the UK have been always been marginalised and have lived on the peripheries of society, without access to mainstream services and always with a shortage of places to stay.

Gypsies and Travellers in Norfolk and Suffolk live in a variety of accommodation types. Some are settled in permanent housing or in caravans on authorised sites. Others live in temporary encampments, either authorised or unauthorised by the landowner. Still others live on land they own, but where they do not have planning permission.

1.2. Norfolk County Councils roles and duties

The Council has a duty to promote good race relations, equality of opportunity and community cohesion in all of their policies and practices. This duty covers all racial groups, including Gypsies and Irish Travellers who are recognised ethnic groups. Planning, site provision and enforcement activity are highly relevant to this duty, because they impact on race relations generally and on the way in which services are delivered to this group. In developing policy and making decisions, authorities need to ensure that their actions are consistent with this general duty.

The strategy aims to improve relations between Gypsies and Travellers and settled communities, by increasing shared knowledge and awareness and by providing mechanisms to ensure both groups have their needs and rights protected.

ETD has a role as Highway Authority and landowner to deal with encampments on the Highway and its land. The County Council has other roles in relation to education, health, wellbeing, safety and equality and diversity.

The health and cohesion action plans do not have a statutory duty attached to them, but are recognised as high priority areas of need that can be addressed adjacent to the statutory requirements.

By endorsing the strategy the Council will support Local Authority's duties to deliver the recognised accommodation needs for the Gypsy and Traveller community.

1.3 Gypsy and Traveller Strategy

- 1.3.1 A number of changes in government legislation have necessitated a revision to policies concerning Gypsy and Travellers.

- 1.3.2 The Equality Act 2010 is the primary legislation which deals with discrimination and aims to achieve equal opportunities in the workplace and in wider society. The Act replaced previous anti-discrimination laws including the Race Relations Act, with a single Act to make the law simpler and to remove inconsistencies. This makes the law easier for people to understand and comply with.

- 1.3.3 The Housing Act 2004 includes changes which introduced the statutory duty to undertake Accommodation Needs Assessments, as well as changes to the definition of 'Gypsies and Travellers'. Regional Gypsy and Traveller Accommodation Needs Assessments (GTAAAs) were completed by all districts in the Eastern Region
- 1.3.4 Until August 2011 Norfolk and Suffolk operated independently of each other. The strategies were separate, as were the objectives and actions.
- 1.3.5 The 2012 - 2014 Gypsy and Traveller Strategy will be combined, as the Counties have merged resources making the service more efficient. It will, however, continue to support Gypsies and Travellers by providing a framework for:
- Improving community cohesion by promoting good relations between Gypsies and Travellers and settled communities
 - Increasing awareness and understanding of Gypsy and Traveller needs, culture and lifestyle
 - Managing unauthorised encampments in Norfolk and Suffolk, helping to ensure that accommodation needs and other welfare issues are addressed
 - Further generating knowledge and understanding of hate crime and incidents and encourage Gypsy and Traveller communities to report them
 - Working to reduce and eliminate harassment and discrimination towards Gypsy and Traveller communities
 - Improving fire safety and personal welfare for Gypsies and Travellers in Norfolk and Suffolk
 - Improving access to learning for pre-school children, young people and adults on Gypsy and Traveller sites and encampments
 - Reduce health inequalities, improve health and wellbeing, and promote health education and awareness amongst Gypsies and Travellers.
- 1.3.6 The strategy shows how agencies and authorities can work cohesively in order to address the key issues pertaining to Gypsy and Travellers. It has been influenced by, and complements both the "working together" conference and the three Gypsy and Traveller subgroups which operate across Norfolk and Suffolk.

2. **Resource Implications : None**

2.1. **Finance** : None

2.2. **Staff** : None

2.3. **Property** : Norfolk County Council is in the process of divesting it's five permanent sites to other registered Providers (district Councils, Housing Associations etc).

2.4. **IT** : None

3. **Other Implications:** Officers have considered all the implications and they are covered in this report

3.1. **Legal Implications :**

There are a number of relevant Acts and pieces of legislation that apply to Gypsies and Travellers which aim to ensure their needs are taken into consideration in service provision, for example, the Equalities Act 2010. These are listed in more detail in section 5 of the Strategy.

3.2. **Human Rights :**

This Act incorporates the European Convention on Human Rights into English law. The relevant articles, protocols and clauses of the Act with regards to Gypsies and Travellers are as follows:

Article 6 – Everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law.

Article 8 – Everyone has the right to respect for private and family life, his home and correspondence.

Article 11 – Everyone has the right to freedom of peaceful assembly and to freedom of association with others.

Article 14 – The enjoyment of the rights and freedoms set forth in this convention shall be secured without discrimination on any ground, such as sex, race, colour, language or religion.

When considering evicting Gypsies and Travellers from unauthorised sites, the Act requires authorities to regard whether the action is necessary and proportionate in the circumstances.

3.3. **Equality Impact Assessment (EqIA) :**

Completed and attached

3.4. **Communications :** The Protocol for managing unauthorised encampments includes communications issues.

3.5. **Health and Safety Implications :** None

3.6. **Environmental Implications :** None

3.7. **Any other implications :**

4. **Section 17 – Crime and Disorder Act**

4.1. Norfolk has a protocol for managing unauthorised encampments, to which the district and boroughs are signed up to. This document acts as an appendix to the main strategy. The Protocol is guided by powers from the Criminal and Justice Public Order Act 1994.

5. **Risk Implications/Assessment**

5.1. None

6. **Alternative Options**

- 6.1. Members can decide to not endorse the Strategy. The implications of this are that the Strategy would have to be reconsidered by all other partners.

7. **Reason for Decision**

- 7.1. In addition to its own duties, NCC has a co-ordinating role for Gypsy and Traveller issues in Norfolk and Suffolk, and has ensured that all partners have been fully involved in, and supportive of this strategy.

Action Required :

- (i) Members are invited to consider the final version of the Gypsy and Traveller Strategy, which includes a position statement with action plan and support its endorsement.

Background Papers

The Norfolk Protocol for Managing Unauthorised Encampments

The 1994 Criminal and Justice Public Order Act

The Human Rights Act

The Equality Act 2010

Equality Impact Assessment

The Housing Act 2004

The National Planning and Policy Framework 2012

Officer Contact

If you have any questions about matters contained in this paper please get in touch with:

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Gypsy and Traveller Strategy

Appendix



A Partnership Document for Norfolk and Suffolk

Gypsy and Traveller Strategy for Norfolk and Suffolk: A Partnership Document

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1. EXECUTIVE SUMMARY

Gypsies and Travellers have been part of the UK community since at least the 16th Century. Gypsy and Travelling communities in the UK have often been marginalised and have lived on the peripheries of society, without access to mainstream services and with a shortage of places to stay.

Changes in government legislation have necessitated a revision to policies concerning Gypsy and Travellers.

The Equality Act 2010 is the primary legislation which deals with discrimination and aims to achieve equal opportunities in the workplace and in wider society. The Act replaced previous anti-discrimination laws including the Race Relations Act.

The Housing Act 2004 introduced the statutory duty to undertake Gypsy & Traveller Accommodation Assessments, as well as changes to the definition of 'Gypsies and Travellers'.

Until August 2011 Norfolk and Suffolk operated independently of each other. The strategies were separate, as were the objectives and actions.

The Gypsy and Traveller Strategy will cover Norfolk and Suffolk, as the county councils have merged resources making the service more efficient. The new merged service will continue to support Gypsies and Travellers by providing a framework for:

- Improving community cohesion by promoting good relations between Gypsies and Travellers and settled communities
- Increasing awareness and understanding of Gypsy and Traveller needs, culture and lifestyle
- Managing unauthorised encampments in Norfolk and Suffolk, helping to ensure that accommodation needs and other welfare issues are addressed
- Further generating knowledge and understanding of hate crime and incidents and encouraging Gypsy and Traveller communities to report them
- Working to reduce and eliminate harassment and discrimination towards Gypsy and Traveller communities
- Improving fire safety and personal welfare for Gypsies and Travellers in Norfolk and Suffolk
- Improving access to learning for pre-school children, young people and adults on Gypsy and Traveller sites and encampments
- Reduce health inequalities, improve health and wellbeing, and promote health education and awareness amongst Gypsies and Travellers

The strategy shows how agencies and authorities can work cohesively to address the key issues facing to Gypsy and Travellers. It has been influenced by, and complements both the "working together" conference and the three Gypsy and Traveller subgroups which operate across Norfolk and Suffolk.

