

Environment, Development and Transport Committee

Date: **Friday, 14 October 2016**

Time: **10:00**

Venue: **Edwards Room, County Hall,
Martineau Lane, Norwich, Norfolk, NR1 2DH**

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

Membership

Mr M Wilby (Chairman)

Mr R Bird Mr C Foulger

Mr A Boswell Mr B Iles

Ms C Bowes Mr T Jermy

Mr B Bremner Mrs J Leggett

Mr J Childs Mr G Plant

Mr S Clancy Mr J Timewell

Mrs M Dewsbury Mrs C Walker

Mr T East Mr A White

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

Hollie Adams on 01603 223029
or email committees@norfolk.gov.uk

Under the Council's protocol on the use of media equipment at meetings held in public, this meeting may be filmed, recorded or photographed. Anyone who wishes to do so must inform the Chairman and ensure that it is done in a manner clearly visible to anyone present. The wishes of any individual not to be recorded or filmed must be appropriately respected.

A g e n d a

1. **To receive apologies and details of any substitute members attending**

2. **To agree the minutes of the meeting held on 16 September 2016**

Page 5

3. **Declarations of Interest**

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.

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 QuestionTime**

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

Please note that all questions must be received by the Committee Team (committees@norfolk.gov.uk) by **5pm Tuesday 11th October 2016**. For guidance on submitting public question, please view the Consitution at www.norfolk.gov.uk or visit: www.norfolk.gov.uk/what-we-do-and-how-we-work/councillors-meetings-decisions-and-elections/committees-agendas-and-recent-decisions/ask-a-question-to-a-committee

6. Local Member Issues/ Member Questions

Fifteen minutes for local member to raise issues of concern of which due notice has been given.

Please note that all questions must be received by the Committee Team (committees@norfolk.gov.uk) by **5pm on Tuesday 11th October**.

7. Verbal update or feedback from Members of the Committee regarding Member Working Groups or bodies that they sit on.

- | | |
|--|-----------------|
| 8. Finance monitoring
Report by the Executive Director of Communities and Environmental Services | Page 19 |
| 9. 2017-18 Budget and Medium Term Financial Planning 2017-18 to 2019-20
Report by the Executive Director of Communities and Environmental Services | Page 24 |
| 10. Annual Local Levy Setting for the Regional Flood and Coastal Committees
Report by the Executive Director of Communities and Environmental Services | Page 32 |
| 11. Highways asset performance
Report by the Executive Director of Communities and Environmental Services | Page 37 |
| 12. Annual review of the Enforcement Policy
Report by the Executive Director of Communities and Environmental Services | Page 66 |
| 13. Recommendations of the Greater Norwich Development Partnership (GNDP) Board
Report by the Executive Director of Communities and Environmental Services | Page 124 |
| 14. Forward Plan and decisions taken under delegated authority
Report by the Executive Director of Communities and Environmental Services | Page 136 |

Group Meetings

Conservative	9:00am	Conservative Group Room, Ground Floor
UK Independence Party	9:00am	UKIP Group Room, Ground Floor
Labour	9:00am	Labour Group Room, Ground Floor
Liberal Democrats	9:00am	Liberal democrats Group Room, Ground Floor

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

Date Agenda Published: 06 October 2016



If you need this document in large print, audio, Braille, alternative format or in a different language please contact Customer Services on 0344 800 8020 or 0344 800 8011 (textphone) and we will do our best to help.

Environment, Development and Transport Committee

**Minutes of the Meeting held on Friday, 16 September 2016
at 10am in the Edwards room at County Hall**

Present:

Mr M Wilby - Chair	
Mr R Bird	Mr C Foulger
Mr A Boswell	Mr B Iles
Ms C Bowes	Mr T Jermy
Mr B Bremner	Mrs J Leggett
Mr J Childs	Mr G Plant
Mr S Clancy	Mr G Timewell
Mrs M Dewsbury	Mrs C Walker
Mr T East	Mr A White

1. Apologies and Substitutions

1.1 None

2. Minutes

2.1 The minutes of the meeting held on 08 July 2016 were agreed as an accurate record and signed by the Chairman.

2.2 It was confirmed that information and a contact number for advice on removing an unauthorised encampment had been published on the Norfolk County Council website.

3. Members to Declare any Interests

3.1 None declared.

4. Urgent Business

4.1 No items of urgent business were considered.

5. Public Questions

- 5.1 Nine public questions were received and the answers circulated at the meeting. (See appendix A.)
- 5.2.1 The Chairman agreed for Councillors Goodman and Spratt to ask a supplementary question on behalf of Mrs Baker in her absence, as representatives of Dickleburgh and Rushall Parish Council.
- 5.2.2 Councillor Goodman understood that the 584 BorderHoppa was a private club scheme which only paid members were entitled to use, and discussed the difficulties associated with pre-paying and pre-booking for some constituents. (See appendix B for Councillor Goodman's supplementary question)
- 5.2.3 The Assistant Director for Highways and Transport agreed to provide Councillor Goodman with a written response. She assured the Committee and Councillors Spratt and Goodman that public transport in rural areas was invested in, however, services were required to meet the bulk flow of passengers because of budget constraints. Discussion was held over the benefits of community bus services for rural areas, such as their flexibility, with recognition of the issues raised.
- 5.3.1 Mr Clarke, supported by Councillor Bearman as representative for his area, highlighted the cost overruns of the Norwich Distributor Road. He noted the response to his question and referred to his FOI (Freedom of Information) request.
- 5.3.2 Mr Clarke supplementary question: had the appropriate notice referenced in the FOI request now been put in to the European Union publications office regarding the additional costs?
- 5.3.3 The Executive Director of Community and Environmental Services clarified that the council had complied with all procurement regulations.
- 5.4.1 Mr Raab supplementary question: What are the future plans for waste disposal contracts in Norfolk when the existing contracts had ended and what will happen to the waste?
- 5.4.2 It was clarified that there was, at that time, a four year contract in place; before the end of that contract, Norfolk County Council would work with the Waste Advisory Group and the Waste Partnership to discuss proposals for future contracts and plans for waste disposal. No decisions had been made at that time regarding plans for the future contracts regarding waste disposal for Norfolk.
- 5.4.3 Mr Raab also asked about Norfolk's waste being incinerated in Suffolk. It was clarified that waste disposal contracts in place at that time had been agreed by the Council as an interim measure.

6. Member Questions

- 6.1 None were received.

7. Verbal update or feedback from Members of the Committee regarding Member Working Groups or bodies that they sit on.

7.1.1 Mr East introduced a written update on the Norwich Western Link Project Member Working Group update, attached at appendix C.

7.1.2 Mr East asked for the recommendation that Councillor James Joyce be elected onto the working group to be endorsed.

7.1.3 The Principal Infrastructure Growth Planner confirmed that the Waste Advisory Group had not agreed their meeting date, but it was hoped to be in November.

7.2 The Committee **AGREED** to **ENDORSE** the appointment of Councillor Joyce onto the Norwich Western Link Project member working group.

8. Appointments to Outside Bodies – Broads Authority

8.1.1 Members were asked to consider appointing a replacement for Councillor Garrod as one of the Council representatives on the Broads Authority, since Councillor Garrod was unable to take up the appointment.

8.1.2 Mr B Iles and Mr N Dixon were proposed and seconded for the appointment.

8.2.1 With 9 votes for Mr Iles and 7 votes for Mr Dixon:

- The Committee **AGREED TO APPOINT** Mr B Iles as a Council representative on the Broads Authority.

9. Update from Economic Development Sub-Committee

9.1 Members **NOTED** the report by the Acting Assistant Director of Economic Development & Strategy, giving an update on the issues and actions discussed in the Economic Development Sub-Committee meeting held on the 14 July 2016.

9.2 Mr Clancy, Chairman of the Economic Development Sub-Committee, **agreed** to find out information on the number of apprentices who completed their placements.

10. Feasibility of changes to the use of the B1111 Garboldisham – Roudham by HGV traffic

10.1 The Committee received the report by the Team Manager for Network Management (Analysis and Safety) showing a review of options to help reduce numbers of Heavy Goods Vehicles (HGVs) on the B1111 in East Harling.

10.1.2 Councillors Askew and Edge spoke as representatives for Harling Parish Council. They confirmed that the parish council supported the recommendations and recognised that a total ban of HGVs was not feasible.

- 10.2.1 During discussion the following points were raised:
- 10.2.2 The amount of km diverted, impact of the proposed changes on increasing HGV mileage and carbon footprint and the possible additional costs for HGV companies were noted and discussed.
- 10.2.3 Discussion was held over the potential impact on other areas of the County and possible safety mitigation measures which may be needed in these areas.
- 10.2.4 The Team Manager for Network Management (Analysis and Safety) clarified that changes could be put in place as an experimental traffic order so that risks could be monitored; a further report would then be brought to Committee for further recommendations to be made for example regarding risk mitigation measures.
- 10.3.1 Discussion was held regarding the changes proposed for Southery:
- 10.3.2 Cllr Martin Storey, representative from Southery Parish Council, spoke to the Committee of the agricultural businesses in the area, such as British Sugar, rurality and quality of roads and their effects on road safety and traffic flow, and the next steps he felt needed to address these such as a meeting of all concerned parties. He also called for a 20mph speed outside Southery Academy.
- 10.3.3 Some members queried whether, in order to address concerns posed by HGVs in the village, a bypass may be needed to meet both business and resident needs.
- 10.4.1 With 14 votes for 2 votes against and 1 abstention, the Committee **AGREED**:
- That an environmental weight restriction be approved for implementation with an experimental traffic regulation order;
 - The cost to implement an experimental order was expected to be around £90,000 which officers should seek to fund from the revenue budget for highway improvements;
 - That Option 6 was recommended as the most practical way of balancing concerns of local residents with businesses and other potentially affected communities;
 - The B1111 not be re-classified as this approach could be disproportionate and may not be effective in significantly reducing levels of HGVs;
- 10.4.2 The Committee **RESOLVED** to **AGREE**:
- That following the responses received to the informal consultation on a part-time weight restriction through Southery, officers should undertake further consultations on alternatives to the currently proposed options;
 - Consideration of any further changes to HGV routes in Norfolk should follow the criteria set out in Section 4 of the report;
- 10.4.3 The Committee **AGREED**:
- That officers investigate the possibility of a 20mph limit outside Southery Academy as soon as possible.

11. Ash Die Back (Chalara) – Management of Norfolk County Council estate

- 11.1 The Committee **NOTED** the report by the Head of Environment giving information on the impact of Ash Die Back (Chalara) and the risks to Norfolk's public safety, economy and environment.
- 11.2.1 The Assistant Director of Highways and the Transport and the Senior Arboricultural and Woodland Officer introduced the report and requested Members' support with conversations and engagement with land owners.
- 11.2.2 Seeking funding from the Department for Food and Rural Affairs (Defra) to support with the costs involved in addressing Ash Dieback in Norfolk, such as felling trees, replanting and liaising with landowners, was discussed.
- 11.2.3 The Senior Arboricultural and Woodland Officer clarified that burning wood from infected trees does not spread Ash Dieback and they were considering leaving felled wood for residents to take to save on disposal costs; the possible revenue from sale of wood from felled trees was highlighted.
- 11.2.4 The Assistant Director of Highways and Transport clarified that Tree Preservation Orders (TPOs) remained in place for trees suffering from Ash Dieback, however, trees could be exempt from the TPO regulations if proven that they had Ash Dieback to a level which posed a danger; this equated to more than 75% dieback. Defra had been lobbied about relaxing the rules around TPOs for Ash trees which were dead, diseased or dying.
- 11.2.5 It was clarified that the responsibility for maintaining trees on land leased by Norfolk County Council was dependant on the clauses within the tenancy agreement which usually stated the tenant as responsible.
- 11.2.6 The Assistant Director of Highways and Transport planned to bring together departments and raise the report through Policy and Resources Committee to highlight the responsibilities of all departments regarding monitoring and maintenance of this issue.
- 11.2.7 The communications team would be setting up a webpage giving information about ash dieback, including preventing its spread. Articles about the disease and current research had been published in the EDP.
- 11.2.8 A concern was raised over the possible costs of dealing with Ash Dieback based on those experienced by other counties shown in the report. The Assistant Director of Highways and Transport confirmed that she would bring information to the Committee and to the Policy and Resources Committee when a more detailed forecast was known (see paragraph 18.2); the cost incurred by other local authorities had been included as a point of reference.
- 11.2.9 Mr Plant proposed a change to recommendations 3 & 4 seconded by Mr Clancy:
- Recommendation 3 to read: **we would request** financial support from Defra... and;
 - Recommendation 4 to read: **instruct officers to** engage with landowners...

- 11.2.10 The Environment and Planning team were working closely with the John Innes Centre (JIC) and UEA; the JIC were researching the genes responsible for resistance and hoped to develop a device that would enable rapid identification of disease tolerant trees by testing the leaves in situ, without having to remove them from the tree.
- 11.3.1 Extra costs regarding Ash Dieback would be put into a budget to be brought back to the Committee at a future meeting (see paragraph 18.2).
- 11.3.2 The Committee **AGREED**:
- The suggested approach to work in collaboration with the Policy and Resources Committee to deal with the council-wide responsibilities for public safety and property;
 - That the Council would request financial support from Defra;
 - To instruct officers to engage with landowners where their trees would affect Norfolk County Council (e.g. Trees next to roads) to reduce the resource implications for Norfolk County Council and streamlining the procedure to charge landowners if we had to undertake work on their behalf;

12. An update on Air Quality Management for Norwich City

- 12.1 The Committee received the report by the Norwich Area Transport Strategy / City Agency Manager giving information on the Norwich Air Quality Action plan and responses to issues raised in the Environment, Development and Transport Committee meeting on 8 July 2016.
- 12.2.1 A member gave background to this report and on the County Council's responsibility to reduce air pollution to within the "legal Air Quality limits" outlined on page 22 of the appended Norwich Air Quality Action plan; these were taken from the EU Ambient Air Quality Directive:
- Following a Supreme Court Case in April 2015 regarding the Government's progress towards meeting these legal Air Quality limits, a further legal challenge was brought in 2016 on the grounds that the Government had failed to produce a plan which met compliance with the legal Air Quality limits, which was due to be heard in the High Court in October 2016.
 - There were areas in Norwich known to be in breach of the legal Air Quality limits.
 - The member suggested that more action should be taken, as Central Government were likely to transfer responsibility for delivering results in meeting these limits onto Local Authorities, which may have a financial or other impact on Norfolk County Council.
- 12.2.2 Discussion was held over the level of traffic in Norwich City Centre and the associated difficulties in addressing air quality. During a twinning visit to Germany, a member had the opportunity to see examples of technology which could support air quality improvements, such as Hydrogen fuelled buses.
- 12.2.3 Members queried which other areas of Norfolk were areas of concern for air quality.

12.3 The Committee **NOTED** the report and appendices.

12.4 Mr T Jermy left the meeting at 11.53

13. Opportunities to increase commercial activity for the highways service

13.1 The Committee **considered** the report by the Head of Highways outlining potential business model options for the delivery of highway services.

13.2 Mr A White declared an “other interest” that he uses the highways laboratory, mentioned in the report.

13.3.1 It was confirmed that the estimated net profit figures would be included in the business case when drawn up.

13.3.2 The Head of Highways agreed to provide a definition of “Section 95 LG Act 2003” referenced on page 147.

13.4 Mr B Bremner left the meeting at 11.58

13.5 The Committee **RESOLVED** to:

- Instruct Officers to develop a Business Case for presentation to Environment, Development and Transport Committee within 12 months to help inform the potential for a more commercial trading organisation.

14. Finance Monitoring

14.1 The Committee received the report by the Finance Business Partner for Community and Environmental Services giving information on the budget position for the year 2016-17.

14.2.1 The Assistant Director for Highways and Transport clarified that the potential increased costs related to the Norwich Distributor Road highlighted areas at risk of additional cost. Further information on costs would be brought to future meetings.

14.2.2 A briefing on the incentives to help reduce costs, within the contracts related to the construction of the Norwich Distributor Road was requested for the meeting on 14 October 2016. (See paragraph 18.2)

14.3 The Committee **NOTED** the forecast out-turn position for the Environment Development and Transport Committee and the current risks to the budget as highlighted in the report.

15. Performance Management

15.1 The Committee **reviewed** and **NOTED** the performance management report by the Senior Analyst and the vital signs report cards.

16. Risk Management

16.1 The Committee received and **NOTED** the report by the Chief Internal Auditor providing information from the latest Environment, Development and Transport Committee risk register as at the beginning of June 2016 and **reviewed** the risk data, information, and analysis presented in the report.

16.2 The Committee **CONSIDERED**:

- The progress with Risk Management since the last Environment Development and Transport Committee meeting;
- The changes to exceptions risks and other departmental risks;

17. Decisions taken under delegated authority

17.1 The Committee received and **NOTED** the report by the Business Support & Development Manager for Community and Environmental Services, setting out relevant decisions taken under delegated powers by the Executive Director within the Terms of Reference of the Committee between the 8 July and 31 August 2016.

18. Forward Plan

18.1 The Committee **reviewed** and **NOTED** the Forward plan for the Environment, Development and Transport Committee.

18.2 The following were requested during discussion at the meeting:

- Extra costs regarding Ash Dieback would be put into a budget and brought back to the Committee at a future meeting (See paragraphs 11.3.1 and 11.2.8)
- A briefing on the incentives to help reduce costs within the contracts related to the construction of the Norwich Distributor Road was requested for the meeting on 14 October 2016. (See paragraph 14.2.2)

The meeting closed at 12:10pm

Chairman



If you need this document in large print, audio, Braille, alternative format or in a different language please contact the Customer Services Team on 0344 800 8020 or 0344 800 8011 (textphone) and we would do our best to help.

**PUBLIC QUESTIONS TO ENVIRONMENT, DEVELOPMENT AND
TRANSPORT COMMITTEE: FRIDAY 16 SEPTEMBER 2016**

5. PUBLIC QUESTIONS

5.1 Question from Suzanne Jones

Why are we continuing to tolerate illegal levels of air pollution in our city centre?

Response by Chairman of EDT Committee

An Air Quality Action Plan is in place resulting from the declaration of the AQMA in central Norwich following the continued exceedance of the annual mean objective for nitrogen dioxide (NO₂).

Included in the report is a table that outlines measures and strategies that have been deployed over the last ten years that have improved air quality. The report also highlights future measures which will ease congestion and improve air quality.

5.2 Question from Andrew Cawdron

It is only nine months since an extra £29.9 Million was authorised for expenditure on the NNDR and a year since an extra £1.0M was noted for design development on the bridges. How is it that an extra £2.3 M is now requested for the Rackheath Rail and Road crossings and could the breakdown of this be provided for delay, design development and supervision? This is an extraordinary amount of extra public funding required for a section of works that should have been properly budgeted for previously.

Response by Chairman of EDT Committee

The potential additional costs of up to £2.3m are a direct result of a change to the construction methodology required by Network Rail. Until we have concluded negotiations the breakdown is not available.

5.3 Question from Cllr Denise Carlo

The Council Report on 2 September reported an increase of £1m in land costs from £16.2m to £17.2m. At this point £1.7m of these costs had been expended, which means that further costs of £15.5m were expected. It is presumed that the budget reported to the Council in September was at current indexation. Knight Frank's indices for 4Q/2015, 1Q/2016 and 2Q/2016 indicate that land prices fell by 6.4%. The £3m now reported is a 20% in less than a year increase rather than a 6.4% reduction. Please detail how this extra is calculated.

Response by Chairman of EDT Committee

The potential additional costs for final land value will be established once negotiations are complete. It would be premature to speculate on any assumed percentage change.

5.4 Question from Tony Clarke

In a written response to my FOI request (11 December 2015) about the cost overrun on the NDR contract Norfolk County Council Stated that "... no notice was given to the EU publications office regarding the additional costs to the contract." As this notice is required under the Public Contracts Regulations 2015, please explain why the Regulations were not complied with.

Background

The Public Contracts Regulations 2015, 72 states that contracts may be modified subject to a number of conditions and under (3) "Contracting authorities which have modified a contract ... shall send a notice to that effect, in accordance with regulation 51, for publication." The next paragraph states (4) Such a notice shall contain the information set out in part G of Annex 5 to the Public Contracts Directive. Part G, paras 4, 5, 6 require a detailed breakdown of the additional costs and the circumstances which rendered necessary the modification.

Response by Chairman of EDT Committee

The Council has complied with all procurement regulations.

5.5 Question from Sandra Bogelein

What is the latest overall cost of the scheme, including money expended prior to 2011/12 for which outside funding is not being provided, financing costs and an estimate of costs payable under the land Compensation Act over the 6 year period following completion?

Response by Chairman of EDT Committee

Scheme costs for the NDR up to and including 2011/12 amount to £12.7m. The project budget from beyond this date is £178.95. The report before Members today identifies potential additional costs of up to £6.8m.

5.6 Question from Cllr Simeon Jackson

The increase is stated as £1.25m for "additional excavation, fill and compaction" (point 3.8 on p158 of the reports). Does this mean that the detailed site survey required extra depths because of unsuitable sub-base material or a general adjustment to the cut and fill assumptions?

Response by Chairman of EDT Committee

Detailed survey work was not possible to complete before full site access was available, resulting in the additional works described.

5.6a Supplementary question from Cllr Simeon Jackson

I understand that there is a cost sharing for extras and savings in the contract with Balfour Beatty. Will this contract extra be reduced for Balfour Beatty's contribution?

Response by Chairman of EDT Committee

Yes, under this form of contract, the out-turn financial risks are shared between Norfolk County Council (the Employer) and Balfour Beatty (the Contractor) in an agreed proportion. At this stage, negotiations are ongoing any further comment could prejudice the outcome of these negotiations.

5.7 Question from Bryan Robinson

The committee is discussing the further reported increases of £6.8m above the £178.95 approved cost.

The Council report on 2 September 2015 noted a figure of £19.75m for Preparation, Risk and Contingencies. What is the allowance for Risk and Contingencies in this figure and on what has it already been expended to result in the reported costs being a net extra to the budget?

Response by Chairman of EDT Committee

The Risk and Contingency allowance figure is £5.02m for this project and has been allocated against a number risks and variations. The potential additional costs are a net extra to the budget.

5.8 Question from Ann Baker

During the summer months the Parish Council has been contacted by residents regarding the 'Simmonds 584 Bus Service,' which has been contracted to another company with devastating implications.

The question therefore is:

"Dickleburgh & Rushall are within the catchment area of Church Hill Surgery, Pulham Market. When the Surgery was closed the importance of public transport was made clear, the bus service providing the only way for the vulnerable, the elderly and anyone without a car to reach the Surgery.

The awarding of the service and reduction in service by a new bus company, is preventing those most in need reaching the Doctors Surgery.

There are no alternate options, what do the EDT propose to do for those residents of Dickleburgh & Rushall who are unable to reach their Doctor?"

Response by Chairman of EDT Committee

NCC fully subsidise the 584 service. In the past Simonds have operated it. When this contract ended, a new contract was awarded to Semmence starting this September. The new service maximises vehicle resource and has a reduced frequency that reflects previous usage and is (and was previously) focussed on accessing Diss. It also now provides for the Diss Town service, so passengers have options to travel to and around Diss.

It is always difficult to have a scheduled bus route that covers all options, especially where demand is very low and therefore unsustainable. In this case, all passengers from the villages mentioned are able to access the surgery in Diss, as the new service operates to the Health Centre at times

suitable for people if they need appointments. Concessionary fares are valid.

It is correct that the 584 does not now give options to Dickleburgh surgery itself, but there is transport provision supplied by BorderHoppa Community Transport scheme. This is supported by the Council and they are based in Rushall. Passengers can book in advance from the village to the surgery. There is a membership fee and a fare, as concessionary passes are not valid on this service, but it does provide for these essential journeys. (please contact 01379 854800 or go to borderhoppa.org).

5.9 Question from Mr Robert Raab

Now that Norfolk's County Council is Against Burning Norfolk's Non-Recyclable Waste, How will the Norfolk's County Council be getting Rid of Norfolk's Non – Recyclable Waste after the Contract of Sending Norfolk's Non – Recyclable Waste to the Suffolk's Incinerator comes to an End ?”

Response by Chairman of EDT Committee

The County Council has two waste policies that are most relevant to this question. Firstly, that

‘Any proposed waste treatment facility in Norfolk will reduce dependency on landfill and must be further up the waste hierarchy than incineration’ and secondly that

‘Incineration of waste or fuel derived from waste is accepted outside Norfolk and any such arrangements should be reviewed by Committee on an annual basis’.

The agreement with Suffolk County Council for dealing with part of Norfolk's waste, is not at odds with Norfolk County Council's approach to dealing with left over rubbish. It should also be noted that this arrangement only meets around 20% of our requirements. The other left over waste is treated via three contracts with different companies that are in place to 2020 and can be extended to 2021.

In terms of establishing a longer term approach this Committee, at its meeting on 08 July this year, recognised that the authorities in the Norfolk Waste Partnership responsible for collecting waste were in a process of evaluating alternative approaches to delivering waste services that are capable of improving recycling and reducing costs. Recognising that this could affect how much left over rubbish we have and what its composition is this Committee at the same meeting decided that the County Council's approach to its longer term residual waste services, ie beyond 2020, should be established after the direction of services provided by the Norfolk Waste Partnership is clear.

Supplementary question for:

NCC Environment, Development and Transport committee

Edwards Room 10.00 pm Friday 16th September 2016

Regarding the 584 bus service.

Andrew Goodman – Dickleburgh and Rushal Parish Council

The changing of a simple thing like a bus timetable may appear, on the face of it, nothing much. After all, we are informed, there was monitoring research and the conclusion drawn, was that there was not sufficient journey time demanded.

The bus service will therefore be provided for workers and school students at the start and the end of the day. Provided they can access the new reduced route.

And significantly the planners, the NCC employees, employed and paid for by the people of Norfolk, town and village, rich and poor alike have had the foresight to lay down the tender to last for 5 years. Their research must therefore obviously have taken into account the changing demographic of South Norfolk over the next 5 years and critically the rural poor for it is them that are paying the price. Not just for the salaries of those creating the tender and excluding them from the service but also they are the ones paying the cost of the failure to take into account their needs and ability to access their local GP.

Will the committee agree that rural poverty and the needs of the rural elderly are a concern that supersedes this policy. It is unacceptable to not take these basic factors into account when considering rural communication and transportation systems and creating tenders. Will the committee resolve to remedy this situation immediately before we have more poor and old isolated in their homes because a basic right of transport, that is held as universal in most parts of this country is denied them with all the consequences that that entails.

Currently there are plans on the table for around 50 additional homes in Dickleburgh. Quite clearly this will only exacerbate the problem. It does not need to happen

Norwich Western Link Project – Member Working Group update (16 September 2016)

Further to previous meetings of the Norwich Western Link Project Member Working Group and the report provided at the 8 July 2016 EDT Committee meeting, the Member Group met again on 14 September. The following provides a brief summary of the meeting:

1. A request was received from Weston Longville Parish Council seeking representation of their local member (Cllr James Joyce) on the Member Group. It was therefore discussed, proposed and agreed at the meeting that Cllr James Joyce be co-opted onto the Group. However, a change to the group needs to be formally agreed by Committee and the Chair of the Member Group (Cllr Tim East) agreed to make this request at the 16 September EDT committee meeting.
2. Since the 8 July Committee report, approved by EDT Committee, an update on the next phases of work in delivering the project was provided for the Member Group. This was a summary of the activities to be undertaken in the 6 month sections as set out in the Committee Report. One of the early stages of work being developed is a meeting with each of the communities most affected by the project. The Member Group asked for a clear terms of reference to be developed for the proposed stakeholder group.
3. Whilst an overview of activities to be undertaken in the next year was provided, it was also agreed that for the next meeting of the Group a more detailed delivery programme for the entire project will be developed, taking into account key milestones, such as the opening of the NDR, the progression of the A47 Easton to North Tuddenham dualling, the proposed Food Hub development and the Local Plan review.
4. Stephen Scowen from Broadland District Council (BDC) joined the meeting to provide an update on the Food Hub proposals and the associated proposed Local Development Order (LDO) that is being progressed by BDC. It was confirmed that a report on the LDO will be taken as soon as possible to the BDC Cabinet, hopefully towards the end of October, setting out the next steps and seeking approval to proceed. It was agreed that Stephen will attend the next meeting of the Group to provide a further update on progress.
5. An update was provided on the latest position that Highways England consultants have reached in developing the Easton to North Tuddenham A47 dualling project. They are continuing to refine 3 or 4 main options that will be developed further and taken forward for formal consultation possibly now before the end of 2016. Their programme still remains that they are hoping to start construction early in 2020 following conclusion of the necessary statutory processes. The Member Group have asked officers to ensure there remains ongoing dialogue and input to the Highways England project proposals as they develop and the Group also asked that efforts are made to reinforce the need to deliver that scheme as soon as possible.

