



**Norfolk** County Council  
at your service

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

Date: **Wednesday 16 January 2013**

Time: **10.30am**

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

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

### **Membership**

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

### **Non Voting Cabinet Members**

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

### **Non Voting Deputy Cabinet Member**

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

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

Julie Mortimer on 01603 223055  
or email [committees@norfolk.gov.uk](mailto:committees@norfolk.gov.uk)

## **A g e n d a**

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

**2 Minutes of the meeting held on 14 November 2012**

(Page **1**)

To confirm the minutes of the Environment Transport and Development Overview & Scrutiny Panel meeting held on 14 November 2012.

**3 Members to Declare any Interests**

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

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

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

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

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

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

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

**5 Public Question Time**

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

Please submit your question(s) to the person named on the front of this agenda by **5pm on Friday 11 January 2013**. For guidance on submitting public questions, please refer to the Council Constitution Appendix 10, Council Procedure Rules or Norfolk County Council - Overview and Scrutiny Panel Public Question Time and How to attend Meetings

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

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

Please submit your question(s) to the person named on the front of this agenda by **5pm on Friday 11 January 2013**

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

**Scrutiny Items:**

- 8 Forward Work Programme: Scrutiny** (Page **15**)  
To review and develop the programme for scrutiny.

**Overview Items:**

- 9 Norfolk Economic Growth Strategy: Norfolk Infrastructure Fund Site Acquisition – update and draft proposals for the future use of RAF Coltishall.** (Page **23**)

Members are asked to consider and comment on the progress being made to develop proposals for the future use of the RAF Coltishall site and engage local communities, to inform further detailed work on Master Planning.

- 10 Highway Capital Programme 2013/14/15 and Transport Asset Management Plan** (Page **43**)

Members are asked to consider and comment on the contents of the report and the proposed change to the TAMP for 2013/14 to 2017/18 and recommend it to Cabinet for approval and to recommend to Cabinet the use of Chief Officer delegated powers, in consultation with the Cabinet Member for Planning and Transportation, to manage the two year programme, including the possible increase in the Integrated Transport programme to deal with any major scheme cost pressures.

- 11 Local List for Validation of Planning Applications.** (Page **65**)  
Members are asked to recommend to Cabinet that the revised Local List for Validation of County Council Planning Applications (2012) be formally adopted.

- 12 Environment, Transport and Development Enforcement Policy** (Page **137**)  
Members are asked to consider the proposed enforcement policy and comment ahead of recommendations to Cabinet.

- 13 Norfolk Rail Prospectus** (Page **159**)  
Members are asked to comment on the Norfolk Rail Prospectus prior to its agreement by Cabinet.

**14 Environment, Transport and Development Service and Budget Planning 2013 to 2015.** (Page **179**)

Members are asked to consider and comment on the provisional finance settlement for 2013-14 and the information on spending pressures and savings for Environment, Transport and Development which have not changed since reporting in November and the cash limited budget for 2013-14.

	<b>Group Meetings</b>	
<b>Conservative</b>	<b>9.30am</b>	<b>Colman Room</b>
<b>Liberal Democrats</b>	<b>9.30am</b>	<b>Room 504</b>

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

Date Agenda Published: Tuesday 8 January 2013



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

### **Minutes of the Meeting held on 14 November 2012**

#### **Present:**

Mr R Wright (Vice-Chairman)

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

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

Mr N Dixon	Community Protection
Mr G Plant	Planning and Transportation
Mrs A Steward	Economic Development

#### **Deputy Cabinet Member present:**

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

#### **Also Present:**

Mrs J Murphy

### **1 Apologies**

Apologies were received from Mr A Byrne, Mr B Borrett , Mr I Mackie, Dr M Strong (Mr M Brindle substituted) and Mr T Tomkinson.

### **2 Minutes of the meeting held on 17 October 2012**

- 2.1 The minutes of the meeting held on 17 October 2012 were agreed as an accurate record and signed by the Chairman.
- 2.2 The Director for Environment, Transport and Development updated the Panel on the Councillor Call for Action brought to the 17 October 2012 meeting by Cllr John Dobson. He informed the Panel that Natural England (one of the key stakeholders) had indicated that they could not attend a panel meeting at

this time and they felt that they may not have anything to add to the views they have previously expressed. John Dobson had been made aware of Natural England's position and had expressed his view that the meeting should proceed with Natural England being invited.

- 2.3 The Director of ETD invited the Panel to consider how to proceed, and highlighted the following three options:
- a) Attempt to continue with the panel decision as proposed
  - b) Let the Modification Order run its course and then take action once the status of the right of way had been made clear
  - c) The Panel could nominate a small working group to meet with the local parties so they could understand the issues and then decide how to proceed following that meeting.
- 2.4 Following a proposal by Mr White which was seconded by Mr Duigan it was **RESOLVED** that a small working group should be set up to progress this issue and the topic would be added to the Scrutiny Forward Work Programme.

### **3 Declarations of Interest**

There were no declarations of interest.

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

There were no items of urgent business.

### **5 Public Question Time**

No public questions were received.

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

No Local Member issues/questions were received.

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

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.

**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 Vice-Chairman notified the Panel that a request had been made by Mr John Martin to add "Waste PFI Contract, the 'second bite' provision" to the ETD O&S Panel Scrutiny Forward Work Programme. He added that Cabinet Scrutiny Committee had discussed the same request at their meeting on 23 October and had decided that the questions raised by Mr Martin were hypothetical and that they did not wish to pursue them at this stage. However, Cabinet Scrutiny Committee had agreed that if the Secretary of State refused the planning application, the Committee would then consider the issues raised by Mr Martin.

The Panel **AGREED** that the questions raised were hypothetical and did not wish to pursue them. As Cabinet Scrutiny Committee had already indicated that they would consider the topic in the event that the Secretary of State refused the application, ETD O&S should not progress the issue further.

The Director of ETD would arrange for Mr Martin to be informed of the Panel's decision.

- 8.3 Sarah Rhoden, Senior Business Support Manager (Development and Processes) agreed to update the Scrutiny Forward Work Programme to include the Councillor Call for Action regarding the signs erected at Snettisham Beach by local property owners and the ensuing dispute (as agreed at 2.4)

The Panel agreed that the following Members would form the working group:

Mr A White  
Mr B Spratt  
Mrs H Thompson  
Dr M Strong

Mr J Dobson would also be invited to attend.

**RESOLVED** that the report be noted.

## **9 ETD Procurement of Highway and Related Services**

- 9.1 The Panel received the annexed report (9) by the Director of Environment, Transport and Development and the Head of Procurement, setting out the Outline Business Case (OBC) for consideration by Members, the proposed approach to the new highway and related services contracts which need to be in place by April 2014.
- 9.2 During the presentation of the report by the Assistant Director, Highways and the Head of Procurement, the following points were noted:

- The Panel were asked to agree the evaluation criteria as set out on pages 72, 73 and 74 of the agenda papers as this evaluation criteria would be used to evaluate the bids and ultimately decide the award of the contracts.
- It was the intention that the Official Journal of the European Union (OJEU) notice for the Works Contract would be published during December 2012, with the Professional Services OJEU notice being published in February 2013.
- Three contracts were proposed:
  - Contract A – Works.
  - Contract B – Professional Services.
  - Contract C – Traffic Signals. This contract would be considered by Cabinet in early 2013.
- The Panel were asked to agree that the report recommending the award of the Works Contract would be reported directly to Cabinet, without being presented to the ETD O&S Panel.
- The date contained within the key milestones section of the report should read December 2012 and not as published within the agenda papers.

9.3 The Cabinet Member for Planning and Transportation reassured the Panel that the Cross-Party Member Board was overseeing this procurement project and that the Panel would receive regular updates on the progress.

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

- The Director of ETD reassured the Panel that the decision to take the award of contract directly to Cabinet would not preclude the Panel from being able to scrutinise the procurement as it was very important that the evaluation criteria be approved by the Panel as it was this criteria that would ultimately determine who would win the contracts.
- Members were very pleased to note that the promotion of apprenticeships and investment in the local community had been included within the evaluation criteria.
- The Membership of the cross-party member board include:
  - Cabinet Member for Planning and Transportation (Chairman)
  - Cabinet Member for Efficiency
  - Cabinet Member for Finance
  - Deputy Cabinet Member for Planning & Transportation
  - Representative from the Liberal Democrat Group (James Joyce)
  - Representative from the Green Group (Richard Bearman)
- Although no discussions had taken place with regard to the payment of a living wage within the evaluation criteria, as this was an aspiration rather than a given criteria, specific mention had been included



regarding the payment of a minimum wage.

- The costs incurred in employing outside consultants on this proposal amounted to less than £50,000.

## 9.5 RESOLVED

- i) That the Outline Business Case for the procurement of the Works and Professional Services providers be noted.
- ii) To recommend that Cabinet approved the evaluation criteria set out in the Outline Business Case.
- iii) To recommend that Cabinet approved the approach outlined and endorsed three separate contracts.
- iv) To note that the report recommending the award of the Works Contract would be reported directly to Cabinet, without going via the ETD O&S Panel.
- v) To recommend that Cabinet approved the publication of the OJEU for the works contract and for the Professional Services contract in December 2012 .
- vi) To recommend that Cabinet approved the procurement programme phasing as set out in section C4.3 of the Outline Business Case.
- vii) To recommend that Cabinet delegate the award of the Professional Services and Traffic Signals Contracts to the Director of Environment, Transport and Development in consultation with the Head of Procurement and the Cabinet Member for Planning and Transportation.

## 10 Service and Budget Planning 2013/15 for Environment, Transport and Development

- 10.1 The Panel received the annexed report (10) by the Director of Environment, Transport and Development setting out the financial and planning context for the authority and gave specific service information for Environment, Transport and Development for the next financial year.
- 10.2 Members were asked to consider the revised service and financial planning context and assumptions and the revised spending pressures and savings for ETD.
- 10.3 The following points were noted during questions from the Panel:
  - ETD had a number of examples of how they had generated income for the County Council, one of which was the traffic permitting scheme which would raise £400k in 2013/14. The Director of ETD reassured the Panel that it would continue to be creative and to explore opportunities for further income generation.
  - The Cabinet Member for Planning and Transportation reiterated that, following the Big Conversation consultation, approximately £17m savings would have been made by 2013. He asked the Panel to appreciate how the service had been transformed following the Big

Conversation and the challenges which still needed to be faced to make further savings over the next few years.

- Members were pleased to note that significant progress had been made in reducing road traffic casualties on Norfolk's roads over the last ten years and this figure had now dropped to less than 300 per year.
- The scheme to introduce a Permit Scheme for Norfolk under the Traffic Management Act 2004 was likely to lower highways service costs by approximately £400,000 in 2013/14 and £800,000 per annum thereafter. This scheme would assist local highway authorities to reduce the congestion and disruption caused by utility companies undertaking works on the highway. It was intended that this Permit Scheme for Norfolk would go live on 1 October 2013.
- The savings from the Public Rights of Way (PROW) identified within the Big Conversation were likely to be removed by Cabinet as savings from other areas had been identified in the strategic review.
- ETD was developing a scheme to progress the enforcement of parking restrictions. This would help to provide a sustainable scheme of operation which in turn would ensure that in areas where parking was restricted, the restrictions were enforced. The District Councils were discharging this function under delegated agreements to the County Council.
- The Cabinet Member for Economic Development thanked officers for the excellent report. She said the growth strategy had achieved so much with less money being available and this was all down the dedication and creativity of the officers involved.
- In order to ensure that all roads remained in good condition for travellers, affordable, tested materials and procedures had been sourced and were used during the continuous cycle of highway maintenance.
- It would be the responsibility of each County Councillor to ensure that their Parish Councils and other contacts knew how to report problems with potholes and other highway problems. Problems on the highway can be reported by using the following link:  
<https://online.norfolk.gov.uk/HighwayProblemReport/>
- The links between the economy and health were an important part of the health and wellbeing agenda and would need some further work to ensure consistent levels of improvements could be maintained. Initiatives such as road safety campaigns, planting trees to help raise the health and wellbeing for the people of Norfolk and developing healthy lifestyles were being investigated and developed.

10.4 **RESOLVED** to note the report.

## **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, updating the Panel on progress made against the 2012/15 service plan actions.

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

- ETD Energy (fossil fuels) consumption (Carbon dioxide emissions) had moved from red to amber.
- The cumulative sickness absence per full time employee (FTE) was currently 5.5. The Norfolk County Council target was 6.6 days per FTE and if the current trend continued the end of year position for ETD was likely to be 6.05 days per FTE which was less than the NCC target but slightly higher than the ETD departmental target of 5.5 per FTE.
- Data for the period July-September 2012 has been released indicating an additional 870 dwellings were built in Norfolk in quarter 2. This is a considerable improvement on quarter 1, when the figures suggested only 470 dwellings were built. However, despite being much closer to the 981 target, the performance is still noted as being red.
- Good progress was being made against all the targets within the plan.

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

- The main concerns raised by the public regarding part night lighting were around the perception of safety and possible vandalism. There was no evidence to show that there had been a rise in anti-social behaviour as a result of the part-night lighting, although the Police would continue to monitor the situation where part-night lighting had been implemented.
- Considerable savings had been made in areas where part-night street lighting had been implemented and Members were reassured that no instances of criminal activity had been reported as a result of part-night lighting.
- Members requested that the actual timings of the switching off of the street lights be monitored as it had been reported that some lights had been switched off 20 minutes earlier than the planned and published time.
- The Tour of Britain had been well received when it had visited Norfolk earlier in the year and it was hoped that it could be brought back to Norfolk next year.

- The Community Construction Fund had been launched in September 2012 and the first round of bidding had closed in October 2012. The scheme had proved very popular with a number of bids being received. A cross-party panel would meet in December to discuss the bids and decide which of these were successful and would receive funding. A range of schemes had been bid for, from extensions to community facilities such as kitchens and toilets, to bus shelters. To be eligible for funding any community submitting a bid needed to have the endorsement of their County Councillor.

11.4 **RESOLVED** to note the report.

**12 The County Council's Economic Growth Strategy Half Year Progress Report.**

12.1 The Panel received the annexed report (12) by the Director of Environment, Transport and Development, updating the Panel on the delivery of the Council's Economic Growth Strategy which was approved by Cabinet in April 2012.

12.2 During the presentation of the report, Members' attention was drawn to the following:

- Enterprise Norfolk, a new business start up programme, had been launched. The scheme would provide advice and support to anyone who wished to start up their own business. The Cabinet Member wished to thank the District Councils for tailoring delivery to local needs and for aligning their funding to the County Council funding.
- The next phase of the World Class Norfolk campaign was being explored. Following the Cabinet Member for Economic Development's visit to China earlier in the year, delegations from a number of large overseas companies had visited Norfolk, Suffolk and Essex to see what benefits the counties could bring to their businesses. It was hoped that this initiative would bring some benefits to Norfolk by opening up different ways of working and raising the profile of Norfolk.
- The Apprenticeships scheme had been launched in September and had proved very popular, receiving positive feedback.
- The Cabinet Member for Planning and Transportation would be visiting Westminster in December to present a Business Case for improving the A47 from Great Yarmouth to Peterborough.
- A draft Rail Prospectus for Norfolk had been launched at a Rail Conference held in October 2012. The prospectus had been very well received. Four MPs had attended the conference and provided feedback on the prospectus, after which they had lobbied Ministers individually about improving the services.

12.3 In response to questions from the Panel, the following points were noted:

- All libraries had access to 'COBRA' (Complete Business Reference Advisor) which was an online encyclopaedia and reference resource giving business facts and detailed guides to help people wanting to start their own business. This was a free service in all libraries which was available to everyone including the disabled community. Individuals could click on an area they were interested in and it would give them the information they required. Mentors were also available by telephone to give advice and assistance on producing a business plan.
- The District Councils were working closely with the County Council to progress apprenticeships schemes. In an effort to raise ambitions and aspirations amongst residents, the Cabinet Member for Economic Development would circulate a briefing which could be handed out at Parish Council meetings to help raise awareness of the scheme.
- Members congratulated the officers for progressing all the initiatives included in the report whilst facing the County Council's current financial pressures.
- The Cabinet Member for Planning and Transportation confirmed that the work of the Heritage Railways had been included within the Norfolk Rail prospectus which had been launched in October 2012. The Rail Prospectus was now subject to consultation and it was expected that Cabinet would sign off the Prospectus in early 2013.
- The Cabinet Member for Planning and Transportation agreed to let Mr East have further information regarding the improvement schemes to the Longwater junction after the meeting.
- In an attempt to reduce delays caused by trains waiting at the Bow junction, and to reduce journey times and increase capacity, to London Liverpool Street station, East Anglian local authorities had requested Network Rail consider making improvements. The full cost of these improvements would be approximately £300m.
- The High Level Output Specification (HLOS) for rail was currently being considered. MPs had been involved in the drafting of the HLOS and supported the case for improvements to the railways across East Anglia to improve reliability, journey times, better quality carriage stock and better infrastructure.
- The Deputy Cabinet Member for Planning and Transportation was very pleased that the County Council had recently let 7 fully equipped County Farms and 11 bare parcels of land. He added that this was a good news story and it was important that the County Council retain their farm land.

12.4 **RESOLVED** to note the report

**13 Traffic Management Act – Norfolk Permit Scheme for Street Works**

13.1 The Panel received the annexed report (13) by the Director of Environment, Transport and Development, setting out the options for the delivery of a permit scheme for Norfolk.

13.2 In introducing the report the Highways Network Manager informed the Panel that the current practice was that the utility companies informed Norfolk County Council of their intention to work within the highway on a particular date. Under the new permit scheme they would need to give more certainty so that the County Council could make the necessary arrangements to publicise the works and where necessary inform bus companies, so they could make arrangements to divert buses, alter timetables, etc to try to reduce congestion and disruption to road users.

13.3 Norfolk County Council would also comply with the scheme and would also require a permit if they wished to carry out any of its own improvement or maintenance works within the highway.

13.4 The scheme would give the County Council stricter control of street works and also the scope to recover some of the costs when works had not been undertaken appropriately, for instance completed within the specified permit dates.

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

- Any person wanting to open the highway for any reason would require a permit from Norfolk County Council.
- The income, which should only cover the Council's costs in dealing with such matters, from the scheme would depend on the actual work undertaken and the fees levied.
- A meeting was to be held on 29 November to look at the issues faced by disabled people when street works were carried out, as priority in many cases appears to be given to traffic rather than pedestrians. Guidance would also be provided to the utility companies and the Council's own workforce about balancing pedestrian requirements with the need to keep traffic flowing.
- The loss of income from reduced parking when streetworks were carried out was not included within the permit scheme, although it was noted that the utility companies (Statutory Undertakers) had provision within the legislation that gave them powers for paying compensation to those unreasonably affected by such street works.
- If utility companies needed to carry out emergency opening of a

highway, the work could be carried out without the need to secure a permit in advance with the paperwork being completed at a later date. It could cause problems if the emergency was on a route already being used as a diversion, but such incidents would need to be resolved as they happened.

**13.6 RESOLVED to**

- i) Support the development of a Full Permit Scheme (as set out in Appendix 1, Option 4 of the report) for use as the basis for developing a Permit Scheme for Norfolk.
- ii) Note that a Project Team would be set up to develop and implement a Permit Scheme using funding drawn down from Highways reserves on the basis that such funding would be recovered through the scale of Permit fees charged during the initial operation of any scheme introduced.

**14 The Economic Benefits of the Norse Group Ltd to Norfolk – Executive Summary**

- 14.1 The Panel received the annexed report (14) by the Chair of the Norse Shareholder Committee and the Managing Director of the Norse Group Ltd, which gave a brief overview of the Economic Impacts of the Norse Group, final report to the Norse Group. The report explained how the Norse Group Ltd impacted on the wider economy of Norfolk, in addition to its direct financial contribution to Norfolk County Council. The report was introduced by the Deputy Cabinet Member for Efficiency and the Managing Director of the Norse Group Ltd.
- 14.2 The figures within the report were based on 2011/12 financial year and since then the group had grown by 15%.
- 14.3 Members thanked Norse Group Ltd for their contribution to Norfolk's economy and the fantastic job they were doing in employing local people.
- 14.4 The Cabinet Member for Economic Development congratulated Norse Group Ltd on their enthusiasm for the apprenticeships scheme and noted it was going well.
- 14.5 **RESOLVED** to note the report

(The meeting closed at 12.40 pm)

**Chairman**

## **Cabinet Member feedback on previous Overview and Scrutiny Panel comments**

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

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

### **Economic Development issues**

Report/issue	<b>Economic Growth Strategy Half Year Progress Report</b>
Date considered by O&S Panel:	14 November 2012
O&S Panel comments:	Agreed to note the report.
Date considered by Cabinet:	3 December 2012
Cabinet feedback:	Agreed that progress on the delivery of the strategy be noted.

### **Planning and transportation issues**

Report/issue	<b>ETD procurement of highway and related services</b>
Date considered by O&S Panel:	14 November 2012
O&S Panel comments:	Agreed: <ul style="list-style-type: none"><li>• That the Outline Business Case for the procurement of the Works and Professional Services providers be noted.</li><li>• To recommend that Cabinet approved the evaluation criteria set out in the Outline Business Case.</li><li>• To recommend that Cabinet approved the approach outlined and endorsed three separate contracts.</li><li>• To note that the report recommending the award of the Works Contract would be reported directly to Cabinet, without going via the ETD O&amp;S Panel.</li><li>• To recommend that Cabinet approved the publication of the OJEU for the works contract and for the Professional Services contract in December 2012.</li><li>• To recommend that Cabinet approved the procurement programme phasing as set out in section C4.3 of the Outline Business Case.</li><li>• To recommend that Cabinet delegate the award of the Professional Services and Traffic Signals Contracts to the Director of Environment, Transport and Development in consultation with the Head of Procurement and the Cabinet Member for Planning and Transportation.</li></ul>



Date considered by Cabinet: 3 December 2012

- Cabinet feedback: Agreed:
- The content of the Outline Business Case for the procurement of the works and Professional Services providers be approved.
  - The evaluation criteria set out in the Outline Business Case be approved.
  - The approach outlined - including three separate contracts - be approved.
  - The award of the Works contract be approved without consideration by the Environment, Transport and Development Overview and Scrutiny Panel.
  - The publication of the OJEU contract notices for the Works and Professional Services contracts in December 2012 be approved.
  - The procurement programme phasing set out in section C4.3 of the Outline Business Case be approved.
  - The award of the Professional Services and Traffic Signals contracts and the making of any consequential arrangements be delegated to the Director of Environment, Transport and Development in consultation with the Head of Procurement and the Cabinet Member for Planning and Transportation.

## Community Protection issues

No items discussed at Cabinet.

## Environment and Waste issues

No items discussed at Cabinet.

## Officer Contact

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

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



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## **Forward Work Programme: Scrutiny**

Report by the Director of Environment, Transport and Development

### **Summary**

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

### **Action required**

Members are asked to:

- i) consider the attached Outline Programme (Appendix A) and agree the scrutiny topics listed and reporting dates.
- ii) consider new topics for inclusion on the scrutiny programme in line with the criteria at para 1.2;
- iii) consider the feedback from the Member Working Group set out in section 3 and provided verbally at the meeting.

## **1. The Programme**

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

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

i) High profile – as identified by:

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

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

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

(iii) Quality – for instance, is it:

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

(iv) It is a Corporate Priority

- 1.3 Appendix B shows a list of the scrutiny projects relating to Environment, Transport and Development services completed in the last 12 months.

## 2. **Section 17 – Crime and Disorder Act**

- 2.1. The crime and disorder implications of the various scrutiny topics will be considered when the scrutiny takes place.

## 3. **Snettisham access signs – progress update**

- 3.1 At the last meeting, the Panel set up a Member Working Group to progress this scrutiny item, which was identified through a Councillor Call for Action submitted by Cllr John Dobson. The Working Group Members are Cllr Hilary Thompson (Chairperson), Cllr Antony White, Cllr Marie Strong and Cllr Bev Spratt. Working Group meetings are also attended by Cllr John Dobson.
- 3.2 The Working Group has carried out a site visit to see the signs and surrounding area. A meeting with stakeholders took place on 8 January 2013, and was attended by representatives from the following stakeholder groups:-
- Norfolk County Council
  - Natural England
  - Snettisham Parish Council
  - Snettisham Beach Property Owners Association
  - RSPB
- 3.3 The Working Group will update the Panel on progress verbally at the meeting.

## 4. **Equality Impact Assessment**

- 4.1. This report is not directly relevant to equality, in that it is not making proposals that will have a direct impact on equality of access or outcomes for diverse groups.

## **Action Required**

The Overview and Scrutiny Panel is asked to:

- (i) consider the attached Outline Programme (Appendix A) and agree the scrutiny topics listed and reporting dates;
- (ii) consider new topics for inclusion on the scrutiny programme in line with the criteria at para 1.2;
- (iii) consider the feedback from the Member Working Group set out in section 3 and provided verbally at the meeting.

## **Officer Contact**

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

<b>Name</b>	<b>Telephone Number</b>	<b>Email address</b>
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Sarah Rhoden	01603 222867	<a href="mailto:sarah.rhoden@norfolk.gov.uk">sarah.rhoden@norfolk.gov.uk</a>
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If you need this report in large print, audio, Braille, alternative format or in a different language please contact 0344 800 8020 and ask for Sarah Rhoden or textphone 0344 800 8011 and we will do our best to help.

## **Outline Programme for Scrutiny**

Standing Item for the Environment, Transport and Development O & S Panel: Update for 16 January 2013

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

Scrutiny is normally a two-stage process:

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

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

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

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

### **Changes to Programme from that previously submitted to the Panel on 14 November 2012**

#### **Added**

- Snettisham Access Signs.

#### **Deleted**

- None.

Topic	Outline Objective	Cabinet Portfolio Area	Stage 1 (scoping report)	Stage 2 (report back to Panel by Working Group)	Requested by	Comment
<b>Scrutiny Items – Active</b>						
1. Mobile Phone coverage for rural and urban areas in Norfolk	To review provision of effective mobile phone coverage for rural and urban areas in Norfolk.	Economic Development		Various	1 September 2009 (by a Scrutiny Task & Finish Group set up by the former ED&CS O&S Panel).	Being progressed by a Member Working Group, Chaired by Cllr Duigan. The Working Group met on 3 October 2012 and will update the Panel on progress at the next meeting.
2. The Future Role of the Forestry Commission Estate in Norfolk	To identify the potential implications for Norfolk if land currently managed by the Forestry Commission was sold.	Environment and Waste	Initial report considered at March 2011 Panel meeting		ETD O&S Panel – March 2011 meeting	Response to call for views from Independent Panel on Forestry agreed July 2011. The Panel received a report on the Independent Panel's finding in October 2012. A further report on Wild Anglia will be brought to the Panel in June 2013.
3. Snettisham Access signs	To achieve an agreed, unified view of the signs issue between the key responsible authorities in order to give the police a firm line to prevent further escalation in acts of criminal damage or violence	Environment and Waste	Councillor Call for Action submitted to Panel by Cllr Dobson		Councillor Call for Action submitted to Panel by Cllr Dobson – October 2012 meeting.	The Panel considered the CCfA at the October 2012. Following an update from officers at the November 2012 meeting, a Member Working Group was set up to progress this.

*Continued.../*

Scrutiny Items – Ongoing/identified for possible future scrutiny						
4. Broadband coverage for rural and urban areas in Norfolk	To review broadband coverage for rural and urban areas in Norfolk (following implementation of the Broadband for Norfolk project).	Economic Development	TBC	TBC	14 September 2011O&S Panel	

**Completed Scrutiny Items – last 12 months**

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

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



**Norfolk Economic Growth Strategy : Norfolk  
Infrastructure Fund Site Acquisition - update and draft  
proposals for the future use of RAF Coltishall**

Report by the Director of Environment, Transport and Development  
and Managing Director of NORSE

**Summary**

Operations at RAF Coltishall ceased in November 2006. Six years on from the closure, however, the Ministry of Justice had not been able to secure private sector investment in the rest of the site, and there was a risk that it would remain unsold, or bought speculatively and left unused. In June 2012, the County Council's Cabinet agreed to purchase the site to ensure it is brought into productive use as soon as possible, for the benefit of local people and the wider Norfolk economy. The Council 'exchanged' contracts on 5 December 2012 and at the time of writing this report was scheduled to 'complete' the site purchase on 8 January 2013.

This report updates Panel on draft proposals for use of the site. A 'zonal land plan' has been developed, taking into account the views expressed by the Community Liaison Reference Group, and details broad future uses for the site consistent with the vision of the previous Coltishall Task Group which the County Council participated in.

Further work will need to be carried out over the coming months and into the summer to develop a fully detailed Master Plan for this important site in the County. It is hoped to be able to adopt a final Master Plan in the Autumn. In the meantime, residents and businesses can continue to share their ideas about the future of the site by emailing [FutureofRAFColtishall@norfolk.gov.uk](mailto:FutureofRAFColtishall@norfolk.gov.uk) . The outline timetable for the Master Planning process is:-

- Ongoing - receive suggestions from residents and businesses about possible future uses;
- June 2013 - publish a consultation draft Master Plan for the site;
- Autumn 2013 – adopt a final Master Plan.

The Director of Environment, Transport and Development and Managing Director of NORSE, in liaison with the Member Steering Group, will agree and progress business cases for individuals projects and schemes, subject to approval through relevant planning and statutory processes.

**Action Required**

That Panel:

- (i) consider and comment on the progress being made to develop proposals for the future use of the RAF Coltishall site and engage local communities, to inform further detailed work on Master Planning.

## **1.0 Background**

- 1.1 Operations at RAF Coltishall ceased in November 2006. Six years on from the closure, however, the Ministry of Justice had not been able to secure private sector investment in the rest of the site, and there was a risk that it would remain unsold, or bought speculatively and left unused. MoJ was encouraging when we suggested we might be willing to take a direct interest. We were also aware that there was a wide local interest in the site that was likely to be excluded from the MoJ sale process.
- 1.2 In June 2012, the County Council's Cabinet agreed to purchase the site to ensure it is brought into productive use as soon as possible, for the benefit of local people and the wider Norfolk economy. The Cabinet agreed in December to allocate further funding to enable a dedicated Project Team to be formed, develop the Master Plan and to identify, market and progress the best opportunities to develop the site and generate income for the Council. Funding was also agreed to support the delivery of essential infrastructure required to improve the site, including upgrading access to the site, upgrading public utility services and heritage/access interpretation.
- 1.3 The Council 'exchanged' contracts on 5 December 2012 and at the time of writing this report was scheduled to 'complete' the site purchase on 8 January 2013.
- 1.4 Work to date has been overseen by a Member Steering Group comprising the Deputy Leader, Cabinet Member for Efficiency and Cabinet Member for Economic Development.

## **2.0 Draft proposals**

### **2.1 Engagement with local partners**

- 2.1.1 A Community Liaison Reference Group has been established to engage local partners in advising on proposals for the re-use of the site. The Group, which is Chaired by the Cabinet Member for Efficiency, has been opened up for representatives of those organisations/groups who work with and/or represent the local communities and partners to join, including Parish and District Councils, Resident's Committees and the Spirit of Coltishall Association. A copy of the Terms of Reference for the Group is included at Appendix A.
- 2.1.2 The Reference Group has met twice, and discussions to date have focussed around the development of the 'zonal land plan' and the County Council's initial ideas about future uses of the site (the very early stage of Master Planning). Officers have also attended individual Parish Council meetings and arranged for Reference Group members to visit the site.

### **2.2 'Zonal land plan'**

- 2.2.1 A 'zonal land plan' has been developed. This plan, included at Appendix B, details broad future uses for the site. These uses reflect those included in the County Council's bid to the Ministry of Justice and the key reasons why the County Council sought to purchase the site (summarised in the information note at Appendix C).

They are also consistent with the vision of the previous Coltishall Task Group which the County Council participated in. This includes suggesting areas of the site as suitable for:-

- Agriculture/limited renewable energy use/possible small scale camping and associated uses;
- Storage/manufacture;
- Employment/training (including ancillary residential accommodation);
- Residential/care;
- Residential/allotments.

2.2.2 The purpose of the 'zonal land plan' is to broadly set out potential uses only in the context of the site's purchase. Clearly, there could be a number of different options that could be considered under each of the outline potential uses for example there are various options available to improve walking and cycling links. The 'zonal land plan' has evolved over time taking into account views expressed by the Reference Group and comments received direct from those individuals or businesses that have provided views via the Council's dedicated RAF Coltishall web pages. The 'zonal land plan' has been agreed by the Member Steering Group.

## **2.3 Developing a detailed Master Plan**

2.3.1 Further work will need to be carried out over the following months to develop a fully detailed Master Plan for the site. Preparation of a Master Plan for this important site will be a significant exercise and will include detailed considerations regarding the broad uses shown on the zonal land plan, and other matters for example; traffic considerations, access routes, heritage proposals, ecology surveys etc. The Master Plan will be developed in accordance with the Local Development Frameworks of North Norfolk District Council and Broadland District Council.

2.3.2 Some early thinking on possible future uses for the site has been shared with the Community Liaison Reference Group. These include:-

- Potential removal of aggregate;
- Improving public access and accessibility to the site;
- Heritage trails;
- Community allotments;
- Improving links to both the Bure Valley Railway and Bure Valley Walk
- Relocation of community woodland.

2.3.3 We have received suggestions from local residents and businesses about future uses for the site. These ideas, which will help inform our master planning considerations, include:-

- Aviation museum;
- Using part of the runway for Solar PV panels
- Using hangers for TV/film venue;
- Training facilities;
- Sports facilities;
- Storage;

- Youth club;
- Wildlife garden.

- 2.3.4 We will be engaging with the Community Liaison Reference Group, local partners and key stakeholders to develop the detailed Master Plan. A full list of the potential uses that have been suggested to the Council is attached at Appendix D. An initial appraisal of each of the users proposed is included in the appendix. The uses have been grouped into those that will be taken forward into the Master Planning work because they accord with the Zonal Plan and have the potential with further work to be deliverable within the context of the former RAF base, and those that are unlikely to be taken forward into the Master Plan because they are considered either contrary to the Zonal Plan or currently viewed as undeliverable. Notwithstanding the current assessment the Council will consider any credible proposal that is submitted with worked up Business Case supported by a sustainable funding model. The final Master Plan will be agreed by the Member Steering Group and the Environment, Transport and Development Overview and Scrutiny Panel.
- 2.3.5 At the time of writing this report preparations are being made to discuss the initial assessment of the uses proposed with the Community Liaison Reference Group. Panel will be updated verbally on any comments made during the reference group discussions.
- 2.3.6 In addition, the Badersfield Residents Campaign Committee for the Protection and Development of ex-RAF Coltishall (who are represented on the Community Liaison Reference Group) have submitted a petition to the County Council signed by 82% of Badersfield residents. The petition says:-
- In regards to the County Council's potential purchase of ex RAF Coltishall, we the undersigned residents:-
1. Oppose the digging up and removal of the runway.
  2. We oppose the installation of wind turbines.
  3. We support the installation of a solar farm (approximate area 200-250 acres).
  4. We support the development of ex RAF Coltishall as a fully intact base, including the runway, and its promotion as a regional and national historical monument and the erection of a memorial to the servicemen and women who gave their lives whilst in RAF service.
- 2.3.7 The Council continues to seek views about possible uses for RAF Coltishall and encourage people and organisations to make any suggestions they have so that they can feed into the Master Planning process. The initial outline timetable for the Master Planning process is:-
- Ongoing - receive suggestions from residents and businesses about possible future uses;
  - June 2013 - publish a consultation draft Master Plan for the site;
  - Autumn 2013 – adopt a final Master Plan.
- 2.3.8 The site is already home to a number of tenants, like part of Norfolk Constabulary who conduct specialist training activities, established under arrangements set up by

the MoJ. The Council is working to determine both the short and longer term future of the uses that exist currently on the site. Work is also in hand to bring forward small scale regeneration opportunities that have already been suggested, which conform with the Zonal Land Plan and are backed by a viable and sustainable Business Case.

- 2.3.9 There has been speculation about the prospect of Norwich International Airport (NIA) and / or related associated aviation industries relocating to the former RAF base. Notwithstanding the problems that would arise for passengers in moving the airport further north in the County (in a less accessible location than its current home in Norwich, with good road links and bus access to Norwich City Centre, Norwich Rail station and the Council's Bus Station) there is no economic or business rationale for such a relocation. NIA's current site is appropriate to cater for current and future needs. Both air and land side facilities have ample capacity to cater for predicted future growth and there is scope to further expand, for instance lengthen the runway, if additional capacity was required.
- 2.3.10 Relocating NIA would impact on a number of aviation related local businesses who are firmly embedded near to the existing airport. Many of these businesses have invested heavily in recent years, for example the £10m investment by Air Livery in a new facility, which comes on top of recent investments by Klyne Aviation in a state of the art aviation centre, Bristow Helicopters, Bond Helicopters and KLM UK Engineering. These investments, together with the £15m recently invested by the Airport itself, would all have been made with an eye on the long term.

## **2.4 Access Strategy:**

- 2.4.1 Initial discussions about the site have shown that getting the right access strategy in place is key to not only ensuring adjacent residents and local communities are protected from the adverse impact of traffic generated by the site, in particular HGVs, but also to enhance its attractiveness to businesses wishing to invest in the site.
- 2.4.2 Discussions are at an early stage but there appears to be a consensus forming about how the uses set out on the zonal plan should be accessed and how the site, which for many years been restricted in terms of public access, could be opened up to improve access to key facilities on the site and ease movement between the various local communities that bound the former RAF base
- 2.4.3 The site when in operation as an RAF base gave rise to a certain level of traffic generation. As the Master Plan is developed, and when individual proposals come forward, the profile of traffic movements will be assessed against historic information. As with any other development proposal the Council will seek to ensure that any adverse impacts are avoided or mitigated. It is anticipated that a full review of the local highway network surrounding the site will be undertaken as part of the Master Planning work and where necessary a programme of local highway improvements developed in order to protect highway safety.