Norfolk and Suffolk both have protocols for managing unauthorised encampments, which continue to reflect the aims of this document. The protocols aim to provide guidelines for partner agencies in terms of both welfare and enforcement issues arising from unauthorised encampments. This is described in more detail in point 6.3. This document will be revised as necessary to ensure it remains effective.

Each county's protocol will remain separate at this time due to slightly different operational working procedures.

The Gypsy and Traveller Steering Group action plan (section 7) identifies priority areas of need for Gypsies and Travellers in Norfolk and Suffolk, which partners from district and borough councils are committed to achieving over the next two years. The action plan will be reviewed on an annual basis by the Norfolk and Suffolk Gypsy and Traveller County-Wide Steering Group. The priority areas are divided into six areas of need: **Accommodation; Community Cohesion; Community Safety; Education; Health and Wellbeing**. These areas are divided into three themes in the action plan and represented by three subgroups in each county under the headings of 'Accommodation', 'Community Cohesion', 'Education, Health and Wellbeing'. The action plan within the strategy will guide the focus and aims of each subgroup.

ACCOMMODATION

Partner agencies are committed to meeting the accommodation needs of Gypsy and Traveller communities by consulting with Gypsies and Travellers themselves, as well as other stakeholders. The Protocol for Managing Unauthorised Encampments will continue to be the main tool for balancing the rights of both the settled and travelling communities when responding to unauthorised encampments.

PROMOTING COMMUNITY COHESION

The strategy aims to improve relations between Gypsies and Travellers and settled communities, by increasing shared knowledge and awareness and by providing mechanisms to ensure both groups have their needs and rights protected. In order to promote good relations between statutory bodies and the Gypsy and Traveller communities, it is our duty to identify and eliminate potentially discriminatory practices within the county, district and borough councils.

Suitable accessible media will be used to inform Gypsies and Travellers and the settled community about events and issues happening in Norfolk and Suffolk pertaining to their communities.

COMMUNITY SAFETY

Gypsies and Travellers, like all members of society have the right to live their lives in safety. Improving personal safety and wellbeing on Gypsy and Traveller sites is a priority. Norfolk and Suffolk's Fire and Rescue Services are committed to raising awareness of fire hazards on all Gypsy and Traveller sites and encampments.

EDUCATION

The Strategy aims to build on the work of the Traveller Education Support Service and other Children and Young People's Services to improve access to learning for those from a Gypsy Traveller background. This includes linking early year's settings to key Gypsy and Traveller sites and promoting parental engagement with schools to encourage greater learning amongst Gypsy and Traveller children as well as promoting learning for adults. Norfolk and Suffolk work in a slightly different way as outlined below:

Norfolk Traveller Education Service

Norfolk Traveller Education Service actively supports the process of inclusion that enables Traveller children and young people to have their needs and aspirations met within local educational provision, where they feel valued, secure, have a sense of belonging and where barriers to participation and achievement are identified and removed.

Norfolk Traveller Education Service provides support for young people from Traveller backgrounds; they offer guidance and advice to their families and work in partnership with other agencies that support the Traveller community.

They have a dedicated outreach team to support the inclusion of the most vulnerable children and their families, and to signpost to partners and other support agencies.

Their work with schools and settings, and their partnership work is focused around 6 priorities:

- **Ascription**
They offer support to Traveller families so that they feel confident about declaring their children to be part of the Traveller community. This will help us to monitor and support their progress.
- **Attendance**
They encourage and help Traveller children to attend school regularly.
- **Achievement**

They support schools in their efforts to raise the standards achieved by Traveller pupils' at all key stages.

- **Relationships with Parents and the Community**

They work positively with all partners to improve relationships with Traveller parents and the wider Traveller community.

- **Curriculum Development**

They support schools in their efforts to ensure that the curriculum is culturally reflective and inclusive.

Equalities & Minority Ethnic Attainment Team (EMEA)

In Suffolk, the Equalities & Minority Ethnic Attainment Team (EMEA), a team within the Learning and Improvement Service (LIS) has a key focus to raise attainment and narrow attainment gaps for all minority ethnic pupils, including Gypsy, Roma, Traveller pupils. Advisers in the EMEA team have a generic role to promote high attainment for all minority ethnic pupils, but there are two advisers with a GRT* specialism. There are also two part-time GRT Engagement Officers. They work in partnership with other LIS advisers, other staff within Children and Young People's Services and outside agencies to promote access, attendance and achievement within educational settings. The key priorities are to:

- Support, challenge and advice to schools to monitor and improve the progress and achievement of GRT pupils.
- Undertake targeted work in schools/settings with GRT pupils on roll and gaps in attainment, including building their capacity for self-reliance.
- Build trust with GRT families (with children who are vulnerable to under achievement) and provide support so that they are able to engage positively with the education system in all phases (0-19)
- Support all schools and settings to be proactive in meeting their equality duties.

* GRT = Gypsy, Roma and Traveller

HEALTH AND WELL-BEING

The ultimate aim of the NHS in Norfolk and Suffolk is to improve the health and wellbeing of people residing in both counties.

This includes Gypsies and members of the Travelling community who may not be accessing a range of health services including vaccination and immunisation programmes for children, screening programmes for women and chronic disease management, which are readily provided by the NHS to all communities including public health information and targeted health intervention programmes

Councils will be responsible for the delivery of public health programmes in the community, and raising awareness for health promotion and health

intervention programmes. Work will continue with NHS Norfolk and Suffolk, district and borough councils, and the Gypsy and Traveller service, to identify, provide appropriate support and signposting in accessing health services to prevent ill health and promote health and well being in order to meet the needs of Gypsies and the Travelling community.'

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2. CONTEXT

2.1 THE NATIONAL CONTEXT

There are a number of relevant Acts and pieces of legislation that apply to Gypsies and Travellers which aim to ensure their needs are taken into consideration in service provision, for example, the Equalities Act 2010. These are listed in more detail in section 5.

Recent government legislation includes changes to the Housing and Regeneration Act 2008, section 318, which once brought into force; provides the rights and obligations contained in the Mobile Homes Act 1983, and will be applied to local authority sites. This Act already applies to privately run sites. More information can be found at www.legislation.gov.uk. It is advisable to check the above website for up to date policy and legislation.

2.2 THE LOCAL CONTEXT

Gypsies and Travellers in Norfolk and Suffolk live in a variety of accommodation types. Some are settled in permanent housing or in caravans on authorised sites. Others live in temporary encampments, either authorised or unauthorised by the landowner. Still others live on land they own, but where they do not have planning permission.

There are no Transit sites in Suffolk at present. Norfolk currently has four transit sites. One of the Strategy's aims is to identify and develop a network of transit sites across Norfolk and Suffolk over the next two to five years to improve provision for Gypsies and Travellers and thereby reduce the number of unauthorised encampments.

Where unauthorised encampments are established, the relevant Protocol for the Management of Unauthorised Encampments is applied.

There are several publicly and privately managed sites in Norfolk and Suffolk. On these sites the residents are tenants, and pay for their pitch, council tax, electricity and water. Across the counties there are also privately owned pitches.

3. WHO ARE GYPSIES AND TRAVELLERS?

3.1 Definition of Gypsies and Travellers

Gypsies and Travellers, including those of Irish heritage, are recognised ethnic groups under the Race Relations Amendment Act 2000, and, as such, are identified as having shared beliefs, language and culture. Case law established Gypsies as a recognised ethnic group in 1988 and Irish Travellers in England and Wales in 2000.

