



Norfolk County Council
at your service

Environment, Transport & Development Overview & Scrutiny Panel

Date: **Wednesday 13 March 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

A g e n d a

1 To receive apologies and details of any substitute members attending

2 Minutes of the meeting held on 16 January 2013

(Page **5**)

To confirm the minutes of the Environment Transport and Development Overview & Scrutiny Panel meeting held on 16 January 2013.

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 8 March 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 8 March 2013**

7 Cabinet Member Feedback on Previous Overview & Scrutiny Panel comments (Page **17**)

Scrutiny Items:

8 Forward Work Programme: Scrutiny (Page **19**)

To review and develop the programme for scrutiny.

Overview Items:

9 ETD Integrated Performance and Finance Monitoring report 2012/13. (Page **27**)

Members are asked to comment on the progress against ETDs service plan actions, risks and budget and consider whether any aspects should be identified for further scrutiny; and consider and comment on the contents of the Economic Intelligence Report.

10 ETD Service Plans 2013/14. (Page **63**)

Members are asked to review ETD draft Service Plans and consider any service areas for further scrutiny and monitoring; and consider and comment on pages 15 to 17 and Appendices 1 and 2 of the Public Protection draft service plan which covers Trading Standards activities and recommend these to Cabinet prior to Full Council (Key Decision).

11 Marine Conservation Zones: Consultation on Proposals for Designation in 2013. (Page **123**)

Members are asked to consider the issues in the report and support the proposed response to the consultation by the Cabinet Member for Environment and Waste.

12 Better Broadband for Norfolk (Page **135**)

Members are asked to consider and comment on the activities described in section 2 of the report.

13 Lead Local Flood Authority Flood Investigation Duty (Page **141**)

Members are asked to note the Panels new role in the scrutiny of the Council's Flood and Water Management duties and endorse the proposed flood investigation protocol.

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

To view reports click on links shown in blue

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

Date Agenda Published: Tuesday 5 March 2013



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Environment, Transport and Development Overview and Scrutiny Panel

Minutes of the Meeting held on 16 January 2013

Present:

Mr R Wright (Vice Chairman)

Dr A Boswell	Mr P Rice
Mr B Bremner	Mr J Shrimplin
Mr M Chenery of Horsbrugh	Mr T Tomkinson
Mr I Mackie	Mr J Ward
Mr P Duigan	Mr A M White
Mr M Langwade	

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

1 Apologies

Apologies were received from Mr A Adams (Mr J Shrimplin substituted), Mr B Borrett, Mr A Byrne, Mrs H Cox, Mrs M Chapman-Allen, Mr T East and Dr M Strong.

2 Minutes of the meeting held on 14 November 2012

- 2.1 The minutes of the meeting held on 14 November 2012 were agreed as an accurate record and signed by the Vice-Chairman.

3 Declarations of Interest

There were no declarations of interest.

4 Items of Urgent Business

The Cabinet Member for Planning and Transportation gave the Panel an

update on the gritting situation following the recent heavy snow fall. He said that the snowstorm was heavier than had been forecast and had also covered the grit that had already been spread on the highway which had then become compacted due to the volume of traffic, which had contributed to the traffic congestion experienced by road users.

The Cabinet Member for Planning and Transportation confirmed that the gritting lorries had been continuously gritting the main roads since Sunday night and he paid tribute to the staff and their efforts to keep Norfolk moving in the very difficult circumstances.

He reassured members that although one of the gritters had come off the road near Griston at 3am, he was pleased to report that the driver had not been injured and that another gritter had completed that particular gritting run.

All Members paid tribute to the drivers of the gritting lorries, and also to the volunteers who gritted the pavements. Members also urged all drivers to drive within their abilities, keep a good distance from the vehicle in front and to be patient when travelling.

During questions from Members, the following points were noted:

- The salt mixture did become slightly less effective as temperatures dropped but through continuous treatment of the network it was still an effective treatment during icy conditions.
- If any member of the public was seen using grit from the highway grit bins for their own private use, the incident should be reported to the police as it was a criminal offence.
- The A47 and the A11 were the responsibility of the Highways Agency for gritting and not the county council.
- Sufficient salt mixture was available to fill the 1300 grit bins across the county three to four times per year.
- As Parish Councils held responsibility for the purchase and siting of grit bins within their parishes, Members urged them to purchase salt bins and spreaders and to let Norfolk County Council know where these had been sited. Norfolk County Council would ensure the grit bins were filled with grit upon request.
- The gritting mix used by the County Council to treat road services was Safecoat which was a treated salt product, coated to give it extra sticking properties which meant it stayed on the highway longer and had more effective de-icing qualities. This was a British Standard approved product which was widely used across the country.

The Director for Environment Transport and Development (ETD) thanked Members for their support and praise for the gritting teams. He added that it

was a very difficult and demanding job and it was frustrating to hear complaints that the roads hadn't been gritted when they had. He added that, as with every winter, a review of how the authority had responded to the bad weather would take place later in the year, and if there were any lessons to be learned they would be identified and taken into account, although it was difficult to know what could have been done differently.

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 Overview and Scrutiny Panel meeting.

The Cabinet Member for Economic Development informed the Panel that the Broadband Working Group had now been reconfigured to look at raising the profile of mobile phone coverage, although there would be no government funding for mobile phone coverage as there had been with the broadband initiative.

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, consider new topics for inclusion on the scrutiny programme and consider the feedback from the Member Working Group set out in section 3 of the report and provided verbally at the meeting.

8.2 Sarah Rhoden, Senior Business Support Manager (Development and Processes) updated the Panel on the work completed so far on the Snettisham Access Signs Working Group. The Panel noted that a stakeholder meeting had been held on 8 January 2013 which had proved very positive. Everyone who had attended the meeting showed a common willingness to resolve the problem.

Officers had been requested to design some potential new signs, after which they would be visiting all the stakeholders to show them the draft signs and

get their provisional agreement.

A further stakeholder meeting had been organised for 20 February 2013, where it was hoped that the draft signs could be approved by everyone in attendance.

The Working Group were very pleased with the progress made so far, but also recognised that a certain amount of compromise would be needed to finalise the matter and get final agreement from each stakeholder on the signs that would eventually be erected at the site.

- 8.3 The County Council meeting held on 14 January 2013 had discussed a motion, proposed by Mr Little and seconded by Mr Bearman, about the potential environmental and health related concerns associated with the extraction of shale gas by the process of hydraulic fracturing, or 'fracking'.

County Council had agreed to set up a cross party working group to establish the Council's position on 'fracking' with particular reference to its potential impact on Norfolk's environment and the county's wider contribution to carbon emissions and its possible implications for local planning policy.

Following the decision made by County Council, members of the ETD O&S Panel **agreed** to set up a working group to ascertain the facts of 'fracking' and to present their findings to Government. The Government had commissioned some investigations to ascertain the potential risks from the extraction of gas from rock, but the results were not yet available and no guidelines had yet been drafted.

The following Members agreed to form the working group:

Mr J Ward
Mr A White
Mr B Bremner
1 Member from the Green Group
Mr B Spratt

The Cabinet Member for Economic Development reassured members that no 'fracking' had taken place anywhere in Norfolk to date.

- 8.4 **RESOLVED** to

- i) Establish a working group to establish the facts of extracting gas from rock ('fracking') prior to the Government commissioned work on 'fracking'.
- ii) Note the report.

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

- 9.1 The Panel received the annexed report (9) by the Director of Environment, Transport and Development, updating the Panel on the draft proposals for use of the site. The Panel were 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. The Panel received a summary of the comments that had been submitted from members of the Community Liaison Reference Group (attached at Appendix A to these minutes).
- 9.2 The Cabinet Member for Efficiency attended the meeting for this item and reiterated that all ideas and suggestions for the use of the site were being considered and that no firm decisions had been made on any proposals as yet.
- 9.3 The following points were noted during the ensuing discussion:
- Members felt that the site had been purchased as an investment for the people of Norfolk and represented excellent value for money. The potential diversity of the site should not be underestimated, and purposes such as agricultural, commercial, housing, tourism and heritage use would be considered.
 - Norfolk County Council had identified the need to generate income to preserve the services they provided and establishing the RAF Coltishall site could generate that income from various sources. One potential income from the site could include the letting of allotments for community use.
 - A proportion of the airfield would be set aside for more agricultural and farming use with some of the site already being used for agricultural purposes.
 - No suggestions or ideas had been finalised as yet. All suggestions and opportunities would be progressed and modified as issues arose to develop the full potential at the site.
 - Some of the existing hangars at the site were being utilised on a temporary basis by some small businesses, and it was hoped that these temporary tenancies could continue in the future. There were several small businesses that had shown an interest in moving their business premises to operate from Coltishall.
 - In terms of the investment made, a high level business case had been published and it was confirmed that the types of rental and receipts from the opportunities in a five year period should put Norfolk County Council in good stead to generate a significant income stream that would help the council have less reliance on Government funding. The site had lots of potential for income generation.

- Members welcomed the asset to Norfolk County Council that the purchase of the site could provide. They also welcomed the £572,500 set aside to form the Project Team who would develop the Master Plan and to identify, market and progress the opportunities to develop the site and generate income for Norfolk County Council.
- This was an excellent opportunity to replace some of the 650 Norfolk jobs which had been lost at the site when RAF Coltishall closed, although decisions on how to utilise the site would not be rushed.
- Requests for further information and to express comments and put forward ideas for the future use of the site could be emailed using futureofRAFcoltishall@norfolk.gov.uk. More information could also be found by visiting the website www.norfolk.gov.uk/RAFColtishall.
- The Cabinet Member for Efficiency wished to thank everyone who had been involved in the purchase of the site, in particular Chris Brown, Solicitor for his invaluable expertise.

9.5 **RESOLVED to**

- note the report and 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 **Highways Capital Programme 2013/14/15 and Transport Asset Management Plan**

10.1 The Panel received the annexed report (10) by the Director of Environment, Transport and Development summarising the Local Transport Plan (LTP) Settlement for 2013/14 and seeking comments on the highways capital programme for 2013/14/15 and Transport Asset Management Plan for 2013/14 to 2017/18. The report detailed the main sources of funding and budget allocations, and described how these were allocated between the main types of scheme.

10.2 The points below were noted following questions from the Panel:

- The Panel said that they would like to request Cabinet allocate £8m one off funding for highways improvements, but should also request additional funding from the Government following the severe winter conditions experienced so far this winter. The Cabinet Member for Planning and Transportation agreed that he would lobby government for extra funding if this was necessary.
- Concern was expressed that the Integrated Transport Fund had been cut to allow more funds to be allocated to road maintenance. The Director for ETD reassured Members that the decision to reallocate resources to road maintenance had been made by elected members, after careful consideration, as part of the Strategic Review and that

members had accepted at that time that the highway asset plan was in a reasonable condition to allow funds to be reallocated.

- Following a question about road traffic sign replacement or removal, the Assistant Director Highways confirmed that when roads were inspected for repair or maintenance purposes, any damaged signs, or signs that had exceeded their useful life, would be removed if the judgement was taken that it would be safe, from a road user perspective, to do so. Members acknowledged that many of the signs had originally been erected as a result of requests by Parish Councils or local councillors.
- A proactive programme of removal of all unnecessary signs could only take place if government funding was received as it was more appropriate to allocate the funding available for road maintenance.
- No money had been shown as “winter damage funding” in 2012/13 as the money had been provided from Central Government in 2010/11 and 2011/12 in recognition of the impact of extreme winter weather and therefore was not a guaranteed income for next year.

10.3 **RESOLVED** that

- i) the contents of the report, in particular the reallocation of integrated transport funding to structural maintenance to partially address the deterioration in highway condition be noted, and to recommend it to Cabinet for approval;
- ii) the proposed change to the TAMP for 2013/14 to 2017/18 be noted and to recommend it to Cabinet for approval;
- iii) the Panel recommend to Cabinet that 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.

11 **Local List for the Validation of Planning Applications**

- 11.1 The Panel received the annexed report (11) by the Director of Environment, Transport and Development, setting out the Local List and updating the Panel on the information requirements deemed necessary to ensure planning officers and consultees will have sufficient information to assess a planning application.
- 11.2 **RESOLVED** to recommend to Cabinet that the revised Local List for Validation of Planning applications (2012) be formally adopted.

12 Environment, Transport and Development Enforcement Policy

- 12.1 The Panel received the annexed report (12) by the Director of Environment, Transport and Development, bringing together the various regulatory functions of the ETD Department, including the Trading Standards regulatory function. Members were asked to note that this document would continue to change as the needs of the business changed and would include flood and water management and details of planning services as they were updated.
- 12.2 **RESOLVED** to note the proposed enforcement policy and recommend its approval by Cabinet.

13 Norfolk Rail Prospectus

- 13.1 The Panel received the annexed report (13) by the Director of Environment, Transport and Development, setting out the requirements across the network that would be required for rail to fulfil its vital role. A copy of the draft Norfolk Rail Prospectus could be found at http://www.norfolk.gov.uk/Travel_and_transport/Transport_future_for_Norfolk/Rail_in_Norfolk/index.htm. The Prospectus would be used to influence key decisions being made by government and the rail industry over the next few months.
- 13.2 The report was presented by the Principal Infrastructure and Economic Growth Planner and the following points were noted during the introduction:
- The Rail Prospectus had been drafted through the Norfolk Rail Group and detailed discussions were now being entered into to develop the Prospectus further and to include aspects such as access for disabled people at some railway stations with key stakeholders including businesses.
 - Cabinet would be asked to approve the Norfolk Rail Prospectus when it was presented to them at their meeting on 28 January 2013.
 - The Rail Prospectus included the detail relevant to Norfolk, building on the strategic vision and requirements in the Rail Prospectus for East Anglia which was agreed by the Local Enterprise Partnership Transport Plans and local authorities across the region. The Cabinet Member for Planning & Transportation said that the Prospectus was an excellent example of strategic working between Suffolk, Essex, Norfolk and Cambridgeshire in an attempt to improve rail services in East Anglia.