## **2.5 Heritage:**

2.5.1 The Council has worked with the Community Liaison Reference Group, and is working with The Spirit of Coltishall Association and English Heritage to develop an appropriate approach to the site's heritage. The work undertaken to date has focused on a number of principles which will help to inform the Master Planning work that lies ahead. Namely that the Council will:-

- Retain and manage the designated heritage assets;
- Retain the most significant undesignated heritage assets;
- Ensure that the most significant buildings are kept in use;
- Retain features, such as military artwork, where possible;
- Seek to maintain and enhance the Conservation Area;
- Make the site's heritage accessible to local people and visitors;
- Replace by record those heritage assets that cannot be preserved;
- Work with those who seek to keep the site's history alive.

2.5.2 The Landscape Group at the University of East Anglia (including Professor Tom Williamson, Dr Rob Liddiard and Dr Richard Maguire - an expert on the Cold War) have been commissioned to prepare an independent *Statement of Heritage Significance* to inform our emerging proposals, and this work is currently in progress. This will include below-ground archaeological remains, historic landscapes, buildings and military remains from World War Two up to and including the closure of the base in 2006. We are also working with the Spirit of Coltishall Association on an initial assessment of significance of each and every building and structure.

2.5.3 Once the Master Plan is finalised, work will then focus on agreeing individual projects and schemes from the Master Plan to take forward. The Director of Environment, Transport and Development and Managing Director of NORSE, in liaison with the Member Steering Group, will agree and progress business cases for individuals projects and schemes, subject to approval through relevant planning and statutory processes.

## **3.0 Resource Implications**

### **3.1 Finance :**

3.1.1 In December, the Cabinet agreed to allocate £572,500 to enable a dedicated project team to be formed, develop the Master Plan and to identify, market and progress the best opportunities to develop the site and generate income for the Council. A further £1m has been allocated from the Norfolk Infrastructure Fund to support the delivery of essential infrastructure required to improve the site and bring forward its beneficial reuse at the earliest opportunity, whilst exploring other funding sources. We expect the site to generate a significant income stream that can help the council in its move to much less reliance on Government funding moving forward. In addition, we estimate the site is capable of sustaining several hundred jobs in the longer term.

- 3.1.2 Moving forward, consideration will be given to any credible proposal that is submitted with worked up Business Case supported by a sustainable funding model. Business cases will need to demonstrate a return on investment for the Council, although this may be over a period of time, or demonstrate clear community benefits and support the delivery of the County Council's core role.

### **3.2 Staff :**

- 3.2.1 Arrangements are underway to set up a dedicated project team to take this work forward.

## **4.0 Other Implications**

- 4.1 **Legal Implications :** Individual proposals for the use of the site would be subject to the relevant planning permission or other statutory process.
- 4.2 **Equality Impact Assessment (EqIA) :** Opportunities to address inequalities can be fully considered as part of exploring the potential options for the site, particularly in terms of accessibility and access to employment opportunities.
- 4.3 **Communications :** It will be important to ensure communities are kept updated about progress and that the site is appropriately marketed to ensure that opportunities for future development and can be identified and progressed.

Special open days for the local community, businesses and the former RAF community are also being planned to take place, once the sale is complete. This will help to maximize interest from the business/agricultural communities at the earliest opportunity, giving them an opportunity to look at the existing and potential opportunities. It will also enable local communities and stakeholders the opportunity to give feedback and share ideas for the future use of the site. Other activities to support this will also be needed, including developing detailed information to inform interested businesses and to explain the opportunities available.

- 4.4 **Environmental Implications :** The site is in a Conservation Area and some of the structures are designated as Scheduled Monuments. We will work with North Norfolk and Broadland district councils, English Heritage and other stakeholders on managing change to any heritage assets and their settings.
- 4.5 **Any other implications :** Officers have considered all the implications which members should be aware of. Apart from those listed in the report (above), there are no other implications to take into account.

## **5.0 Section 17 – Crime and Disorder Act**

- 5.1 Potential crime and disorder implications (both positive and negative) would be considered as part of the work with others to explore the detailed individual proposals for the site.

## Action Required

That Panel:

- i) consider and comment on the progress being made to develop proposals for the future use of the RAF Coltishall site and engage local communities to inform further detailed work on Master Planning.

## Background Papers

11 June 2012 Cabinet report - Norfolk Economic Growth Strategy : Norfolk Infrastructure Fund Site Acquisition

3 December 2012 Cabinet report - Norfolk Economic Growth Strategy : Norfolk Infrastructure Fund Site Acquisition - update and draft proposals for the future use of RAF Coltishall

## Officer Contact

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

Name	Telephone Number	Email address
Tim Edmunds	01603 224435	<a href="mailto:tim.edmunds@norfolk.gov.uk">tim.edmunds@norfolk.gov.uk</a>



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## **Future of the RAF Coltishall site**

### **Community Liaison Reference Group Terms of Reference**

#### **1.0 Background**

- 1.1 The County Council's core role includes 'Speaking up for Norfolk' and 'Economic Infrastructure'. The County Council has also agreed an Economic Growth Strategy, with key themes including improved infrastructure, business support and skills.
- 1.2 To support the delivery of its core role and Economic Growth Strategy, the County Council's Cabinet, at their meeting on 11 June, agreed to purchase the RAF Coltishall site. The site represents a major economic asset with a variety of possible uses, and with significant potential to benefit the local and wider economy of Norfolk.
- 1.3 There are a wide range of potential uses for the site, from airfield and business related use, to leisure and heritage, with lots more in between; taking into account Local Plans and national guidance. In developing a way forward, the County Council will seek to deliver maximum benefit to Norfolk people. It also recognises that to deliver this community liaison is a key element and has agreed to set up a Community Liaison Reference Group to support this.

#### **2.0 About the site**

- 2.1 RAF Coltishall was first established as a bomber station, but pressed into use as a fighter station in May 1940. It has runways and hangar buildings associated with establishments built to support the Second World War effort. The base remained as an operational facility in the period following the War as a Cold War fighter station, serving as the lead Jaguar station from 1974 until April 2006. Operations ceased entirely in November 2006.
- 2.2 The site lies approximately 20 kilometres north of Norwich. It is situated 5 kilometres north of the village of Coltishall. The site straddles an area covered by both North Norfolk and Broadland District Councils, and is within designated conservation areas.
- 2.3 Both Aylsham and North Walsham have historically had a relationship with the base in terms of providing accommodation for service families and in the provision of goods and services to service personnel and their families. Both towns, as well as the surrounding rural areas, suffered due to the substantial loss of spend from the base as well as that from service personnel.
- 2.4 In 2008, the site was passed over from Defence Estates to the Ministry of Justice (MoJ), who developed a Category C prison on the site – utilising the old single airmen's H blocks. The prison opened as HMP Bure in November 2009,

with a further phase being completed in March 2010, and can house up to 523 offenders.

- 2.5 The site, some 600 acres, comprises the secure airfield and its associated technical/administrative areas, a single runway which runs south-west to north-east (length = 2,525 metres), extensive perimeter taxiways and a wide range of buildings/structures within the boundaries of the site. Most of the functional buildings are concentrated in the north-west corner of the site area; although a large number of secure bunker type structures, served by internal roads, exist along the eastern boundary of the site. Some of these are designated as Scheduled Monuments. The majority of permanent buildings on the site are believed to date from the periods 1937 to 1940 and 1970 to 1989.

### 3.0 **Role of the Community Liaison Reference Group**

- 3.1 The County Council will be setting up a Project Team to implement the project, and the Community Liaison Reference Group will provide advice to the project team.

The role of the Community Liaison Reference Group is to:-

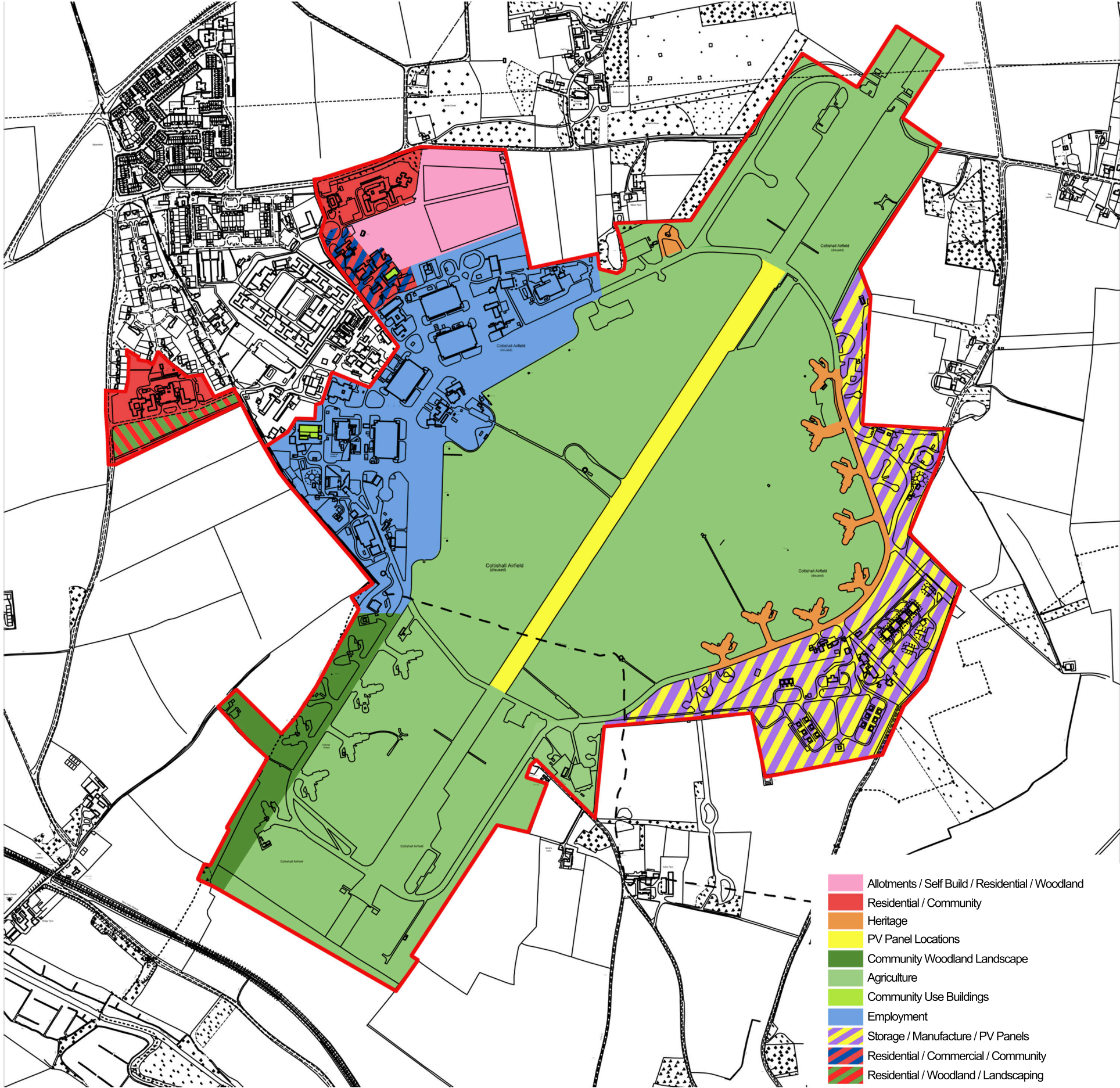
- Enable local partners to advise the County Council about the needs, concerns and expectations of local partners, and how these could be met;
- To identify and discuss potential uses for the site, including considering the potential benefits and opportunities for local communities;
- To advise the County Council on appropriate ways to engage with the wider community e.g. open-days and presentations, as appropriate;
- Receive updates from officers about the project.

### 4.0 **Membership of the Group**

- 4.1 The Group will be Chaired by the Cabinet Member for Efficiency, supported by relevant officers from the County Councils Project Team. The Cabinet Member for Economic Development will be the Vice Chair, and the Deputy Cabinet Member Children's Services - Vulnerable Children, the Voluntary Sector and Localism will also attend.
- 4.2 The Group will be open for representatives of those organisations/groups who work with and/or represent the local communities and partners.
- 4.3 It is not intended to limit the membership of this Group to certain organisations/groups, and all those representing local communities and partners are welcome to attend and participate. However, to help keep the Group to a manageable size, organisations/groups will be asked to nominate a maximum of two individuals to represent them on this Group (with substitutes to attend for occasions these individuals are not available).
- 4.3 The following is a list of those organisations identified as those who may wish to nominate individuals to join this group (noting that this is not intended to be an exhaustive list of organisations/groups represented):-
- Scottow Parish Council;

- Coltishall Parish Council;
  - Horstead with Stanninghall Parish Council;
  - Buxton with Lamas Parish Council;
  - Spirit of Coltishall Association;
  - Badersfield Campaign Committee for the Protection and Development of ex RAF Coltishall;
  - HMP Bure.
- 4.4 In addition, councillors from the county and district councils will also be invited to join the Group, in their role as Local Member, and district councils will be invited to nominate one other Member. Local MPs will also be invited to join the Group.
- 4.5 Others may be invited to attend meetings to discuss specific items or proposals, as the project progresses, for example to provide specialist/expert information.
- 4.5 Alongside the work of this Group, the County Council will also seek to engage businesses and communities (generally) through other activities e.g. marketing events and public open-days, as appropriate.
- 5.0 **Meetings and papers**
- 5.1 The Group will meet bi-monthly (6 times a year), with additional meetings organised if necessary.
- 5.2 An agenda and papers will distributed in advance of each meeting.
- 6.0 **Decision making**
- 6.1 It is acknowledged that there are likely to be range of different views in local communities and amongst stakeholders. The role of the Group is therefore advisory.
- 6.2 Significant decisions will be made by Norfolk County Council's Cabinet, or nominated Cabinet Members. Proposals will also be subject to the usual statutory planning process, where relevant.





- Allotments / Self Build / Residential / Woodland
- Residential / Community
- Heritage
- PV Panel Locations
- Community Woodland Landscape
- Agriculture
- Community Use Buildings
- Employment
- Storage / Manufacture / PV Panels
- Residential / Commercial / Community
- Residential / Woodland / Landscaping

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Appendix B

PROJECT FORMER RAF COLTISHALL SITE		CLIENT NORFOLK COUNTY COUNCIL		
SUBJECT ZONAL LAND USE PLAN		DATABASE	DATE SEP '12	SCALE NTS @ A3
PROJECT NR CD10750	DRAWING NR 001	REV A	DRAWN DC	CHECKED

REV	DATE	DESCRIPTION	AMD BY	CHKD BY
NPS PROPERTY CONSULTANTS LTD				
NAUTILUS HOUSE, 10 CENTRAL AVENUE, THORPE ST ANDREW, NORWICH, NR7 0HR. TEL: 01603 706706 FAX: 01603 706700				
nps group				

# Norfolk County Council & the former RAF Coltishall

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**Dear Resident,**

Our plans to bring the former RAF Coltishall site back to life are progressing well and we hope to conclude a deal to buy the site from the Ministry of Justice in September.

Many local people have already contacted us through our dedicated email address [FutureofRAFColtishall@norfolk.gov.uk](mailto:FutureofRAFColtishall@norfolk.gov.uk) with ideas for the future and further comments are very welcome.

We have also now set up an additional website about the former base at [www.norfolk.gov.uk/RAFColtishall](http://www.norfolk.gov.uk/RAFColtishall) where you can see background information about the proposals as they develop.

Ideas proposed so far include providing allotments for local people to use, sporting facilities on site, using some of the hangars for film making purposes and support for the use of solar energy on site. We have also received calls for the County Council to consider adopting some local roads.

You will know that the County Council has set up a Community Liaison Reference Group to debate the future of the site which includes representatives of local community groups who have joined it to discuss our initial thoughts and give us feedback. This met last week.

A new zonal layout of the site was shared with members of the group to highlight our latest thinking which showed a number of new ideas for discussion and debate.



These include:

- The possibility of retaining a central stretch of the base's runway and placing solar panels on it while disposing of each end and parts of the perimeter track and returning it to agricultural use.
- Relocating the current community woodland in the north of the site to the South East to make a more attractive destination for walkers and replacing that land with a mix of allotments for local residents and some low intensity housing.
- The possibility of the County Council formally adopting a number of unadopted roads in the area and the impact that would have on local residents was discussed and is being actively investigated by our officers.
- In addition to creating potential allotments, talks have begun with local schools and other interested parties about the possibility of the base's theatre being reopened for community dance, music and theatre use.

As the Council still does not yet own the site, a detailed Master Plan setting out uses for different parts of the site is some way from being concluded. This is work that will take place during the Autumn.

We care about Coltishall's heritage and history and want to make it accessible to local people and visitors alike - rather than it being hidden from view as at present.

We are working on plans to protect and manage the most important heritage assets and to make the site more accessible, and this shows we are serious about respecting the site's history. We are talking to English Heritage about our ideas.

After we have completed purchase of the site, we will organise an event for the local community so you can see our emerging proposals and tell us what you think.

Any proposals requiring planning permission will still have to go through all the normal processes - including public consultation.

We plan to be good neighbours to local residents and sensitive about the site's development. We want to take account of local concerns and to minimise the impact on local residents as far as possible.

This is a long term proposal stretching over many years. We don't have all the answers now – but we will develop them with you and others. With that in mind, we are asking people to keep an open mind and bear with us in the months to come.

Thank you.



**Norfolk** County Council

Category	Type	Suggestion	Comment
Will be considered in preparing the Master Plan			
Business use	Individual (x 3)	Retain runway and use for track days, go-karting, air ambulance base, teach driving skills to help reduce road casualties, HGV and PSV	Compatible with Zonal Plan.
Business use	Business	Using hangars for TV/film venue	Compatible with Zonal Plan.
Business use	Business	Driver training activities	Compatible with Zonal Plan.
Reclamation/res	Individual (x 4)	Agricultural use e.g. allotments	Compatible with Zonal Plan.
Reclamation/res	Individual (x3)	Supporting of creating footpaths and cycleways from former base & Badersfield to surrounding villages. As first step, open up Piggery Lane. Would want to see site opened up as soon as possible for foot traffic.	Access enhancements supported - emerging proposals contained in access strategy.
Reclamation/res	Individual	Supporting proposals to reinstate some of the land and byways previously cut off by MoD	Access enhancements supported - emerging proposals contained in access strategy.
Reclamation/res	Individual	Support proposal to protect history and assets and making accessible	Supported - emerging proposals contained in heritage plan & access strategy.
Renewables	Business	Solar PV farm	Compatible with Zonal Plan - options currently being scoped.
Renewables	Business	Solar PV farm	Compatible with Zonal Plan - options currently being scoped.
Renewables	Individual	Solar farm - support Mr Giddy's proposal	Compatible with Zonal Plan - options currently being scoped.
Heritage	Group (Spirit of Coltishall)	Re-establish the flag pole on the roundabout (SoC have it).	Supported - to be progressed as part of heritage plan.
NCC uses	Council	Driver and Rider Development Centre	Compatible with Zonal Plan - options currently being scoped.
Leisure	CLRG Member + individual x 1	Camping and caravanning	Compatible with Zonal Plan
Heritage	Group (Badersfield Residents Campaign)	Erect memorial to servicemen and servicewomen who gave their lives whilst in RAF service.	Compatible with Zonal Plan - Existing memorials and the cemetery will be included in the heritage plan, alongside other ways of recognising the contributions of those who served there.
Heritage	Group (Spirit of Coltishall)	Re-naming roads in main body of site and naming some buildings e.g. after famous fighter pilots who served from the base.	Compatible with Zonal Plan - to be progressed as part of heritage plan.
Heritage	Group (Spirit of Coltishall)	Plaques in each building with information about previous uses	Compatible with Zonal Plan - to be progressed as part of heritage plan.
Leisure	Group (Spirit of Coltishall)	Memorial gardens - Spirit of Coltishall happy to act as Wardens for the garden	Compatible with Zonal Plan - idea can be considered as part of the plan for the site's future management.
Institutional uses	Individual	Use officers mess as a retirement home	Compatible with Zonal Plan - potential for residential development / re-use.
Other	Individual	Housing - would not wish to see social housing developed on the site. Existing housing protected by covenants, but social housing would not be.	Compatible with Zonal Plan.
Heritage	Individual	Supports moving community woodland	Compatible with Zonal Plan - scope to relocate or enlarge in Master plan exercise.
Leisure	Individual	Develop some land to use for walks. Open up Frogge Lane to create a walk from Hautbois to Badersfield that misses the main road.	Access enhancements supported - issue raised will be considered in developing the access strategy.
Leisure	Individual	Doesn't oppose removal of runway - has some historic interest but does not hold the true feeling of history in the way that some of the buildings	The heritage plan will consider how the heritage assets, including the most significant buildings, can help to tell the story of RAF Coltishall.
Business	Individual	Police and fire brigade driver training	Compatible with Zonal Plan.
Other	Individual	Does not support being used for private flying, model aircraft etc and this creates noise and nuisance for local residents. Instead, would welcome mix of amenity, housing and renewable energy.	Concerns have been noted. Users suggested are compatible with Zonal Plan.
Reclamation/re restoration	Individual	Create a community woodland.	Compatible with Zonal Plan - some scope to relocate and enlarge community woodland.
Leisure	Individual	Large memorial garden / arboretum	Compatible with Zonal Plan - possible synergy with community woodland enhancements.
Business	Individual	Use some of the hard standing as a training area for learner drivers.	Compatible with Zonal Plan.
Business	Individual	Creche / pre-school	Compatible with Zonal Plan with potential to progress consideration dependant on submission of business case and sustainable funding model.
Institutional uses	Individual	MoJ to train offenders	Compatible with Zonal Plan.
Leisure	Individual (x 3)	Sports facilities – sports field, gym, swimming pool, pavilion, squash courts, 5-a-side football pitch, bowling alley, etc	Compatible with Zonal Plan with potential to progress consideration dependant on submission of business case and sustainable funding model.
Leisure	Individual	Youth Club	Compatible with Zonal Plan with potential to progress consideration dependant on submission of business case and sustainable funding model.

Leisure	Business?	Making use of theatre facilities – bring into operation for use by schools, voluntary sector, theatre groups etc.	Compatible with Zonal Plan with potential to progress consideration dependant on submission of business case and sustainable funding model.
Leisure	Individual	Model aircraft flying	Compatible with Zonal Plan
Reclamation/res	Individual	Wildlife Garden	Compatible with Zonal Plan - possible link to agricultural / community woodland enhancement.
Renewables	Business	Biomass plant, working with local farmers to meet local power/heat requirements.	Compatible with Zonal Plan with potential to progress consideration dependant on submission of business case and sustainable funding model.
Other	Individual x 2	Adoption of highways in Badersfield	Compatible with Zonal Plan - initial discussions have taken place.
Institutional uses	CLRG Member	Training rooms/facilities	Compatible with Zonal Plan
Heritage	Group (Spirit of Coltishall)	Heritage tour. Spirit of Coltishall happy to run a heritage unit and put up their display boards.	Compatible with Zonal Plan. Heritage tours by SoCA may be possible when the site is accessible. Heritage unit with displays - viability concerns - potential to progress consideration dependant on submission of business case and private finance.
Heritage	Group (Spirit of Coltishall)	Moving the existing young trees to the right of the garden to make a screen around the MoJ car park.	Compatible with Zonal Plan - to be considered in Master Plan
Institutional uses	CLRG Member	Use medical centre as a doctors surgery.	Compatible with Zonal Plan with potential to progress consideration dependant on submission of business case and sustainable funding model.
Heritage	Individual	Return the gate guardian currently located at County Hall	Compatible with Zonal Plan, but there are no plans to return the Jaguar to the site.
Airfield related	Individual	Create jobs through new innovation hub like Hethel (e.g. Anglian Flights or Anglian Air Industries).	Compatible with Zonal Plan
Leisure	Individual	Develop area similar to Thetford Forest Park - cycle trails of various abilities, walk/wildlife trails, trim trails, centre for picnic areas and a cafe etc, walk trails for people with dogs.	Compatible with Zonal Plan
Leisure	Individual x 2	Playing field for the community (current play equipment is old and deteriorating) or other facilities for children e.g. football field or skateboarding area.	Compatible with Zonal Plan
Leisure	Individual	Cycleway or bridle pathway around the site.	Access enhancements supported - issue raised will be considered in developing the access strategy.
Other	Individual	Reduce speed limit between Hautbois and Badersfield to 40mph	Matter referred to Highways and will be considered in reviewing the need for out site highway improvements as part of the Master Plan.
Leisure	Parish Councillor	Convert officers mess into hotel e.g. Premier Inn. Has room for accommodation and function rooms	Compatible with Zonal Plan with potential to progress consideration dependant on submission of business case and sustainable funding model.
Leisure	Individual	Clay pigeon shooting	Compatible with Zonal Plan with potential to progress consideration dependant on submission of business case and sustainable funding model.
Leisure	Individual	4x4 driving club	Compatible with Zonal Plan with potential to progress consideration dependant on submission of business case and sustainable funding model.
Leisure	Individual	Horse riding facilities e.g. cross country course.	Compatible with Zonal Plan with potential to progress consideration dependant on submission of business case and sustainable funding model.
Airfield related	Individual	Private flying schools	Compatible with Zonal Plan with potential to progress consideration dependant on submission of business case and sustainable funding model.
Business use	Individual (x 2)	Aviation museum incorporating some hangars and tower	Compatible with Zonal Plan with potential to progress consideration dependant on submission of business case and sustainable funding model.
Business use	Individual	Paintballing site	Compatible with Zonal Plan with potential to progress consideration dependant on submission of business case and sustainable funding model.
Renewables	Group (Badersfield Residents Campaign)	Solar farm between 200-250 acres.	Scale may be difficult to accommodate given other site uses being suggested, but potential to progress consideration dependant on submission of business case and sustainable funding model.
Airfield related	Group (Badersfield Residents Campaign) + individual x 1.	Leave runway in situ for future light aircraft use and possible repair options.	Scale may be difficult to accommodate given other site uses being suggested, but potential to progress consideration dependant on submission of business case and sustainable funding model.
Renewables	Individual	Retain runway, but gather aggregate from other sites and keep stock screened on site for use on roads - would need to be graded for A, B or C roads and infrastructure projects.	Likely to be difficult to justify storage of stockpiled aggregate given Conservation Area status of site, but principle may be appropriate at a lesser scale and therefore should be taken forward in the Master Planning work.



Leisure	Individual	Car Club for Clubman racing	Concerns about compatability with other site uses being suggested, but potential to progress consideration dependant on submission of business case and sustainable funding model.
Leisure	Individual	Rifle range/archery/athletics track	Compatable with Zonal Plan with potential to progress consideration dependant on submission of business case and sustainable funding model.
Airfield related	Individual	Retain part/all of the runway for use by small private aircraft for recreational purposes.	Potential to progress consideration dependant on submission of business case and sustainable funding model.
Leisure	Individual	Sports & hotel complex.	Compatable with Zonal Plan with potential to progress consideration dependant on submission of business case and sustainable funding model.
Renewables	Individual	Solar Farm	Compatable with Zonal Plan with potential to progress consideration dependant on submission of business case and sustainable funding model.

#### Unlikely to be taken forward into the Master Plan

Heritage	Group (Badersfield Residents Campaign) + Individual x 2	Leave base intact, including runway, and promote as a regional and national historical monument.	At variance with Zonal Plan. Viability concerns.
Airfield related	Individual	Re-locate Norwich airport to Coltishall	At variance with Zonal Plan. Norwich International Airport has stated they have no intention of moving from their existing site.
Airfield related	Individual x 3	Leave runway in situ - to supplement NIA.	At variance with Zonal Plan.
Airfield related	Individual	Relocate flying schools at NIA	Outside of the scope of this project
Airfield related	Individual	Relocate enging testing plant from NIA.	Viability concerns therefore not being taken forward - could be considered further dependant on submission of creditable business case supported by a sustainable funding model.
Heritage	Individual	Relocation of City of Norwich Aviation Museum. 17 aircraft could be displayed in hangars (to provide protection from the weather).	Viability concerns therefore not being taken forward. City of Norwich Aviation Museum have stated that they do not wish to relcate to this site. Could be considered further dependant on submission of creditable business case supported by a sustainable funding model.
Leisure	Individual x 2	Establish a major sports and entertainment venue for the region. Establish a Trust to develop the proposal.	Viability / business case concerns.
Heritage	Individual	Active aviation museum - retain runway to enable fly-in days and displays, convert messes into hotels/conference centres. Convert old airmens mess into a café (now part of prison).	Viability / business case concerns.
Airfield related	Individual	Airpark. Sell off area around the peritrack as plots for housing - enable houses to be build with hangar/garages to allow access to runway for planes and open roads for cars.	At variance with Zonal Plan - likely to conflict with establsihed planning policy from NNDC and BDC.

#### Comments

Renewables	Group	Oppose onshore wind turbines
Other	Individual x 4	Do not support NCC buying the site
Other	Individual	Does not support building new homes on the site
Renewables	Group (Badersfield Residents Campaign)	Oppose wind turbines

## **Highways Capital Programme 2013/14/15 & Transport Asset Management Plan**

Report by the Director of Environment, Transport and Development

### **Summary**

This report summarises the Local Transport Plan (LTP) Settlement for 2013/14 and seeks comments on a highways capital programme for 2013/14/15 and Transport Asset Management Plan for 2013/14 to 2017/18. The report details the main sources of funding and budget allocations, and describes how these are allocated between the main types of scheme. The Government transport funding allocations for 2013/14 were:

- £20.529m allocation to structural maintenance and bridges;
- £5.324m allocation to integrated transport schemes.

The outcome of the Strategic Review workstream on the highways capital programme suggested that due to the maintenance backlog, structural maintenance should be prioritised to ensure the integrity of the highway network. As for the past two years, it is therefore proposed to allocate £2m to highway improvements, and retain flexibility to increase this to £3m by reducing the structural maintenance allocations if major scheme cost pressures emerge. Extra funding to repair damaged fen roads was allocated in 2012/13, and ongoing investment will be needed.

The service continues to seek efficiencies and value for money. Estimated savings of £2.06m in 2012/13 from the renegotiations with May Gurney and Mott MacDonald and £2.2m from the initiative programme has released more resource for improving highway condition. Further efficiency savings are anticipated from the reprocurement of highway services in 2014.

There is likely to be some deterioration of highway condition as the annual need is calculated to be in the region of £35m to maintain current condition levels.

Therefore, the revised recommended allocations for 2013/14 are:

- £22.453m allocation to structural maintenance;
- £1.4m allocation to bridges;
- £2m allocation to integrated transport schemes

In December 2012 Government announced extra funding for road maintenance, with some £5.7m for Norfolk. Proposals to utilise this will be reported to Cabinet

Action Required. That this Overview and Scrutiny Panel:

- (i) is invited to comment on the contents of this report, in particular the reallocation of integrated transport funding to structural maintenance to partially address the deterioration in highway condition, and recommend it to Cabinet for approval;
- (ii) is invited to comment on the proposed change to the TAMP for 2013/14 to 2017/18 and recommend it to Cabinet for approval;
- (iii) recommends to Cabinet the use of Chief Officer delegated powers, in consultation with the Cabinet Member for Planning and Transportation, to manage the two year programme, including the possible increase in the Integrated Transport programme to £3m to deal with any major scheme cost pressures if they arise.

## 1.0 **Background**

- 1.1. The 2011/12 Local Transport Plan Capital Settlement was confirmed on 13 December 2010. This covered allocations for the next four years for integrated transport, structural maintenance and bridges, and resulted in a substantial budget reduction.
- 1.2 2013/14 is the third year of the third Local Transport Plan (LTP) for Norfolk, Connecting Norfolk. The Plan has six main aims which are to:
- managing and maintaining the transport network;
  - delivering sustainable growth;
  - enhancing strategic connections;
  - improving accessibility;
  - reducing transport emissions; and
  - improving road safety.
- 1.3 The service continues to seek efficiencies and improve value for money. The strategic review of Environment, Transport and Development transformed the highway service through, renegotiation of contract arrangements with May Gurney and Mott MacDonald, transferring all construction work to May Gurney, increasing delegation to Parish and Town Councils and promoting joint working with Suffolk County Council. Most notably on the current procurement exercise and a joint permit scheme to improve control of work on the highway. The efficiency programme continues, following a reduction of 75 posts in the highway service in 2011, the savings generated from the renegotiation have been increased to £2.06m in 2012/13 and the initiatives programme will save £2.2m, of which the County Council will retain £1.6m. These will combine to release more resource for improving highway condition.

## 2.0 **The Settlement**

- 2.1. As detailed in the award letter from the Department for Transport, the 2013/14 allocation for structural maintenance and bridges is £20.529m, reducing to £19.296m in 2014/15. This overall allocation is £1.927m less than the base 2011/12 allocation (which excludes the additional funding awarded for winter damage repairs). This allocation includes an allowance for the detrunked road network which passed from Highways Agency control to the County Council in 2001. In real terms the current structural maintenance budget has reduced by around 41% since 2004.
- 2.2. The allocation for integrated transport in 2013/14 is £5.324m, as it was the previous year, and represents a 51% reduction compared to the 2010/11 original award of £10.965m (before it was reduced to £7.22m)

- 2.3. The table below summarises the allocation for 2013/14 and 2014/15. The figures for 2010/11 (post June 2010 in-year budget reductions) and for 2012/13 (both pre and post December 2011 in-year budget increases reported to Cabinet on 5 March 2012 and ETD Overview & Scrutiny Panel on 11 July 2012) have also been included for comparison. The figures for 2010/11 also take account of the £1m reallocation of integrated transport funding to structural maintenance.

	<b>2010/ 11 £m (reduced)</b>	<b>2011/ 12 £m</b>	<b>2012/ 13 £m (original)</b>	<b>2012/ 13 £m (increased)</b>	<b>2013/ 14 £m</b>	<b>2014/ 15 £m</b>
Structural Maintenance & Bridges	22.134	22.456	21.403	22.135	20.529	19.296
Integrated Transport	7.22	4.992	5.324	5.424	5.324	7.487
NCC contribution to Structural Maintenance	7.0	0	0	5.7	0	0
De-trunked Roads	5.3	Inc. above	Inc. above	Inc. above	Inc. Above	Inc. above
Winter Damage funding	4.014	6.900	0	0	0	0
Specific Road Safety Grant (Capital)	0	0	0	0	0	0
<b>Total £m</b>	<b>45.668</b>	<b>34.348</b>	<b>26.727</b>	<b>33.259</b>	<b>25.853</b>	<b>26.783</b>

- 2.4 The Strategic Review in examining the highways capital programme, reported its conclusions to Overview & Scrutiny Panel in November 2010. This suggested that within a given capital programme, priority should be given to maintenance and a targeted integrated transport programme of around £2m should be implemented. Within this, priority should be given to strategic interventions, walking schemes, small scale traffic management works and safety schemes.

- 2.5 As highway condition is critical for all road users, including cyclists, pedestrians and public transport users, it is recommended that £3.324m of the above integrated transport funding be reallocated to structural maintenance in line with the Strategic Review conclusions.

2.6 Therefore, the revised 2013/14 recommended allocations as detailed in the summary table in Appendix A are:

- £22.453 allocation to structural maintenance;
- £1.4m allocation to bridges;
- £2m allocation to integrated transport schemes

2.7

### 3.0 **Structural Maintenance and Bridge Strengthening**

3.1. It is proposed to split the revised allocation of £23.853m for 2013/14 down to:

• Principal Roads surfacing	£6.169m
• Non-Principal Roads surfacing	£9.898m
• Footways & drainage	£3.746m
• Bridges	£1.4m
• Traffic Signals	£0.65m
• Contract management charges, fees, etc	£1.755m
• Vehicle restraint systems	£0.195m
• Park and Ride	£0.04m

Further details of the allocation of this budget are given in Appendix B. The allocations reflect the priorities supported by the Overview and Scrutiny Panel in the report on the Highway Asset Performance in July 2012. In addition, it reflects the information published as part the Structural Maintenance Members Book issued on Members Insight in October 2012.

3.2. Additional funding of £5.7m provided this year by the County Council and £0.732m from government increased the structural maintenance investment to £31.159m. However, changes in the highway maintenance backlog over recent years suggest that a budget between £35m (to keep highway condition at a reasonable level) and £45m (to prevent deterioration) is required. It is anticipated that the maintenance backlog will slightly increase on that reported last July (£89.9m). Reducing the investment will inevitably lead to further deterioration in highway condition, in spite of the significant progress made in allocating funding through our approach to asset management. Lower cost treatments will be used, where appropriate, to maintain the serviceability of the asset but these will not address the underlying deterioration, potentially leading to increased costs in future years.

3.3. Fen roads, on poor soils in West Norfolk, have been damaged by previous drought conditions. A bid by the County Council and other Fenland authorities for additional government funding was unsuccessful. To address the associated safety issues, £2.35m of structural maintenance funding was allocated in 2012/13 for repairs, addressing the most urgent issues. £0.6m has been allocated in 2013/14 for further schemes. Remaining fen road issues will be addressed by patching repairs. However, given the nature of problems future, ongoing investment is expected.

3.4. Up to 2010/11, funding for Non-Principal Roads was supplemented by £7m from the County Council to cover additional structural repairs to carriageways, footways and drainage. Given the current financial pressures any additional

borrowing to support the programme would have an adverse impact of the delivery of other services, particularly routine highway maintenance and is not recommended. If the data shows deterioration in the condition of these roads, additional resources or a reallocation of existing resources will be considered.