In January 2007, the Department of Communities and Local Government issued a new definition of Gypsies and Travellers for local authorities to take into account when carrying out their accommodation assessments, in accordance with duties imposed by section 225 of the Housing Act 2004.

Gypsies and Travellers are now defined as:

Persons of a nomadic habit of life, whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently, and all other persons with a cultural tradition of nomadism and/or caravan dwelling.

For the purposes of the National Planning Policy Framework "Gypsies and Travellers" means:

Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling Showpeople or circus people travelling together as such.

1. For the purposes of the National Planning Policy Framework, "Travelling Showpeople" means:

Members of a group organised for the purposes of holding fairs, circuses or shows (whether or not travelling together as such). This includes such persons who on the grounds of their own or their family's or dependants' more localised pattern of trading, educational or health needs or old age have ceased to travel temporarily or

This is because different legislation applies to showpeople, who rarely camp illegally, and who are not an ethnic group.

3.2 Gypsy and Traveller Community Information

a) Groups with recognised ethnic status

The following are groups who are currently recognised as a distinct ethnic group in UK law.

English Gypsies/ Romanichals

The word 'Gypsy' is believed to have come from the word 'Egyptian', because people thought this is where Gypsies had originally come from. This was probably because of their dark complexion, colourful clothing and the fact that many of the groups arrived into Europe from the Middle East. However, it is more likely that Gypsies came from India, since the Romany language used by Roma Gypsies throughout Europe has linguistic links to Sanskrit, which is the root of many Indian languages. Within the English Gypsy community

there is a very strong sense of culture, tradition and religion, along with strong family ties.

Travellers of Irish Heritage

Irish Travellers are a minority native Irish group set apart from the settled community by their nomadic lifestyle, culture and language. In the past they were known as 'Tinkers' because a large number of them were tinsmiths. Irish Travellers have their own language, known as Gammon or Shelta that is thought to date back possibly as far as the 13th century. It is thought that events in Irish history like the potato famine forced families to again take to a nomadic way of life.

European Roma

Many European Roma Gypsies share a similar history, culture and identity to those from Britain.

b) Gypsies and Travellers currently not recognised as ethnic groups

The following are groups who are currently not recognised as distinct ethnic groups in UK law. Some are arguably ethnic groups, and may receive legal recognition as such in due course. Others are groups who are categorised by occupation or lifestyle choice, without having a common ethnic background. In either case, they may share similar needs (particularly with regards to accommodation need) to those ethnically recognised groups.

Scottish Gypsies/ Travellers

Scottish Travellers are a traditionally nomadic minority community in Scotland who have a great deal in common with Irish Travellers and English Gypsies. They too have a distinct identity and a way of life, preserving age-old cultural beliefs, including their own language, called Cant.

Welsh Gypsies

Gypsies have been nomadic in Wales for many years, as shown by court records and Welsh literature. Welsh Gypsies were first recorded in 1579. It is thought many Welsh Gypsies came from Spain via France and landed in Cornwall, subsequently making their way to Wales.

Show people

Fairs have been held for hundreds of years, and traditionally bring together the elements of trade and festival. In the middle ages Royal Charters gave the fairs legal status, enabling them to develop their economic importance. People who work on fairs today are called showpeople. Much of the work is seasonal, and many showpeople own grounds to pull onto during the winter months. All owners of the fairs must belong to the Showmen's Guild. The rules of the Guild cover safety, environmental health and facilities for showpeople.

Circus People

Circus People also have seasoned patterns of travelling and tend to spend winter months on their own ground. Circuses travel all round Europe, and often have many nationalities in their troupe.

New Travellers

'New Travellers' started to take to the road around 30 years ago. Most New Travellers are from settled communities, although some children may have been born into New Traveller communities. There are different reasons why people choose this lifestyle. Some live this way because they feel alienated from modern society which they consider materialistic, others, as they see it as being more environmentally friendly, still others, because they are homeless or leaving care.

River Travellers or 'Bargees'

River Travellers traditionally lived and worked on barges on the canal systems throughout the UK. This is the smallest of the Travelling communities in the UK. There is also a small population of families that live on sea-going coastal boats that travel between the small harbours and ports of the south coast during the summer months. Many River Travellers live this lifestyle for similar reasons to New Travellers.

4. THE POPULATION OF GYPSIES AND TRAVELLERS

4.1 National Population

Before 2011 there was no comprehensive source of information about the number of Gypsies and Travellers in England. Until then censuses did not include Gypsies and Travellers as a separate ethnic group. In the 2011 census Gypsies and Travellers were included as an ethnic group although the data has not yet been released. The Gypsy caravan count is the only recognised source of information about Gypsies and Travellers that gives any idea of the numbers and distribution of the Travelling communities. The count is based on two returns: the countywide count of caravans, and the provision of local authority Gypsy sites. The counts are held biannually, in January and July, and so only give a guide to the number of caravans in a particular area at a certain time. The count is done twice in order to give an idea of winter and summer trends in the locality. No reliable figures exist for the number of Gypsies and Travellers who live in “bricks & mortar” housing.

According to Communities and Local Government statistics, at the time of the July 2011 count, the total number of Gypsy and Traveller caravans in England was approximately 18,700. Of these, approximately 6,600 (35%) were on socially-rented sites; 8,100 (43%) were on privately-funded sites; 2,000 (11%) were in unauthorised developments on land owned by Gypsies or Travellers; and 2,000 (11%) were in unauthorised encampments on land not owned by Gypsies or Travellers. (Communities and Local Government ISBN: 978-1-4098-3226-3)

4.2 Local Population

In July 2011 the caravan count showed there were approximately 380 caravans in Suffolk and 477 caravans in Norfolk, the total for both counties therefore being 857. If we assume the accepted average of 2.9 persons per caravan we can estimate the total number of Gypsies and Travellers at approximately 2485 for the two counties combined. This shows a small increase since the last caravan count in 2011. This figure (which does not include those living in settled accommodation) is provided by Communities and Local government. More information can be gained from the document ISBN 978-1-4098-3226-3

5. RELEVANT NATIONAL LEGISLATION AND GUIDANCE

The following is a list of some of the relevant policies and laws:

- **The Criminal Justice and Public Order Act 1994**

This Act withdrew the duty on local authorities to provide caravan sites for Gypsies and Travellers. This led to an increased number of unsuccessful retrospective planning applications from Gypsies and Travellers. A reassessment of this issue has led to further guidance and, whilst not reinstating the duty, there is now a requirement that local authorities include an assessment of the accommodation needs of Gypsies and Travellers when reviewing housing needs, as described below.

- **National Policy Planning Framework (NPPF)**

As far as the delivery of Gypsy and Traveller sites is concerned, the new NPPF needs to be read with the new Planning Policy for Traveller Sites (PPTS), which was published at the same time as the NPPF. The PPTS supersedes Circular 01/06 'Planning for Gypsy and Traveller Sites' and Circular 04/07: 'Planning for Travelling Show People.'

Districts and boroughs will be responsible for making their own assessment of need for the purposes of planning.

The Government has given local planning authorities (districts and boroughs) 12 months from the publication of the PPTS to identify five years worth of specific deliverable sites. "Deliverable" means the site should be available now, should offer a suitable location for development, should be achievable with a realistic prospect that development will be delivered within 5 years, and should be viable.

This means that by March 2013, districts and boroughs need to publish an up-to-date list of 5 years worth of specific deliverable sites against locally set targets. In years 1 – 5 this list must be updated annually.

Section 25 of the PPTS, which comes into effect in April 2013 provides that failure by a local planning authority to demonstrate an up to date five year supply of specific deliverable sites will be a material planning consideration in any subsequent planning decision (note, if it is clear from January 2013 that a local planning authority is making no progress in identifying 5 years worth of specific deliverable sites, it is arguable that is also a material planning consideration).

For years 6 – 10 and, where possible, for years 11 – 15, local planning authorities must identify a supply of specific, developable sites or broad locations for growth.

To achieve this, a robust evidence base to establish accommodation needs to inform the preparation of local plans and make planning decisions will need to be undertaken.