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

- Members welcomed the Norfolk Rail Prospectus and agreed it was excellent news that the Government had recognised the importance of rail travel within East Anglia.
- Members thanked everyone who had been involved in and supported the

development of the Norfolk Rail Prospectus, including most of the Norfolk MPs.

- Following a question as to the actual process for the re-franchising exercise and how long this process may take, it was confirmed that as yet there were no definite timescales laid down. It was explained that the Greater Anglia Franchise expired in 2014 and once the re-franchising process had commenced, the Government would specify the required services. There would then be an opportunity for the Government to be made aware of the initiatives that were important in East Anglia.
- Once detailed discussions had taken place with the franchise providers and the franchise had been assigned, discussions could then take place to ensure that the operators delivered the services that had been promised.
- Network Rail was responsible for the infrastructure works programme. They had produced a plan of what they felt would be required between 2014 and 2019 and detailed discussion would be required to finalise that plan for major track investment, which would hopefully include the Bow junction improvements on the Norwich to London Liverpool Street route. However, this would only be confirmed once the final plan was agreed.
- The issue of non-collection of rail fares on trains due to there being no staff available to man the stations and collect ticket money was raised. It was recognised this was a problem, but it was up to the train operators to provide staff to collect fares and tickets. All ticketing issues would be raised with the train operators, although it needed to be recognised that to get the provision of manned stations, higher fares or even the possibility of losing trains may be the result.
- Sites for new stations were being considered, particularly a station near Broadland Business Park, although some sites were not viable for progressing, such as Forncett.

13.6 **RESOLVED** to recommend the Norfolk Rail Prospectus for approval by Cabinet.

14 Environment, Transport and Development Service and Budget Planning 2013 to 2015.

14.1 The Panel received the annexed report (14) by Director of Environment, Transport and Development, updating the Panel on further information and changes affecting the proposals submitted to the November Panel meeting. The report included 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 as well as the latest information on the cash limit budget for the services relevant to the Panel.

14.2 Members were asked to note that revenue budget proposals for ETD remained consistent with that reported in November 2012 and no additional

capital funding bids had been identified by the Department. However as highlighted elsewhere on the Agenda NCC had received additional capital funding.

- 14.3 During the discussion Members noted that Highway Rangers provision had not been included in this report as nothing had changed with the service since the report in November 2012. Members praised the Highway Rangers services provided and urged members to encourage establishing Highway Rangers in their constituencies.

14.4 **RESOLVED** to agree:

- i) The provisional finance settlement for 2013-14, and
- ii) The information on spending pressures and savings for ETD which had not changed since the November report and the cash limited budget for 2013-14.

(The meeting closed at 12.15pm)

Chairman



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APPENDIX A

Item 9

RAF Coltishall

Officers had planned to provide a verbal update on comments made by Community Liaison Reference Group (report Para 2.3.5) that was scheduled to take place earlier this week. Unfortunately the meeting did not take place due to the snow. However following is a summary of the comments that have been submitted from members of the group on the report before Panel.

1. **Buxton with Lamas Parish Council:** is appreciative of the opportunity to discuss the potential future use of the former air base with the Council and does not have specific comment to make on the content of the panel report.
2. **Badersfield Residents Campaign Committee for the Protection and Development of ex-RAF Coltishall** (comments received from the Chair): Concerned that response to petition submitted (report para 2.3.6) is misleading as decisions about any future uses for the site have already been made. Questions robustness of the process to take forward development of the site. Concerned that the Zonal Plan (report Appendix B) has been drawn up by Council Cabinet Members and Officers and no one else, and that the Council is simply interested in 'asset stripping' the site. Questions the need for the Council to become involved in the site when a private sector bidder had made the MoJ a higher offer based on returns from a major solar PV farm.
3. **Coltishall Parish Council** (comments received from the Chair): Confirm the consensus view of the parishioners remains in broad support of a sustainable use of the site, supportive of some form of a return to agricultural use together with employment generated by small scale industrial opportunities. The recognition of the historic significance of the site would also be received in a very positive light. The Parish Council do however recognise the potential for proposals to affect traffic movements both in and around the immediate area of the camp but also potentially for the village of Coltishall where they are concerned about traffic flow and parking.
4. **Barbara Rix, Broadland District Councillor for the Buxton Ward:** Local people relieved that something useful would be done with the 603 acres of land there. Parish Councils were pleased to have representatives of the Council come to the Parish Council Meetings and listen to ideas, hopes and fears. Recognises that fear of the unknown often brings negative ideas and this is true, as a body of people in the Buxton Ward were voluble with what they did not want, even though nothing has been set in stone. Pleased that local people being given an opportunity to contribute ideas and that the County is listening. The open and transparent approach taken by the County is been appreciated.

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.

Planning and transportation issues

Report/issue **Norfolk Rail Prospectus**

Date considered by 16 January 2013

O&S Panel:

O&S Panel comments:

- Resolved to recommend the Norfolk Rail Prospectus for approval by Cabinet.

Date considered by 28 January 2013

Cabinet:

Cabinet feedback:

- Resolved that the Norfolk Rail Prospectus be agreed.

Community Protection issues

No items discussed at Cabinet.

Economic Development 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
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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 Groups set out in sections 3 and 4, 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 The Member Working Group, chaired by Cllr Hilary Cox, had arranged a second meeting with stakeholders for March 2013. In the meantime, The Chair of the Working Group and officers have visited stakeholders individually to discuss the issue and their views on how it can be resolved.

4. **Fracking**

- 4.1. At the last meeting, the Panel set up a Member Working Group to establish the Councils position on 'fracking' with particular reference to its potential impact on Norfolk's environment. This was set up following a motion to County Council on 14 January 2013 proposed by Cllr Stephen Little. The Working Group Members are Cllr Beverley Spratt (Chairperson), Cllr Bert Bremner, Cllr Anthony White, Cllr John Ward and Cllr Stephen Little.
- 4.2. The Working Group met for the first time on 21 February. Discussions focussed around some current reports and research available in the public domain. The Working Group discussed that although it is possible that someone may want to carry out fracking in Norfolk, that there are other areas of the country that are more likely to yield bigger rewards, making them more attractive to businesses. Therefore, fracking in Norfolk is unlikely in the short-medium term.
- 4.3. Should someone wish to carry out fracking in Norfolk there are three principal approval stages that they would need to progress through:-
- Obtain a licence from the Department of Energy and Climate Change (DECC) – DECC have not granted any licences relating to any areas in Norfolk, although some areas in the North and West of Norfolk are currently under consideration as part of their 14th round of licensing;
 - Apply for planning permission for exploration works – for which NCC would be the planning authority (and no applications of this nature have been received to date);
 - Following exploration works, to apply for planning permission to commence operations – again, NCC would be the planning authority (and no applications of this nature have been received).
- 4.4. The group agreed to continue to collate available research, including detailed information and reports, and to meet again in a few months to review this information in more detail.

5. **Equality Impact Assessment**

- 5.1. 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 Groups set out in sections 3 and 4, and provided verbally at the meeting.

Officer Contact

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

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



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Outline Programme for Scrutiny

Standing Item for the Environment, Transport and Development O & S Panel: Update for 13 March 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 16 January 2013

Added

- Fracking.

Deleted

- None.

Topic	Outline Objective	Cabinet Portfolio Area	Stage 1 (scoping report)	Stage 2 (report back to Panel by Working Group)	Requested by	Comment
Scrutiny Items – Active						
1. Mobile Phone coverage for rural and urban areas in Norfolk	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, and an update will be presented to a future Panel 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.	Being progressed by a Member Working Group chaired by Cllr Cox. Update on progress discussed at January 2013 meeting, a further stakeholder meeting is being arranged for March 2013.

Continued.../

Topic	Outline Objective	Cabinet Portfolio Area	Stage 1 (scoping report)	Stage 2 (report back to Panel by Working Group)	Requested by	Comment
4. Fracking	To establish the Council's position on 'fracking' with particular reference to: its potential impact on Norfolk's environment and the county's wider contribution to carbon emissions and; its possible implications for local planning policy."	Environment and Waste Planning and Transportation			County Council, following a motion at the 14 January meeting.	Being progressed by a Member Working Group, Chaired by Cllr Spratt. The first meeting of the Working Group was held on 21 February.
Scrutiny Items – Ongoing/identified for possible future scrutiny						
5. Broadband coverage for rural and urban areas in Norfolk	To review broadband coverage for rural and urban areas in Norfolk (following implementation of the Broadband for Norfolk project).	Economic Development	TBC	TBC	14 September 2011 O&S Panel	

Completed Scrutiny Items – last 12 months

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

Date completed	Topic	Panel/Method
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

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

Report by Director of Environment, Transport and Development

Summary

The information included within this report is the most up to date available at the time of writing. Any significant changes to the performance information between publishing this paper and presenting to Panel will be updated verbally. An update of progress made against the 2012/15 service plan actions, is included on an exception basis. The report is structured around the ETD dashboard (Appendix A to this report). Symbols have been included within the body of this report in order to direct Members to the associated quadrant of the dashboard. Also included is a definition 'guide' to the indicators (Appendix E to this report).

- **Revenue Budget:** The revenue budget for 2012/13 is £123.666m, we are currently forecasting a modest underspend of £0.098m.
- **Capital Budget:** The Highways capital programme has been reviewed and amended to reflect the LTP allocation and external funding that is known to be agreed at this stage of the year. The current forecast is £0.056M over spent. The Economic Development and Environment capital programmes are currently forecasting full spend.
- **Service plan actions:** Activity is monitored from 2012/15 service plans which were agreed by Panel on the 14 March 2012. The latest updates to the ETD service plans show that from the 96 actions, 2 were showing as Red 'off target', 9 were showing as Blue 'slightly off target' and 84 actions were Green 'on target'. At the time of reporting 1 action had not been scored.
- **Dashboard:** The dashboard for ETD which forms the basis of this report is attached as Appendix A. The dashboard includes all measures of departmental significance as agreed by the management team and Panel members. Further detail as to why is included within the main body of this report. Appendix E to this report contains definitions for all measures contained within the dashboard.
- **Economic Intelligence Report:** Appendix F is a report detailing economic intelligence information for Norfolk for the period.
- **Risks:** Risks that have a corporate significance within the dashboard have remained unchanged. An update can be found in section 3.0 of this report.

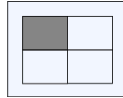
Action Required:

Members are asked to:

- Comment on the progress against ETD's service plan actions, risks and budget and consider whether any aspects should be identified for further scrutiny.
- Consider and comment on the contents of the Economic Intelligence Report

1 Background

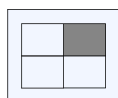
- 1.1 This report updates the latest ETD performance dashboard for Overview and Scrutiny Panel and is based mainly upon December data. The dashboard acts as an overview of departmental performance, identifying progress against four themes, Delivering Norfolk Forward, Managing our Resources, Outcomes for Norfolk People and Service Performance.
- 1.2 The purpose of this report is to alert Members to areas of concern and highlight areas of improvement within the ETD dashboard including an update on the latest financial position against the budget.



2 Delivering Norfolk Forward

- 2.1 The overall rating for the ETD Transformation and Efficiency programme is Green showing that the department is largely on track to achieve improvements and savings. Looking at the individual elements of the programme two out of the fifteen projects relevant to this panel are showing as Amber: the Waste PFI; and the Norwich Northern Distributor Route (NNDR) (more information is contained in section 2.4 in this report). The waste procurement and joint working project remains Red due to uncertainties over the level of income that will be recovered from Waste Collection Authorities (WCAs) for controlled waste. We are working with seven WCA's to establish processes that will allow appropriate recharging of costs that were previously picked up by the County Council.
- 2.2 Two projects 'Implementation of Sustainable urban Drainage systems (SuDS)' and the 'Norfolk Trails' have both improved from Amber to Green. The project to put in place a Sustainable Drainage System (SuDS) programme has improved due to indications from Defra that the earliest date for implementation will be April 2014. The significant amount of work that has already been completed should ensure that we meet this date (if confirmed). The National Trails project has improved because of some key achievements which include the development of a smartphone 'App' for trails, continued development of web content in order to provide more information about National Trails and various route improvements.
- 2.3 During the third quarter of 2012/13 the following has been achieved:
 - The department continues to access external funding. As part of the targeted Rights of Way (Norfolk Trails), funding has been received from Rural Development Programme for England for Nar Valley Trail, Cool Tourism for Paston Way and Weavers Way and the bid for £160k to Natural England to upgrade parts of the National Trail and Peddars Way.
 - The Highways Enquiry Tracker, Street Checker was publicly launched and promoted in Your Norfolk (more information is contained in section 4.6 of this report)
 - Improvements were made to the Court Diversion courses for speeding drivers.
 - The OJEU (Official Journal of the European Union) notice for the Highways Service Delivery was issued.
 - The final 'proof of concept' smartphone 'app' for Norfolk Trails has been delivered.
 - The trial of 'Simpli' software for shared transport is underway, to improve demand responsive transport (DRT) journey booking and scheduling.