- 3.5. Following the 19 September 2007 Overview and Scrutiny Panel report on Highway Asset Performance, Members agreed to an investment of £1m per year for five years from 2008/09 to ensure obsolete traffic signal equipment is replaced. So far 66 of the 75 traffic signal installations needing replacement have been upgraded, with consequent reductions in energy use. In light of financial constraints a lower allocation of £650,000 was introduced in 2012/13. Maintaining this level of investment in 2013/14 will allow a further 6 installations to be replaced, with the remaining balance of 3 being completed in 2014/15.

#### 4.0 **Integrated Transport**

- 4.1. Integrated transport funding covers all expenditure on new infrastructure such as improvements at bus interchanges and rail stations, local safety schemes, pedestrian crossings, footways, traffic management, route and junction improvements, and cycleways.
- 4.2. The proposed allocation, taking account of the Strategic Review workstream on the capital programme, amounts to £2m. The budget summaries including the breakdown of the proposed programme by scheme type is detailed in Appendix A. A more detailed scheme by scheme implementation programme is detailed in Appendix C.
- 4.3. The £2m proposed programme now only covers previous commitments made, such as the £72,990 County Council contribution towards the Moving Thetford Forward bus interchange project, ongoing improvements to the A1067-A47 Honingham-Lenwade link road, and a very small number of low cost new improvement schemes and potential contributions to developing major schemes.
- 4.4. Due to the tight financial situation, there is an increasing importance to working in partnership with other stakeholders and to maximise external funding opportunities (which generally require part or match funding).
- 4.5. The developing “localism” agenda is being positively promoted. £100,000 of the 2012/13 highway improvement budget was allocated to a “parish partnerships” initiative. This enabled working in partnership with Parish and Town Councils, to share the cost of delivering small improvements in their areas. In September 2011, letters were sent inviting bids for small improvements such as footways, trods and improved crossing facilities. The County Council offered to support up to half the cost of successful bids, with the remaining funding coming from other sources.
- 4.6. Some 34 bids were received in January 2012, of which 32 were assessed as viable and eligible for funding. Most schemes have now been successfully delivered. This, and encouragingly positive feedback from Parish Councils underline the success of this initiative in helping deliver highway schemes that are a priority for local communities, attracting additional match funding in

doing so, and helping advance the localism agenda.

- 4.7. In addition, the successful use of lower cost trods will allow us to consider using them, where appropriate, in the future footways programme to help deliver savings. There is also scope to use trod solutions to provide safe and suitable routes to schools. This will reduce reliance on school transport and associated revenue costs, and promote healthier travel by walking. Proposals to deliver such schemes are included in Appendix C under “Public Transport”.
- 4.8. An announcement in December 2012 to repeat the initiative in 2013/14 with funding of £100,000 has been welcomed by Parish/Town Councils. Letters inviting them to submit bids by 30 March 2013 have been issued. The Director of Environment, Transport and Development (ETD) in consultation with the Cabinet Member for Planning and Transportation will determine which proposals will be funded in Spring 2013.
- 4.9. For inclusion in the programme all schemes have been assessed against their contribution towards the six main aims that support the vision in the Local Transport Plan (LTP), Connecting Norfolk (summarised in 1.2). Due to the limited funds available it is more essential than ever to ensure schemes deliver value for money and deliver the required outcomes in the Connecting Norfolk vision.
- 4.10. There may be a requirement to cover additional costs of £375,000 comprising:
1. further blight costs for the Gt Yarmouth Third River Crossing. This follows the Cabinet decision in December 2009 to announce a preferred route for the crossing, which subsequently blighted several properties. Blight costs of £1.883m up to 2010/11, £458,000 in 2011/12, and £492,000 in 2012/13 were contained within the overall highways programme by switching funding from the structural maintenance budget, within limits agreed by Cabinet. A further £175,000 is anticipated in 2013/14.
  2. Potential further junction improvements at the C80/C39 Clenchwarton junction just west of Kings Lynn. A Local Safety Scheme in 2012/13 created a left turn lane to address an ongoing casualty problem. Whilst this lane is a standard junction feature, collisions have persisted leading to a temporary closure of the lane in October 2012 to alleviate the elevated collision rate. We continue to monitor the situation. The casualty record has since improved, but a more permanent solution beyond the lane closure may still prove necessary. A traffic signals solution is estimated to cost around £200,000.
- 4.11. If no other funding source is identified, these items will need to be funded from the £2m integrated transport budget, which would result in programmed schemes being deferred.

## **5.0 Other Funding**

### **5.1. Supplementary County Council Funding**

- 5.1.1. Included within the table Appendix A (under the heading Other Funding) is £2,020,000 provisional County Council funding in 2013/14 and £9,100,000 in 2014/15 for development of the Northern Distributor Road (NDR) and Postwick Hub junction, which are a key part of the Norwich Area Transport Strategy (NATS) and the Joint Core Strategy for Greater Norwich. It is crucial to delivering housing and jobs growth in the greater Norwich area.
- 5.1.2. DfT confirmed in December 2011 that it was providing £86.5m towards the cost of delivering the NDR and Postwick Hub junction (which accounts for £19m of the DfT contribution). This is a major vote of confidence in the project by the Government, and recognises its strategic importance and value for money. This funding will provide the potential to unlock growth that as a conservative estimate amounts to £1.3bn of additional investment in the Norfolk economy.
- 5.1.3. At its meeting of 2<sup>nd</sup> April 2012 Cabinet agreed to submit a planning application for the NDR, and a forward funding profile as provided in the DfT bid. Cabinet also agreed to continue to underwrite the NDR, but taking note of the GNDP in principle funding of up to £40m towards the NDR and related measures.
- 5.1.4. It should be noted that the provisional County Council funding has not been confirmed and is a future potential funding risk – see section 11.
- 5.2. **Developer Funded Schemes (Section 106 & 278 Agreements)**
  - 5.2.1. In recent years highway schemes have been delivered as a result of planning permissions for development. The County Council has no direct influence on the timing of this expenditure, which is dependent on phasing of developments. There is also no guarantee that any of the obligations or works secured in agreements will come to fruition if, for instance, the planning permission was allowed to lapse and the development did not take place.
  - 5.2.2. At the present time there is one major development led highway improvements confirmed and secured in legal (Section 278) agreements for 2013/14, comprising modifications to the A149/B1145 Hospital Roundabout in Kings Lynn .
  - 5.2.3. In 2011 the Government committed to invest £26m in Norwich Research Park (NRP) to stimulate economic growth and create jobs. Plans for the expansion included improved infrastructure, better transport links/ junctions, and faster broadband. The County Council currently holds some £1.3M of developer contributions from the Norfolk and Norwich University Hospital (NNUH) for improvements to the B1108 Watton Road. It is proposed to widen Watton Road between the A47 junction and Hethersett Lane, to a standard appropriate for a major access road to a major employment area. This widening scheme is not a direct requirement of the NRP expansion, but arises from cumulative development pressures on the B1108. The NRP expansion developers will fund up-grades of key local junctions. The Cabinet Member for Planning & Transportation has agreed use of the NNUH transport contribution for this necessary widening, which will support ongoing development of NRP and the local economy. Some £0.9m of developer funds have therefore been allocated to delivery of this scheme in 2013/14.



- 5.2.4. Including the above NRP scheme, current Section 106 agreements also secure around £1.7m in contributions to highway improvement measures which are expected to be delivered in 2013/14, mostly in or around Norwich. However, other planning applications may result in work on the highway in 2013/14.

### 5.3 **Other Sources of Funding**

#### 5.3.1 **Norwich Growth Point**

The Greater Norwich Development Partnership was originally allocated £14.2m capital funding for the period 2008/11, subsequently reduced to £11.7m. Several major transport schemes have been delivered including; St Augustine's Gyratory improvements; Grapes Hill, Newmarket Road, and Dereham Road Bus Priority measures .

The capital funding is expected to be fully spent in 2012/13 and there is no funding for 2013/14.

#### 5.3.2 **Department for Transport (DfT) Cycle Safety Fund**

- 5.3.2.1 In July 2012 DfT announced a £15 million capital fund to support safety improvements at junctions for cyclists, with an expectation of match funding from local authorities or partners. Whilst the DfT list of "accident black spots" (3 or more cyclists killed or seriously injured within the past 5 years) did not include any sites in Norfolk, cyclist accidents still happen.
- 5.3.2.2 The annual highways improvement programme includes funding for Local Safety Schemes (LSS) to address accident problems with low cost solutions. A number of planned LSS that include measures to address cyclist accidents have been packaged as a bid. Whilst the whole County was examined, the sites meeting LSS intervention criteria are in Norwich.
- 5.3.2.3 The proposed schemes are listed in the proposed highways capital improvements programme in Appendix C (under "Traffic management, road improvements and safety schemes"). Should a funding bid be unsuccessful, delivery of the schemes will need to be re-assessed against other emerging and competing LSS priorities. With a total value of £170,000, there is potential to secure £85,000 of DfT funding.
- 5.3.2.4 Norfolk's Joint Casualty Reduction Group and the Road Casualty Reduction Partnership (which includes the County Council, Police, Fire and Ambulance services) are currently operating a road safety publicity campaign- "Keep Your Mind on the Road". The campaign features many types of road user, including drivers, pedestrian and joggers, however based on statistical analysis there is a 30% weighting towards cyclists. There are a number of elements to the scheme, which has been rolled out in 2 phases:
- Phase 1: Personal responsibility – aimed at cyclists, drivers pedestrians and joggers. This phase is designed to remind road users of their personal responsibilities and signposts to established educational and training initiatives provided by Norfolk County Council.

- Phase 2: Community responsibility – this is a ‘call to arms’ to the community, asking them to work with us in the provision of road safety education, training and publicity, with an emphasis on cyclist and pedestrian training.

5.3.2.5 We are also proposing, working with local partners, a pilot scheme to establish the concept of ‘cycling champions’ working within the community. They would undertake a number of roles, including low level enforcement; promotion of best practice and health benefits of cycling, and be a point of contact for Highways issues.

5.4.2.6 On this basis, it was considered appropriate to seek a 50% funding contribution of £55,000 for both the campaign and pilot scheme, as being complimentary to the “hard” measures proposed above.

5.3.2.7 Following consultation with the Cabinet member for Planning and Transportation, the above planned LSS schemes and cyclist safety campaign were included in a bid submitted to DfT in November 2012, seeking some £140,000 of funding. An announcement regarding successful bids is expected in February 2013.

### 5.3.3 **Norwich Better Bus Area Funding Award**

5.3.3.1 In March 2012, Norfolk County Council secured £2.6m of Government funding for a series of major public transport improvements that will improve bus travel for passengers, visitors and commuters in Norwich, as well as delivering a boost to the city's economy. The County Council's bid, worth £2.9m in total, was described as 'impressive' by the Department for Transport and effectively allows the authority to fast track a range of transport improvements previously agreed in the Norwich Area Transport Strategy (NATS).

5.3.3.2 As funds could only be spent in areas of population greater than 100,000 the bid was limited to the Norwich Policy Area and monies are to be spent during the period 2012/13 to 2013/14. £1.025m is allocated in Appendix C to deliver the following key schemes (Public Transport) in 2013/14:

- Removal of general traffic from St Stephens Street and consideration of removal of general traffic from Surrey Street
- New up-hill bus lane on Grapes Hill with retention of existing highway traffic lanes.
- Improved highway signage.

### 5.3.4 **Local Sustainable Transport Fund**

In September 2010, the Department for Transport announced the Local Sustainable Transport Fund, which aimed to change travel patterns and encourage more sustainable journeys in ways that would stimulate economic

growth. Although the initial Norfolk bid was unsuccessful, a re-submission was invited in Tranche 2. This included a scheme to deliver two-way bus movements and the removal of general through traffic from Chapelfield North. Unfortunately the second bid was also unsuccessful. An alternative funding package has been assembled to deliver the Chapelfield North scheme in 2013/14).

5.3.5 Other potential sources of capital funding included in the proposed 2013/14 Capital Programme (included under the heading 'Other Funding' in Appendices A and C) include:

- £90,000 developer contributions to support Demand responsive Transport
- £20,000 match funding from Parish Councils toward bus shelter grants
- £2.617m of Moving Thetford Forward funding for a new bus interchange in the town.
- £900,000 from Broadland District Council for a cycleway between the proposed Ecotown in Rackheath and Sprowston.
- £100,000 funding from Town/Parish Councils to deliver local highway improvements in partnership, matching funds provided by the County Council (See 4.5 above)
- £32,000 from North Norfolk District Council to complete the "Leadership of Place Pilot Project (Pedestrian Accessibility & Signing Improvements)" in North Walsham.

#### 5.3.6 **Additional Government funding for road maintenance**

5.3.6.1 As this report was being finalised in December 2012, Government announced an additional £215m funding for local road maintenance, as part of a £333m fund announced in the Chancellor's Autumn Statement. This maintenance funding could be used for "*road resurfacing, maintenance to bridges or repairing damage to highway infrastructure caused by severe weather events, such as recent flooding*".

5.3.6.2 The Norfolk allocation is £5.678m, comprising £3.701m in 2013/14 and £1.977m in 2014/15. Proposals to utilise this will be determined and reported to Cabinet. The net effect will be to boost total funding allocations to £29.554m in 2013/14, and £28.76m in 2014/15.

### 6.0 **Transport Asset Management Plan 2012/13-2017/18 (TAMP)**

6.1. The TAMP is updated annually and approved by Cabinet and Full Council. A hardcopy of the TAMP approved by full Council on 26<sup>th</sup> 2012 is available in the Members Room. The Panels comments are sought on a proposed subsequent change (details in Appendix D), which is:

- The addition of Public Rights of Way to the highway defect risk register

### 7.0 **Conclusion**

7.1. A summary of the recommended budgets, and a programme for 2013/14 and a provisional programme for 2014/15 is included in Appendices A, B and C.

These programmes are subject to change depending on the progress of individual schemes through the design and consultation process. In addition, the programme may vary depending on the level of contributions to the programme from other funding sources. If there are significant changes these will be reported to Cabinet. The Director of Environment, Transport and Development will manage the two year programme under Chief Officer delegated powers, in consultation with the Cabinet Member for Planning and Transportation, to maximise value for money, scheme delivery and budget utilisation.

## 8.0 **Resource Implications**

- 8.1. **Finance:** Cabinet will ultimately consider the overall Capital Programme which will include the contents of this report. This report does not recommend any borrowing. If any borrowing costs are incurred in delivering the capital programme, they will have to be accommodated within departmental budgets. Proposed changes to the TAMP will be accommodated within the Highway Maintenance Fund.

The decrease in budgets increases the need to achieve savings in the costs of designing and constructing schemes, these include:

- Reviewing design processes, enabling increased productivity and reduced design costs;
- Lower cost “trod” footway schemes

- 8.2. **Property:** Some of the schemes will require the acquisition of land.

- 8.3. **Staff:** There are no direct staffing implications arising from this report

- 8.4. **IT:** There are no direct IT implications arising from this report

## 9.0 **Other Implications**

- 9.1. **Legal Implications :** The legal implications of individual schemes will be evaluated as part of the project delivery process.

- 9.2. **Human Rights:** There are no direct Human Rights implications arising from this report.

- 9.3. **Equality Impact Assessment (EqIA) :**

The suggested programme reflects the priorities agreed as part of the Strategic Review, which was concluded early 2011.

The priorities will help ensure that existing levels of access, in terms of the highway, do not significantly decline, by prioritising work to maintain the existing asset. The extent to which accessibility can be improved or increased through improvements to infrastructure, or provision of new infrastructure, will be reduced as a result of reduced funding being available for this purpose and an increase in the use of lower cost options. A detailed equality impact assessment completed as part of the Strategic review did not identify any significant areas of concern.

There is further opportunity for consideration of potential impacts part of the development of individual schemes as the programme is implemented.

- 9.4. **Communications:** Customer expectations must continue to be sensitively managed in light of reduced budgets, especially as a significant amount of highways related correspondence, petitions, and issues raised at Town and Parish Council meetings revolve around the need for new infrastructure.
- 9.5. **Health and Safety implications:** There are no direct Health and Safety implications arising from this report.
- 9.6. **Environmental implications:** All proposed schemes would fit with the objectives of Norfolk's 3<sup>rd</sup> Local Transport Plan, Connecting Norfolk which describes the county's strategy and policy framework for transport up to 2026. Connecting Norfolk is underpinned by a sustainability appraisal, which incorporates a Strategic Environmental Assessment, Carbon Impact Assessment and Health Impact Assessment. This assessment process was undertaken to ensure that sustainability principles, including those relating to the environment, economy and social objectives, have been adhered to and helped inform the plan's development. Overall the strategy and implementation plan is projected to have a beneficial impact on the sustainability baseline, carbon reduction and health of the population.

Large schemes such as the NDR are subject to individual environmental impact assessments. On all schemes we seek to promote re-use or recycling of materials, minimise energy consumption, and make use of sustainable systems (eg drainage) as appropriate.

- 9.7. **Any other implications :** Officers have considered all the implications which members should be aware of. Apart from those listed in the report (above), there are no other implications to take into account.

## 10.0 **Section 17 – Crime & Disorder Act**

- 10.1 Transport schemes which are developed through the Local Transport Plan capital programme will be individually assessed for their crime and disorder implications.

## 11.0 **Risk Implications/Assessment**

- 11.1 The main risks to the 2012/13 programme are the extent of any further Great Yarmouth Third River Crossing Blight costs, and possible further improvements to the C80/C39 Clenchwarton junction (see section 4.10). To mitigate these and their potential impacts on the Integrated Transport programme, it is suggested that if necessary, the Director of Environment Transport and Development, in consultation with the Cabinet Member for Planning and Transportation, could increase the Integrated Transport programme up to £3m by reducing the structural maintenance allocation.
- 11.2 There is a risk with the larger, non-Local Transport Plan funded, schemes that if they overspend, any shortfall may need to be funded from the Highways Capital Programme. To accommodate this, programmed schemes may need to be deferred to prevent an overspend on the overall Highways

Capital Programme. The risk is mitigated by effective project and programme management

- 11.3 Any scheme specific risks and implications will be assessed and mitigated during the development of each scheme.

## Recommendation/Action Required

That this Overview and Scrutiny Panel:

- (i) is invited to comment on the contents of this report, in particular the reallocation of integrated transport funding to structural maintenance to partially address the deterioration in highway condition, and recommend it to Cabinet for approval;
- (ii) is invited to comment on the proposed changes to the Transport Asset Management Plan for 2013/14 to 2017/18 and recommend it to Cabinet for approval;
- (iii) recommends to Cabinet the use of Chief Officer delegated powers, in consultation with the Cabinet Member, to manage the two year programme, including the possible increase in the Integrated Transport programme to £3m to deal with any major scheme cost pressures if they arise.

## Background Papers

Norfolk's 3<sup>rd</sup> Transport Plan- Connecting Norfolk

Transport Asset Management Plan 2011/12-2015/16 (TAMP)

Highways Capital Programme for 2013/14/15 and Transport Asset Management Plan – (Cabinet - 5<sup>th</sup> March 2012)

## Officer Contact

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

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If you need this report in large print, audio, Braille, alternative format or in a different language please contact Paul Donnachie on 01603 223097 or textphone 0844 8008011 and we will do our best to help.

## APPENDIX A: Norfolk County Council- highways Capital programme- 2013/14 to 2014/15

Scheme Type	2013/14	OTHER FUNDING	2014/15	OTHER FUNDING
Major schemes	0	12,195	0	27,640
Public Transport Schemes	500	4,052	500	417
Pedestrian & Cyclist Improvements	702	1,050	685	225
Traffic Management, Road Improvements & Safety Schemes	685	3,821	700	150
Other Schemes, Future Fees & Carry Over Costs	113	50	115	50
<b>Integrated transport</b>	<b>2,000</b>	<b>21,168</b>	<b>2,000</b>	<b>28,482</b>
Detrunked Roads & Bridges	0	0	0	0
Structural Maintenance (inc DfT & NCC Winter Damage funding)	22,453	0	23,383	0
Bridge Strengthening / Bridge Maintenance	1,400	0	1,400	0
<b>Totals:</b>	<b>25,853</b>	<b>21,168</b>	<b>26,783</b>	<b>28,482</b>

### **Notes:**

1. Above figures in £000's
2. DfT (Local Transport Plan) funding detailed under main year headings i.e. 2013/14
3. Other Funding includes Section 106, Section 278, County Council & Major Scheme funding

## APPENDIX B: Structural Maintenance Budget Proposed Allocations 2013/14 (City & County)

<b>Funding</b>	
LTP Structural Maintenance Grant	20,529,000
County Contribution	0
Capital Integrated Transport Contribution	3,324,000
Additional Capital Improvement	
Supply Chain contribution	0
Winter damage Government Grant	0
Winter Damage Council additional contribution	0
	<b>23,853,000</b>
<b>Spending</b>	
<b>Countywide specialist</b>	
Bridges	1,400,000
Traffic Signal Replacement (3rd of 5-yr prog)	650,000
Park & Ride	40,000
sub total	<b>2,090,000</b>
<b>Roads</b>	
Principal Roads (Surfacing)	3,723,000
Principal Roads (Surface Treatment)	2,246,000
Principal Roads (Joint repair)	
Principal Roads (SCRIM)	200,000
sub total	6,169,000
B roads (surfacing)	1,431,000
B roads (surface treatment)	1,040,000
sub total	2,471,000
C roads (surfacing and haunch)	1,000,000
C roads (surface dressing)	3,000,000
sub total	4,000,000
U roads (surfacing and haunch)	495,000
U roads (surface dressing)	2,932,000
sub total	3,427,000
Winter Damage Patching	0
sub total	0
	<b>16,067,000</b>
<b>Contract costs etc.</b>	<b>1,755,000</b>
<b>Vehicle Restraint Systems</b>	
Risk Assessment,	32,000
Design & works	163,000
	<b>195,000</b>
<b>Footways &amp; Drainage</b>	
Area Managers Schemes	200,000
Footways - Category 1 & 2	450,000
Footways Category 3 & 4	2,496,000
Drainage	600,000
	<b>3,746,000</b>
<b>Summary</b>	
<b>Total Structural Maintenance &amp; Bridges Spending</b>	<b>23,853,000</b>



# APPENDIX C: Proposed Highways Capital Improvements Programme 2013/14/15

Integrated transport - Scheme Type	Location / Description	2013/14	OTHER FUNDING	2014/15	OTHER FUNDING	Comments
	Norwich Northern Distributor Road and Postwick Hub(Dft and NCC Corporate funding)	£0	£12,020,000	£0	£27,540,000	2013/14 funding comprises : £10m Postwick Hub CIF + £2.02m NCC corporate funding; 2014/15 funding comprises £9.44m DFT funding + £9m Postwick Hub CIF funding + £9.1m NCC corporate funding
	NDR - feasibility studies for associated, essential schemes	£0	£0	£0	£100,000	
	Gt Yarmouth Third River Crossing	£0	£175,000	£0	£0	final property purchases from blight
Public Transport Schemes	Norwich DDA Bus stop upgrades	£10,000	£0	£10,000	£0	
	County- DDA Bus stop upgrades	£60,000	£0	£60,000	£0	
	Norwich- • Removal of general traffic from St Stephens Street and consideration of removal of general traffic from Surrey Street ("Better Bus Area" funded)	£0	£200,000	£0	£0	
	Norwich- New up-hill bus lane on Grapes Hill with retention of existing highway traffic lanes ("Better Bus Area" funded)	£0	£760,000	£0	£0	This project aims to cut bus journey times, improve reliability, with better access for taxis/bicycles in to the city.
	Norwich- Highway Signage ("Better Bus Area" funded)	£0	£65,000	£0	£0	
	County- Installation of Electronic 'real time' Signage	£12,000	£0	£0	£0	
	County- Strategic Traffic Light Priority	£0	£0	£10,000	£0	10-15 sites across SCOOT Norwich, King's Lynn & Gt Yarmouth - location being supplied by bus operators
	County- DRT (Demand Responsive Transport)	£0	£90,000	£0	£90,000	to be progressed via developer contributions secured where DRT may be developed.
	County- Bus Shelter grants	£20,000	£20,000	£20,000	£20,000	No ongoing revenue costs and boosts localism by ensuring PC are involved contribute 50% with work kept local
	County- Temporary Bus stop infrastructure package (to be held at local depots)	£5,000	£0	£5,000	£0	provides assistance to customers/contractor allowing better provision during disruption
	County- Advertising within bus station(s) outside norwich e.g. HD screens.	£25,000	£0	£25,000	£0	income to offset against on going revenue costs - opportunity to earn advertising income and also displaying County Council and other messages locally
	County- Provide information boards at P&R sites, hire out the space to businesses for advertising.	£15,000	£0	£0	£0	As above
	County- Consider advertising space on moving gates at bus station. This would cover maintenance costs.	£3,000	£0	£0	£0	As above
	County- Consider alternative ways of meeting DDA targets - by looking at different ways of providing bus boarder points - plastics etc	£15,000	£0	£0	£0	This scheme contributes to reduced capital costs
	County- Allow businesses to operate out of P&R buildings	£5,000	£0	£0	£0	This programme contributes income from local businesses to offset against on going revenue costs
	County- Footways which would allow a route to school to be declared safe to save revenue (about 150 sites)	£84,000	£0	£300,000	£0	contributes to reducing on going revenue costs of school transport provision which is a major area of spend for the authority.
	County- Park & Ride lighting- replacement of photo electric cells	£10,000	£0	£0	£0	This scheme contributes to reduced on going revenue costs at Park and Ride inter changes
	County- Install Solar cells on bus shelters. Electricity genertaed to light shelter, sell excess back to national grid.	£15,000	£0	£15,000	£0	would contribute income to offset against on going revenue costs
	Thetford Bus Interchange	£139,000	£2,617,008	£0	£7,000	Remainder of £300,000 NCC contribution towards £3.183m Moving Thetford Forward Bus Interchange scheme.
	Diss Railway Station - Access Improvements between Car Park & New Housing Development	£20,000	£0	£0	£0	Long term aspiration for bus access - first item is improved footway cycle link
	Norwich/NATS- Bus Rapid Transit (BRT) Stops (3) - Newmarket Road NATS IP- S106 funded	£0	£100,000	£0	£200,000	Provisional S1906 allocation to implement improvements reultaing from placemaking strategy
	Norwich/NATS- Bus Rapid Transit (BRT) Stops (2) - Postwick NATS IP- S 106 funded	£0	£200,000	£0	£100,000	As above
	Kings Lynn bus station exit bus priority	£25,000	£0	£0	£0	traffic signal changes to reduce delays to buses leaving the bus station.
	Thetford- CCTV at bus station	£0	£0	£25,000	£0	to enhance public safety at unmanned station
	Cromer- CCTV at bus station	£15,000	£0	£0	£0	as above
	Thickthorn P&R- landscaping	£2,000	£0	£0	£0	New Planting to improve the site attractiveness
	Countywide Public Transport Interchanges	£20,000	£0	£30,000	£0	small measures across all inter changes

APPENDIX C: Proposed Highways Capital Improvements Programme 2013/14/15						
Integrated transport - Scheme Type	Location / Description	2013/14	OTHER FUNDING	2014/15	OTHER FUNDING	Comments
Pedestrian & Cyclist Improvements	Rackheath - Eco town to Sprowston - Cycle Link (Other funding from Broadland DC)	£100,000	£900,000	£0	£0	Other funding from Broadland DC
	Norwich- NATS IP – Cycle network implementation	£0	£0	£90,000	£0	
	Norwich- Cycle Signing ("orange" route)	£30,000	£0	£0	£0	
	Norwich- Palace Street cycle lane	£10,000	£0	£0	£0	
	Norwich- Thorpe Road, Magdalen Street, Mile cross lane contra flow ccle schemes (design)	£35,000	£0	£0	£0	
	Thetford - Queensway First & Middle School - Shared Use Cycle Facility between Fulmerston Road and Bury Road	£0	£50,000	£0	£0	Will only be progressed if Sustrans / Thetford Growth Point funding is available
	Wymondham- Harts farm cycle link - partnership with Sustrans	£10,000	£0	£75,000	£75,000	
	Fakenham infant and junior schools cycle link- partnership with Sustrans	£10,000	£0	£50,000	£50,000	
	Future Cycling Schemes	£0	£0	£0	£0	
	North Elmham - Primary School - Oak Lane / Recreation Ground Link and access improvements for schoolchildren/pedestrians	£20,000	£0	£0	£0	completio of 12/13 scheme
	Public Rights of Way in Towns & Villages - Urban Path Improvements	£20,000	£0	£20,000	£0	
	Cromer - Hall Road (A148 to Meadow Close) footway (47pts = joint 3rd priority)	£10,000	£0	£50,000	£0	
	South Walsham - School Road footway (school to Broad Lane) - (47pts = joint 3rd priority)	£10,000	£0	£50,000	£0	
	Future Footway Feasibility Schemes Fees	£10,000	£0	£10,000	£0	Allowance for 3 studies based on assessment points and buildability
	Mundesley - Trunch Road - Footway Feasibility Study	£10,000	£0	£60,000	£0	
	Hethersett - Henstead Road - Footway (links to potential development)	£0	£0	£10,000	£0	
	Lingwood- Station Road Footway (link to relocated school)	£10,000	£0	£40,000	£0	
	Holt - Grove Lane (Pearson's Road to Meadow Close) - Footway phase 2 (50pts = 3rd priority)	£70,000	£0	£60,000	£0	
	A1101 Outwell, Adjacent to Isle Bridge Pedestrian improvements	£30,000	£0	£0	£0	
	Norwich- NATS IP- future walking schemes	£0	£0	£25,000	£0	
	Future Walking Schemes	£0	£0	£0	£0	
	Delivering local highway improvements in partnership with Town and Parish Councils	£100,000	£100,000	£100,000	£100,000	Initiated in 2012/13 funding 32 small schemes.
	Future Road Crossing Schemes	£17,000	£0	£20,000	£0	
	Area offices establishment charge	£100,000	£0	£0	£0	Required for Initiatives Pot (capital saving for joint traffic signal office). Withdrawn from 2014 onwards under new contract
	Norwich-NATS IP- future road crossings	£0	£0	£25,000	£0	
	Norwich - Bluebell Road by North Park Avenue - Crossing Improvements	£60,000	£0	£0	£0	
	Norwich- Hall Road south of Queens Road	£40,000	£0	£0	£0	

APPENDIX C: Proposed Highways Capital Improvements Programme 2013/14/15						
Integrated transport - Scheme Type	Location / Description	2013/14	OTHER FUNDING	2014/15	OTHER FUNDING	Comments
Traffic management, road improvements & safety schemes	A47 (Honingham) to A1067 (Lenwade) Link Road - Section 7 – C167 Wood Lane (southern section)	£150,000	£150,000	£0	£0	
	A47 (Honingham) to A1067 (Lenwade) Link Road - Section 4 – C451 Sandy Lane to Sandy Lane / Walnut Tree Lane junction	£0	£0	£125,000	£125,000	
	A47 Southern Bypass / Longwater junction Short Term improvement works (S106 funded)-NATS	£0	£100,000	£0	£0	
	NATS IP Schemes - future design & implementation of schemes	£50,000	£0	£155,000	£0	
	Norwich- NATS IP- Chapelfield North Public Transport Improvements & Westlegate Closure (GNDP/S106/City Council funded)	£50,000	£929,000	£0	£0	
	NRP Project 26 Colney S278 Highway Infrastructure	£0	£900,000	£0	£0	S106 funds to support widening of the B1108 between Hethersett Lane and the A47, which will support ongoing development of NRP and the local economy.
	Diss-Frenze hall Lane- carriageway and footway improvements S106	£0	£75,000	£0	£0	
	Watton A1075/B1108 Traffic Signal Improvements - Tesco S106 funded	£0	£100,000	£0	£0	
	Kings Lynn- A149/B1145 Hospital Roundabout (S278 Works Sainsburys/Tesco)	£0	£1,425,000	£0	£0	Modifications to r/bt increase capacity
	Norwich - Future Waiting Restrictions / Minor Traffic Management schemes	£10,000	£0	£10,000	£0	
	Air Quality Improvement Schemes	£0	£0	£0	£0	
	North Walsham - Leadership of Place Pilot Project - Pedestrian Accessibility & Signing Improvements (part funded by NNDC)	£39,000	£32,000	£0	£0	
	Unallocated Traffic Management funding	£20,000	£0	£20,000	£0	
	Minor Traffic Management Schemes-county	£115,000	£0	£115,000	£0	
	Safety Partnership Schemes / contribution to maintenance schemes	£50,000	£0	£50,000	£0	
	Local safety schemes Feasibility / Preliminary Design	£0	£25,000	£0	£25,000	
	Norwich: Bowthorpe Roundabout -local safety scheme (jointly funded from DfT cycle fund if bid succesful)	£12,500	£12,500	£0	£0	
	Norwich: A1067 Drayton Road St Martin's road mini-r'about -local safety scheme (jointly funded from DfT cycle fund if bid succesful)	£35,000	£35,000	£0	£0	
	Norwich- A1067 Drayton Road Whiffler Road -local safety scheme (jointly funded from DfT cycle fund if bid succesful)	£10,000	£10,000	£0	£0	
	Norwich: Constitution Hill/Wall Rd mini roundabout- -local safety scheme (jointly funded from DfT cycle fund if bid succesful)	£20,000	£20,000	£0	£0	
	Norwich - Avenues/George Borrow Road -local safety scheme (jointly funded from DfT cycle fund if bid succesful)	£7,500	£7,500	£0	£0	
	Unallocated Local Safety Schemes	£116,000	£0	£225,000	£0	To be allocated to low cost Safety schemes with high rates of return identified through the year
Other Schemes, Future Fees & Carry Over Costs	LTP support to Car Clubs / CO2 reduction measures	£40,000	£0	£40,000	£0	
	Fees for future schemes (studies/preliminary Design)	£33,000	£0	£35,000	£0	Assume this would fund 8 new feasibility studies; reduced in line with programme
	Pre-feasibility work	£0	£50,000	£0	£50,000	
	Retention / Land costs on completed schemes	£40,000	£0	£40,000	£0	
<b>Totals:</b>		<b>£2,000,000</b>	<b>£21,168,008</b>	<b>£2,000,000</b>	<b>£28,482,000</b>	<b>Total</b>

**Notes:**

1. The improvements element of the overarching partnership fees will need to be funded from the above £2m budget.
2. The above takes no account for any project slippage from 2012/13
3. Any Blight costs for Gt Yarmouth 3rd River Crossing will need to be funded from the above programme. If other funding not available

## APPENDIX D- Addition of Public Rights of Way to the highway defect risk register

### Response

The response for each category and sub category of defect is detailed in the following table:-

Defect	Response	Timescale
Cat 1	Response A	2 hours
Cat 1	Response B	36 hours
Cat 2 (High)	Response C	Up to 14 days
Cat 2 (Medium)	Response D	Up to 28 days
Cat 2 (Low)	Response E	More than 28 days (repair during next available programme, schedule a more detailed inspection or review condition at next inspection) ( <i>nominally 365 days if recorded on HMS</i> )

They represent the minimum expected response. Those identifying defects are able to prioritise faster if they deem necessary according to individual circumstances and location.