For more details, please contact David Allfrey (Major Projects Manager).
Tel 01603 223292

Environment Development and Transport Committee

Item No.

Report title:	Finance monitoring
Date of meeting:	14 October 2016
Responsible Chief Officer:	Tom McCabe – Executive Director Community and Environmental Services
Strategic impact This report provides the Committee with information on the budget position for the relevant services from the Community and Environmental Services department, for 2016-17. It provides information on the original budget (revenue and capital).	

Executive summary

This report reflects the forecast outturn position for the services from the Community and Environmental Services that are relevant to this committee, which are:

- Highways and Transport Services
- Environment and Planning
- Economic Development, and
- Business Development and support

The 2016-17 net revenue budget for those services is £150.568m. As at August, Period 5 we are forecasting a balanced budget.

The total future years capital programme relating to this committee is £257.60m, with £157.115m currently profiled for 2016-17. Details of the capital programme are shown in section 3 of this report.

The balances of ETD reserves, as at the 1 April was £29.817m, and forecast balance at 31 March 2017 is £27.184m, the forecast usage over the next 3 years is shown on section 4 of this report.

Recommendations:

Members are recommended to note the forecast out-turn position for the Environment Development and Transport Committee and the current risks to the budget as highlighted in the report.

1. Proposal

- 1.1. Members have a key role in overseeing the financial position for the services under the direction of this committee, including reviewing the revenue and capital position and reserves held by the service. Although budgets are set and monitored on an annual basis it is important that the ongoing position is understood and the previous year's position, current and future plans and performance are considered.

1.2. This monitoring report reflects the budgets and forecast position as at the end of August 2016.

2. Evidence

Revenue budget 2016-17

2.1. The 2016-17 Net Revenue budget for the services relevant to this committee is £150.568m.

2.2. The table below summarises the budgets relevant to this committee as at August 2016:

Table 1 Net Revenue budget 2016/17

Area	2016/17 Budget £'000	Forecast £'000	Variance
Business support and Development	1.607	1.607	
Economic Development	2.003	2.003	
Environment and Planning	41.655	41.655	
Countryside Management	1.158	1.158	
Travellers	(0.029)	(0.029)	
Residual Waste	22.205	22.205	
Recycling Credits	8.464	8.464	
Recycling Centres	6.434	6.434	
Closed Landfill Sites	1.103	1.103	
Energy and Efficiency	0.089	0.089	
Waste Reduction	0.794	0.794	
Historic Environment	0.611	0.611	
Planning Services	0.826	0.826	
Highways and Transport	94.501	94.501	
Asset management (inc. capital charges)	58.996	58.996	
Highways Trainee Technicians	0.175	0.175	
Highways major Projects	0.377	0.377	
Highways Network	0.980	0.980	
Highways Maintenance	19.461	19.461	
Transport services – inc. Concessionary Fares	14.512	14.512	
Better Broadband	10.802	10.802	
Total EDT	150.568	150.568	

2.3. At this stage of the year we are currently forecasting a balanced budget.

2.4. Asset management is largely £58.676m relating to capital charges, which relate to the notional cost of historic capital spend.

2.5. Transport services includes £11.643m of funding for concessionary fares.

2.6. There is a risk that the amount of waste increases. Each tonne of residual waste above projected tonnages would lead to additional costs of around £107 per tonne, meaning a 1% increase in tonnages would be a pressure of over £200,000. Such an increase could be caused by any combination of factors such as increases in household numbers, change in legislation, economic growth, weather patterns, a collapse in the recycling markets or an unexpected change in unit costs, much of which are out of the control of the County Council. The combined impacts of these effects will continue to be monitored extremely closely and will be reported to the committee when there becomes more certainty over the tonnages in 2016/17.

3. Capital Budget 2016-17

	2016-17	2017-20	Total Programme
	£'000	£'000	£'000
Economic Development	16.737		16.737
Highways	117.446	81.725	199.171
EDT Other	4.515	6.410	10.925
Better Broadband	18.417	12.350	30.767
	157.115	100.485	257.60

3.1. As at the end of August 2016, Period 5, we are forecasting full delivery of the 2016/17 programme.

3.2. The Economic Development capital Programme is related to improvements at Scottow Enterprise Park, where the investment will be subject to approved business cases and investment in the Aviation Academy.

3.3. The highways programme is actively managed throughout the year to aim for full delivery within the allocated budget. Schemes are planned at the start of the year but may be delayed for a variety of reasons e.g. planning consent or public consultation. When it is identified that a scheme may be delayed then other schemes will be planned and progressed to ensure delivery of the programme and the original schemes will be included at a later date. Over / (under) spends and slippage will be carried forward and delivered in future years.

NDR

3.4. At the September meeting we highlighted the emerging risks around the cost of construction on the NDR. The Council is working with the main contractor Balfour Beatty and NPS to review the forecast out-turn position. We expect to have substantially completed this work to enable us to update the forecast position at the November committee.

4. Reserves 2016-17

4.1. The Council holds both provisions and reserves.

4.2. Provisions are made for liabilities or losses that are likely or certain to be incurred, but where it is uncertain as to the amounts or the dates which they will arise. The Council complies with the definition of provisions contained within

- 4.3. Reserves (or Earmarked Reserves) are held in one of three main categories:
- 4.4. Reserves for special purposes or to fund expenditure that has been delayed - reserves can be held for a specific purpose, for example where money is set aside to replace equipment or undertake repairs on a rolling cycle, which can help smooth the impact of funding.
- 4.5. Local Management of Schools (LMS) reserves that are held on behalf of schools – the LMS reserve is only for schools and reflects balances held by individual schools. The balances are not available to support other County Council expenditure.
- 4.6. General Balances – reserves that are not earmarked for a specific purpose. The General Balances reserve is held to enable the County Council to manage unplanned or unforeseen events. The Executive Director of Finance is required to form a judgement on the level of the reserve and to advise Policy and Resources Committee accordingly.
- 4.7. The reserves falling under this Committee would fall into the first category. Additionally they also may related to income that we have received from specific grants where we have yet to incur the expenditure, or the grant was planned to be used over a period of time (where the grant is not related to a specific financial year).
- 4.8. The department holds a number of specific earmarked reserves which are held for a range of purposes e.g. commuted sums held for future Highways maintenance costs or ICT funds held to cover the cost of replacement ICT systems. We will continue to review the reserve balances to ensure that their original objectives are still valid and would identify any reserves that could be considered available for re-allocation.
- 4.9. The balance of reserves as at the 1 April was £29.816m, including £6.995m in respect of the Street Lighting PFI and £9.423m in relation to a statutory reserve for the provision for future maintenance of Closed Landfill sites.
- 4.10. The table below shows planned use of reserves for 2016/17 and the forecast balances for 2017/18 and 2018/19.

Table 3 – EDT Reserves 2016-17	Current Year opening balance 01 April 2016	Forecast balance 31 March 2017	Forecast Net Change 2016/17	Forecast Balance 31 march 2018	Forecast Balance 31 march 2019
Business Support and development	(0.091)	(0.091)	0.000	(0.091)	(0.091)
Economic Development	(2.863)	(1.251)	1.612	(0.758)	(0.535)
Skills Team	(0.960)	(0.150)	0.810	0.000	0.000
Innovations	(0.415)	(0.415)	0.000	(0.415)	(0.415)
Development Programme Commissioning	(0.572)	(0.417)	0.155	(0.221)	(0.066)
Development Programme Economic Programme	(0.741)	(0.230)	0.511	(0.122)	(0.054)
Infrastructure & Economic Growth	(0.126)	(0.039)	0.087	0.000	0.000

Scottow Enterprise Park	(0.049)		0.049	0.000	0.000
Environment and waste	(10.740)	(10.476)	0.264	(10.476)	(10.476)
Abandoned vehicles	(0.006)	(0.006)	0.000	(0.006)	(0.006)
Waste management fund	(0.708)	(0.708)	0.000	(0.708)	(0.708)
Closed landfill Sites	(9.423)	(9.123)	0.300	(9.123)	(9.123)
Energy & Efficiency	(0.005)	(0.005)	0.000	(0.005)	(0.005)
Historic Environment	(0.420)	(0.445)	(0.025)	(0.445)	(0.445)
Planning services	(0.047)	(0.058)	(0.011)	(0.058)	(0.058)
Vehicle R&R fund	(0.131)	(0.131)	0.000	(0.131)	(0.131)
Highways & Transport	(15.666)	(14.846)	0.820	(12.228)	(11.660)
Parking Receipts	(0.462)	(0.362)	0.100	(0.262)	(0.162)
Commuted Sums	(1.272)	(1.136)	0.136	(1.013)	(0.880)
Earmarked NDR Funding	(2.000)	(2.000)	0.000	0.000	0.000
Winter maintenance reserve	(0.305)	(0.305)	0.000	(0.305)	(0.305)
Highways Maintenance	(0.224)	(0.134)	0.090	(0.084)	(0.034)
A47 - reserve	(1.000)	(1.000)	0.000	(1.000)	(1.000)
Street Lighting PFI - Sinking Fund	(6.995)	(6.711)	0.284	(6.426)	(6.141)
Highways Network	(0.408)	(0.408)	0.000	(0.408)	(0.408)
Transport Services	(3.000)	(2.790)	0.210	(2.730)	(2.730)
Better Broadband	(0.457)	(0.520)	(0.063)	(0.520)	(0.520)
Total EDT	(29.817)	(27.184)	2.633	(24.073)	(23.282)

5. Financial Implications

5.1. There are no decisions arising from this report. The financial position for EDT services is set out within the paper and appendices.

6. Issues, risks and innovation

6.1. This report provides financial performance information on a wide range of services responsible to the committee.

Officer Contact

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

Officer name : Andrew Skiggs **Tel No. :** 01603 223144

Email address : andrew.skiggs@norfolk.gov.uk



If you need this report in large print, audio, braille, alternative format or in a different language please contact 0344 800 8020 or 0344 800 8011 (textphone) and we will do our best to help.

Environment Development and Transport Committee

Item No.....

Report title:	2017-18 Budget and Medium Term Financial Planning 2017-18 to 2019-20
Date of meeting:	14 October 2016
Responsible Chief Officer:	Tom McCabe - Executive Director, Community and Environmental Services

Strategic impact

This report provides an update on the Service Committee's detailed planning to feed into the Council's budget process for 2017-18. The Council's budget setting activity is informed by a range of documents including the Medium Term Financial Strategy, the County Council Plan, and the Efficiency Plan. Together these help to set the context for the Council's medium term service and financial planning, which will support the development of a robust, balanced budget for 2017-18.

Executive summary

This report forms part of the strategic and financial planning framework for Service Committees. It provides an update on the Council's budget setting process, and sets out details of the actions required by Service Committees to enable the Council to set a balanced budget for 2017-18.

Recommendations:

1. **Note that the Council's budget planning includes:**
 - a) **an assumed increase in council tax of 2% for the Adult Social Care precept, and an inflationary increase of 1.8% in 2017-18; and**
2. **Recommend to Policy and Resources the use of the £4.6m 2016/17 transitional grant monies to help ameliorate the level of savings required in 2017/18**
3. **In order to help close the 2017-18 budget gap as set out in section 2 of this report:**
 - a) **agree the proposed new savings for 2017-18 for consultation where necessary**
 - b) **consider what scope there is for bringing forward the 2017-18 savings (b) above) for implementation in 2016-17.**

1. Background

- 1.1. The Council's approach to medium term service and financial planning includes a rolling medium term financial strategy, with an annual budget agreed each year. In February, Full Council agreed spending and savings proposals which provided an overall surplus for the period to 2019-20, although with a gap identified for 2017-18 of £8.827m.
- 1.2. In July, Policy and Resources Committee received a paper setting out details of the progress of the Council's budget setting work and the wider financial context in which it is operating. The Committee noted the Council's progress in

developing further savings proposals for 2017-18 and recommended to County Council to accept the Government's offer of a four year funding allocation, which would provide a degree of greater certainty about future budgets.

- 1.3. This paper builds on the position reported to Policy and Resources Committee in July and represents the next stage of the Council's budget planning process. In particular, the paper sets out details of saving proposals identified for 2017-18 for the Committee's consideration.

2. Context for financial planning

- 2.1. County Council approved the 2016-17 Budget and the Medium Term Financial Strategy for the period 2016-17 to 2019-20 on 22 February 2016. The Medium Term Financial Strategy to 2019-20 set out a balanced budget for 2016-17, but a deficit remained of £8.827m in 2017-18, a surplus of £22.360m in 2018-19 and a deficit of £11.715m in 2019-20 (a small cumulative surplus of £1.818m). The Medium Term Financial Strategy's aim is to ensure a balanced budget to aid forward planning and help mitigate financial risk. The Medium Term Financial Strategy position is shown in the table below.

Table 1: Budget surplus / deficit as reported to Full Council on 22 February 2016

	2016-17 £m	2017-18 £m	2018-19 £m	2019-20 £m
Additional cost pressures and forecast reduction in Government grant funding	77.475	51.353	49.354	42.454
Council Tax base increase	-20.532	-10.300	-15.265	-16.266
Identified saving proposals and funding increases	-56.943	-32.226	-56.449	-14.473
Budget gap (Surplus) / Deficit	0.000	8.827	-22.360	11.715

The £51.353m assumed cost pressures and forecast reduction in Government grant funding in 2017-18 consists of:

- Inflationary cost pressures for pay and non-pay budgets of £9.993m
- Legislative changes of £5.428m including pension revaluation costs
- Demographic cost pressures in Adult social Care of £6.134m
- NCC policy changes of £0.186m
- Forecast funding reductions of £29.613m

- 2.2. It should be noted that the budget gap of £8.827m in 2017-18 **assumes a CPI increase in council tax** above the 2% Adult Social Care precept, based on the assumptions used by the Government at the time of the 2016-17 local government settlement. Any reduction in this increase will require additional savings to be found. The assumed increases in Council Tax for the Adult Social Care Precept and inflation (the OBR forecast of CPI) are set out in the table below. These are of course subject to Full Council's decisions on the levels of Council Tax, which will be made before the start of each financial year. In addition to an annual increase in the level of Council Tax, the budget assumes modest annual tax base increases of 0.5%.

Table 2: Council Tax increase assumptions in Medium Term Financial Strategy

	2017-18	2018-19	2019-20

	£m	£m	£m
Adult Social Care precept (2%)	6.655	6.943	7.249
Inflation (OBR CPI forecast of 1.8%, 1.9% & 1.99%)	5.990	6.596	7.213
Total assumed Council Tax increase (from ASC precept and CPI)	12.645	13.538	14.463

- 2.3. Since the preparation of the Medium Term Financial Strategy, further pressures on the budget have been identified, resulting in changes to the Council's budget planning position. Alongside the assumptions about Council Tax, other key assumptions within the Council's current budget model include:
- Reversal of 2016-17 saving CHI001-4 £3.000m Looked After Children saving
 - £3.000m pressure from delay of transport saving ASC003 and cost pressures in Adult Social Care
 - Reversal of 2016-17 saving CHI012 £0.500m reducing the cost of transport for children with Special Education Needs
 - All previously agreed savings for 2017-18 are deliverable apart from reversal of EDT036 £1.600m saving introducing locality based structure for Community and Environmental Services directorate
 - No further pressures arising from the Better Care Fund
 - No change in Education Services Grant.
 - No new cost pressures (e.g. from waste).
 - Transitional funding of £4.561m in the 2016-17 Budget is retained to support delivery of the 2017-18 Budget allowing the Council to "ease the pace of reductions during the most difficult first 2 years of the settlement."
- 2.4. The above factors in the model mean that the actual level of savings that will be required of service committees will be in the range of £15-£20m. Officers have been working to an overall target of £20m, which has been allocated to committees for planning purposes pro-rata to net budgets.

Table 3: Allocation of £20m savings to Services (by Committee and Department)

Department	Savings Target Based on 2016-17 Net Budget	Committee	Savings Target Based on 2016-17 Net Budget
	£m		£m
Adult Social Care	7.1	Adults	7.1
Children's Services	4.1	Children's	4.1
CES	5.7	Communities	1.4
Resources	0.6	EDT	4.3
Finance and Property	0.5	Policy and Resources	3.1
Finance General	2.0		
	20.0		20.0

- 2.5. Details of the 2016-17 overall budget overspend position have been reported to Policy and Resources Committee on 26 September. As reported to the September Committee, CES is currently forecasting a balanced position and are expecting to manage expenditure within our overall funding envelope.
3. **2017-18 budget proposals**
- 3.1. Saving proposals for 2017/18 are set out in Appendix A.

- 3.2. There are a number of proposals relating to the services reporting to EDT Committee. There is also a proposal for the CES Department as a whole, the services of which report to EDT, Communities and Economic Development Sub-Committee.
- 3.3. As part of the budget setting process for 2016/17, Members have already previously agreed a number of specific savings proposals for both 2017/18 and 2018/19.
- 3.4. Some of the proposals are based on changes to organisational structures and therefore are subject to staff consultation. Arrangements are underway for a staff consultation, starting 24 October 2016, to ensure that we will be able to implement changes ready to deliver savings in 2017/18.
- 3.5. To develop new savings proposals for 2017/18, officers have carried out three main strands of activity, as below. In order to understand the full picture Appendix B shows the savings previously approved by Committee.

3.5.1. **Identifying opportunities for additional incremental savings from existing budgets**

The focus for this strand was on what savings would be possible without needing to make significant changes to our service standards. This includes opportunities to renegotiate contractual arrangements, reviewing staffing arrangements and 'cashing in' on potential savings we have been testing and planning, including deletion some vacant posts arising through vacancy management.

In addition, the move of Public Health into the CES Department in June 2016 provided further opportunity to take advantage of a new larger department and identify ways to do things differently for common areas of spend e.g. printing, stationery etc.

3.5.2. **Priority based budgeting**

The second area of focus was on a light touch priority based budgeting process. Essentially, this considered the range of CES services and assessed the priority of these services by considering factors such as statutory responsibilities, impact on vulnerable residents, delivery of corporate priority and risk. This produced a ranked list of priorities for existing services which could then be used to model potential savings e.g. with less saving from high priority services and more from low priority. The model assumes there is no significant change to the overall CES structure of ways of working.

This exercise has not driven any of the specific proposals, but has been a useful tool to help identify, sense check and discuss potential areas of saving. As we continue to develop budget proposals for future years it may be helpful for Members to receive further information on this type of approach, and consider how it could help inform future budget development.

3.5.3. **Developing a new locality working model for CES**

As part of the 2016/17 budget setting round, Members received information about the intention to introduce a revised service delivery model for the CES Directorate. As reported to Members at the time, the new model will be based around:-

- Lower costs;
- A greater focus on locality based working – using the seven district council areas as the basic building blocks for these localities;
- Maximising resource at locality level to deliver services, and minimising HQ/central costs;

- Increased/more effective working with the rest of NCC, district Councils and other public and community services, e.g. the health sector, police and community/volunteer groups.

This in practice would mean:-

- Developing and implementing a new organisational structure for the whole Department;
- A reduction in the overall number of staff;
- Fewer staff based at HQ and more staff based at local offices;
- Reductions in some service standards and activities to reflect our reduced capacity;
- Reduced capacity/funding/ability to deliver projects and schemes;
- A more generic approach to work rather than staff working in narrowly defined specialisms;
- A 'district manager' for each locality who would co-ordinate activity across a number of themes who would also seek opportunities to collaborate across NCC and with local stakeholders;
- Significant changes to systems and processes, including introducing more automated processes.

The principle of a locality model was considered as part of the public consultation exercise, the results of which was reported to Members in January 2016. Overall, there was broad support but some surprise that this was not already being done by the Council and that it may help reduce duplication in the wider public service.

CES is a large and diverse department and therefore it will take some time to fully develop a new model; we expect to be ready to consult staff in June 2017. In the meantime, some changes are starting to be made:-

- We have allocated a named Locality Co-ordinator in CES for each of the district council areas, and Members may have already been in contact with the Locality Co-ordinator for their Division. These Co-ordinators are helping to bring together to full range of CES services to enable us to work in a more co-ordinated and joined-up way, making better use of the resource available across the whole of CES.
- The proposals in Appendix A include some changes to existing staffing structures. We have developed these changes in the light of a new model so that they can be complementary, and essentially are incremental steps towards the locality working vision.

Officers will continue to develop the new model and will bring further information to the Committee to consider in due course

- 3.5.4. Committee discussions about proposed additional savings will be used to inform development of the Council's overall 2017-18 Budget.

4. **Financial Implications**

- 4.1. In the March 2016 Budget, the Chancellor confirmed that the Government still has to find savings of £3.5bn in the course of this parliament. Unprotected areas, which include local government, therefore anticipated further cuts in their funding during this period. However, the new Chancellor has signaled his intention to move away from the 2020 surplus target. The Autumn statement on November 23rd will give more clarity on how the Government may seek to 'reset' economic policy, but it remains unclear at this time what the implications for local government will be.

4.2. The Committee proposals set out in this report, for both 2016-17 remedial actions, and new 2017-18 proposals, will be reported to Policy and Resources Committee in October and November to enable an overall assessment of the Council's 2017-18 budget position to be made.

5. **Issues, risks and innovation**

5.1. There are no significant risks or implications beyond those set out in the financial implications section of the report.

6. **Background papers**

County Council Budget 2016-17 to 2019-20: Medium Term Financial Strategy 2016-20, County Council, 22 February 2016, Item 4, Annexe 9:

<http://norfolkcc.cmis.uk.com/norfolkcc/Meetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/438/Committee/2/SelectedTab/Documents/Default.aspx>

Budget 2017-18 Planning and Efficiency Plan, Policy and Resources Committee, 18 July 2016, Item 10:

<http://norfolkcc.cmis.uk.com/norfolkcc/Meetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/499/Committee/21/SelectedTab/Documents/Default.aspx>

Finance Monitoring Report P4 July 2016, Policy and Resources Committee, 26 September 2016, Item 7:

<http://norfolkcc.cmis.uk.com/norfolkcc/Meetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/501/Committee/21/SelectedTab/Documents/Default.aspx>

Officer Contact

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

Officer name : Tom McCabe **Tel No. :** 01603 22500

Email address : tom.mccabe@norfolk.gov.uk

Officer name : Andrew Skiggs **Tel No. :** 01603 223144

Email address : andrew.skiggs@norfolk.gov.uk



If you need this report in large print, audio, braille, alternative format or in a different language please contact 0344 800 8020 or 0344 800 8011 (textphone) and we will do our best to help.

2017/18 budget proposals

EDT Committee

Reference	Proposal	Saving 2017-18 £m	Full Year Saving £m	Risk Assessment (officer view on deliverability)	Impact of earlier decision / potential to bring forward savings
	Vacancy management and deletion of vacant posts	0.403	0.403	Green	Early decisions on some of these proposals will be useful to help officers to plan out the associated activities. However, early decisions will not enable delivery of additional savings in 2016/17.
	Further reductions in back office spend	0.148	0.148	Green	
	Reduction in Economic Development project fund	0.010	0.010	Green	
	Waste – efficiency savings through robust management of costs	0.050	0.050	Green	
	Bring forward part of EDT032 from 2018/19 to 2017/18 – implementing new waste strategy	0.250	0.250	Red	
	Rationalise our highway depot provision and change inspection frequency for main roads	0.473	0.473	Green	
	Implement new national guidance for winter maintenance	0.100	0.100	Green	
	Further capitalisation of highways maintenance activities to release a revenue saving	1.000	1.000	Green	See proposal below.
	One off saving - Further capitalisation of highways maintenance activities in 2016/17, to release a revenue saving to carry forward to 2017/18	1.500	0.000	Green	This proposal relates to early delivery in 2016/17
Total		3.934	2.434		

Budget change forecasts for 2017-19 Environment, Development and Transport				
Consultation Ref	Reference		2017-18 £m	2018-19 £m
16171a	EDT036	Service re-design - introduce a locality based structure for the Community and Environmental Services directorate	-2.638	-5.355
16171b	EDT027	Environment service - redesign the environment service so that it operates at 75% of current budget and increases use of volunteers and interns		-0.200
16171b	EDT028	Intelligent transport systems - put new technology and models in place for delivery of the intelligent transport systems approaching the end of their economic life, including replacing rising bollard technologies at bus gates with camera enforcement and co-locating the control room with another public service provider	-0.383	-0.085
16171b	EDT032	Waste strategy - implementing a new waste strategy focussed on waste reduction and minimisation with a target to reduce the residual waste each household produces by at least one kilogram per week		-2.000
16171c	EDT033	Agency and contracted spend - 25% savings from agency and contracted spend across a number of teams		-2.074
16171c	EDT034	Transport costs - 15% saving on transport costs, including highways vehicle fleet costs, through procurement, reducing use and better journey planning		-0.458
16171c	EDT035	Supplies and services - further 20% saving on supplies and services spend across all teams in Community and Environmental Services		-2.468
16171d	EDT019	Economic development sector grants funding - Cease the direct funding to support economic development projects, and work with others to identify alternative ways to secure funding	-0.050	
16171d	EDT020	Economic development match funding - cease providing match funding to Hethel Innovation for European funding bids and seek alternative match funding opportunities		-0.051
			-3.071	-12.691

EDT Service Committee

Item No.

Report title:	Annual Local Levy Setting for the Regional Flood and Coastal Committees
Date of meeting:	14 October 2016
Responsible Chief Officer:	Tom McCabe, Executive Director, Community and Environmental Services
Strategic impact Under the Regional Flood and Coastal Committees (England and Wales) Regulations 2011, the County Council's appointed members of the Regional Flood and Coastal Committees (RFCCs) are entitled to vote on the levying of money from the County Council by the RFCC. The outcome of the local levy vote has a financial impact on the authority as well as a real terms impact on the availability of money to fund flood mitigation work. This money and the projects it funds help fulfil the council's ambitions and priorities for good infrastructure and supporting vulnerable people. For example, local levy has been used to fund surface water projects in Great Yarmouth and North Norfolk and to deliver a scheme providing property level protection measures for properties flooded in 2014.	

Executive summary

<p>Norfolk County Council (NCC) appointees to the Central and Eastern RFCCs exercise their voting rights in setting of a financial levy on the County Council. NCC has 1 vote (out of a maximum of 8) on the Central RFCC and 2 votes (out of a maximum of 10) on the Eastern RFCC.</p> <p>The levy for the 2016/17 financial year amounted to £775,695. The levy vote is based on a % change from the previous year's figures. In 2015/16 the Eastern area RFCC voted to increase the Levy by 5% and the Central area RFCC voted to increase the Levy by 2%. These decisions raised the amount of Levy paid by NCC by £35,197 in 2016/17.</p> <p>The annual levy from the County Council supports significant flood mitigation work as part of the RFCC programme and draws in approximately £5 of central government money for every £1 of local levy spend. The RFCC's oversee this programme of capital and maintenance works to reduce the risk from flooding and coastal erosion. Across the region, this programme will total over £10m in 2016/17.</p> <p>Recommendations: Members are asked to decide on NCC's preferred position on the annual Local Levy setting to support member appointees in their levy setting vote at the Regional Flood and Coastal Committee meetings in October 2016 and January 2017.</p>
--

1. Proposal

- 1.1. To decide on Norfolk County Councils position on the annual Local levy vote for the Eastern Regional Flood and Coastal Committee (RFCC) and the Central RFCC.
 - Option A: 0% increase in Local Levy
 - Option B: 1% increase in Local Levy (based on the % increase agreed by the Central RFCC in 2014/15)
 - Option C: 2% increase in Local Levy (based on the % increase agreed by the Central RFCC in 2015/16)
 - Option D: 5% increase in Local Levy (based on the % increase agreed by the

2. Evidence

- 2.1. The Environment Agency raises a levy on upper tier and unitary Local Authorities each year. This is called the 'Local Levy'. The amount payable for each local authority is determined by reference to the Local Authority approved council tax base. Local Levy has been raised as a precept on Local Authorities for many years to enable Regional Flood and Coastal Committees (RFCCs) to fund local priority projects and support the Flood and Coastal Erosion Risk Management (FCERM) Programme.
- 2.2. In the 2016/17 financial year, Norfolk County Council paid a total of £775,695 in Levy contributions to the 3 RFCCs:
- Eastern: £652,080
 - Central: £122,823
 - Northern: £792

These payments come out of Norfolk County Council's finance general budget.

- 2.3. In 2015/16 the EDT Service Committee's proposal was to support levy increases up to 5%, the Eastern area RFCC voted to increase the Levy by 5% and the Central area RFCC voted to increase the Levy by 2%.