- 2.4 The development of Norfolk's infrastructure as a driver for economic growth is a key priority. Effort on the Norwich Northern Distributor Route (NNDR) has focussed on ongoing engagement with the local communities around the proposed route. Activity to date has included member briefings, meetings with parish council members and a series of pre-planning application public exhibitions. Further meetings/exhibitions are planned for February 2013. This programme of engagement will help ensure that the planning application will be well informed. As set out in the report to Cabinet in December 2012, we will also now progress the NNDR through its formal planning application process during 2013 and continue with the Postwick Hub Public Inquiry
- 2.5 In August 2012 the Secretary of State Eric Pickles announced that the planning application for the Willows was going to be called in. The decision means that the application will now be determined by way of a public inquiry with the final decision being issued by the Secretary of State himself. At the time of writing the inquiry was due to commence on 26 February 2013 and is expected to last for 23-24 days ending on 19 April 2013. Two venues will be used for the inquiry the King's Lynn Corn Exchange and the West Norfolk Professional Development Centre. The Corn Exchange will be used for the opening day and 2 evening sessions for the rest of the time the inquiry will take place at the Professional Development Centre. Full details of the inquiry documents are available online at the following site hosted by the programme Officer.
http://www.persona.uk.com/kings_lynn/index.htm



3 Managing our Resources

- 3.1 The sickness absence target for ETD is 5.5 days per FTE, over a day less than the overall NCC target of 6.6 days per FTE. This challenging target was set in order to improve upon the end of year (11/12) figure for ETD of 5.79 days. The cumulative position between April and December for the department was 4.4 days per FTE which means that if this trend continues the end of year position for sickness absence is currently predicted at 6.20 days per FTE and therefore currently rated as RED. This will still be below the overall NCC target.

Reducing our energy consumption

- 3.2 Our target for reducing the Council's operational carbon footprint is 25% by 2014/2015, based on the 2008/2009 baseline (94,632 tonnes). This means that we want to reduce the amount of carbon dioxide Norfolk County Council produces by 23,658 tonnes.
- 3.3 Overall for NCC comparing December 2012 to December 2011, there has been a 1.0% reduction in tonnes of CO2 emitted from buildings, made up of a 1.2% increase in the use of gas and a 2.7% decrease in the use of electricity.
- 3.4 Comparing December 2012 to December 2011 there has been an overall reduction of 5.36% in tonnes of CO2 emitted from Street Lighting (4.2% reduction) and from Traffic Signals (24.3% reduction). Street lighting energy makes up about 90% of the total energy used by Environment, Transport and Development.

Risk update

- 3.5 The four risks deemed as having corporate significance within the dashboard have remained static (Failure to implement the NNDR is covered in section 2 of this report).
- 3.6 Losing core infrastructure or resources remains rated as Green. The risk, which covers the whole of NCC operations, reflects progress against a number of projects to assist

with the resilience of the organisation ensuring that key systems and critical business activities can be maintained through various emergency situations.

- 3.7 The remaining two risks related to the disposal of waste remain rated Amber. 'Failure to comply with the Landfill Allowance' for 2012/13 is an area of uncertainty. Failing to meet the allowance will result in additional expense either through fines or having to purchase surplus allowance from other local authorities as we are no longer able to 'carry over' any allowance. Current predictions show that we may meet the target but only just, with minimal tonnage to spare assuming that all contracted services deliver as expected. Levels of residual waste have not dropped as expected leading to an Amber rating for the risk failure to divert waste from landfill. Previous years have shown a decrease in residual waste levels due to alternative methods of disposal such as recycling, kitchen waste composting and various minimisation initiatives. However current projected levels are showing just above the target of 200,279 tonnes at 210,729 tonnes. As both risks are based upon predicted levels of waste it is difficult to say for certain that targets will not be met. Through various initiatives and ongoing work with partners and stakeholders, including new kitchen waste collections in west Norfolk from April, we are continuing to drive down the amount of waste sent to landfill.

Revenue budget

- 3.8 The current position for ETD revenue budget is a modest underspend and therefore the current position score is Green. More detail is contained in Appendix B to this report

Division of service	Approved budget £m	Forecast Outturn £m	Forecast +Over/- Underspend £m	Forecast +Over/- Underspend as % of budget	Variance in forecast since last report £m
Environment, Transport & Development	123.666	123.666	-0.097	-0.008%	-0.097
Total	123.666	123.666	-0.097	-0.008%	-0.097

Forecast additional costs from Waste Services, primarily due to higher than forecast tonnages to Landfill. Based on estimated tonnages at this stage.	£0.467m
Forecast cost pressure due to contractual RPI increase to management fee for HWRC.	£0.195m
Forecast overspend on SLA with NPS for Gypsy and Traveller Site management costs	£0.093m
Saving on salaries due to delayed appointment of SuDS (Sustainable Urban Development Scheme) staff	-£0.098m
Additional Income Forecast for planning application fees	-£0.045m
Forecast underspend due to management of vacancies	-£0.267m
Forecast Underspend due to management of vacancies, forecast reduced ICT and accommodation costs	-£0.443m
Net Overspend	£0.098m

3.9 The highways maintenance team plan their budgets for winter treatment based on a typical winter. This year, they allowed for 97 gritting actions, which is the average over the last five years. They passed that figure on 26 January 2013, towards the end of the spell of bad weather. There will certainly be an overspend on the winter budget head, but its impact on overall highways and ETD budgets is difficult to project at the time of writing this report. If the rest of the winter is "typical" the overspend on winter could be as much as £1m. The extent of post-winter damage to the highway will also impact on the overall position. The department will seek to mitigate that through offsetting the routine maintenance not done during the bad weather, by tightening up on routine maintenance ordered for the rest of the year and by using savings elsewhere in highways. Any residual overspend will be managed through savings in the remainder of the ETD budget. Members will be updated at the meeting based on the latest position. For more information on Winter Maintenance see section 4.16 to 4.18 of this report.

Capital programme

3.10 The current Highways programme is shown in Appendix C. The current programme reflects the LTP allocation, which is entirely grant funded, and any known external funding sources, such as developer contributions, as other external funding is confirmed this will be reflected in the capital programme.

3.11 The highways programme is currently forecast to be £0.056M overspent, the programme is actively managed throughout the year to ensure full delivery within the allocated budget. Schemes are planned at the start of the year but may be delayed for a variety of reasons e.g. planning consent or public consultation. When it is identified that a scheme may be delayed then other scheme will be planned and progressed to ensure delivery of the programme and the original schemes will be planned to be included at a later date. Over / (under)spends and slippage will be carried forward to 2013/14, details of the programme are in Appendix C.

3.12 The Environment and Waste programme is £6.040M and is currently forecast to be delivered on budget, details are in Appendix C.

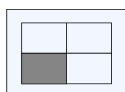
3.13 The Economic Development programme is £7.972M and is currently forecast to be delivered on budget, details are in Appendix C.

Other financial information Reserves and Partnerships

3.14 The balance of reserves as at 31 December is £24.876M, including £8.485M in respect of the Street Lighting PFI and £8.741M relating to Highways maintenance.

3.15 The reserve balances are held for specific purposes and the use of the reserves is reviewed throughout the year. We are currently forecasting to utilise £9.570M of the amounts held in reserves during 2012 / 13.

4 Service Performance



4.1 The measures within this quadrant include a 'cross section' of information that gives an overall view of performance for ETD. They are made up of service specific measures that were agreed by the management team to reflect the key priorities within the department. Within this section of the report we have also included some associated areas of activity from services which contribute towards overall departmental performance and which feature within 2012/15 ETD service plans.

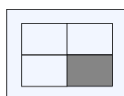
- 4.2 We use a composite measure in order to determine how well Highway Maintenance is being carried out. The measure includes bridge, road and footway condition as well as how quickly we rectify with problems with the highway, such as certain types of potholes (category 1 defects) and how quickly faults with street lights are put right. This also helps us to track how well the subcontractors that deliver some of these services are performing.
- 4.3 Between October and December 2012 the measure, although rated Green, has shown a negative direction of travel caused by two main areas – category 1 defects and rectification of street lighting faults.
- 4.4 The number of category 1 defects has increased steadily from 264 (target 296) in October to 391 (target 359) in November and 491 (target 340) in December. Deterioration has been caused by a number of factors, including the wet summer followed by a spell of cold weather experienced in 2012 and we would expect to see an increase of some level during this time of year under these circumstances. Despite the increase, response times have remained fairly high at 100% in October, 98% in November and 99% in December. This is positive as it means that despite the number of reported issues increasing we are managing to respond to category 1 defects largely within the specified time frame.
- 4.5 The number of days taken to rectify a problem with street lights increased in November (5.66 days) and December (5.98 days) meaning that faults have not been repaired within the target time of 5 days. We are working with Amey, who have responsibility for repairs under the street lighting PFI contract, to improve the time taken to carry out work. Despite this short term increase the overall 12 month average remains within target. Recent bad weather has caused additional problems and we anticipate that a real improvement will not be seen until February at the earliest.
- 4.6 In November we promoted a new web based service called Highways Enquiry Checker in Your Norfolk. The service builds upon the success of a previous online reporting system which allowed members of the public to report an issue with the highway by also offering the ability to track the progress of their enquiry quickly and easily rather than having to contact someone direct. The number of reports using the system in relation to highway issues (excluding emergencies where customers are asked to telephone instead) has already shown a steady increase from 201 in late November to 407 in December and 730 in January 2013.
- 4.7 The Norfolk Infrastructure Plan will help deliver key infrastructure projects that are important for removing some of the blockages to growing the local economy. The document will be kept 'live' in order to form the basis of any future developments including identification of potential funding to help progress the each project further.
- 4.8 One of the projects covered by the plan is to promote the status of the A47 in order to secure funding for targeted improvements to the road and surrounding corridor to help facilitate growth. A recent study showed that targeted improvements to the A47, along with a third river crossing at Great Yarmouth, could bring nearly 10,000 jobs, a £390m a year increase in economic output, private investment of over £800m and a 30 minute reduction in journey time worth £42m a year to road users. A business case for improvements, the 'A47 Gateway to Growth', was launched in November, including a live 'drive through' between Kings Lynn and Great Yarmouth by Keith Simpson MP to show the issues experienced by drivers using the route every day. A meeting with the Roads Minister took place in December, at which news was received that the A47 is to be considered as part of the Highways Agency route study. We have also secured £1.3m of Government 'Pinchpoint' funding to help improve the Honingham expressway.

- 4.9 Roads minister Stephen Hammond visited the A11 in January to officially launch the start of dualling the final stretch between Thetford and Fiveways. The £105m construction project will improve the major link road and follows a successful campaign to dual the remaining section of road in order to boost the local economy, reduce congestion and improve road safety. The project is due to be completed in December 2014.
- 4.10 Access to reliable, high speed internet helps to promote small business, strengthen community engagement and promote Norfolk as a place to live and work. The Council is continuing to work with the private sector to deliver on the Government's Broadband Delivery UK (BDUK) contract framework. On 21 December 2012, BT's Managing Director of Next Generation Access (NGA) Bill Murphy came to County Hall to formally launch Norfolk's project to deliver superfast broadband across the county. The first new services made possible by the upgraded infrastructure are due to be available by the end of 2013, with other exchange areas set to be upgraded in phases over the following two years and the project set for completion by autumn 2015. BT has started to survey locations around the county in order to establish what speeds are possible across the county.
- 4.11 Economic Development and Strategy is working with a range of partners in the private, public and third sector to look at ways in which a positive business environment can be maintained and entrepreneurial activity fostered to improve the local economy. One way that we can monitor how many jobs are available is through the number of people claiming Job Seekers Allowance. When compared to the rest of the East of England the number of people claiming JSA in Norfolk has crept up over the last quarter. In November 2012, this resulted in the indicator falling below target for the first time since April 2008, and it remains below despite a slight improvement in numbers in December 2012
- 4.12 There are variations across the county in the number of people claiming JSA. Information available from the Office of National Statistics for November 2012 showed that the largest percentage of JSA claimants remained in Great Yarmouth, at 6.1%, with 1.9% of those people having claimed for more than 12 months. This is high compared to the national picture of 3.8% of people claiming JSA, with 1.1% of those claiming for 12 months or more. The only other district council area with the number of people claiming JSA above the national average was Norwich. The lowest percentage of claimants remained in Broadland with 1.8%, with 0.4% claiming for 12 months or more.
- 4.13 Norfolk's business start up rate has been in decline for some years, so in order to help local businesses start up and grow in November 2012 we launched 'Enterprise Norfolk'. The scheme is offering practical support through a series of awareness events, one to one support sessions, business surgeries and clubs made possible through pulling together County Council and District Council funding. Over two years £750,000 will be available through the scheme, with delivery specifically tailored to local needs in each district. As of January the Enterprise Norfolk website had over 800 hits and over 100 enquiries for course details have been received. Workshops have been delivered in South Norfolk and Norwich, with other districts to follow by the end of January 2013. At the time of writing sessions in Norwich were already fully booked until March 2013.
- 4.14 New Anglia, the Local Enterprise Partnership for Norfolk and Suffolk secured £1.1million from the Growing Places Fund to deliver a programme of measures across Norfolk and Suffolk. Six enterprise champions are to be recruited across Norfolk and Suffolk with the aim of encouraging enterprise in local areas. The champions will help people start-up businesses and plug gaps where there is currently no business start-up provision. The project will tie into Norfolk County Council's 'Enterprise Norfolk' programme. Funding has also been allocated to a total of five Growing Places Fund

projects, four of which are currently progressing towards receiving the funding offered or allocated to them.

- 4.15 Further information on performance in Q1 for Norfolk's economy is contained in the Economic Intelligence report.
- 4.16 Keeping Norfolk's 5,965 mile road network open and accessible in periods of bad weather such as snow presents many challenges. Everyone relies upon the road network in some way, whether it's reaching vulnerable customers with care provision, or providing customers with a route to the services they need like schools and libraries. Norfolk's 2,000 miles or so of main routes are the focus for gritting in order to keep the network open, but during prolonged bad weather we also carry out gritting on more minor roads when we can.
- 4.17 The snowfall experienced by most of the country in January proved a real test for the service. Over 200 people were involved, most working 12 hour shifts to keep the county moving as much as possible. During 7 days of snow we gritted our 57 priority routes on average 6 times a day, using 13,000 tonnes of salt and sand. 1,300 grit bins across the county were also kept filled for use by the public and volunteers from town and parish councils.
- 4.18 Recent activity has been very high profile mainly due to the severity of the weather conditions being dealt with but it is just part of our winter service which runs from mid October to mid April each year. During this time daily decisions are made about whether to grit the network. To date this winter we have carried out 115 gritting actions and it is likely that by the end of the season we will have carried out over 130 gritting actions.