Ref	Item	Hazard	Position	Extent/Severity /Ownership*	Detail / Information	Response	
x	Hedges and Trees *Highway Authority (Please refer to procedures concerning private Hedges trees)	Unstable Tree likely to fall onto PROW	all	In all cases attempt to contact landowner to deal. Carry out work in default of landowner and recharge.	All urban PROW	B	
					All rural PROW	D	
		Obstruction due to Fallen branches/tree		PROW impassable	All urban PROW	C	
					All rural PROW	D	
				Temporary diversion available around defect	All urban PROW	D	
					All rural PROW	E	
				PROW still passable	All urban PROW	D	
					All rural PROW	E	
		Lack of overhead clearance		< 3.7m	All BOAT	E	
					All Restricted byway	E	
					All Bridleway	E	
		Encroachment		Narrowing of PROW by vegetation / hedge / crop encroachment	all	< 2.1 m	All Public footpath
	PROW impassable					All urban PROW	C
						All rural PROW	D
	PROW still passable	All PROW		E			
x		PROW General	Other obstructions such as illegal / misleading signs	all	All PROW	E	
	Animals preventing use of PROW		all	All PROW	D		

**For all metalled PROW treat as footway (typically cat 4b) and see sections 5, 6 & 7 of Highway Defect Response register.**

**For BOAT treat as Soft Road and see section 23 of Highway Defect Response register.**

Ref	Item	Hazard	Position	Extent/Severity	Detail / Information	Response
x	<b>Unbound Surfaced Routes</b> - including imported stone / shingle surfaces	Pothole / Trip including erupting tree roots	All	Large and / or multiple deep sharp sided pothole(s) across majority of path width - significant trip hazard(s)	All other Urban Restricted byway & Bridleway	D
					All other Urban Public footpath	D
					All Rural Restricted byway & Bridleway	D
					All Rural Public footpath	D
				Isolated deep sharp sided pothole - clear route around defect avoiding trip hazard	All other Urban Restricted byway & Bridleway	E
					All other Urban Public footpath	E
					All Rural Restricted byway & Bridleway	E
					All Rural Public footpath	E
				Depression	All other Urban Restricted byway & Bridleway	E
					All other Urban Public footpath	E
					All Rural Restricted byway & Bridleway	E
					All Rural Public footpath	E
				Erupting Tree Root causing trip hazard(s) across majority of path width	All other Urban Restricted byway & Bridleway	D
					All other Urban Public footpath	D
					All Rural Restricted byway & Bridleway	D
					All Rural Public footpath	D
				Erupting Tree Root causing trip hazard clear route around defect avoiding trip hazard	All other Urban Restricted byway & Bridleway	E
					All other Urban Public footpath	E
					All Rural Restricted byway & Bridleway	E
					All Rural Public footpath	E
	<b>Unsurfaced</b> - including grass & earth surfaces	Trip Hazard including rutting, holes & cross slopes	All	Large and / or multiple deep ruts / holes or a cross slope over majority of path width	All other Urban Restricted byway & Bridleway	D
					All other Urban Public footpath	E
					All Rural Restricted byway & Bridleway	E
					All Rural Public footpath	E
		Significant surface vegetation growth	All	PROW not reasonably passable	All other Urban Restricted byway & Bridleway	D
					All other Urban Public footpath	D
					All Rural Restricted byway & Bridleway	E
					All Rural Public footpath	E

Ref	Item	Hazard	Position	Extent/Severity	Detail / Information	Response
x	Drainage Actual Flooding	Flooding		Substantial standing water across full width of PROW	All BOATs, Restricted byways & Bridleways	D
					Urban public footpath	D
					Rural public footpath	E

Ref	Item	Hazard	Position	Extent/Severity	Detail / Information	Response
x	Finger Post	unsafe	all		All PROW	D
		Not present / missing			All PROW	E
		Unstable / Damaged			All PROW	E
		Incorrect PROW status			All PROW	E
		Obscured by vegetation			All PROW	E
	Way Markers	Disc not present / damaged	all		All PROW	E
		Post Unstable / Damaged			All PROW	E
		Obscured by vegetation			All PROW	E

Ref	Item	Hazard	Position	Extent/Severity /Ownership*	Detail / Information	Response
x	Furniture / Structure including Kissing Gate,	Structure likely to cause injury to users or prevent use	all		All urban PROW	B
					All rural PROW	D
		Structure damaged no immediate safety concern			All urban PROW	E
					All rural PROW	E
	Bridges - < 3m span and without a hand rail	Structure found out of specification	all		All PROW	E
		Structure likely to cause injury to users or prevent use			All urban PROW	B
					All rural PROW	D
		Structure damaged no immediate safety concern			All urban PROW	E
					All rural PROW	E
	Fences	Barbed Wire Fence immediately adjacent to PROW	all	Restricting PROW below prescribed width	All PROW	D
		Electric Fence immediately adjacent to PROW		Restricting PROW below prescribed width	All PROW	D
				Appropriate warning signs not in place	All PROW	E
	Other obstructions	Obstruction due to fences / structures across PROW	all	PROW impassable	All urban PROW	C
					All rural PROW	D
				Temporary diversion available around defect	All PROW	E
				PROW still passable	All PROW	E

## Local List for the Validation of Planning applications

Report by the Director of Environment, Transport and Development

### Summary

The Local List is a set of information requirements which are deemed necessary to ensure the planning officer and consultees will have sufficient information to assess a planning application.

The current adopted Local List used by Norfolk County Council was published in 2009. Since this date there have been significant changes in National and Local Policy and Government Guidance.

The Local List has undergone significant revisions which are aimed at making the document more user friendly and concise, as well as offering greater clarity and predictability to an applicant over what pieces of information will be needed to accompany an application in order for it to be validated and ultimately determined. The document is now presented in a table format which aims to present the information clearly and consistently. New information requirements have been added whilst others have been removed.

For the avoidance of doubt as to the status of the Local List of Validation of Planning Applications, 2012, Cabinet will be asked to formally adopt it thereby replacing the current adopted Local List (2009).

### Action Required

To recommend to Cabinet that the revised Local List for Validation of Planning Applications (2012) be formally adopted.

## 1. Background

1.1. The Local List forms part of three overall requirements necessary to accompany a planning application, these consist of:

- The standard application form (1App)
- Information specified within the National List. This information is mandatory and is the same for planning applications made nationwide.
- Relevant validation requirements specified within the Local List. The Local List is produced by the Local Planning Authority and is reflective of their individual needs, whilst still taking into account National Planning guidance.

Applications dealt with by the County Council fall within two main categories, mineral extraction (and associated development) and waste management applications, and applications for developments which it proposes to carry out itself, such as schools, libraries and highways (Regulation 3 of The Town and Country Planning (General Regulations 1992). The Local List for Validation of Planning Applications (2012) is

therefore focused on the requirements of the applications NCC determines.

- 1.2. Advice contained within “Guidance on information requirements and validation” published 2010, advises Local Planning Authorities who have published a Local List prior to 6 April 2010 to review it. Norfolk County Council’s current Local List was published in 2009. Since the publication of the current Local List there have been significant changes to National and Local Policy, specifically the National Planning Policy Framework and the adopted Norfolk Minerals and Waste Core Strategy DPD 2010 -2026.

The Guidance sets out key principles to achieve through updating the Local List;

- That the List is up to date with National, Regional and adopted Local Policy,
- That the list provides clear and consistent information as to when information is required,
- That the information requested is proportionate to the development in its size and scale,
- That it is clear what information is required to fulfil the validation requirement,
- There is clear advice given as to where the applicant can find further guidance.

#### **Action Taken**

- 1.3. A number of changes have been made to the adopted Local List (2009) in regards to both format and content. The list is now presented in a table format which aims to present the validation requirements in a more uniform manner that is easier for the reader to interpret. The table format is advised within the “Guidance on information requirements and validation”. The content changes were seen as needed to ensure the guidance given is up to date and the validation requirements included within the list were necessary, clear and concise. The “Local List for Validation of County Council Planning Application, 2012” is attached as Appendix B.
- 1.4. In line with Government Guidance published within “Guidance on information requirements and validation”, Norfolk County Council conducted an 8 week consultation process to allow comments from stakeholders and the local community to be made on “The Local List for Validation of County Council Planning Applications (Consultation Draft, August 2012)”.
- 1.5. A total of 25 responses were received. The majority of the validation requirements were commented on, however a number of responses made specific reference to the Arboricultural Assessment, Heritage Statement, Planning Statement, Planning Obligations, Transport Assessment and Transport Statement. General comments raised by consultation responses related to information requirements for an application submitted under section 73 of the Town and Country Planning Act 1990 for the removal/variation of condition and the overall length of the Local List.
- 1.6. In reflection of the comments received appropriate amendments were made to the proposed Local List, these are set out in detail in the “Summary of Responses, received in reference to the Local List for Validation of County Council Planning Applications (Consultation Draft. August 2012)” which is attached as appendix A. A number of changes were made to the Consultation Draft of the Local List, including the addition of a validation requirement for an Archaeological Survey and a section



on what is required for an application for variation of condition. The overall length of the list was considerably reduced.

## **Conclusion**

- 1.7. The proposed changes are aimed at providing a more consistent and proportionate approach to validation, which will provide more certainty and clarity to applicants in regards to information that will be required prior to an application being submitted for validation. Owing to this the proposed Local List can be seen to encompass the Governments drive to provide a quicker, more predictable and efficient planning service.

## **2. Resource Implications**

- 2.1 By providing improved guidance the proposed Local List should reduce the number of applications submitted which are invalid. This should lead to a more efficient and predictable application process for applicants and a reduction in Officer time spent dealing with invalid applications or requesting additional information.

## **3. Other Implications**

- 3.1. **Legal Implications** : None

- 3.2. **Human Rights** : None

- 3.3. **Equality Impact Assessment (EqIA)** : The report is not directly relevant to equality, in that it is not making proposals that will have a direct impact on equality of access or outcomes for diverse groups.

- 3.4. **Communications** : None needed. When adopted the Local List for Validation of Planning Applications, 2012 will be available on Norfolk County Council's website.

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

- 3.6. **Environmental Implications** : The Local List for Validation of Planning Applications, 2012 includes a validation requirement for all Major developments and all new minerals and waste developments (both brand new and extensions of existing sites) to submit a Sustainability Statement. The Sustainability Statement should include details of how the development will generate 10% of its energy from on-site decentralised and renewable or low carbon energy sources. The Statement should also demonstrate how the development complies with sustainability principles and promotes sustainable design.

- 3.7. **Any other implications:** Officers have considered all the implications which members should be aware of. Apart from those listed in the report (above), there are no other implications to take into account.

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

- 4.1. None

## 5. **Risk Implications/Assessment**

5.1. None

## 6. **Reason for Decision**

6.1. Formally adopting “The Local List for validation of Planning Applications, 2012” will ensure the validation criteria for planning applications is up to date with National, Regional and Local Policies and in line with Government Guidance.

## **Action Required**

- (i) To recommend to Cabinet that the revised Local List for Validation of Planning Applications, 2012 be formally adopted.

### Background Papers

Guidance on information requirements and validation, 2010, DCLG

<https://www.gov.uk/government/publications/planning-applications-information-requirements-and-validation>

Validation of Planning Applications, Adopted Local List of Requirements, 2009.

[http://www.norfolk.gov.uk/Environment/Planning/Local\\_List\\_Consultation/index.htm](http://www.norfolk.gov.uk/Environment/Planning/Local_List_Consultation/index.htm)

The Local List for Validation of County Council Planning Applications (consultation Draft, August 2012)

[http://www.norfolk.gov.uk/Environment/Planning/Local\\_List\\_Consultation/index.htm](http://www.norfolk.gov.uk/Environment/Planning/Local_List_Consultation/index.htm)

National Planning Policy Framework, March 2012. DCLG

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

The adopted Norfolk Minerals and Waste Core Strategy DPD 2010 -2026. September 2011.

[http://www.norfolk.gov.uk/Environment/Planning/Mineral\\_and\\_waste\\_planning/Minerals\\_and\\_waste\\_development\\_framework/index.htm](http://www.norfolk.gov.uk/Environment/Planning/Mineral_and_waste_planning/Minerals_and_waste_development_framework/index.htm)

## Officer Contact

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

<b>Name</b>	<b>Telephone Number</b>	<b>Email address</b>
Ralph Cox	01603 223318	ralph.cox@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 and ask for Ralph Cox or textphone 0344 800 8011 and we will do our best to help.

**Summary of Responses, received in reference to the Local List for Validation of County Council Planning Application (Consultation Draft. August 2012)**

	<u><b>Comments received/ what was said</b></u>	<u><b>Councils response</b></u>
<b>Air Quality Assessment</b>	No comments received.	
<b>Arboricultural Impact Assessment &amp; Arboricultural Method statement</b>	<p><b>1, Planning agent</b> This should only be required for ancient woodland or veteran trees, as per the NPPF and other national guidance.</p> <p><b>2, Planning agent</b> The proposed wording is too prescriptive and should remain unaltered from the adopted approach.</p> <p><b>3, Planning agent</b> The wording of the two trigger paragraphs for an AIA is contradictory. Is it intended that an AIA is required if the proposals affect any trees on or off site or, only if a tree has a trunk diameter of 75mm at 1.5m above ground level?</p> <p>More generally the proposed wording is too prescriptive and should remain unaltered from the adopted list approach for tree surveys.</p> <p><b>4, Planning agent</b></p> <ul style="list-style-type: none"> <li>• AIA / AMS – The advice is too detailed, in part confusing and</li> </ul>	<p><b>1,</b> The ethos of NPPF 11 is to conserve and enhance the natural environment. The policy also encourages the minimisation of impacts on biodiversity. NCC is satisfied that requirement is in accordance with Government Guidance and policies.</p> <p>No changes to be made.</p> <p><b>2,</b> NCC are satisfied that the wording offers greater clarity and precision to applicants as to when information is required, this is in accordance with guidance given by DCLG.</p> <p>No changes to be made.</p> <p><b>3,</b> The trigger has been re-worded to apply to trees which have a diameter of 75mm at 1.5 above ground level only, rather than all trees. NCC are satisfied that the wording offers greater clarity</p>

	<p>also contradictory. The 'triggers' column suggest the requirement only applies if proposed works would have an affect on trees but then in the 'what information' column it requires a plan to show all trees on site including RPA's (regardless of the proximity to the works). The advice needs to be streamlined and less contradictory. Also the reason for specific reference to TPO trees and trees in CA's is unclear as the AIA / AMS relates to impact of development on trees (not their contribution to the CA).</p> <p><b>5, Arboricultural Officer</b>  <i>General typo's/ minor amendment to wording.</i></p> <ul style="list-style-type: none"> <li>• BS5837:2012 Trees in Relation to Design, Demolition and Construction - Recommendations.</li> <li>• An Arboricultural Impact Assessment (AIA) is required if the proposed works have the potential to affect any trees, on or off site. This should include any trees overhanging the site or located beyond the site boundaries within a distance of up to 12 times their estimated stem diameter. should also be included. <i>DELETE</i></li> <li>• An accompanying report completed in accordance with BS5837:2012 Trees in Relation to design, demolition and construction - Recommendations, which should include</li> <li>• Hard and soft landscape design, including location and species of new tree planting</li> </ul>	<p>and precision to applicants as to when information is required, this is in accordance with guidance given by DCLG.</p> <p>Changes made wording of the trigger.</p> <p><b>4,</b> The information requirement has been re-worded to apply only to trees in relation to the development.</p> <p>Reference to TPO trees and trees in the conservation are has been removed.</p> <p>Changes made as detailed above.</p> <p><b>5,</b> Comments relate to minor typing errors and changes to wording.</p> <p>Changes made as proposed</p> <p><b>6,</b> Damage can be caused to trees that are to remain through the development and construction of the development. This damage should to be assessed.</p> <p>No changes to be made on this basis.</p> <p><b>7,</b> The ethos of NPPF 11 is to conserve and enhance the natural environment. The policy also encourages the minimisation of impacts on biodiversity. Whilst this is the drive of NPPF 11 it would not quote specific measurements of the nature referred to. The measurement given is taken from the BS5837:2012 –</p>
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	<ul style="list-style-type: none"> <li>• BS5837:2012 Trees in Relation to Design, Demolition and Construction - Recommendations.</li> </ul> <p><b>6, Planning agent</b> As written, the trigger for this assessment is too far reaching; particularly in the context of large mineral schemes. The trigger should only be if trees are removed in their entirety.</p> <p><b>7, Planning agent</b> Within the consultation document, Norfolk County Council purports that requiring this assessment is justified by NPPF Policy 11 – Conserving and enhancing the natural environment. However, NPPF only makes reference to woodlands and/or trees in relation to <i>“development resulting in the loss or deterioration of... ancient woodland and the loss of aged or veteran trees found outside ancient woodland”</i>.<sup>5</sup> The triggers presented within the consultation document, however, indicate that an Arboricultural Impact Assessment is required for development affecting <b>any</b> trees on or off the site, where the tree trunk has a diameter of 75mm at 1.5 m above ground level. NPPF defines aged or veteran trees as <i>“A tree which, because of its great age, size or condition is of exceptional value for wildlife, in the landscape, or culturally.”</i> We feel that under very few (if any) circumstances would a tree as small as 75mm in diameter qualify as an “aged or veteran tree”, as 75mm is quite small and generally indicates a relatively young (not old) tree. Therefore, we feel that the requirement of an Arboricultural Impact Assessment, as currently stated within the consultation document, is not justified as the triggers presented are not in conformity with the policy driver (NPPF Policy 11). Therefore, we feel that this local policy driver cannot be used to justify the Arboricultural Impact Assessment requirement.</p>	<p>Trees in relation to Design, Demolition and Construction. NCC are satisfied the requirement for a AIA and AMS is in accordance with DCLG guidance, and is a Validation requirement.</p> <p>No changes to be made on this basis.</p>
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	<p>Furthermore, we feel that the use of such specific size criteria as presented as a trigger is policy criteria and, as such, if the use of this criteria is to be substantiated it needs to be required within a specific national or local policy, which would need to be consulted upon and either adopted within the NPPF (which it is not) or the local plan – in this case the <i>Norfolk Minerals and Waste Development Framework Core Strategy and Development Management Policies DPD</i>.</p> <p>As these size criteria are clearly not contained within, nor in conformity with the NPPF and as the <i>Norfolk Minerals and Waste Core Strategy and Development Management Policies DPD</i> makes no reference to trees at all, let alone specific size criteria for requiring an Arboricultural Impact Assessment, we feel that this requirement, as presented within the consultation document, is unjustified and unsubstantiated, and therefore is contrary to DCLG guidance, as well as the NPPF.</p>	
<b>Bio-aerosol Statement</b>	No comments received	
<b>Biodiversity Survey and report</b>	<p><b>1, Planning agent</b> Bio-diversity report – The requirement for such a report associated with solar panels is unjustified given the limited change associated with such technology. This should be removed. Also the reason for the 0.5 ha ‘trigger’ is not apparent.</p> <p><b>2, Planning agent</b> The trigger for undeveloped land of 0.5ha is very low. A trigger of in excess of 5.0ha would be more appropriate.</p> <p><b>3, Planning agent</b> We believe that the "document" entitled "Biodiversity survey and</p>	<p><b>1,</b> Reference to solar panels has been removed as not mentioned in Natural England standing advice and very often fall under Permitted Development.</p> <p>The threshold for the requirement of 0.5 hectares is seen as acceptable.</p> <p>Changes made as appropriate.</p> <p><b>2,</b> The threshold for the requirement of 0.5 hectares is seen as acceptable.</p>

	<p>report" should read "Ecology survey and report". Biodiversity and enhancing biodiversity can be addressed in a Progressive working, restoration and after use scheme</p> <p><b>4, Statutory Consultee</b>  Natural England is generally supportive of the requirements for biodiversity surveys and reports. One point we would wish to raise however is that there will be situations where a statutory designated site such as a Site of Special Scientific Interest may be affected by development which is not within or adjacent to it, for example through noise, air or water pollution. Whilst the need for biodiversity assessment may be picked up through EIA screening and scoping there are still likely to be some applications submitted without the necessary biodiversity assessment and this may then have to be provided, at the request of internal or external consultees, once the application has been validated.</p>	<p>No change</p> <p><b>3,</b> NCC is satisfied that biodiversity and its enhancement are covered within a Biodiversity survey and report, rather than being included within a progressive working and restoration scheme.</p> <p>No change made.</p> <p><b>4,</b> It is accepted that further information may be requested by statutory consultees after consultation, during the determination process.</p>
<b>Bird Hazard Assessment</b>	<p><b>1, Planning agent</b>  Alter the wording of the trigger to, 'that has the potential to attract, significant numbers of large flocking birds which could pose a risk to the safety of aircraft'.</p>	<p><b>1,</b> wording has been changed to include " due to landscaping or waste management operations and would therefore pose a risk to the safety of aircraft"</p> <p>Changes made as detailed above.</p>
<b>Dust Assessment</b>	<p><b>1, Planning agent</b>  There should not be a "blanket" requirement for dust assessments. An assessment should only be requested where there are nearby sensitive receptors which could be affected by dust resulting from the development.</p> <p><b>2, Planning agent</b>  A dust assessment should only be requested once the Case Officer has given careful consideration to whether there are nearby sensitive receptors which could be affected by dust resulting from the</p>	<p><b>1,</b> It is necessary to assess the impact of the development in terms of Dust. However this varies depending upon the size/ type of development and proximity of a nearby receptor. It is not therefore possible to set a specific distance to trigger a Dust Assessment. As such the Local List has been revised to state that all applications require a Dust survey, unless otherwise agreed with NCC through pre-app discussions.</p> <p>Change made as detailed above.</p>



	<p>development.</p> <p><b>3, Planning agent</b> Most applications are able to use an action plan rather than an assessment and the Local List needs to cover this mitigation based approach</p>	<p><b>2,</b> See response to 1.</p> <p><b>3,</b> Details of mitigation measures are included within the information requirements for the assessment.</p> <p>No Change made</p>
<b>Environmental Statement</b>		<p>Comments raised within "General Comments relate to the size of the list. To address these concerns a number of sections have been reduced. The section for Environmental Statement has been reduced and is now more succinct.</p>
<b>Flood Risk Assessment including sequential and exception testing</b>	<p><b>1, Planning agent</b> This needs to be categorically clear that the sequential test relates only to new development and not existing development (i.e. S73 applications). As per paragraph 104 of the NPPF for sites allocated in development plans applicants need not apply the sequential test. It should also be noted that minerals can only be worked where they are found and therefore alternative locations are limited. The NPPF also classifies sand and gravel working as water compatible development.</p> <p><b>2, Member of the public</b> The section on flooding needs to include an obligation on local authorities to remedy their own drainage work where it has had an impact upon the site in question. In the entrance to our site the local highways department constructed a soak away to drain the highway and directed some of the underground outfall pipes across our boundary. In these instances the applicant should not be held liable for the cost of remedial work. A clause which places "an obligation</p>	<p><b>1,</b> Whether a sequential test is necessary would be required for a s73 and 96a application should be assessed due to the merits of each application. A section relating to section 73 and 96a applications has been added to the Local List to advise applicants further. Amendments made as appropriate to reflect that a sequential test is not required if minerals site is in the Development Plan.</p> <p>Changes made accordingly.</p> <p><b>2,</b> Not applicable to the Local List or validation.</p> <p>No changes made</p>

	upon local authorities to negotiate a reasonable remedy to situations where previous action by the local authority or its agents have compromised drainage."	
<b>Foul and surface water drainage assessment</b>	<p><b>1, Planning agent</b> This should be called a 'hydrogeological risk assessment' as per your Policy DM3. Policy DM3 clearly states that: <i>"Sites for mineral extraction into the water table in Zones 2 &amp; 3, and outside Groundwater Protection Zones, will be acceptable in principle, although proposals in Zones 2 &amp; 3 will need to be accompanied by a hydrogeological risk assessment which demonstrates that the extraction can take place safely."</i></p> <p>This makes it clear when such an assessment will be required, and so no other criteria should be used in the local list.</p> <p><b>2, Planning agent</b></p> <ul style="list-style-type: none"> <li>Foul and s/w assessment – The requirement is excessive and should be revised in relation to small scale development</li> </ul> <p><b>3, Planning agent</b> We feel that the policy driver purported to support the inclusion and requirement for this assessment has been misinterpreted and/or misrepresented, particularly in relation to the trigger presented within the consultation document. Firstly, if using DM3 as the policy driver to substantiate this type of assessment, we feel that the name is a misnomer. Policy DM3 specifically refers to this type of assessment as a Hydrological Risk Assessment (HRA), and therefore the name of the document required should be termed in such a way as to match the policy driver. Policy DM3 of the <i>Norfolk Minerals and Waste Core Strategy and Development Management Policies DPD</i> clearly states that:</p>	<p>1, A Hydrological/ Hydrological Risk Assessment has been added as a separate requirement.</p> <p>Changes made as above.</p> <p>2, wording added to ensure the assessment is proportionate to the development.</p> <p>Changes made as above.</p> <p>3. The NCC is satisfied that there is a need to provide information in regards to drainage for the site. DM3 is a driver for the requirement, the section refers clearly to a Hydrological Risk Assessment. It should be noted that DM3 is not the only policy driver for this requirement.</p> <p>Emphasised requirement to take into account Core Strategy Plans relevant for the district in which the development is located.</p>

	<p><i>“Sites for mineral extraction into the water table in Zones 2 &amp; 3, and outside Groundwater Protection Zones, will be acceptable in principle, although proposals in Zones 2 &amp; 3 will need to be accompanied by a hydrogeological risk assessment which demonstrates that the extraction can take place safely.”</i></p> <p>As it is made relatively clear within Policy DM3 when an HRA will be required, we feel that these are therefore the only triggers that can be substantiated to require an HRA in accordance with the policy driver presented within the consultation document.</p> <p>The supporting text for this policy also mentions the Environment Agency’s Groundwater Protection: Policy and Practice (GP3) document, but would like to note that this document appears to make no specific references to requiring HRA for minerals extraction developments.</p>	
<b>Heritage statement</b>	<p><b>1, Planning agent</b></p> <p>First, I’d suggest keeping archaeological assessment separate from other heritage assessments, such as listed buildings</p> <p>Second, I feel that the one of the triggers within the consultation document is not consistent with Policy DM9 on archaeological sites, which states that:</p> <p><i>“Applicants whose proposals could potentially affect heritage assets, or which are in areas with high potential for archaeological interest, will be required to prepare and submit an appropriate desk-based assessment and, <b>where necessary, a field evaluation with their application</b> to the County Council.”</i></p> <p>The “where necessary” appears to be clarified further in the supporting text preceding the policy which states:</p> <p><i>“It may be necessary to carry out archaeological investigations, including excavations and recording, prior to development on certain sites, and <b>in cases of sites of known archaeological interest or</b></i></p>	<p><b>1,</b> Archaeological Survey is now a specific information requirement separate to the requirement for a Heritage Statement. The requirement has been reworded to be more specific as to when a field evaluation is required.</p> <p>Changes made as detailed above.</p> <p><b>2,</b> Archaeological Survey is now a specific information requirement separate to the requirement for a Heritage Statement. The Trigger has been re-worded to reflect the LDF and now states that the assessment should be submitted if there is proposal includes or is adjacent to an area with a high potential for archaeological interest.</p> <p>Changes made as stated above.</p> <p><b>3,</b> The Heritage Statement has been re-worded to give greater clarification. The requirement to provide a</p>

<p><b><i>potential the results of a field evaluation will be required to be submitted with planning applications.</i></b></p> <p>This makes it clear when a field evaluation will be required, and it should not be required otherwise.</p> <p><b>2, Planning agent</b> Use of the term, ‘an area of archaeological interest’ within the triggers should be prefaced by either ‘known’ or ‘high potential’ to avoid doubt.</p> <p><b>3, Planning agent</b> Heritage statement – The ‘what information’ is very detailed and prescriptive in part and silent on other heritage issues (such as Schedule Ancient Monuments and areas of archaeological interest). Also some of the very detailed advice is unjustified (notably structural survey on all buildings to be demolished). The advice in this section should be consistent and simplified.</p> <p><b>4, Planning agent</b> Firstly, we suggest that heritage statements relating to designated heritage assets, such as listed buildings and Conservation Areas should be presented separately to archaeological requirements within the local list, as they require completely separate processes and procedures. Secondly, we feel that one of the triggers within the consultation document in relation to archaeology does not accord entirely with the policy driver stated. Policy DM9 on archaeological sites states that: <i>“Applicants whose proposals could potentially affect heritage assets, or which are in areas with high potential for archaeological interest, will be required to prepare and submit an appropriate desk-based</i></p>	<p>structural survey on buildings to be demolished has been removed. The archaeological Survey has been removed and forms a separate information requirement.</p> <p>Changes made as above.</p> <p><b>4, Archaeological Survey</b> is now a specific information requirement separate to the requirement for a Heritage Statement. The Trigger has been re-worded to reflect the LDF and now states that the assessment should be submitted if there is proposal includes or is adjacent to an area with a high potential for archaeological interest.</p> <p>Changes made as stated above.</p>
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	<p><i>assessment and, <b>where necessary, a field evaluation with their application</b> to the County Council.”</i></p> <p>The “where necessary” appears to be clarified further in the supporting text preceding the policy which states:  <i>“It may be necessary to carry out archaeological investigations, including excavations and recording, prior to development on certain sites and <b>in cases of sites of known archaeological interest or potential, the results of a field evaluation will be required to be submitted with planning applications.</b>”<sup>6</sup></i></p> <p>The trigger described in the consultation document, particularly the final bullet, does not reflect the policy driver’s context accurately. We therefore suggest that the final bullet is changed to accord fully with Policy DM9 to read “could affect an area of <b>known</b> archaeological interest”.</p>	
<b>Inert waste landfill assessment</b>	<p><b>1, Planning agent</b>  This should not be a validation issue but more of a consideration as to the merits of a proposal made at the time of determination.</p>	<p><b>1,</b> The requirement for Inert Waste Landfill Assessment is inline with Policy CS9.</p> <p>No changes.</p>
<b>Landfill assessment</b>	<p><b>1, Planning agent</b>  This should not be a validation issue. The information should be requested at the time of a scoping opinion being issued, if appropriate.</p> <p><b>2, Planning agent</b>  Should include the same caveat as inert landfill (i.e. the restoration of mineral working).</p>	<p><b>1,</b> It is not a requirement of the applicant to request a Scoping Opinion (hence it would not be issued at the time that the Scoping Opinion is issued).</p> <p>No changes made.</p> <p><b>2,</b> NCC is satisfied the validation requirement is sufficient to fulfil its requirements under the Landfill (England and Wales) Regulations 2002 as amended.</p> <p>No changes made.</p>
<b>Land</b>	<b>1, Planning agent</b>	<b>1,</b> The Land Contamination Assessment has been

<b>contamination assessment</b>	Land Contamination Assessment – The ‘triggers’ are imprecise and not proportionate (especially for small scale / change of use applications). This should be addressed.	amended advising that applicants should contact the Local Planning Authority (district/borough) if there is reason to believe land may be contaminated.  Changes made as above.
<b>Landscape and visual impact assessment</b>	<p><b>1, Planning agent</b> Such an Assessment would normally only be required as part of an Environmental Statement. For significant but non-EIA development a formal Assessment should not be necessary. It may however be appropriate on occasions to request a ‘landscape appraisal’ or a ‘visual impact appraisal’ dependent upon the individual circumstances. This should be at the discretion of the Case Officer.</p> <p><b>2, Planning agent</b> Landscape and VIA – The ‘triggers’ are too vague and the requirement should be based on scale / significance. Also reference made to Core River Valleys (but not clear of any definition). Without this, reference should be deleted.</p> <p><b>3, Planning agent</b> Again needs clearer definition in the context of S.73 applications.</p> <p><b>4, Statutory Consultee</b> It is suggested the need for LVIA at the validation stage will be judged on a case by case basis rather than by any pre-defined criteria. This may well be successful but will depend on staff experienced in landscape assessment being involved in the validation process. We would like to suggest the text on triggers refers to landscape character as well as to visual impact.</p>	<p><b>1,</b> A Landscape and Visual Impact Assessment may be required for developments which do not necessarily require an EIA. The validation requirement has been amended to advise the applicant to engage in Pre-app discussions with NCC prior to submission of an LVIA, specifically if they are unsure if an LVIA is necessary or what to provide.  Changes made as above.</p> <p><b>2,</b> NCC are satisfied that the ‘triggers’ are satisfactory and adequately reflect the need for an LVIA depending upon the impact of the development on the surrounding landscape. Core River Valleys are detailed within the Adopted Norfolk Minerals and Waste Core Strategy DPD 2012 – 2026.  No Changes made.</p> <p><b>3,</b> A section relating to section 73 and section 96a applications has been added to the Local List to advise applicants further.  Changes made as detailed above.</p> <p><b>4,</b> The section for LVIA has been amended. The</p>

		<p>“triggers” reflect the need for the assessment will be dependent on the development and its impact on the surrounding landscape. Pre-app discussion with the planning department and Landscape team is encouraged.</p> <p>Changes as above.</p>
<b>Landscaping scheme</b>	<p><b>1, Planning agent</b> Text missing at the end of the Triggers column?</p> <p><b>2, Planning agent</b> This should not be a validation issue but more of a consideration as to the merits of a proposal made at the time of determination.</p> <p><b>3, Planning agent</b> Landscaping scheme – The ‘trigger’ are too vague and the requirement should be based on scale / significance</p>	<p><b>1,</b> Amendments made to ‘triggers’ as necessary.</p> <p>Changes made as above.</p> <p><b>2,</b> The information is necessary to be assessed by consultees during the determination process to assess whether the scheme is achievable and whether the impact of the development can be made acceptable.</p> <p>No changes.</p> <p><b>3,</b> NCC considers the triggers to be acceptable, it would be unrealistic for the triggers to be overly rigid for this requirement, as a small development in a prominent position or in an area of significant importance on the character/ landscape of an area may still require a Landscaping scheme. Applicants are advised to contact NCC Landscaping team/ planning department if they are unsure whether a scheme is required.</p> <p>No changes.</p>
<b>Lighting assessment</b>	<p><b>1, Planning agent</b> Lighting Assessment – This does not seem to represent a reasonable</p>	<p><b>1,</b> The Lighting Assessment is necessary to assess the impact of lighting on the surrounding area and any</p>

	<p>or proportionate requirement for a small scale development (and does not reflect what NCC require to validate or determine such applications). This needs to be reconsidered in relation to smaller scale development.</p> <p><b>2, Planning agent</b></p> <p>The trigger for this assessment is too generic. Like dust, the use of standard mitigation measures to minimise light spill is often sufficient to negate any impact. The trigger needs to relate either to multiple arrays or high level lighting as a simple security light on a weighbridge for instance would not affect amenity of the surrounding area.</p>	<p>nearby receptors. However the information submitted should be proportionate to the development and its anticipated impact.</p> <p>No changes made.</p> <p><b>2</b>, see response for 1.</p>
<b>Noise Assessment (Ventilation and Extractions systems)</b>	<p><b>1, Planning agent</b></p> <p>There should not be a “blanket” requirement for noise assessments. A noise assessment should only be requested once the Case Officer has given careful consideration to whether there are nearby sensitive receptors which could be affected by noise resulting from the development.</p> <p><b>2, Planning agent</b></p> <p>Noise Assessment - The ‘trigger’ details are not sufficiently precise. Also reference is made to proposals that NCC do not determine (mixed use with housing and commercial applications or generally food take away areas). This should be addressed. The noise from design of ventilation / extraction system would be provided in its specification (and not as part of any wider noise report).</p> <p><b>3, Planning agent</b></p> <p>Again needs a caveat in respect of S.73 and S96A applications.</p>	<p><b>1</b>, Applicants are advised that a noise assessment is not required to be submitted if it is agreed with NCC prior to submission.</p> <p>Changes made as above.</p> <p><b>2</b>, The section has been amended as appropriate to remove reference to any proposal not determined by NCC. The design and details of a ventilation/ extraction system should be included when necessary within the Noise Assessment.</p> <p>Changes made as detailed above.</p> <p><b>3</b>, A section relating to section 73 and 96a applications has been added to the Local List to advise applicants further.</p>



	<p><b>4, Planning agent</b></p> <p>We suggest that under the “Further Guidance” column reference be made to the very specific technical requirements to undertaking noise assessments as provided within the <i>Technical Guidance to the National Planning Policy Framework</i>.</p>	<p>Changes made as detailed above.</p> <p><b>4,</b> The Local List has been amended to include reference to “Technical Guidance to the National Planning Policy Framework” within the further guidance section.</p> <p>Changes made as detailed above.</p>
<b>Open space and pitch assessment</b>	No comments received	
<b>Parking provision assessment</b>	<p><b>1, Planning agent</b></p> <p>There is nothing within Policy 4 of the NPPF which would indicate the need for a stand-alone parking provision assessment. Parking provision in the DfT guidance on Transport Assessment is an integral part of the Transport Statement or Transport Assessment, and this is where it should be, not a separate assessment.</p> <p><b>2, Planning agent</b></p> <p>There is nothing within Policy 4 of the NPPF which would indicate the need for a stand-alone parking provision assessment. Parking provision is considered where necessary as an integral part of the Transport Statement or Transport Assessment. For example, the Department for Transport’s “Guidance on Transport Assessment” contains the requirement for a “proposed parking strategy (number of spaces, parking accumulation, parking layout in relation to other site elements, ratio of operational to non-operational spaces, method of car park operation, overspill parking considerations, establishment</p>	<p><b>1,</b> The Ethos of NPPF Policy 4 relates to a promotion of sustainable transport, including traffic management. The Local List has been amended to advise the applicant to provide justification for the parking provisions, which should take account of, where necessary, the promotion of sustainable transport modes. A Parking Provision may be needed when a Transport Assessment/ Transport Statement are not required. The wording of this section has been amended to make clear that a Parking Provision assessment is not required when the information is included within the Transport Assessment/ Transport Statement.</p> <p>Information for the Department for Transport’s “Guidance on Transport Assessment” has been included in Further Guidance for the Parking Provision Assessment.</p> <p>Changes made as detailed above.</p>

	<p>of/proximity to controlled parking zones, disabled parking, motorcycle parking, cycle parking)". This seems to cover what would be needed, and so it might be confusing, as well as being an additional burden for the applicant, to have a parking assessment separate from a parking strategy set out as part of the transport assessment. We therefore recommend that the requirement for a Parking Provision document is removed from the local list, as it is already encompassed by the need for a Transport Statement/Assessment.</p>	<p><b>2,</b> A Parking Provision may be needed when a Transport Assessment/ Transport Statement are not required. The wording of this section has been amended to make clear that a Parking Provision assessment is not required when the information is included within the Transport Assessment/ Transport Statement.</p> <p>Information for the Department for Transport's "Guidance on Transport Assessment" has been included in Further Guidance for the Parking Provision Assessment.</p> <p>Changes made as detailed above.</p>
<b>Planning statement</b>	<p><b>1, Planning agent</b></p> <p>What is a "<i>community involvement assessment</i>". It appears this could only be a statement of fact as to what types of consultation have been undertaken by the applicant?  Details of "<i>measures taken to reduce energy consumption and carbon dioxide emissions from the development</i>" cannot be relevant for all type of development. Nor could all applications be "<i>accompanied by proposals to reduce energy consumption and emissions through renewable energy technologies ...</i>", not least because applications for such new developments may not be a matter for, nor determined by, the County Authority.</p> <p><b>2, Planning agent</b></p> <p>The NPPF makes absolutely no mention of daylight or sunlight, nor does the <i>Norfolk Minerals and Waste Core Strategy and Development Management Policies DPD</i>, so I do not feel that a</p>	<p><b>1,</b> Reference to a Community Involvement assessment has been removed from the Planning Statement section and is now covered in Statement of Community Involvement requirement.</p> <p>Reference to energy consumption/ emissions has been removed from the Planning Statement section and is now covered within the Sustainability Statement.</p> <p>Changes made as above.</p> <p><b>2,</b> The Daylight/ Sunlight assessment has been removed from the Local List. This may be requested by the case officer if it is seen as necessary during the determination process.</p> <p>Requirement removed.</p> <p><b>3,</b> Amendments have been made to the Planning</p>

	<p>daylight and sunlight assessment is justified.</p> <p><b>3, Planning agent</b>  Planning Statement – The ‘what information’ is contradictory in that it suggests for small / minor developments it should be short / concise statement and then prescribes what is required in excessive detail (notably in relation to energy issues). In relation to energy issues, the requirement for predicted energy consumption and baseline carbon dioxide omissions is excessive and should be deleted. The text appears to re-introduce sunlight and daylight assessments (contradicting the introduction to the document) – this reference should be deleted.</p> <p><b>4, Planning agent</b>  Should not be needed for a S.96A application, nor should it for most forms of S.73 applications as the principle of development has already been established. The scope of information required is far too wide ranging for Planning Statements and covers matters that should be covered in an ES or a Supporting Statement.</p> <p><b>5, Planning agent</b>  Planning Statement (sunlight/daylight assessment only)  We agree that most of the information required for a Planning Statement is extremely useful in developing and assessing planning applications. However, we feel that the inclusion of the daylight sunlight assessment within the Planning Statement is wholly inappropriate. A daylight/sunlight assessment is an entirely separate, standalone document in its own right, and should not be considered part of the planning statement.  Additionally, we feel it is misleading that the beginning of the consultation document states that this assessment is no longer required, when it clearly is still a requirement.</p>	<p>Statement requirements to reduce the information requested. The daylight/ sunlight assessment has been removed.</p> <p>Changes made as above.</p> <p><b>4,</b> A separate section relating to section 73 and section 96a applications has been added to the Local List to advise applicants further on the matter. The information requested by the validation requirement has been revised and reduced.</p> <p>Changes made as above.</p> <p><b>5,</b> The requirement for a daylight/ sunlight assessment has been removed.</p> <p>Changes as above.</p> <p><b>6,</b> The requirement for a daylight/ sunlight assessment has been removed.</p> <p>Changes as above.</p>
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	<p>Furthermore, the NPPF makes absolutely no mention of daylight or sunlight, nor does the <i>Norfolk Minerals and Waste Core Strategy and Development Management Policies DPD</i>. As a result, we do not feel that a daylight and sunlight assessment is justified, as the policy drivers presented appear to be inaccurate. We therefore suggest that the requirement for a daylight/sunlight assessment is removed in its entirety from the local list.</p> <p><b>6, Planning Agent</b> From a cursory reading of the documentation so far, it should be made clear that although the requirement for submission of daylight/sunlight assessments has been removed, this is now a requirement of the content of the Planning Statement, where necessary.</p> <p>It is therefore incorrect to give the misleading impression that this requirement has been removed from the validation list requirements.</p>	
<b>Planning obligations details (S106)</b>	<p><b>1, Planning Agent</b> A “local list” should identify only the local information requirements that may be required in support of planning applications. This does not include planning obligations, which are part of the planning permission.</p> <p><b>2, Planning Agent</b> Planning Obligation – Need consistent reference to Planning Obligations (not just s106’s). Should reference be made to Heads of Terms in this section?</p> <p><b>3, Planning Agent</b></p>	<p><b>1,</b> The column “Triggers/ when is this required” makes clear that planning obligation information should only be submitted where this has been determined through pre-app discussions or there is a clear need. A planning Obligation/ S106 can still be requested if necessary during the determination process.</p> <p>No changes made.</p> <p><b>2,</b> Amendments made as appropriate.</p> <p>Changes as above.</p>

The provision of a Section 106 agreement or the provision of information required to prepare a S106 agreement is not a validation issue. It should be a consideration at the time of determination of a planning application when full details of the proposal have been reviewed and considered, not at validation.