Norfolk and Suffolk districts and boroughs are at different stages of completion with regards to providing robust evidence required to meet local demand.

- **Gypsy and Traveller HCA funding**

Up to £30 million has been made available in the eastern region for 2011 - 2014 to improve existing Traveller sites, or build new ones. The three-year grant aims to address the current shortfall in provision and tackle the issues around unauthorised encampments. Applications for funding are subject to independent assessment of value-for-money and sustainability. The impact of GTAA's in the region will result in many authorities applying for the grant to ensure they meet the demands recognised in their area. In the east and south east region during 2011 £3,589,850 was allocated.

- **The Human Rights Act 2000**

This Act incorporates the European Convention on Human Rights into English law. The relevant articles, protocols and clauses of the Act with regards to Gypsies and Travellers are as follows:

Article 6 – Everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law.

Article 8 – Everyone has the right to respect for private and family life, his home and correspondence.

Article 11 – Everyone has the right to freedom of peaceful assembly and to freedom of association with others.

Article 14 – The enjoyment of the rights and freedoms set forth in this convention shall be secured without discrimination on any ground, such as sex, race, colour, language or religion.

When considering evicting Gypsies and Travellers from unauthorised sites, the Act requires authorities to regard whether the action is necessary and proportionate in the circumstances.

- **The Equalities Act 2010**

This Act replaced previous anti-discrimination laws with a single Act to make the law simpler and to remove inconsistencies. This makes the law easier for people to understand and comply with. The Act also strengthened protection for marginalised groups and individuals in some situations.

The Act covers nine protected characteristics, each of which must be considered by local authorities. Every person has one or more of the

protected characteristics, so the Act protects everyone against unfair treatment. The protected characteristics are:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

The Equality Act sets out the different ways in which it is unlawful to treat someone, such as direct and indirect discrimination, harassment, victimisation and failing to make a reasonable adjustment for a disabled person.

The Act prohibits unfair treatment in the workplace, when providing goods, facilities and services, when exercising public functions, in the disposal and management of premises, in education and by associations (such as private clubs).

6. EXISTING PROVISION AND SERVICES FOR GYPSIES AND TRAVELLERS

6.1 SPECIALIST SERVICE PROVIDERS

Settled communities can often take mainstream service provision for granted, whereas some members of the Gypsy and Traveller community may have difficulties in accessing services, particularly healthcare and education. There are service providers that can offer specialist services to the Gypsy and Traveller communities in Norfolk and Suffolk. These service providers aim to work in partnership at all times, often through the medium of Gypsy Traveller Support Groups.

Adult and Community Services (ACS), Norfolk and Suffolk County Councils

Adult Community Services have a duty to promote wellbeing amongst all of the population, including Gypsies and Travellers. The service commissions and provides a range of services relevant for Gypsies and Travellers. These include: welfare rights advice, disability services, social care, and access to libraries.

Children and Young People's Services (CYP)

CYP works to ensure equality in education for Gypsy and Traveller children and young people. For a variety of reasons it is not always possible for Gypsy and Traveller children to attend mainstream education, or to attend for a sustained period of time.

CYP is also responsible for ensuring the safeguarding of children from all communities, under the Children's Act 1989.

District and Borough Councils

District and borough councils have a dual role of enforcement and welfare. Where unauthorised encampments occur on district or borough or county owned land, the relevant local council will be responsible for making the ultimate decision about whether the encampment will be tolerated or evicted, as well as to ensure the welfare needs of the Gypsies and Travellers are met. They will also be responsible for any clearance of land that is necessary after the encampment moves on. District and borough councils also provide services to Gypsies and Travellers, as to the wider community, for example, housing and planning advice and community facilities.

Access to Faith Communities

Under human rights law, Gypsies and Travellers have the right to 'freedom of thought, conscience and religion' (Refer www.yourrights.org.uk Search for 'freedom of thought')

Many Gypsies and Travellers are Christians, and priests and ministers are usually held in considerable respect and trust. They will conduct baptisms,

first communions, weddings and funerals as well as give support in bereavement and trauma. Irish Travellers with Christian beliefs are predominantly Roman Catholic. From time to time huge Christian (evangelical) conventions will be held for the community, with families travelling large distances to attend.

On authorised sites and private sites, access to a faith community may have already been established. If help is required to make a connection, officers should be able to provide the relevant information.

On unauthorised sites officers attending could ask Gypsies and Travellers if they would to make contact with the local priest or minister. Within UK law, the Church of England can minister to anyone (of any faith or none) residing in a parish, and so it can be advised that contact can be made initially with the local clergy. Help in establishing that initial connection can be offered through the Diocese.

For faiths other than Christian, Suffolk Inter Faith resource or SIFRE can be contacted. SIFRE aims to advance public knowledge and understanding of the teachings, beliefs, traditions and practices of the different religions and philosophies of communities in Britain and in particular, communities in East Anglia. It can help people to make links to their faith communities, which can be particularly difficult for transient groups including Gypsies and Travellers.

Equality and Diversity

The Equalities working group activities range from ensuring that the Councils are informed, competent and confident about meeting their statutory public sector equalities duties, to working with partners across the county on issues related to inclusion, to support the needs of vulnerable people and communities as well as reducing inequalities.

The range of activities undertaken is broad and includes a number of statutory functions and areas of work requiring specialist knowledge. The extent of the equalities and inclusion work undertaken within the Gypsy and Traveller community and the key priorities that will be developed in 2012/13 will be outlined in the action plan. A number of strong partnerships with other agencies and services have been developed and facilitated to support these areas of work. In addition to this, the team acts as a knowledge portal, providing strategic advice, training and support to both service areas within the Council and partner agencies on a wider range of policy areas in relation to tackling inequalities and promoting inclusion.

Norfolk and Suffolk Constabularies

The Norfolk and Suffolk Constabularies aim to support all communities, especially individuals who have been victims of crime. They have specialist Diversity Units to support different communities, and ensure that the constabulary policies reflect their needs. It works to protect and support victims of racial harassment.

The police in both Norfolk and Suffolk work closely with local authorities, and support the approach of involving partnership discussion, and dialogue with

Gypsy and Traveller groups, to achieve a negotiated solution to unauthorised encampments, where possible.

Norfolk and Suffolk Fire and Rescue

The Fire and Rescue Service will provide fire and safety advice, as well as other practical support concerning safety on encampments, to Gypsies and Travellers across both counties. This will further support the work undertaken to date in providing smoke detectors and home fire safety checks. Risk to Gypsies and Travellers was highlighted in a tragic incident where lives were lost in a fire a few years ago. Provision of fire safety DVDs have been provided by the Fire and Rescue Service and follow-up work to ensure smoke detectors are provided and continue to remain effective. We are also looking to train members of local Gypsy and Traveller communities as fire officers. 'Hard to Reach' groups are being targeted through our Integrated Risk Management Plan.

The NHS in Norfolk and Suffolk

The ultimate aim of the NHS in Norfolk and Suffolk is to improve the health of everyone. This is a 'universal offer' as all people have the right to access health services. Gypsies and Travellers, who may not be accessing a range of health services including vaccination and immunisation programmes for children, screening programmes for women and chronic disease treatment. Members of these communities may also be unaware of any health promotion and preventative health initiatives. The NHS in Norfolk and Suffolk works with all district and borough councils, as well as the Gypsy and Traveller service, to identify and meet the health needs of Gypsies and Travellers in the wider community.

Supporting people

Supporting People provides a signposting and referral service to help improve basic needs such as access to suitable living conditions, access to information on benefits, healthcare including mental health and other services. We also ensure that those living on unauthorised encampments have access to basic amenities such as water or sanitary provision.

One Voice for Travellers

One Voice is a charity project with a mission to reduce violence and promote equality of opportunities and good relationships between Gypsies and Travellers and the settled community.

They work with and support members of the Gypsy and Traveller communities experiencing need, hardship or distress caused by or associated with violence. This then enables them to make informed choices and encourage engagement and participation within Gypsy and Traveller communities and also with the wider community.