5 Outcomes for Norfolk People



- 5.1 Despite the long term trend showing a decline in people being killed or seriously injured on Norfolk's roads, there were a number of serious incidents over the Christmas period. Organisations within the Road Safety Partnership have been working together to understand the cause of these incidents and deliver a programme of initiatives to improve people's road skills. The overall number of people killed or seriously injured (KSI) in road traffic accidents remains under target. Recent figures have shown a steady decrease from 366 in October to 350 in December. Although the rolling 12 month total for Child KSI's did rise steadily from 19 in June 2011 to 37 in April 2012 more recent figures have levelled to 33 in May and June of this year followed by decrease from 32 in July to 22 in December. This steady decline is encouraging and work is continuing to reduce deaths and serious injuries further.
- 5.2 ETD 2012/15 service plans were agreed by Panel on the 14 March 2012. The latest updates to the ETD service plans show that from the 96 actions, 2 were showing as Red 'off target', 9 were showing as Blue 'slightly off target' and 84 actions were Green 'on target'. At the time of reporting 1 action had not been scored. This indicates that generally service delivery is progressing well.
- 5.3 The two actions showing as 'red' are progression of the Waste PFI contract covered in section 2.5 of this report and reducing disposal cost by working with waste collection authorities covered in section 3.7 of this report.
- 5.4 The nine actions showing as 'blue' cover a variety of activity across the department mainly as a result of early indications that key targets may not be met. This includes concerns around meeting Landfill Tax Allowance targets, delivery of a new Bridge

Asset management system and targets associated with the minerals and waste site allocation development plan documents.

- 5.5 We have been working hard to reduce the cost of home to school transport but the 'blue' rating is due to December figures which show that we may not be able to deliver the target to reduce the budget by £1m. The main area of concern is special needs transport and investigation to date shows that this could be an impact of different journey requirements, for example longer journeys and an increased need for passenger assistants, combined with increased operational costs in this discreet area. We are continuing to explore ways in which we can make the service more efficient whilst maintaining good standards.
- 5.6 Trading Standards are continuing to work with local businesses and the community to improve knowledge and understanding of trading in the County. The two measures, percentage of businesses brought into broad compliance with trading standards and the percentage of disputes resolved through advice and intervention are both achieving higher than target as we are focussing work on higher risk issues. Ensuring that consumers are aware of their rights and that businesses trade in a fair and legal way is an important part of encouraging economic growth. In February 2013 we launched Norfolk Scams Awareness 2013. The campaign will give people the opportunity to share information on scams and learn more about how to avoid them. More than three million adults or one in 15 people will fall victim to a scam, losing a total of £3.5 billion every year. Scams are often targeted specifically at vulnerable or disadvantaged consumers, such as those already in debt.
- 5.7 As a rural county Norfolk has some specific challenges when it comes to ensuring people can access core services and facilities such as jobs and training. The 'Accessibility' measure on the dashboard looks at whether people can access Market Towns and key employment locations by public transport, walking or cycling between defined hours, enabling an individual to travel to and from work (between 0700 - 1000 returning between 1600 - 1900 with a maximum travel time of 60 minutes). In Q3 the measure showed a slight increase at 73.4% from the September figure of 72.8% but still remained under the target of 77%.
- 5.8 This means that 27 % of people in Norfolk are unable to reach facilities and services using public transport. The Flexibus service offers over vital connectivity to over 20,000 people (2001 census data) which helps improve access in difficult to serve areas. For example, since September 2012 1,530 people (2001 census data) south of King's Lynn have benefited from improved transport access due to targeted flexibly routed services.
- 5.9 Enabling our customers to access services as simply as possible is a key driver and one way in which we are doing this is to increase the amount of services we offer on-line. Concessionary travel is a valuable service for eligible people. There are 172,000 concessionary passes in circulation, which are renewed every 5 years. In January we made it easier for our customers to apply for a concessionary bus by making the service available on-line and also through telephone renewals. Norfolk is one of the first councils to offer this service. Early feedback from our customers has been very good and satisfaction with the new method of applying is high. This service is currently only available for people entitled by age. We are working with disabled stakeholders to adapt this offer for disable applicants. And hope to offer the service in late Spring.
- 5.10 **Update to ETD's Equality Action Plan**
- 5.11 In July 2012 Members agreed to monitor progress against the ETD equality improvement plan, which was developed to help address some of the inequalities identified through the ETD equality assessment report. Below is a short summary of progress.

- 5.12 The plan contains 18 headline actions across each service area within ETD. Overall the plan has been RAG rated as Green because the majority of the activities in the plan are currently on schedule. Progress against the plan to date includes:
- Completion of first bus 'mystery shopping' exercise involved disabled people including feeding back to bus companies;
 - Visits to three highway schemes carried out, with design staff and disabled residents to discuss views in terms of accessibility, to provide feedback on how accessibility issues could be addressed in the design of future scheme;
 - Hate crime awareness training rolled out to relevant staff.
- 5.13 Future reporting against the action plan will include key areas of progress and any issues that have been highlighted. For more information on the improvement plan please contact Sarah Rhoden, Business Support and Development Manager.

6 Resource implications

- 6.1 Finance: All financial implications have been outlined in the report.
- 6.2 Staff: None
- 6.3 Property: None
- 6.4 IT: None

Other Implications

- 6.5 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.

7 Equality Impact Assessment (EqIA)

- 7.1 This report provides summary performance information on a wide range of activities monitored by Environment, Transport and Development Overview & Scrutiny Panel. Many of these activities have a potential impact on residents or staff from one or more protected groups. Where this is the case, an equality assessment has been undertaken as part of the project planning process to identify any issues relevant to service planning or commissioning. This enables the Council to pay due regard to the need to eliminate unlawful discrimination, promote equality of opportunity and foster good relations.
- 7.2 Details of equality assessments are available from the project lead for the relevant area of work, or alternatively, please contact the Planning, Performance & Partnerships team.

8 Section 17 – Crime and Disorder Act

- 8.1 None

9 Risk implications / assessment

- 9.1 Progress against the mitigation of risk is detailed where relevant within the report.

10 Conclusion

- 10.1 The majority of measures within the dashboard are showing that overall performance for the Environment, Transport and Development service is on track. In respect to measures currently showing as red or with a negative direction of travel actions are in place in order to manage performance. The department appears to be managing progress against many of its identified priorities with mitigating actions identified to help improve performance or to influence collective activity in key areas.

11 Action required

11.1 Members are asked to:

- Comment on the progress against ETD's service plan actions, risks and budget and consider whether any aspects should be identified for further scrutiny.
- Consider and comment on the contents of the Economic Intelligence Report

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 0344 800 8020 and ask for Bev Herron or textphone 0344 800 8011 and we will do our best to help.

Delivering Norfolk Forward			
Overall assessment of Transformation & Efficiency Programme	Date	DoT	
Environment, Transport & Development	Dec 12	→	★
Programmes			
ETD Process improvements	Dec 12	→	★
ETD Work Style related improvements	Dec 12	→	★
Highways Service Delivery	Dec 12	→	★
Implementation of Flood & Water Mgt Act requirements in relation to Sustainable Urban Drainage Systems (SUDS)	Dec 12	→	★
Improving ETD Customer Service	Dec 12	→	★
Joint working with Suffolk County Council & through Eastern Highways Alliance	Dec 12	→	★
Management of Gypsy & Traveller Permanent Sites	Dec 12	→	★
Norwich Northern Distributor Road	Dec 12	→	●
Reduce subsidy for Park and Ride	Dec 12	→	★
Shared Transport	Dec 12	→	★
Targeted Rights of Way	Dec 12	→	★
Thetford Household Waste Recycling Centre	Dec 12	→	★
Waste Private Finance Initiative	Dec 12	→	●
Waste Procurement & Joint Working	Dec 12	→	▲

Service Performance			
	Date	DoT	
Corporate risk reduction through implementation of Business Continuity programme	Dec 12	→	★
	Value		
Percentage of County Council's own development determined within agreed timescales	100.00	Oct 12	→
The number of journeys made using demand responsive transport/community transport as a proportion of all subsidised bus services	6.00	Dec 12	→
Number of journeys shared between health and social care	15,932	Dec 12	→
Highway Maintenance Indicator	3.26	Dec 12	→
Strategic Partnership (Quality of Works)	94.29	Dec 12	→
County Council's own highway works promoter performance - Section 74 'fine' comparison with other works promoters in Norfolk	1.01	Dec 12	→
Difference in Job Seeker Allowance claimants compared to East of England	0.35	Dec 12	→
Jobcentre Plus notified vacancies	4,733	Nov 12	→
Percentage of bio-degradable waste landfilled against allowance	98.70	Jan 13	→
Residual waste landfilled	210,729	Jan 13	→
Recycling Centre rates	76.29	Jan 13	→
No. of people accessing & downloading online national trails info	21,457	Dec 12	→

Managing our resources			
Managing the budget	Value	Date	DoT
Projected budget spend against revenue budget	-0.08	Dec 12	n/a
Projected spend against profiled capital budget	0.08	Dec 12	n/a
ETD efficiency savings	2,574,000	Dec 12	→
Strategic partnership (Financial savings - projection of year-end)	2,064,728	Dec 12	→
[A] Premises related costs per FTE (ETD)	4,326.21	Mar 12	→
Sustainability			
ETD Energy (fossil fuels) consumption	-15.20	Mar 12	→
Organisational Productivity			
Sickness absence - projection of year-end (ETD)	6.20	Dec 12	→
Staff Resourcing (composite measure)	Green	Sep 12	?
Reportable Incidents (per 1000 FTE)	0.00	Jul 12	→
Non-Reportable Incidents (per 1000 FTE)	21.07	Jul 12	→
Risk No	Corporate Level Risks (progress against mitigation)	DoT	Prospects
#RM13917	RM ETD PP Loss of core infrastructure or resources.	→	Green - On Schedule
#RM14028	RMCP Failure to comply with Landfill Allowance for 2012/13	→	Amber - Some Concerns
#RM0199	RMCP Failure to divert waste from landfill	→	Red - Serious Concerns
#RM0201	RMCP Failure to implement Norwich Northern Distributor Route (NDR) and the Postwick Hub junction imp	→	Amber - Some Concerns

Outcomes for Norfolk people			
People's view on Council services	Value	Date	DoT
Satisfaction with services (through annual tracker survey)	27.00	Apr 11	→
Satisfaction with the way in which we handle customer complaints	Green	Nov 12	→
Accessing the council including advice & signposting service			
Quality and effectiveness of customer access channels	Green	Nov 12	→
Services to improve outcomes			
Number of people killed or seriously injured on roads	350	Dec 12	→
Percentage of businesses brought to broad compliance with trading standards	96.13	Dec 12	→
Percentage of disputes resolved through advice and intervention	90.40	Dec 12	→
% of tracked bus services 'on time' at intermediate timing points	78.43	Dec 12	→
[Q] % of planning apps determined in line with NCC advice	81.48	Dec 12	→
[Q] Net additional homes provided	870	Sep 12	→
[Q] Accessibility	73.40	Dec 12	→
Surveillance measures			
[A] Proportion of pop. aged 16-64 qualified to Level 3 or higher	47.80	Jun 12	?
[A] Median earnings of employees in the area	467.30	Mar 12	→
[A] Proportion of new businesses to business stock	9.00	Dec 11	→
Progress in delivery of service plans			
Environment, Transport & Development (overall) (COG)		Dec 12	→
Economic Development and Strategy		Dec 12	→
Environment and Waste		Dec 12	→
Highways		Dec 12	→
Public Protection		Dec 12	→
Travel and Transport Services		Dec 12	→

- Unless prefixed by either a [Q] or [A] (representing Quarterly or Annually respectively) each measure is monitored monthly.

★	Performance is on target, no action required.	DoT – Direction of travel i.e. better or worse than the previous period.
●	Performance is slightly off-track.	Value has worsened.
▲	Performance is worse than the target, action required.	Value has improved.
→		Value has stayed the same.

Exceptions and commentary on performance and data

Measure	Detail
Delivering Norfolk Forward	
Targeted rights of way	The Norfolk Trails project has moved from amber to green because of the good work that has been done on progressing individual elements and the longer term planning.
Waste procurement and joint working	The Waste Procurement action remains red because considerable uncertainties remain, despite further Defra changes to the regulations, over delivering the level of income that will be recovered from Waste Collection Authorities in compliance with the Controlled Waste Regulations.
Managing our resources	
Projected spend against profiled capital budget	There is a small capital overspend which, due to the sensitivity of the indicator, has caused the RAG to move to Red.
Sickness absence	Updated information shows a projection of 6.10 days per FTE on a 12 month rolling average. This is above the ETD target of 5.5 days per FTE but below the NCC target of 6.6 days per FTE
Service Performance	
Highway Maintenance Indicator	The further decline in performance this month in this multi-indicator overview is due mainly to a large increase in Category 1 defects over the historic average. Also contributing was deterioration, for the fifth consecutive month, in the rectification of street light faults – currently running at 5.98 days (in-month). We remain on target with the 12 Month Rolling Average (MRA) against the 5 day target.
JobCentre Plus notified vacancies	Vacancy data is no longer available from the normal source (NOMIS); it seems that information directly from the JobCentre Plus is not entirely comparable to previous reporting. EDS are endeavouring to track down some comparable data.
'Residual Waste landfilled'	Waste disposal tonnages have not declined as anticipated. The projected performance is 210,729 tonnes against a target of 200,279 tonnes.
Outcomes for Norfolk people	
Accessibility	The calculation of this indicator was recently revised to more accurately reflect peak travel to work. This revision highlighted a need to look at other ways in which we can measure accessibility in the round. However, the current indicator continues to be monitored on a quarterly basis and this has now been undertaken for Q3 - the figure now stands at 73.4%, which is a slight increase from September's figure of 72.8%. However, due to the removal of the Flexibus services this is still below the target value of 77% so will be reported as a 'blue' value against our indicator.