These decisions and changes in the council tax base raised the amount of Levy paid by £35,197 in 2016/17

3. Financial Implications

3.1.	2016/17	1% increase		2% increase		5% increase	
		Increase	Total	Increase	Total	Increase	Total
Eastern	652,080	6,521	658,601	13,042	665,122	32,604	684,684
Central	122,823	1,228	124,051	2,456	125,279	6,141	128,964
Northern	792	8	800	16	808	40	832
	775,695	7,757	783,452	15,514	791,209	38,785	814,480

However, as each RFCC votes separately and may vote for a % increase not supported by NCC, the increase may be different to that recommended by this committee.

These figures are based on the 2016-17 Council Tax Base which may be subject to change.

4. Issues, risks and innovation

- 4.1. The constitution of Regional Flood and Coastal Committees stipulates that only local authority appointees to the committee can vote on levy setting. As set out below in 5.2 a large number of local authorities are involved in levy setting of which Norfolk County Council is just one. This can mean in some years NCC appointees are outvoted. The effect of this is to bind the authority to the RFCC decision even if it is different from EDT's proposal and that voted for by NCC members on the RFCC.

5. Background

- 5.1. The Regional Flood and Coastal Committees bring together members appointed by Lead Local Flood Authorities (such as NCC) and independent members with relevant experience for three purposes:
- To ensure there are coherent plans for identifying, communicating and

- managing flood and coastal erosion risks across catchments and shorelines;
- To promote efficient, targeted and risk-based investment in flood and coastal erosion risk management that optimises value for money and benefits for local communities;
- To provide a link between the Environment Agency, LLFAs, other risk management authorities, and other relevant bodies to engender mutual understanding.

5.2. Norfolk County Council area is covered by 3 Regional Flood and Coastal Committees - Anglian Eastern, Anglian Central and Anglian Northern. These areas are based on river basin catchments.

The Anglian Eastern RFCC consists of:

A chair appointed by the Minister;

Persons appointed by or on behalf of constituent authorities;

Essex County Council	4
Norfolk County Council	2
Suffolk County Council	2
Southend on Sea Borough Council	1
Thurrock Council	1

The Anglian Central RFCC consists of:

A chair appointed by the Minister;

Persons appointed by or on behalf of constituent authorities;

Bedford Borough Council	1
Buckinghamshire County Council	1
Cambridgeshire County Council	2
Central Bedfordshire Council	1
Hertfordshire County Council	1
Milton Keynes Council	1
Norfolk County Council	1
Northamptonshire County Council	1
Suffolk County Council	1

NCC have no representation on the Anglian Northern RFCC.

5.3. Cllrs Mick Castle and Richard Bird are the NCC representatives on the Anglian Eastern RFCC.

Cllr Brian Long is the NCC representative on the Anglian Central RFCC.

5.4. Members vote on the setting of the Local Levy each year, using a simple majority system of a quorum of members. In the Anglian Eastern RFCC, at least 6 members must be present and therefore a decision can be passed by as few as 4 members. In the Anglian Central RFCC at least 5 members must be present (due to vote sharing the RFCC has 8 votes for 10 members) and therefore a decision can be passed by as few as 3 members.

5.5. The Anglian Eastern RFCC will meet on the 21st October 2016 to discuss and decide the annual Local Levy setting.

The Anglian Central RFCC will meet on the 19th of January 2017 to discuss and decide the annual Local Levy setting.

5.6. The RFCC's oversee a programme of capital and maintenance works to reduce the risk from coastal erosion and flooding and to improve habitats and bio-diversity. Across the region, this programme will total almost £65m in 2015/16.

5.7. Local Levy - examples of Local Levy spend

- Undertaking capital works – new minor schemes or refurbishment of existing defences – locally important works
- Continuing projects submitted for, but not achieving FCRM funding
- Developing projects that have local importance and may achieve FCRM funding when developed.
- Contributing to partnerships that achieve multiple objectives by funding the FCRM benefits
- Extension of maintenance to lower risk river systems
- Programme to repair and replace assets on former Critical Ordinary watercourses
- Delivery or extension of community actions for flood warning, flood resilience and emergency planning
- Support delivery of surface water management plan actions.
- Enabling environmental enhancements where previous FCRM measures have degraded habitat
- Partnerships to promote flood awareness and encourage action by Small and Medium Size Enterprises
- Projects attracting external funding
- FCRM element of wider community based projects, perhaps attracting wider regeneration funding from EU
- Undertaking investigations into flooding to determine cause and responsibility
- Delivery of minor additional benefits to encourage public buy-in for predominantly habitat based schemes
- Review of defences to update high risk area plans for climate change
- Funding staff and associated on-costs to manage the Local Levy Programme
- Invest to save initiatives to reduce future revenue dependency and to help enable others to take on maintenance activities.

5.8. In Norfolk, Local Levy has been used to:

- Support the ongoing surface water management work in Great Yarmouth, King's Lynn, Cromer, Sheringham, North Walsham and Hemsby.
- Support Environment Agency flood protection schemes in Norwich and Heacham.
- Support a feasibility study for reducing the flooding on Wash Road, Welney
- To implement a scheme providing property level protection measures for properties flooded since 2014.

Officer Contact

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

Officer name : Mark Ogden

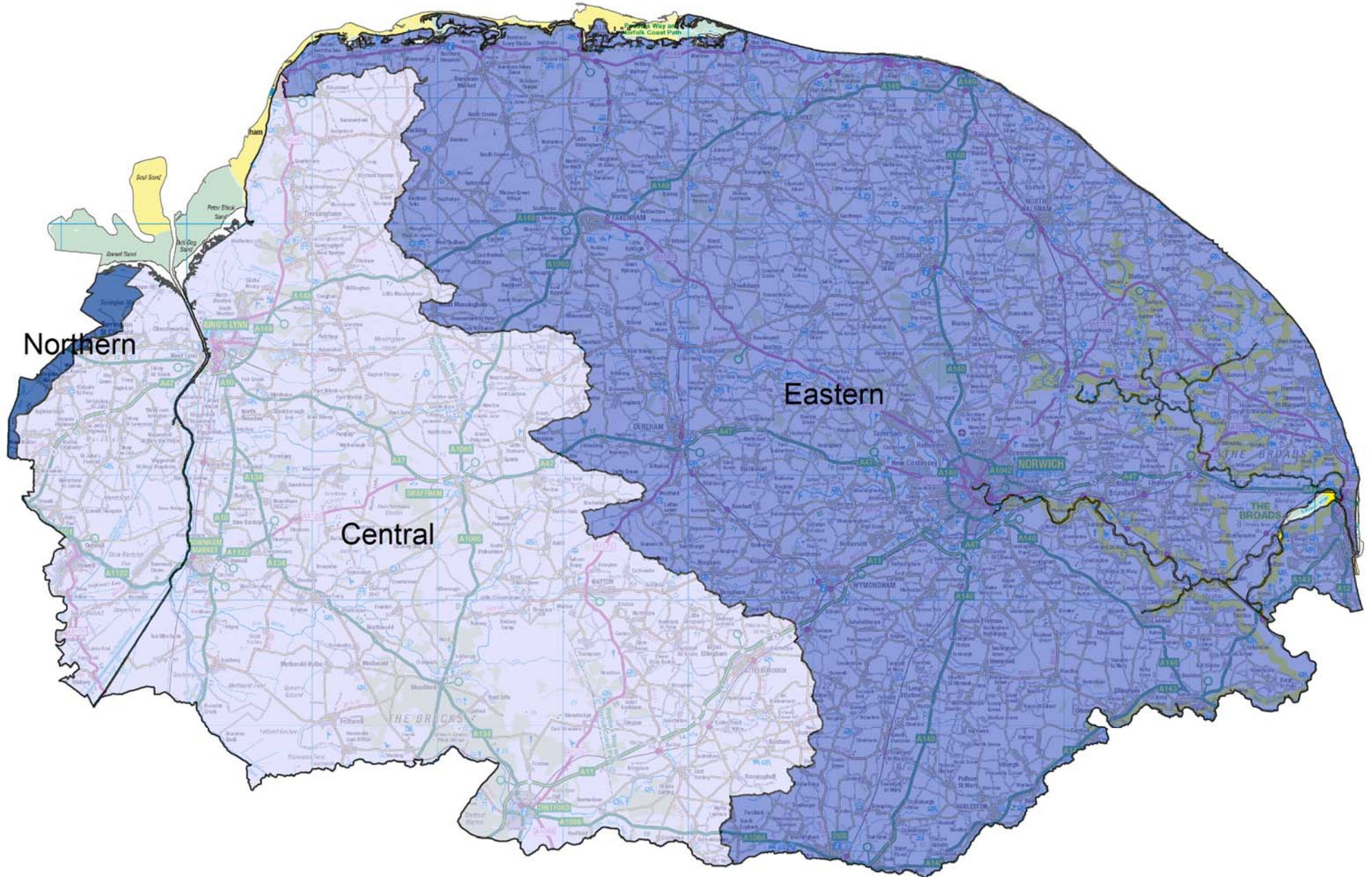
Tel No. : 01603 638081

Email address : mark.ogden@norfolk.gov.uk



If you need this report in large print, audio, braille, alternative format or in a different language please contact 0344 800 8020 or 0344 800 8011 (textphone) and we will do our best to help.

Appendix A: Regional Flood & Coastal Committee areas in Norfolk



Environment, Development and Transport Committee

Item No.

Report title:	Highway Asset Performance
Date of meeting:	14 October 2016
Responsible Chief Officer:	Tom McCabe – Executive Director of Community and Environmental Services
<p>Strategic impact</p> <p>The highway network is fundamental to the local economy as it plays a major part in every aspect of our lives. An effective network enables everyone to move around the county more easily for access to work, key services and leisure.</p> <p>Our goal for is to provide a value for money highway service, whilst continuing to provide a safe highway network and maintaining public satisfaction, in line with corporate priorities.</p>	

Executive summary

<p>This report highlights performance of the highway asset against current service level priorities, based on previous Member decisions. It covers planned capital structural maintenance of the assets only.</p> <p>The 2016-17 budget of £34m includes recent capitalised revenue activities of £3m, £2.9m from the DfT Challenge fund, and the surface water drainage scheme in Greater Norwich. The estimated budget is £34.5 in 2017-18.</p> <p>The condition data for 2006-7 is used as a baseline against which the highway backlog is measured. The overall highway asset backlog at June 2016 is £48.9m, which has improved from the 2014/15 figure of £59.2m.</p> <p>Public satisfaction with highway condition in Norfolk, remains positive. We are ranked 2nd of 25 shire counties. The reduction of the backlog and increase in public satisfaction suggests that the current asset management strategy has been effective.</p> <p>The report also covers a number of improvement actions for the next Department for Transport (DfT) Incentive fund submission and some proposed changes to standards that require Member approval.</p> <p>Recommendations:</p> <ol style="list-style-type: none"> 1. Members to review, comment and approve the proposed;- <ol style="list-style-type: none"> a. Revised Asset Management Strategy and Performance framework b. Stakeholder Liaison and Communications Plan c. Asset Data Management Strategy d. Recommendations in the Highway Maintenance Efficiency Programme(HMEP), Management of Highway Drainage Assets 2. Members to review, comment and approve the proposed changes to standards and procedures for <ol style="list-style-type: none"> a. Frequency of highway safety inspections b. Rural grass cutting c. Winter service decision making for the 2016-17 season.

1. Proposal

1.1. DfT Highways Incentive Fund

- 1.1.1. Members received a paper on the Highway Asset Management Improvement Plan in November 2015 with an update of changes to the funding mechanism for local highway maintenance capital funding and the steps being taken in preparation.
- 1.1.2. The amendments to the improvement plan require Member review and approval. These will aid our funding submission as we seek to receive the full allocation of funding available from DfT.
- 1.1.3. The individual proposals are detailed in Section 3.

1.2. Highway Standards

- 1.2.1. The Code of Practice is not statutory but provides highway authorities with guidance on highways management. Adoption of the recommendations within this document is a matter for each highway authority,
- 1.2.2. The standards included in our Transport Asset Management Plan are developed with reference to the Code, based on our own legal interpretation, risks, needs and priorities.
- 1.2.3. A new Code of Practice is due to be published on 30 September 2016. It will change to a risk-based approach determined by each Highway Authority and will involve appropriate analysis, development and approval through authorities' executive processes.
- 1.2.4. The individual proposals for highway safety inspections, rural grass-cutting and winter service decision making are detailed in section 4 and have been developed with the new Code in mind.

2. Highway Asset Performance

- 2.1. Our Highway Asset Management Policy and Strategy was agreed in July 2014 by EDT committee.
- 2.2. The priorities are:
 - A roads – maintain current condition
 - B and C roads – maintain current condition
 - Bridges – give priority to bridges on the HGV network
 - Traffic signals – target the controller replacement programme on those over 20 years old
 - Footways – maintain current condition
 - U roads – give priority to more heavily trafficked roads in village centres
 - Drainage – local maintenance schemes
- 2.3. It was recognised that the current level of funding makes the maintenance of current condition challenging and that in most circumstances the strategy will be to manage deterioration.
- 2.4. Any shortfall in achieving 2006-07 service levels, or otherwise agreed in 2013-14, is described as a backlog. The overall highway asset backlog at April 2016 is £48.9m. This is an improvement compared with £59.2m in 2015 and £72.5m reported in 2014. This has been summarised in Appendix A.
- 2.5. A summary on the performance of individual asset types can be seen in Appendix B.

2.6. **Customer Satisfaction**

- 2.6.1. The National Highways and Transport Network Survey is carried out annually. For the 2015 survey 3,300 Norfolk residents, chosen at random, were asked to rate a range of highway and transportation services, including public transport, walking and cycling, congestion road safety and highway maintenance.
- 2.6.2. Altogether 100 local authorities signed up for the 2015 survey. Out of the 27 county councils, Norfolk ranked:
 - Condition of highways - 3rd
 - Traffic management - 4th
 - Local bus services - 8th
 - Road safety education - 9th
 - Street lighting - 18th
 - Satisfaction with public rights of way - 24th
- 2.6.3. Overall Norfolk County Council ranked second against comparable county councils, compared with third in 2014.
- 2.6.4. The results of the 2016 survey will be released shortly after the committee meeting, on 16 October.
- 2.7. The asset management strategy now needs revision to include a performance framework with a 3-year horizon to reflect recent and possible future budgetary decisions.

3. **DfT Incentive Fund**

3.1. **Asset Management Strategy and Performance Framework**

- 3.1.1. The strategy is detailed in Appendix C and the performance framework in Appendix D
- 3.1.2. It is proposed that an annual Highway Performance report be presented to members in order to for them to be informed on whether the strategy is delivering the performance targets, and to take corrective action or manage changing circumstances such as annual budgets or the regulatory framework.
- 3.1.3. This will clearly show that members are regularly involved in approving the direction for asset management, and there is consultation on an appropriate basis via an annual review cycle. This will confirm the approach on these two items as well the leadership and commitment required by the DfT incentive fund.

3.2. **Stakeholder Liaison and Communications Plan**

- 3.2.1. Norfolk County Council and the Norwich City Agency work together with Tarmac, Mouchel and Dynniq to deliver the highways service in Norfolk. A Stakeholder Liaison Plan outlines our joint approach for how we liaise and communicate with our stakeholders. This forms part of the collaborative work taking place that has allowed us to achieve the 'BS11000 Collaborative Business Relationships' accreditation.
- 3.2.2. Principally the plan outlines how we will inform stakeholders about our policies and activities and how we listen to them when maintaining and developing our highway network. It also incorporates an annual communication plan which outlines key activities to help improve and maintain good communication with our stakeholders across the highways service.
- 3.2.3. The plan includes direct reference the our Transport Asset Management Plan

- 3.2.4. The plan can be seen in Appendix E.
- 3.2.5. A good communication process for highway infrastructure management demonstrates our approach to asset management to the public. This is viewed as good practice in the Highway Maintenance Efficiency Programme (HMEP) incentive fund. The proposal is to formally adopt the Stakeholder Liaison and Communications Plan.
- 3.3. **Data Management Strategy**
- 3.3.1. The proposed strategy builds upon current practice and gives the visibility required by the DfT incentive fund.
- 3.3.2. The plan can be seen in Appendix F
- 3.4. **HMEP Management of Highway Drainage Assets**
- 3.4.1. Our current practice is in line with DfT recommendations and how we apply these in practical steps is shown in Appendix G. The review and adoption of the recommendations is considered as a good practice in the HMEP incentive fund questionnaire. The proposal is that these are formally adopted by the EDT committee.
4. **Highway Standards**
- 4.1. **Frequency of Highway Safety Inspections**
- 4.1.1. The new code of Practice for Highway Maintenance allows a risk based approach rather than prescribing standard frequency for highway inspection. It is proposed to change from a monthly inspection on our Principal, Main Distributor and HGV access routes to six weekly. Details can be seen in Appendix H. It is proposed the change will take place from April 1st 2017.
- 4.1.2. Our roads are relatively lightly trafficked when compared to national roads, and our repudiation rate on these roads is good. The proposed inspection cycle aligns well with our 35 day response time for planned defects, making it clearer upon inspection if programmed works are overdue.
- 4.2. **Rural Grass cutting**
- 4.2.1. EDT Committee in November 2015 approved the cutting regime for the 2016 as;-
- An intermittent cut in May/June.
 - A second intermittent cut in July/ August.
 - The second treatment to be replaced bi-annually with a “single swathe/visibility cut’
- 4.2.2. In the course of the season a decision by EDT committee in July was taken that the second cut would be a single swathe/ with visibility, at an additional cost of £25k.
- 4.2.2.1. It is proposed that Members adopt this change in the rural cutting standard in future years to;-
- An intermittent cut in May/June.
 - A ‘single swathe’/visibility cut annually in July/ August.
- 4.3. **Winter Service Decision Making**
- 4.3.1. The winter service is managed by highway staff making decisions based on information supplied by a specialist weather forecast provider. The current matrix when making a decision about whether to mobilise winter gritting actions uses 1C as the trigger point. If the weather forecast states that the road surface temperature will drop below 1C gritting should probably take place.

- 4.3.2. Based in the anticipated revisions to the national code of practice which is expected to introduce a more risk based approach, it is proposed to change the trigger point to 0.5C which would reduce the number of gritting actions taken when the road surface temperature is above zero. This should reduce the number of unnecessary actions.

5. Financial Implications

- 5.1. It is anticipated that proposed changes in highway safety inspection frequency, will result in a reduction in the resource for dedicated highway inspection. The implications and use of resources will be reviewed in as part of the wider departmental work on localities.
- 5.2. The increase in grass cutting coverage will cost an additional £25,000 per year.
- 5.3. Winter Service decision making. It is anticipated that changing the trigger point to 0.5C would achieve savings within the winter service budget of circa £100,000 per year. However, this is based on the average winter costs and can vary based on the actual winter requirements.

6. Issues, risks and innovation

- 6.1. Highway Safety
- 6.2. Visibility at bends and highway junctions is a highway safety concern. Cutting at these areas will be maintained twice a year.
- 6.3. Outside these areas, visibility at private and field entrances will only be cut as part of the single swathe/visibility cut.
- 6.4. In exceptional growing conditions additional cutting would need to be considered.
- 6.5. We have analysed our traffic data and 3rd party claims and following a risk-based approach believe the change in highway safety inspections frequency and winter service decision making will not diminish highway safety.

7. Background

- 7.1. At the EDT committee meeting on 20 November 2015 Members approved the Highways asset management- Improvement [EDT committee minutes 20 Nov 2015 Highways asset management- Improvement plan](#)
- 7.2. At the EDT committee meeting on 8 July 2014 Members approved Highway Asset Management Strategy [EDT committee minutes meeting 8 July 2014](#)
- 7.3. At the EDT committee meeting on 20 November 2015 Members approved Rural grass-cutting standard [EDT committee minutes 20 November Highway maintenance- grass cutting standards and community 'top up' opportunities.](#)
- 7.4. At the EDT committee meeting on 8 July 2016 Members Rural grass-cutting standard [EDT committee 8 July 2016 urgent business](#)

Officer Contact

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

Officer name : Nick Tupper **Tel No. :** 01603 224290

Email address : nick.tupper@norfolk.co.uk



If you need this report in large print, audio, braille, alternative format or in a different language please contact 0344 800 8020 or 0344 800 8011 (textphone) and we will do our best to help.

		Backlog	Budget	Backlog	Budget	Steady State estimate	Budget Need
		2014-15	2015-16[^]	2015-16	2016-17[^]		2017-18*
Asset type		£m	£m	£m	£m	£m	£m
A roads		12.6	4.655	6.9	4.583	9.8	16.7
B roads		0.51	2.149	0	1.321	3.861	3.861
C roads**		3.205	4.821	0	4.852	7.747	7.747
U roads**		0	4.05	0	3.958	5.689	5.689
Machine Patching			0.421		0.681		
Capitalised Patching/Potholes ex revenue			4.682		6.482	7.482	7.482
Category 1 footways		0.374	0.45	0.192	0.45	0.790	0.982
Category 2 footways		1.646		1.674		2.354	4.028
Category 3 footways		0	2.605	0	1.873	8.416	8.416
Category 4 footways		0		0		3.165	3.165
Highway Drainage	Maintenance	0.4	0.54	0.196	0.34	0.196	0.196
	Bid Match Pot		0.075		0.075	0.075	0.075
	Improvement	30.392	2.22	30.641	3.33	0	0.000
Bridges	Maintenance Bridges	9.0	1.01	8.7	0.505	2.800	11.5
	Maintenance Culverts	0.0		0.0			
	Strengthening	0.265	0.045	0.245	0.045	0.220	0.22
	Assessment small works (ex. revenue)		0.345		0.25	0.200	0.2
Traffic Signals	Replacement	0.688	0.65	0.198	0.45	0.250	0.349
	small works (ex. revenue)		0		0.6	0.600	0.6
Signs & Post (ex. revenue)			0		0.2	0.200	0.2
Park and Ride Sites		0.028	0.04	0.003	0.025	0.029	0.032
Area Manager Schemes			0.18		0.22	0.140	0.14
Vehicle restraint systems		0.081	0.195	0.11	0.112	0.142	0.242
Contingencies***			3.515		3.204		3.601
Total		59.189	32.648	48.859	33.956	54.556	75.825

Notes

These figures are taken from the price base for each year, not a common price base. 2015/16 Backlog based upon 1-4-16 prices.

The backlog figure refers to the end of year, 31/3/2016

* Where service condition is linked to condition surveys, the budget need is to recover service condition not just hold condition in year

[^] Budgets include winter / Flood damage / additional grants

** These budgets have not been ring-fenced but shared across 'C' & 'U' roads

*** 3% trade inflation expected 2017-18

1 Condition of Highway Assets Summary

1.1 Roads

- 1.1.1 Our condition surveys for 2015-16 were better than expected. All roads have all shown improvement against previous year's results. We believe the results partly reflects improved calibration in the survey vehicles.

	2014/15	2015/16		Local Transport Plan roll-fwd. Target
		Predicted	Actual	
'A' roads	3% (3.4%)	4% (3.7%)	3% (2.5%)	4.2%
'B' roads	8% (7.9 %)	8% (8.0 %)	5.4% (5%)	n/a
'C' roads	11% (11.2%)	12% (12.1%)	6.7% (7%)	n/a

Note: Lower is better. Figures in brackets are the actual figures, but these are rounded to the nearest whole number when reported.

- 1.1.2 Unclassified (U) road condition indicator has also improved from 22% to 17% for a 4-year average.

	2014/15	2015/16	LTP Target roll-fwd.
'U' roads	22% (21.7%)	17% (16.9%)	n/a

- 1.1.3 For 2015-16 we only have a backlog on our 'A' roads. Backlogs are shown in Appendix 1;

- 1.1.4 National Statistics 2014-15 provide the most recent comparative data. Our A roads were marginally better than average, our 'B', 'C' & 'U' marginally worse.

1.2 Bridges

- 1.2.1 Bridges have, displayed marginal improvement from 2014/5 to 2015-16. Bridge Condition Index Scores were 89.82 and 91.23 on the HGV and non-HGV networks respectively. These scores are currently (April 2016) 89.9 and 90.92.

- 1.2.2 For 2015-16 we have a backlog on our HGV network of £8.7m.

- 1.2.3 No strengthening works were completed in 15/16. Two bridges still require attention and are in the forward programme.

1.3 Traffic Signals

- 1.3.1 During 2015/16 twenty two installations were replaced, consisting of 14 like-for-like replacements, 2 Pelican crossings converted to Zebra crossings, 1 junction and 1 Pelican crossing replaced as part of CCAG schemes, 2 junctions replaced by developer S278 works, 1 Pelican crossing upgraded to a Toucan crossing and 1 junction fully removed by City Centre changes.

- 1.3.2 The resultant backlog at the end of 2015/16 is 6 installations, representing a

budget of £0.198m.

1.4 Footways

1.4.1 Our 2015-16 showed a marginal deterioration in our higher Category footways and a marginal improvement in our remaining network

Footway Hierarchy	Frequency	Service Level	Condition Level 4 (structurally unsound)	
			2014-15	2015-16
Cat 1	2-year data	12.5%	13.2%	16.1%
Cat 2		25%	26.8%	32.7%
Cat 3	4-year data	30%	29.3%	28.9%
Cat 4		30%	30%	29.5%

1.5 Drainage

1.5.1 There are not any formal condition surveys of highway drains. Overall condition is assessed from regular road inspections. The identified schemes are a mixture of small scale local interventions and larger “catchment wide” projects. The maintenance drainage backlog has decreased slightly. This reflects a suppression of demand as partnership funding was put towards the Greater Norwich Surface Water Drainage Scheme which will continue until 2017-18.

1.6 Park & Ride Sites and Norwich Bus Station

1.6.1 The service level on these sites is, to fully fund any urgent, essential or necessary structural maintenance works identified by an annual inspection. There is a very small shortfall.

1.7 Vehicular Restraint Systems (VRS)

1.7.1 Our service level uses information from structural integrity surveys carried out on the whole stock over a 5-year period. We have adopted a service measure whereby if those sites assessed as priority 1 through risk assessment were not to be funded then they would represent a backlog.

1.7.2 Two schemes has been deferred into 2016-17, with an estimated cost of £110k

4. **Transport Asset Management Strategy**

4.1. **Main Components**

4.1.1. The Transport Asset Management Strategy is built around three main components;

- A defined hierarchy for all elements of the network
- The legal framework and robust policies and objectives for the service
- A detailed Inventory of all relevant components of the asset

4.1.2. To be effective, these key components are supplemented by the following:

- A comprehensive management system for inspecting, recording, analysing, prioritising and programming maintenance works to optimise their asset management contribution
- Arrangements to finance, procure and deliver maintenance works, in accordance with the principles of sustainability and best value
- Arrangements to monitor, review and update as necessary, each component of the strategy and the performance of the strategy
- A risk management strategy clearly identifying and evaluating the risks and consequences of investment decisions and measures to mitigate
- A proactive approach to the implementation of innovations and best practice in collaboration with our contractors and other councils
- Maintain a knowledgeable and robust client to engage with others councils and contractors

4.2. **Detailed Strategy for Transport Asset Management**

4.2.1. The detailed elements of the strategy are to:

- 4.2.2.
- Utilise asset management practices to ensure protection of the highway infrastructure through the implementation of the Transport Asset Management Plan.
 - Based on whole-life costing, to ensure value for money. We utilise a preventative approach investing a greater proportion of the available budget to treat roads in the early stages of deterioration. This targets assets that are not currently in need of full structural renewal and proposes to extend the assets whole life by arresting/delaying deterioration. This minimises the risk of the highway and transportation asset deteriorating.
 - Carry out repairs to the most appropriate standards and methods
 - Identify needs against the National Codes of Practice and survey data.
 - Allocate resources based upon assessed needs basis, to
 - Continue to identify improvements in the information and systems necessary to refine this process.
 - Seek the required funding by demonstrating the maintenance needs for maximum Government support, through the Local Transport Plan.
 - Seek additional funding through the County Council's strategic planning and budget cycle.
 - Seek to optimise the benefits of maintenance works by incorporating any appropriate safety, availability or accessibility improvement works at the same time.

- Co-ordinate works to reduce disruption.
- Treat as a priority those hazards that could lead to personal injury or damage to vehicles.