They also promote good relationships by raising the cultural competence of service providers.

NPS Property Consultants Limited

“NPS Property Consultants Limited” provides Gypsy and Traveller Site Management Services throughout Norfolk.

NPS works with Gypsy and Traveller Site Managers who oversee the day-to-day running of those sites. NPS and Site Managers provide accommodation related support for residents on their managed sites. NPS also works closely with other key partner agencies to improve accommodation, access to services, training and education opportunities for Gypsies and Travellers.

6.2 Gypsy and Traveller Steering Group

The aim of the Norfolk and Suffolk Gypsy and Traveller Steering Group is to proactively seek ways to address the recommendations made by national legislation and guidance. The group works in partnership to provide a corporate approach to improving community cohesion around Gypsy and Traveller issues by representing the interests of both the travelling and non-travelling communities. All of the organisations mentioned above have representatives on the steering group, which regularly reviews its membership. The involvement of Gypsies and Travellers on the steering group is vital to understand their needs.

6.3 PROTOCOL FOR MANAGING UNAUTHORISED ENCAMPMENTS

The counties, districts and boroughs along with other statutory agencies continue to implement the Protocol for Managing Unauthorised Encampments

While there must be a wide-ranging and strategic approach to service and site provision for Gypsy and Traveller groups, the Protocol is solely concerned with the management of unauthorised encampments.

The aims of the Protocol are to:

1. Address the need for an effective, multi-agency approach to the management of unauthorised Gypsy and Traveller encampments, whilst ensuring that the rights of Gypsies and Travellers are met.
2. To clarify and agree working arrangements around unauthorised encampments amongst the county, district and borough councils, the police and health sector.

The Protocol has proved to benefit both the settled and travelling communities, in providing clear guidelines that enable the settled community to use land for its intended purposes, ensuring that the needs of the travelling community are met, and that they have proper access to services. Additionally, as pitch provision is identified and developed, there will be an increase in the provision of legal sites, which will reduce community tensions over unauthorised sites.

During the life of this strategy both Counties through a protocol steering group, are looking to revise the Protocol, with membership including the

Constabulary, the district, borough and county councils of Norfolk and Suffolk, the NHS and fire and rescue services to offer a consistent approach.

FINAL DRAFT

7. STRATEGIC PRIORITIES AND ACTIONS

7.1 IDENTIFYING NEED

The Gypsy and Traveller Steering Group action plan identifies priority areas of need for Gypsies and Travellers. The future actions were identified through the Norfolk and Suffolk “Moving Forward Together” conference 2012, attended by Gypsies, Travellers, statutory and non-statutory partners. The action plan continues to incorporate the findings and recommendations from national research.

The priority areas are divided into three themes in the action plan:

- **Accommodation**
- **Community Cohesion**
- **Education, Health and Wellbeing**

The action plan aims to cover all aspects of priority need, and the aspirations of Gypsies and Travellers living in Norfolk and Suffolk.

7.2 DELIVERY AND MONITORING OF STRATEGY

The action plan will be delivered by a team of partners, and covers a wide range of targets as laid out in the action plan at the end of this document. The targets are specific and measurable, and will be subject to monitoring by the Norfolk and Suffolk Gypsy & Traveller Steering Group. The action plan is subject to review. Representation, participation and input from Gypsy and Traveller communities will be strongly encouraged.

Gypsy and Traveller Countywide Action Plan 2012-2014:
Community cohesion

Objective; To promote cultural understanding throughout Norfolk & Suffolk and further enable Community Cohesion and Community Safety.

	Aim	Actions	By When	Lead Agency	Relationship to other strategies	Six monthly review	Date achieved
1	Challenge media misrepresentation	Organise positive media events Monitor local and national media coverage Constructively challenge unfair or inaccurate coverage Share positive stories and best practice	Ongoing Ongoing Ongoing Ongoing	All All All All			
2	Promote Safety	Annual visits from Fire & Rescue Service to offer free fire safety advice/ fire alarms. Provide animal welfare/safety/guid	Annually	Fire and Rescue Trading Standards			

		<p>ance.</p> <p>Run personal safety courses</p> <p>Domestic violence awareness</p>		<p>Police</p> <p>One Voice for Travellers</p>			
3	Restorative and Meditative Approaches / breaking down barriers	<p>Instil restorative approaches within the Protocol</p> <p>Seek to use restorative approaches wherever possible with young people</p> <p>Explore other meditative tools such as circles to use within communities</p> <p>Integration and cohesion events</p>		<p>Gypsy and Traveller Liaison service Parishes Police</p> <p>Traveller Education service</p> <p>Police</p> <p>Gypsy and Traveller liaison service County Restorative Team</p> <p>Police Fire GTLO</p>			

Gypsy and Traveller Norfolk and Suffolk Action Plan 2012 -2014:
Education, health and wellbeing

Objective: To improve access to education among the Gypsy & Traveller community and to focus on health & wellbeing issues

	Aim	Action	Time scale	Partners involved	Relationship to other strategies	Six monthly review	Date achieved
1	Establish a consistent approach to information sharing and distribution.	Any material created should be shared with the subgroup. All relevant partners are included in information about unauthorised encampments	April 2013	Gypsy and Traveller Liaison service to coordinate			
2	Ensure procedures are co-ordinated and not duplicated	Operational roles in each organisation should be defined and risk of duplication highlighted. Create mini teams in each geographical area.	Ongoing September 2012	City Reach Red Cross Health trainers Health visitors Traveller Education			

3	Improve academic attainment and progress	Support and challenge schools and settings	Ongoing	Traveller Education	Traveller education service plan		
4	Improve access to mainstream services through identifying need on both authorised and unauthorised sites	Identify need through visiting sites, canvassing opinion and conducting research.	September 2013	Red Cross Healthwatch – Traveller Education	Red Cross basic health checks research Healthwatch LINK programme	LINK	
5	Continue providing training and development to Gypsy and Traveller communities to promote health and wellbeing Consult with communities to offer what they need	<p>Training subjects: Citizenship PSHE Cultural awareness Life style Prevention Sale of Goods Act Stop and Search</p> <p>Organise 3 to 4 workshops per year, look to include unauthorised encampments</p>	<p>September 2013</p> <p>Schedule by September 2012</p>	<p>Ormiston Health Trainers Red Cross One Voice</p> <p>Red rose chain project Red Cross “first aid” training</p>		<p>Red rose chain project</p> <p>Gypsy and traveller liaison service plan</p>	
6	Raise cultural awareness in all areas	Develop and deliver cultural awareness training programmes	April 2013	Gypsy and traveller liaison service Traveller Education			

Gypsy and Traveller Countywide Action Plan 2012-2014:
Accommodation

Objective - Developing and delivering accommodation for Gypsies and Travellers in Norfolk and Suffolk

	Aim	<i>Action</i>	Time scale	Partners Involved	Relationship to other strategies	6 monthly review	Date achieved
1	To identify and deliver residential Gypsy and Traveller accommodation	<p>To provide up-to-date robust Accommodation Needs Assessments</p> <p>Identify suitable land in accordance with NPPF where need identified</p> <p>Identify County Councillor rep for Norfolk/Suffolk on Accommodation subgroups</p> <p>To be aware of neighbourhood plans, liaising with town and parish</p>	<p>April 2013</p> <p>March 2013</p> <p>December 2012</p> <p>March 2013</p>	<p>All Local Authorities</p> <p>All Local Authorities with the Gypsy and Traveller Liaison Team</p> <p>Gypsy and Traveller Liaison Team</p> <p>All Local Authorities</p>	<p>National Planning Policy Framework</p> <p>Up-to-date Accommodation Needs Assessments</p>		