Environment, Transport and Development Budget Monitoring Return

Summary for Period:

Dec-12

	Current Budget £m	Expenditure Year to Date £m	Full Year Outturn £m	Potential Overspend / (Underspend)
Highways	54.158	26.796	54.158	0.000
Public Protection	3.832	2.593	3.786	(0.046)
Economic Development and Strategy	6.216	2.217	6.216	0.000
Travel and Transport Services	16.896	13.978	16.629	(0.267)
Environment and Waste	37.799	48.004	38.459	0.660
Business Development and Support	4.765	2.538	4.321	(0.444)
Total ETD	123.666	96.126	123.569	(0.097)

Summary

Scheme Name	Spend project to date (Prior years)	Original 2012/13 Programme	Revised Programme 2012/13	2012/13 Forecast Out-turn	2012/13 Variance	2012/13 Carry Forward	Spend to date - current year	Over/ (Under) Spend	2013/14 Out-turn	2014/15 Out-turn	Total Projected Spend for project
Bridge Strengthening		1,400	1,605	1,498	(107)	(107)	778		1,400		2,898
Bus Infrastructure Schemes			445	477	32	32	9				477
Bus Priority Schemes			982	960	(22)	(22)	315				960
Cycling		2,631	1,220	669	(551)	(551)	388		775		1,444
Fees for Future Schemes		140							140		140
Local Road Schemes			11,046	11,464	418	418	8,638				11,464
Local Safety		1,018	330	345	16	16	85		1,310		1,655
Other Schemes			140	122	(18)	(18)	82				122
Park & Ride			55	63	8	8	3				63
Public Transport Schemes		1,696	806	796	(10)	(10)	331		897		1,693
Retentions/ Land costs on completed schemes											
Road Crossings			297	311	14	14	170				311
Safer & Healthier Journeys to School			105	1	(104)	(104)	5				1
Structural Maintenance		23,314	29,158	28,970	(188)	(188)	22,261		22,203		51,173
Traffic Management & Calming			1,035	1,094	59	59	146				1,094
Walking Schemes			1,574	1,593	18	18	552				1,593
Major Schemes		13,341							9,175	9,442	18,617
Great Yarmouth Third River Crossing				492	492	492	207				492
Northern Distributor Road			1,481	1,481			1,096		1,982	1,218	4,681
Norwich - A47 Postwick Hub			1,670	1,670			839				1,670
Development of Civil Parking Provision		250							250		250
LPSA reward grant		565							565		565
Future year's funding										26,783	26,783
TOTAL	0	44,355	51,980	52,036	56	56	35,936		38,697	37,443	128,176

Summary

Scheme Name	Spend Project to date (prior years)	2012/13 Programme	2012/13 Out turn	2012/13 Variance	Spend to date - current year	Over/ (Under) Spend	2013/14 Out-turn	2014/15 Out-turn	Total Projected Spend for project
Great Yarmouth Rail Sidings	29,000	660	660						29,660
NE & SW Econets		1,198	1,198						1,198
Lakenham Common & Yare Valley Connections									
NORA	307,446	1,692,554	1,692,554		436,462				2,000,000
College of West Anglia	104,550	1,395,450	1,395,450		1,391,500				1,500,000
Hethel Engineering Centre -Phase 3		1,070,000	1,070,000				2,700,000		3,770,000
Beach Coach Station		1,700,000	1,700,000				376,000		2,076,000
Thetford Riverside Regeneration		180,000	180,000				1,000,000		1,180,000
TOTAL	440,996	6,039,862	6,039,862		1,827,962		4,076,000		10,556,858

Summary

Scheme Name	Spend Project to date (prior years)	2012/13 Programme	2012/13 Out -turn	2012/13 Variance	Spend to date - current year	Over/ (Under) Spend	2013/14 Out-turn	2014/15 Out-turn	Total projected Spend for project
Closed Landfill Sites-Capping & Restoration		60,000	60,000		6,113		503,894		563,894
Drainage Improvements		2,184,191	2,184,191		801,385		850,000		3,034,191
New Thetford Recycling Centre		1,069,664	1,069,664		1,014,641				1,069,664
Hardley Flood Bridge Improvements		20,000	20,000						20,000
Norfolk Trails Improvements		3,861	3,861		1,238				3,861
CERF - Ketteringham		3,063	3,063		2,981				3,063
Investment Fund for Norfolk ESCO		550,000	550,000		550,000		4,150,000	3,600,000	8,300,000
TOTAL		7,971,948	7,971,948		2,781,216		5,503,894	3,600,000	17,075,842

Environment, Transport and Development - Reserves Monitoring Schedule 2012 / 13						
				Future Planned		
	Reserve	Opening Balance	Current Balance @ 31.12.12	Additions	Withdrawals	Forecast Final Balance
		£m	£m	£m	£m	£m
Travel and Transport services						
	Park & Ride refurbishment	0.015	0.015		-0.015	0.000
	De Registration of Bus services	0.103	0.103		-0.103	0.000
	Demand Responsive Transport	0.478	0.478	0.286	-0.200	0.564
	Developer Services	0.150	0.150		-0.100	0.050
	Travel Network Reserve	0.150	0.150		-0.134	0.016
	Commuted Sums Public Transport	0.024	0.024		-0.012	0.012
	Commuted Sums Travel Plans	0.183	0.183			0.183
		1.103	1.103	0.286	-0.564	0.825
Highways						
	Commuted Sums Highways Maintenance	3.399	3.399		-1.092	2.307
	Parking Receipts	0.488	0.488		-0.050	0.438
	Highways Maintenance	5.004	4.854	0.500	-4.124	1.230
	Street Lighting PFI	8.551	8.485	1.535	-1.963	8.057
	Depot R & R	0.385	0.317		-0.074	0.243
	Highways R & R Vehicles	1.766	1.715			1.715
	Road Safety Reserve	0.495	0.495		-0.237	0.258
	Reprocurement - Strategic Partnership	0.333	0.483		-0.200	0.283
		20.421	20.236	2.035	-7.740	14.531
Environment and Waste						
	Sustainability Invest to save	0.074	0.074			0.074
	Sustainability Strategic Ambitions funding	0.011	0.011			0.011
	Environment & Waste Vehicle Replacement R & R	0.142	0.142			0.142
	Historic Building reserve	0.240	0.271		-0.078	0.193

	Waste Partnership Fund	0.647	0.647	0.629	-0.794	0.482	£629k to be contributed this year from Revenue to meet future demands. £794k release to fund 2012/13 expenditure, and the potential claim from May Gurney for £500k would be met from the Waste Management Fund if it crystallises - need update from Paul Borrett
	Community Recycling Fund	0.100	0.100		-0.020	0.080	Planned draw down in 2012/13, based on current estimates
	Closed Landfill	0.000		0.250		0.250	To support future management of Closed Landfill sites - needs review - maybe £500k needed by the end of 13 / 14 - supports move to lowering costs of closed landfill
	TOTAL: Environment and Waste	1.214	1.245	0.879	-0.892	1.232	
	Economic Development and Strategy						
	3rd River Crossing	0.029	0.029			0.029	.
	Thetford	0.030	0.030		-0.030	0.000	To be used for Thetford MasterPlan exercise
	Eco Town funding	0.007	0.007			0.007	
	Apprenticeship Scheme	0.000	0.000	3.000		3.000	Future funding for Apprenticeship Scheme as project will run over two financial years, the unspent balance will be transferred from Revenue and potentially will increase - potential rollover of £3.250m
	Ec Dev - FJF	0.401	0.401			0.401	To be used for Infrastructure Growth project
	FIG	0.036	0.036			0.036	PU6055 - held on behalf of FIG - not NCC
	Europe Fund	0.062	0.062			0.062	PU6007 - held on behalf of NCC
	Hethel	0.083	0.083	0.083		0.166	PU6068 - for use within HTP Project
	Strategic Ambitions	0.370	0.370			0.370	PU6150 - for use in Business Development Infrastructure project
	TOTAL: Economic Development and Strategy	1.018	1.018	3.083	-0.030	4.071	Current bal in Panel Reports - £0.952m
	Public Protection						
	Trading Standards	0.188	0.188	0.050		0.238	Metrology database work won't now take place until 2013/14. £50k for POCA funding to be carried forward
	TOTAL: Public Protection	0.188	0.188	0.050	0.000	0.238	
	Service Development and Support						
	Accommodation R & R (general office)	0.080	0.080		-0.015	0.065	Office repairs/alterations as required. Some costs will be incurred for moving out of properties but no firm plans
	Planned IT projects	0.957	0.956		-0.329	0.627	Smart Ticketing on Park and Ride, and £150k for Development Control e-planning
	Total Service Development and Support	1.037	1.036	0.000	-0.344	0.692	
	Total in ETD Accounts	24.981	24.826	6.333	-9.570	21.589	
	Bad Debt Provision	0.050	0.050	0.000	0.000	0.050	Figure reduced due to reduced estimate for land charges provision against claims, an Out of Court settlement is probable with potentially low value (around £20k).
	TOTAL	25.031	24.876	6.333	-9.570	21.639	

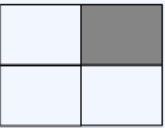
Definitions of Measures within the ETD Dashboard

Significant changes to any of the following will be highlighted within the covering report.

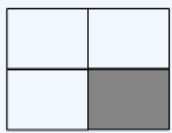
Delivering Norfolk Forward		
P'folio	Measure	Definition
All of the projects within Norfolk Forward will assist in delivering budget savings identified through the Big Conversation. Some projects were identified as part of ETD's Strategic Review which sought to establish more efficient ways of working and includes elements of service changes reflected in the Big Conversation.		
Cllr Plant - P&T	Highways Service Delivery	A review of current Highway service delivery standards
Cllr Borrett - E&W	Waste Procurement & Joint Working	Looking at the way in which we procure services to dispose of waste and exploration of greater joined up working with waste collection authorities.
Cllr Borrett - E&W	Targeted Rights of Way	Redesigning the Rights of Way service, focusing on our statutory duty, and developing the Norfolk Trails network
Cllr Borrett - E&W	Management of Gypsy & Traveller Permanent Sites	More effective management of Gypsy & Traveller sites bringing in line with new legislation that removes Local Authority responsibilities to do with provision of sites.
Cllr Plant - P&T	Shared Transport	Re-shaped public transport network with a shift towards demand responsive transport services
Cllr Plant - P&T	Reduce subsidy for Park and Ride	Reducing the subsidy for Park and Ride sites, moving towards self funding for the sites
Cllr Plant - P&T	Joint Working with Suffolk County Council and through Eastern Highways Alliance	Exploring potential joint working with Suffolk County Council with regard to Highways
Cllr Borrett - E&W	Waste Private Finance Initiative	Development of a Waste PFI in order to find alternative means to dispose of waste
Cllr Borrett - E&W	Thetford Household Waste Recycling Centre	Replacement for an existing Household Waste Recycling Centre in Thetford.
Cllr Plant - P&T	Norwich Northern Distributor Road	Delivery of the Norwich Northern Distributor Route
All	ETD Process Improvements	Improvements related to general processes in order to increase efficiency
All	ETD Work Style related improvements	Improvements related to the over-arching workstyle programme and how ETD can contribute towards it.
Cllr Borrett - E&W	Implementation of Flood & Water Mgt. Act requirements in relation to Sustainable Urban Drainage Systems (SUDS)	Implementation of a system to meet new duties under the Flood and Water Management act.
All	Improving ETD Customer Service	Looking at how we can improve customer service in ETD

Service Performance		
P'folio	Measure	Definition
Cllr Dixon Community Protection	PP Corporate risk reduction through implementation of business continuity programme	Measure will be developed further to allow all those undertaking mitigating actions to feed in to it. The measure will capture progress against all mitigation action through the business continuity programme to reduce the amount of risk the authority is subject to.
Cllr Plant P&T	[A] PP Percentage of County Council's own development determined within agreed timescales	Measurement of whether determinations made for NCC's own planning applications are within the agreed timescale over the year.
Cllr Plant P&T	TTS % of transport made by demand responsive/community transport as a proportion of all subsidised bus services (COG)	Measure links to the 'Shared Transport' Norfolk Forward project. The measure seeks to define progress against moving towards the use of alternative transport provision such as demand responsive as an alternative method of service delivery. Relates to performance in month
Cllr Plant P&T	TTS Number of journeys shared between health and social care	Where possible transport required by health services and social care are combined to reduce the number of journeys. The number of occasions that this occurs is plotted monthly.
Cllr Plant P&T	H'Ways Highway Maintenance Indicator (COG)	This is the weighted variance against target for nine measures (8 at the time of writing as one is still to be reported out of EXOR): <ul style="list-style-type: none"> • A road condition • B and C road condition • Category 1 and 2 footway condition • Bridge condition index • Category 1 defect number • Category 1 defect response time • Rectification of street light faults • Public satisfaction • Inspections carried out on time
Cllr Plant P&T	H'Ways Strategic Partnership (Quality of Works)	This is a measure of the number of quality audits of highway works where identified actions are attributable to our partnership contractor.
Cllr Plant P&T	H'Ways County Council's own highway works promoter performance - Section 74 'fine' comparison with other works promoters in Norfolk	Comparison of the percentage of works on the highway completed on time by NCC and utilities. Monthly performance

P'folio	Measure	Definition
Cllr Steward Ec Dev	EDS Difference in JSA claimants compared to East of England (COG)	Compares the number of Job Seeker Allowance claimants in Norfolk to the total in the East of England.
Cllr Steward Ec Dev	EDS Job vacancies notified to Jobcentre Plus (COG)	Monitors the number of job vacancies in Norfolk. For Jobcentre Plus vacancies our target relates to the 5 year average because this is as long as the time series allows. So we are comparing this year's in-month result with the average of the past 5 year's results from the same month.
Cllr Borrett E&W	E&W Biodegradable waste landfilled against allowance (COG)	Monitors the amount of biodegradable waste that is landfilled in the month against the government set landfill allowance.
Cllr Borrett E&W	E&W Residual waste landfilled	Tonnage of waste that was sent to landfill in each month.
Cllr Borrett E&W	E&W Recycling Centre rates	Percentage of material recycled at the household waste recycling centres each month.
Cllr Borrett E&W	E&W No. of people accessing & downloading online national trails info	Monthly count of people accessing online information relating to Norfolk national trails.