#### **4, Planning Agent**

Need to make reference to S.106A applications and the current requirement to modify S.106 Agreements in conjunction with applications under the S.73 mechanism. Small changes in planning consents should under no circumstances generate a need to update any S.106.

#### **5, Member of the public**

The use of section 106 probably is not relevant in this context. I know that there is some pretty clear central guidance on the "fair, reasonable and appropriate" use of section 106 by local planning departments but in my recent experience I don't believe that 106's are always used for the original purpose of protecting community infrastructure from large scale developments.

#### **6, Planning Agent**

A "local list" should identify only the local information requirements that may be required in support of planning applications. A planning obligation is not an "information requirement" required to accompany a planning *application*. Rather, it is a mechanism for restricting the scope of a planning *permission* (as with planning conditions). Its place in the planning process is *after* the submission of the planning application, but not before. Only at this stage would it become apparent that a planning obligation could make acceptable a development which would otherwise be unacceptable.

**3,** The column "Triggers/ when is this required" makes clear that planning obligation information should only be submitted where this has been determined through pre-app discussions or there is a clear need. A planning Obligation/ S106 can still be requested if necessary during the determination process.

No changes made.

**4,** A section relating to section 73 and section 96a applications has been added to the Local List to advise applicants further.

Changes made as detailed above.

**5,** NCC is satisfied that the Planning obligations are used fairly, when justified and necessary.

No changes made.

**6,** The column "Triggers/ when is this required" makes clear that planning obligation information should only be submitted where this has been determined through pre-app discussions or there is a clear need. A planning Obligation/ S106 can still be requested if necessary during the determination process.

No changes made.

	Therefore we do not feel that the presence or absence of planning obligations can be used to validate an application prior to its assessment by the LPA and therefore suggest that this entire section should be removed from the local list.	
<b>Progressive working and restoration and after use scheme</b>	<p><b>1, Planning Agent</b> Some of the listed items may not be feasible to deliver. For example, due to Health and Safety and other reasons, it may not be possible to retain sample exposures for study purposes any important geology or geomorphology on the site. All these listed items must be on a case by case basis, as indeed should most of the local list.</p> <p><b>2, Planning Agent</b> This should not be a validation issue but more of a consideration as to the merits of a proposal made at the time of determination. For most minerals and waste applications this information will be contained in the planning statement.</p>	<p><b>1,</b> The requirement is in accordance with DM14 of the Adopted Norfolk Minerals and Waste Core Strategy DPD 2010- 2026. If it is not possible for an applicant to provide the necessary information they can submit reasons for this to NCC, as is detailed within the Local List Introduction.</p> <p>No changes made.</p> <p><b>2,</b> The requirement is in accordance with DM14 of the Adopted Norfolk Minerals and Waste Core Strategy DPD 2010- 2026. The information is necessary to make a determination of the proposal. The requirement has been amended to advise applicant that if they include the Progressive working and restoration and after use scheme within the Planning Statement then this should be clearly stated but would not need to be repeated.</p> <p>Changed made as above.</p>
<b>Soil and land quality survey</b>	<p><b>1, Planning Agent</b> Such a survey should only be required where a significant quantity of grade 1, 2 or 3a land is to be affected, i.e. greater than 20ha.</p> <p><b>2, Planning Agent</b> Needs to relate specifically to new development or extensions to existing sites.</p>	<p><b>1,</b> The requirement is in accordance with DM16 of the Adopted Norfolk Minerals and Waste Core Strategy DPD 2010- 2026.</p> <p>No changes made.</p> <p><b>2,</b> A section relating to section 73 and section 96a applications has been added to the Local List to advise</p>

	<p><b>Statutory Consultee</b></p> <p><b>3,</b> The trigger point refers to carrying out soil surveys on agricultural land of Grades 1,2 or 3a. The grade of the land is unlikely to be known in advance so this requirement may need to apply to all agricultural land.</p>	<p>applicants further.</p> <p>Changes made as detailed above.</p> <p><b>3,</b> The requirement is in accordance with DM16 of the Adopted Norfolk Minerals and Waste Core Strategy DPD 2010- 2026.</p> <p>No changes made.</p>
<b>Statement of community involvement</b>	<p><b>1, Planning Agent</b></p> <p>The threshold of 1ha as constituting a major minerals or waste development is too low. The need for and scope of such a Statement should be left to the discretion of the Case Officer.</p> <p><b>2, Planning Agent</b></p> <p>We are not clear on where the triggers presented for requiring a Statement of Community Involvement (SCI) have come from, as they are not contained within the NPPF as indicated.</p> <p>Furthermore, the triggers presented appear to be detailed policy criteria and, as these are not set forth in NPPF Policy 7, we feel their retention would require that they be consulted on as a matter of local policy as and when the <i>Norfolk Minerals and Waste Core Strategy and Development Management Policies DPD</i> is reviewed.</p>	<p><b>1,</b> The threshold for a Major Development is defined within The Town and Country Planning (Development Management Procedure) (England) Order 2010.</p> <p><b>2,</b> The NPPF states that the views of the local community should be taken into account. This is also in accordance with other National Guidance such as the Localism Bill. NCC is satisfied that the triggers are sufficient to ensure the validation request is proportionate and necessary, which is inline with the advice within “Guidance on information requirements and validation”.</p>
<b>Sustainability statement</b>	<p><b>1, Planning Agent</b></p> <p>This appears very detailed and prescriptive and should be summarised.</p> <p><b>2, Planning Agent</b></p> <p>This section is far removed from the requirements of the NPPF. The local list starts with effectively a quote from CS13 of the Adopted</p>	<p><b>1,</b> The Sustainability Statement criteria has been amended and the text reduced as appropriate.</p> <p>Changes made as above.</p> <p><b>2,</b> The Sustainability Statement criteria has been amended as appropriate. The thrust of The National</p>

<p>Norfolk Minerals and Waste Core Strategy DPD on renewable/low carbon energy generation.</p> <p>The Local List here directly references the NPPF “Achieving sustainable development”. The NPPF however sets out five ‘guiding principles’ of sustainable development:</p> <ul style="list-style-type: none"> <li>• living within the planet’s environmental limits;</li> <li>• ensuring a strong, healthy and just society;</li> <li>• achieving a sustainable economy;</li> <li>• promoting good governance; and</li> <li>• using sound science responsibly</li> </ul> <p>On the matter of encouraging renewables, the local list says:  <i>“Types of renewable energy sources can include wind, biomass and photovoltaics”</i> – and while the paper does say that “The type of energy source should be suitable for the location”, these applications may not be a matter for the County Authority to determine and consent is often not forthcoming for such developments even if the location is suitable (e.g. sufficient wind strength, south facing land etc). Many of these sentiments may be aspirational but not necessarily deliverable by an applicant. The generation of a minimum of 10% of energy on-site should not be the headline aspect of a Sustainability Statement. There should be far more balanced in approach.</p> <p>On the three recognised strands of sustainable development (economic, social and environmental), the examples given in the consultation table not only lean heavily to the environmental strand but understate and even <u>wholly misrepresent</u> the thrust and intention of the NPPF.</p>	<p>Planning Policy Framework is to promote sustainable development.</p> <p>Changes made as above.</p> <p><b>3</b>, NCC are satisfied that the requirement is in accordance with Government Guidance promoting the sustainable development. It is not considered that the requirement repeats information requested in other sections.</p> <p>No Changes.</p> <p><b>4</b>, The “Triggers” column has been amended to detail specifically the threshold which constitutes a Major application. This is the same as outlined within the rest of the Local List and is in accordance with The Town and Country Planning (Development Management Procedure) (England) Order 2010</p> <p>Changes made as above.</p> <p><b>5</b>, The requirement for the validation requirement to apply to all mineral extraction and waste sites accords with guidance given within DM11 and CS13 of the Adopted Norfolk Minerals and Waste Core Strategy DPD 2010- 2026. The “Triggers” column has been amended to detail specifically the threshold which constitutes a Major application. This is the same as outlined within the rest of the Local List and is in accordance with The Town and Country Planning (Development Management Procedure) (England) Order 2010.</p>
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	<p>Paragraph 7 of the NPPF says:</p> <p><i>There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:</i></p> <ul style="list-style-type: none"> <li>• <b><i>an economic role</i></b> – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;</li> <li>• <b><i>a social role</i></b> – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being; and</li> <li>• <b><i>an environmental role</i></b> – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.</li> </ul> <p>This is particularly true of the reference in the NCC local list consultation to the economic strand:  <i>“Economic – How the development would make the most efficient use of existing infrastructure. The suitability of the location”.</i></p>	<p>Changes made as above.</p> <p><b>6,</b> The Sustainability Statement criteria has been amended as appropriate. The thrust of The National Planning Policy Framework is to promote sustainable development.</p> <p>Changes made as above.</p>
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This in no way reflects the NPPF and in our view requires substantial redrafting as does the whole section on sustainability.

Paragraph 8 of the NPPF says:

*“These roles should not be undertaken in isolation, because they are mutually dependent. Economic growth can secure higher social and environmental standards, and well-designed buildings and places can improve the lives of people and communities. Therefore, to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system”.*

### **3, Planning Agent**

This seems essentially to be a repetition of what is required elsewhere in the planning application in the form of the various assessments, and so it should be deleted, maybe with the exception of the requirements for the criteria within the Sustainable Construction and Operations policy (DM11) which could be appropriate for inclusion within the Sustainability Statement.

### **4, Planning Agent**

It is to be expected the threshold to be applied as constituting a major minerals or waste development is more realistic than the one used elsewhere in this document.

### **5, Planning Agent**

There should not be a “blanket” requirement for a Sustainability Statement for all new Minerals and Waste developments. An assessment should only be required where it is appropriate i.e. for Major Minerals and Waste Developments. The threshold to be applied for constituting a major minerals or waste development

	<p>should be stated and should be more realistic than the one used elsewhere in this document i.e. greater than say 20 ha.</p> <p><b>6, Planning Agent</b></p> <p>We feel that the requirement that applications demonstrate how the development complies with sustainability principles and promotes sustainable design is flawed in some aspects. The policy basis presented covers NPPF policies 1-13 – nearly the whole of the NPPF. Compliance with NPPF Policies 1-13 would also be covered under national policy analysis as required within the Planning Statement.</p> <p>Additionally, many sustainability impacts are adequately covered, where relevant and necessary, by other assessments presented within the local list. It would be onerous and lengthy to continually reiterate the economic, social and environmental effects of the development proposals throughout the various assessments and seems unnecessary. We therefore suggest that this section is removed from the “What information is required” column of the local list.</p> <p>Please note, however, that we do accept the requirements for the criteria within the Sustainable Construction and Operations policy (DM11) as being appropriate for inclusion within the Sustainability Statement.</p>	
<b>Transport assessment and transport statement</b>	<p><b>1, Planning Agent</b></p> <p>Why does the list of possible developments under Triggers include several types which are not determined by County Authorities? The consultation paper says on page 5 that <i>“NCC does not deal with all types of applications and therefore the revised Local List and adopted Local List are focused on the requirements of the applications NCC deals with”</i>.</p> <p><b>2, Planning Agent</b></p>	<p><b>1,</b> The section has now been amended, triggers are in accordance with DM10 of the Adopted Norfolk Minerals and Waste Core Strategy DPD 2010- 2026 and the applicant is advised to refer to thresholds outlined by the Department for Transport publication “Guidance on Transport Assessment”.</p> <p>Changes as above.</p>

<p>Most of this can be deleted as it repeats national guidance on Transport Assessment.</p> <p>Perhaps of some concern is that the column headed “what information is required” does not reflect the information required by Policy CS15. This sets out that:  <i>“all proposed minerals extraction and waste management facilities must assess and consider positively the potential for non-HGV transportation of materials to and/or from the facilities, principally by rail or water”.</i></p> <p>This requirement does not feature strongly in the Department for Transport’s guidance, and therefore we feel that it should be set out clearly within the local list. The risk otherwise is that applications will be submitted that do not cover this requirement and consequently do not gain planning permission because of a failure to set out in the planning application how the proposal is consistent with Policy CS15.</p> <p><b>3, Planning Agent</b>  A Transport Assessment would normally only be part of an Environmental Statement. For significant but non-EIA development a formal Assessment should not be necessary. It may however be appropriate on occasions to request a Transport Statement dependent upon the individual circumstances. This should be at the discretion of the Case Officer. Notwithstanding the above the wording of this consultation draft is far too prescriptive.</p> <p><b>4, Planning Agent</b>  Transport Assessment / Statement – This appears very detailed and includes triggers for some developments not normally NCC determinations (inc. general industrial, hospitals, etc). This section should be summarised and simplified.</p>	<p><b>2,</b> The “What information is required” column has been amended and adequately reflects the requirements of CS14 of the Adopted Norfolk Minerals and Waste Core Strategy DPD 2010- 2026. The section has been amended to direct applicants to the Department for Transport publication “Guidance on Transport Assessment.</p> <p>Changes as above.</p> <p><b>3,</b> The triggers for this requirement are in accordance with guidance from the Department of Transport and set out within the Adopted Norfolk Minerals and Waste Core Strategy DPD 2010- 2026. An application may require a TA/TS without being an EIA development. The section has been amended and the text reduced.</p> <p>Changes as above.</p> <p><b>4,</b> The section has been amended as appropriate and the text reduced.</p> <p>Changes as above.</p> <p><b>5,</b> A section relating to section 73 and section 96a applications has been added to the Local List to advise applicants further.</p> <p>Changes made as detailed above.</p> <p><b>6,</b> Significant changes have been made to the Transport Statement/ Transport Assessment section. The TS/TA is</p>
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**5, Planning Agent**

Again should relate to new proposals only.

**6, Planning Agent**

We suggest that this section can be reduced significantly. For example, the column headed “what information is required” repeats in summary the Department for Transport’s *Guidance on Transport Assessment* (2007). We suggest it would be better to refer to this guidance under the “Further Guidance” column, so that the local list does not need to be updated in the event that the Department for Transport guidance is updated.

Similarly, in the column headed “Triggers/ when is this required”, the criteria-based triggers appear to be taken directly from the Department for Transport *Guidance on Transport Assessment*. Again, we suggest it would be best just to make reference to the criteria-based triggers contained within guidance elsewhere, especially as many of the triggers are actually irrelevant, such as the references to hospitals, etc. An additional complication is that the inclusion of the triggers in the local list implies that they are criterion-based *policies* rather than just *guidance*, in which case they should have been included in Policy DM10 – Transport within the *Norfolk Minerals and Waste Core Strategy and development Management Policies DPD*, and consulted upon appropriately.

Perhaps of some concern is that the column headed “what information is required” does not reflect the information required by Policy CS15 – Transport in the “Core Strategy and Minerals and Waste Development Management Policies DPD (2011).” This sets out that:

*“all proposed minerals extraction and waste management facilities must assess and consider positively the potential for non-HGV transportation of materials to and/or from the facilities, principally by*

in accordance with CS15, DM10 Adopted Norfolk Minerals and Waste Core Strategy DPD 2010- 2026 and guidance from the Department for Transport.

Changes made as detailed above.

	<p><i>rail or water”.</i></p> <p>This requirement does not feature strongly in the Department for Transport’s guidance, and therefore we feel that it should be set out clearly within the local list. The risk otherwise is that applications will be submitted that do not cover this requirement and consequently do not gain planning permission because of a failure to set out in the planning application how the proposal is consistent with Policy CS15.</p>	
<b>Travel plan</b>	<p><b>1, Planning Agent</b> A Travel Plan should not be confused with a Transport Assessment. The adopted approach for the former is appropriate.</p> <p><b>2, Planning Agent</b> Travel Plan – Unnecessary cross reference to Transport Assessments and this should be deleted. Query the level of detailed provided and too prescriptive on information required (which should be proportionate to the type and form of development / activity proposed).</p>	<p><b>1,</b> Minor typo. NCC is satisfied that the Travel Plan and Transport Assessment represent two separate requirements.</p> <p>Changes made as appropriate.</p> <p><b>2,</b> Minor typo. NCC are satisfied that the Travel Plan and Transport Assessment represent two separate requirements. The section has been amended and states clearly that the information submitted should be proportionate to the proposal.</p> <p>Changed as above.</p>
<b>Waste water/ sewage infrastructure and treatment facilities assessment.</b>	No comments made.	
<b>Variation of conditions/ S.73</b>	<p><b>Planning Agent</b> No mention is made in the document as to validation requirements for</p>	It is considered some of the validation requirements may

<p><b>and S.96A</b></p>	<p>applications which seek to Vary a Condition(s) of an existing Planning Permission. It would be helpful to have a sentence or two which clarifies the position. It is to be hoped that in such cases a simple Planning Statement explaining the changes sought together with a plan/document, as appropriate, detailing the change would suffice.</p> <p><b>Planning Agent</b> The document does not make it clear whether it is intended to apply this list to all applications for planning permission or whether the list will be applied to more minor applications. No mention is made in the document of validation requirements for applications which seek to vary conditions or discharge a requirement of a condition of an existing Planning Permission. To apply the requirements of the full validation list to such an application could be construed as disproportionate and excessive depending on the proposals. In such cases a simple Planning Statement explaining the changes sought together with a plan/document, as appropriate, detailing the change should suffice. The document should therefore be amended to clarify the position.</p> <p>In addition the document should set out the process of validation including how it is assessed against the criteria, indicate at what level the process is carried out (ie planning officer level or admin support level) and whether there is an appeal process if the applicant disagrees. Officers carrying out the validation process should be experienced in dealing with the type of development proposed and have been involved in the pre application discussions to enable them to make an informed decision on what information is required to accompany the application.</p> <p><b>Planning Agent</b> The contents of the document make very little reference to the</p>	<p>still apply to an application to vary a condition or for minor amendments and this will be determined by a number of factors including; condition to be varied/ amendment to be made and its effect on the surrounding environment, traffic, nearby sensitive receptors, date of the original permission, any changes to the surrounding area since the date of the permission.</p> <p>Guidance relating specifically to Section 73, 73a and 96a applications can be found at the front of the Local List.</p>
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requirements in respect of applications to vary conditions. Lafarge have, in recent history, sought a number of relatively straightforward S.73 applications with the Council but these have been subject to the full range of reports which is not proportionate to the scale of development.

We would therefore suggest that a separate section could be included confirming the requirements for both S.73 applications and applications under S.96A of the TCPA (as amended).

### **Planning Agent**

We have assumed that this document would cover all types of planning applications, including those to vary planning conditions and also new applications for minor development within permitted mineral extraction sites, such as those which would be applied for under Section 73 of the Town and Country Planning Act. We fully understand the reason why the consultation draft has been set out in this way. By specifying exactly 'what information is required' to be included within a planning application, this reduces the risk of a consultee requesting further information. This should be better for the County Council as it gives some confidence that their target date for determination can be achieved and also better for the applicant as planning permission can be granted without delay. The problem with this approach is that if there is no flexibility with regard to the amount of information required, for some applications, the information specified on the local list may be irrelevant, resulting in unnecessary costs for the applicant.

We would also ask the County Council to consider the inclusion of specific guidance on the information required for validation when submitting planning applications of a minor nature, for example amendments to extraction phasing, provision of



	additional site buildings, etc.	
<b>Further Comments received.</b>	<p>There were a number of additional comments raised in regards to the Draft Local List. The majority of these made reference to the length of the Draft Local List. They largely stated that the Draft Local List was less proportionate and more prescriptive than the current, adopted List. In response the NCC have significantly amended the Proposed Local List and reduced the length from 51 pages to 29 pages (excluding appendices). The original draft of the Local List was designed to give detailed advice and offer clarity to applicants, however it is understood that this could be seen as cumbersome and overly prescriptive. The amended, proposed Local List is designed to be more succinct, simplified and less prescriptive, whilst still providing the applicant with a clear understanding of what should be submitted, when the validation requirement is necessary and where additional information can be found. It is considered that this is inline with Guidance set by the Government, outlined within "Guidance on information requirements and validation."</p> <p>Responses received also made comment that the Draft Local List was seen as less proportionate than the previous list. The Length of the List has been significantly reduced and it is made clear within the introduction and under a number of validation requirements that information submitted to fulfil a requirement should be proportionate to the development proposed.</p> <p>Comments were further raised that planning requirements for validation should be more responsive. Pre-application discussion with Planning Officers is encouraged, a number of requirements also actively guide applicants to the correct department for pre-app advice (Highways, Arboricultural Team).</p> <p>A number of responses said that there were too many requirements within the draft Local List. It is acknowledged there was a slight</p>	

increase from 25 in the previous, adopted list to 28 in the draft list. It should be noted that a number of the additional requirements are from the Adopted Norfolk Minerals and Waste Core Strategy DPD 2010- 2026 which was adopted after the current Local List was produced.

Comments received also stated that further guidance should be given on what to provide to put a case forward when not submitting a validation requirement. The Introduction states that the applicant would need to clearly outline there reasons for not providing information to satisfy a requirement. As this would be different for each case, it is for the applicant to justify why they believe the validation requirement is not necessary.

In regards to comments received questioning why information should be provided at validation stage, rather than during the application process, further information can be requested by a Planning Officer during the course of an application should this be considered necessary, for example when highlighted by a consultee, or brought to light through a site visit. Information requested by the Local List is seen as necessary to give consultees and Planning Officer's the information necessary to make an informed decision on the development.

Norfolk Fire Safety commented that there was no requirement for a fire fighting water assessment. Although this is sometimes secured by way of a S106, it would not be appropriate to request this information at the validation stage.

# **Local List for Validation of Planning Applications (2012)**

# **Local List for Validation of Planning Applications**

**(2012)**

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**Appendix A – National List requirements**

**Appendix B – Ecological survey/ Mitigation calender.**

## **Introduction**

### **The Local List**

The Local List forms part of three overall requirements necessary to accompany a planning application, these consist of

- The standard application form (1app)
- Information specified within the National List. This information is mandatory and is the same for applications made nationwide. See appendix A.
- Relevant validation requirements specified within the Local List. The Local List is produced by the Local Planning Authority and is reflective of their individual needs, whilst still taking into account National Planning guidance.

Applications dealt with by the County Council fall within two main categories, mineral extraction (and associated development) and waste management applications, and applications for developments which it proposes to carry out itself, such as schools, libraries and highways (Regulation 3 of The Town and Country Planning (General Regulations 1992). The Local List for Validation of Planning Applications (2012) is therefore focused on the requirements of the applications NCC determines.

The Local List is developed by the Local Planning Authority and should reflect their individual needs. The Local List and National List are used in conjunction to determine whether an application has sufficient information to enable the Planning Department to proceed to the determination stage. If it is considered there is insufficient information then NCC Planning Department would be unable to validate the application.

### **Additional Information and clarification may be requested.**

It is important to note that the Local and National Lists together set out the documents required to accompany planning applications before they are validated. During the course of an application it may be necessary for NCC to request additional information and clarification of information submitted, this can happen for a number of reasons, for example a consultee may raise further concerns or request additional information.

### **If you believe that a validation requirement is not relevant to your proposal.**

If you are submitting an application but believe that a specific validation requirement does not apply to your proposal but has been identified through the Local List that it should be submitted to validate the application, then you can put a case forward to NCC, clearly stating the reasons why you believe the information is not necessary. NCC will then consider this and decide whether or not to validate the applications. An explanation of why a document is not required does not guarantee an application will be validated.

### **Pre-application discussions**

Applicants are encouraged to engage in pre-application discussion with NCC, this may be of particular use if they are unsure if a validation requirement should be submitted or are unsure of what information is required within a validation requirement. Pre-application discussions are particularly important for major developments and schemes which are likely to have a significant impact upon the surrounding area.

### **District Development Plans**

It is important to note County Council applications are also determined against the relevant district's Development Plan's and these should be taken into account when submitting any application.

If, after reading this guidance, you require further assistance, please contact us on telephone number 0344 800 8020 or email [mawp@norfolk.gov.uk](mailto:mawp@norfolk.gov.uk)



## **Section 73, 73a and 96a applications**

Under section 73 of the Planning Act 1990, applicants can apply to carry out a development without complying with condition(s) previously imposed on a planning permission. The County Planning Authority can grant such permission unconditionally or subject to different conditions, or they can refuse the application if they decide that the original condition(s) should continue.

It is no longer possible for the County Council to accept a letter as a substitute for an application form detailing which conditions the applicant wishes to vary or remove; this should be done on the 1APP form. When submitting planning applications to vary or remove conditions on this form, you will need to provide sufficient information to enable the County Council to identify the previous grant of planning permission and the associated condition(s) which you are seeking to vary or remove.

As a minimum requirement, the County Council requires that a red line Location Plan is submitted which identifies the land to which the application relates - the red line should be exactly the same as that which was approved under the original grant of permission. If the plans are not consistent the planning application will be returned as invalid. Depending on the nature of the application, further drawings may be required relating to the changes being sought to the original scheme i.e. amended site layout, elevation(s), landscaping scheme etc.

The information required from the Local List will be influenced by both the nature and scale of the application, as well as the length of time that has elapsed since the original grant of permission. The longer the time period since planning permission was first granted, the greater the level of information that is likely to be needed. This is because the characteristics of the surrounding environment and infrastructure may have changed since the original grant of permission with regard to issues such as nature conservation designations, highways, sensitive receptors, air quality, flood risk etc. Therefore, it is advisable to contact the County Planning Authority prior to submitting the application to agree the scope of the information requirements that would be required with an application.

Section 73A of the Town and Country Planning Act 1990 provides, among other things, for retrospective planning applications to be made in respect of development which has been carried out without permission, and for applications for planning permission to authorise development which has been carried out without complying with planning condition(s) to which it was subject. In these instances, the same level of information will be required as for an application that hasn't been made retrospectively unless otherwise agreed with the planning authority.

Section 96a allows a non-material amendment to be made to an existing planning permission. For more advice on this applicants should refer to 'Greater flexibility for planning permissions guidance, 2010'.

- **Validation checklist**

- [illegible]

- Sustainability Statement
- Transport Assessment and Transport Statement
- Travel Plan
- Waste Water/ Sewage Infrastructure and Treatment Facilities Assessment


Name of document	Policy Driver	Triggers/ when is this required	What information is required	Further Guidance
<b>Air Quality Assessment</b>	<p>National Planning Policy Framework (NPPF), Policy 11</p> <p>DM13 Adopted Norfolk Minerals and Waste Core Strategy Development Plan (DPD) Document 2010-2026.</p>	<p>An Air Quality Assessment is required if:</p> <ul style="list-style-type: none"> <li>▪ The development is inside or adjacent to, an Air Quality Management Area (AQMA), or</li> <li>▪ Where the development itself could result in the designation of an AQMA;</li> <li>▪ Where the grant of planning permission would conflict with, or render unworkable, elements of a Local Authority's Air Quality Action Plan</li> <li>▪ All applications for and including Biomass boilers.</li> </ul>	<p>The report should provide information to allow full assessment of the impact the development would have on air quality and outline any necessary mitigation measures.</p> <p>The applicant should check with the relevant District Council as to whether they have an Air Quality Action Plan (AQAP). If there is a Local AQAP in place then the development should be consistent with this Plan.</p>	<p>NPPF, Policy 11.</p> <p>DM13 and DM1.</p> <p>Also consult Proposals Map, Adopted Norfolk Minerals and Waste Core Strategy DPD 2010-2026.</p> <p>For information on where AQMA's are, and when the designation of one is necessary, contact the relevant District Council.</p>
<b>Arboricultural Impact Assessment and Arboricultural Method Statement</b>	<p>NPPF, Policy 11</p> <p>CS14, Adopted Norfolk Minerals and Waste Core Strategy DPD 2010-2026.</p> <p>Local District Core Strategy</p>	<p>An Arboricultural Impact Assessment (AIA) is required if the proposed works have the potential to affect any trees or hedges with a trunk with a diameter of 75mm at 1.5 metres above ground level, on or off site. This should include any trees overhanging the site or</p>	<p>The degree of information included should be proportionate to the development and potential impact upon the tree, however we would generally require -</p> <p>A plan detailing the location of all trees on site, and identifying trees for retention and removal, the Root Protection Area (RPA) of trees which are likely to be affected by the development.</p>	<p>NPPF, Policy 11.</p> <p>CS14, Adopted Norfolk Minerals and Waste Core Strategy DPD 2010-2026.</p> <p>Proposals Map, Adopted Norfolk Minerals and Waste Core Strategy DPD 2010-2026.</p>

Name of document	Policy Driver	Triggers/ when is this required	What information is required	Further Guidance
	and Saved Local Plan Policies will be relevant in many cases.	<p>located beyond the site boundaries within a distance of up to 12 times their estimated stem diameter. If, however, you do not believe an AIA is required you should discuss this with the Arboricultural Officers.</p> <p>A full Arboricultural Method Statement (AMS) should be provided if the development is within the root protection area of a tree.</p>	<p>An accompanying report completed in accordance with BS5837:2012 Trees in Relation to design, demolition and construction, which should include:</p> <ul style="list-style-type: none"> <li>▪ A survey of the trees which should detail their current condition and the potential impact of the development,</li> <li>▪ A concise list of trees to be removed/retained</li> <li>▪ Details of how the tree and tree roots would be protected during construction.</li> <li>▪ Future issues on the growth of the tree and the development.</li> <li>▪ Hard and soft landscape design, including species and location of new tree planting</li> </ul> <p>The AMS should prove that the proposal is technically feasible, referring to the “Heads of Terms” as defined within BS 5837: 2012.</p> <p>It is advisable to contact the Arboricultural Officers at Norfolk County Council (NCC) Who will advise further on whether a Arboricultural Method Statement/ Arboricultural Impact Assessment is required and what should be included in each individual case.</p>	<p>BS5837:2012 Trees in Relation to Design, Demolition and Construction</p> <p>Tree Safety Management Policy for Norfolk County Council, adopted Oct 2009, version 2, 2012.</p> <p>Applicants should also address policies from the relevant Local District Core Strategy and Saved Local Plan Policies.</p>
<b>Archaeological Survey</b>	DM9, Adopted Norfolk Minerals and Waste Core Strategy DPD	An Archaeological Survey should be submitted if the development includes or is adjacent to an area with	An appropriate desk- based assessment which should give details of the heritage asset, the effects of the development on the asset and any mitigation measures.	DM9.  NPPF, Policy 12

Name of document	Policy Driver	Triggers/ when is this required	What information is required	Further Guidance
	2010-2026.	known or high potential for archaeological interest.	A field evaluation will generally be required for sites with known or high potential archaeological interest.	Also consult Proposals Map, Adopted Norfolk Minerals and Waste Core Strategy DPD 2010-2026.
<b>Bio-aerosol Statement</b>	CS7, Adopted Norfolk Minerals and Waste Core Strategy DPD 2010-2026.	A Bio-aerosol assessment is required for all applications for composting plants, both enclosed and open-air, which are or will be within 250 metres of a sensitive receptor (typically a dwelling or workplace)	The Statement should include a site-specific risk assessment based on clear evidence which shows that bio-aerosol levels can be maintained throughout the life of the operation, at acceptable levels at sensitive receptors within 250m of the facility.	CS7. Guidance on composting and potential health effects from bioaerosols can be found on <a href="http://www.environment-agency.gov.uk">www.environment-agency.gov.uk</a>
<b>Biodiversity Survey and Report</b>	NPPF, Policy 11  Natural Environment and Rural Communities Act, 2006  CS14 and DM1, Adopted Norfolk Minerals and Waste Core Strategy DPD 2010-2026.	A Biodiversity Survey and Report is required if the development: <ul style="list-style-type: none"> <li>is inside or adjacent to relevant designated land (e.g. Site of Special Scientific Interest, Site of Nature Conservation Importance, Ancient woodlands, Special Area of Conservation, Special Protection Area, Ramsar); or,</li> <li>Located on undeveloped land and the development is in excess of 0.5 hectares in area, or;</li> <li>Where it is known that the application site is</li> </ul>	The survey should provide information on existing wildlife and habitats, both on the site and adjacent sites, and assess the possible impacts of the development on them.  Where appropriate, accompanying plans should indicate any significant wildlife habitats or features and the location of any protected species. It is likely to be necessary to include a phase 1 habitat survey. This information might form part of an Environmental Statement, where one is necessary. Certain proposals which include work such as the demolition of older buildings or roof spaces, removal of trees, scrub, hedgerows or alterations to watercourses may affect protected species and will need to provide information on them, any potential impacts for them and mitigation	NPPF, Policy 11.  CS14 and DM1.  For Ecological Survey/ Mitigation calendar see appendix 2  Also consult Key Diagram 6.92 of Adopted Norfolk Minerals and Waste Core Strategy DPD 2010-2026 and Proposal Maps.  Natural Environment and Rural Communities Act, 2006  Natural England Provides

Name of document	Policy Driver	Triggers/ when is this required	What information is required	Further Guidance
		<p>populated by any species protected under the Wildlife and Countryside Act 1981, the Conservation (Natural Habitats etc) Regulations 2010, or the Protection of Badgers Act 1992, or</p> <ul style="list-style-type: none"> <li>Where the development involves the demolition of buildings, or alterations or work to roof spaces, requires the removal of trees, hedgerows or other habitats, and/or the alterations of a watercourse, pond or other water feature which provides a habitat for wildlife.</li> </ul>	<p>for such impacts.</p> <p>The council will require suitable information to enable it to undertake an appropriate assessment.</p> <p>A biodiversity survey and report may be required for wind turbines applications and applications for new fences which are adjacent to hedgerows, undeveloped land, playing fields and open spaces. It is advisable to contact the Ecologist at NCC to discuss your proposal prior to an application being submitted.</p>	<p>advice on making a planning application which could affect protected species, entitled Standing advice for protected species. <a href="http://www.naturalengland.org.uk">www.naturalengland.org.uk</a></p> <p>The Wildlife and Countryside Act 1981 (as amended).</p>
<b>Bird Hazard Assessment</b>	DM7, Adopted Norfolk Minerals and Waste Core Strategy DPD 2010-2026.	Minerals and waste planning applications that are within 13km of the centre point of safeguarded aerodromes that have the potential to attract birds, due to landscaping or waste management operations and would therefore pose a risk to aircraft.	<p>The Bird Hazard Assessment should demonstrate that any risk of a bird hazard can be mitigated.</p> <p>Where a significant risk is identified, developers will be expected to modify their proposals to mitigate this risk and as part of the mitigation it may be necessary to produce and implement a Bird Hazard Management Plan.</p>	DM7.
	NPPF, Policy 13.	A dust assessment is	The Dust Assessment should:	NPPF, Policy 13.