		<p>councils at local level to start to identify need and land.</p> <p>Utilise Communities and Local Government funding to all Local Authority and Registered Social Landlord sites</p>	September 2014	All Local Authorities with the support from the Gypsy and Traveller Liaison Service			
2	Identify locations and develop transit provision across both counties	<p>Create a sustainable and relevant network of transit sites across the counties, each one no larger than 8-10 pitches.</p> <p>Local authorities to work together to secure funding to deliver the provision</p> <p>Local authorities to work together to influence political members to promote the requirement of provision.</p> <p>Develop a joint protocol for managing</p>	<p>September 2014</p> <p>September 2014</p> <p>Ongoing</p> <p>September 2014</p>	<p>All local Authorities with the support from Gypsy and Traveller Liaison Service</p> <p>All local Authorities with support from the Gypsy and Traveller Liaison Service</p> <p>All local authorities</p> <p>All local authorities with the Gypsy and Traveller Liaison Service</p>	Up to date Accommodation Needs Assessments		

		unauthorised encampments that reflects the use of transit sites as a shared approach across both counties.					
3	To work together to ensure that a consistent approach towards policy and procedure is reached	<p>Over next 2 years, look at a consistent methodology of approach towards accommodation need, with the aim towards synchronising all qualitative and quantitative data required to deliver assessments across the two counties.</p> <p>Have a consistent approach with regards to recording and registering Gypsy & Traveller movements.</p> <p>To develop one accommodation register of need across the two counties for all socially rented sites.</p>	<p>September 2014</p> <p>March 2013</p> <p>June 2013</p>	<p>Accommodation subgroups</p> <p>Accommodation subgroups</p> <p>Accommodation subgroups</p>			

		<p>To aim to establish a consistent approach to what is a 'what is a local connection' giving a commonality of approach with regards to allocations policies.</p> <p>Offer Gypsies & Travellers accommodation 'options' – raising their awareness of accommodation opportunities across the two counties.</p> <p>Both counties have Provision of accommodation floating support services, including Gypsy and Traveller representation</p>	<p>June 2013</p> <p>April 2013</p> <p>January 2013</p>	<p>Accommodation Sub Groups</p> <p>Gypsy and Traveller Liaison Team and Local Authorities</p> <p>Supporting People Commissioning Body</p>			
4	<p>Increase knowledge and understanding of accommodation needs within the local authorities across both counties.</p>	<p>Deliver accommodation awareness raising events to:-</p> <p>Increase Gypsy & Traveller awareness with District and Borough planners.</p>	<p>September 2014</p>	<p>All local Authorities with the Gypsy and Traveller Liaison Service</p> <p>All local Authorities with the Gypsy and Traveller Liaison Service</p>			

		Increase Gypsy & Traveller awareness with Town and Parish councils	September 2014				
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FINAL DRAFT

8. USEFUL CONTACTS

Organisation	Phone number
Babergh District Council	01473 822801
Mid Suffolk District Council	01449 720711
Forest Heath District Council	01638 719000
Ipswich Borough Council	01473 432000
St Edmundsbury Borough Council	01284 763233
Suffolk Coastal District Council	01394 383789
Suffolk County Council	01473 583000
Waveney District Council	01502 523413
Breckland District Council	01362 656870
Broadland District Council	01603 431133
Great Yarmouth Borough Council	01493 856100
Kings Lynn and West Norfolk Borough Council	01553 616200
North Norfolk District Council	01263 513811
Norwich City Council	01344 980 33 33
South Norfolk District Council	01508 533633
Norfolk County Council	0344 800 8020
NPS Property Consultants Limited	01603 222674



Norfolk County Council at your service

APPENDIX (relating to 3.3 of report)

Equality impact assessment **[Norfolk and Suffolk Gypsy and Traveller Strategy]**

Key findings:

The Gypsy and Traveller Strategy has been developed jointly between Norfolk and Suffolk partners, as they have merged resources making services for Gypsies and Travellers more efficient. It will continue to support Gypsies and Travellers by providing a partnership delivery framework.

The strategy is in two parts, a position statement giving information on the services already engaged with the Gypsy and Traveller community, demographics across the two counties and current legislation steering how we address areas such as accommodation need.

Actions within the strategy were developed following a partnership conference (also attended by representatives from the Gypsy and Traveller community) in 2012. The conference highlighted areas for improvement and delivery with regards to the need, supply and gaps in services related to Gypsies and Travellers across the two counties.

The action plan within the strategy will guide the focus and aims of each subgroup for the main Gypsy and Traveller Steering Group. The Strategies priority areas, agreed by partners and the Gypsy and Traveller community are divided into three themes in the action plan: Accommodation, Community Cohesion, 'Education, Health and Wellbeing'.

Directorate: ETD

Review officer/s: Include here everyone who participated in the assessment.
Keren Wright
Neil Howard

Date completed: 11/09/12

Action required: **NO**

1. Overview of activity or proposal

Summarise the overall aims of the activity or proposal, & how will it achieve them:

The Strategy will support Gypsies and Travellers by providing a framework for:

- Improving community cohesion by promoting good relations between Gypsies and Travellers and settled communities
- Increasing awareness and understanding of Gypsy and Traveller needs, culture and lifestyle
- Managing unauthorised encampments in Norfolk and Suffolk, helping to ensure that accommodation needs and other welfare issues are addressed
- Further generating knowledge and understanding of hate crime and incidents and encourage Gypsy and Traveller communities to report them
- Working to reduce and eliminate harassment and discrimination towards Gypsy and Traveller communities
- Improving fire safety and personal welfare for Gypsies and Travellers in Norfolk and Suffolk
- Improving access to learning for pre-school children, young people and adults on Gypsy and Traveller sites and encampments
- Reduce health inequalities, improve health and wellbeing, and promote health education and awareness amongst Gypsies and Travellers

The main Norfolk and Suffolk Gypsy and Traveller steering group has accommodation, health, education & wellbeing and cohesion subgroups in each county. The subgroups are facilitated by the Gypsy and Traveller Liaison Team. Partners and representatives from the Gypsy and Traveller community within the subgroups will address the actions contained in the strategy over a two year period.

2. Who is affected?

Where this proposal may be relevant to people with a protected characteristic (i.e. they might potentially use the service as a Norfolk resident or visitor) please indicate here:

Age (people of different age groups; older & younger etc)	<u>YES/NO</u>
Disability (people who are wheelchair or cane users; blind, deaf, visually or hearing impaired; can't stand for a long time; have a long-term illness i.e. HIV or a neurological condition such as dyslexia; learning difficulties; mental health etc)	<u>YES/NO</u>
Gender reassignment (people who identify as transgender)	<u>YES/NO</u>
Marriage/civil partnerships	<u>YES/NO</u>
Pregnancy & Maternity	<u>YES/NO</u>
Race (different ethnic groups, including Gypsies & Travellers)	<u>YES/NO</u>
Religion/belief (different faiths, including people with no religion or belief)	<u>YES/NO</u>
Sex (i.e. men/women)	<u>YES/NO</u>

(Please see Appendix 1 for information on types of discrimination)

3. Context to the proposal

Provide any relevant background information to the proposal, such as:

The profile of people using the service, with a demographic breakdown of disability, ethnicity, gender, age etc;

Any statutory requirements placed on the Local Authority in relation to this area

Anything you consider relevant that will add to the evidence-base, and put the proposal and its potential impact or outcome in context.

In July 2011 the caravan count showed there were approximately 380 caravans in Suffolk and 477 caravans in Norfolk, the total for both counties therefore being 857. If we assume the accepted average of 2.9 persons per caravan we can estimate the total number of Gypsies and Travellers at approximately 2485 for the two counties combined. These figures include representation from the diverse range of Gypsies and Travellers such as English, Welsh and Scottish Gypsies, New and Irish Travellers. These figures do not include a large number of Gypsies and Travellers that live in houses. It is thought that 50% of Gypsies and Travellers now live in houses.

The Council has a duty to promote good race relations, equality of opportunity and community cohesion in all of their policies and practices. This duty covers all racial groups, including Gypsies and Irish Travellers who are recognised ethnic groups. Planning, site provision and enforcement activity are highly relevant to this duty, because they impact on race relations generally and on the way in which services are delivered to this group. In developing policy and making decisions, authorities need to ensure that their actions are consistent with this general duty. The Equality Act 2010 is the primary legislation which deals with discrimination and aims to achieve equal opportunities in the workplace and in wider society.