 Managing resources		
P'folio	Measure	Definition
Managing the budget		
All	Projected budget spend against revenue budget	Projected amount of budget spend against ETD revenue budget as a variance each month
All	Projected spend against profiled capital budget	Projected amount of budget spend against ETD capital budget as a variance each month
All	ETD efficiency savings	<p>Monthly efficiency savings generated. This includes a summary of budget savings achieved against Big Conversation proposals and two specific efficiency areas:</p> <ul style="list-style-type: none"> • Use of residual LPSA reward grant funding to support public transport • Reallocation of Officer to LEP duties • This measure will capture any savings being recorded with the exception of procurement efficiency, income generation activity and asset / accommodation rationalisation.
All	Premises related costs per FTE	Annual measure of FTE actuals against actual spend for all costs coded to premises subjectives. Work is underway to develop departmental level information.

P'folio	Measure	Definition
Cllr Plant P&T	H'Ways Strategic partnership (Financial savings – projection of year-end)	Financial savings for the renegotiated NSP contract. The monthly figure is a projection of the year-end result.
Sustainability		
All	ETD Energy (fossil fuels) consumption (<i>CO2 emissions</i>)	Norfolk County Council Carbon Dioxide Emissions. This measure currently relates to property only.
Organisational productivity		
All	Sickness absence	Sickness absence per employee FTE measured against an internal target.
All	Reportable Incidents	Number of reportable Health and Safety incidents per 1,000 employees per month.
All	Non-reportable Incidents	Number of non-reportable Health and Safety incidents per 1,000 employees per month.
All	Staff resourcing (composite indicator)	<p>This is a composite indicator made up of the following elements supplied centrally, the RAG is determined by the HR Business Partner as a reflection of progress against the relevant measures below:</p> <ul style="list-style-type: none"> • Recruitment activity/costs, • Redeployment activity, • Redundancy, • liP Accreditation, • HR Direct resolution rate, • Use of temporary & agency staff, • Management of Change, • Culture Change Shifts
All	Corporate level risks	Risks from the Corporate Risk Register that are relevant to ETD.

 Outcomes for Norfolk People		
P'folio	Measure	Definition
People's view on Council services		
All	Satisfaction with services (through annual tracker survey)	Satisfaction levels from NCC Annual Tracker Survey
All	Complaints	Figure is a composite measure calculated centrally by the Customer Service and Communications Dept. team. Currently this includes Proportion of complaints resolved before formal process and % Ombudsman complaints

P'folio	Measure	Definition
		upheld.
Accessing the council including advice and signposting services		
All	Quality and effectiveness of customer access channels	This is a composite measure supplied monthly by the central Customer Service and Communications Dept. The measure contains the ETD element of three main areas of customer contact – online, customer service centre and face to face.
Services to improve outcomes		
Cllr Dixon Community Protection	PP Percentage of businesses brought to broad compliance with trading standards, focusing on those that are high-risk	Measurement of businesses that Trading Standards work with to bring into broad compliance with relevant law.
Cllr Dixon Community Protection	PP Percentage of disputes resolved through advice and intervention	Measurement of Trading Standards dispute resolution service.
Cllr Steward Ec Dev and Cllr Plant P&T	[A] EDS Net additional homes provided	Measures house completions. The formal result will be updated annually, but not until Dec/Jan. A quarterly update will be provided based on the managed delivery target or trajectory for the district LDFs
Cllr Steward Ec Dev	[A] EDS Proportion of pop. aged 16-64 qualified to Level 3 or higher	Related to former National Indicator 164. People are counted as being qualified to level 3 or above if they have achieved either at least 2 A-levels grades A-E, 4 A/S levels graded A-E, or any equivalent (or higher) qualification in the Qualifications and Credit Framework.
Cllr Steward Ec Dev	[A] EDS Median earnings of employees in the area	Formerly National Indicator 166. Measurement of earnings allows local authorities to monitor a rough proxy for productivity.
Cllr Steward Ec Dev	[A] EDS Proportion of new businesses to business stock	Annual measure to determine creation of new businesses.
Cllr Plant P&T	TTS % of tracked bus services 'on time' at intermediate timing points	Former National Indicator 178. Monitors monthly bus punctuality by tracking vehicles against their schedule.
Cllr Plant P&T	[Q] TTS % of planning apps determined in line with NCC advice	Monitors planning determinations made by the district councils and whether the recommendation of NCC, as Highway Authority, was followed.
Cllr Plant P&T Cllr Steward Ec Dev	[Q] EDS Accessibility	This is based upon former National Indicator 175. This indicator monitors access to core services and facilities via public transport.

P'folio	Measure	Definition
Cllr Plant P&T	H'ways Number of people killed or seriously injured on roads (COG)	This is a rolling twelve month total of those killed or seriously injured in traffic collisions.
All	All Progress in delivery of service plans	These provide a summation of progress against all the actions within each service area and an overall result for the ETD department.

Key:

Unless prefixed by either a **[Q]** or **[A]** (representing Quarterly or Annually respectively) each measure is monitored monthly.

H'ways = Highways **TTS** = Travel and Transport Services **EDS** = Economic Development and Strategy **PP** = Public Protection
E&W = Environment and Waste

Norfolk Economic Intelligence Report

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The data in this report is taken from a range of sources which are listed on the relevant pages and covers the whole of Norfolk. In most cases data refers to the most recent full quarter, however where this is not available and data is older it will be clearly stated.

This is an abbreviated version of our quarterly economic intelligence report prepared for the business community. If you want to read more, including information on individual business, sectors and inward investment please contact Jenn Fuller or Ellen Jones for the full version

SUMMARY

Key Indicators

Business Confidence	→
National Economy	↓
Business Start Ups	↑
Unemployment	↓
Earnings	→
House Prices	↓

Quarter 3 has seen some positive results for business growth with some job creation taking place, however retail and manufacturing are both still suffering from the effects of the economic downturn. Innovation and exporting are two strong themes to emerge from the quarter with food companies in particular growing through innovation. The health and life sciences sector also continues to benefit from this strategy, putting it in a competitive place for emerging opportunities from government. Significant opportunities also remain in the energy sector through nuclear and wind projects; however key decisions on investment are delayed until government completes its energy market reform. Benefits to local businesses will undoubtedly result once these key decisions are made.

In terms of statistical releases, there is a somewhat mixed picture in terms of the state of the economy. Recent economic output figures have shown that the national economy shrank in quarter 3 but unemployment figures have seen some improvement over the same period. Business start-ups improved in 2011 and while earnings have improved over the past year Norfolk's position relative to the national picture has remained broadly consistent. Finally, house prices have fallen both in Norfolk and in England and Wales over the past quarter but are higher now than they were a year ago.

SECTORAL ACTIVITY INVOLVING NORFOLK COUNTY COUNCIL¹

Energy

During December 2013, Norfolk County Council met with the Shanghai SME Group to discuss ways we can promote businesses from the east of England in Shanghai, to encourage trade links. The visit follows on from the east of England trade mission to Jiangsu, China in March 2012, where Norfolk County Council signed a Memorandum of Understanding with the Shanghai SME Group, to encourage trade links. In the New Year we will be contributing to the Shanghai SME Group's quarterly newsletter, which will be distributed to over 360,000 SME's in China.

Inward Investment priorities for the next quarter include promotion to local businesses of the upcoming [trade mission to China for May 2013](#). Norfolk, Suffolk and Essex County Councils are arranging a trade mission to China 13th - 17th May 2013, for businesses in the Energy and Energy Efficiency Sectors.

GENERAL ECONOMIC INFORMATION

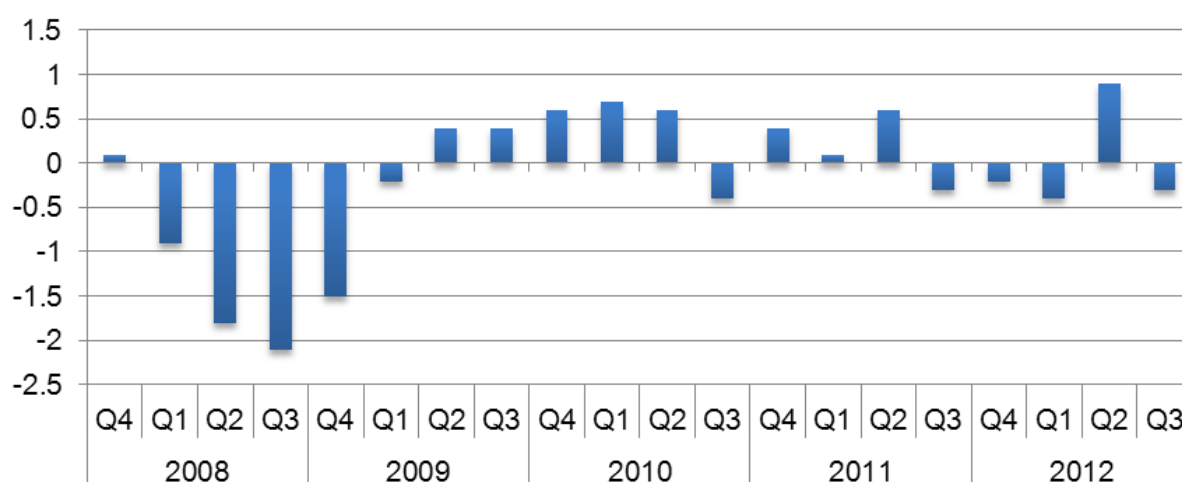
National Economic Information

Preliminary results from the period between September and December suggest that the UK economy shrank by 0.3% over the period. Output of the production industries was estimated to have decreased by 1.8% while the construction sector was estimated to have increased by 0.3%. Over the same period the service industries sector was estimated to have remained flat. Overall GDP was estimated to have been flat in Q4 2012, when compared with Q4 2011.

Interest rates have been at a record low of 0.5% since March 2009. By keeping interest rates low the Bank of England hopes to encourage growth.

The Retail Price Index (RPI) currently stands at 3.1% while the Consumer Price Index (CPI) currently stands at 2.7%. Inflation has come down significantly since September 2011 but is still higher than the Government's target of 2%.

¹ Sources taken from Norfolk County Council, Eastern Daily Press, Hethel Engineering Centre and Labour Market Intelligence. Photos courtesy of edp24

Fig. 1 – quarterly GDP growth rate (UK)

House Prices²

The Land Registry's House Price Index (HPI) is the most accurate independent house price index available and is the only index based on repeat sales.

Figures from December 2012 show that house prices fell by 0.3% in England and Wales in the past quarter but rose 1.7% over the past year. In comparison house prices fell by 0.8% in Norfolk in the past quarter but rose 0.9% over the past year.

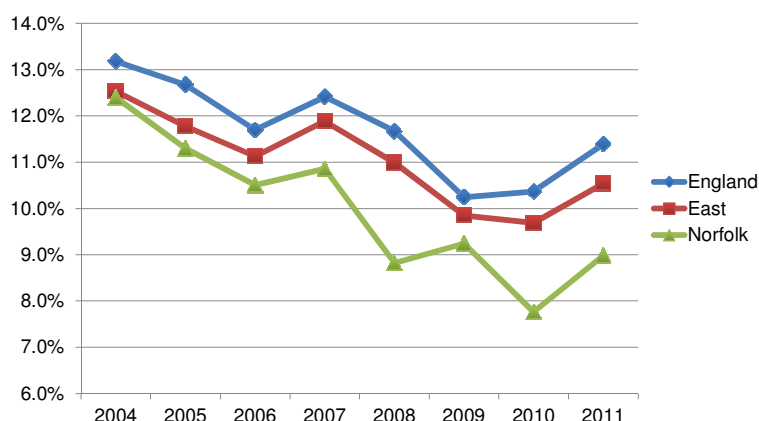
The average house price in Norfolk currently stands at £144,742 compared to £162,080 for England and Wales.

BUSINESS START UPS

In 2011, there were 2,720 new business start-ups in Norfolk, up 17% on 2010. The rate of business start-ups to active enterprises was 9.0%, up from 7.8% in 2010. By comparison the business start-up rate in the East was 10.5% and in England 11.4%.

Relative to 2011 there has been a 20% decrease in the annual number of business start-ups in Norfolk compared with a decrease of 10% at the regional level and only 6% nationally. The Economic Growth Strategy seeks to improve business start-ups in the County by working with partners to build on already successful initiatives such as Outset Norfolk and encourage new enterprise through Great Yarmouth and Lowestoft's Enterprise Zone and the expansion of Hethel Engineering Centre to name but a few.

² HPI, HM Land Registry, Crown copyright release 29 January 2013

Fig. 2 – business start-up rate as a proportion of all active businesses

In 2011 there were 2,955 business closures in Norfolk, a rate of 9.8% and higher than the number of new business start-ups. By comparison there was a regional business closure rate of 9.6% and an England rate of 9.9%. Typically Norfolk has observed a lower business closure rate than that of either the East or England but between 2010 and 2011 an increase in closure rate was observed in the County whereas regionally and nationally rates fell. However, businesses in Norfolk continue to have a better long-term rate of survival over three years (62.7%) than regional (59.7%) and national averages (58.0%) so despite having a relatively low business start-up rate, longevity of business is better in Norfolk than in either the East or England.