Name of document	Policy Driver	Triggers/ when is this required	What information is required	Further Guidance
<b>Dust Assessment</b>	DM12, Adopted Norfolk Minerals and Waste Core Strategy DPD 2010-2026.	required for all minerals and waste applications which relate to new surface mineral extraction operations or an extension to an existing quarry; and/or, All applications relating to the open air storage or working of waste, including the processing, treatment and recycling of waste; unless it is agreed with NCC that it is not required.	<ul style="list-style-type: none"> <li>Establish the existing baseline conditions</li> <li>Identify potential sources and activities which could cause or give rise to dust.</li> <li>Identify site parameters which may increase potential impacts from dust</li> <li>Details of how the dust will be mitigated and controlled.</li> <li>Be undertaken by a competent person/organisation with acknowledged experience in undertaking this type of work.</li> </ul>	<p>CS14 and DM12.</p> <p>To assess the scope of the Dust Assessment it is advised to contact the Planning Department prior to submission.</p> <p>For Guidance on dust emissions see Technical Guidance to the NPPF.</p>
<b>Environmental Statement</b>	Town and Country Planning (Environmental Impact Assessment) Regulations 2011	<p>Required for developments that are prescribed in schedule 1 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011</p> <p>The development is listed under Schedule 2 and is likely to have a significant effect on the environment by virtue of their nature, size and location.</p> <p>Where the development falls under schedule 2 it is recommended a screening opinion is sought.</p>	<p>Where an Environmental Statement (ES) is required a scoping opinion should first be sought to identify areas of concerns. The ES should then seek to comprehensively cover all issues identified by the scoping process.</p> <p>For guidance of what should be included within the Environmental Statement please refer to Part 4 of the Regulations.</p>	<p>Town and Country Planning (Environmental Impact Assessment) Regulations 2011</p> <p>Circular 02/99: Environmental Impact</p> <p>Environmental Impact Assessment :Guide to procedures.</p> <p>Note that where one or more Local List validation requirement is incorporated into the Environmental Statement it is not necessary to submit the reports separately/ again i.e</p>



Name of document	Policy Driver	Triggers/ when is this required	What information is required	Further Guidance
				within the planning statement, however it should be made clear where in the Environmental Statement these documents can be found.
<b>Flood Risk Assessment and Sequential and Exception testing</b>	NPPF, Policy 10.  DM4, Adopted Norfolk Minerals and Waste Core Strategy DPD 2010-2026.	A Flood Risk Assessment (FRA) is required for developments: <ul style="list-style-type: none"> <li>▪ 1 hectare or over in Flood Zone 1</li> <li>▪ All new developments located in Flood zones 2 or 3.</li> <li>▪ Within flood zone 1 which have a critical drainage problem (as notified by the Environment Agency)</li> <li>▪ The proposed development or change of use is to a more vulnerable class and may be subject to other sources of flooding.</li> </ul>	The Flood Risk Assessment should identify and assess the risks of flooding to and from the development and demonstrate how these flood risks will be managed and/or reduced  The sequential test should be applied to new development with the aim of steering new development to areas of the lowest possible flooding. However it is not necessary to apply the sequential test for Minerals and Waste site which are allocated within the Development Plan. If it is not possible to locate development in areas with the lowest flood zone than the exception test should be applied. After being subjected to the sequential and if necessary the exception test, the application should be accompanied by a FRA if it falls within the necessary criteria.	NPPF, Policy 10.  DM4.  Technical Guidance to the National Planning Policy Framework provides information on Sequential and Exception tests.  The Environment Agency provides advice on what should be included within the FRA, flood zones and critical drainage areas <a href="http://www.environment-agency.gov.uk">www.environment-agency.gov.uk</a>
<b>Foul and surface water drainage Assessment</b>	Circular 3/99  Local District Core Strategy and Saved Local	A Foul and Surface water drainage assessment is required if: <ul style="list-style-type: none"> <li>▪ The development proposes to connect to an</li> </ul>	The assessment should provide sufficient information to demonstrate how surface and foul water will be managed. The assessment should be proportionate to the development and its impact upon Foul and Surface water	DM3 and DM1, Adopted Norfolk Minerals and Waste Core Strategy DPD 2010-2026.

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	Plan Policies will be relevant in many cases.	<p>existing drainage system,</p> <ul style="list-style-type: none"> <li>The development proposes the creation of a new drainage system.</li> <li>The development would result in any changes, replacements or alterations to a drainage system.</li> </ul>	<p>drainage.</p> <p>The assessment should provide information to demonstrate that the development would not result in undue pressure on the delivery of these services to the development or wider community.</p> <p>If the development is to be connected to an existing drainage system or will alter/ create a new drainage system information about this should be provided and detailed on accompanying plans.</p> <p>If the proposed development would not connect to a public sewer system then a fuller Foul Drainage assessment will be required which will contain details of the method of storage, treatment and disposal along with the specification and location of any systems to be used.</p>	<p>Circular 3/99</p> <p>Flood and Water Management Act, 2010</p> <p>Groundwater Protection: Policy and Practice(GP3), produced by the Environment Agency</p> <p>Advice on what should be included within the assessment can be sought from the Flood and Water Management Team</p> <p><a href="http://www.anglianwater.co.uk">www.anglianwater.co.uk</a> gives advice on sewer locations, connections to them and providing water to site.</p>
<b>Heritage Statement</b>	<p>NPPF, Policy 12</p> <p>DM9, DM8 and CS14, Adopted Norfolk Minerals and Waste Core Strategy DPD 2010-2026.</p>	<p>A heritage statement is required if the proposal:</p> <ul style="list-style-type: none"> <li>affects any listed building;</li> <li>is located within or adjacent to a Conservation area; or</li> <li>Could potentially impact upon a heritage asset or its setting, or is adjacent to a heritage setting.</li> </ul>	<p>The statement should be proportionate to the development and the detail included will vary depending upon the heritage asset and the developments impact upon it.</p> <p>The Statement should include a desk- based assessment and where necessary a field evaluation.</p> <p>The statement should:</p> <ul style="list-style-type: none"> <li>Describe the significance of the heritage</li> </ul>	<p>NPPF, Policy 12</p> <p>DM8, DM9 and CS14.</p> <p>Also consult Proposals Map, Adopted Norfolk Minerals and Waste Core Strategy DPD 2010-2026.</p> <p>For advice on the need and/ or scope of a Heritage</p>

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			<p>asset and the contribution of its setting</p> <ul style="list-style-type: none"> <li>▪ The impact of the development on the significance of the heritage asset and/ or its setting. Specifically how the development will sustain or enhance the heritage asset, any harm to a heritage asset would require clear justification. Emphasis should be strongly on conserving the asset and its significance.</li> <li>▪ Describe any necessary steps which are to be taken to minimise or negate any negative impact upon the significance of the heritage asset and/or its setting.</li> </ul> <p>A specialist should be consulted if necessary depending on the significance of the asset and/or the impact of the proposed development.</p>	Statement and field evaluation please contact the Historic Environment Service on 01362 869279 or <a href="mailto:historicenvironment@norfolk.gov.uk">historicenvironment@norfolk.gov.uk</a>
<b>Hydrological/ Hydrogeological Risk Assessment</b>	DM3, Adopted Norfolk Minerals and Waste Core Strategy DPD 2010-2026.	Sites for Mineral Extraction into the water table in zones 2 and 3.	<p>The Assessment should demonstrate that that the development would not adversely impact upon groundwater quality or resources and surface water quality or resources.</p> <p>Please note that mineral extraction and associated development which fall within Groundwater Protection zone 1 and propose extraction below the water line will generally be unacceptable. As will sites for waste management facilities in Groundwater Protection Zone 1.</p>	DM3.  Groundwater Protection: Policy and Practice(GP3), produced by the Environment Agency

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<b>Inert Waste Landfill Assessment</b>	CS9, Adopted Norfolk Minerals and Waste Core Strategy DPD 2010-2026.	All new proposals for new inert waste landfill voidspace (as distinct from use of inert material in the restoration of mineral sites, which would normally be conditioned as part of a minerals planning permission).	Any new proposals will need to demonstrate that they will have advantages (during the operation phase and/ or on restoration) for one of (preferably) more of: amenity, landscape, wildlife or similar benefits.	CS9.
<b>Landfill Assessment</b>	The Landfill (England and Wales) Regulations 2002, as amended.	A Landfill Assessment is required for all landfill applications.	<p>Applicants should provide necessary information for Norfolk County Council to fulfil its requirements under The Landfill (England and Wales) Regulations 2002, as amended, and/or any future amendments of the regulations.</p> <p>This information may be provided as part of the Environmental Statement.</p>	The Landfill (England and Wales) Regulations 2002, as amended.
<b>Land Contamination Assessment</b>	NPPF, Policy 11	<p>A Land Contamination Assessment is required if</p> <ul style="list-style-type: none"> <li>▪ The land is known or suspected of contamination</li> <li>▪ The site is adjacent to land which is or is suspecting of being contaminated.</li> </ul> <p>If you have reason to believe land you are developing or land adjacent to the site may</p>	<p>The assessment should:</p> <ul style="list-style-type: none"> <li>▪ Determine if the land is contaminated, if so determine the nature and extent of the contamination.</li> <li>▪ Assess the impact and/or risk to the proposed development (including cumulative and/or future affects) on the natural environment, health and general amenity.</li> <li>▪ Propose a remediation strategy to mitigate contamination to an acceptable level and demonstrate that the land is/can be made suitable for the development.</li> </ul>	<p>NPPF, Policy 11.</p> <p>Part IIA of the Environmental Protection Act 1990.</p>

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		be contaminated, contact the Local Planning Authority (i.e. district or borough council) and ask to check their register of contaminated land.	<ul style="list-style-type: none"> <li>Ensure that after remediation land should not be able capable of being determined as contaminated land under part IIA of the environmental protection Act 1990.</li> <li>Provide details of procedures and management plan should contamination be found during the development.</li> </ul> <p>The report and assessment should be produced from adequate site investigation information prepared by a competent person.</p>	
<b>Landscape and Visual Impact Assessment (LVIA)</b>	NPPF, Policy 11.  CS14, DM8 and DM2, Adopted Norfolk Minerals and Waste Core Strategy DPD 2010-2026.	<p>Any proposal that due to its size, scale or location (i.e. Area of Outstanding Natural Beauty (AONB), Core River Valley), is likely to have a significant visual impact upon the surrounding landscape.</p> <p>It is advised that the necessity of the LVIA and what should be included within the assessment are discussed with NCC Planning Dept and Landscape Team prior to submission of an application.</p>	<p>The Assessment should:</p> <ul style="list-style-type: none"> <li>Provide sufficient and suitable information to demonstrate the impact the development will have on the surrounding landscape and from visual receptors such as public rights of way, public open spaces, dwellings, sensitive locations such as AONB and other important landscape features/views. This should be proportionate to the proposed development and may take the form of Zone of Theoretical Visibility (ZTV), plans, illustrative drawings or photomontage.</li> <li>Include an assessment and evaluation of the character of the landscape and how the development will impact upon it. It may be advisable to take into account and make reference to any relevant Landscape Character Assessment.</li> </ul>	<p>NPPF, Policy 11.</p> <p>CS14, DM2 and DM8.</p> <p>Also consult Proposals Map, Adopted Norfolk Minerals and Waste Core Strategy DPD 2010-2026.</p> <p>Applicants should also check with the relevant district Councils in regards to applicable Landscape Character Assessments.</p> <p>GLVIA, 2002.</p>

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			<ul style="list-style-type: none"> <li>▪ Details of mitigation measures, such as screening, landscaping and/or design proposed to reduce any negative impact of the development upon the character of the landscape.</li> <li>▪ For applications within a Core River Valley, the applicant should demonstrate that the proposal will enhance the form, local character and distinctiveness of the landscape and natural environment.</li> <li>▪ Applications for Mineral Extraction should also ensure they provide an assessment of the potential impacts on the landscape during and after work, the duration of any adverse impacts, mitigation/ compensatory measures, restoration proposals.</li> </ul>	
<b>Landscaping Scheme</b>	NPPF, Policy 11.  CS14 and DM14, Adopted Norfolk Minerals and Waste Core Strategy DPD 2010-2026.	A landscaping scheme is required if: <ul style="list-style-type: none"> <li>▪ The proposal could have a landscape and/or visual impact on the surrounding landscape or character of the area</li> <li>▪ Where replacement landscaping is proposed.</li> <li>▪ Where it is expected or</li> </ul>	The landscaping scheme should include: <ul style="list-style-type: none"> <li>▪ A plan/plans detailing the proposed landscaping.</li> <li>▪ Details of all hard and soft landscaping areas</li> <li>▪ Planting and maintenance specifications</li> <li>▪ Management plan for landscaped areas and the period of aftercare, this should include arrangements for replacement of plant failures.</li> <li>▪ Where appropriate it should be demonstrated that consideration has</li> </ul>	NPPF, Policy 11.  CS14 and DM14.  Also consult Proposals Map, Adopted Norfolk Minerals and Waste Core Strategy DPD 2010-2026.  It is advised to contact NCC Landscape Team prior to submission to discuss the

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		has been determined through pre-application discussions with the Landscaping Team that landscaping will be necessary to make the proposal acceptable in planning terms.	<p>been given to advance planting, ecology networks, planting and landscaping on and off site.</p> <p>The Landscaping Scheme should seek to enhance or mitigate any negative impacts of the development on the character of the surrounding landscape.</p> <p>The Scheme should seek to take into account the character of the surrounding landscape.</p>	<p>requirements of the Landscaping Team.</p> <p>The relevant District Landscape Character Assessments should be taken into account.</p>
<b>Lighting Assessment</b>	NPPF, Policy 11	A lighting Assessment is required if the development proposes or makes necessary external lighting.	<p>The assessment should include:</p> <p>Details of all external lighting including:</p> <ul style="list-style-type: none"> <li>▪ A layout plan detailing the location and siting of the lighting,</li> <li>▪ A plan showing the beam orientation</li> <li>▪ Hours of use</li> <li>▪ Size, height and level of luminance /lux of lighting</li> <li>▪ Type of equipment/lighting to be used</li> </ul> <p>The assessment should include details of the impact of the lighting on (where applicable):</p> <ul style="list-style-type: none"> <li>▪ The amenity of neighbouring properties, specifically if light has the potential to extend beyond the boundary of the site.</li> <li>▪ Any impact upon roads/ highway safety</li> <li>▪ The visual impact of the lighting on the character of the area and the wider</li> </ul>	<p>NPPF, Policy 11.</p> <p>CS14, Adopted Norfolk Minerals and Waste Core Strategy DPD 2010-2026.</p> <p>Also consult Proposals Map, Adopted Norfolk Minerals and Waste Core Strategy DPD 2010-2026.</p> <p>Lighting in the Countryside: towards good practice (1997)</p> <p>Clean Neighborhoods and Environment Act 2005</p> <p>For further guidance see <a href="http://www.cpre.org.uk">www.cpre.org.uk</a> Council for</p>

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			<p>landscape, specifically Conservation Areas, Listed Buildings, Designated Areas (SSSI, AONB) or rural areas with little background light</p> <ul style="list-style-type: none"> <li>Impact on ecology, specifically European protected species.</li> </ul> <p>Reasoning as to why the lighting is necessary and details of any mitigation measures to reduce the impact of the lighting should be included.</p> <p>Please note the assessment should be proportionate to the development, type of lighting proposed and impact of the lighting on neighbour amenity and wider area.</p>	the Protection of Rural England
<b>Noise Assessment, Including Ventilation and Extraction systems.</b>	NPPF, Policy 11	<p>A noise assessment is required for:</p> <ul style="list-style-type: none"> <li>Surface mineral extraction, waste disposal and/or recycling plant applications or proposals which would be an integral part of an existing operation. Unless it is agreed with NCC that this is not required.</li> <li>Waste disposal developments which would not be contained within an existing or proposed structure i.e. the</li> </ul>	<p>The Noise Assessment should include details of:</p> <ul style="list-style-type: none"> <li>The existing background noise of the environment.</li> <li>It may be necessary to give noise levels for the development and background noise at certain times of the day, for example night time noise levels, height of activity noise levels.</li> <li>Noise levels from the development including likely sources of noise, such as sound power levels from machinery or noise levels from facilities such as sports hall, car parks.</li> <li>Impact on neighbouring properties, specifically if these are noise sensitive,</li> </ul>	<p>NPPF, Policy 11.</p> <p>CS14 Adopted Norfolk Minerals and Waste Core Strategy DPD 2010-2026</p> <p>Technical Guidance to the National Planning Policy Framework, March 2012.</p> <p>Building Bulletin 93 – Acoustic Design of Schools.</p> <p>BS4142</p> <p>BS8223</p>



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		<p>recycling of waste products in the open.</p> <ul style="list-style-type: none"> <li>A noise generating development is proposed in the vicinity of existing noise sensitive developments such as residential properties, schools, hospitals.</li> <li>A noise sensitive use is proposed in the vicinity of an existing noise generated use, such as a classified road, railway.</li> <li>A substantial ventilation/ extraction system is proposed.</li> </ul> <p>Unless it is agreed during pre-app discussion with NCC that an assessment is not required.</p>	<p>this should include noise from the development and traffic accessing the site.</p> <ul style="list-style-type: none"> <li>Mitigation measures proposed, should these be necessary to reduce the impact on neighbouring properties.</li> </ul> <p>For proposals which include or are for significant ventilation/extraction systems then details of the design and position should be submitted. These should include elevation drawing showing location and size of ventilation/extraction system and external appearance.</p> <p>For applications for substantial ventilation/ extraction systems details should also be submitted which include:</p> <ul style="list-style-type: none"> <li>Technical specification</li> <li>Predicted noise levels</li> <li>Background noise levels</li> <li>Noise and odour mitigation measures.</li> </ul>	<p>Guidance on the Control of Odour &amp; Noise from commercial Kitchen Exhaust systems, DEFRA.</p>
<b>Open Space and Pitch Assessment</b>	NPPF, Policy 8	<p>An Open Space and/or Pitch Assessment should be submitted for applications which involve the loss of Open spaces of public value or a playing field. such as:</p> <ul style="list-style-type: none"> <li>Playing field (defined within the Town and Country Planning Act</li> </ul>	<p>An application to build on open space or sports/ playing fields should be accompanied by:</p> <ul style="list-style-type: none"> <li>A justification as to why it is necessary to build on the land.</li> </ul> <p>AND</p> <ul style="list-style-type: none"> <li>An assessment to demonstrate the land is surplus to requirements,</li> <li>or</li> <li>That the playing field/ open space would</li> </ul>	<p>NPPF, Policy 8</p> <p>Circular 02/09: Town and Country Planning (consultations) (England) direction 2009.</p> <p>For further guidance and advice see Sports England website</p>

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		<p>(Development Management Procedure) (England) Order 2010) This includes building further school facilities on school playing facilities.</p> <ul style="list-style-type: none"> <li>Public/ community open spaces for example bowling greens, village greens, community sports venues, recreational facilities.</li> <li>Areas of water, rivers, canals, lakes and reservoirs, which offer important opportunities for sport and recreation.</li> </ul>	<p>be replaced by equivalent or better provisions, in terms of quantity and quality in a suitable location. or</p> <ul style="list-style-type: none"> <li>The development is for alternative sports and/ or recreational provision. The needs of which outweigh the loss.</li> </ul>	<p><a href="http://www.sportengland.org">www.sportengland.org</a>.</p>
<b>Parking Provision Assessment</b>	NPPF, Policy 4.	<p>A Parking Provision Assessment is required if:</p> <p>The development would result in the increase or loss of the current parking provision</p> <p>The development would affect the parking requirements needed, i.e. by adding additional facilities, increasing floor space, increasing the number of staff.</p> <p>A separate Parking Provision</p>	<p>The Parking Provision Assessment should include:</p> <p>Details and layout plan of the existing and proposed parking arrangements.</p> <p>If necessary it is advisable to submit a statement justifying the increase or decrease of the parking provisions, i.e. the promotion of sustainable transport modes, type of development or site location.</p>	<p>NPPF, Policy 4.</p> <p>Norfolk County Council: Parking Standards for Norfolk 2007.</p> <p>Department for Transport publication "Guidance on Transport Assessment," March 2007, <a href="http://www.dft.gov.uk">www.dft.gov.uk</a>.</p>

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		is not required where the information is included within the Transport Assessment/ Transport Statement.		
<b>Planning Statement</b>	NPPF  Norfolk Minerals and Waste Local Development Framework. Core Strategy and Minerals and Waste Development Management Policies Development Plan Document 2010 – 2026.	A Planning Statement should accompany all applications.	<p>The statement should be proportionate to the size of the development.</p> <p>The planning statement should be seen as an opportunity for the applicant to make a case for and to justify the proposal.</p> <p>What should be included:</p> <ul style="list-style-type: none"> <li>▪ A description of the development</li> <li>▪ The context of the site and development</li> <li>▪ The Principles behind and justification for the proposed development</li> <li>▪ An explanation of how the proposal complies with relevant national, regional and local planning policies.</li> </ul> <p>If the application is for a Minerals and Waste permission then information should be included to justify the location of the site, specifically if this is a highly graded agricultural land, native or ancient woodland or recreational ground. Details of the restoration and restoration timescale of the site should be given. The cumulative impact of the proposal in conjunction with other existing, permitted and allocated mineral extraction sites and/ or waste management facilities should be taken into consideration</p>	<p>NPPF</p> <p>Norfolk Minerals and Waste Local Development Framework. Core Strategy and Minerals and Waste Development Management Policies Development Plan Document 2010 – 2026.</p> <p>Also consult Proposals Map, Adopted Norfolk Minerals and Waste Core Strategy DPD 2010-2026.</p> <p>Local Plan/ LDF Policies for relevant Borough or city council in which the site is located.</p>

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			and information should be provided detailing how the affects can be satisfactorily mitigated.	
<b>Planning Obligations Details</b>	NPPF	<p>Where there is a clear need for a planning obligation or where this has been identified within pre-application discussions, i.e. a S106 agreement for restoration/management scheme beyond 5 years.</p> <p>It is advisable to contact a NCC Planning Department as soon as possible as they will be able to advise you in regard to this.</p>	<ul style="list-style-type: none"> <li>▪ Evidence of your ownership of the application site, this is usually available from the Land Registry or your solicitor.</li> <li>▪ Contact details for the solicitor or person who will be considering and approving the section 106 agreement on your behalf.</li> <li>▪ Undertaking to pay NCC fees in respect of Legal Work.</li> </ul> <p>Any Planning Obligation must meet the tests under para. 2004 of the NPPF and Reg. 122(2) of the Community Infrastructure Levy Regs 2010.</p>	Guidance on planning conditions and obligations is given within the NPPF, Decision-taking.
<b>Progressive working, restoration and after use scheme</b>	DM14, Adopted Norfolk Minerals and Waste Core Strategy DPD 2010-2026.	A progressive working, restoration and after use scheme is required for all proposals for new mineral workings (new and extensions to existing).	<p>The Scheme should include details of</p> <ul style="list-style-type: none"> <li>▪ The consideration given to restoration of the site to enhance biodiversity, geodiversity and landscape.</li> <li>▪ Appropriate restoration and after- use, demonstrating this is both feasible and achievable in the proposed time scale.</li> <li>▪ The consideration/ implementation of improvements to public access, specifically those which promote NCC's Rights of Way Improvement Plan.</li> <li>▪ The aims of the Green Infrastructure Strategy have been supported.</li> <li>▪ Any important geology or geomorphology</li> </ul>	DM14 and CS14.

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			<p>on the site will be retained in sample exposures for study purposes.</p> <p>The Progressive working, restoration and after use scheme can be incorporated within the Landscaping scheme or Planning Statement where appropriate. This should be clearly outlined.</p>	
<b>Soil and land quality survey</b>	DM16, Adopted Norfolk Minerals and Waste Core Strategy DPD 2010-2026.	A Soil and land quality survey is required for Minerals development, when proposed on agricultural land of grades 1,2 or 3a.	<p>The survey should:</p> <p>Make provision for high standards of soil management that would enable restoration to a condition at least as good as its previous agricultural quality.</p> <p>Demonstrate suitable soil handling and replacement strategies.</p> <p>If a different after use is proposed the benefit of restoring the land to the proposed use should be demonstrated to outweigh the loss of the use of the agricultural land.</p> <p>Development proposals affecting grade 1 agricultural land will only be permitted in exceptional circumstances, where it is demonstrated that there are no alternative locations for the development.</p>	DM16.
<b>Statement of Community Involvement</b>	NPPF, Policy 7	A Statement of Community Involvement is required for all Major applications (Major applications are defined as any development which includes:	<p>The Statement should:</p> <p>Demonstrate that the views of the local community have been sought. This can be undertaken by different methods which should be proportionate to the development.</p>	<p>NPPF, Policy 7</p> <p>Statement of Community Involvement, Norfolk County Council, updated 2012.</p> <p><a href="http://www.norfolk.gov.uk">www.norfolk.gov.uk</a></p>

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		<ul style="list-style-type: none"> <li>▪ The winning/ working of minerals or use of land for mineral – working deposits</li> <li>▪ Waste development,</li> <li>▪ Provision of building/ buildings where the floor space created is over 1000m<sup>2</sup></li> <li>▪ The development is carried out on a site over 1ha.</li> </ul>	Give details of how the views of those directly affected by the development have been taken into account and how this has influenced the design of the development.	The Localism Act 2011 (Consequential Amendments) Order 2012
<b>Sustainability Statement</b>	<p>NPPF “Achieving sustainable development”</p> <p>DM11 and CS13, Adopted Norfolk Minerals and Waste Core Strategy DPD 2010-2026.</p>	<p>A Sustainability Statement is required for all Major applications (Major applications are defined as any development which includes:</p> <ul style="list-style-type: none"> <li>▪ The winning/ working of minerals or use of land for mineral – working deposits</li> <li>▪ Waste development,</li> <li>▪ Provision of building/ buildings where the floor space created is over 1000m<sup>2</sup></li> <li>▪ The development is carried out on a site over 1ha.</li> </ul> <p>A sustainability Statement</p>	<p>The Sustainability statement should demonstrate how the development complies with sustainability principles and promotes sustainable design.</p> <p>The Sustainability Statement should detail how the development will generate a minimum of 10% of its energy on-site from decentralised and renewable or low carbon energy sources. The type of energy source should be suitable for the location. Types of renewable energy sources can include wind, biomass and photovoltaics.</p> <p>Where it is seen as unviable to achieve the 10% minimum target than a detailed report explaining the reasons why it is unviable should be submitted to NCC. The Report should seek to provide evidence and give a detailed explanation as to why the target is</p>	<p>NPPF “Achieving sustainable development”</p> <p>DM11 and CS13.</p> <p>Also consult Proposals Map, Adopted Norfolk Minerals and Waste Core Strategy DPD 2010-2026.</p>

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		<p>should be submitted for all New minerals and waste developments (both brand new and extension to existing sites)</p>	<p>unachievable, this may be because of but not inclusive of financial reasons, site size or environmental constraints.</p> <p>Minerals and Waste applications should seek to promote sustainability by demonstrating consideration of design standards, use of sustainable materials and water efficient design. Evidence of sustainable demolition, construction and operations should accompany the planning application. For further information please refer to DM11 - Adopted Norfolk Minerals and Waste Core Strategy DPD 2010-2026</p> <p>Details of how the development has sought, where appropriate, to achieve high standards of design, to 'very good' or 'excellent' BREEAM standard.</p>	
<b>Transport Assessment and Transport statement</b>	<p>NPPF, Policy 4</p> <p>DM10, Adopted Norfolk Minerals and Waste Core Strategy DPD 2010-2026.</p>	<p>To determine if a Transport Assessment or Transport Statement is required please refer to the thresholds set out in Department for Transport publication "Guidance on Transport Assessment," March 2007.</p> <p>Planning applications for new mineral and/or waste sites that generate an increase in traffic management should be</p>	<p>Full guidance on when a TA/TS is likely to be required and how to prepare them is provided by the Department for Transport publication "Guidance on Transport Assessment," March 2007 and is available to download from their website at <a href="http://www.dft.gov.uk">www.dft.gov.uk</a>.</p> <p>The factors which will need to be addressed and information necessary will vary depending upon the scale and nature of the proposal. It is therefore recommended that early discussions with NCC Highways</p>	<p>NPPF, Policy 4</p> <p>DM10.</p> <p>CS15.</p> <p>Also consult Proposals Map, Adopted Norfolk Minerals and Waste Core Strategy DPD 2010-2026.</p> <p>Department for Transport publication "Guidance on</p>

Name of document	Policy Driver	Triggers/ when is this required	What information is required	Further Guidance
		accompanied by a Transport Statement.	<p>Department are undertaken.</p> <p>In cases where the development may also impact upon the Trunk Road network (A11/A12/A47) discussions should take place with the Highways Agency and/ or the Highways Authority.</p> <p>All minerals extraction and waste management facilities must assess and consider positively the potential for non-HGV transportation of materials to and/ or from facilities, principally by rail or water.</p>	<p>Transport Assessment," March 2007, <a href="http://www.dft.gov.uk">www.dft.gov.uk</a>.</p> <p>NCC "Highways Development Management – Guidance Note 1, Transport Assessments and HGV impact assessments" Sept, 2010. <a href="http://www.norfolk.gov.uk/view/ncc089242">http://www.norfolk.gov.uk/view/ncc089242</a></p>
<b>Travel Plan</b>	NPPF, Policy 4  DM10, Adopted Norfolk Minerals and Waste Core Strategy DPD 2010-2026.	<p>To determine if a Travel plan is needed please refer to "When is a Travel plan required?" NCC. <a href="http://www.norfolk.gov.uk/view/NCC056235">http://www.norfolk.gov.uk/view/NCC056235</a></p> <p>A Travel Plan does not need to be submitted separately if it forms part of a Transport Assessment.</p>	<p>The amount of information required should be proportionate to the size and scale of the development.</p> <p>A Travel Plan is primarily a plan of action designed to reduce single occupancy car journeys and reliance on cars for short local journeys. A Travel Plan should seek to promote alternative and more sustainable. For Guidance on what should be included within a travel Plan, a step by step guide and a travel plan checklist please see Guidance notes – What is a Travel Plan? Travel Plan content. Travel Plan checklist. Which are available at <a href="http://www.norfolk.gov.uk">www.norfolk.gov.uk</a></p> <p>It is recommended that applicants discuss what should be included within the Travel</p>	<p>NPPF, Policy 4</p> <p>DM10.</p> <p>NCC Guidance notes When is a Travel Plan required? <a href="http://www.norfolk.gov.uk/view/NCC056235">http://www.norfolk.gov.uk/view/NCC056235</a></p> <p>What is a Travel Plan? <a href="http://www.norfolk.gov.uk/view/NCC056233">http://www.norfolk.gov.uk/view/NCC056233</a></p> <p>Travel Plan Content <a href="http://www.norfolk.gov.uk/view/NCC056231">http://www.norfolk.gov.uk/view/NCC056231</a></p>



Name of document	Policy Driver	Triggers/ when is this required	What information is required	Further Guidance
			Plan with NCC Highways Department.	Travel Plan checklist <a href="http://www.norfolk.gov.uk/view/NCC056236">http://www.norfolk.gov.uk/view/NCC056236</a>
<b>Waste water/ sewage infrastructure and treatment facilities Assessment</b>	CS11, Adopted Norfolk Minerals and Waste Core Strategy DPD 2010-2026.	All new and extended waste water/ sewage infrastructure and treatment facilities.	The Assessment should demonstrate that the proposal can be located and operated without giving rise to unacceptable environmental, amenity and highways impacts.	CS7 and CS11.

## **Appendix A – National List requirements**

### **Location plan**

All applications must include copies of a location plan based on an up-to-date map. This should be at an identified standard metric scale (typically 1:1250 or 1:2500, but wherever possible the plan should be scaled to fit onto A4 or A3 size paper). Plans should identify sufficient roads and/or buildings on land adjoining the application site to ensure that the exact location of the application site is clear.

The application site should be edged clearly with a red line. It should include all land necessary to carry out the proposed development - for example, land required for access to the site from a public highway, visibility splays, landscaping, car parking and open areas around buildings.

A blue line should be drawn around any other land owned by the applicant, close to or adjoining the application site.

### **Site plan**

A site plan should be submitted. The legislation requires three copies plus the original (unless submitted electronically). The site plan should be drawn at an identified standard metric scale. It should accurately show:

- a. The direction of North
- b. the proposed development in relation to the site boundaries and other existing buildings on the site, with written dimensions including those to the boundaries
- c. all the buildings, roads and footpaths on land adjoining the site including access arrangements
- d. all public rights of way crossing or adjoining the site
- e. the position of all trees on site and those on adjacent land
- f. the extent and type of hard surfacing, and
- g. boundary treatment including walls or fencing where this is proposed.

(c – g only need to be provided unless these would **not** influence or be affected by the proposed development).

### **Ownership certificates/Agricultural Holdings Certificate**

All applications for planning permission must include the appropriate certificate of ownership. An ownership certificate A, B, C or D must be completed stating the ownership of the property. For this purpose an 'owner' is anyone with a freehold interest, or leasehold interest the unexpired term of which is not less than seven years. Ownership certificates must also be completed for applications for listed building consent, and conservation area consent for demolition.

Applicants must certify that they have notified any agricultural tenants on site, or that there are agricultural tenants on the site – the certificate is required

whether or not the site includes an agricultural holding.

These certificates are part of the standard application form.

### **Design and Access Statement**

A Design and Access Statement must be submitted for some types of planning application, and in some designated areas. For further guidance on the content and establishing when one is required please refer to Section 6: Design and Access Statements of the Communities and Local Government document 'Guidance on information requirements and validation'.

### **The Correct Fee**

Planning applications incur a fee as set out in The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012.

The Planning Portal includes a fee calculator for applicants.

### **Updates to supporting documents**

If you need to update a supporting document or plan which was submitted via the Planning Portal, and the application has not yet been determined, you should upload the replacement document or plan, ensuring that it is clearly labelled as such, and inform the local planning authority that a replacement document or plan has been uploaded.

If submitted in paper format, four copies should be submitted of the application (three plus the original).

## Appendix B - Ecological survey/ Mitigation calendar.

### Guidance on the optimal timing for carrying out specialist ecological surveys and mitigation

This is not definitive and is intended to provide an indication only. The timing of surveys and animal activity will be dependant on factors such as weather conditions.

#### Key














Survey	Mitigation
Survey Not Appropriate	Mitigation Not Possible
Sub-optimal Survey Period	Mitigation Restricted
Optimal Survey Period	Mitigation Possible

\* Where the survey techniques involve the capture, handling or disturbance of protected species then only licensed persons can undertake surveys; personal survey and monitoring licences are obtained from Natural England and Countryside Council for Wales

\*\* Where Mitigation involving the killing, capture, injury, and/or disturbance of protected species and/or the damage, destruction or obstruction of their habitats, a development licence must be obtained from DEFRA (England) and WAG (Wales). Licences will be granted only to persons who have proven competence in dealing with the species concerned. Development licence application take approximately 30 days to be processed. Where mitigation works need to be conducted under licence before works begin, licence applications will need to be submitted considerably earlier

\*\*\* Where mitigation involves the capture of White-Clawed crayfish, a mitigation licence must be obtained from Natural England and CCW. Licences will be granted only to persons who have proven competence in dealing with the species concerned.

± Mitigation is dependant on whether the species is a summer or winter migrant

	Feature	Work	Licence Required?	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
	Habitats/ Vegetation	Survey	No	Mosses and lichens. Phase 1 surveys only			Detailed habitat assessments surveys. Surveys for higher plants/ ferns. Mosses /Lichens in April, May and Sept only					Mosses and lichens. Phase 1 surveys only			
		Mitigation	No	Planting and Translocation		No mitigation possible in the majority of situations/species							Planting and Translocation		
	Badgers	Survey	*	Lid sett bait survey	Bait marking and sett surveys			Limited bait marking and sett surveys			Sett Surveys			Lid sett bait survey	
		Mitigation	**	All Survey methods can be used at any time of year, however surveys are more effective in the Spring and Autumn/Winter Work should cause no disturbance to known setts, building of artificial setts is possible									Working to existing setts; disturbance, blocking or destruction		As Jan
	Bats	Survey	*	Survey of hibernation, trees and building roosts			No Survey	Activity surveys/inspection of roosts, emergence counts for all areas with suitable habitats					No Survey	Survey of hibernation, trees building roosts	
		Mitigation	**	Works on maternity roosts		Where site may be maternity and hibernation site work should be undertaken mid-March to mid-May			Works on hibernation roosts only		Where site may be maternity and hibernation work mid- Sept to mid-Nov		Works on maternity roosts		
	Birds (Breeding)	Survey	Schedule 1 Species eg Barn Owl												
		Mitigation	No	As August - Dec			Bird nesting season							Clearance works may be conducted but must stop immediately if any nesting birds are found	
	Birds (Migratory)	Survey	No												
		±Mitigation	No	As August - Dec			Bird nesting season					Clearance works may be conducted but must stop immediately if any nesting birds are found			
	Birds (Over Wintering)	Survey	No												
		±Mitigation	No	As August - Dec			Bird nesting season					Clearance works may be conducted but must stop immediately if any nesting birds are found			
	Brook Lamprey	Survey	No												
	Dormice	Survey	*	Gnawed Hazel nut Searches		Nest searches	Nest searches	Cage traps hair tube surveys to mid-October - Nut searches from Sept (opt Sept-Dec) - Nest searches (opt Sept-March)					Nut and Nest Search		
		Mitigation	**	No clearance or impacted by works			Clearance works	No clearance works			Clearance, release, and translocation		No clearance works		
	Fish	Survey	*	For coastal, river and stream-dwelling species, the timing of surveys will depend on the migration pattern of the species concerned. Where surveys require information on breeding, the timing of the surveys will need to coincide with the breeding period, which maybe summer or winter months, depending on the species											
		Mitigation	**	Mitigation for the protection of watercourses is required at all times of year. Mitigation for particular fish species will need to be timed so as to avoid the breeding season. This varies from species to species											
	Freshwater Pearl Mussel	Survey	No												
	Fungi	Survey	No	Early species only											
	Geese and Swans	Survey	No												
	GCNs	Survey	*	Newts in Hibernation		Pond surveys (adults), at least 2 surveys mid Apr mid-May, Egg surveys April-mid June, Larvae from mid-May. Terrestrial habitat surveys					Optimal Terrestrial Survey Time, refuge surveys			Newts in Hibernation	
		Mitigation	**	No trapping, pond management only		Newt trapping programme in ponds and on land					Newt trapping programme on land only			No trapping, pond management only	

# **Report to Environment, Transport and Development Overview & Scrutiny Panel**

**January 2013**

**Item No...12**

## **Environment, Transport and Development Enforcement Policy**

Report by the Director of Environment, Transport and Development

### **Summary**

The Environment Transport and Development (ETD) Directorate is responsible for a range of regulatory functions, including Trading Standards, Planning enforcement (mineral and waste sites) and Highways (networks and maintenance). Each area of work uses different legislation to secure its aims and each has its own framework of regulations, codes of practice and guidance.