The strategy is primarily a partnership document aimed at improving delivery of services to the Gypsy and Traveller community, however it is recognised that the approach also needs to be leaning towards a person centred focus, ensuring we work closely with community members to help them to steer their own path towards inclusion and access to services. By having representation at the subgroups from the community will strengthen the person centred approach encouraging independence towards addressing

4. Potential impact

Consider whether the activity or proposal may disadvantage people with protected characteristics when compared to people without these characteristics (think carefully about the following areas):

- Do people with certain protected characteristics use the service more than others? Might the proposal therefore particularly impact on them or people associated with them, such as their families or carers?
- The built environment (is it accessible - if not, are reasonable adjustments in place?)
- ICT (is it accessible – if not, are adaptive ICT solutions in place?)
- Communications (customer contact, paper, electronic, verbal etc - is it accessible?)
- User involvement/participation/consultation (is it inclusive of everyone & does it accommodate different needs?)
- Have all reasonable and proportionate options been explored to use the proposal as an opportunity to promote equality for the groups listed in (2) above?

Describe your conclusions below, clearly stating the evidence for your response, for audit purposes.

The Strategy has been developed to enhance and support the Gypsy and Traveller community with regards to accessing accommodation, health and education services as well as strengthening relations between the settled and Traveller community. The aim is to work with the community to improve service provision. The Strategy covers main identified areas of need but is not finite in its format. We will monitor the strategy and the action plans will be reviewed six monthly. Any apparent gaps in delivery of service that do not meet the county's duties to promote equality and fairness of access, will be addressed and the action plan amended to incorporate improvement of delivery.

The Strategy and its action plan will be implemented by different agencies through specialist subgroups. Gypsies and Travellers will be represented at those subgroups and it will be our responsibility to reach out to the community to encourage participation and involvement with the different services available. The Gypsy and Traveller community may not be comfortable with accessing some areas of support due to cultural mistrust issues. The strategy and action plan will continue to work towards reducing and improving community tensions.

Some of the Gypsy and Traveller community are known to have lower literacy levels which may result in utilisation of resources such as schools and libraries less than the settled community.

The majority of the action plan will be delivered in an operational format, ie at officer level, liaising with other partner agencies and to the community in their homes. ICT is a relatively new format for Gypsies and Travellers but the use of mobile phones and social websites is widening the remit of communication. It is recognised that not all Gypsies and Travellers (as in the settled community) will have modern forms of communication and any written documents will require an easy read format.

The strategy through the sub groups will focus on user involvement and person centred approaches. The delivery of the services will be structured, resulting in a reduction of duplication of services and a more consistent approach. Consultation with the Gypsy and Traveller community will be paramount to ensure the strategy is fulfilling the areas of need identified.

As with any other communities, the Gypsy and Traveller is a diverse community, whether that is age, disability, sexual orientation, religion or race. However, due to the culture and close-knit nature of the community and the wider negative perception of the Gypsy and Traveller community by some people, there is a chance that some members of the community may be put at a disadvantage. The strategy, through the sub groups will take this into consideration when consulting the Gypsy and Traveller community or delivering its actions under the strategy.

5. Actions

Describe any actions to be carried out to address any potential adverse impact identified above.

Action/s	Lead	Date
1 Review each area of the action plan on a six monthly basis, populating it with areas achieved and re-assessing the strategy as a whole to ensure we are still meeting our equality duty	Accommodation, health and education and cohesion Sub groups	
2 Develop easily read material for the community with regards to accessing different services across the counties	Accommodation, health and education and cohesion Sub groups	
3 Organise person centred focus groups with members of the Gypsy and Traveller Community to discuss ways they would like to improve access to services and reduce inequalities within the community	Specialist Officers	

6. Completion & further information

To support you in your decision making please sign off your form with Neil Howard, Equality & Cohesion Officer, Planning, Performance & Partnerships team.

For questions and guidance about equality issues and help completing this assessment, please contact Neil Howard directly:

Telephone: 01603 224196

Text: 07901517721

Email: Neil.Howard@Norfolk.Gov.uk

Minicom: 0344 800 8011

Fax: 01603 223096

Signed: Keren Wright

Date of next review (if any): March 2013

Annual/three yearly review

Consider the impact your activity or proposal has achieved over the last year/three years, measured by your monitoring data. Think carefully about the following areas:

- ❶ Is the same impact being achieved for people with protected characteristics compared to people without these characteristics – if not, why not?
- ❷ Are the needs of people with protected characteristics being adequately met, where these may differ from people without these characteristics?
- ❸ Is uptake of any opportunities associated with the activity or proposal generally representative of people with protected characteristics?
- ❹ Does the customer/staff/volunteer profile reflect Norfolk's population – & if not, why not?

Describe your conclusions below, clearly stating the evidence for your response, for audit purposes.

Actions

Describe any actions to be carried out to address any issues identified above.

Action/s	Lead	Date
1		
2		

Completion & further information

To support you in your decision making please sign off your form with Neil Howard, Equality & Cohesion Officer, Planning, Performance & Partnerships team.

For questions and guidance about equality issues and help completing this assessment, please contact Neil directly:

Telephone: 01603 224196

Text: 07901517721

Email: Neil.Howard@Norfolk.Gov.uk

Minicom: 0344 800 8011

Fax: 01603 223096

Signed:

Date of next review (if any):

Norfolk County Council Equality Impact Assessments - Types of discrimination:

Direct discrimination

Direct discrimination occurs when someone is treated less favourably than another person because of a protected characteristic they have or are thought to have (see perception discrimination below), or because they associate with someone who has a protected characteristic (see discrimination by association below).

Discrimination by association

Already applies to race, religion or belief and sexual orientation. Now extended to cover age, disability, gender reassignment and sex. This is direct discrimination against someone because they associate with another person who possesses a protected characteristic.

Perception discrimination

Already applies to age, race, religion or belief and sexual orientation, now extended to cover disability, gender reassignment and sex. This is direct discrimination against an individual because others think they possess a particular protected characteristic. It applies even if the person does not actually possess that characteristic.

Indirect discrimination

Already applies to age, race, religion or belief, sex, sexual orientation and marriage and civil partnership, now extended to cover disability and gender reassignment. Indirect discrimination can occur when you have a condition, rule, policy or even a practice in your company that applies to everyone but particularly disadvantages people who share a protected characteristic. Indirect discrimination can be justified if you can show that you acted reasonably in managing your business, ie that it is 'a proportionate means of achieving a legitimate aim'.

A *legitimate aim* might be any lawful decision you make in running your business or organisation, but if there is a discriminatory effect, the sole aim of reducing costs is likely to be unlawful.

Being proportionate really means being fair and reasonable, including showing that you've looked at 'less discriminatory' alternatives to any decision you make.

Dual discrimination (*Currently delayed while government considers how the mechanics of this form of discrimination will be implemented*)

Dual discrimination is where a person is subject to direct discrimination on the grounds of no more than two of the following protected characteristics: age; disability; gender reassignment; race; religion or belief; sex; and sexual orientation;

Harassment

Harassment is “unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual”.

Harassment applies to all protected characteristics except for pregnancy and maternity and marriage and civil partnership. People will now be able to complain of behaviour that they find offensive even if it is not directed at them, and the complainant need not possess the relevant characteristic themselves.

Third party harassment

Already applies to sex, now extended to cover age, disability, gender reassignment, race, religion or belief and sexual orientation.

As an employer, you can be held responsible for harassment of a worker by someone who doesn’t work for you, such as a customer. This is sometimes called ‘third party harassment’.

The company or organisation will become legally responsible if they know that their worker has been harassed by someone who does not work for them twice before but fail to take reasonable steps to protect the worker from further harassment. It does not have to be the same person harassing the worker on each occasion

Victimisation

Victimisation occurs when an employee is treated badly because they have made or supported a complaint or raised a grievance under the Equality Act; or because they are suspected of doing so. An employee is not protected from victimisation if they have maliciously made or supported an untrue complaint. There is no longer a need to compare treatment of a complainant with that of a person who has not made or supported a complaint under the Act.