4.3. **Strategy for Main Asset Groups**

- 4.3.1. It is recognised that the current level of funding makes the maintenance of current condition challenging and that in most circumstances the strategy will be to manage deterioration.
- 4.3.2. Pressures can be demonstrated with Members supporting part of the Integrated Transport grant being used to support structural maintenance which in turn is supporting some work previously undertaken using revenue funding such as patching.
- 4.3.3. Carriageways
- 4.3.3.1.
 - Extensive utilisation of intermediate treatments such as surface dressing, joint sealing, re-texturing and machine patching.
 - Use of poly-modified binders and Dense Stone Mastic Asphalt (SMA) to increase the robustness of resurfacing.
 - Consider the use of recycling to add strength to rural roads and in fenland reduce weight of the pavement
 - Innovation to examine the use of new techniques
 - Scheme selection and Programme development informed by an intelligent client
 - Specification informed by our Norfolk Laboratory.
 - Full condition survey of the network
- 4.3.3.2. Desired outcome
- 4.3.3.3. Performance targets have been established in the Local Transport Plan (LTP) for the 'A' road network and in the performance framework for all road classifications. These show a slight decline over the next 3-year period to 2019-20.
- 4.3.4. Footways
- 4.3.4.1.
 - Utilisation of intermediate treatments such as slurry seal and machine patching.
 - Full condition survey of the network
 - Use of Hot Rolled Asphalt (HRA) to increase the robustness of resurfacing.
 - Innovation to examine the use of new techniques
 - Scheme selection and Programme development informed by an intelligent client
 - Specification informed by our Norfolk Laboratory.
 - Full condition survey of the network
- 4.3.5. Desired outcome
- 4.3.6. Performance targets have been established and these show a slight decline over the next 3-year period to 2019-20.

4.3.7. Highway Structures (bridges)

4.3.7.1. There is a small strengthening programme which should complete by 2018-19.

4.3.7.2. Performance targets have been established and these show a slight decline in Bridge Stock Condition Index (BSCI) score over the next 3-year period to 2019-20. The bridge strengthening programme is expected to complete in 2018-19.

4.3.8. Traffic Signals

4.3.8.1. This is a rolling programme with the intent to manage the level of controllers older than 20 years.

4.3.8.2. Desired outcome

4.3.8.3. Performance targets have been established and these show managing the asset at similar levels as now but from 2019 demand will grow as millennial assets reach their 20 year term.

4.3.9. Street Lighting

4.3.9.1. Our street lighting is managed using a Private Finance Initiative (PFI)

4.3.10. Drainage schemes

4.3.10.1 We have been successful in our bid for the DfT challenge fund bid for major surface water drainage works of £10.3m. These will be undertaken 2015-16/17/18.

4.3.10.2 Some of the structural maintenance allocation that was to be given to drainage was used as match funding in the DfT bid. As a result limited funding is available for local maintenance drainage schemes in the remainder of the county and this will be allocated on a priority basis.

4.3.10.3 A small allocation of the structural maintenance allocation has been ring fenced for match funding of bids by our Flood & Water team to the Environment Agency.

4.3.11. Capital Improvement and Road Safety Scheme

4.3.11.1 We maintain a £1.3m - £2.1m integrated transport programme with the remainder of the DfT grant being allocated to structural maintenance.

4.3.12. Sudden Asset Failures

4.3.12.1 Whilst the Strategy advocates a planned and risk based approach to Asset Management, there may be exceptional circumstances in which a particular asset fails rapidly - beyond prediction.

4.3.12.2 No separate reserve is held for these and any occurrence will be dealt with on a case by case basis. Members may sanction the use of reserves, alternatively our structural maintenance programme across all asset types could be adjusted to meet new priorities.

4.3.12.3 The condition of Fen roads is particularly difficult to predict as they can be significantly affected by weather conditions. Fenland areas have soils which are "susceptible to cyclic shrinkage and swelling". This is exacerbated in periods of unusually high or low rainfall and this movement can aggravate cracking and subsistence along roads in affected areas. Our life-cycle plans reflect differing treatments and return periods in these susceptible ground conditions.

4.3.13. Planning Considerations

4.3.13.1 Our Council understand the importance that growth and re- development has on the future of the local area and economy. There is a need to ensure that any new development / change of use promoted through the planning process fully consider the impact on the existing highway network and its future maintenance.

4.3.14. Data Management and Information Systems

4.3.14.1 In 2016 we implemented new core Highway Management System. We will continue to seek opportunities to use technology to support the service and make efficiencies.

4.4. **Performance Framework**

4.4.1. A performance framework linked to the asset management strategy and the themes of :-

- Condition / or age as proxy for Main Asset groups
- Customer Satisfaction
- Serviceability
- Sustainability (Economic & Environmental)

4.4.2. This can be seen in Appendix D.

4.5. **Review Process Monitoring and Performance Reporting**

4.5.1.1. Highway Asset Performance is reviewed annually and a report shared with members. It covers planned capital structural maintenance of the assets only.

4.5.1.2. This report highlights;

- Performance against current service level
- Current service priorities
- Customer Satisfaction
- Funding levels and needs
- Options on policies strategies and reviews

4.5.1.3. This allows informed decisions by members.

Asset Management Strategy Performance Measures

Theme	Indicator Description	Vital Sign	Frequency of reporting	Service Level to inform backlog	LTP	14-15	Context	15-16	Context	16-17	17-18	18-19	19-20	Which is better?	Aim	
Safety	Number of people killed and seriously injured on Norfolk's roads	✓	Monthly							369				Higher	Improve	
	Repudiation Rate of Highway Insurance Claims		Annual			80%		81%		81%				Higher	Maintain	
	Winter gritting - % of actions completed within 3 hours	✓	Monthly							100%	100%	100%	100%	Higher	Maintain	
	Highway Safety Inspection carried out on time		Monthly			98.50%		97.76%						Higher	Maintain	
	% Priority A defects attended within response timescale (2 hours)		Monthly			96%		96%						Higher	Maintain	
	% Priority B defects attended within response timescale (Up to 4 hours)		Monthly			97%		98%						Higher	Maintain	
Serviceability	Roads		Annual	2006-7 treatments	4.2%	3.4	marginally better than national average	2.50%		2.80%	3.10%	3.40%	3.80%	Lower	Slight decline	
			Annual	2006-7 treatments		10.7	marginally worse than national average	6.48%		7.49%	8.34%	9.24%	10.12%	Lower	Slight decline	
			Annual	2006-7 treatments		22%	marginally worse than national average	17%		18%	20%	21%	23%	Lower	Slight decline	
	Footways		Annual	12.50%		13.20%		16.10%		19%	22%	25%	27%	Lower	Slight decline	
			Annual	25%		26.88		32.70%		36%	39%	41%	42%	Lower	Slight decline	
			Annual	30%		29.30%		28.90%		29%	30%	31%	32%	Lower	Slight decline	
			Annual	30%		30%		29.50%		30%	31%	32%	33%	Lower	Slight decline	
	Structures		Annual	Bridge Condition Index Score HGV		91.92		89.82		89.92	89.3	88.8	88.2	87.8	Higher	Slight decline
			Annual	Bridge Condition Index Score Non-HGV		88.93		90.92		91.23	91	90.5	90	89.5	Higher	Slight decline
			Annual	Bridge Strengthening number of bridges requiring strengthening		2				2	1	0	0	0	Lower	Improve
	Traffic Signals		Annual	Traffic Signals controller age no more than 20 years		20 yrs.				6	3	0	0	0	Lower	Improve
	Street Lighting		Monthly	% Street Lighting working as planned (lights in light)			99.62%		99.63%		99%				Higher	Maintain
Customer Satisfaction	NHT Overall		Annual	KBI 01 - Overall (local)		56.1	3rd best County	56.2	2nd best County	56.2				Higher	Maintain	
			Annual	KBI 11 - Pavements & Footpaths		57	9th best County	58.8	5th best County	58.8				Higher	Maintain	
	NHT Walking & Cycling		Annual	KBI 13 - Cycle routes and facilities		51.5	10th best County	53.8	3rd best County	53.8				Higher	Maintain	
			Annual	KBI 15 - Rights of Way		58.3	14th best County	58	17th best County	58				Higher	Maintain	
	NHT Highway Maintenance & Enforcement		Annual	KBI 23 - Condition of highways		40.6	2nd best County	43.6	3rd best County	43.6				Higher	Maintain	
			Annual	KBI 24 - Highway maintenance		50.5	6th best County	55.8	4th best County	55.8				Higher	Maintain	
Sustainability (Economic & Environment)			Annual	KBI 25 - Street lighting		62.5	16th best County	62.6	18th best County	62.6				Higher	Maintain	
		✓	Annual	Street lighting – CO2 reduction (tonnes)						647				Higher	Improve	

Highways Joint Framework Stakeholder Liaison Plan

1. Introduction

- 1.1. Norfolk County Council and the Norwich City Agency work together with Tarmac, Mouchel and Dynniq to deliver the highways service to the people of Norfolk.
- 1.2. This document outlines a joint approach to how we liaise and communicate with our stakeholders. Our objective is to work together collaboratively to provide the most efficient, consistent and effective service as possible.
- 1.3. Principally it outlines how we will inform our stakeholders about our policies and activities and how we listen to our stakeholders when maintaining and developing our highway network.

2. Objectives

2.1. What are our joint objectives?

- 2.1.1. Norfolk County Council has four priority areas as part of the Re-imagining Norfolk Strategy which include Excellence in Education, Real Jobs, Improved Infrastructure and Supporting vulnerable people. With this in mind, the highways service, in collaboration with our colleagues in other organisations, aims to deliver improved infrastructure and real jobs by achieving the following objectives:
 1. **Improving customer focus** – Promote the importance of customer focus in all that we do, maximising the use of public facing communications tools.
 2. **Delivering value for money** – evidence value for money and efficiency in all that we do.
 3. **Protecting and sustaining the environment** – ensure that the work we do considers the environment and looks to protect and sustain the environment.
 4. **Satisfying communities** – ensure that we consult and work with the local parish, town, district council as well as the local member or members before undertaking any local improvement works.
 5. **Prioritise safety and casualty reduction** – continue to undertake road improvements with public safety, workforce safety and accident reduction in mind.
 6. **Tackling congestion** – proactively investigate ways of easing congestion, promote the benefits of public transport as well as walking and cycling to help congestion. Plan highway improvements and managing road works with the need to ease congestion in mind.
 7. **Working collaboratively** – the vision of the Highways service is to deliver projects quickly and efficiently by working together with collaborative organisations. We aim to have sustainable contractor relationships.

2.2. Stakeholder Liaison Objectives

- 2.2.1. To help achieve the joint objectives outlined above the Highways service has outlined the following objectives when liaising with our stakeholders.
- Promote Highways work to external audiences
 - Effectively inform stakeholders about our work and the services we provide.
 - Request, receive and act upon feedback received from our stakeholders.
 - Ensure that all staff and Members:
 - Receive information about our services and relevant corporate issues
 - Receive information that supports them in their work
 - Have clear opportunities to seek further information
 - Have clear opportunities to have their say on service, departmental and County Council issues

2.3. Who are our stakeholders?

- 2.3.1. Across the highways service there are many stakeholders that we liaise with including:

External

- People living in Norfolk
- People visiting Norfolk
- Partner agencies including the Local Enterprising Partnership (LEP).
- Local businesses
- Elected representatives – MPs, MEPs and councillors at district, town and parish level
- Local, regional, national and specialist media
- Other local authorities in the eastern region
- Government departments covering Transport and the Environment

Internal

- Members including Committee members, the Director and Heads of department as spokespeople for Highways.
- Highways staff across all collaborative organisations.

3. Communication Strategy

- 3.1. The following outlines the internal and external communication strategy for the Highways service. The annual Communication Plan, detailing specific communication activity and developments can be seen in the table at the end of this appendix. The plan will reflect any reviews or significant changes required based upon lessons learnt.

3.2. Internal Communication

- 3.2.1. It is important to recognise the importance of internal communication to keep staff up to date with the service we provide and ensure our organisations effectively collaborate with each other. There are a variety of communication methods in place to achieve this and can be seen summarised below.

Ongoing

- Team meetings
- Intranet
- Email or telephone calls

Every fortnight

- Executive Member Team meetings between managers and partners
- Departmental Management Team meetings between managers

Monthly

- The Bulletin newsletter

3.3. **Member Communication**

3.3.1. As representatives of their local community the 84 members that make up Norfolk County Council are responsible for shaping council policy that determines how we deliver the highways service across all organisations. It is essential therefore that we liaise, inform and consult with Members to deliver the best service possible.

- Regular reports to the Environment, Development and Transport Committee.
- Member briefings published on Members Insight.
- Consultation on proposed schemes in Member electoral divisions.
- Arranging on site visits as required.
- Support for Member Working Groups as required.
- Department Member Liaison Officers to assist with member enquiries.
- Engage with Norwich City Councillors via the Agency agreement and the Norwich Highways Agency Committee.

3.4. **External Communication**

3.4.1. Staff within each organisation, whilst carrying out the communication activities listed below, understand that they do so as a representative of Norfolk County Council.

- Internet – The Highways service will utilise the internet by publishing information and updates about the services we deliver on our respective websites.
- Social Media – Organisations run twitter and Facebook accounts to communicate messages as required. For example, the regular #NorfolkWinter campaign provides updates on gritting actions.
- Email – Members of the public will request information via email through links web sites.
- Phone – The Customer Service Centre is the main public access to information and advice about our services, however all Highways staff may need to communicate over the phone to project consultees and councillors about our work.
- Letters – Letters are sent to households in the area shortly before road works are to take place, detailing how the work will affect them and a survey is carried out after the work to judge how we did.
- Face to face – Staff will carry out site visits and discuss routine maintenance and projects at Parish and Town Council meetings. In addition highway operatives are trained in customer care.
- Media – interest in our work comes from local, national and specialist press. The highways service seeks to promote the details and benefits of our work through the media.
- Events and exhibitions - are organised by the department for example the

Royal Norfolk Show which includes information about our highways service.

- Publications – (e.g. Your Norfolk) Used as appropriate to inform people of the services we deliver
- Regular communication with funding partners (i.e. LEP and DfT) relating to applications, business cases, acceptance, progress reports and payment.

3.5. Principles

3.5.1. Our communication activities will follow principles of good practice:

- Two-way – encouraging and enabling a two-way flow of information
- Open and Transparent – about the purpose of what is being communicated and any resultant processes
- Accessible and Accountable – supporting equal opportunities and adhering to corporate policies and guidelines for communication activities
- Consistent, Regular and Ongoing – we recognise communication as an all year round activity are committed to making this happen and value the skills needed to deliver it
- Honest – about the purpose of our communications and not knowingly misleading or misinforming people
- Monitored and evaluated – so that we use communication tools and technologies that recognise and build on good practice, identify and learn from poor practice and represent good value for money.

Officer Contact

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

Officer name : Maria Thurlow

Tel No. : 01603 222018

Email address : maria.thurlow@norfolk.gov.uk



If you need this report in large print, audio, braille, alternative format or in a different language please contact 0344 800 8020 or 0344 800 8011 (textphone) and we will do our best to help.

Annual Communication Plan 2016-17

The following is the Highways Services Communication Plan which will be reviewed by Highways Service Leads in January 2017 for the following financial year.

External Stakeholders

What?	How?	Who?	When?
<i>Information Sharing</i>			
Regularly publish and share updated Highway Policy documents including the Transport Asset Management Plan	NCC Website; Committee meetings; Member updates	All stakeholders	Whenever a policy change has been applied.
Roadworks information	Publish on Roadworks.org (link from NCC website);	All stakeholders	As required; All organisations to submit permit request for work requiring excavation and/or traffic management.
	Public Information Notices (online and by post)	Local residents	Before a future scheme begins.
	Publish surfacing & surface dressing schedules		Ahead of 2016 surface dressing season
Structural Maintenance and Capital Improvements of the Highway	Committee Reports by Capital Programme Manager	Members	February 2016
Publish bids, progress and performance of specific projects or funding streams	NCC Website	All stakeholders	As required
Publish Communication Strategy	NCC Website	All stakeholders	

Appendix E

What?	How?	Who?	When?
Feedback and Consultation			
Consultations	Use of CitizenSpace	All identified stakeholders	As required
Surveys	NHT Survey (Measure of customer satisfaction)	Norfolk Residents	August 2016
	Your Voice (Norfolk County Council citizen panel)	Members of Norfolk County Council	As required
	Scheme surveys and specific consultations		As required
Benchmarking	NHT Efficiency group – All of the Eastern Highways Alliance are participating.	Internal and other Local Highway Authorities. (Performance Management and sharing best practice)	Annual return of data
Online Highway fault reporting form	New form being developed in association with corporate web team to allow for easier reporting of highway defects that can link into our back office highway system and be tracked.		Go live Spring 2016
Customer Relationship Management System	New Customer Relations Module being developed to assist Customer service centre in resolving questions asked at first point of contact and track customer enquiries to help improve service. Also to direct enquiries, where appropriate, to Tarmac's Norfolk enquiries team.		Go live April 2016
Govmetric – Customer feedback on web content and usage.	Monitor customer feedback submitted through Govmetric tool to assist with service improvement.		Quarterly reports from Customer Service Centre
Service Improvement reports	Quarterly report from customer service to review trends, issues, complaints and website improvements.		Service contacts with CSC; Service Improvement Meetings as required.

1 Management of Highway Infrastructure Asset Data

1.1 Objective

1.1.1 Asset data describes what highway infrastructure assets an authority has data where they are and how they perform.

1.1.2 It includes;-

- Number
- Location
- Performance
- Financial values
- Public opinion

1.1.3 The overall objective of the asset data set is to;-

“Provide the data required to support the approach to asset management.”

1.1.4 Typically data is used to support the overall requirements for asset management including:

- Defining network inventory and asset performance;
- Supporting statutory requirements;
- Making effective and informed decisions;
- Understanding the impact of decisions on the asset and the subsequent level of service and performance;
- Assessing and managing risk;
- Determining investment requirements
- Assessing and reporting financial value; and
- Reporting performance.

1.1.5 Effective asset management planning and decision-making relies on this data being available, appropriate, reliable and accurate

1.2 Data Management Strategy

1.2.1 Our Data Management Strategy documents the approach to the management of highway infrastructure data.

- Data need
 - A Business Case detailing
 - An assessment of the data requirements
 - Demonstrating how they meet the asset management strategy and necessary performance reporting
 - Risks associated with the data;
 - Value for money
- Data owner
 - An “owner” for responsible for management of the data. This is typically the team manager.

- Data custodian –
 - For managing the data day to day and reporting
- Data collection
 - Requirements for the accuracy, reliability, repeatability of data and value for money.
 - Collaboration in procurement between authorities were beneficial.
 - Frequency of collection and updating
 - A risk based approach has been adopted, particularly where assets are low value and pose low risk to the performance and reporting
- Data management
 - Data storage and date stamping,
 - Management and access rights to the data
 - Processing requirements
 - Reporting requirements and Performance Framework
- Data disposal
 - Informed by our corporate data retention policy with reference to Statute and regulation and Operational need
- Data reviews
 - Regular reviews should be undertaken to ensure that data continues to support asset management should be considered to ensure that these are / still fit for purpose,
- Data Management Plan
 - Details elements of the Data Management Strategy for each of our asset management data sets, owner, host and secondary systems, custodian, uses, extent, reliability, confidence, tolerance, publish, cleanse, comments, renewal of data

SUMMARY OF RECOMMENDATIONS			
The recommendations made in this guidance document are grouped into themes. Within each theme the recommendations are listed by priority, not the order in which they appear.			
THEME: DEFINING THE ASSET			Practical Steps
Recommendation 2	Understanding evolving duties and responsibilities	New regulations bring new obligations. These evolving responsibilities will have an effect on budgets and operations. Understand and adapt to these changes.	<ol style="list-style-type: none"> 1. Engagement with Flood & Water team <ol style="list-style-type: none"> a. Local issues b. Strategic / Partnership issues 2. Understanding responsibilities and opportunities represented by 'Highways' being flood risk management authority
Recommendation 6	Data Use	Use highway drainage asset data to focus, support and inform maintenance activities. These should be linked to the overall asset management objectives for local highways.	<ol style="list-style-type: none"> 1. Utilise gully cleansing information i.e. quarter full/half full/empty to inform future gully emptying frequency 2. We undertake drainage surveys to confirm the nature and condition of network prior to approving any structural drainage proposals these are reviewed / checked at Gateway1.

THEME: DEFINING THE ASSET			Practical Steps
Recommendation 3	Selection of highway drainage asset survey equipment	Before selecting equipment, have a detailed equipment requirement specification and evaluation check-list to ensure that equipment being trialled is done in an objective and consistent manner. Allow sufficient time for the trial. Ensure mobile Global Positioning System (GPS) software complies with the latest National Marine Electronics Association (NMEA) protocols.	1. Major procurement of Highway Services in 2014 enable uplifting of specification for gully emptying and drainage investigation to appropriate standards. Manage contract.
Recommendation 4	Involvement of colleagues in selecting technology	Understand your authority's information technology procurement processes, purchasing documentation requirements and get the appropriate council staff (finance, IT, Geographical Information System(GIS) etc.) involved early on.	1. Major procurement and implementation involved full range of council officers;- <ol style="list-style-type: none"> a. Highway Services in 2014 b. Highways Management System 2016 c. Repeat upon next rounds

THEME: SERVICE DELIVERY			Practical Steps
Recommendation 9	Understanding demand and service delivery requirements	Develop a clear understanding of the demand or service delivery level for the drainage asset, as this will clarify and focus activities and budgets to deliver efficient and effective service.	<ol style="list-style-type: none"> 1. Utilise gully cleansing information i.e. quarter full/half full/empty to inform future gully emptying frequency 2. Extensive survey of existing surface water drainage system prior to the design of Greater Norwich Surface Water Drainage Scheme (proposed build 2016-18), seek to capture final build in mapping format capable of being held on Arc GIS, Norfolk Mapping Browser or HMS graphical systems, a trial to determine if our drainage asset can be captured upon new build i.e. structural maintenance or new adoption 3. Survey and record existing surface Water Systems investigating issues prior to the approval of any structural repairs
Recommendation 12	Solutions	Do not let the management tool become more important than the job deliverables and recommend simple solutions that do not require a great deal of maintenance or administration.	<ol style="list-style-type: none"> 1. Utilise our Asset Data Management Strategy to scale solution appropriately

THEME: SERVICE DELIVERY			Practical Steps
Recommendation 1	Effective use of limited budgets	Adopt highway drainage asset management strategies based on information held.	1. Reviewed Cornwall Drainage Scheme Prioritisation Matrix against NCC version to create new version
Recommendation 11	Resourcing	Allocate resources and funds to routes, sections, or specific areas or assets where most needed. Monitor the maintenance of these assets and require contractors to provide details of the condition of assets; for example, gully cleansing records that details the location of the asset and amount of material removed.	<ol style="list-style-type: none"> 1. Major procurement of Highway Services in 2014 enable uplifting of specification for gully emptying (requirement on contractors to record GPS and amount of fill /debris data per gully) and drainage investigation to appropriate standards. Manage contract. 2. Review gully emptying data to inform gully emptying frequencies on a risk assessed basis
Recommendation 5	Data Integration	Link systems to maintenance activities, focus future activities and map 'hotspots'. Address the causes of problems as opposed to symptoms.	<ol style="list-style-type: none"> 1. Use of GIS systems to visualise area issues and enable analysis <ol style="list-style-type: none"> a. Norfolk Mapping Browser (NMB) b. GIS c. Highway Management System (HMS) Mapping layers

THEME: PEOPLE AND PARTNERSHIPS			Practical Steps
Recommendation 10	Use peoples knowledge	In many cases the organisation's employees are the best source of asset management information. Ensure local knowledge of drainage assets held by long service experienced staff is captured and incorporated into data records.	<ol style="list-style-type: none"> 1. Local records of investigations held at depots readily accessible for area maintenance staff 2. Section 38 records post 1974 held at County Hall 3. Capture output of Greater Norwich Surface Water Drainage Scheme (proposed build 2016-18) in mapping format capable of being held on NMB or HMS graphical systems 4. Layers displayed on Arc GIS & NMB <ol style="list-style-type: none"> a. EA storm returns b. Surface Water Management Plans maps c. Gullies d. Section 100 records (currently Arc GIS only)
Recommendation 8	Data Sharing	Drainage data must be transferable between owners and stakeholders who understand its value and make use of it.	<ol style="list-style-type: none"> 1. Drainage data i.e. gullies held in Yotta HMS, other assets and information layers can be exported via shape files

THEME: PEOPLE AND PARTNERSHIPS			Practical Steps
Recommendation 7	Partnerships	Form partnerships with all relevant bodies, such as the Environment Agency and water companies, to address water management issues and to cooperate in service delivery and information sharing.	<ol style="list-style-type: none"> 1. Norfolk Protocol already in existence 2. Norfolk Water Management Partnership (NWMP) was formed in 2009. NCC Flood & Water partnership structure reviewed 2015. <ol style="list-style-type: none"> a. Strategic Forum liaises with <ol style="list-style-type: none"> i. EDT committee (scrutiny) ii. Regional and Coastal Committees b. In addition to the Officer Group reporting to Forum there are a number of sub-groups <ol style="list-style-type: none"> i. Surface Water Management working groups for 5 district/areas: BCKLWN, NNDC, Norwich & Broadland, GYBC.

Network Hierarchy		Highway Safety Inspections in Norfolk				
Draft Code of Practice 2016 (intended to be used as a reference point from which to develop local hierarchies.)		Norfolk County Council Practice		Current	Proposed	
Subject	Category	Category	Sub-Category / Description	Detailed/Safety inspections (combined)	Detailed/Safety inspections (combined)	
Roads	Strategic Route	2a	Trunk	1 month	6 weeks	
		2b	Primary			
		2c	Most principal roads- see 3a(i) & 3b(iii)			
	Main Distributor	3a (Main Distributor)	3a(i)	(Some remaining A roads A1062, A1064 only)	1 month	6 weeks
			3a(ii)	all others		
	Secondary Distributor	3b (Access routes)	3b(i)	HGV	3 months	3 months
			3b(ii)	Local		
			3b(iii)	Special (A149 Hunstanton-Cromer & C636 Bacton to North Walsham)		
			3b(iv)	Tourist		
				Town Centres : All roads , footways, cycleways within these defined areas (Footway Cat 1)	1 month	1 month
	Link Road	4a	4a(i)	Typically dense urban terrace in Gt.Yar/KL/Nor with on-street parking	6 months	6 months
			4a(ii)	Remaining		
Local Access Road	4b	4b	Typically urban (40mph or less) cul-de-sac's or loop roads without significant traffic generators	Annual	Annual	
Minor Road	4c	4c	4c Back Lanes	Annual	Annual	
		4d	4d Soft roads	Every 5 years (i.e. 1/5 each year)	Every 5 years (i.e. 1/5 each year)	

Key

=

Highway Agency responsibility

Environment Development and Transport Committee

Item No.

Report title:	Annual review of the Enforcement Policy
Date of meeting:	14 October 2016
Responsible Chief Officer:	Tom McCabe - Executive Director, Community and Environmental Services
Strategic impact	
<p>The Enforcement Policy provides a framework to ensure that we work in an equitable, practical and consistent manner in the way we deliver regulatory activities and law enforcement. Norfolk County Council is committed to the principles of better regulation, reducing burdens on business with proportionate responses and ensuring we act to protect and support residents, businesses and the environment.</p>	

Executive summary

<p>The Community and Environmental Services (CES) Directorate is responsible for a range of regulatory functions, including Trading Standards, Planning enforcement (mineral and waste sites), Flood and Water (land drainage), Highways (networks, maintenance and blue badge enforcement) and Norfolk Fire and Rescue (fire safety). Each area of work operates under different legislation and each has its own framework of regulations, codes of practice and guidance.</p> <p>The current Enforcement Policy was originally developed in 2013 in conjunction with a range of stakeholders, including business representatives, and is subject to annual review by members. CES services have reviewed the current policy and have proposed changes in some areas. A revised CES Enforcement Policy (appendix 1) has been produced to reflect these changes.</p> <p>The main change this year is the proposed inclusion of the Norfolk Fire and Rescue Service (NFRS) Enforcement Policy Statement. Although still reflecting national requirements, the proposal is for this to be appended to the main Policy, recognising that fire safety enforcement is now a function of the CES Directorate. The main changes proposed this year are highlighted in appendix 1, and are summarised here as follows:</p> <ul style="list-style-type: none"> • Inclusion of the NFRS policy, as an appendix to the main policy (para 1.1 & annex 3) • Clarification of the need to give notice for routine inspection visits unless unannounced visits are legally required/necessary (para 2.1.2) • Confirmation of the support available for businesses via the Home and Primary Authority Principles as part of the Enforcement Policy, including the possibility of charging for interpretive or bespoke advice on a cost recovery basis (para 3) • The inclusion of body worn video as part of investigations (para 4.6.4) • Clarification that monetary penalties may be issued where there is a specific legal power or delegated authority to do so, with specific guidance to be produced for this as appropriate. Enforcement of Single Use Carrier Bags is a recent example (para 4.11) <p>To confirm the revised CES Enforcement Policy (appendix 1) and its annex documents, prior to consideration by Communities Committee (the approval body for the Policy).</p>

1. **Proposal**

The current Enforcement Policy (the Policy) was first developed as a cross-departmental policy in 2013. The Policy covers a range of regulatory functions, including Trading Standards, Planning enforcement, Flood and Water and Highways. It does not try to capture all of the detailed, complex and often changing background to enforcement, but instead seeks to summarise the overall approach to the use of enforcement powers; whether that is criminal prosecution at one end of the spectrum or informal warnings and advice at the other. The policy is supported by detailed procedures for officers within each service area and, where necessary, additional protocols can be appended to the main policy. Currently there are two areas of work which appear as annex documents to the main policy; these relate to minerals and waste planning and flood and water management – see annex 1 and annex 2 to the Policy.