The current Trading Standards policy is reviewed on an annual basis. We are proposing to take the opportunity to extend the scope of the Policy to cover a broader range of services within ETD, providing clarity on the way enforcement activity is carried out across all ETD regulatory functions. This is not a substantive change of approach but brings together existing approaches to ensure consistency.

### **Action Required**

Panel are asked to consider the proposed enforcement policy and comment ahead of recommendations to Cabinet.

## **1. Background**

- 1.1 The Environment Transport and Development (ETD) Directorate is responsible for a range of regulatory functions, including Trading Standards, Planning enforcement (mineral and waste sites) and Highways (Networks and Maintenance). Each area of work uses different legislation to secure its aims and each has its own framework of regulations, codes of practice and guidance.
- 1.2 Experience in the enforcement of the regulatory laws that protect our immediate environment and the health of residents shows that, in most cases, businesses and individuals comply with the law. Failure to do so generally stems from ignorance or carelessness, but sometimes from wilfulness or malice. A range of enforcement options is available to the Council but there is a need to discharge these in a consistent, fair and transparent way, as well as ensuring that the public or environment is adequately protected.
- 1.3 There is a legal context to the deployment of enforcement powers. This includes an established legal framework for decision making (such as the Code for Crown Prosecutors (CPS)) as well as national standards such as the "Enforcement Concordat" (promoting consistency in the regulatory enforcement regime) and the "Regulators' Compliance Code" five Principles of Good Regulation. The Regulators Compliance Code requires us to publish our Enforcement Policy, and the Food Safety Act 1990 requires Trading Standards Services to obtain member approval.

- 1.4 This Enforcement Policy is a key decision; a recommendation will be taken to Cabinet in March 2013.

## **2. Key Proposals**

- 2.1 We are proposing to extend the scope of the current Policy to cover a broader range of services within ETD. The current Policy is specific to enforcement undertaken by the Trading Standards Service, whereas the proposed version will additionally also include the range of enforcement activities undertaken by ETD. The intention is to create a clearer, consistent approach that covers all areas of ETD.
- 2.2 This policy does not try to capture all of this detailed, complex and often changing background, but instead seeks to summarise the overall approach to the use of enforcement powers generally; 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 and, where necessary, additional protocols can be appended to the main policy (currently the only area proposed for this is for minerals and waste planning – see appendix 1).
- 2.3 This policy has been developed jointly by ETD regulatory services in the context of government and other guidance and seeks to ensure that the application of any enforcement is:
- proportionate to the offence and risks, and mindful of any 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 Council's Equalities Policy
  - consistent in approach, and
  - appropriate.

## **3. Resource Implications**

- 3.1 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. High-performing, compliant businesses will bear less of a burden, with regulators focusing their efforts on rogue and higher-risk businesses.

## **4. Other Implications**

- 4.1 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 with enforcement functions.

Following the recommendations of the Hampton Report<sup>1</sup>, the Enforcement Concordat was supplemented by a statutory code of practice, the “Regulators’ Compliance Code”, to give the Hampton Principles a statutory basis. This code of practice was issued on 17 December 2007 and came into force on 6 April 2008, by virtue of the Legislative and Regulatory Reform Act 2006, placing a duty on certain regulators to have regard to five Principles of Good Regulation<sup>2</sup>. In certain instances officers may conclude that a provision in the Regulators’ Compliance 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 Council must 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 prosecute; with any decision also considering whether it is in the public interest to prosecute.

#### **4.2 Human Rights:**

In carrying out its enforcement role, the Directorate will have due 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).

#### **4.3 Equality Impact Assessment (EqIA):**

A draft Equality Impact Assessment (EqIA) has been produced for this Policy in conjunction with the ETD Equality Lead Officer. Some suggested actions have emerged from this assessment, including consideration of the issue of hate crime when looking at using anti-social behaviour orders and the need to consider wider community cohesion when deciding whether to publish the name and details of Black, Asian and Minority Ethnic (BAME) residents prosecuted for offences. The EqIA will need to be made available when we publish the adopted policy document.

#### **4.4 Communications**

The draft policy is currently subject to an engagement process with key stakeholders, including other NCC departments, representatives from residents and business, associated enforcement agencies, and partner organisations. The adopted Policy document will be published via the NCC web pages.

#### **4.5 Health and Safety and Environmental Implications**

There are no Health and Safety or Environmental Implications to take into account as part of this report.

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<sup>1</sup> “Reducing administrative burdens: effective inspection and enforcement” – Philip Hampton 2005

<sup>2</sup> Transparency, accountability, proportionality, consistency and targeted action.

#### 4.6 Any other implications:

Officers have considered all the implications which members should be aware of. Apart from those listed in the report (above), there are no other implications to take into account.

### 5. Section 17 – Crime and Disorder Act

- 5.1 ETD through its regulatory function has an important role to play dealing with crime and disorder. This Policy will support the Directorate in protecting the public and the environment in a consistent, fair and transparent way, in line with both local and national priorities and legal requirements.

### 6. Risk Implications/Assessment

- 6.1 This policy provides a clear framework and mitigates any risk of legal challenge regarding the delivery of the regulatory enforcement function within the Directorate.

### 7. Alternative Options

- 7.1 An alternative option would be for each service area within ETD to produce its own enforcement policy as required. However as above there is need for consistency in overall approach; this draft policy also provides for additional (detailed) protocols where necessary or appropriate to do so (paragraph 1.1, page 3).

### 8. Reasons for Decision

- 8.1 The previous Trading Standards policy is reviewed on an annual basis. This review is an opportunity to extend the scope to other regulatory functions across the Directorate, providing clarity on the way enforcement activity is carried out.

### 9. Action Required

- 9.1 Panel to consider the proposed enforcement policy and comment ahead of recommendations to Cabinet.

#### Officer Contact

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

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# (DRAFT) Enforcement Policy

Environment, Transport and Development



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## **1. Introduction**

- 1.1. This document applies to the enforcement activities carried out by the Environment, Transport and Development Directorate of Norfolk County Council. Where appropriate additional enforcement protocols may be developed to support this policy, for example where there are specific provisions or national requirements regarding a particular enforcement process. Such protocols will be appended to this policy as required.
- 1.2. 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 with enforcement functions.
- 1.3. Following the recommendations of the Hampton Report<sup>1</sup>, the Enforcement Concordat was supplemented by a statutory code of practice, the “Regulators’ Compliance Code”, to give the Hampton Principles a statutory basis. This code of practice was issued on 17 December 2007 and came into force on 6 April 2008, by virtue of the Legislative and Regulatory Reform Act 2006, placing a duty on regulators to have regard to five Principles of Good Regulation<sup>2</sup>.
- 1.4. In certain instances Norfolk County Council may conclude that a provision in the Regulators’ Compliance 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.
- 1.5. This enforcement policy also accords with the principles of the Human Rights Act 1998, the European Convention on Human Rights, the Freedom of Information Act 2000 and the Regulation of Investigatory Powers Act 2000.

## **2. Scope**

- 2.1 For the purpose of this document ‘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 includes the inspection of premises to check compliance with legal or other requirements and the provision of advice to aid compliance.
- 2.2 For the purposes of this document ‘formal action’ means: Prosecution, Simple Caution, Enforcement Order, Issue of Notices, Seizure, Suspension, Forfeiture, Revocation/Suspension of a licence, registration or approval, Works in Default or any other criminal or civil/injunctive proceedings, applied either separately or in any appropriate combination.

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<sup>1</sup> “Reducing administrative burdens: effective inspection and enforcement” – Philip Hampton 2005

<sup>2</sup> Transparency, accountability, proportionality, consistency and targeted action.

### **3 Principles of Good Regulation**

3.1 The five principles of good regulation are:

- a) Transparency;
- b) Accountability;
- c) Proportionality;
- d) Consistency; and
- e) Targeted only at cases for which action is needed or where it's expedient to take action.

#### **3.2 Transparency**

3.2.1 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.

3.2.2 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.

3.2.3 We will make a clear distinction between legal requirements and recommended works.

3.2.4 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 plain English or in the most appropriate language or format. Where businesses or the public do not have English as a first language we offer translations of correspondence on request via INTRAN.

#### **3.3 Accountability**

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

3.3.2 We will aim to carry out visits and inspections where businesses are open and it is appropriate to do so.

3.3.3 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 the investigation requires otherwise.

3.3.4 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.

- 3.3.5 The whole range of enforcement activities will be dealt with as promptly and efficiently as possible in order to minimise time delays.
- 3.3.6 Norfolk County Council has a complaints procedure for use by businesses, the public, employees and consumer groups. This is available on request via our website, by telephone and from reception desks.
- 3.3.7 Where appropriate feedback questionnaires will be used to gather and act upon information about the services we provide.
- 3.3.8 We will include information to highlight new legal requirements on our website, with letters sent after an inspection or visit; and in direct mailings to help keep businesses up to date.

### **3.4 Proportionality**

- 3.4.1 Any action required will be proportionate to the seriousness of the breach and the risk to people, property, the community or the environment.
- 3.4.2 The most serious formal action, including prosecution, will be reserved for serious breaches of the law where there is a significant risk to public health, safety, amenity or the environment, or where there has been a flagrant disregard for the requirements of the law.

### **3.5 Consistency**

- 3.5.1 Our officers aim to achieve consistency in the actions they take. There are established arrangements in place to ensure discussion and comparison of enforcement decisions by officers.
- 3.5.2 All officers undertaking enforcement duties will be suitably trained, qualified and authorised to ensure that they are fully competent to undertake their enforcement duties.

### **3.6 Targeted (Intelligence and Risk Led Enforcement)**

- 3.6.1 All enforcement action will be primarily targeted towards those situations that give rise to the most serious risks, where the risks are least well controlled and against deliberate or organised crime. Other factors also determine priorities for enforcement activity, including Government targets and priorities, new legislation, national campaigns and public concerns.
- 3.6.2 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. Activities are targeted based on general or specific risks identified via trends, history or specific incidents. Enforcement Agencies exchange information as part of their partnership work and will work together to determine the most appropriate approach. This includes matters where there is overlapping jurisdiction.

For example in planning cases where there is a breach of planning control (through illegal disposal of waste) there may be associated pollution control issues.

- 3.6.3 Nothing in this policy shall be taken to compel the Council to take enforcement action. In certain instances Norfolk County 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 the approach outlined in this policy.

## **4 Enforcement Actions**

- 4.1 Officers will have regard to relevant guidance & procedural requirements such as the Code for Crown Prosecutors, in order to ensure that any enforcement action undertaken is consistent and balanced in seeking to ensure that the public or environment is adequately protected.
- 4.2 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. However the Council will consider taking immediate formal action for serious breaches, which may include any of the following circumstances:
- Where there is a significant risk to public health, safety or damage to property, infrastructure or the environment.
  - Fraudulent, deceptive or misleading practices that affect the collective economic interests of Norfolk based businesses or consumers.
  - For matters where there has been recklessness or negligence.
  - A deliberate or persistent failure to comply with advice, warnings or legal requirements.
  - Obstruction or assault (including verbal assault) of an officer in the execution of their duties.

This list is not exhaustive

## **5 Informal Action**

- 5.1 Informal Action will be considered when:-
- The act or omission is not considered serious enough to warrant formal action or
  - From the individual's or business's past history it can be reasonably expected that informal action will achieve compliance or
  - The confidence in an individual or business proprietor is high or
  - The consequences of non-compliance will not pose a significant risk to the public or the environment

- 5.2 Any correspondence will clearly differentiate between legal requirements and recommendations of good practice and must indicate the regulations contravened and the measures which will enable compliance.

## **6 Formal Actions**

In determining the nature of formal enforcement action, the aim is to ensure that any action, sanction or penalty should:

- Aim to change the behaviour of the offender
- Aim to eliminate financial gain or benefit from non-compliance
- Be proportionate to the nature of the offence and the harm caused
- Aim to restore the harm caused by the regulatory non-compliance where appropriate
- Aim to deter future non-compliance

Formal Actions adopted may therefore include the following, applied either separately or in any appropriate combination.

### **6.1 Statutory Notices**

Statutory Notices will be considered where one of the following criteria applies:

- Where there is a statutory requirement/power to do so
- There are significant contraventions of legislation
- Where there is an imminent risk to public health, safety or damage to property, infrastructure or the environment
- There is a lack of confidence in the persons responsible to respond to an informal approach
- There is a history of non-compliance
- Standards are generally poor with little management awareness of statutory requirements
- Where, in addition to prosecution, measures need to be taken to remedy conditions that are serious, deteriorating or where the service of a notice is needed to support a prosecution
- Where it would be the most effective remedy available

### **6.2 Fixed Penalty Notices (FPN's)**

Fixed Penalty Notices 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
- Where there is enough evidence to progress with a prosecution or alternative action if nonpayment of a fixed penalty notice follows

Any FPN issued that results in the offender not discharging their liability will automatically be considered for alternative enforcement action under this policy (including prosecution of the initial offence). Where prosecution is brought, an

assessment will be made for other offences that may also have been committed in order that those charges may be considered at the same time.

### **6.3 Review of Licenses**

We may choose to ask a licensing authority to consider a review or revocation of a licence if we are made aware that the licensee has carried out actions which undermine licensing objectives and/or would be unlawful.

### **6.4 Criminal Prosecution**

The Council recognises that the decision to prosecute is significant and could have far reaching consequences on the offender. The Council has internal procedures for the authorisation of criminal investigations and all such cases are regularly reviewed.

Any person subject to criminal proceedings under this section will be offered an opportunity to be formally interviewed during the course of the investigation. These interviews will be conducted under the rules of the Police and Criminal Evidence Act 1984.

We 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 prosecute; with any decision also considering whether it is in the public interest to prosecute. As part of any criminal proceedings the Council is likely to seek to recover the costs of the investigation. The Court determines the level of fine imposed and costs awarded.

The CPS guidance gives a number of factors that may lead to a decision not to prosecute which the Council may take into consideration, as well as other local factors, and includes the following:

- a) The court is likely to impose a nominal penalty;
- b) The offence was committed as a result of a genuine mistake or misunderstanding;
- c) If the loss or harm caused can be described as minor and was the result of a single incident;
- d) There has been a long delay between the offence taking place and the date of the trial, unless:
  - The offence is serious;
  - The delay has been caused in part by the defendant;
  - The offence has only recently come to light; or
  - The complexity of the offence has meant that there has been a long investigation;
- e) A prosecution is likely to have a bad effect on the victim's physical or mental health;



- f) The defendant is elderly or is, or was at the time of the offence, experiencing significant mental or physical ill health;
- g) The defendant has put right any loss or harm; or
- h) Details may be made public that could harm sources of information, international relations or national security.

Officers will also consider whether or not a prosecution is appropriate by consideration of the factors contained in paragraph 4.2 of this policy.

## **6.5 Simple Cautions**

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.

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 (either verbally or in writing);
- There is a realistic prospect of conviction
- It is in the public interest to offer a simple caution; and
- The offender is 18 years or more at the time that the caution is to be administered

## **7 Alternative Sanctions**

7.1 The Council will consider alternative sanctions where these are legally available and it is appropriate to do so. This includes anti-social behaviour or equivalent crime prevention orders to disrupt and/or prevent activities that may contribute to crime or disorder.

7.2 Where appropriate, working in partnership as necessary, we will seek to recover the assets of convicted offenders under the Proceeds of Crime Act 2002 (as amended).

## **8 Forfeiture**

8.1 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.

## **9 Directors**

9.1 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.

## **10 Civil Investigations**

- 10.1 We will consider formal civil enforcement action in pursuance of breaches of consumer law which have a detrimental impact on the collective interests of consumers. In doing so we will be guided by the principles set out in this document.
- 10.2 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, including the seeking of undertakings or pursuance of Enforcement Orders.

## **11 Conflict of Interest in Enforcement Matters**

- 11.1 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:
- 11.2 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 Chief Executive of Norfolk County Council and the Head of Law will be informed of serious breaches without delay.
- 11.3 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. A record of the additional officer's involvement will be kept such that it is auditable.

## **12 Civil Claims**

- 12.1 Any enforcement action is completely separate and distinct from civil claims made by individuals for compensation or other remedy. Enforcement is not undertaken in all circumstances where civil claims may be pursued, nor is it undertaken to assist such claims.
- 12.2 The Council may provide a factual report which details its investigation and involvement in the case to individuals, or their solicitors, pursuing a civil claim. There may be a charge for this report. The Council may also choose to provide additional support to victims/facilitate civil claims where it is in the wider interests of consumers to do so.

## **13 Working with external agencies and enforcement bodies**

- 13.1 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 it is required to do so, unless immediate action is required because of imminent danger to health, safety or the environment.
- 13.2 We will liaise with the other partner regulators to ensure that any proceedings instituted are for the most appropriate offence.

## **14 Publicity**

- 14.1 As a law enforcement authority we have a responsibility to protect the public from detrimental trading and environmental practices. We undertake a range of activities to achieve this. These include actions that are taken after the detection of an offence, as well as measures to prevent and deter their commission.
- 14.2 One such measure is the publication of convictions and information concerning significant detrimental trading or other behaviour. The publicity generated by prosecutions and other enforcement action acts as a deterrent to others. It also reassures the general public that we take a serious view of such detrimental behaviour.
- 14.3 We will therefore consider publishing the name and address of each person convicted of an offence together with details of the issues involved. 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

This list is not exhaustive and other factors may be relevant in the circumstances of an individual case.

## **15 Contacting the Council**

Copies of this document and other advisory leaflets are available from:

**Norfolk County Council**  
Public Protection Group  
Environment, Transport and Development  
County Hall  
Martineau Lane  
Norwich  
NR1 2UD

We will make this policy available on tape, in Braille, large type, or in another language on request.



# **LOCAL MONITORING AND ENFORCEMENT PROTOCOL**

## **2012**

**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**

**Reviewed: October 2012**

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## **1.0 BACKGROUND**

- 1.1 This document provides supplemental guidance to the County Council's Environment, Transport and Development policy on enforcement 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 Structure Plan (Saved Policies) (Adopted October 1999), Norfolk Core Strategy and Minerals and Waste Development Management Policies 2010 -2016 (Adopted September 2011) and the adopted Borough and District wide local plans or Development Frameworks where approved. The County Council maintains an up-to-date list of local council policy documents.

## **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 punishment 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 action is a Breach of Condition Notice, Enforcement Notice, Temporary Stop Notice, Stop Notice, Injunction, or Direct Action (following failure to comply with an Enforcement Notice). Formal action may be any of the above or a combination of the above.
- 2.5 The serving of a Planning Contravention Notice is not formal enforcement action but is a request for information relating to interests in the land and the nature of the alleged breach of planning control, although failure to comply with the notice is an offence.

- 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 formal action.
- 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.

### **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 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. Whilst the Authority does not condone wilful breaches of planning law, it has a general discretion to take enforcement action, when they regard it as expedient. Nevertheless, 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 The local member will be informed when an Enforcement Notice is served in their constituency.
- 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 Rail Prospectus**

Report by the Director of Environment, Transport and Development

### **Summary**

Rail is vital to Norfolk's economic and social needs. Making sure that it can continue to meet the needs is a vital strand of the County Council's adopted economic strategy *Delivering Economic Growth in Norfolk*. Currently we have a real opportunity to influence the development of rail over the next ten to twenty years as Government goes through the cycle of renewing train operator franchises and agreeing the infrastructure spending programme.

Our strategic infrastructure needs and constraints are set out in the *Norfolk Infrastructure Plan* that Cabinet considered in December. These strategic priorities will form a cornerstone of our ask to Government and the rail industry. However, we have developed and consulted on a detailed Norfolk Rail Prospectus, which Cabinet will be asked to agree at their meeting of 28 January. Copies of the draft prospectus have been placed in the Members' Room.

The Norfolk Rail Prospectus sets out requirements across the network. It shows clearly to Government and the rail industry what is required for rail to fulfil its vital role. We will aim to influence the decision-making processes so that as many of these requirements are built into the forthcoming franchise agreements or included in Network Rail's spending programmes. In addition, the prospectus can inform more detailed work programmes, including those of train operators or which might be funded from development proposals.

The Norfolk Rail Prospectus builds on the region-wide prospectus which was co-ordinated, produced and supported by local authorities, local enterprise partnerships and other stakeholders including the region's MPs. The Norfolk Rail Prospectus adds detail relevant to the county to inform our detailed advocacy work. It includes:

- Faster journey times, more capacity and better quality travel experience Norwich-London
- ½ hourly frequencies King's Lynn to London and Norwich to Cambridge
- Earliest and latest trains on each route
- Details about the individual improvements required at each station. Priorities include refurbishment of Great Yarmouth station and environs, and accessibility improvements at Wymondham and Thetford
- Priorities for new infrastructure include new track capacity at Ely and on the Norwich to London route, a new station in the vicinity of Broadland Business Park and feasibility work to look at – in the longer term – new passenger services between Cambridge and Oxford, and Dereham and Wymondham.

The draft Prospectus was launched for consultation at a special meeting of the Norfolk Rail Group on 4 October 2012 and consultation ran until 16 November 2012. Both the launch and the consultation focussed on stakeholder groups including elected representatives, district councils, the rail industry and business groups. In addition to the formal consultation responses, officers have engaged on a one-to-one basis with groups including disability forums and business groups. There has been support for the prospectus in the consultation process. Comments received have been included in the final version where appropriate. Appendix 1 summarises the consultation responses and sets out the reasons why comments have been incorporated into the final prospectus, or not.

### **Recommendation / Action Required**

Panel is asked to comment on the Norfolk Rail Prospectus prior to its agreement by Cabinet.

## 1. **Background**

- 1.1. Important decisions relating to the future of the region's rail network will be taken by Government over the next few months. Principally these include:
  - Capital Spending Programme 2014-19: for works on track infrastructure to overcome bottlenecks or otherwise improve in the network
  - Re-franchising: Government will award franchises to train operators for all services running into the county over the next couple of years. The refranchising process for King's Lynn-London is underway whilst the Greater Anglia franchise – covering all other routes in the county except Norwich-Liverpool – will start shortly.
- 1.2. A region-wide prospectus setting out the strategic needs was co-ordinated and produced by local authorities, LEPs and other stakeholders. This was supported by the region's MPs and has been used as a summary of the high-level needs to help lobbying and advocacy work.

We are already seeing the benefits of working together and uniting behind a common set of goals, with Government starting to recognise the rail issues faced by Norfolk, Suffolk, Essex and Cambridgeshire.
- 1.3. Whilst the County Council fully supports the region-wide prospectus, we need to engage with Government and other stakeholders (principally Network Rail and train operators bidding for the franchises) to set out in detail what we require from rail in the county. As the region-wide Prospectus does not cover the detail, we have developed our own Norfolk Prospectus. This takes the region-wide prospectus as a starting point but fills in the detail. As stated, this will be used as a basis for our engagement with Government and the rail industry (amongst others) as major decisions are taken over the forthcoming few months.
- 1.4. Cabinet will be asked to agree the Norfolk Rail Prospectus at their meeting on 28 January 21012. Panel is asked for any comments on the draft prospectus, which will be reported verbally to Cabinet. Copies of the draft Prospectus have been placed in the Members' Room.

## 2. **Development of the Norfolk Rail Prospectus**

- 2.1. The draft Norfolk Prospectus has been developed using the recently relaunched Norfolk Rail Group. This County Council-run group comprises elected members of the County and District Councils, the rail industry and stakeholder groups including businesses and rail-user groups. This has proved a successful means of capturing a wide range of well informed views.
- 2.2. The draft Norfolk Rail Prospectus was launched for consultation at a special meeting of the Norfolk Rail Group on 4 October 2012 and consultation ran until 16 November 2012. Both the launch and the consultation focussed on stakeholder groups including elected representatives (MPs, county and district members), district councils, the rail industry and business groups. Sixteen formal written responses were received. In addition to the formal consultation responses, officers have engaged on a one-to-one basis with, amongst others, disability forums, the rail industry, business groups and elected representatives. (Some of these meetings are ongoing and any minor changes needed to the prospectus arising can be fed into

the final version of the prospectus.) Furthermore, there was a workshop at the launch event which provided stakeholders an opportunity to feed-in their views.

- 2.3. Overall, the consultation has resulted in a good range of detailed comments from stakeholders. In summary, most of the comments were supportive of the draft prospectus. Many of them asked for detailed issues to be included, and these have been included in the final Prospectus where appropriate.
- 2.4. There were, however, a number of issues where it is not considered appropriate to amend the prospectus as suggested by some respondents to the consultation. These responses, and the reasons for being unable to include them in the final prospectus, are summarised in the report to the December meeting of the Norfolk Rail Group included as Appendix 1.
- 2.5. Following the consultation, and taking into account any further comments received from the Norfolk Rail Group in December, the prospectus has been finalised.

### 3. **Summary**

- 3.1. A Norfolk Rail Prospectus, setting out the strategic and detailed requirements for rail has been developed and consulted on. This will be used to inform our advocacy work with Government and the rail industry as important decisions about the longer-term spending programmes on rail are taken.
- 3.2. The Norfolk Rail Prospectus supports the major strategic improvements set out in the Norfolk Infrastructure Plan and the region-wide rail prospectus:
  - Faster journey times, more capacity and better quality travel experience Norwich-London
  - ½ hourly frequencies throughout the day between King's Lynn and London King's Cross
  - Regular ½ hourly frequencies between Norwich and Cambridge, with an extension of this service to Stansted.

However, the Norfolk Rail Prospectus also includes the detail relevant to all rail lines and stations in the county. The Prospectus includes:

- Service standards: Cleanliness and quality of trains and stations, and earliest and latest trains on each route
- Journey times: Faster journey times on routes between major centres, and better connections with onward services
- Better punctuality and reliability, with the railway operating every day of the week (rather than services being replaced by buses at weekends)
- Fares and ticketing: Making fares easy to understand and tickets easy to buy.
- Stations: Ensuring that people can access stations (eg through trying to secure level access to platforms and ensuring that none of the platforms at main stations can be accessed only by bridges with steps); making onward travel from stations as good as possible. Station priorities include Great Yarmouth, where major refurbishment of the stations and its environs is required, and Wymondham and Thetford, where access to platforms for people with disabilities (or luggage) needs improving
- Infrastructure: The prospectus considers what new infrastructure might be required, detailing which new / re-opened lines and new stations the Council supports. It also sets out the infrastructure required for improvements to existing services. Priorities include new track capacity in and around Ely, new track

capacity towards the southern end of the Norwich to London route, support for a new station in the vicinity of Broadland Business Park on the Bittern Line and feasibility work to look at – in the longer term – new passenger services between Cambridge and Oxford, and Dereham and Wymondham.

- 3.3. Panel is asked to comment on the Norfolk Rail Prospectus prior to its agreement by Cabinet at their meeting on 28 January. Copies of the Norfolk Rail Prospectus have been placed in the Members' Room.

#### 4. **Resource Implications**

- 4.1. **Finance:** There are no financial implications from adopting the Prospectus. It is intended to publish the prospectus on the County Council's internet site, with printed copies available only on request.

Funding for the wide range of measures included in the prospectus will come from a variety of sources. Principally these will be Government or the rail industry. However, the County Council has in the past funded, or part-funded, measures such as passenger information or access to stations. Decisions about future funding of projects will be taken in the usual way, funded through the Local Transport Plan capital programme allocations.

#### 5. **Other Implications**

- 5.1. **Equality Impact Assessment:** The measures included in the prospectus are considered to have an overall beneficial effect on equality, principally benefitting (if implemented) people with mobility problems.
- 5.2. **Communications:** It is intended to launch the final Prospectus at an event in February.
- 5.3. **Environmental Implications:** Improvements to the rail network are likely to have two main environmental impacts. Firstly, if the improvements lead to a mode-shift away from car use, there are likely to be environmental benefits including carbon reduction. Weighed against this, improvements may lead to an increase in travel, which is likely to lead to negative environmental impacts.
- 5.4. **Any other implications:** Officers have considered all the implications which members should be aware of. Apart from those listed in the report (above), there are no other implications to take into account.

#### 6. **Section 17 – Crime and Disorder Act**

- 6.1. The improvements outlined in the Prospectus to aspects such as railway stations or access to stations are likely to lead to reductions in crime and disorder.

#### 7. **Reason for Decision**

- 7.1. To maximise the benefits of rail for the economic and social growth of the county.

### **Recommendation / Action Required**

- (i) Panel is asked to comment on the Norfolk Rail Prospectus prior to its agreement by Cabinet..



## Background Papers

None

## Officer Contact

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

<b>Name</b>	<b>Telephone Number</b>	<b>Email address</b>
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If you need this report in large print, audio, Braille, alternative format or in a different language please contact 0344 800 8020 and ask for David Cumming or textphone 0344 800 8011 and we will do our best to help.

## **Norfolk Rail Prospectus**

Report by the Director of Environment, Transport and Development

### **Summary**

The county council consulted on a draft Norfolk Rail Prospectus during October and November. We received a number of useful responses setting out detailed comments on the draft. These, together with the comments made in the launch workshop in October, and a number of ongoing focus group discussions, will feed into the final Prospectus. This final Prospectus will be reported to the county council's Cabinet at the end of January for agreement. It will then be used as a basis for engagement with government and the rail industry to set out our ask in the forthcoming refranchising processes and the infrastructure planning process for the 2014-19 spending period and beyond.

The Norfolk Rail Group should be familiar with the draft Prospectus since it has had the opportunity to influence it as it was worked up, and the last meeting of the group on 4 October was a special meeting to launch the Prospectus. As a result of the consultation no major changes are proposed, although a number of minor amendments are suggested. The Norfolk Rail Group is asked for any final comments before the prospectus goes to county council members for agreement.

This report goes through responses to the consultation in detail, setting out the comments received and any proposed changes as a result.

### **Recommendation / Action Required**

The Norfolk Rail Group is asked for any final comments before the prospectus goes to county council members for agreement.

## **1. Background**

- 1.1. As members will know, important decisions relating to the future of the region's rail network will be taken by government over the next few months. Principally these include:
- Capital Spending Programme 2014-19: for works on track infrastructure to overcome bottlenecks or otherwise improve in the network
  - Re-franchising: Government will award franchises to train operators for all services running into the county over the next couple of years. The refranchising process for King's Lynn-London is underway whilst the Greater Anglia franchise – covering all other routes in the county except Norwich-Liverpool – will start shortly.

A region-wide prospectus setting out the strategic needs was co-ordinated and produced by local authorities, local enterprise partnerships (LEPs) and other stakeholders. This was supported by the region's MPs and has been used as a

summary of the high-level needs to help lobbying and advocacy work.

Whilst the county council fully supports this region-wide prospectus, we will need to engage with government and other stakeholders (principally Network Rail and train operators bidding for the franchises) to set out in detail what we require from rail. As the region-wide Prospectus does not cover the detail, we have developed our own Norfolk Prospectus, which takes the region-wide prospectus as a starting point and fills in the detail relevant to our own local needs.

- 1.2. The draft Norfolk Prospectus was launched for consultation at a special meeting of the Norfolk Rail Group on 4 October 2012 and consultation ran until 16 November 2012. Both the launch and the consultation focussed on stakeholder groups including elected representatives (MPs, county and district members), district councils, the rail industry and business groups. Sixteen formal written responses were received. In addition to the formal consultation responses, officers are engaging on a one-to-one basis with, amongst others, disability forums, the rail industry, business groups and elected representatives. Furthermore, there was a workshop at the launch event which provided stakeholders an opportunity to feed-in their views.

## **2. Consultation Responses**

### **2.1. Summary**

Overall, the consultation has resulted in a good range of detailed comments from stakeholders. The following sections provide an overview of the comments received. A detailed analysis of the comments can be obtained directly from the contact at the end of this report.

- 2.2. In summary, most of the comments are supportive of the draft prospectus. Many of them ask for detailed issues to be included, and we can take most of them onboard. The main issues where respondents suggested changes to the prospectus were:
  - We set out that ½ hourly services throughout the day to Great Yarmouth could not be supported because work done by Mott MacDonald concluded that there would be insufficient passenger demand to support them. Our case for rail enhancements could be undermined if we include requirements which our own analysis has shown cannot be supported, so it is recommended not to change the prospectus.
  - A number of respondents asked that the cross country services to Norwich from Cambridge and Liverpool be extended to Great Yarmouth. Extending services to Great Yarmouth is not considered justified to support. This is for a number of reasons including that no evidence has been presented to show the benefits, and – from a railway point of view – it would be difficult to deliver, not least due to the timetabling and rolling stock availability issues. Extensions of services are likely to require additional diesel rolling stock, of which there is full utilisation nationally
  - Many comments referred to the need to get the basics right – cleanliness, access to stations/trains, working toilets, etc... This can be incorporated into the final prospectus.
  - The draft Prospectus contained a question asking for views on splitting the Norwich to Liverpool service at Nottingham (as this has come up before and may do so again). It was not intended to be a proposal. The intention was to seek stakeholders' evidence and views about something that has been suggested by government in the past and is likely to be asked again in the future. The purpose

of the question was to enable the county council to understand stakeholders' views on the matter. There is clearly strong support that the service is not split, and this view can be reflected in the final Prospectus, together with any evidence (of why it should not be split) provided by stakeholders as part of the consultation.

**2.3. Responses in detail**

The following section deals with each question in turn, followed by a short response – where appropriate – to the comment setting out whether it is felt that the comment should be taken into account in the final prospectus.

**2.4. Q1: Have we identified the priority rail needs across the county correctly? Is there anything else you would add?**

Most of the responses to the consultation supported the priorities, but a number stated that too much focus was made on connectivity to London, and that other lines could be equally important. East west links were mentioned by a number of respondents, whilst some respondents called for improvements to 'their' services, most notably calling for through services to Great Yarmouth from Cambridge and Peterborough.

Response: It is considered that the priorities set out in the draft prospectus are broadly correct, although it is accepted that east-west connections could be given greater focus in the section on priorities.

Extending services from Peterborough and Cambridge to Great Yarmouth is not considered justified to support. This is for a number of reasons including that no evidence has been presented to show the benefits, and – from a railway point of view – it would be difficult to deliver, not least due to the timetabling and rolling stock availability issues. Extensions of services are likely to require additional diesel rolling stock, of which there is full utilisation nationally.

**2.5. Q2: Across the network, do you agree that these are the priorities for passenger service levels?**

Again, there was general support for the priorities, although a number of stakeholders suggested that punctuality and reliability should be a priority, as should links to support tourism. Again, a number of respondents called for improvements to services on their lines.

Response: The final prospectus should take into account the need for the rail industry to get the basics right: including cleanliness, access to stations / trains, working toilets, punctuality and reliability.

**2.6. Q3: Across the network, do you agree that these are the priorities for journey time reductions?**

One respondent – Great Yarmouth Borough Council – did not agree. The Borough stated that although Norwich to London should be the priority the prospectus should refer to reducing journey times on the Norwich to Cambridge line.

Response: Reducing journey times on other routes such as Norwich to Cambridge is covered in the draft prospectus, although not as explicitly as on the Norwich-London line. This is because no feasibility work has been done on the other lines to identify what might realistically be delivered. The final prospectus could make it clearer that we support journey time reductions on other routes, but we could not currently set

out the same level of detail as we do for Norwich-London.

2.7. **Q4: Do you agree that we should support the purchase of tickets by means such as the internet, or from retail units at stations (or nearby)? Even if this means that dedicated ticket office facilities may not be provided at smaller stations?**

Only Great Yarmouth Borough Council disagreed with this. The Borough stated that although increasing the range of ticket buying options is useful, maintaining as much face to face contact between staff and passengers is more important. Many respondents put forward ideas about how the means of ticket selling could be expanded.

A number also commented that value for money of fares should be ensured by the county council.

Response: Face to face ticket sales through dedicated ticket offices is expensive for train operators to provide and although desirable they are not things that government will specify or buy in the franchises except at the busiest stations. It is for these reasons that the draft prospectus sets out ideas for how face to face sales may be achieved without the need for a dedicated ticket office. It is considered that this is the right approach.