Independent Panel on Forestry – Report following Call for Views

Report by the Director of Environment, Transport and Development

Summary

A paper on this topic was first brought to Overview and Scrutiny Panel on the 16 March 2011 regarding the future role of the Forestry Commission estate in Norfolk. This paper had been prompted by the announcement by the Coalition Government that 15% of land managed by the Forestry Commission in England would be sold over the four year period 2014-15. The 15% sale was temporarily suspended while an Independent Panel on Forestry, chaired by the Bishop of Liverpool, considered the issue.

A further paper was brought to panel on 13 July 2011 proposing a response to the consultation, and members attended a site visit to Thetford Forest hosted by the Forestry Commission and lead by the Environment Team, to discuss the issues.

The Independent Panel on Forestry has now published its findings in a highly regarded report, and this paper summarises them and considers the implications for the Council.

The Independent Panel's report concludes that trees and woodlands are vital for our common life. Woodlands keep us healthy. They are places where people can get out in the fresh air and feel connected with nature, with history and with each other, away from the pressures of everyday life. Woodlands sustain livelihoods, support local businesses and contribute to the greening of our national economy.

The report also makes clear that the Panel believes the public forest estate is a national asset, which should remain in public ownership. The Panel recommends an evolution of the Forestry Commission. It says the new organisation should have greater financial freedoms and investment to generate even greater benefits for people, nature and the economy.

Action Required

Members are recommended to consider and comment on the information contained in the report.

1. Background

1.1. On 4 July 2012 the Independent Panel on Forestry published its Final Report.

The report calls for England's woods and forests to be re-valued for all the benefits they provide. These include areas for recreation, clean air, clean water, and habitats for wildlife. They also lock up carbon, provide shade and can help reduce flooding. Wood is the raw material for timber frame buildings, furniture, flooring, fuel, and of course paper. The report calls for a revival of a woodland culture that appreciates

how important trees are for people, for nature and the economy.

The then Environment Secretary, Caroline Spelman, welcomed the publication of the report. The government has undertaken to respond more fully in January 2013.

2. Council's Response to First Call for Comments

- 2.1 The Council gave a full and robust response to the first call for views in July 2011. We highlighted the importance of Norfolk's woodlands for people, for recreation and health, for biodiversity, for the natural resource they provide and to their value to the Norfolk economy.

It is suggested the Council can welcome the publication of this Independent Panel Report and note that it reflects all the key points made by the Council in the consultation.

3. Key Messages of the Report

3.1. Trees and Woods: Good for People

The report calls on Government and other woodland owners to give as many people as possible ready access to trees and woodlands for health and well-being benefits – this means planting more trees and woodlands closer to people and incentivising more access to existing woodlands.

In Norfolk County Council we will achieve this mostly through the planning system. Specialists within the Biodiversity and Countryside team work with planning officers on minerals, waste and highways applications to ensure that new trees and woodlands are strategically planned and planted where they can do the most good. We always strive to deliver public access, but this is not always possible, and we respect the wishes of landowners where they feel strongly that public access is not appropriate. We have also initiated the much praised Health Walks programme which promotes use of the county's woodlands for public enjoyment wherever possible. Members may also be aware of the programme of planting and best practice in place across the whole County Farms portfolio, including the award winning Burlingham Woodland Trails.

3.2. Trees and Woods: Good for Nature

The report calls on Government to ensure that land-use creates a coherent and resilient ecological network at a landscape scale, by integrating policy and delivery mechanisms for woods, trees and forests in line with the principles in the "Making Space for Nature" report, published by the Lawton Review. It also calls for the establishment of a new body evolved from Forest Services with duties, powers and functions to champion, protect and increase benefits from trees, woodlands and forests that are good for people, good for nature and good for the green economy.

The principles enshrined within the Lawton Review are very much at the heart of the new Local Nature Partnership for Norfolk and Suffolk, which will be called Wild Anglia. The Forestry Commission will be key players in this new strategic partnership, and it looks likely that the new body proposed in the Independent Forestry report will also play a crucial role in delivering the objective of Wild Anglia.

In a nutshell, this is to make nature stronger for all of the benefits this brings to the two counties. A report will be brought to this committee specifically on Wild Anglia at a later date.

A new post has just started within Environment to help deliver so called “Green Infrastructure” (GI) within the GNDP area. Funded by the Greater Norwich Development Partnership (GNDP), the GI Co-ordinator will implement the Green Infrastructure Delivery Plan published in 2009. Much of this Green Infrastructure is likely to be new woodlands open to the public, paid for with funds from the private sector.

3.3. Trees and Woods: Good for the Green Economy

The report urges Government, woodland owners and businesses to seize the opportunity provided by woodlands to grow our green economy, by strengthening the supply chain, and promoting the use of wood more widely across our society and economy. These and other actions should be set out in a Wood Industry Action Plan.

In Norfolk, this aspiration will be delivered partly by Wild Anglia, and partly by Woodfuel East (a Forestry Commission initiative, funded with European money which seeks to expand the use of wood burning technology for space and water heating. The Council is also supportive of wood fuel technology and has installed five wood powered boilers in Norfolk schools, and is investigating the potential this low carbon technology may have for other significant Council projects.

This new approach of valuing natural capital for the essential contribution it makes to the economy as well as quality of life, is very much at the heart of Wild Anglia.

4 Government Response

We currently await the Government response to this report which is expected in January 2013. There may be a need to report back to members at this point, if the Government confirms specific measures with direct implications for Norfolk and this authority. The Forestry Commission will be engaging with stakeholders over the next few months to help advise and inform the Government response.

5 Role of new Local Nature Partnership – Wild Anglia

Wild Anglia is the Local Nature Partnership for Norfolk and Suffolk. This new partnership which received formal recognition in July 2012, will act at a strategic level to ensure that the natural environment is taken into account in decision-making at all levels, across the two counties. It will act as an advocate for nature and will support partners such as the Wildlife Trusts and communities in delivering projects that will strengthen nature and so benefit wildlife, communities and the economy.

DEFRA encouraged new Local Nature Partnerships to form in 2011 after official reports showed that our society and economy will suffer if our natural environment is allowed to deteriorate further. DEFRA has granted LNP status to 41 partnerships, which will, however, be self-funding.

Through a high-level board, Wild Anglia will work to promote and support activities across a range of private, public and voluntary sectors, highlighting the many

advantages that a healthy natural environment brings to society. A Business and Biodiversity Group, with members which will include the New Anglia Local Enterprise Partnership, the National Trust, Environment Agency and Suffolk Chamber of Commerce will ensure that the economic agenda is connected with environmental goals and investment in nature.

Wild Anglia will implement the recommendations of the Natural Environment White paper and report by John Lawton, seeking to deliver 'bigger, better, more joined-up' areas where nature can thrive, and helping to protect the natural environment against threats such as climate change. It will reach out beyond traditional wildlife enthusiasts to reach new audiences and strive to turn 'users' of the natural environment (such as visitors to nature reserves) into contributors who reinvest in 'natural capital'.

A paper on Wild Anglia will be brought back to the Panel at a later date.

- 6 **Equality Impact Assessment (EqIA)** : This report is not directly relevant to equality in that it is not making proposals which may have a direct impact on equality of access or outcome.
- 7 **Communications** : None
- 8 **Health and Safety Implications** : None
- 9 **Any other implications** : Officers have considered all the implications which members should be aware of. Apart from those listed in the report (above), there are no other implications to take into account.
- 10 **Section 17 – Crime and Disorder Act**

No implications

Action Required

- (i) Members are recommended to consider and comment on the information contained in the report.

Background Papers

Independent Panel on Forestry, 2012, Final Report, Crown Copyright

Lawton, Sir John, 2010, Making Space For Nature, A Review of England's Wildlife Sites and Ecological Network,

GNDP, 2009, Green Infrastructure Delivery Plan, The Landscape Partnership.

Officer Contact

If you have any questions about matters contained in this paper please get in touch with:

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