The main change this year is the proposed inclusion of the Norfolk Fire and Rescue Service (NFRS) Enforcement Policy Statement. Although still reflecting national requirements, the proposal is for this to be appended to the main Policy, recognising that fire safety enforcement is now a function of CES.

The current Enforcement Policy has also been reviewed jointly by CES regulatory services in the context of current government and other guidance and seeks to ensure that the application of any enforcement is:

- proportionate to the offence and risks, and mindful of previous transgressions
- transparent - in that any person affected understands what is expected of them, what they should expect from the local authority and the reasons for the action
- consistent with the Equality Act 2010 and the Council's Equalities Policies
- consistent in approach, and appropriate.

A revised CES Enforcement Policy (appendix 1) has been produced to reflect the proposed changes arising from this year's review. The main changes proposed this year are highlighted in appendix 1, and are summarised here as follows:

- Inclusion of the NFRS policy, as an appendix to the main policy (para 1.1 & annex 3)
- Clarification of the need to give notice for routine inspection visits unless unannounced visits are legally required/necessary (para 2.1.2)
- Confirmation of the support available for businesses via the Home and Primary Authority Principles as part of the Enforcement Policy, including the possibility of charging for interpretive or bespoke advice on a cost recovery basis (para 3)
- The inclusion of body worn video as part of investigations (para 4.6.4)
- Clarification that monetary penalties may be issued where there is a specific legal power or delegated authority to do so, with specific guidance produced for this as appropriate, with Single Use Carrier Bags a recent example (para 4.11)

2. **Evidence**

A CES wide Enforcement Policy is considered to be the most effective way to demonstrate how CES intends to fulfil its regulatory/legal responsibilities. An alternative option would be for each service area within CES to produce its own enforcement policy. However as above there is need for consistency in overall approach; and (where necessary or appropriate to do so) the draft policy also

provides for additional (detailed) protocols.

3. Financial Implications

There are no immediate resource implications as a result of this proposal although there is the recognition in the policy that enforcement resources are not limitless and need to be targeted at areas where risk is highest. Higher performing, more compliant businesses will bear less of a burden, with regulators focusing their efforts on rogue and higher-risk businesses.

4. Issues, risks and innovation

There is a legal context to the deployment of enforcement powers. In 1998 the Cabinet Office published the “Enforcement Concordat” to help promote consistency in the UK regulatory enforcement regime. The Enforcement Concordat set out principles of good enforcement policy and, although a voluntary code of practice, it was adopted by 96% of all central and local government bodies, including Norfolk County Council.

The Enforcement Concordat has since been supplemented by a statutory code of practice, the Regulators’ Code (the Code). The Council has a legal obligation to have regard to the Code, including ensuring a consistent approach to enforcement policy and in setting out service standards.

In certain instances officers may conclude that a provision in the Code is either not relevant or is outweighed by another provision. Officers will ensure that any decision to depart from the Code is properly reasoned, based on material evidence and documented. The Code requires the Council to publish its Enforcement Policy.

The Council must also have regard to The Code for Crown Prosecutors (CPS) guidance which requires extensive consideration of the evidence (for example is it admissible, substantial and reliable) before a decision is made to institute legal proceedings; with any decision also considering whether it is in the public interest to prosecute. This CES Enforcement Policy provides a clear framework and mitigates any risk of legal challenge regarding the delivery of the regulatory enforcement function within the directorate.

Human Rights

In carrying out its enforcement role, the directorate has regard to the Freedom of Information Act 2000, the Data Protection Act 1998, Regulation of Investigatory Powers Act 2000 and the Human Rights Act 1998 (e.g. in the latter context the right to a fair trial, right to respect for private and family life, prohibition of discrimination and protection of property).

Equality Impact Assessment (EqIA)

An Equality Impact Assessment (EqIA) for this Policy was carried out in late 2013, in conjunction with the Departmental Equality Lead Officer. Actions arising from the original EqIA were reviewed in 2014 and agreed as completed. This year’s review proposes no significant changes to the Policy which would require a new EqIA at this stage.

Although this is now a Directorate-wide Enforcement Policy, Trading Standards continues to undertake the vast majority of formal enforcement action within the directorate. An Internal Audit of Trading Standards enforcement activity carried out in March 2016 found that the intelligence system in place is effective, that sound controls are in place and operating consistently, and the Service can demonstrate that decisions taken during investigations are equitable, unbiased and based on objective intelligence.

Officer Contact

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

Officer name : **Sophie Leney**

Tel No. : **01603 224275**

Email address : sophie.leney@norfolk.gov.uk



If you need this report in large print, audio, braille, alternative format or in a different language please contact 0344 800 8020 or 0344 800 8011 (textphone) and we will do our best to help.



Enforcement Policy

Community and Environmental Services

DRAFT



If you need this document in large print, audio, Braille, alternative format or in a different language please contact Trading Standards on 0344 800 8020 or email trading.standards@norfolk.gov.uk and we will do our best to help

October 2016

Contents	Page
Introduction	3
Principles of Inspection & Enforcement	4 - 6
Home Authority and Primary Authority Principles	7
Enforcement Actions	7 - 13
Complaints, Compliments and Comments	13
Conflict of Interest in Enforcement Matters	14
Where to get further information	14
Annex	
Annex 1 – Local Monitoring and Enforcement Code	
Annex 2 – Flood and Water Management Enforcement Protocol	
Annex 3 – Norfolk Fire and Rescue Service Enforcement Policy Statement	

1 Introduction

- 1.1 This document applies to the enforcement activities carried out by the Community and Environmental Services (CES) Directorate of Norfolk County Council (NCC); including Trading Standards, Highways, Planning and **Norfolk Fire and Rescue Service (Fire Safety)**.
- 1.2 Where appropriate, additional enforcement protocols or policy may be developed to support this policy, for example where there are national requirements regarding a particular enforcement process. These will be appended to this policy as required.
- 1.3 The consolidated Enforcement Policy was originally developed in conjunction with a range of stakeholders, including business representatives in 2013. The policy forms part of the Council's policy framework and is subject to annual review and approval.
- 1.4 The purpose of this Enforcement Policy is to provide a framework to ensure that we work in an equitable, practical and consistent manner. NCC is committed to the principles of good enforcement, as set out in the Legislative and Regulatory Reform Act 2006, and we have had regard to the associated [Regulators' Code](#) (the Code) in the preparation of this policy. In certain instances we may conclude that a provision in the Code is either not relevant or is outweighed by another provision. We will ensure that any decision to depart from the Code will be properly reasoned, based on material evidence and documented.
- 1.5 Compliance with this Policy will ensure that we will strive to be fair, impartial, independent and objective. The Council is committed to ensuring that the decisions we take and the services we deliver take proper account of equality issues and, where necessary, put actions in place to address any barriers faced by protected groups.
- 1.6 Within the context of this Policy, 'enforcement' includes action carried out in the exercise of, or against the background of, statutory enforcement powers. This is not limited to formal enforcement action, such as prosecution or issue of notices, and so includes inspection to check compliance with legal or other requirements and the provision of advice to aid compliance.
- 1.7 For the purposes of this document 'formal action' means: Prosecution, Simple Caution, Enforcement Order, Issue of Notices, Monetary Penalties, Seizure, Suspension, Forfeiture, Revocation/Suspension of a licence, registration or approval, Works in Default or any other criminal or civil/injunctive proceedings or statutory sanctions, applied either separately or in any other combination.
- 1.8 Where appropriate the Council will seek to recover its enforcement costs, including making formal applications for costs through the Courts.

2 Principles of Inspection & Enforcement

2.1 Proportionality

2.1.1 We are committed to avoiding the imposition of unnecessary regulatory burdens and will endeavour to minimise the cost of compliance for business by ensuring that any action taken, or advice offered, is proportionate to the seriousness of the breach, as well as the risk to people, property, the community or the environment. In doing so we will choose approaches that are based on relevant factors including, for example, business size and capacity.

2.1.2 We will usually give notice of our intention to carry out routine inspection visits, unless we are required by law to visit unannounced, or we have a specific reason for not giving prior notice, such as where the identity of the person or premises is unknown, or where it would defeat the objectives of the inspection visit to give such notice.

2.1.3 As far as the law allows, we will take account of the circumstances of the case and attitude of the people involved when considering action. We will take particular care to work with businesses and individuals so that, where practicable, they can meet their legal obligations without unnecessary expense, to support and enable economic growth.

2.1.4 The most serious formal action, including prosecution, will be reserved for serious breaches of the law.

2.2 Accountability

2.2.1 We will actively work with businesses and individuals to advise and to assist with compliance and requests for help. Contact points and telephone numbers will be provided for business and public use.

2.2.2 We will aim to carry out visits and inspections at a reasonable time and where appropriate to do so. Our staff will show their identification (and authority if requested) at the outset of every visit and explain the reason for the visit, unless the nature of any investigation requires otherwise.

2.2.3 Out of hours contact for services will be provided where there is a need for an immediate response/risk to public health, safety or damage to property, infrastructure or the environment.

2.2.4 The whole range of enforcement activities will be dealt with as promptly and efficiently as possible in order to minimise time delays.

2.2.5 Where appropriate, feedback questionnaires will be used to gather and act upon information about the services we provide.

2.2.6 We will include information to highlight new legal requirements on our website, with letters sent after an inspection or visit; and by providing or signposting advice and information to help keep businesses up to date.

2.3 Consistency

2.3.1 All officers are required to act in accordance with this enforcement policy and our published service standards.

2.3.2 We will carry out our enforcement and advisory functions in an equitable, practical and consistent manner. We will adopt and adhere to relevant policy and guidance and will ensure that our officers are suitably trained, qualified and authorised to undertake their enforcement duties, and understand the principles of good regulation.

2.3.3 Where appropriate, we will publish clear service standards providing information on:

- a) How we communicate with those we regulate and how we can be contacted
- b) Our approach to providing information, guidance and advice
- c) Our risk assessment methodology used to determine inspection activity, clearly setting out what can be expected from us at the time of visit
- d) Our fees and charges; and
- e) How to comment or complain about the service provided and the routes to appeal.

2.4 Transparency

2.4.1 In most circumstances we will seek to ensure that people affected by formal action are informed of what is planned, and allow for discussion and time to respond before the action is taken. We will also give them a named officer's contact details. These arrangements must have regard to legal constraints and requirements.

2.4.2 When a notice is served it will say what needs to be done, why, and by when, and that in the officer's opinion a breach of the law has been committed and why the notice is necessary. We will also make a clear distinction between legal requirements and recommended works.

2.4.3 As part of our commitment to equality we:

- Use INTRAN, the Interpretation and Translation Agency for the Public Services of Norfolk covering telephone interpreting, face to face interpreting, sign language and lip speaking service.
- Will communicate in a clear, accessible, concise, format using media appropriate to the target audience, in plain language. Where businesses or the public do not have English as a first language we offer translations of correspondence on request via INTRAN.

2.4.4 Where businesses or individuals have acted against the law we may use publicity in order to raise awareness, to increase compliance and to improve monitoring of trade practices.

2.4.5 This Enforcement Policy is published via the Norfolk County Council website, and we may publish further guidance about specific areas, such as the use of civil sanctions. We also publish the results of court proceedings and undertakings. The publicity generated by prosecutions and other action acts as a deterrent to others, and also reassures the general public that we take a serious view of criminal behaviour.

2.4.6 In reaching a decision as to whether to publish such information, we will consider the following factors:

- The specific details of the offence committed or detrimental activity.
- The public interest in disclosing personal information e.g. the deterrent effect of the publication.
- Whether the publication would be proportionate.
- The personal circumstances of the offender.
- Community cohesion.

2.4.7 An example of the current published enforcement action is via the [Trading Standards web pages](#).

2.5 Targeted (Intelligence and Risk Led) Enforcement

2.5.1 Enforcement will be primarily targeted towards those situations that give rise to the most serious risks, and against deliberate/organised crime. Other determining factors will include local priorities, Government targets and priorities, new legislation, national campaigns and public concerns.

2.5.2 By having a coherent and robust intelligence system, effective strategies can be formed to enable and co-ordinate solutions to particular problems. This enables the identification of new, current and emerging issues, allowing provision of strategic and tactical direction on how the issues can best be tackled.

2.6 Supporting the local economy

2.6.1 We recognise that a key element of our activity will be to facilitate and encourage economic progress against a background of protection.

2.6.2 Wherever possible, we will work in partnership with businesses and individuals, and with parish councils, voluntary and community organisations, to assist them with meeting their legal obligations without unnecessary expense.

2.7 Reducing enforcement burdens

2.7.1 If there is a shared enforcement role with other agencies, e.g. the Police, we will consider co-ordinating with these agencies to minimise unnecessary overlaps or time delays and to maximise our overall effectiveness. We will also liaise with the other regulators to ensure that any proceedings instituted are for the most appropriate offence.

2.7.2 We will follow the principle of “collect once, use many times” and share information that we collect with other local authority regulatory services to minimise business impact.

2.7.3 Partner enforcement agencies routinely exchange information and in doing so we will ensure we follow the requirements of the Data Protection Act 1998 and other relevant legislation.

3 Home Authority and Primary Authority Principles

3.1 The Home Authority Principle means that Norfolk based businesses, where they trade or provide services that impact beyond Norfolk, are able to get advice and support from us on matters such as legal requirements and changes to the law. This usually takes the form of a semi-formal partnership relationship.

3.2 We will support Home Authority businesses by:

- Providing them with appropriate guidance and advice. This may be signpost advice in the first instance. Interpretive or bespoke chargeable advice may be provided on a cost recovery basis
- maintaining records of our contacts with 'home authority' businesses to reduce the amount of information they have to provide to us
- supporting efficient liaison between local authorities
- providing a system for the resolution of problems and disputes.

3.3 In April 2009, the Regulatory and Enforcement Sanctions Act 2008 introduced the Primary Authority Principle – in contrast to the Home Authority Principle, this is a formal relationship.

3.4 A Primary Authority is a local authority registered by the Government's Regulatory Delivery Directorate as having responsibility for giving advice and guidance to a particular business or organisation that is subject to regulation by more than one local authority. We will give due consideration to any business who wishes to enter into such an arrangement.

3.5 If a business has a Primary Authority (also, if appropriate, a Lead or Home Authority or informal Lead or Home Authority), we will contact the Primary/Home Authority before enforcement action is taken where required to do so, unless immediate action is required because of imminent danger to health, safety or the environment.

4 Enforcement Actions

4.1 Nothing in this policy shall be taken to compel the Council to take enforcement action. In certain instances the Council may conclude that an enforcement response is not appropriate given the circumstances. Any decision to deploy enforcement powers will be taken in the context of operational priorities and this policy.

4.2 In deciding what enforcement action to take, we will have regard to the following aims:

- to change the behaviour of the offender
- to eliminate financial gain or benefit from non-compliance
- to be responsive and consider what is the most appropriate sanction for the particular offender and the regulatory issue concerned
- to be proportionate to the nature of the offence and the harm/potential harm caused
- to repair the harm caused to victims, where appropriate to do so
- to deter future non-compliance

- 4.3 Any decision to undertake formal enforcement action will be taken in the context of operational priorities, this policy and the [Council Constitution and scheme of delegations](#). Such decisions will include the use of risk based approaches and intelligence in determining the nature of any response, as well as being subject to ongoing monitoring and review.
- 4.4 Where a right of appeal against a formal action exists other than through the courts, advice on the appeal mechanism will be clearly set out in writing at the time the action is taken.
- 4.5 Where more formal enforcement action, such as a simple caution or prosecution, is taken, Norfolk County Council recognises that there is likely to be an ongoing need for compliance advice and support, to prevent further breaches.
- 4.6 Where it is necessary to carry out a full investigation, the case will be progressed without undue delay. All investigations into alleged breaches of legislation will be conducted in compliance with statutory powers, time limits and all other relevant legislation (and relevant Codes of Practice), including the requirements of:
- Police and Criminal Evidence Act 1984 (PACE)
 - Criminal Procedure and Investigations Act 1996 (CPIA)
 - Regulation of Investigatory Powers Act 2000 (RIPA)
 - the Criminal Justice and Police Act 2001 (CJPA)
 - Human Rights Act 1998 (HRA).
- 4.6.1 As part of any criminal investigation process, persons suspected of r having committed a criminal offence will, wherever possible,
- be formally interviewed in accordance with PACE
 - be given the opportunity to demonstrate a statutory defence
 - have the opportunity to give an explanation or make any additional comments about the alleged breach
 - be offered translation services where English is not their first language.
- 4.6.2 Some of our Officers have a wide variety of powers, including the power to enter premises and inspect goods, to require the production of documents or records and, when necessary, the power to seize and detain such material where they believe it may be required as evidence.
- 4.6.3 Officers may also take with them such other persons as may be necessary as part of their investigations, or when exercising their powers. This may include Police Officers where there is the possibility of an arrest. In certain cases, Officers may exercise an entry warrant issued by a Magistrate in order to gain access to premises.
- 4.6.4 Officers may also use investigation equipment as part of their duties, including hand held and Body-Worn Video (BWV) cameras. BWV devices are capable of recording both visual and audio information and can provide a number of benefits to enforcement agencies, including a deterrent to aggressive, verbal and physical abuse towards officers, and in providing additional evidence to support investigations. BWV will usually be deployed on an overt basis for a specific purpose, and where it is necessary and proportionate to do so. Any decision to deploy BWV

on a covert basis will be made in accordance with the Regulation of Investigatory Powers Act (RIPA), related legislation, Codes of Practice and associated Council Policy.

4.7 Immediate Formal Action

4.7.1 Whilst recognising that most people want to comply with legal requirements, we also recognise that some will operate outside the law (both intentionally and unintentionally). A staged approach to enforcement will therefore be adopted, with advice and informal action fully explored to resolve the matter in the first instance, if appropriate. However the Council will consider taking immediate formal action for the most serious breaches, which may include any of the following circumstances:

- Where there is a significant risk to public health, safety or wellbeing, or damage to property, infrastructure or the environment.
- Fraud or deceptive/misleading practices, including those seeking an unfair 'competitive advantage'.
- For matters where there has been recklessness or negligence, causing or likely to cause significant loss or prejudice to others.
- Illegal practices targeted at the young, the elderly or other vulnerable people.
- A deliberate or persistent failure to comply with advice, warnings or legal requirements.
- Any act likely to affect animal health or welfare, disease prevention measures, or the integrity of the food chain.
- Obstruction or assault (including verbal assault) of an officer in the execution of their duties.

4.8 Advice, Guidance and Support

4.8.1 Norfolk County Council is committed to using advice, guidance and support as a first response to the majority of breaches of legislation that are identified.

4.8.2 Any initial requests for advice from individuals or businesses on non-compliance will not in themselves directly trigger enforcement action. We will seek to assist in rectifying such breaches as quickly and efficiently as possible, where there is a clear willingness to resolve the matter, thus avoiding the need for further enforcement action.

4.8.3 Any correspondence will clearly differentiate between legal requirements and good practice, and indicate the regulations contravened and the measures which will enable compliance.

4.8.4 Follow up checks will be carried out on a risk and intelligence-led basis and where a similar breach is identified in the future, previous advice will be taken into account in considering the most appropriate enforcement action to take on that occasion.

4.9 Verbal or written warning

- 4.9.1 Compliance advice is sometimes provided in the form of a verbal or written warning. In doing so we will clearly explain what should be done to rectify the problem and to prevent re-occurrence.
- 4.9.2 Warnings cannot be cited in court as a previous conviction, but may be presented in evidence.

4.10 Statutory (Legal) Notices

- 4.10.1 Statutory Notices are used as appropriate in accordance with relevant legislation. Such notices are legally binding. Failure to comply with a statutory notice can be a criminal offence and may lead to prosecution and/or, where appropriate, the carrying out of work in default.
- 4.10.2 A statutory notice will clearly set out actions which must be taken and the timescale within which they must be taken. It is likely to require that any breach is rectified and/or prevented from recurring. It may also prohibit specified activities until the breach has been rectified and/or safeguards have been put in place to prevent future breaches. Where a statutory notice is issued, an explanation of the appeals process for such notices will be provided to the recipient.

4.11 Monetary penalties

4.11.1 Fixed or variable monetary penalties may be issued where there is a specific power or delegated authority to do so and under the following circumstances:

- To provide an effective and visible way to respond to less serious crimes without going to court
- As a response to genuine problems or as part of a wider enforcement strategy

4.11.2 Specific guidance for legislation which includes the power to issue monetary penalties may be produced to support this Policy. An example of this is guidance for the enforcement of the Single Use Carrier Bags Charges (England) Order 2015, which is available [here](#).

4.11.3 Where the offender fails to discharge their liability resulting from any monetary penalty issued, alternative enforcement action will automatically be considered under this policy (including prosecution of the initial offence). Where prosecution is brought; an assessment will be made of other offences that may also have been committed in order that those charges may be considered at the same time.

4.11.4 Consideration will be given to the adoption of alternative remedies to the issue of a monetary penalty, such as those involving dedicated advice and training sessions, which aim to change the behaviour of the offender, whilst remaining proportionate to the nature of the offence and the harm/potential harm caused.

4.12 Licences, registrations and approvals

4.12.1 Norfolk County Council has a role to play in ensuring that appropriate standards are met in relation to licences, registrations and approvals. We may seek to review, temporarily remove or revoke any licence, registration or approval if we are made aware that actions have been carried out which undermine scheme objectives and/or would be unlawful. This includes those issued by other agencies.

4.13 Seizure

4.13.1 Some legislation permits our Officers to seize goods and documents that may be required as evidence.

4.13.2 When we seize goods, we will give an appropriate receipt to the person from whom they are taken. On some occasions we may also ask a person to voluntarily surrender and transfer ownership of illegal goods to Norfolk County Council.

4.14 Forfeiture

4.14.1 Where an accused has not agreed to voluntarily surrender any infringing goods then, on successful conclusion of legal proceedings, forfeiture may be applied for. This does not preclude the Council from taking forfeiture proceedings in their own right in appropriate circumstances.

4.15 Injunctive Actions, Enforcement Orders etc

4.15.1 We will consider formal civil enforcement action in pursuance of breaches of law which have a detrimental impact on the collective interests of consumers or businesses.

4.15.2 When considering formal civil enforcement action, an officer will, where appropriate, first discuss the circumstances with those suspected of a breach and, through consultation, attempt to resolve any issues. Alternatively we will look to redress detrimental practices via a range of enforcement actions. These include the following:

- informal and formal undertakings
- interim and other court orders
- contempt proceedings.

4.15.3 We may ask the Court to consider other remedies as part of any proceedings, including compensation for victims.

4.16 Other Sanctions

4.16.1 The Council will consider other sanctions where these are legally available and it is appropriate to do so, including criminal behaviour orders under the Anti-Social Behaviour, Crime and Policing Act 2014, injunctions under the Local Government Act 1972 or equivalent orders

to disrupt and/or prevent activities that may contribute to crime or disorder.

4.17 Taking animals into possession/banning orders

4.17.1 Under the Animal Welfare Act 2006, if a veterinary surgeon certifies that 'protected animals' are suffering or are likely to suffer if their circumstances do not change, we will consider taking them into our possession and applying for Orders for re-imbusement of expenses incurred and subsequent disposal. In some circumstances we will also consider applying to the Court to ban a person(s) from keeping animals.

4.18 Simple Cautions

4.18.1 In certain cases a simple caution may be offered as an alternative to a prosecution. The purpose of a simple caution is to deal quickly with less serious offences, to divert less serious offences away from the Courts, and to reduce the chances of repeat offences.

4.18.2 Officers will comply with the provisions of relevant Home Office Circulars. The following conditions must be fulfilled before a caution is administered:

- The offender has made a clear and reliable admission
- There is a realistic prospect of conviction
- It is in the public interest to offer a simple caution; and
- The offender is 18 years old or older at the time that the caution is to be administered.

4.18.3 A simple caution will appear on the offender's criminal record. It is likely to influence how Norfolk County Council and others deal with any similar breaches in the future, and may be cited in court if the offender is subsequently prosecuted for a similar offence. If a simple caution is issued to an individual (rather than a corporation) it may have consequences if that individual seeks certain types of employment.

4.18.4 Simple cautions will be issued with regard to Home Office and other relevant guidance.

4.19 Prosecution

4.19.1 Norfolk County Council may prosecute in respect of serious or recurrent breaches, or where other enforcement actions, such as statutory notices have failed to secure compliance. The Council recognises that the decision to prosecute is significant and could have far reaching consequences on the offender.

4.19.2 Before a decision to prosecute is taken, the alleged offence(s) will be fully investigated, a report compiled by the Investigating Officer and the file independently reviewed by a Senior Manager. A prosecution will only be considered if the sufficiency of the evidence and the public interest requirement fall within the guidelines as laid down by the

4.19.3 Before making a decision whether or not to prosecute, consideration will also be given to:

- How well the prosecution supports NCC aims and priorities
- The factors contained in paragraphs 4.2 and 4.7 of this policy
- Action taken by other enforcement agencies for the same facts
- The nature and extent of any harm or loss, including potential harm and loss, and any offer of redress made by the offender to victims
- The willingness of the alleged offender to prevent a recurrence of the infringement
- The likelihood of the alleged offender being able to establish a statutory defence
- The calibre and reliability of witnesses
- The probable public benefit of a prosecution and the importance of the case, e.g. the possibility of establishing legal precedent
- Cost effectiveness of a prosecution
- The scope for alternative routes for redress for 'victims' and their likelihood of success
- The impact of the intervention on small businesses in particular, to ensure action is proportionate.

4.19.4 A conviction will result in a criminal record and the court may impose a fine and, for particularly serious breaches, a prison sentence. The court may order the forfeiture and disposal of non-compliant goods and/or the confiscation of assets. Prosecution may also lead, in some circumstances, to the disqualification of individuals from acting as company directors (see 4.21 below).

4.20 Proceeds of Crime Actions

4.20.1 Where appropriate, we will seek to recover the benefit that the offender has obtained from their criminal conduct through financial investigation.

4.20.2 Financial investigations will be undertaken in accordance with the Proceeds of Crime Act 2002. Such investigations may include applications to the Court requiring financial information to be provided (production orders) or in serious cases applications to freeze and/or confiscate criminal assets (restraint and confiscation orders). Where appropriate, consideration will also be given to seek compensation for victim losses as part of financial investigations.

4.21 Directors

4.21.1 On the conviction of a Director connected with the management of a company the prosecutor will, in appropriate cases, draw to the Court's attention their powers to make a Disqualification Order under the Company Directors Disqualification Act 1986.

5 Complaints, Compliments and Comments

- 5.1 If you are unhappy with the service you have received, or we have failed to live up to our promises, managers are always willing to discuss with you the cause of your dissatisfaction, and will try to find a solution.
- 5.2 If you wish to make a complaint or send us a compliment or comment about our service please use our online procedure by going to:
www.norfolk.gov.uk/complaints
- 5.3 If you are still not satisfied, and feel you have been caused injustice, our complaints process explains how the matter will be escalated, including how to complain to the Local Government Ombudsman.
- 5.4 If you wish to appeal against any enforcement action taken or have any other comments about this policy, you should write to the Executive Director - Community and Environmental Services, at the address shown at the bottom of this page.

6 Conflict of Interest in Enforcement Matters

- 6.1 Where a breach is detected in which the enforcing authority is itself the responsible operator, for example operating as a food business, the following protocol will be followed:
- (a) Where a breach of law is sufficiently serious to warrant more than the provision of advice, information, assistance or a written warning, or where the response to remedy the breach is considered insufficient, an authorised officer from another authority within Norfolk will be requested to assist in the decision making process as to the action required. The Managing Director of Norfolk County Council and the Head of Law will be informed of serious breaches without delay.
- (b) The additional officer's role is to assist and challenge the decision making process to ensure that appropriate, proportionate and consistent action is taken to remedy the breach, prevent re-occurrence and to minimise the risk of 'conflict of interest' for the enforcing authority. An auditable record of the additional officer's involvement will also be kept.

7 Where to get further information

- 7.1 Copies of this document and other advisory leaflets are available from:
- Norfolk County Council
Trading Standards Service
County Hall
Martineau Lane
Norwich. NR1 2UD.
- 7.2 We will make this policy available on tape, in Braille, large type, or in another language on request.