Funded by Norfolk County Council, Enterprise Norfolk is a collaboration with 6 district councils to target people wanting to start up a business but need extra help and advice to do so. The aim is to create 150 new sustainable businesses over two years and £200,000 a year is being made available. Funding is also being used to enable a business reference guide called COBRA to be available at all Norfolk libraries, free of charge. The online encyclopaedia and reference resource provides business facts and start up guides.

THE LABOUR MARKET

Employment and Unemployment

Employment³

Most recent data on employment shows that there were 399,400 people of working age in employment in the County in the year to September 2012. 9,800 more people were in employment during this period than the year to June 2012 and 14,400 more people are in employment now than they were a year ago.

Rates of employment in the County stood at 75.0% in the year to September 2012. The equivalent rate in the NALEP area was 76.1%. However, Norfolk's employment rate in this period was higher than both that of the East (74.3%) and England (70.7%).

Employment rates in Norfolk have improved more since the year to June 2012 than they have in the New Anglia Local Enterprise Partnership (NALEP) area, the East or England. When the most recent employment rates are compared with the same period last year it shows that while Norfolk has improved to a lesser extent than the NALEP area it has outperformed both the East and England. Indeed rates in Norfolk are now higher than they are in the region.

Table 1 – employment September 2011 – September 2012

	Working age population			
	Norfolk	NALEP	East	England
Employment Rate	75.0%	76.1%	74.3%	70.7%
Change on last quarter	1.8%	0.7%	0.2%	0.3%
Change on last year	2.5%	2.8%	0.8%	0.6%
Numbers employed	399,400	739,800	2,757,400	23,852,500
Change on last quarter	9,800	7,300	6,500	104,900
Change on last year	14,400	28,800	41,500	236,700

Unemployment⁴

In the year to September 2012 25,200 people of working age were unemployed in Norfolk. This compares favourably with both figures from the previous quarter (4,000 fewer people of working age) and the same period last year (10,300 fewer people).

Most recent figures show that rates of unemployment stood at 5.9% in Norfolk for the year to September 2012. This compares with rates in the NALEP area of 6.4%, the East of 7.1% and England 8.1%. Rates have fallen in Norfolk over the past year faster than in any of the comparator areas. Indeed, rates in the East and England have actually observed an increase over the period, indicating that Norfolk has improved its position over the past year in terms of unemployment when compared with the NALEP area, the East and England. Rates in Norfolk have also fallen since the year to June 2012 whereas in the other areas rates have remained more stable with the East actually observing a slight rise over the same period.

³ Annual Population Survey

⁴ Annual Population Survey and Claimant Count

Table 2 – unemployment and economic inactivity (July 2011 – June 2012) and claimant count (September 2012)

	Norfolk	Working age population		England
		NALEP	East	
Unemployment rate	5.9%	6.4%	7.1%	8.1%
Change on last quarter	-1.1%	-0.1%	0.3%	-0.1%
Change on last year	-2.5%	-0.5%	0.3%	0.1%
Claimant Count rate	3.3%	3.1%	2.9%	3.6%
Change on last quarter	0.1%	0.0%	-0.1%	-0.1%
Change on last year	-0.1%	-0.1%	-0.2%	-0.2%
Numbers unemployed	25,200	50,300	209,500	2,094,300
Change on last quarter	-4,000	-600	7,500	-31,500
Change on last year	-10,300	-2,700	12,700	41,900
Claimant Count	17,569	30,466	109,273	1,248,667
Change on last quarter	634	199	-2,622	-25,624
Change on last year	-405	-1,130	-4,942	-45,223

In December 2012 there were 17,569 people (3.3%) claiming Jobseekers Allowance (JSA) in the County. This figure was 634 more people than it was in September 2012 but 405 fewer than it was in December 2011. The fact that more people are currently claiming JSA in Norfolk than they were in September is broadly in line with seasonal variations but the fact that numbers have fallen

Rates in Norfolk were marginally higher in December 2012 (3.3%) than in the NALEP area (3.1%), somewhat higher than they were in the East (2.9%) but lower than the national figure (3.6%). Rates have remained broadly consistent over all comparator areas over the past quarter and the last year.

Youth unemployment⁵

Of the 25,200 people classed as unemployed in Norfolk in the year to September 2012, 10,400 were aged between 16 and 24 (16.3% of all those aged 16-24). This compares with rates of 18.0% in the NALEP area, 18.8% in the East and 20.9% in England. Youth unemployment rates have steadily risen nationally since the onset of the economic crisis but over the past year this rise has stabilised somewhat. Indeed, claimant count data shows that the proportion of all people claiming JSA who are aged between 18 and 24 has fallen over the past year.

⁵ Annual Population Survey

ETD Service Plans 2013/14

Report by the Director of Environment, Transport and Development

Summary

Overview and Scrutiny Panel members will recall that reports in November and January gave an initial view of service and budget planning for 2013/14. This report covers the next stage of delivery through the draft 2013/14 ETD service plans.

Members will note that activity identified within service plans has been largely restricted to 2013/14 in recognition of the Council being almost at the end of the second year of its three year programme of work. This also reflects the level of uncertainty around future planning until outcomes from Enterprising Norfolk and future funding levels under the next Comprehensive Spending Review are known.

The department's priorities have remained largely consistent. Priorities are based upon findings from the Strategic Review of ETD's services, which continue to form the basis of ETD's contribution towards the Norfolk Forward transformation programme and delivery of financial savings as a result of the Big Conversation.

The department remains flexible and responsive to new challenges. Projects such as managing future development of the former RAF Coltishall site, a new strategic partnership for provision of Highways and related services and working with partners to improve the local economy are all key areas of focus for the coming year and beyond reflected in service plans.

The service plan attached as Appendix A is the Public Protection draft service plan which brings together Trading Standards activities with Emergency Planning and Minerals and Waste. This is included to illustrate the approach to service plans. Also, as Trading Standards activities form part of the Council's Policy Framework, Overview and Scrutiny Panel members are asked to consider and comment on pages 15 to 17 within this plan and its Appendices 1 and 2 which cover statutory duties under 'The Food and Feed Law Enforcement Plan (Appendix 1)' and 'The Enforcement of Age Restricted Sales Plan (Appendix 2)' and recommend it to Cabinet prior to full Council.

The remaining service plans are available within the Members room and on Members Insight, or in hard copy by request.

Action Required

- Overview and Scrutiny Panel members are invited to review ETD draft Service Plans and to consider any service areas for further scrutiny and monitoring.
- Overview and Scrutiny Panel members are asked as a key decision to consider and comment on pages 15 to 17 and Appendices 1 and 2 of the Public Protection draft service plan which covers Trading Standards activities and recommend these to Cabinet prior to Full Council.

1. **Background**

- 1.1. Overview and Scrutiny Panel Members will recall that reports in November and January gave an initial view of service and budget planning for 2013/14. This report covers the next stage of delivery through the draft 2013/14 ETD service plans. A copy of the Public Protection draft service plan is attached as Appendix A of this report. The remaining service plans are available within the Members room and on Members Insight or in hard copy by request.

2. **Changes for 2013/14**

- 2.1. Service plans are continuing to follow the Single Planning Process resulting in simpler more streamlined plans. It is important to note that activity within service plans has been largely restricted to 2013/14 instead of the normal three year or medium term horizon. This reflects the current funding position with the Council almost at the end of the second year of its three year programme of work to deliver savings to meet Government's planned budget reductions. This also reflects the level of uncertainty around future planning until outcomes from Enterprising Norfolk and future funding levels under the next Comprehensive Spending Review are known.
- 2.2. Although priorities have remained consistent the department remains flexible and responsive to new challenges. Projects such as managing future development of the former RAF Coltishall site, a new strategic partnership for provision of Highways and related services and working with partners to improve the local economy are all key areas of focus for the coming year and beyond reflected in service plans.
- 2.3. Clearer links continue to be established between actions and budgets through services being asked to list where actions have been resourced from. Overview and Scrutiny Members will note that linking resources to actions has not been possible in all cases, however, this approach will be developed further and should be seen as the first step towards greater financial transparency.
- 2.4. Members will be familiar with ETD's performance dashboard which forms part of the performance framework agreed by Cabinet in May 2011. The dashboard complements the service plan by providing a snapshot of performance for the department using service priorities to provide an at a glance approach to performance.
- 2.5. The dashboard which can be found at the back of each plan, represents the appropriate 'cut' of measures for each individual service within the department. While the dashboard in its entirety gives an overview of performance for the department, service plans when seen together replicate a similar overview of performance in the form of activity rather than measures. The current Integrated Performance and Finance monitoring report including the ETD dashboard is covered elsewhere on this agenda.

3. **Key Decision - Trading Standards Activities**

- 3.1. The Public Protection draft service plan covers the majority of the County Council's regulatory / law enforcement functions, covering Trading Standards, Civil Parking,

Planning Services and Resilience. The service plan has been developed using analysis of information that reflects the issues and problems people and business face, ensuring that the service is unique and focused on the needs of Norfolk citizens. This includes providing part of the 'national shield' addressing both national issues that affect Norfolk and the impact of Norfolk businesses nationally.

- 3.2. Trading Standards' core function is to protect consumers and businesses from rogue traders and detrimental trading practices. This helps to support economic growth and well being, especially in small businesses, by ensuring a fair, responsible and competitive trading environment. Trading Standards also has an important role in ensuring a safe, healthy and sustainable food chain through animal welfare, disease control and food safety. The service ensures that goods are safe and contributes to helping people to live healthier lives by preventing ill health and harm and promoting public health.
- 3.3. Trading Standards statutory duties are identified under the constitution, and must therefore be reported to Full Council. In order to fulfil these requirements under the constitution Overview and Scrutiny Panel member's attention is drawn to:
 - The Food and Feed Law Enforcement Plan (Appendix 1)
 - The Enforcement of Age Restricted Sales Plan (Appendix 2)

The Food and Feed Law Enforcement Plan is a statutory plan required by the Food Standards Agency; the Enforcement of Age Restricted Sales Plan enables the County Council to discharge its statutory duty to consider and review annually its enforcement of the Children and Young Persons (Protection from Tobacco) Act 1991.

Overview and Scrutiny Panel members are asked to consider and comment on Trading Standards activities held on pages 15 to 17 within the Public Protection draft service plan and recommend it to Cabinet prior to Full Council.

4. **Risks / Pressures**

- 4.1. Risks against achieving service objectives have been identified within the appropriate service plan. Some of the risks identified are carried forward from the 2012/15 service plans where applicable. A follow on exercise will be carried out by the central Risk and Insurance team to review and develop the ETD risk register in light of risks identified where appropriate.

5. **Resource Implications**

5.1. **Finance:**

Issues are addressed within the draft Service Plans and were reported to November and January Overview and Scrutiny Panels.

5.2. **Staff:**

Issues are addressed within draft Service Plans

5.3. **Property:**

- 5.4. Issues are addressed within draft Service Plans
IT:

6. Issues are addressed within draft Service Plans
Other Implications

- 6.1. **Legal Implications:**

Legal implications are considered throughout the service and budget planning process.

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

This report provides summary performance information on a wide range of activities monitored by Environment, Transport and Development Overview & Scrutiny Panel. Many of these activities have a potential impact on residents or staff from one or more protected groups. Where this is the case, an equality assessment has been undertaken as part of the project planning process to identify any issues relevant to service planning or commissioning. This enables the Council to pay due regard to the need to eliminate unlawful discrimination, promote equality of opportunity and foster good relations.

Details of equality assessments are available from the project lead for the relevant area of work, or alternatively, please contact the Planning, Performance & Partnerships team.

- 6.3. **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.

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

- 7.1. The implications of Trading Standards activities within the Public Protection draft Service Plan in relation to their impact on crime and disorder reduction have been considered. The Trading Standards service has an important core role in dealing with crime and disorder. The continued improvement to the Trading Standards service, in a way that meets both local and national priorities, is key to ensuring the continued positive impact the service has.

8. **Risk Implications/Assessment**

- 8.1. Relevant risks and opportunities have been identified within the draft Service Plans.

9. **Alternative Options**

- 9.1. None

Action Required

- (i) Overview and Scrutiny Panel members are invited to review the 'suite' of ETD draft Service Plans and to consider any service areas for further scrutiny and monitoring.
- (ii) Overview and Scrutiny Panel members are asked as a key decision to consider and

comment on pages 15 to 17 and Appendices 1 and 2 of the Public Protection draft service plan which covers Trading Standards activities and recommend these to Cabinet prior to Full Council.

Background Papers

None

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 0344 800 8020 and ask for Bev Herron on 01603 228904 or textphone 0344 800 8011 and we will do our best to help.



Public Protection

Environment, Transport and Development

Service Plan 2013-14

David Collinson, Assistant Director

Signed:

 **Norfolk** County Council
@ your service

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1. Our service

Service profile

Our customers

All residents (consumers) and business are affected by our work. In addition, our work ensures that businesses operating in Norfolk comply with essential matters that impact on our county, the nation and the EU, through their trading.

Most of our customers benefit passively from our work in ensuring safe trading, community preparedness and the physical environment and in the work that we do preparing for, taking action and responding to incidents. However, where we do need to intervene directly, our customers are often vulnerable, including the young.

Our business customer profile ranges from the smallest to the largest in Norfolk, retailers to producers/manufacturers. Our interventions are all risk based, giving focus and support to the most vulnerable and highest risk.

What we deliver for Norfolk

The Public Protection group is responsible for the majority of the County Council's regulatory/law enforcement functions, covering Trading Standards, Civil Parking, Planning Services (land use planning policy formulation and its implementation with regard to minerals and waste and the County Council's own development), and Resilience (Emergency Planning and Business Continuity).

These services are universal, protecting and helping everybody who lives, works in or visits Norfolk. Outcomes are about protecting the economic interests, safety and health of the people of Norfolk and Norfolk's environment.

Trading Standards:

Trading Standards' core function is to protect our consumers and businesses from rogue traders and detrimental trading practices, and support economic growth and well being, especially in small businesses, by ensuring a fair, responsible and competitive trading environment. Trading Standards also has an important role in ensuring a safe, healthy and sustainable food chain through animal welfare, disease control and food safety and standards. The service ensures that goods are safe and contributes to helping people to live healthier lives by preventing ill health and harm and promoting public health.