2.8. **Q5: Have we identified the right priorities at stations?**

Most respondents supported the priorities, although two common themes emerged: (i) basic facilities (eg the ability for people with disabilities or luggage to be able to get to the platform, clean toilets, etc...) should be a priority; and (ii) integration with onward travel modes at stations should be a priority. South Norfolk Council disagreed with our suggested priorities, stating that all stations should have clean and safe public lavatories that are available to all passengers, not just those using station catering provision.

Response: Acknowledgement of the need to get the basics right should be brought out in the final prospectus. Integration, particularly at the larger stations, is important and it is accepted that the final prospectus can be better worded than the draft to clarify that this is important.

2.9. **Q6: Do stakeholders know of any other infrastructure constraints that need to be overcome on existing lines?**

Some respondents put forward constraints that they consider need to be overcome, particularly on the King's Lynn-Cambridge-London line to allow for improved services.

Response: All of these are dealt with in the draft Prospectus.

2.10. **Q7: Do stakeholders agree with our analysis of which new stations should be supported over the short, medium and long-term?**

The general response was agreement with the approach, but respondents put forward ideas for the following new stations not covered in the draft Prospectus:

- On Norwich to Cambridge line near Thickthorn Park and Ride
- On Norwich to Cambridge line to serve Norwich Research Park
- On Norwich to London line between Stowmarket and Norwich.

Response: It is not considered that any of these can be supported. New stations are

not only expensive to construct, but also involve ongoing costs such as maintenance or lost-time in stopping trains. None of the locations suggested are at major attractors and it is considered that the disbenefits outweigh the benefits.

2.11. **Q8: Do stakeholders agree with our analysis of which new / re-opened lines should be supported over the short, medium and long-term?**

Whilst most supported the analysis – including the district councils – respondents supported the following, which were either not referred to in the draft prospectus, or which the analysis in the document suggested should not be pursued:

- Re-opening King's Lynn to Hunstanton
- New line / re-opening King's Lynn to Norwich
- Re-opening March to Wisbech.

There was a lot of support for East-West Rail (Cambridge-Oxford) and the Norfolk orbital (Wymondham-Dereham-Fakenham-Holt-Sheringham).

Response: It is not considered that either King's Lynn to Hunstanton or King's Lynn to Norwich can be supported, due principally to their cost and the lack of feasibility / evidence that has been provided to support their case. March to Wisbech is not within (and would have limited benefit for) Norfolk so, regardless of its merits, is not appropriate to cover. East West Rail and the orbital route are covered in the prospectus as measures which the county council would support, although our position on the orbital route is that it is a private venture that we would not be able to resource.

2.12. **Q9: Do stakeholders agree with the listed sites as those having most potential for freight facilities (along with the sites within existing use)?**

Respondents supported the analysis, in particular the potential for freight facilities at Snetterton and Great Yarmouth.

Response: No changes to the prospectus required.

2.13. **Q10: Do stakeholders agree that our minimum requirements for the next franchise should be comprehensive refurbishment of the existing carriages, and replacement of the locomotives and driving van trailers with 125mph-capable stock? (Norwich-London line.)**

Only one respondent – Railfuture East Anglia – disagreed that the minimum ask of the new franchise should be complete refurbishment of the existing trains. Railfuture made a suggestion for a type of new stock that they felt should be sought from the outset.

Response: The draft Prospectus set out rolling stock requirements that are agreed and supported by stakeholders along the route. It is not felt that Railfuture's suggestions would be supported by stakeholders.

2.14. **Q11: Do stakeholders agree with these rolling stock attributes on the Norwich-London line?**

All respondents who answered the question except South Norfolk Council agreed with the minimum suggested attributes for new / refurbished rolling stock. South Norfolk Council suggested that the rolling stock should include catering, power points and wi-fi as a minimum. Seats should have head rests to ensure passenger safety in event of derailment or collision.

Response: All of these attributes were included in the list in the draft prospectus that stakeholders were asked to state whether they supported.

2.15. **Q12: Do stakeholders agree with our aspirations for earliest and latest trains between Norwich and London?**

Only one respondent – Railfuture East Anglia – disagreed with the suggestions. They considered there should be a third train per hour between London and Norwich which could stop at more stations allowing the speeding up of the other two services.

Response: From stations south of Ipswich there are generally services to London more frequent than ½ hourly. From Norwich and Diss all services are ½ hourly. Delivering Norwich in 90 minutes does not require different stopping patterns from today's trains. It is unlikely that a third train from Norwich could be achieved throughout the day given, amongst other things, the availability of rolling stock, available capacity on the line / Norwich station, and passenger demand from Norwich.

For these reasons, this is not considered something that could be supported for the upcoming franchise.

2.16. **Q13: Are there any other station improvements users wish to see at stations on the Norwich to London line?**

Norwich City Council and South Norfolk Council made detailed suggestions about Norwich and Diss.

Response: The suggestions can be included in the final prospectus.

2.17. **Q14: What evidence do stakeholders have that would support our case for half-hourly services between London and King's Lynn?**

Some additional evidence was provided, but most stakeholders felt the work already undertaken for the county council (and other partners) would set out the case adequately.

Response: No changes to the prospectus required.

2.18. **Q15: If IEP trains are not specified on this route, what rolling stock attributes should be required of trains between King's Lynn and London?**

Respondents were mixed between new stock with the attributes of 'commuter IEP' or refurbishment of the existing type of trains to include air conditioning. Railfuture set out their concerns about requiring IEP trains, suggesting these would lead to higher fares, and that IEP trains would be less flexible and would have to dwell longer at stations to let people on or off due to their smaller doors (than the existing trains).

Response: Both the Borough Council of King's Lynn and West Norfolk and Fen Line Users Association – the two most local stakeholders – have supported the use of IEP trains, or trains with the attributes of the commuter IEP specification. It is considered that the final prospectus should support these stakeholder views.

2.19. **Q16: Do stakeholders agree with our analysis of the benefits of stopping at Chesterton, serving Cambridge Science Park?**

All those who responded supported stopping at Chesterton / Cambridge Science Park and agreed with the reasons set out in the draft Prospectus. One respondent –

Railfuture – suggested that the Norwich-Cambridge service should also stop there.

Response: It is agreed that the prospectus should also set out the benefits for the Norwich-Cambridge service to stop at a new station to serve Cambridge Science Park.

2.20. **Q17: Do stakeholders agree with our aspirations for earliest and latest trains between King's Lynn and London?**

All who responded on this question agreed with the suggested requirements.

Response: No changes to the prospectus required.

2.21. **Q18: Are there any other station improvements users wish to see at stations on the King's Lynn to London line?**

Respondents largely agreed, and some additional suggestions were received. However, the Borough Council of King's Lynn and West Norfolk stated that they do not support a bridge with lifts at Downham Market.

Response: The suggestions can be included in the prospectus. If a bridge with lifts is not included at Downham Market it will mean that passengers on foot will need to use the road level crossing to get from one platform to another.

2.22. **Q19: Do stakeholders agree that consideration should be given to achieving a half hourly Norwich to Cambridge service by retiming the direct service and the Norwich to Liverpool service involving a change at Ely, or should we be pressing for direct Norwich to Cambridge services every half hour (as well as the hourly Norwich to Liverpool)?**

Stakeholders supported the approach set out. In summary, the consensus was that retiming the two services – to space them out every 30 minutes – would be a good starting point, but that direct Norwich-Cambridge services every 1/2 hour should be sought. A number of additional comments were received including:

- Norwich to Cambridge should be extended to Stansted
- Norwich to Cambridge should be extended to Great Yarmouth
- The addition of a second Norwich-Cambridge train every hour, together with re-timetabling (of this and the Norwich-Liverpool) service would effectively provide a service every twenty minutes to Cambridge
- All services on the line should call at intermediate / all stations.

Response: The final prospectus can include reference to the Cambridge and Liverpool trains effectively providing a 20 minute service, and to stopping patterns (both of which would require further work). The extension to Stansted is already included. However, an extension to Great Yarmouth cannot be supported (see Question 1).

2.23. **Q20: Do stakeholders agree with our aspirations for earliest and latest trains between Norwich and Cambridge?**

Respondents agreed with the requirements set out in the draft prospectus.

Response: No changes to the prospectus required.

2.24. **Q21: Are there any other station improvements users wish to see at stations on the Norwich to Cambridge line?**

A number of detailed comments were received, focussed around getting the basics



(cleaning, lighting, etc) right, DDA access, and car and cycle parking.

Response: The suggestions can be included in the prospectus.

2.25. **Q22: Do stakeholders agree that journey times (on the Norwich-Peterborough-Liverpool service) need to be improved, and if so, how would they suggest this be achieved?**

All stakeholders who responded agreed with the need to reduce journey times. One respondent suggested missing out Ely to speed-up the journey. A number made suggestions about other aspects of the line, notably:

- Connections at Peterborough
- Rolling stock on the line was unsuited to a long journey
- The service could extend to Great Yarmouth at the beginning and end of the day.

Response: Missing out Ely has been investigated before. The benefits (quicker journeys) were felt to be outweighed by the disbenefits (foregoing onward travel connections at Ely). An extension to Great Yarmouth cannot be supported (see Question 1). Connections at Peterborough are included in the prospectus. The draft prospectus also set out that we would like to see a whole-route study of the line. The rolling stock issues would form a part of any such study.

2.26. **Q23: If, as has been suggested in the past, there are suggestions to have separate Liverpool-Nottingham, and Nottingham-Norwich services (to improve planning of services and their reliability), would stakeholders support this?**

Two respondents, including Great Yarmouth Borough Council, supported splitting the service. Other respondents, including King's Lynn Borough and the rail-user groups, were strongly against.

Response: The question in the consultation draft Prospectus was not intended to be a proposal. The intention was to seek stakeholders' evidence and views about something that has been suggested by government in the past and is likely to be asked again in the future. The purpose of the question was to enable the county council to understand stakeholders' views on the matter.

There is clearly strong support that the service is not split, and this view can be reflected in the final Prospectus, together with any evidence (of why it should not be split) provided by stakeholders as part of the current consultation.

2.27. **Q24: Do stakeholders agree with our aspirations for earliest and latest trains between Norwich and Liverpool?**

All but one who responded on this question agreed with the suggested requirements. Railfuture East Anglia suggested that our ask should also include an earliest arrival into Norwich before 0900 from Nottingham and later departures from Norwich with trains running as far as Nottingham & a full 'Saturday' service running on Sunday.

Response: Railfuture's comments can be included in the final prospectus, although already the earliest arrival into Norwich from Nottingham is the 0503-0813 service.

2.28. **Q25: Are there any other station improvements users wish to see at stations on the Norwich to Liverpool line?**

A number of detailed comments were received, especially concerning Thetford

Station – see question 21.

Response: The suggestions can be included in the prospectus – see question 21.

2.29. **Q26: What do stakeholders support in the short, medium and longer term to increase the potential of this line (eg longer trains, half hourly frequencies, tram-train)? What evidence is there to support this case?**

A range of comments were received here. Most supported the aims in the prospectus; in essence to deal with overcrowding through securing half hourly services in the medium term with consideration of longer trains in the shorter-term. However, comments were also received on the issue of tram-train, ranging from support to objection. Some respondents supported the use of trams on the existing rail network, with an extension of the tram service into the centres of towns. Others were against the use of tram-type trains on the existing rail network because it was felt that this would lead to a reduction in service quality on the route.

Response: The proposal (for tram trains) arose from the eco-town proposals at Rackheath. The promoters envisaged that trams could operate on the heavy rail line from Norwich to a new station at Rackheath, where they might continue onto a new stretch of tramway into the development.

The attractions of such an arrangement include that the new development could be served by rail (albeit trams), and running trams on the existing rail lines south of Rackheath opens up the potential for new stops at, for example, Broadland Business Park.

The existing train fleet would be unable to stop at new stations without missing out existing stops elsewhere on the line because there is not enough time in the schedule for additional stops. However, it may be possible with replacement trains – rather than having to use trams – to add additional stops on the line. This might be possible due to new trains being able to accelerate and brake more quickly, hence freeing time in the timetable.

Previous work has shown that tramways into Norwich are not justified given, amongst other things, their cost and the limited numbers of passengers (Norwich is not large enough to support trams).

The final Prospectus could set out:

- Short-term: Complete refurbishment of the rolling stock if new stock cannot be provided
- Consideration of longer trains in the short term if ½ hourly services cannot be provided. This will require feasibility work including about potential platform lengthening. Rolling stock may be difficult to source
- Short term (in the next Greater Anglia franchise): ½ hourly services
- Medium term: New rolling stock, allowing better stopping patterns and potential new station at Broadland Business Park
- Tram train is a developer proposition, which has some potential advantages, and the county council would be happy to work with the developer and the rail industry to explore its feasibility, but would not be promoting it
- Extension of the rail infrastructure, as a tramway, into central Norwich is something which the county council considers unviable at the present time.

2.30. **Q27: Do stakeholders agree with our aspirations for earliest and latest trains**

**between Norwich and Sheringham?**

All who responded on this question agreed with the suggested requirements.

Response: No changes to the prospectus required.

2.31. **Q28: Are there any other station improvements users wish to see at stations between Norwich and Sheringham?**

The only suggestions here concerned North Walsham; particularly the need for more car parking (which was already included in the draft Prospectus).

Response: Any suggestions not included in the draft can be included in the final prospectus.

2.32. **Q29: Do stakeholders agree with our aspirations for earliest and latest trains Between Norwich and Great Yarmouth?**

All who responded on this question agreed with the suggested requirements for earliest and latest trains. However, Great Yarmouth Borough Council stated that they:

- Disagree with the statement relating to Great Yarmouth services not being at or close to capacity by 2027. They stated that summer services can be extremely busy and called for an increase in rolling stock in the summer months
- Wanted summer through trains to support the borough's tourist industry and maintain the resort's attractiveness for day trippers and short stay visitors.

The Suffolk Chamber of Commerce requested direct Lowestoft-Great Yarmouth train.

Response: Whilst it is agreed that some Great Yarmouth to Norwich services – such as those for special events – might be full or close to capacity, this is not generally true for the services. It is not possible to plan rail services so that the standard scheduled services can accommodate one-off, or rarely seen, peaks in demand. The analysis set out in the draft prospectus is based on a study by consultants Mott MacDonald and there is no reason to doubt its validity. Our case for rail enhancements could be undermined if we include requirements which our own analysis has shown cannot be supported, so it is recommended not to change the prospectus.

In addition, a direct service between Great Yarmouth and Lowestoft is not considered justified because it is unlikely to be well-used, given that it would take considerably longer than car travel, would have similar journey times to existing bus options (which provide much more flexible journeys) and the relatively limited market for rail services between the towns.

2.33. **Q30: Are stakeholders satisfied with the service levels via Berney Arms?**

Only one respondent – Peter Bayless – was not satisfied, but gave no reason, nor set out the cause of his dissatisfaction.

Response: No changes to the prospectus required.

2.34. **Q31: Are there any other station improvements users wish to see at stations between Norwich and Great Yarmouth?**

All who responded on this question agreed with the suggested requirements. Great Yarmouth Borough Council called for higher levels of station maintenance and repair

of waiting shelters and lighting, and also an improvement in cycling provision both on trains and at stations.

Response: No changes to the prospectus required: the Great Yarmouth issue is picked up in the prospectus as a priority.

2.35. **Q32: Are stakeholders aware of other potential funding sources or delivery mechanisms?**

No respondents suggested other sources of funding.

Response: No changes to the prospectus required.

2.36. **Other comments from stakeholders**

**Electrification**

Although there was no specific question in the Prospectus about electrification, some respondents commented; noting particularly their support for electrification of Norwich-Cambridge and Norwich-Peterborough.

2.37. **Lowestoft services**

Although there was no specific question about Lowestoft services, two respondents commented:

- Suffolk Chamber wanted a direct Lowestoft to Yarmouth train and a 30 minute frequency between Lowestoft & Norwich
- East Suffolk Travellers' Association believe that the Norwich - Lowestoft line should have an hourly Sunday service, at least in the summer

2.38. **Delivery Bodies**

One respondent commented that consideration should be given to the potential for the creation of a new body on the model of the highly effective Transport for London

2.39. **Miscellaneous:**

- A number of respondents commented on the need for improved cleanliness
- One person in the workshop commented that there should be direct King's Lynn-Peterborough services
- There should be a new station to serve Norwich Research Park.

2.40. Response: The final prospectus could include the issues about electrification; give a greater focus on the need for the rail industry to get the basics (eg cleanliness) right; and include reference to the Norwich to Lowestoft services. However, new stations or services listed above are not supported.

2.41. On the question of a new delivery body, it is right that the final Norfolk Rail Prospectus should take this into account.

Government has recently consulted on the role that local stakeholders may have in planning and delivering rail services (*Rail Decentralisation: devolving decision-making on passenger rail services in England*). They have not yet set out their thinking following this consultation.

The county council responded and set out that, whilst decentralisation might bring benefits (because decisions could take account of local knowledge and views), funding would be required to enable local stakeholders to effectively plan or deliver rail services. There is potentially a large funding gap between what local stakeholders believe is required and what government (or rail revenue) will pay for.

The county council, as transport authority working with other partners, already brings

together infrastructure and development planning, considering the role of all modes in delivering sustainable movement and land use.

### 3. **Next Steps**

- 3.1. The Norfolk Rail Group is asked to comment on the suggested responses to the consultation and any proposed changes to the draft prospectus. The matter will then be reported to the County Council's Overview and Scrutiny Panel in January for further comments before it is taken to the County Council Cabinet meeting on 26 January for adoption.
- 3.2. The county council will continue to work with partners to influence the capital rail spending programme and the refranchising of the network, using the Prospectus as the basis for our ask.

### 4. **Resource Implications**

- 4.1. **Finance:** There are no financial implications from adopting the Prospectus. It is intended to publish the prospectus on the county council's internet site, with printed copies available only on request.

Funding for the wide range of measures included in the prospectus will come from a variety of sources. Principally these will be government or the rail industry. However, the county council has in the past funded, or part-funded, measures such as passenger information or access to stations. Decisions about future funding of projects will be taken in the usual way, funded through the Local Transport Plan capital programme allocations.

### 5. **Other Implications**

- 5.1. **Equality Impact Assessment (EqIA):** The measures included in the prospectus are considered to have an overall beneficial effect on equality, principally benefitting (if implemented) people with mobility problems.
- 5.2. **Communications:** It is intended to launch the final Prospectus at an event in February.
- 5.3. **Environmental Implications:** Improvements to the rail network are likely to have two main environmental impacts. Firstly, if the improvements lead to a mode-shift away from car use, there are likely to be environmental benefits including carbon reduction. Weighed against this, improvements may lead to an increase in travel, which is likely to lead to negative environmental impacts.
- 5.4. **Any other implications:** Officers have considered all the implications which members should be aware of. Apart from those listed in the report (above), there are no other implications to take into account.

### 6. **Section 17 – Crime and Disorder Act**

- 6.1. The improvements outlined in the Prospectus to aspects such as railway stations or access to stations are likely to lead to reductions in crime and disorder.

## Recommendation / Action Required

- (i) The Norfolk Rail Group is asked for any final comments before the prospectus goes to county council members for agreement.

## Background Papers

## Officer Contact

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

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# **Report to Environment, Transport and Development Overview & Scrutiny Panel**

**16 January 2013**

**Item No.....**

## **Environment, Transport and Development Service and Budget Planning 2013 to 2015**

Report by the Director of Environment, Transport and Development

### **Summary**

At its November meeting, the Panel considered a report on proposals for service and financial planning for 2013-14. This report updates the Panel on further information and changes affecting proposals. It includes an update from the Chancellor's Autumn Statement and confirmation of the Provisional Finance Settlement, updated information on revenue budget proposals and capital funding bids and the latest information on the cash limited budget for the services relevant to this Panel.

Members are asked to note that revenue budget proposals for ETD remain consistent with that reported in November and that with the exception of the Highways Capital Programme (reported elsewhere on the agenda) no additional capital funding bids have been identified by the Department.

### **Action Required**

Members are asked to consider and comment on the following;

- The provisional finance settlement for 2013-14
- The information on spending pressures and savings for Environment, Transport and Development which have not changed since reporting in November and the cash limited budget for 2013-14

## **1. Background**

- 1.1 The Council is almost at the end of the second year of its three year programme of work, to reshape the role of the County Council and to deliver savings needed to meet the Government's planned spending reductions. In November, Panel members considered, not only the progress that services relevant to this Panel had made within the programme, but also the key issues facing the service and the revised planning assumptions including changes to cost pressures and savings for 2013-14. Members considered a detailed list of the updated cost pressures for Environment, Transport and Development (ETD) and a list of updated proposals for savings.
- 1.2 On 7 November 2012 a comprehensive review of the authority's functions was announced. The Enterprising Norfolk review aims to identify recommendations to enable the organisation to manage further grant reductions and increases in demands for services from 2014 onwards by creating a more self sufficient organisation in funding terms, with a stronger business like focus which demonstrates both innovation and flexibility of service delivery. Outcomes from the review will be announced in spring 2013, covering how we plan to meet the continued challenges and changing context for the authority expected from the next Comprehensive Spending Review. The review does not detract from the concurrent and continued transformation programme of work underway to support changes needed to deliver 2012-13 and 2013-14 savings that reflect Years 2 and 3 of the current three year programme.
- 1.3 This paper brings together for consideration and comment by Panel Members, the latest financial context for the County Council, following the Government's Provisional Finance Settlement, any further planning revisions and the expected cash limited budget for the service for 2013-14.

## **2. Managing Change**

- 2.1 In November we reported progress against the current programme and future context for service and budget planning. The ETD transformation and efficiency programme continues to be on target to deliver £7.844m of savings in 2012/13 with an overall RAG status of Green. A further £9.075m of savings has been identified for 2013/14 which will see ETD continue to focus upon increased efficiency.

## **3. Provisional Local Government Finance Settlement 2013/14 and 2014/15 and the Autumn Statement 2012**

- 3.1 The Chancellor of the Exchequer announced his Autumn Statement on 5<sup>th</sup> December, reaffirming the Government's commitment to reduce the deficit. The national context remains difficult and the Chancellor announced reduced growth forecasts from the Office of Budget Responsibility, with 1.2% growth now forecast in 2013, rising to 2% in 2014 and 2.3% in 2015.
- 3.2 The chancellor also set out the Governments plans for investment, with an extra £5bn capital investment, supporting new development including free schools, academies and road infrastructure. An updated PFI was also announced with the aim of sharing risk and reward between private and public sector.
- 3.3 The spending announcements made in the Autumn Statement are cost neutral and amongst other savings the Chancellor announced further reductions to government



departments of 1% in 2013-14 and 2% in 2014-15, with protection for Health and Schools. As Local Government budgets have already been reduced to deliver the freeze in council tax, the Chancellor announced that there would be no change to Local Government departmental spending limits in 2013-14 and therefore our planning assumptions remain unchanged. It was announced that there will be an additional 2% reduction to Local Government departmental spending limits in 2014-15, which will further increase the funding gap for that year.

- 3.4 The next Spending Review, setting out detailed plans for 2015-16, will be announced in the first half of 2013, but total spending for the three years 2015-2018 is planned to continue to fall at the same rate as the current spending review.
- 3.5 The Secretary of State for Communities and Local Government, announced the provisional Local Government Finance Settlement for 2013-14 and 2014-15 on 19<sup>th</sup> December 2012. At the time of writing this report, further detail explaining the full technical breakdown of the settlement was still awaited. However, the following headline information from the provisional finance settlement is set out below.
- 3.6 Revenue funding within the Local Government Finance Settlement for 2013-14 will be received through either the Business Rates Retention Scheme (BRRS) or specific grants. The majority of funding is through BRRS, as many grants have been rolled into the calculation of the baseline funding for the new scheme. These are Council Tax Freeze Grant for 2011-12; Learning Disabilities and Health Reform Grant; part of the Early Intervention Grant and part of the Lead Local Flood Grant.
- 3.7 The new Business Rates Retention Scheme includes three key streams of funding; our local share of business rates; a top-up payment to make up the shortfall between the local share of business rates and our baseline funding from business rates and the Revenue Support Grant.
- 3.8 **Business Rates**  
For the purposes of the BRRS, the forecast collected business rates for Norfolk in 2013-14 is £124,973,507. This is calculated based on each billing authority's proportionate share (based on a two year average) of forecast national business rates for 2013-14 following the removal of 50% central share, which is paid back to central government. Under the Business Rates Retention Scheme, Norfolk County Council will receive 20% of the local share of the collected rates forecast as £24,997,701. However, the actual figure that will be received in 2013-14, is subject to final forecasts by district councils and these will be finalised by 31<sup>st</sup> January 2013.
- 3.9 **Top Up**  
The funding formula that has been used in previous years to calculate formula grant has been updated for 2013-14 data and to reflect particular changes announced by the Secretary of State, including providing additional weighting for those authorities that have more reliance on government grant due to lower council taxbases. In particular, for Norfolk, damping continued to be applied to the funding formula. For 2013-14 this formula will be used to provide a basis for calculating both the business rates funding baseline and for the allocation of the Revenue Support Grant. The forecast local share of nationally collected business rates has been allocated based on the funding formula in order to derive a business rates funding baseline – effectively calculating how much of the national local share each authority would require based on its need. The difference between the baseline funding and the retained business rates is set at the outset of the BRRS as either a top-up or a tariff payment. Norfolk County Council will receive a top-up payment of £110,429,264,

which will be fixed until 2020 and increased each year in line with the small business rates multiplier – in previous years this has increased in line with RPI.

### 3.10 Revenue Support Grant

The national amount available for Revenue Support Grant is calculated based on the National Spending Control Totals and after removing the expected local share of business rates. This total is then allocated based on the formula based shares.

- 3.11 The headline amounts within the Business Rates Retention Scheme for 2013-14 and 2014-15 are summarised below. The figures for 2014-15 are indicative only and in particular are subject to change from both RPI and any change in the amount of business rates collected.

	2013-14 £m	2014-15 (all subject to change) £m
Top Up payment	110.429	113.816(subject to RPI)
Business rates (subject to change)	24.995	25.761
Revenue Support Grant	203.562	173.937
	338.986	313.514

### 3.12 Specific Grant

In addition, the Government has announced the following specific revenue grants for Norfolk County Council in 2013-14 and 2014-15.

	2013-14 £	2014-15 £
Local Reform and Community Voices Grant (including funding for Local Healthwatch, Deprivation of Liberty Safeguards in Hospitals, Independent Complaints and Mental Health Advocacy Services)	731,858	754,702
Lead Local Flood Grant (£199,000 rolled into BRRS)	311,000	311,000
Inshore Fisheries Conservation Grant	151,999	151,999
Fire Revenue Grant - Firelink	125,000	142,000
Fire Revenue Grant – New Dimension	966,000	968,000
Council Tax Freeze Grant (13-14)	3,477,901	3,477,901
Social Fund – Programme	1,905,516	1,905,516
Social Fund - Administration	402,650	369,072
Community Right to Challenge	8,547	8,547

## **4. Consultation**

- 4.1 Prior to setting the budget for 2011-12, Norfolk County Council undertook its largest ever public consultation, 'The Big Conversation', which set out proposals for meeting the expected reductions in funding over the period 2011-14. This reflected significant changes proposed by the Council to its core role and to services commissioned or delivered. Overall, around 9,000 individuals and organisations were involved, representing Norfolk's diverse population and many different communities and stakeholders (full details can be found in Appendix J to the County Council Plan & 2011-14 Budget Report received by Cabinet on 24 January 2011).
- 4.2 In setting the budget for 2013-14, additional public consultation directly relevant to ETD is required with regard to the introduction of a Traffic Management Act Permit Scheme for Norfolk. Consultations are being held during 2012/13 and 13/14 in order to look at the potential introduction of 'permits' for works and other activities on the street as a tool to reduce the congestion and disruption. If the scheme is introduced the principal benefits for the Council are stricter control of street works and the scope to recover some costs. Such a scheme estimated to lower Highways service costs by approximately £400,000 in 2013/14, and £800,000 pa thereafter although the actual level of income received is dependant upon a variety of factors. The scheme for Norfolk is being developed with the intention of going live on 1 October 2013. However although the Department of Transport is supportive of local authorities introducing permit schemes any scheme proposed currently requires the Secretary of State's approval, the timing of which is beyond the county council's control.

### **Representatives of non-domestic ratepayers**

- 4.3 The Council has a statutory duty under Section 134 of the Local Government Act to consult with representatives of non-domestic ratepayers. A meeting with representatives of the business sector is scheduled for 17 January 2013. A verbal update will be provided to Cabinet on 28 January 2013.

## **5. Overview and Scrutiny Panel Comments**

- 5.1 In the light of the overall financial planning context for 2013-14 and the proposals set out in the Big Conversation, Panels in November considered proposed savings and issues of particular significance for the services covered by this Panel. At that meeting, no issues were identified as having particular impact on service delivery and achievement of the Council's priorities in relation to this Panel.
- 5.2 Earlier comments and any arising from this meeting will be reflected in the budget report to Cabinet on 28 January 2013.

## **6. Revenue Budget Proposals**

- 6.1 Appendix A sets out the proposed cash limited budget for 2013-14, based on the cost pressures and budget savings reported to this Panel in November.

Appendix A shows:

- Total Cost pressures which impact on the Council Tax
- Total Budget Savings

- Any transfers of grant and transfers of responsibility from Central to Local Government affecting this Panel.
- Cost neutral changes i.e. budget changes which across the Council do not impact on the overall Council Tax, but which need to be reflected as part of each service's cash limited budget. Examples are depreciation charges, budget transfers between services and changes to office accommodation charges.

- 6.2 All budget planning proposals have been considered in the light of their impact on the Council's core role, objectives, performance, risk, value for money, equality, community cohesion and sustainability. Key implications for consideration were reported to this Panel in November.
- 6.3 Cabinet are proposing to remove the requirement to make £0.123M of savings within PROW previously identified as part of the Big Conversation as additional savings have been found from the strategic review.

## **7. Capital Programme**

- 7.1 The proposed capital programme is shown in Appendix B, full details of the Highways capital programme is covered by another report on this agenda. As in previous years it is proposed that Government allocation of capital grant will be earmarked to the services for which the grant has been made.
- 7.3 There were no additional bids to CCAMG that are appropriate for consideration by this Panel. Appendix B reflects long term bids considered in previous years covering 2013-14 that have been brought forward.
- 7.4 The Autumn Statement, on 5 December 2012, announced an additional £333 million for a 'dedicated fund to provide for essential maintenance to renew, repair and extend life of the highway network in England' in 2013/14 and 2014/15. Of the £333m, £215m will be allocated to local authorities; £140m in 2013/14 and £75m in 2014/15. The remainder will be allocated to the Highways Agency for strategic routes. The additional capital grant funding allocated to Norfolk is £3.701m for 2013/14 and £1.977m for 2014/15.

## **8. Equality impact assessment**

- 8.1 Prior to agreeing the budget and County Council Plan for 2011-14, Norfolk County Council undertook its largest ever public consultation with protected groups, part of 'The Big Conversation', to inform a major equality impact assessment of all budget proposals. This reflected the significant changes proposed by the Council to its core role and services commissioned or delivered. The findings of equality impact assessments informed the final County Council Plan and budget for 2011-14, and in addition, a number of mitigating actions were agreed where potential adverse impact was identified.
- 8.2 In setting the budget for 2013-14, no amendments to the equality impact assessments have been identified or provide a summary of any amendments. Full details of all equality impact assessments and the outcome of public consultation with protected groups can be found in Appendix K to the County Council Plan & 2011-14 Budget Report received by Cabinet on 24 January 2011, or alternatively, please contact the Planning, Performance & Partnerships team.

## **9. Section 17 – Crime and Disorder Act**

- 9.1 Work carried out by the Trading Standards service is covered by the Crime and Disorder Act. Implications will be considered as part of the service and budget planning process.

## **10. Resource implications**

- 10.1 The implications to resources including, financial, staff, property and IT are set out in Sections 3 to 5 of this report and within Appendix A and B.

## **11 Staffing implications**

- 11.1 Staffing implications of the budget proposals are being reviewed as part of workforce planning activity carried out across the authority. Changes to service delivery will have the potential to impact upon staff. This will be managed throughout the process.

## **12. Risk assessment**

- 12.1 Known areas of potential risk are covered within section 4 of this report. An assessment of risk will be carried out as part of the service planning process.

## **13 Action required**

- 13.1 Members are asked to consider and comment on the following;
- The revised service and financial planning context and assumptions
  - The revised spending pressures and savings for Environment, Transport and Development
  - The proposed list of new and amended capital schemes

## **Officer Contact**

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

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## **APPENDIX A**

### **Proposed Budget Changes 2013-14**

		<b>2013-14</b>
	<b>Environment Transport and Development</b>	£m
	<b>Prior Year Budget</b>	<b>120.419</b>
	<b>ADDITIONAL COSTS</b>	
	Basic Inflation – Pay (1% for 13-14)	0.244
	Basic Inflation – Prices (General 2%, School and Social care passenger transport 4%)	1.703
	Waste disposal – increase in Landfill tax	1.602
	Increase in contract costs above the inflation allowance for HWRC's	0.648
	Additional statutory increase in recycling rates including Kitchen waste	0.225
	<b>Sub Total Additional Costs</b>	<b>4.422</b>
	<b>BUDGET SAVINGS</b>	
Ref	<b>Big Conversation proposals</b>	
E04	More efficient Environment service	-0.060
E05	Improved waste procurement	-0.565
E06	Civil Parking enforcement	-0.200
E09	Management savings in Public Protection Services	-0.100
E11	<i>PROW – Cabinet are proposing to remove this, see 6.3 of the main report</i>	-0.123
E12	Community ownership of nature reserves and ending some grant funding	-0.010
E13	Re-shape planning services	-0.300
E17	More efficient management of Gypsy and Traveller permanent sites	-0.135
E20	Reduce contributions to Economic Development projects	-0.200
H07	<i>Strategic Review – see below</i>	
H10	Changes to Street lighting – part night lighting	-0.031
H11	Reshaped public transport network with a shift towards demand responsive transport	-0.201
NH5	Additional Savings in Winter maintenance through integration with the City	-0.200
NH6	Additional savings within transport studies budget	-0.246
	<i>Excludes PROW Subtotal</i>	<b>-2.248</b>

	<b><u>Other savings proposals within Medium Term Financial Plan</u></b>	
	Removal of one off Highways Maintenance funding	-1.795

	Removal of 2012-13 1% pay award	-0.341
	<b>Subtotal</b>	<b><u>-2.136</u></b>
	<b>Strategic review: New savings proposals</b>	
	Release of Fleet Repair and renewal reserve arising from new leasing option for fleet vehicles	-1.725
	Release of part of ICT reserve following review	-0.200
	Reduction in office accommodation costs	-0.150
	Reduction in ICT Spend	-0.150
	Cost and Budget review	-0.880
	Additional Grant income related to Landscape Conservation	-0.188
	Additional income from Highways fees	-0.185
	Full cost recovery on income	-0.163
	Traffic Permitting Scheme – Part year	-0.400
	Proceeds of Crime/ Crime prevention	-0.050
	Vacancy management	-0.250
	Additional income Planning services	-0.100
	Savings on maintenance at Closed landfill sites	-0.250
	<b>Subtotal</b>	<b><u>-4.691</u></b>
	Total Savings	-9.075
	<b>NET Change</b>	<b><u>-4.653</u></b>
	<b>Base Budget adjustments</b>	
	Web Content management	-0.061
	<b>Subtotal Base Budget Adjustments</b>	<b><u>-0.061</u></b>
	<b>Cost Neutral changes</b>	
	Shared Services	-0.045
	Creation of Information Management Service	-0.054
	Capital Charges – Office accommodation	-0.019
	Capital Charges – Depreciation Charges	0.785
	Capital – Debt management Expenses	-0.001
	West Norfolk Community Transport	0.050
	<b>Subtotal Cost Neutral Changes</b>	<b><u>0.716</u></b>
	<b>Cash Limited Budget</b>	<b>116.422</b>

## 2013-14 – 2015-16 Capital Programme

## APPENDIX A: Norfolk County Council- highways Capital programme- 2013/14 to 2014/15

Scheme Type	2013/14	OTHER FUNDING	2014/15	OTHER FUNDING
Major schemes	0	12,195	0	27,640
Public Transport Schemes	500	4,052	500	417
Pedestrian & Cyclist Improvements	702	1,050	685	225
Traffic Management, Road Improvements & Safety Schemes	685	3,821	700	150
Other Schemes, Future Fees & Carry Over Costs	113	50	115	50
<b>Integrated transport</b>	<b>2,000</b>	<b>21,168</b>	<b>2,000</b>	<b>28,482</b>
Detrunked Roads & Bridges	0	0	0	0
Structural Maintenance (inc DfT & NCC Winter Damage funding)	22,453	0	23,383	0
Bridge Strengthening / Bridge Maintenance	1,400	0	1,400	0
<b>Totals:</b>	<b>25,853</b>	<b>21,168</b>	<b>26,783</b>	<b>28,482</b>

**Notes:**

1. Above figures in £000's
2. DfT (Local Transport Plan) funding detailed under main year headings i.e. 2013/14
3. Other Funding includes Section 106, Section 278, County Council & Major Scheme funding



### Capital Commitments 2013-4-2015-16

Service	Scheme	2013-14 £m	2014-15 £m	2015-16 £m	Note
Environment, Transport & Development	RAF Coltishall Infrastructure	1.000			1

Notes:

- 1) On 3 December 2012, Cabinet agreed to a capital infrastructure programme related to the purchase of RAF Coltishall, including a funding commitment from the Norfolk Infrastructure Fund while other sources of funding are explored.