LOCAL MONITORING AND ENFORCEMENT PROTOCOL

**For the Extraction and Processing of
Minerals, Waste Management Facilities and
for County Council Development under
Regulation 3 of the Town and Country
Planning General Regulations 1992**

in

Norfolk

October 2016

CONTENTS

1.0	BACKGROUND.....	3
2.0	GENERAL STATEMENT.....	4
3.0	MONITORING INSPECTIONS.....	5
4.0	INVESTIGATION AND ENFORCEMENT.....	6
5.0	THE RELEVANT ENFORCEMENT AUTHORITY.....	7
6.0	GENERAL GUIDANCE.....	8
7.0	INVESTIGATION PRIORITIES.....	12
8.0	PROSECUTIONS.....	15
9.0	MONITORING OF REGULATION 3 DEVELOPMENT.....	16
10.0	MEMBER PROTOCOL.....	17

1.0 BACKGROUND

- 1.1 This document provides supplemental guidance to the County Council's Enforcement Policy (Community and Environmental Services) and is provided in the context of specific requirements arising from planning legislation and the National Planning Policy Framework (NPPF).
- 1.2 The new National Planning Policy Framework, March 2012 (NPPF) replaces previous Planning Guidance from Central Government, including PPG18 on Planning Enforcement. Paragraph 207 of the NPPF states, 'Effective enforcement is important as a means of maintaining public confidence in the planning system. Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control. Local Planning Authorities should consider publishing a local enforcement plan to manage enforcement proactively, in a way that is appropriate to their area. This should set out how they will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development and take action where it is appropriate to do so.'
- 1.3 Schedule 1 to The Town and Country Planning Act 1990 as amended sets down the responsibilities for Town Planning within a two tier Planning Authority in England and Wales. Regulation 3 of The Town and Country Planning General Regulation 1992 authorises an authority to determine (subject to regulation 4), an application for planning permission by an interested planning authority to develop any land of that authority, or for development of any land by an interested planning authority or by an interested planning authority jointly with any other person, unless the application is referred to the Secretary of State under section 77 of the 1990 Act for determination by him.
- 1.4 The Development Plan for the County comprises the Norfolk Core Strategy and Minerals and Waste Development Management Policies Development Plan Document (DPD) 2010 -2016 (Adopted 2011), Norfolk Waste Site Specific Allocations DPD, Norfolk Minerals Site Specific Allocations DPD (both adopted in 2011) and the adopted Borough and District wide Local Plans, including

Development Plan Documents and Area Action Plans. Adopted Neighbourhood Plans which have been developed by local communities, also form part of the Development Plan. The County Council maintains an up-to-date list of local planning authority policy documents and Neighbourhood Plans.

2.0 GENERAL STATEMENT

- 2.1 Section 19 of The Waste (England and Wales) Regulations 2011 makes it a duty that where a Planning Authority has planning functions in relation to establishments or undertakings carrying on disposal or recovery of waste, the Planning Authority must ensure that appropriate periodic inspections of those establishments or undertakings are made.
- 2.2 There are two elements within this plan. The first being periodic inspections (Section 3.0), the second being the investigation and enforcement of planning breaches (Sections 4-8).
- 2.3 Planning breaches are normally not criminal offences and no sanction can usually be imposed. However, failure to comply with a formal notice is a criminal offence and making the person committing the breach liable to prosecution.
- 2.4 Where a planning breach occurs a Local Planning Authority (LPA - 'the Authority') is required to consider the expediency of formal enforcement action. Formal enforcement notices may be issued, including a Breach of Condition Notice, Enforcement Notice, Temporary Stop Notice, Stop Notice, Injunction, or Direct Action (following failure to comply with an Enforcement Notice). Enforcement action may result from any of the above or a combination of the above.
- 2.5 The Service of a Planning Contravention Notice constitutes formal action but does not in itself constitute enforcement. Rather it is a request for information relating to interests in the land and the nature of the alleged planning breach, although failure to comply with notice may lead to enforcement action as may the information contained in the response.
- 2.6 Similarly the serving of a notice requesting information on land ownership and

occupation under Section 16 of Local Government (Miscellaneous Provisions) Act 1976 is not considered to be enforcement.

2.7 The taking of formal enforcement action is discretionary. The Authority may choose to take no action, but will need to justify any decision not to enforce, and equally, any decision to take proportionate enforcement action. Any decision will be taken in line with the County Council's Environment, Transport and Development policy on enforcement.

3.0 MONITORING INSPECTIONS

3.1 To ensure confidence in the planning control system it is essential that the public and operators are conscious of a fair and effective system of monitoring all authorised and unauthorised development.

3.2 Monitoring of permitted sites is an essential tool of controlling development and preventing problems from developing. It is this 'pro-active' approach that often enables officers to anticipate likely breaches of planning control arising before they occur. It enables them to take immediate action to ensure that deterioration in the situation does not arise. A 'pro-active' approach can only be pursued with a structured monitoring regime, with sufficient staff and the technical equipment to carry out these duties.

3.3 There are currently 220 operational and active mineral and waste sites in Norfolk. As there are no reserves of hard rock in Norfolk recycling of concrete and other rubble is a significant source of sub-base and fill material. The scale of an operation being undertaken at a site is not an accurate yardstick for allocating resources; experience will often show that small recycling and waste transfer sites will give rise to more complaints and the need for more officer time, in comparison with large sites.

3.4 Following an inspection of the site and relevant planning permissions, a report shall be prepared and copied to the operator/owner usually within two weeks of such inspection taking place. The report shall amongst other matters detail any

breaches identified and specify timescales for compliance with conditions that have been breached.

- 3.5 The Monitoring and Control Team will be consulted on all proposals to permit development by the Development Control Team in particular they will be consulted on the planning conditions intended to be attached to the planning permission.

MONITORING FEES

- 3.6 On 6 April 2006 The Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (England) Regulations 2006 came into force. This amendment, together with subsequent updates, enables Mineral and Waste Planning Authorities (MWPAs) to charge operators, where sites have planning permissions for mineral extraction and/or waste landfill, for the re-imbursement of the average costs calculated over all MWPAs providing a monitoring service.
- 3.7 The Authority has agreed a guidance note with minerals and waste operators on the charging regime for minerals and waste site inspections. The guidance note sets out the categories of sites and associated fees, the methodology for agreeing the number of site visits and the monitoring regime.

4.0 INVESTIGATION AND ENFORCEMENT

- 4.1 In seeking to secure the highest possible level of compliance with relevant legislation whilst conforming with The Human Rights Act 1998, The Police and Criminal Evidence Act 1984 (P.A.C.E.) the Enforcement Concordat, the Code for Crown Prosecutors and the Regulation of Investigatory Powers Act 2000 (R.I.P.A.), the principal enforcement activities of the Authority are directed towards avoidance of infringements. It is nevertheless inevitable that breaches and offences will occur and the purpose of this protocol is to ensure that they are resolved in a consistent, transparent, balanced and fair manner.
- 4.2 Similarly, where an operator carries out development without complying with the conditions attached to a planning permission and this gives rise to problems leading to an unacceptable injury to amenity, the County Council's approach will be to seek to remedy the injury in the first instance by negotiation and persuasion.

- 4.3 All enforcement action, be it verbal warnings, the issue of written warnings, statutory notices, or prosecution, is primarily based upon assessment of risk to public health, public safety, harm to amenity, economic well being or the environment.
- 4.4 Where appropriate, this Authority will endeavour to recover money under the Proceeds of Crime Act 2002.
- 4.5 This Authority will ensure that all clients subject to any enforcement action are informed of what is expected and the procedures that will be followed. This is to aim to avoid any misunderstandings and ensure transparency of all enforcement action.
- 4.6 This Authority, in exercising its function of ensuring compliance with planning control will:
- where there is serious harm caused to the amenity, take immediate action against a breach of planning control to stop further damage;
 - in all other instances, seek to resolve any problems within a reasonable timescale by discussion and negotiation without the need to resort to legal action;
 - only take enforcement action where it is necessary to do so to protect the public interest or to protect the environment, people and transport systems and the amenity of the area in accordance with the provisions of the local development framework;
 - ensure that action is always commensurate with the breach of planning control;
 - Give due regard to current legislation, policy framework, instructions, appeal decisions and relevant judicial authority;
 - where appropriate take into account comments made by the general public and consultees;
 - enable acceptable development to take place, even though it may initially have been unauthorised;
 - maintain the integrity of sites having interests of acknowledged importance;

- where appropriate maintain liaison and contact with the general public, and mineral and waste operators.

5.0 THE RELEVANT ENFORCING AUTHORITY

- 5.1 There is often an overlap of enforcement of activities involving waste disposal and recycling between the Authority, the District and Borough Councils' Environmental Health Departments (EHO) and the Environment Agency (EA). Where the unauthorised activity results in, or has the potential to result in, pollution, the EA will normally be the lead Authority. Where the activities involve a statutory nuisance the District Council EHO may be better placed to take action. In all cases that potentially involve the above bodies, consultations and discussions will take place to see which Authority is in the better position to lead the investigation and if necessary, take action.
- 5.2 The Authority will have regard to the fact that unauthorised development and some breaches of planning conditions involving wastes may be a criminal offence under legislation enforced by the EA and the Authority will liaise with the EA accordingly. The EA may be in a stronger position to ultimately remedy harm to amenity by way of prosecution and enforcing cessation of the harmful activities. In cases where unauthorised development causes or has the potential for serious harm to human health the Authority will have regard to the fact that it may be more appropriate for the HSE to be the lead Authority and will liaise with them accordingly.
- 5.3 Norfolk County Council is a two-tier Authority with seven District, Borough and City Councils; King's Lynn and West Norfolk Borough Council, Breckland District Council; North Norfolk District Council; South Norfolk District Council; Broadland District Council; Norwich City Council and Great Yarmouth Borough Council.
- 5.4 It is the intention of the County Council to work closely with other regulatory bodies when investigating and remedying an alleged breach of planning control. The County Council in dealing with all complaints concerning an alleged breach of planning control will identify the authority responsible for taking action and redirect complaints to other regulating bodies where necessary.

6.0 GENERAL GUIDANCE

- 6.1 The County Council will have regard to the provisions of the development framework and core strategies for Norfolk and any other material considerations in the enforcement of planning control.
- 6.2 This Authority remains committed to fostering business enterprise and prosperity, provided that the necessary development can take place without unacceptable harm to local amenity. The new regional 'Better Business for all' working group actively seeks to promote this aim. Whilst the Authority has a general discretion to take enforcement action when they regard it expedient, it does not condone wilful breaches of planning law. Moreover, in some cases effective enforcement action is likely to be the only appropriate remedy where a breach is causing unacceptable harm. The Authority will be guided by the following considerations:-
- (i) The Commissioner for Local Administration (the local ombudsman) has held, in a number of investigated cases, that there is "maladministration" if an Authority fails to take effective enforcement action which was plainly necessary or where an Authority fails to consider whether to take formal enforcement action or not and be able to show their reasoning for not initiating formal action, often resulting in an award of compensation payable to the complainant for the consequent injustice;
 - (ii) The planning regulatory provisions are to ensure proper land use and to resolve breaches of planning control by removing unacceptable impacts on the environment and the amenity of the area. This ensures a 'level playing field' for legitimate businesses to develop and prosper.
 - (iii) Enforcement action should always be commensurate with the breach of planning control to which it relates (for example, the Authority would usually consider it inappropriate to take formal enforcement action

against a trivial or technical breach of control which causes no harm to amenity in the locality of the site); and

- (iv) Where the Authority's initial attempt to persuade the owner or occupier of the site voluntarily to remedy the harmful effects of unauthorised development fails, negotiations will not be allowed to hamper or delay whatever formal enforcement action may be required to make the development acceptable on planning grounds, or to compel it to stop.

- 6.3 It is not an offence to carry out development without first obtaining planning permission for it. If the Authority's initial assessment indicates it is likely that unconditional planning permission would be granted for development which has already taken place, the person responsible will be asked to submit a retrospective planning application. However this initial assessment is not binding on the Authority's subsequent decision to grant or not grant planning permission.
- 6.4 While it is clearly unsatisfactory for anyone to carry out development without first obtaining the required planning permission, an enforcement notice will not normally be issued solely to "regularise" development which is acceptable on its planning merits, but for which permission has not been sought. This would only apply to development which would be granted without any planning conditions being attached to control the development.
- 6.5 The Authority will not normally invite an owner or operator to submit a planning application if the unauthorised development is contrary to development plan policies or if it appears that any actual or potential harm cannot be made acceptable by the imposition of planning conditions; however we cannot prevent a landowner who is determined to apply for permission retrospectively.
- 6.6 If an operator or owner submits a planning application that the Authority has requested, the Authority will not normally consider formal enforcement action whilst the application is being considered. If agreement can be reached between the operator and the Authority about the operation being reduced to an acceptable level (e.g. hours of operation, use of plant and equipment, routing of

vehicles etc) during any period between a planning application being submitted and its determination, and the person concerned honours the agreement, formal enforcement action may be avoided

- 6.7 Where the Authority considers that development has been carried out without the requisite planning permission, but the development could be made acceptable by the imposition of planning conditions the owner or occupier of the land will be invited to submit an application, and pay the appropriate application fee, voluntarily. However, if, after a formal invitation to do so, the owner or occupier of the land refuses or fails to submit a planning application in these circumstances within a reasonable timescale, the Authority will consider whether to take formal enforcement action.
- 6.8 Accordingly, where an owner or occupier of land refuses or fails to submit a planning application which would enable the LPA to grant conditional planning permission, the Authority will be justified in issuing an enforcement notice if, in their view, the unauthorised development has resulted in any harm, or has the potential to cause harm, which can only be satisfactorily removed or alleviated by imposing conditions on a grant of planning permission for the development.
- 6.9 If the location of the unauthorised development is unacceptable, but relocation is feasible, it is not the Authority's responsibility to seek out and suggest an alternative site to which the activity might be satisfactorily relocated. However, if an alternative site has been suggested, the Authority will make it clear to the owner or occupier of the site where unauthorised development has taken place that he is expected to relocate to the alternative site within a reasonable timescale. In such circumstances the Authority will usually agree a reasonable time-limit within which relocation should be completed.
- 6.10 What is reasonable will depend on the particular circumstances, including the nature and extent of the unauthorised development; the time needed to negotiate for, and secure an interest in, the alternative site; submit a planning application (if required) for the alternative site; consultation timescales; and the need to avoid unacceptable disruption during the relocation process. If the

owner or operator fails to provide justification for a suggested timescale, the Authority will set a timescale it considers reasonable. If a timetable for relocation is ignored, or it is evident that appropriate steps are not being taken to progress the relocation, the Authority will consider formal enforcement action. In that event, the compliance period in the notice will specify what the Authority regard as a reasonable period to complete the relocation.

- 6.11 Nevertheless if the unauthorised development is causing unacceptable harm to the environment or amenity, the Authority will consider issuing an Enforcement Notice and/or Stop Notice even if an alternative site has been identified and steps have been made towards relocation. The Authority considers that any difficulty or delay with relocation will not normally be a sufficient reason for delaying formal enforcement action to remedy unacceptable unauthorised development.
- 6.12 Where the Authority considers that unacceptable unauthorised development has been carried out, and there is no realistic prospect of its being relocated to a more suitable site, the owner or occupier of the land will be informed that the Authority is not prepared to allow the operation or activity to continue at its present level of activity, or (if this is the case) at all. If the development nevertheless provides valued local employment, the owner or occupier will be advised how long the Authority is prepared to allow before the operation or activity must stop, or be reduced to an acceptable level of intensity. If agreement can be reached between the operator and the Authority about the period to be allowed for the operation or activity to cease, or be reduced to an acceptable level, and the person concerned honours the agreement, formal enforcement action may be avoided. However the Authority will have regard to the possibility of intensification of the development after expiry of the statutory period for enforcement action. If no agreement can be reached, the issue of an enforcement notice will usually be justified, allowing a realistic compliance period for the unauthorised operation or activity to cease, or its scale to be acceptably reduced.

7.0 INVESTIGATION PRIORITIES

- 7.1 It is recognised within the industry that the business of investigating and remedying alleged breaches of control is labour intensive and the quality of the service is directly proportional to the number of officers directly responsible for regulating planning control. The resources allocated both in terms of staff and equipment (including noise monitoring equipment, topographical survey systems, IT and GIS based recording systems) for this purpose will, therefore, need to be reviewed on a regular basis as local circumstances change to take account of a fluctuating workload, advances in technology etc.

COMPLAINTS

- 7.2 A complaint/incident is an event or matter that is either brought to the Authority's attention or that monitoring and control officers may become aware of as part of their duty, and which may have a planning related impact. The type of complaints/incidents received by the Authority are split into 3 priorities:
- 7.3 Priority 1
Immediate or irreparable harm to the environment or immediate and substantial harm to amenity. Harm would be assessed in relation to impact on the environment. e.g. the impact of mineral, waste and Regulation 3 development would often be greater in an area close to residential amenities than it would be in the open countryside. The Authority will respond to the complainant within 24 hours and investigate the complaint within 3 working days.
- 7.4 Priority 2
On-going low-level harm to amenity or moderate and reparable impact on the environment. e.g. HGV's occasionally going in the wrong direction, and causing the road verge to break up. The Authority will respond to the complainant within 3 working days and investigate the complaint within 1 working week.
- 7.5 Priority 3
Occasional harm to amenity or the raising of long-standing issues leading to low level impact on the environment e.g. concerns about the permitted type of material (sand or waste) stored on a site with permission, but in the wrong place

or slightly higher than the agreed height. The Authority will respond to the complainant within 3 working days and investigate the complaint when the relevant officer is next in the area, but no later than one month of the receipt of complaint.

INVESTIGATION OF COMPLAINTS/INCIDENTS

- 7.6 A response to the complaint or incident will also require a record of the outcome of investigation. Where there is continued non-compliance and this results in further visits and investigation then these should additionally be recorded. (i.e. record as if they were new complaints/incidents). However, where the operator is taking known action to resolve the problem then this is classified as an ongoing event. It is not necessary to record this as a new complaint/incident.
- 7.7 Where separate members of the public report complaints/incidents about different issues relating to a site then these should be additionally recorded. Where multiple residents complain about the same incident then this is recorded as one complaint.
- 7.8 As part of our regular monitoring of planning permissions there are matters identified by officers that if reported to us separately would have been dealt with and recorded as a complaint/incident. These should now be recorded and information captured. The same applies as above in that, where there is continued non-compliance then this will be reported as a complaint/incident. However, where there is known action to resolve this then this would be considered an ongoing event and not separately recorded as a complaint/incident.
- 7.9 The Monitoring and Control Team will liaise with the Legal Services; Environment Agency; District Council or any other relevant Authority as necessary throughout the investigation.
- 7.10 When complaints about alleged breaches of planning control are received, they will be properly recorded and investigated. If the Authority decides to exercise its discretion not to take formal enforcement action it should be prepared to explain

its reasons to the complainant, including where complaints are attributable to repeated allegations from vexatious complainants and they have been previously proved unsubstantiated.

- 7.11 The Authority will ensure that anyone who does complain about a breach of planning control is dealt with in a polite, efficient and responsive way. All complaints that are received although confidential will be recorded and stored on a complaints register, which is an electronic and paper based system. The complaints register will enable the receiving officer to detail both the nature of the complaint and the action the Authority has taken to resolve it. Keeping a record of complaints will enable the Authority to assess and improve its overall service.
- 7.12 It may not always be necessary to visit sites to satisfactorily resolve a complaint. However, in most cases it may be necessary to establish whether there has been a breach of planning control by visiting the site. Where, following the investigation of a complaint, the Authority decides not to take formal enforcement action to resolve a substantive issue, the matter being satisfactorily resolved by other methods, the reason for this decision will be explained to the complainant. If, however, the Authority elects to instigate enforcement proceedings against the offender the complainant will be notified of the progress of that action.
- 7.13 The County Council in dealing with all complaints concerning an alleged breach of planning control within their responsibility will:
- treat them confidentially as far as practical;
 - ensure that they are acknowledged and actioned within the timescales prescribed in the priority rating;
 - deal with them expeditiously in a professional and efficient manner;
 - visit the site where necessary, and establish whether there has been a breach of planning control;
 - notify the complainant upon request of the progress of any action taken to resolve substantive matters forming the basis of the complaint;
- notify the complainant if the authority elects to commence enforcement action against the alleged breach of planning control and be prepared to explain the

reason in the event formal enforcement action has not been taken.

8.0 PROSECUTIONS

8.1 Persons who fail to comply with a formal notice will normally be prosecuted if the non-compliance meets both of the following criteria:

(i) Evidential test i.e. where the evidence is sufficient for a realistic prospect of successful prosecution; and

(ii) Public Interest test i.e. where the prosecution is in the public interest.

9.0 MONITORING OF REGULATION 3 DEVELOPMENT

9.1 A procedure has been agreed between Norfolk County Council's Children's Services Department and the Monitoring and Control Team where by Schools development which falls within Regulation 3 of The Town and Country Planning General Regulation 1992 can be monitored and a fee levied.

9.2 The developments to be pro-actively monitored will fall into one or more of the following categories:

- Developments where planning permission was granted after 1 January 2009 and includes permanent external substantial building works.
- Major developments where planning permission was granted prior to 1 January 2009 and construction is still in progress.
- Developments where planning permission was granted prior to 1 January 2009, include permanent external substantial building works, and remain unlawful due to the failure to discharge pre-development conditions.

9.3 Prior to the inspection taking place, notification will be passed to the applicant informing them that an inspection will be scheduled for a given school. An initial list of developments has been agreed with Children's Services and notification of future inspections will be sent out to individual applicants.

9.4 Where a development has been permitted on an open school an appointment

will be made prior to inspection. This generally ensures that the school will allow the officer onto the site without issue and, if required, allocate a member of staff to accompany the officer. This will also allow the inspecting officer to check that work has begun prior to going on site.

- 9.5 Where a planning permission is found not to have been implemented it will be removed from the list and an invoice will not be raised. It is generally agreed that a single chargeable inspection will be required for smaller developments such as extensions, although a second non-chargeable visit may be required after completion of the development.
- 9.6 For major developments, such as new schools, two chargeable visits per year for the life of the construction phase will be required. A final chargeable visit to check completion and landscape implementation will also be required.
- 9.7 Failure to comply with all planning conditions could result in further chargeable visits being undertaken until full compliance is achieved. There will be a maximum of two chargeable visits per school in any one financial year.
- 9.8 Once the report has been completed, it will be sent to the applicant along with a copy of the planning permission and an invoice for payment.

10. MEMBER PROTOCOL

- 10.1 Local Norfolk County Council members will be informed when an Enforcement Notice is served in their division.
- 10.2 Members of the Council will be presented on a regular basis of not less than once per year with a report detailing the decisions made under delegated authority, performance statistics and enforcement update for the work of the Monitoring and Control Team.

Norfolk County Council Flood and Water Management Enforcement Protocol

1.0 Introduction

This document provides supplemental guidance to Norfolk County Council's Community and Environmental Services (CES) Enforcement Policy, and is provided in the context of specific requirements arising from the Flood and Water Management Act 2010 and the Land Drainage Act 1991.

Norfolk County Council (NCC) is the Lead Local Flood Authority (LLFA) for the county. This role is fulfilled by the Flood and Water Management team.

This Protocol and guidance note has been adapted from best practice identified within local authorities in England. It is intended for use as guidance by Risk Management Authorities, developers and landowners.

2.0 Regulation of Ordinary Watercourses

The Lead Local Flood Authority has powers under the Land Drainage Act 1991 to exercise its regulatory powers in relation to watercourses outside of Internal Drainage Board areas and where they are not Environment Agency designated main rivers.

The Lead Local Flood Authority will take a risk-based and proportionate approach to exercising its regulatory powers under the Land Drainage Act 1991, taking into account the location and nature of any nuisance caused by;

- the failure to repair or maintain watercourses, bridges or drainage works
- un-consented works
- impediments to the proper flow of water

This approach will take into account whether the contraventions have or are likely to increase flood risk and what the consequences of any increase in risk may be. Where works are un-consented the Lead Local Flood Authority would require the landowner, person and/or Risk Management Authority responsible for the works to prove that the un-consented works would not cause a nuisance or increase flood risk.

With regards to the causes of the nuisances described above, the Lead Local Flood Authority has powers under Sections 21, 24 and 25 of the Land Drainage Act 1991 to serve notice on individuals who have caused contraventions.

In issuing a notice the Lead Local Flood Authority may set out the works required to resolve the contravention to an acceptable standard and the date by which the works should be completed.

If the works are not completed by the date set out in the notice, the Lead Local Flood Authority may take action to remedy the effect of the contravention or failure and seek to recover the costs incurred, as well as pursue any necessary prosecution.

3.0 Guiding Principles

Enforcement under the Land Drainage Act, 1991 will be carried out using the guiding principles as set out in the CES Enforcement Policy.

4.0 Process

a) Initial response

Where the Lead Local Flood Authority receives a complaint in relation to an ordinary watercourse, we will carry out an initial assessment to establish whether the actual or potential flood risk meets our threshold for intervention. We aim to complete this assessment within 21 days. However, there will be occasions when it is necessary to extend the period of assessment for more complex matters and/or to accommodate exceptional circumstances e.g. weather, flood conditions, etc.. At the outset the complainant will be informed of the case officer who will follow up the enquiry and of the outcome of the assessment.

b) Initial assessment

The threshold for intervention will be based on the Lead Local Flood Authority's [impact criteria](#).

To assess the potential impact the initial assessment will consider the on-site conditions, any available historical data and high level indicators of potential risk, such as Environment Agency (EA) Flood risk maps for surface water flooding and flooding from rivers. It will also consider any other status of land e.g. conservation designations, common land etc.

To substantiate incidents of actual flooding as part of the initial assessment we will need to be provided with one or more of the following types of evidence:

- I. An insurance claim
- II. Records of emergency services and utility companies i.e. fire brigade attending to pump out a property
- III. Dated photos of the event
- IV. Written report from a Risk Management Authority

The evidence supplied will be determined in line with the guiding principles as set out in the CES Enforcement Policy.

The Lead Local Flood Authority may close an enforcement case file, where there is a lack of physical evidence to corroborate the impact of a flood event. If further relevant evidence was to come forward then the Lead Local Flood Authority may re-open the case file and undertake a further investigation.

C) Further Investigation

Where the initial assessment has identified an actual or potential risk of flooding that exceeds the adopted impact criteria, but where a site inspection has failed to identify the primary cause of the problem the authority may;

- consult with other organisations including other local authorities, Highway Authorities, Environment Agency, Natural England as appropriate.
- require or commission appropriate site surveys and inspections.

In deciding whether or not to carry out the above steps the LLFA will consider whether it is in the public interest to do so. Having regard to the actual and potential impacts of the flooding, the costs of carrying out the works and the likelihood of obtaining sufficient evidence to enable enforcement activity. Where the Lead Local Flood Authority is made aware of breaches of other legislation it will advise the appropriate authorities.

D) Outcome of initial assessment/Further Investigation

Once an initial assessment/further investigation has been carried out the complainant will be informed in writing as to the next course of action and this may include;

- I. Informing relevant party(s) of works that are required to be undertaken within the set timescale OR
- II. No further action by the LLFA and:
 - Providing advice to those affected on referral to the [First Tier Tribunal \(Property Chamber\), Agricultural Land and Drainage \(AL&D\)](#) or other relevant organisation, where appropriate
 - Informing relevant parties of their [riparian responsibilities](#)

Where it is considered that further action needs to be taken by the relevant landowner, person and/or Risk Management Authority responsible this will be explained within the letter that sets out the outcome of the initial assessment/further investigation. This will include the following:

- An explanation of the problem and the remedy required in accordance with the Land Drainage Act 1991.
- Depending on the nature of the problem we aim to ensure that remedial work is carried out within the timeframe specified in the letter (between 7 and 21 days of the date of the letter). However, there will be occasions when it is necessary to extend the period of compliance for more complex matters and/or to accommodate exceptional circumstances e.g. weather, flood conditions, etc. The time allowed will be reasonable in the circumstances. The extent of the work required will be proportionate to the scale of the problem.

- In certain circumstances practicalities may not allow for works to be done within the timeframe specified in the letter. The Lead Local Flood Authority will assess the circumstances with regards to enforcement and whether any works need to be deferred or amended to take into account the impacts of any works on wildlife. Examples where this may occur include:
 - Seasonal farming practices and Environmental Schemes can restrict access or time schedules to carry out works;
 - The nesting season for some birds occurs between the 1 March and 31 August and works might cause disruption if nests are present;
 - Presence of protected species will influence when it is most appropriate to carry out work.

Seeking resolution prior to serving notices

The Lead Local Flood Authority will seek to resolve the situation by means of negotiation with the person responsible and obtain compliance with a request to satisfactorily undertake the work required.

Serving notices under the Land Drainage Act 1991

If a positive response to the Lead Local Flood Authority's letter has not been received within the timescale specified and on inspection no work has been satisfactorily undertaken as required, a notice under the relevant section of the Land Drainage Act 1991 will be served. The notice will include the nature of the work to be carried out, the period within which it is to be carried out and any relevant right of appeal to a magistrates' court within 21 days of service of the notice (where applicable). A Notice under the Land Drainage Act 1991 is a legal document formally requiring specific work to be carried out within a set timescale.

