

## **Environment, Transport and Development Overview and Scrutiny Panel**

### **Minutes of the Meeting held on 12 September 2012**

#### **Present:**

Mr R Wright (Vice-Chairman)

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

#### **Cabinet Members present:**

Mr G Plant	Planning and Transportation
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#### **Deputy Cabinet Member present:**

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

#### **1 Apologies**

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

#### **2 Minutes of the meeting held on 11 July 2012**

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

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

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

### **3 Declarations of Interest**

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

### **4 Items of Urgent Business**

There were no items of urgent business.

### **5 Public Question Time**

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

### **6 Local Member Issues/Member Questions**

There were no Local Member issues or Member questions.

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

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

**RESOLVED** that the report be noted.

## **8 Forward Work Programme: Scrutiny**

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

**RESOLVED** that the report be noted.

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

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

## **10 Government Spending Programme for Rail**

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

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

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

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

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

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

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

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

list” and on drawing up the prospectus.

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

## **RESOLVED to**

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

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

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

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

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

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

in the numbers of road casualties.

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

#### **11.4 RESOLVED to note**

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

(The meeting closed at 11.45am)

**Chairman**



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

**QUESTIONS**

**Item 5 – Public Question Time**

**5.1 Two questions from Jenny Perryman**

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

**Reply by the Vice-Chairman**

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

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

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

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

**Reply by the Vice-Chairman**

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

**5.2 Two questions from Christine Hall**

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

**Reply by the Vice-Chairman**

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

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

**Reply by the Vice-Chairman**

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

**5.3 Two questions from Alan Hall**

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

**Reply by the Vice-Chairman**

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

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

**Reply by the Vice-Chairman**

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

**5.4 Two questions from David Franklin**

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

**Reply by the Vice-Chairman**

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

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

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

**Reply by the Vice-Chairman**

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

## 5.5 Two questions from Ron Cornell

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

### **Reply by the Vice-Chairman**

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

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

### **Reply by the Vice-Chairman**

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

## 5.6 Two questions from Stuart Wilkie

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

### **Reply by the Vice-Chairman**

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

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

### **Reply by the Vice-Chairman**

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

## 5.7 Two questions from John Martin

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

**Reply by the Vice-Chairman**

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

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

**Reply by the Vice-Chairman**

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