A letter will accompany the notice and inform the responsible person that in the event of their failure to satisfactorily undertake the work, the Lead Local Flood Authority may carry out the work itself and recover from the person responsible the expenses reasonably incurred in doing so which will include recovering the costs of pursuing the case.

Enforcement of notices

Following service of the notice, one of four things will happen:-

- The responsible person will carry out the work to the satisfaction of the council.
- The responsible person may appeal the notice.
- The responsible person will fail to carry out the work to the satisfaction of the Lead Local Flood Authority and the Lead Local Flood Authority will seek to recover their expenses; and /or

- The Lead Local Flood Authority will, where appropriate, decide whether to take a prosecution against the responsible person, in addition to carrying out the work and seeking to recover the costs of that work.

Completion of proceedings

If the responsible person complies with the notice and completes the work to the satisfaction of the Lead Local Flood Authority, the Lead Local Flood Authority will write to the responsible person confirming the closure of the case and the end of the action.

No further action

The Lead Local Flood Authority may take no action where:

- there is no actual or potential risk to properties or infrastructure; and/or
- that the matter complained of is not the cause of the drainage problem; and/or
- the matter is trivial in nature

If this is the case, the complainant will be advised accordingly and a written communication will be sent to the complainant explaining the reason why no action is to be taken. The complainant will also be referred, where appropriate, to the [First Tier Tribunal \(Property Chamber\), Agricultural Land and Drainage \(AL&D\)](#) or other relevant organisation. The riparian owner will also be informed, as appropriate.

Examples of matters not requiring action may include minimal silting of the watercourse, slight vegetation overgrowth, the accumulation of a small quantity of debris etc

Advice

The Lead Local Flood Authority will provide basic information and advice to individuals of their riparian ownership responsibilities and of the route for appeal against other riparian owners where appropriate. The Lead Local Flood Authority may suggest that independent legal and/or technical advice is sought, where appropriate.

Further Information

Please consult the Glossary of terms document which supports this protocol.

Norfolk Fire and Rescue Authority

Fire Safety Policy Directive

ENFORCEMENT POLICY STATEMENT
(England and Wales)

Introduction

We are approachable and want to engage with and hear from you.

The following pages explain our enforcement policy. This document is supported by other documents required by the Regulators Code, namely our Service Standards and our Challenges, Appeals and Complaints procedure. This guidance has been produced in consultation with the Better Regulation Delivery Office (now Regulatory Delivery). This policy aims to explain our approach to our regulatory functions in relation to fire safety and public safety in our communities. It also explains the behaviours that business can expect receive from us and legal constraints and frameworks under which we operate.

Quick-guide

1. Introduction

The Norfolk Fire and Rescue Authority (the Service) (and its officers) will exercise its regulatory functions in accordance with the principles of better regulation and will comply with all relevant laws. Business should have a mainly positive experience of being regulated by the Service. To learn more, [click here](#).

2. Principles

The Service is tasked with seeing that people are safe in case of fire and believes that deaths and injuries caused by fire in regulated premises are preventable, if the right measures are taken. The Service and its officers will engage and work with business, in preference to enforcing fire safety standards. To learn more, [click here](#).

3. Regulation

The purpose of enforcement action is to bring about improvements in safety and in attitudes to providing safety. While the Service has laid down procedures for its officers, we will take each case on its merits. To learn more, [click here](#).

4. Helping Those We Regulate (Transparency)

The Service aspires to help regulated businesses and to work with them to resolve fire safety problems but will robustly enforce where the risk to people is highest and when those responsible refuse to help them. To learn more, [click here](#).

5. Targeting

The regulatory policy of the Service focuses on risk in case of fire and in places where we will be most effective in saving life. To learn more, [click here](#).

6. Accountability To Those We Regulate

The Service is accountable for its actions and is open to analysis and questioning of our regulatory work. To learn more, [click here](#).

7. Principles of Enforcement Action

A range of relevant factors will be considered before any enforcement action is taken by the Service. When action must be taken to improve safety, the Service will be clear about what is required. To learn more, [click here](#).

8. Our Enforcement Action

The Service would rather work with business to make places safe than enforce against them. When enforcement is needed; we will be clear about what must be done. Letters or notices may be sent to confirm what business needs to do to. All enforcement will be proportional to the risk. To learn more, [click here](#).

9. After Enforcement Action

The Service encourages dialogue and open communication during and after the enforcement process. Requirements for safety and how to challenge what we are asking for will be made clear. To learn more, [click here](#).

10. Failure to Comply With Requirements

When the Service makes an enforcement decision, there might be a route to appeal or challenge what we have said. How to do this (and how to complain about our behaviour) will be made clear. Business can talk to us. To learn more, [click here](#).

11. Simple Cautions and Prosecution

If an offence has been committed, it means the law has been broken and the Service can take the matter to court. In addition to going to court, there are other actions that the Service can take. To learn more, [click here](#).

12. Public Register

The Service must enter details of certain notices (called “relevant notices”) into a register to which the public have access. (In accordance with the Environment and Safety Information Act 1988). Further details are available on request or from the [CFOA public register web pages](#)

13. Other Duties of the Service

As well as ensuring that people are kept safe in case fire, the Service is also responsible for some other laws relating to public safety. To learn more, [click here](#).

14. Data Protection

The Service will comply with data protection laws. To learn more, [click here](#).

15. Freedom of Information

The Service is subject to the Freedom of Information Act, which provides a right of access to regulatory information held by the Service. To learn more, [click here](#).

-End-

More on the Introduction

- 1.1 This statement sets out the service that business and others being regulated by the Norfolk Fire and Rescue Authority (the Service) can expect from its regulatory and enforcement function and its appointed inspectors. It goes some way to satisfying the Regulators' Code by committing the Service and appointed inspectors to the principles of good enforcement with the assistance of effective procedures and clear guidance, which can be viewed by businesses and members of the public. [Procedures and Guidance](#)
- 1.2 This Enforcement Policy Statement has been prepared with regard to the following legislation and statutory guidance:
- The Regulators Code - [\[more\]](#)
 - The Regulatory Enforcement and Sanctions Act 2008 - [\[more\]](#)
 - The Legislative and Regulatory Reform Act 2006 - [\[more\]](#)
 - The Legislative and Regulatory Reform (Regulatory Functions) Order 2007 - [\[more\]](#)
 - The Environment and Safety Information Act 1988 - [\[more\]](#)
 - The Regulatory Reform (Fire Safety) Order 2005 - [\[more\]](#)
 - The Licensing Act 2003 - [\[more\]](#)
 - The Explosive Regulations 2014 - [\[more\]](#)
 - The Petroleum (Consolidation) Regulations 2014 - [\[more\]](#)
- 1.3 The primary function of the regulatory part of the Service is to achieve safety in case of fire (in premise to which fire safety law applies).
- [Click here to return to table of contents](#)

More on Our Principles

- 2.1 Fire safety regulation is founded on the principle that people should be kept safe in case of fire. We regulate to help secure this safety and through our regulation, we aim to provide a consistently high quality service to those we regulate. Our regulatory activity generally extends to premises in which there is a trade, business or other undertaking.
- 2.2 Non-compliance with fire safety law will mean that, in our view, people are at risk in case of fire. Where we identify people at risk in case of fire, we will respond

proportionately to that risk; taking account of the likelihood and severity of the risk, in line with our service standards.

2.3 The Service believes in firm but fair enforcement of fire safety standards. We aim to achieve this by:

- proportionally applying the law to secure safety;
- being consistent in our approach to regulation;
- targeting our resources and enforcement action on the highest risk;
- being transparent about how we operate and regulate; and
- being accountable for our actions.

2.4 We will have regard to the Regulators Code when developing the policies and procedures that guide our regulatory activities. We will encourage and promote fire safety while minimising the associated costs of providing safety from fire.

2.5 We believe that by fostering good relationships with our business community and by working with them, we can improve public safety, business resilience, and can remove any unnecessary burdens of complying with fire safety law.

2.6 The Service will endeavour to engage with the business community, to seek their views about our policies and practices. (Details of engaging with us are available on request and on our website)

2.7 In the most serious cases of danger in case of fire, we will take immediate and decisive action to secure safety, for example by serving a prohibition notice that can stop people from using the premises.

For more information see [\[CFOA fire safety law web pages\]](#).

[Click here to return to table of contents](#)

More on the way we approach regulation

3.1 In accordance with the Regulators Code, the Service takes enforcement action (and imposes sanctions and penalties) to:

- (a) change the behaviour of the offender;
- (b) change societal attitudes to the risks from fire;
- (c) eliminate financial gain or benefit from putting people at risk in case of fire;
- (d) exercise a proportionate response to the nature of the offence and the harm caused;
- (e) restore safety to premises where fire safety risks were found; and
- (f) encourage fire safety to be secured in future.
- (g) impose an appropriate sanction for the particular offender, which can include punishment through the courts (and the public stigma that should be associated with a criminal conviction);

[Click here for more information on the Regulators Code](#)

3.2 Avoiding fires is better than protecting people when fire occurs. Where fire is likely and / or the consequences of fire pose a hazard to people, it becomes necessary for us to take action (against the responsible person / duty holder) to reduce the risk. We have a wide range of enforcement action available to us. The actions we may take include:

- (a) no action;
- (b) providing advice;
- (c) informal action;
- (d) formal action (including enforcement, alterations and prohibition notices);
- (e) taking samples of dangerous materials or extracts of recorded information; and
- (f) securing information to prepare for prosecutions.

3.4 The enforcement actions listed above are not written in an absolute order of escalation. Enforcement action taken by the Service is scalable and appropriate to the risk to people in case of fire.

3.5 When formal enforcement action is necessary, each case will be considered on its merits. All enforcement decisions will be fair, independent and objective. They will not be influenced by issues such as ethnicity or national origin, gender, religious beliefs, political views or the sexual orientation of the suspect, victim, witness or offender. Such decisions will not be affected by improper or undue pressure from any source.

- 3.6 All enforcement activities, including investigations and formal actions, will always be conducted in compliance with the statutory powers of the officer and all other relevant legislation, including but not limited to the Police and Criminal Evidence Act 1984, the Criminal Procedure and Investigations Act 1996, the Human Rights Act 1998, and the Regulation of Investigatory Powers Act 2000, and in accordance with any formal procedures and codes of practice made under this legislation so far as they relate to the regulatory activity of the Service.

[Click here to return to table of contents](#)

More on helping those we regulate

- 4.1 We will help those responsible for delivering safety in case of fire (responsible persons and duty holders) to understand what is expected of them and what they should expect from the Service. Legal requirements will be clearly distinguished from best practice or non-statutory fire safety advice. We will publish guidance in a clear, accessible, concise, format using media appropriate to the target audience, in plain language.

- 4.2 (Details are available on request and on our website).

[Click here to return to table of contents](#)

More on Targeting

- 5.1 Our policy on inspections will be to focus primarily on those whose premises and activities give rise to the most serious risk to life in case of fire. In making an assessment of risk, we will take into account the fire safety record of those we regulate and the current risks to people in case of fire.
- 5.2 We will maintain a strategy that will identify and evaluate risks in premises as well as to the wider community and allocate resources to carry out inspections accordingly. We want to see fire safety provided in buildings and may take action against those regarded as putting people at risk in case of fire.
- 5.3 Earned recognition may be awarded to businesses for assurance of safety, including for example external verification of safety systems / practices.

5.4 Our Service Standards and plans including details of our risk-based approach to risk and are available on request.

[Click here to return to table of contents](#)

More on our Accountability

6.1 The Service is accountable to its community for its actions. This means we must have policies and standards against which we can be judged, and an effective and easily accessible mechanism for dealing with comments and for handling complaints.

6.2 (Details are available on request and on our website [\[Complaints\]](#))

[Click here to return to table of contents](#)

More on the Principles of Enforcement Action

7.1 In assessing necessary and proportionate enforcement action, consideration will be given to (amongst other things):

- the safety history at the premises,
- the history of operational attendances and false alarms at the premises,
- safety referrals to the premises from other authorities / interested parties,
- any Primary Authority relationship that might be in place with the business,
- the adequacy of fire safety arrangements at the premises,
- the attitude of the responsible person / duty holder to providing safety,
- statutory guidance,
- codes of practice, and
- legal advice.

7.2 Certain enforcement action, such as the decision to use a Simple Caution and / or the decision to investigate for prosecution, is further and specifically informed by those matters set out below at section 11

7.3 In every case, when we require action to remedy unsafe conditions, we will explain the nature of the unsafe conditions to those responsible and will confirm the same in writing.

7.4 Because, subject to any letter or notice we give, work must be done to improve or secure the safety of people in case of fire; we will agree reasonable timescales within which the work must be completed that are agreed with those responsible.

[Click here to return to table of contents](#)

More on Our Enforcement Action

- 8.1 The Service will offer duty holders information and advice both verbally and / or in writing. This will include an explanation of why any specified work is necessary and a time period within which the specified work should be completed. Educating, informing and advising responsible persons and duty holders about their duties under fire safety legislation will form a fundamental element of our enforcement regime. The Service will fulfil its obligation under section 6(2) of the Fire and Rescue Services Act 2004 to give on request, advice on fire safety free of charge.
- 8.2 Where we find risks to safety, we may deal with them by informal means or (where appropriate) we may take formal action by serving alterations, enforcement and / or prohibition notices. We may also issue Simple Cautions, and (in the most serious cases) may prosecute. Before formal enforcement action is taken, inspectors will provide the person responsible with an opportunity to discuss the circumstances of the case and, if possible, resolve points of difference without recourse to formal enforcement action (unless immediate action is required to reduce the risk to life or to prevent evidence from being destroyed).
- 8.3 In certain circumstances, after evaluating the safety at premises, no action may be required. This will be the case when the safety of people in case of fire has been adequately secured.
- 8.4 If the likelihood of fire is high and the consequences in case of fire are low, advice may be given on how the likelihood can be reduced. Advice may also be given where the consequences of fire might cause harm to people but can be simply avoided. Advice can also be given to point out good practice or to

signpost business continuity advice or other business protections, for example protection from flooding.

- 8.5 Where the likelihood of fire is low / medium or the consequences of a fire are slight, informal action will be taken. Informal action will take the form of a letter, pointing out that people are at risk in case of fire, where in the building they are located and what has led to them being put at risk as well as what should be done to provide safety and how to prevent the same danger from recurring. Informal action may also be taken, if those responsible have displayed clear intentions to undertake corrective action. Failure to respond to informal action can result in escalation to formal enforcement action.
- 8.6 Formal action will take the form of serving a Notice (alterations, enforcement, and / or prohibition notices). Formal action will be taken when the consequences of fire are such that people are likely to be harmed, suffer serious injury or death. It can require specific action to be taken or certain activities to cease.
- 8.6.1 Where a reasonable known change to premises or to the use of premises could result in a significant increase in the risks to people on the premises, we may serve an Alterations Notice, which requires the responsible person / duty holder to notify us, before making that known change.
- 8.6.2 Enforcement Notices require improvements in safety and will point out: that people are at risk in case of fire; where in the building they are located; and what has led to them being put at risk, as well as what should be done to provide safety and how to prevent the same danger from recurring. Enforcement Notices include a reasonable period of time for safety to be put in place. Failure to respond to a formal Notice can result in escalation to an investigation for prosecution.
- 8.6.3 Where immediate action is considered necessary to keep people safe from fire, a Prohibition Notice, which can prohibit or restrict the use of premises, can be served. An explanation of why such action is required will be given at the time and confirmed in writing. Whereas a Prohibition Notice requires action to remove imminent and immediate risks in case of fire, an Enforcement Notice might also be served to deal with less imminent risks in case of fire.

8.7 Fire Safety law gives power to warranted inspectors to take samples of dangerous materials or extracts of recorded safety information and documents. When we take materials or documents we will provide an appropriate receipt.

8.8 In the most serious of cases we will gather information and conduct an investigation to prepare for a prosecution. The decision to prosecute a case will be taken by those with authority to do so in accordance with our Scheme of Delegations.

8.9 All our members of staff that make enforcement decisions will be required to follow the Regulators Code.

[Click here to return to table of contents](#)

More about After Enforcement Action

9.1 When the Service takes enforcement action we will discuss what is required to achieve safety for relevant persons with the responsible person / duty holder (taking into account the circumstances of the case, if they have been explained to us).

9.2 The Service will clearly explain any advice, required actions or decisions taken at the time of our visit and will be willing to discuss such matters on any future occasion to ensure those responsible have clarity of what must be done.

9.3 Our letters and notices will provide details in writing of what must be done and how to appeal against any of our regulatory decisions. Our letters and notices will also explain what will happen next, especially if you do not undertake the work. Our web-site has details of how to complain about our conduct, if you should feel it necessary. [\[Complaints\]](#)

9.4 We encourage those responsible for providing safety in case of fire to contact us, especially if there are any questions or comments about our regulatory activity. We will also maintain regular communication (where required) until safety has been provided.

More on a Failure to Comply With Requirements

10.1 Rights of and routes to appeal will be clearly set out in writing and issued with our letters.

10.2 The failure to comply with an alterations, enforcement or prohibition notice constitutes an offence and may result in prosecution.

10.3 We can withdraw alterations, enforcement and prohibition notices at any time but they will generally be deemed to be in force until such time as the notice is complied with, withdrawn or cancelled by the court.

[Click here to return to table of contents](#)

More on Simple Cautions and Prosecution

11.1 There are a number of offences that can be committed under Fire Safety law.

Among the foremost of these are failure to comply with a formal notice and failing to provide safety in case of fire to such extent that one or more people are put at risk of death or serious injury in case of fire.

11.2 The Service can deal with offenders through prosecution and Simple Cautions.

These legal actions are important ways to bring to account those responsible for alleged legal offences. Where appropriate, we will use one of these measures in addition to issuing a formal notice.

11.3 A prosecution may be taken following full consideration of the many factors arising for the alleged breaches of the law. Penalties for offences are awarded by the courts and can include fines, imprisonment or both.

11.4 A Simple Caution will only be used where a prosecution could be properly brought and there is a realistic prospect of conviction. A Simple Caution includes a written submission from the person responsible that an offence has been committed.

11.5 A record of a Simple Caution will be kept on file for three years and if a conviction for a further offence is brought within that period, the written submission of the previous offence will be introduced to the court for consideration.

[Click here to return to table of contents](#)

More about the Other Duties of the Service

13.1 In addition to Fire Safety law the Service is also responsible for the following regulations.

- Licensing authority for the Petroleum Consolidation Regulations 2014
- The Explosive Regulations 2014.

13.2 The Service can request a review of a premises license under Section 51 of the Licensing Act 2003. The options available to the Licensing Committee are:

- i. Modification of the conditions of the Licence
- ii. Exclusion of Licensable activity from the scope of the Licence
- iii. Removal of the Designated Premises Supervisor
- iv. Suspension of the Licence for a period not exceeding three months
- v. Revocation of the Licence
- vi. Issue of a Warning Letter
- vii. No Action

13.3 The Service enforces the requirements of Explosive Regulations 2014 through application of the Health and Safety at Work (etc) Act 1974 and the serving of improvement notices and prohibitions orders. [Regulating and Enforcing Health and Safety](#)

[Click here to return to table of contents](#)

More on Data Protection

14.1 The Service will comply with the principles of the Data Protection Act 1998 governing the use of personal data received or obtained and will respect the rights and freedoms of those individuals when processing their details. The following document Information Management Strategy lays out our strategic

approach to meeting these legal requirements. (Details are available on request and on our website [\[Information Management Strategy\]](#))

[Click here to return to table of contents](#)

More on Freedom of Information

15.1 Under the Freedom of Information Act 2000, individuals are given ‘a general right of access to information held by public authorities in the course of carrying out their functions subject to certain conditions and exemptions’. Under Section 19 of that Act, public authorities are required to produce a publication scheme setting out details of the information routinely published or made available, how the information is made available (in hard copy and on-line), and whether it is available free of charge or on payment.

15.2 Details of The Service’s publication scheme are available on request and on our website [Publication Scheme](#).

[Click here to return to table of contents](#)

The Regulators Code

The Regulators Code is a statutory code of practice for regulators and makes six broad requirements:

- i. To carry out their activities in a way that supports those they regulate to comply and grow;
- ii. To provide simple and straightforward ways to engage with those they regulate and to hear their views;
- iii. To base their regulatory activity on risk;
- iv. To share information about compliance and risk;
- v. To ensure clear information, guidance and advice is available to help those they regulate meet their responsibilities to comply; and
- vi. To ensure their approach to regulatory activity is transparent.

The service has taken regard of the Regulators Code in producing this policy statement.

For the full version click here: [‘The Regulators Code’](#)

[Click here to return to table of contents](#)

The Regulatory Enforcement and Sanctions Act

The Regulatory Enforcement and Sanctions Act (The RES) established The Local Better Regulation Office (later renamed as the Better Regulation Delivery Office (BRDO)). It also imposed a duty on Regulators to: (a) have regard to any guidance issued by BRDO, (b) a duty to comply with guidance where the Regulator is directed to do so by BRDO, and (c) a duty to have regard to any list of enforcement priorities published by BRDO. As a listed Regulator, the Service is committed to these duties.

For the full version click here: [‘The Regulatory Enforcement and Sanctions Act’](#)

[Click here to return to table of contents](#)

Legislative and Regulatory Reform Act

Part 2 of the Legislative and Regulatory Reform Act, requires the Service to have regard to the Principles of Good Regulation. We recognise that our regulatory activities should be carried out in a way which is: (i) proportionate; (ii) accountable; (iii) consistent; (iv) transparent; and (v) targeted to situations which need action.

When we exercise a regulatory function, which for the Service includes: the Regulatory Reform (Fire Safety) Order, [\[The Petroleum \(Consolidation\) Regulations 2014, Explosives Regulations 2014 and the Health and Safety at Work \(etc\) Act\]](#) we have regard to the Regulators Code.

For the full version click here: [‘Legislative and Regulatory Reform Act’](#)

[Click here to return to table of contents](#)

The Legislative and Regulatory Reform (Regulatory Functions) Order 2007

The Legislative and Regulatory Reform (Regulatory Functions) Order imposes a duty on the Service to have regard to the Regulators' Code when determining general policies or principles. It requires that the regulatory activities of the Service are carried out in a way which is transparent, accountable, proportionate and consistent, as well as being targeted only at cases in which action is needed.

For the full version click here: '[Legislative and Regulatory Reform \(Regulatory Functions\) Order](#)'

[Click here to return to table of contents](#)

The Environment and Safety Information Act

The Environment and Safety Information Act requires the Service to make a publicly accessible record of formal enforcement action that we have taken.

For the full version click here: '[The Environment and Safety Information Act 1988](#)'

[Click here to return to table of contents](#)

The Regulatory Reform (Fire Safety) Order

The Regulatory Reform (Fire Safety) Order 2005 principally imposes a general duty on responsible persons and duty holders to take general fire precautions to keep people safe in case of fire and establishes enforcing authorities to enforce the provisions of the Order. The Service is an enforcing authority under the Order and is empowered to inspect premises and serve notices to improve safety standards (among others).

For the full version click here: '[The Regulatory Reform \(Fire Safety\) Order](#)'

[Click here to return to table of contents](#)

The Licensing Act 2003

The Licensing Act establishes the Service as a 'responsible authority' with whom the Licensing Authority must consult in connection with Licensable activities, including the sale or supply of alcohol or the provision of regulated entertainment or late night refreshment. The licensing objectives are to promote: the prevention of crime and disorder; public safety; the prevention of public nuisance; and the protection of children from harm.

For the full version click here: '[The Licensing Act](#)'

[Click here to return to table of contents](#)

The Explosive Regulations 2014

The Service is the local authority for the purposes of dealing with applications for registration or for a licence to store explosives (under certain prescribed conditions).

For the full version click here: [The Explosive Regulations 2014](#)

[Click here to return to table of contents](#)

The Petroleum (Consolidation) Regulations

The Service is the 'petroleum enforcement authority' and can grant 'storage certificates' for premises at which petrol is dispensed, and enforces The Petroleum (Consolidation) Regulations in premises to which those regulations apply.

For the full version click here: '[The Petroleum Consolidation Regulations](#)'

[Click here to return to table of contents](#)

Approval

**Prepared and
Approved By:**

Brian Walshe

Signature:

Date:

12 September 2016

Reviewed By:

Gary Collins

Signature:

Date

28th September 2016

Environment, Development and Transport Committee

Item No.

Report title:	Recommendations of the Greater Norwich Development Partnership (GNDP) Board
Date of meeting:	14 October 2016
Responsible Chief Officer:	Tom McCabe, Executive Director of Community and Environmental Services
Strategic impact Working in partnership across Greater Norwich will help to deliver infrastructure and jobs	

Executive summary

At the 8 July 2016 meeting EDT Committee agreed to support the re-establishment of the Greater Norwich Development Partnership (GNDP) Board and appoint three Members to serve on it. The Board oversees the production of the Greater Norwich Local Plan (GNLP) for Broadland, Norwich and South Norfolk. The Board is not a decision making body and its recommendations are considered by each of the partners. While the plan making responsibility remains with the district councils, in the spirit of partnership, the County Council will endorse the recommendations of the Board as appropriate. This helps us discharge our responsibilities under the “duty to co-operate” and, demonstrates unity of purpose, supporting the delivery of economic growth and infrastructure.

The first meeting of the re-established GNDP Board took place on 5 September 2016.

The Board approved their terms of reference (agreed by EDT Committee report of 8 July) amended slightly to make it clearer that the Board meetings would be held in public.

The Board considered an introductory report on the GNLP (Appendix A). The Board noted progress made on the GNLP, agreed the next steps for plan preparation and provided early views on key issues and themes to be considered through the plan. At this early stage there are no specific recommendations from the Board that require endorsement although Members may also wish to comment on any of the key issues and themes..

Recommendations

Members agree to:

- **Note progress on the production of the Greater Norwich Local Plan.**

1. Proposal

- 1.1. At the 8 July 2016 meeting EDT Committee agreed to support the re-establishment of the Greater Norwich Development Partnership (GNDP) Board and appoint three Members to serve on it. The Board oversees the production of the Greater Norwich Local Plan (GNLP) for Broadland, Norwich and South Norfolk. The Board is not a decision making body and its recommendations are considered by each of the partners. While the plan making responsibility remains with the district councils, in the spirit of partnership, EDT Committee will endorse the

recommendations of the Board as appropriate. This helps us discharge our responsibilities under the “duty to co-operate” and, demonstrates unity of purpose, supporting the delivery of economic growth and infrastructure.

1.2. The first meeting of the re-established GNDP Board took place on 5 September 2016. The Board approved their terms of reference (agreed by EDT Committee report of 8 July) amended slightly to make it clearer that the Board meetings would be held in public.

1.3. The Board considered an introductory report on the GNLP (Appendix A) and noted progress made on the plan, agreed the next steps for plan preparation and provided early views on key issues and themes to be considered by the GNLP. The main issues raised were (note – this is not an official minute of the meeting):

- The importance of the communications strategy for the GNLP highlighting the benefits of the local plan in terms of facilitating new jobs, infrastructure and increased prosperity in the area, alongside providing new housing;
- The need to consider the merits, or otherwise, of retaining the Norwich Policy Area (NPA), of continuing to concentrate the majority of development in and around Norwich and of greater dispersal of development to market towns and villages;
- The potential western link between the A47 and the A1067
- The problems in a number of locations associated with the granting of significantly more planning permissions (largely on appeal) above JCS requirements due to the lack of a 5 year land supply;
- The merits or otherwise of establishing a Green Belt around Norwich.

1.4. At this early stage there are no specific recommendations from the Board that require endorsement. However, it is appropriate to keep Committee informed of progress on this key partnership activity and Members are asked to note progress on the production of the Greater Norwich Local Plan. Members may wish to comment on key issues and themes for the plan.

1.5. Further information on the GNDP Board, including the full set of Board papers, and the emerging Local Plan can be found at <http://www.greaternorwichgrowth.org.uk/planning/greater-norwich-local-plan/>

2. Financial Implications

2.1. There are no direct financial implications. Staff support is managed through existing resources.

3. Issues, risks and innovation

3.1. There are no other significant issues that arise from this decision. This kind of partnership remains innovative.

4. Background

- 4.1. The County Council has been working successfully in partnership across the Greater Norwich area for a number of years through the previous incarnation of the Greater Norwich Development Partnership and through the Greater Norwich Growth Board. Working in partnership has helped bring significant investment for infrastructure to the area.

Officer Contact

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

Officer name : Phil Morris

Tel No. : 01603 222730

Email address : phil.morris@norfolk.gov.uk



If you need this report in large print, audio, braille, alternative format or in a different language please contact 0344 800 8020 or 0344 800 8011 (textphone) and we will do our best to help.

Greater Norwich Local Plan – Introductory Report

Mike Burrell – Greater Norwich Planning Policy Manager

Summary

The following report provides an introduction to the Greater Norwich Local Plan (GNLP) process for the first meeting of the Greater Norwich Development Partnership (GNDP) Board. The report summarises the work which has already been undertaken in terms of:

- the initial work to start the production of the GNLP, including identifying the housing requirement and the call for sites to accommodate growth;
- establishing the team to deliver the GNLP;
- existing and additional evidence needed to inform the content of the GNLP; and
- the preparation of the GNLP Issues Paper to facilitate stakeholder workshops in mid-September 2016.

Views are sought from the GNDP on any key directions and themes the members would wish to see considered at this early stage of preparing the plan.

Recommendation(s)

It is recommended that members of the GNDP:

- (i) Note initial progress made on the GNLP;
- (ii) Give early consideration to the key issues and themes for the GNLP;
- (iii) Agree the next steps for plan preparation.

1 Introduction

- 1.1 Broadland, Norwich and South Norfolk councils have an existing Joint Core Strategy (JCS) which plans to 2026, and supporting Local Plan documents which plan to at least 2026 and beyond in the case of the Broadland Growth Triangle Area Action Plan.

- 1.2 Working with Norfolk County Council, the three local planning authorities (LPAs) are now reviewing and rolling forward these documents in the form of a joint Greater Norwich Local Plan (GNLP) looking to 2036.
- 1.3 The GNLP will set out both the strategic planning policies and the site allocations and will replace the existing Joint Core Strategy (JCS), as well as the site specific elements of the respective Local Plans¹. The starting point for the review assumes that all sites identified for development in an existing local or neighbourhood plan remain appropriate.
- 1.4 This report sets out the work undertaken to date and the work which will lead to the identification of a favoured option and reasonable alternatives for the GNLP in 2017. It also seeks an initial view from the Greater Norwich Development Partnership (GNDP) Board on key directions and themes that members would wish to see considered at this early stage of preparing the plan.

2 Background

- 2.1 As part of the process of preparing the current local plans for Broadland and South Norfolk the respective examination Inspectors highlighted the need for an early review of the plans in order to extend the time horizon to the 15 years minimum recommended by the National Planning Policy Framework (NPPF). The replacement local plans therefore need to be in place by late 2020, five years after the adoption of the South Norfolk Site Specific Allocations and Policies Document and the Wymondham Area Action Plan.
- 2.2 To demonstrate the commitment to an early review of their local plans, Broadland and South Norfolk councils informed their Inspectors that the Greater Norwich authorities, working with North Norfolk and Breckland councils, had commissioned the Central Norfolk Strategic Housing Market Assessment (SHMA). The SHMA updates information on the overall number of new homes required along with the mix of homes and affordable housing requirements within that overall need. The SHMA projects the requirements forward to 2036, to mirror the end date of the GNLP, see 4.2 below for more details.

3 Joint Working

- 3.1 The authorities have a long track record of co-operation. The JCS was prepared by the GNDP and was originally adopted in 2011, with amendments adopted in January 2014.
- 3.2 Subsequently the focus has been on the implementation and delivery of the JCS policies and allocated local plan sites. This will continue to be the focus of the Greater Norwich Growth Board (GNGB).
- 3.3 On 24 September 2015, the GNGB resolved to recommend to the respective authorities that a GNLP should be produced, consisting of strategic policies (similar to those in the JCS) and site allocations. Development Management Policies would continue to be produced and reviewed separately by the three LPAs. The September report concluded that it would be *'more difficult and risky for each LPA to seek to address the wider strategic matters in a piecemeal, district-by-district basis. In addition, moving away from a joint plan*

¹ Broadland Site Allocations DPD; Broadland Growth Triangle Area Action Plan; Norwich Site Allocations and Site Specific Policies Local Plan; South Norfolk Site Specific Allocations and Policies Document; Long Stratton Area Action Plan & Wymondham Area Action Plan.

would convey a negative message on our commitment to work together to deliver economic growth’.

- 3.4 A key driver for the inclusion of sites within the GNLP is the emphasis on deliverability; the approach in the JCS meant that there was a considerable delay between setting the growth requirements and the allocation of sites to deliver that growth. Amongst other implications, this has not helped with securing a five year housing supply in the Norwich Policy Area (NPA).
- 3.5 The recommendation to progress with a GNLP was reported to the respective authorities and their Local Development Schemes (LDSs) were updated accordingly:

Authority	September 2015 GNGB recommendation reported	Updated LDS
Broadland	Cabinet, 19 January 2016	
Norwich	Sustainable Development Panel, 24 February 2016	Cabinet, 9 March 2016
South Norfolk	Cabinet, 2 November 2015	Cabinet, 15 February 2016

The GNDP Board

- 3.6 Because the production of a new local plan is not within the terms of reference of the GNGB, governance for plan production will fall under a separate body. It was also considered that a broader membership would be beneficial for the plan making role of the group overseeing the GNLP. Following the GNGB meeting of 24 March 2016 the Greater Norwich authorities have agreed that the GNDP Board will be re-established to oversee at least the initial stages in the production of the GNLP. This was agreed by the respective authorities during May and June and the relevant councillors were nominated to make up the Board. The GNDP Board is not a decision making body and this responsibility still sits with the respective councils. Therefore, member engagement will be both through the GNDP Board and through the various committees of the constituent authorities.

The GNLP team

- 3.7 In order to progress the GNLP, a team has been set up and Mike Burrell (Norwich City Council) has been appointed as Greater Norwich Planning Policy Manager. The team comprises one further full time equivalent member of planning staff from Norwich, two each from Broadland and South Norfolk and one from Norfolk County Council; these full time equivalent hours are distributed across more members of staff to maximise the benefits of the existing expertise within the authorities’ teams. Additional staff will provide dedicated support for the work of the GNLP team.
- 3.8 The work of the GNLP team is overseen by the Infrastructure Delivery Board (IDB), made up of senior level representatives from the partner authorities and New Anglia LEP. As well as the work streams, the IDB will oversee the GNLP budget and provide coordination with the GNGB and the Greater Norwich Projects Team’s work on infrastructure and delivery.

4 Work to date

- 4.1 Previous reports to the respective authorities have noted that work has already been progressing on a number of elements of the GNLP; the following is an

updated summary.

Strategic Housing Market Assessment (SHMA)

- 4.2 As noted above the Greater Norwich authorities initiated the process of plan review through the commissioning of a SHMA which sets out the projected housing requirements for Central Norfolk to 2036, known as the objectively assessed need (OAN) for housing. The SHMA takes into account the growth aspirations of the Greater Norwich City Deal and equates to approximately a further 12,000 new homes for Greater Norwich between 2012 and 2036, over and above those already built, permitted or allocated, as follows:

SHMA Objectively Assessed Need (April 2012 to March 2036)	52,170
Already built (April 2012 to March 2015)	4,160
Committed sites (at 1 April 2015)	23,375
Emerging sites (at 1 April 2015)	12,782
Remainder to be allocated	11,853

- 4.3 The above figures assume all of the committed sites (permissions and allocations) and emerging allocations will be delivered by 2036, but does not make any assumption about future windfall. This position will be updated as the plan progresses to reflect further completions and additional commitments made since 1 April 2015, along with any changes in the underlying populations/ household projections which underpin the OAN or other relevant changes to evidence.
- 4.4 The NPPF requires local plans to “meet objectively assessed need with sufficient flexibility to adapt to rapid change”. To enable the delivery of OAN, and to help maintain a 5 year land supply, there will be a need to allocate more housing than the minimum OAN figure. This has been reflected by Inspectors’ decisions at examinations into local plans, including for the recent Growth Triangle Area Action Plan.
- 4.5 The exact level of allocation that is appropriate will need to be established through the production of the GNLP taking into account any change in Government policy and relevant inspector’s decisions. An example of how additional allocations above OAN might be reflected in Local Plans is highlighted by the recent Local Plans Expert Group (LPEG) recommendation to Government. This proposes that an additional 20% buffer of ‘reserve’ sites should be identified for all unbuilt homes in local plans. If applied to the GNLP this would mean 52,170 OAN – 4,160 already built = 48,010 remainder of the OAN, 20% of which would equate to reserve sites for a further 9,600 dwellings. Whilst currently far from certain, a 20% uplift is considered likely to represent a “high end” scenario.
- 4.6 It should also be recognised that the OAN in the recently published Central Norfolk SHMA already includes an element of uplift in Greater Norwich related to commitments to jobs growth. The OAN itself may also change as new Government projections for population and household increase are released; this could result in increases or decreases in the final GNLP requirements.
- 4.7 The SHMA also sets out the proportion of affordable housing required to meet the needs of the area, although this is likely to be reviewed to take into account

the Government's Starter Homes requirements.

Call for Sites

- 4.8 Because the GNLP will include site allocations as well as strategic policies a formal 'call for sites' was undertaken between 16 May and 8 July 2016. The call invited the submission of sites for all uses, including housing, employment, retail and town centre uses, recreation and 'Local Green Spaces', the latter of which provides special protection for green areas of particular importance to local communities.
- 4.9 The call for sites was sent to planning and land agents, known sites owners (including those who submitted their sites for inclusion in previous plans), local businesses who may have aspirations to expand and town and parish councils. The call also received extensive publicity in the Eastern Daily Press.
- 4.10 The call invited submission of both green and brownfield sites, from small urban plots to potential large-scale greenfield developments and the authorities have sought to glean as much information as possible from those submitting the site(s) to support the subsequent assessments.
- 4.11 These sites are currently being logged and plotted and further details will follow in the November GNLP report.

Site Assessment

- 4.12 Each of the submitted sites is being assessed, alongside other sites such as unimplemented allocations from the existing local plans and unimplemented (or partially implemented) extant planning permissions. This process is not intended in any way to delay the progress of allocated sites in adopted plans to achieving planning permission given that the GNLP will not be adopted until late 2020.
- 4.13 The sites are being assessed through a Housing and Economic Land Availability Assessment (HELAA). A HELAA methodology, based on the Government's requirements, has been jointly prepared by the Norfolk LPAs as part of the Norfolk Strategic Framework (NSF) process. The assessment of sites will also form part of the Sustainability Appraisal (SA) of the plan.

Sustainability Appraisal & Habitats Regulation Assessment

- 4.14 A key element of the production of any plan is the assessment of the potential impacts of the emerging policies and allocations. Sustainability Appraisal (SA), which is undertaken alongside the development of the plan itself, will examine the environmental, social and economic implications of the proposed policies and allocations and help identify how the proposals can be refined and impacts mitigated. Consultation on the first stage of SA, a scoping report, took place between 20 June and 15 August 2016. Officers are currently finalising the scoping report. The SA will be undertaken by the GNLP together with Lepus Consulting.
- 4.15 In addition the Landscape Partnership has been appointed to undertake the Habitats Regulation Assessment (HRA), which will assess the potential impact of different possible growth locations on internationally protected habitats; the first stage of this is a critical evidence review to identify any outstanding information which is needed to complete the assessment.

Reviewing the JCS area wide policies

- 4.16 Since the GNLP will be a review and roll forward of the JCS, the GNLP team is undertaking an initial review of JCS area wide policies (policies 1 to 8), for example to identify any areas where they have been superseded by national policy changes.

Critical friends

- 4.17 Legal and planning 'critical friends' are being engaged to provide ongoing external challenge and support to ensure the work on the GNLP is legally compliant and produces a sound plan when set against the context of the existing planning legislation and proposed changes.

Timetable

- 4.18 A broad timeline for the production of the GNLP has already been shared with the GNGB; an updated version of this timeline highlighting the key stages at which member involvement will be required is attached at appendix 1.
- 4.19 In line with the current regulatory requirements and in order to produce the GNLP within the required timeframe the stages in document production have been streamlined. Full public involvement will take place at the Regulation 18 consultation stage, which will set out a favoured option and reasonable alternatives, and Regulation 19, which will be the proposed submission plan.
- 4.20 The recent LPEG report to Government has recommended that local planning authorities be able to make changes to the proposed submission version of the plan following Regulation 19. This proposed change is supported by the Greater Norwich authorities as an aid to speeding up the plan process.

5 The Issues Paper and Stakeholder Workshops

- 5.1 The first substantive stage in the development of the plan is a series of stakeholder workshops. Invitations were sent in July for workshops during the week commencing 12 September. The purpose is to gain early stakeholder input on the key issues the plan should address through discussion of the Issues Paper questions. The Issues Paper is attached in appendix 2.
- 5.2 Separate workshops will cover the Issues Paper's themes of: Housing, Transport, the Environment, and the Economy, with the strategic distribution of growth being a key consideration for each of these. In addition, area based workshops will give the opportunity for other organisations, such as town and parish councils, to input at this early stage. The outputs of the workshops will be reported to members in November.

Key Issues for the GNLP Board

- 5.3 While it would not be appropriate to pre-empt discussions and analysis by answering the following questions, it would be useful for members to advise on any key factors that they consider will influence consideration of:
- Whether the Greater Norwich area should be divided into two or more policy areas;
 - Potential patterns of growth;
 - The potential for a new settlement or settlements;
 - Particular locations of growth and restraint;

- Delivering major new infrastructure;
- The desirability of a Green Belt for Norwich;
- Rolling forward area wide policies (JCS policies 1 to 8).

This is by no means an exhaustive list and GNDP members may wish to raise other key considerations on the direction of the plan at this stage.

6 Evidence

6.1 Good quality evidence is key to developing the plan. It is also important that evidence is proportionate and is collected cost effectively. In some cases evidence will be required to assist in the identification of the most appropriate locations for additional growth, in others it will be required at a later stage of plan making to, for example, provide clarification on the infrastructure required to serve the growth options promoted. Consequently evidence gathering will involve:

- Specific studies on core issues such as the local economy and development viability. In these cases it will be necessary to commission dedicated new evidence.
- Where possible, existing JCS evidence will be updated in consultation with key stakeholders. Ongoing engagement is planned with service and infrastructure providers such as Anglian Water, as well as statutory consultees and regulatory bodies such as the Environment Agency, Natural England and Historic England, to fully understand the growth constraints and opportunities. This engagement will cover a wide range of issues including education, health, social infrastructure (sports facilities, community buildings etc.) and utilities.

Transport for Norwich (TfN)

6.2 The current Norwich Area Transportation Strategy (NATS) was adopted in 2004. A small number of minor policy changes were subsequently agreed in April 2010 as part of the development of the JCS. Given the date of the NATS, many of its measures have now been implemented and others need to be reviewed. To assist the development of the GNLP to 2036, a commitment has been made by the NATS Board to update the strategy alongside the GNLP.

7 The Next Steps

Development of the 'plan alternatives'

7.1 Following the workshops the next stage for the GNLP will be the development of a series of options for the plan. The steer on key considerations from the GNDP Board, the outcomes of the stakeholder workshops, the evidence gathered to date and the results of meetings with key infrastructure providers will help to shape the content of the strategic policies and identify areas for possible growth in the GNLP.

7.2 The GNLP team is currently undertaking a high level assessment of the capacity of different locations to accommodate growth.

7.3 Member input in November will help identify a range of plan alternatives which can then be worked up further for members to review in early 2017. The robustness of this stage in the plan preparation will be essential to support the

choice of any favoured option for the Regulation 18 consultation. The timetable at appendix 1 provides details.

8 Issues and Risks

Other resource implications (staff, property)

- 8.1 As noted above, the Greater Norwich Planning Policy Manager has been appointed and a team of planning staff seconded from the four authorities. Provision is also being made for dedicated support staff. The budget to deliver the GNLP is being overseen by the IDB. The GNLP team has recently moved to permanent accommodation in County Hall.

Legal implications

- 8.2 The Greater Norwich authorities are required to have an up-to-date Local Plan and Broadland and South Norfolk Councils have made commitments through the examination of recent plans to a timescale for getting the GNLP in place. NPLaw is providing ongoing advice to ensure that the plan is produced in accordance with current Regulations and with any amendments to those Regulations.

Risks

- 8.3 The risk of not preparing a replacement for the JCS and maintaining a supply of allocated sites is that the plans become increasingly out of date and subject to challenge.
- 8.4 The GNLP is being produced to a streamlined timetable and requires prompt agreement across the participating authorities; the most significant risks are unforeseen events that cause delays within what is currently a very tight timeline and/or significant changes in Government policy which provide new challenges for the plan.

Equality

- 8.5 The GNLP will be supported by an Equalities Impact Assessment.

Environmental implications

- 8.6 The GNLP process is underpinned by national requirements to achieve sustainable development and is supported by both an HRA and SA process. The plan will also continue to identify Green Infrastructure and other environmental enhancements as part of the policies and proposals.

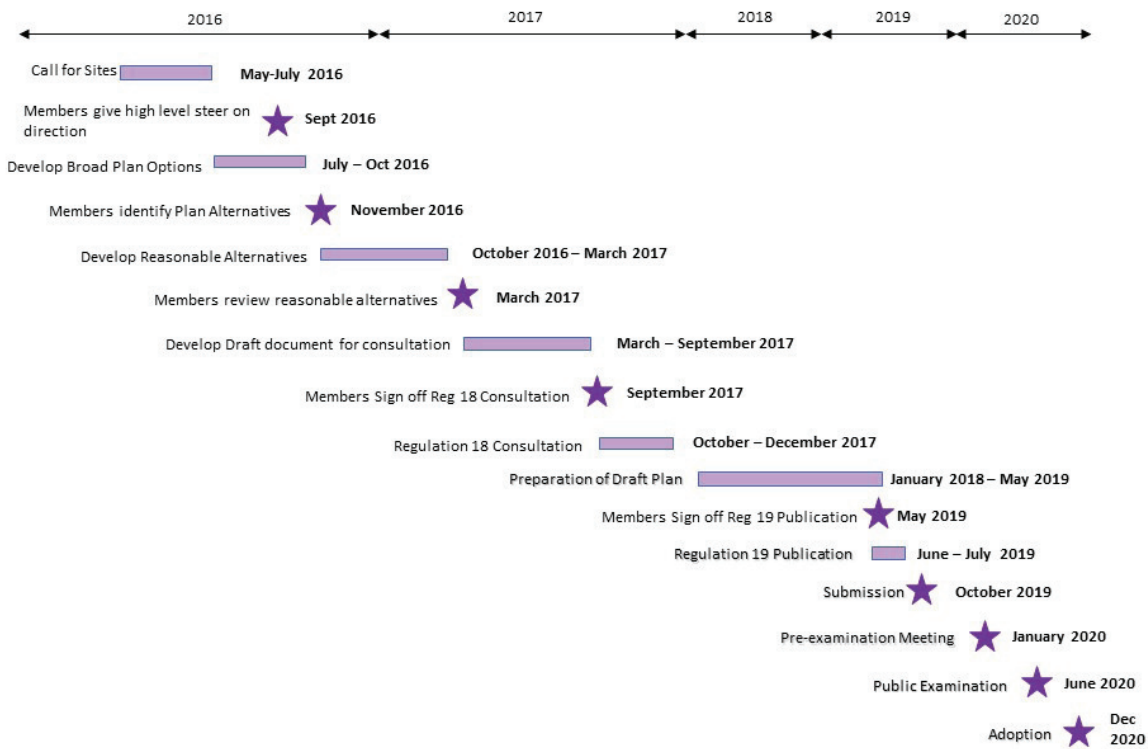
Officer Contact

If you have any questions about matters contained in this paper please contact:

Name	Telephone Number	Email address
Mike Burrell	01603 222761	mike.burrell@norfolk.gov.uk

Appendix 1

Greater Norwich Local Plan: High Level Timetable to Adoption



Environment, Development and Transport Committee

Item No.

Report title:	Forward Plan and decisions taken under delegated authority
Date of meeting:	14 October 2016
Responsible Chief Officer:	Tom McCabe - Executive Director, Community and Environmental Services
Strategic impact The Committee Forward Plan sets out the items/decisions programmed to be brought to this Committee for consideration in relation to environment, development and transport issues in Norfolk. The plan helps the Committee to programme the reports and information it needs in order to make timely decisions. The plan also supports the Council's transparency agenda, providing service users and stakeholders with information about the Committee's business. It is important that there is transparency in decision making processes to enable Members and the public to hold the Council to account.	

Executive summary

This report sets out the Forward Plan for the Environment, Development and Transport Committee. The Forward Plan is a key document for this committee to use to shape future meeting agendas and items for consideration, in relation to delivering environment, development and transport issues in Norfolk.

Each of the Council's committees has its own Forward Plan, and these are published monthly on the County Council's website. The Forward Plan for this Committee (as at 27 September 2016) is included at Appendix A.

This report is also used to update the Committee on relevant decisions taken under delegated powers by the Executive Director within the Terms of Reference of this Committee. There are no relevant delegated decisions to report to this meeting.

Recommendations:

- 1. To review the Forward Plan and identify any additions, deletions or changes to reflect key issues and priorities the Committee wishes to consider.**

1. Proposal

- 1.1. The Forward Plan is a key document for this committee in terms of considering and programming its future business, in relation to environment, development and transport issues in Norfolk.
- 1.2. The current version of the Forward Plan (as at 27 September 2016) is attached at Appendix A.
- 1.3. The Forward Plan is published monthly on the County Council's website to enable service users and stakeholders to understand the planning business for this Committee. As this is a key document in terms of planning for this Committee, a live working copy is also maintained to capture any changes/additions/amendments identified outside the monthly publishing schedule. Therefore, the Forward Plan attached at Appendix A may differ

slightly from the version published on the website.

1.4. There have been some additions and changes to the Forward Plan since it was last reviewed by this Committee in May. Most of the changes have been agreed at Committee meetings; other changes for future meetings are summarised below.

- Flood & Water Management Team Funding Policy – added for November meeting
- Norfolk Energy Futures – moved to November meeting
- Highway capital programme and Transport Asset management Plan (TAMP) – added for January meeting.

1.5. If any further changes are made to the programme in advance of this meeting they will be reported verbally to the Committee.

2. **Delegated decisions**

2.1. The report is also used to update on any delegated decisions within the Terms of Reference of this Committee that are reported by the Executive Director as being of public interest, financially material or contentious. There are no relevant delegated decisions to report to this meeting.

3. **Evidence**

3.1. Bringing together the business for this Committee into one Forward Plan enables Members to understand all of the business programmed. This is a tool to support the Committee to shape the overall programme of items to be considered to ensure they reflect the Committee's priorities and responsibilities.

4. **Financial Implications**

4.1. There are no financial implications arising from this report.

5. **Issues, risks and innovation**

5.1. The Forward Plan indicates the issues/decisions which have potential implications for other service committees. There are separate Forward Plans owned by each Committee, including the Economic Development Sub-Committee.

6. **Background**

N/A

Officer Contact

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

Officer name : Sarah Rhoden

Tel No. : 01603 222867

Email address : sarah.rhoden@norfolk.gov.uk



If you need this report in large print, audio, braille, alternative format or in a different language please contact 0344 800 8020 or 0344 800 8011 (textphone) and we will do our best to help.

Forward Plan for EDT Committee

Appendix A

Issue/decision	Implications for other service committees?	Requested committee action (if known)	Lead Officer
Meeting : Friday 11 November 2016 – Director’s deadline date: Thursday 27 October			
Verbal update/feedback from Members of the Committee regarding Member Working Groups or bodies that they sit on	None	To receive feedback	Members
Forward Plan and decisions taken under delegated authority	None	To review the Committee’s forward plan and agree any amendments/additions and note the decisions taken under delegated authority	Business Support and Development Manager (Sarah Rhoden)
Broadband and Mobile Phones – update from Member Working Group	Link to Economic Development Sub-Committee	To note the work of the Member Working Group.	Chair of the Working Group (Cllr Marie Strong)
Flood & Water Management Team Funding Policy	None	To consider and adopt a Funding Policy for the Flood & Water Management Team which sets out an evidenced and risk based approach to responding to community flood mitigation needs.	Flood & Water Team Manager (Graham Brown)
Better Broadband for Norfolk Programme update	None	None	Programme Director (Karen O’Kane)
Norfolk Energy Futures	No. This report came from the recommendations of the EDT Strategic Review	To review progress and, if a clear return on investment has not been delivered, consider ceasing the service	Assistant Director Environment and Planning (David Collinson)

Forward Plan for EDT Committee

Appendix A

Issue/decision	Implications for other service committees?	Requested committee action (if known)	Lead Officer
	Working Group.	in its current form.	
Performance management report	Link to Ec Dev Sub-Committee	Comment on performance and consider areas for further scrutiny.	Business Intelligence and Performance Analyst (Austin Goreham)
Finance Monitoring report	No	To review the service's financial position in relation to the revenue budget, capital programme and level of reserves.	Finance Business Partner (Andrew Skiggs)
Risk management	No – each Committee receives a report on risk management	Review and comment on the risk information and consider any areas of risk that require a more in-depth analysis	Chief Internal Auditor (Adrian Thompson)
Meeting : Friday 27 January 2017 – Director's deadline date:			
Verbal update/feedback from Members of the Committee regarding Member Working Groups or bodies that they sit on	None	To receive feedback	Members
Update from Economic Development Sub Committee	None	To note	Acting Assistant Director Economic Dev and Strategy (Vince Muspratt)
Forward Plan and decisions taken under delegated authority	None	To review the Committee's forward plan and agree any amendments/additions and note the decisions taken under delegated authority	Business Support and Development Manager (Sarah Rhoden)
Performance	Link to Ec Dev Sub-	Comment on performance and	Business Intelligence and

Forward Plan for EDT Committee

Appendix A

Issue/decision	Implications for other service committees?	Requested committee action (if known)	Lead Officer
management report	Committee	consider areas for further scrutiny.	Performance Analyst (Austin Goreham)
Finance Monitoring report	None	To review the service's financial position in relation to the revenue budget, capital programme and level of reserves.	Finance Business Partner (Andrew Skiggs)
Highway capital programme and Transport Asset management Plan (TAMP)	None	To approve the highways capital programme/funding, and some changes to the Transport Asset Management Plan.	Head of Highways (Nick Tupper)
Meeting : Friday 17 March 2017 – Director's deadline date:			
Verbal update/feedback from Members of the Committee regarding Member Working Groups or bodies that they sit on	None	To receive feedback	Members
Update from Economic Development Sub Committee	None	To note	Acting Assistant Director Economic Dev and Strategy (Vince Muspratt)
Forward Plan and decisions taken under delegated authority	None	To review the Committee's forward plan and agree any amendments/additions and note the decisions taken under delegated authority	Business Support and Development Manager (Sarah Rhoden)
Performance management report	Link to Ec Dev Sub-Committee	Comment on performance and consider areas for further scrutiny.	Business Intelligence and Performance Analyst (Austin)

Forward Plan for EDT Committee

Appendix A

Issue/decision	Implications for other service committees?	Requested committee action (if known)	Lead Officer
			Goreham)
Finance Monitoring report	No	To review the service's financial position in relation to the revenue budget, capital programme and level of reserves.	Finance Business Partner (Andrew Skiggs)
Highway Parish partnership schemes 2016/17	None	To approve parish/town council bids for small highway improvements	Head of Highways (Nick Tupper)

Items for future meetings	Outline timescale	Requested committee action (if known)	Lead officer
Street lighting	July 2017	To receive an update on energy savings and consider recommendations on upgrading of remaining street lights to LED	Highways Maintenance Manager (Nick Tupper)
Norfolk Cycling & Walking Action Plan	TBC	To consider the results of the public consultation and approve the final Cycling & Walking Action Plan.	Countryside Manager (Andrew Hutcheson and Cllr Hilary Cox)
Opportunities to increase commercial activity for the highways service – business case	By September 2017	To consider a Business Case to help inform the potential for a more commercial trading organisation.	Head of Highways (Nick Tupper)

Regular items	Frequency	Requested committee action (if known)	Lead officer
Update from Economic	Every meeting (where the	To note	Assistant Director Economic

Forward Plan for EDT Committee

Appendix A

Regular items	Frequency	Requested committee action (if known)	Lead officer
Development Sub Committee	Sub-Committee have met prior)		Dev and Strategy (Fiona McDiarmid)
Forward Plan and decisions taken under delegated authority	None	To review the Committee's forward plan and agree any amendments/additions and note the decisions taken under delegated authority	Business Support and Development Manager (Sarah Rhoden)
Performance management	Four meetings each year – May, July, September and November	Comment on performance and consider areas for further scrutiny.	Business Intelligence and Performance Analyst (Austin Goreham)
Risk management	Four meetings each year – May, July, September and November	Review and comment on the risk information and consider any areas of risk that require a more in-depth analysis	Chief Internal Auditor (Adrian Thompson)
Finance Monitoring report	Every meeting	To review the service's financial position in relation to the revenue budget, capital programme and level of reserves.	Finance Business Partner (Andrew Skiggs)
Verbal update/feedback from Members of the Committee regarding Member Working Groups or bodies that they sit on	Every meeting	To receive feedback	Members