Key activities include:

- Investigating illegal or unfair trading practices affecting consumers and honest business
- Conducting targeted inspection programmes, focusing on those businesses and issues presenting the highest risk to consumers, to check compliance in relation to trading standards, food and animal health legislation
- Sampling, testing and checking goods and services, such as food, electrical goods and contract terms for description and safety
- Reducing harm and anti social behaviour by tackling underage sales of goods such as alcohol and tobacco
- Assisting older and/or vulnerable people to live independent lives by helping them avoid disreputable traders

- Providing a metrological calibration and verification service for businesses
- Providing information and advice to support businesses to achieve compliance with legal requirements
- Providing information and advice to help consumers understand trading standards law, to avoid problems and scams and enable the resolution of disputes between consumers and businesses.

Planning Services:

We produce the statutory policy framework that ensures that the county has sufficient waste management facilities and minerals to meet its current and future needs.

We ensure that mineral extraction and associated development and waste management development proposals meet local and national policy, including the County's vision of being a leader in waste minimisation, maximising the diversion of waste from landfill and enhancing Norfolk's biodiversity. We do this by providing advice to developers and ensuring planning conditions are followed and unlawful developments are tackled, monitoring issued planning permissions and where appropriate discharging conditions.

Key activities include:

- Developing the strategic framework for the allocation of specific sites for mineral extraction and waste management facilities.
- Determining planning applications for minerals sites, waste management facilities and the County Council's own development, eg schools, fire stations, libraries.
- Defending appeals to the Planning Inspectorate where planning permission is refused
- Determining applications to discharge planning conditions
- Processing applications for Certificates of Lawful Use
- Processing applications for Listed Building Consent
- Providing screening and scoping opinions with regard to the EIA Regulations
- Proactively inspecting sites subject to planning permissions issued by the County Council
- Taking enforcement action including the issuing of enforcement notices, breach of condition notices and stop notices, including defending appeals to the Planning Inspectorate and the courts.
- Surveying the quantities of minerals extracted and waste managed within the county.

Resilience:

The Resilience Team supports the County Council and Breckland Council in their duty in preparing for and managing incidents/emergencies affecting the services delivered by the Council to ensure continued service delivery. We lead on work with partners, business and communities in the preparedness for and management of major emergencies/incidents, and subsequent recovery.

Key activities include:

- Co-operation with other agencies
Actively engage with other emergency planning agencies across Norfolk via the Norfolk Resilience Forum (NRF) at strategic, tactical and working group level to manage/facilitate joint planning, training and exercises.
- Information sharing
Actively assist in the management with partners, in the delivery of training

and awareness events to delivery partners and statutory bodies to develop skills, knowledge and share best practice in Emergency and Business Continuity Management.

- Risk assessment
Assist in the development of Community Risk assessments to inform the Norfolk communities and emergency planning partners, to inform the work of the service, partners and communities.
- Business Continuity management
Work with all NCC departments and Breckland Council (as part of shared service) to support Business Continuity Management.
- Business and community preparedness
Provide advice, support and assistance to the Business and Voluntary/Faith Sector Organisations, including Town and Parish Councils and engage with the community about the risks existing in Norfolk and support them to develop appropriate arrangements to deal with or minimise incidents.

Civil Parking:

- Implementation of civil parking enforcement across Norfolk including on-street and back-office functions. This has replaced the Police Traffic Warden Service.
- Delegation and management of parking enforcement function across the county (excluding City of Norwich) to Great Yarmouth, King's Lynn and West Norfolk and South Norfolk Councils through a Joint Committee.
- Introduction of measures to improve the long term sustainability of the civil parking enforcement service following the adopted Parking Principles and Norfolk Parking Partnership Parking Management Scheme Guidelines.

Our people

A workforce plan is currently being put together based upon the current and future work requirements of NCC. This plan will determine how the workforce including its skills base will meet current and future priorities for service delivery.

Our partners

Strategic partners:

- Consumer Support Network (CSN)
- County Community Safety Partnership (CCSP)
- Citizens Advice (CA)
- East of England Trading Standards Authorities (EETSA)
- New Anglia Local Enterprise Partnership (LEP)
- Mott MacDonald
- Norfolk Association of Local Councils (NALC)
- Norfolk Health & Wellbeing Board (NHWB)
- Norfolk Resilience Forum (NRF)
- Category 1 Responders, including the Emergency Services and Local Authorities.

National regulators, including:

- Department for Business, Innovation and Skills (BIS)
- Department for Environment, Food and Rural Affairs (DEFRA)
- Environment Agency (EA)
- Food Standards Agency (FSA)
- Health and Safety Executive (HSE)
- Home Office (HO)

- Office of Fair Trading (OFT)
- National Trading Standards Board (NTSB) (including National Trading Standards e-Crime Centre, Scambusters, England Illegal Money Lending Team)
- Competition and Markets Authority (CMA)
- Maritime and Coastguard Agency (MCA)
- Serious Organised Crime Agency (SOCA)
- Traffic Penalty Tribunal (TPT)
- Department for Communities and Local Government (DCLG)
- Cabinet Office (CO)

National and regional health and defence agencies, including:

- Public Health England
- East of England Ambulance Service NHS Trust
- Department of Health (DH)
- The Military
- NHS Norfolk and Waveney
- Smoke Free Norfolk Alliance

Statutory consultees, including:

- Natural England
- Environment Agency (EA)
- English Heritage
- Sport England
- Local Highway Authority and Highways Agency
- Local Planning Authorities

Category 2 Responders as defined in the Civil Contingencies Act 2004. They include such agencies as:

- Gas and electricity generators and distributors
- Fixed and mobile telecommunications providers
- Water and sewerage undertakers
- A range of transport companies

In addition the NRF has developed extensive stakeholder arrangements with many diverse groups across the county, in addition to the voluntary and faith sectors.

Our budget

Our total budget for 2013/14, including staff and cost of services is £ ####

Where we work

All Public Protection services are delivered on a countywide basis. The Resilience Team is also involved in the delivery of some national services, for example the DEFRA led East Coast Flood Inundation Group, (a nationally identified threat). Trading Standards works closely with regional and national services on cross-border issues affecting Norfolk.

Service review

How we are performing including key risks and key drivers for our service

Trading Standards

We have continued to support innovative measures to support and protect people from being victims of rogue traders, including expansion of our No Cold Calling Zones, Trusted Trader/Trusted Business and Community Alcohol Action Partnership schemes. We continue to review our use of resources to ensure we can continue to tackle high risk activities that impact on the economy and people's health. Just mass market scams (eg emails and letter drops) are estimated to cost Norfolk people £50M per annum and this is one example of our targeted educational work which successfully engages more Norfolk people each year, helping people avoid being victims. Norfolk has remained free for a number of years from the devastating effects of animal disease amongst our herds (amongst the largest in the UK) due to our planning and work with the farming community on bio-security.

The economic downturn presents a significant risk with criminal activity affecting honest business and devastating consumers' lives. We will work to engage even better with business and communities to help them help themselves by increasing the use of self-help information and ensuring that we focus our resources on the greatest risks to our economy and health. Working better with others (locally and nationally) will be a key to our success and we are contributing to national leadership on how we better join up service delivery for the benefit of Norfolk people.

The emerging Public Health and Wellbeing System, focusing on:

- Promoting healthy lifestyles
- Supporting people to live independently
- Promoting good mental health and wellbeing
- Giving every child the best start

will draw heavily on the important work we do on tobacco control and ensuring/promoting healthy food as well as our crime and disorder activity which affects well-being. The Government's National Regulatory Outcomes which provide a framework for the national Trading Standards activities closely reflect our existing priorities due to regular local assessment and will require no significant refocus. These are:

- Support economic growth, especially in small businesses, by ensuring a fair, responsible and competitive trading environment
- Protect the environment for future generations
- Improve quality of life and wellbeing by ensuring clean and safe neighbourhoods
- Help people to live healthier lives by preventing ill health and harm and promoting public health
- Ensure a safe, healthy and sustainable food chain for the benefits of consumers and the rural economy.

The threat assessment and control strategy for Trading Standards' work picking up local threats will mean the following areas will be a key focus (for further explanation see footnotes at end of Section 2):

- Mass marketing scams ⁽¹⁾
- Doorstep crime ⁽²⁾
- Intellectual property crime ⁽³⁾
- Community health issues (false food claims and fraud, tobacco control, alcohol sales) ⁽⁴⁾

- Animal disease control and farming ⁽⁵⁾
- Protecting economic interests of consumers and businesses
- Internet crime and confidence in e-shopping ⁽⁶⁾

In setting out its consumer protection review, the Coalition Government has made it very clear that the future is to be built on the twin pillars of Citizens Advice and Trading Standards Services. Trading Standards has always had a strong and effective relationship with Citizens Advice and will continue to build upon this. Key elements will be in reviewing the effectiveness of the newly implemented Citizens Advice helpline (previously Consumer Direct) and the development of the delivery model alongside the National Trading Standards Board.

We are required by the Food Standards Agency and the Home Office respectively to provide and review our plans to deal with Food Law enforcement and our control strategy for tobacco.

This information is annexed to this plan as the Food and Feed Law Enforcement Plan (FFLEP) and the Enforcement of Age Restricted Sales (EARS) plan.

Footnotes:

1. Mass market scams (eg mail drops/emails) are estimated to cost Norfolk people £50million per annum.
2. A method of trade worth of £2billion in the UK. 7% of adults have felt unfairly pressured to buy from home maintenance salesmen.
3. Best estimates suggest this crime is worth £1.5billion per annum in the UK.
4. Dioxin food contamination incident cost the Irish economy approx €1billion. 100,000 people die of smoking related disease per annum in the UK, being the biggest preventable cause of death and the NHS spends more than £2.7billion per annum on treatment. 80% of smokers start before 18yrs. Smoking just one cigarette in childhood doubles the likelihood of take up by age 17.
5. Potential for significant food manufacture, agricultural and tourism impact, with these sectors accounting for 20% of employment in Norfolk. Foot and Mouth in 2001 cost more than £8billion to the UK economy. Norfolk has one of the largest overall animal herds in the UK. Norfolk accounts for 54% of all livestock in the East of England. Norfolk is the second-largest grain/vegetable producer in the UK.
6. E-shopping now accounts for approximately 10% of all spending in the UK. Cyber-crime is estimated to cost UK business £21billion per year.

Planning Services

Following the successful adoption of the Norfolk Minerals and Waste Core Strategy, which supports the future framework for the allocation of mineral extraction and waste management facilities over the next fifteen years, the adoption of the Minerals and Waste Site Specific Allocations Development Plan documents is expected to be considered by the Secretary of State this year and will give significant certainty to residents and developers over the future use of sites across Norfolk.

Improving our opportunity for influencing developers on sustainable development and helping applicants to 'get it right first time' will continue to be a focus of our improvement work. We will achieve this by providing advice at key points in the development process such as through playing an active role in the Norfolk School Build Model (baseline approach). Raising charges for discretionary activities will enable effective use of

resources to support developers even further and offer additional services and we will be developing this during the year in readiness.

Particular priorities will include significant infrastructure developments for waste management and mineral extraction and associated development and continue our successful work in safeguarding the environment from unlawful activities, taking enforcement action when expedient to do so.

Resilience

The Resilience Team in its revised format continues to focus on maintaining emergency preparedness for the community of Norfolk including key infrastructure and ensuring successful internal Business continuity management arrangements are in place.

Our leadership role in the essential partnership arrangements, principally via the NRF, to protect Norfolk remains critical and we have maintained very successful arrangements and joint working with both statutory bodies and the voluntary sector. As well as working closely with all authorities in Norfolk, we deliver with Breckland Council their Resilience function, creating efficiencies for both Councils along with improved coordination. Developing further our engagement with businesses and the community will be a particular ongoing focus, encouraging and helping people to take the necessary steps to be prepared for incidents that could affect their lives, well-being or property. ⁽¹⁾ ⁽²⁾

We have a very well developed programme for reviewing and planning for 'Controls on Major Accident Hazards', Pipeline and Major Accident Control Regulations and this will always be a high priority to maintain.

The continued use of the Business Continuity Framework through an agreed action plan managed by the Business Continuity Management Board will help to ensure that the Authority can maintain critical services in the event of disruption.

Footnotes:

1. The risk of flooding could potentially affect over 50,000 properties in Norfolk.
2. 80% of businesses that suffer a major incident and don't have any form of contingency planning never re-open or close within 18 months.

Civil Parking

With the introduction of a Civil Parking Area across the whole of Norfolk in 2011, we successfully implemented Civil Parking Enforcement, replacing the Police Traffic Warden Service.

Although the function is the responsibility of the County Council, we agreed and implemented delegated arrangements with District partners, making the best use of synergies with existing car parking control measures by District Councils.

Parking controls are essential to protect or facilitate the use of our roads but can often be controversial. We are developing future parking control measures to support the economy and local communities. People wish to see parking controls consistently and fairly enforced for the benefit of all and we will be developing an approach to ensure future schemes are transparent, and balance the sometimes competing needs of different parts of the community.

Key to this will be close working with District partners via the governance of the new Joint Norfolk Parking Partnership Committee which will oversee future parking implementation on the streets of Norfolk.

Business Continuity (being reviewed by Lindsey Spinks for updating)

Public Protection have taken a number of steps to increase the resilience of services.

There are a number of key activities which will be focused on in this period:

- A review will be completed of our out-of-hours service, in order to enhance and improve arrangements.
- Work Area Recovery arrangements for Public Protection functions have been reviewed and will be tested.

2. Our priorities

Our service priorities for the next 3 years

Like all NCC's services, we focus on those that will make the biggest difference to the citizens of Norfolk. Although much of our work is driven by our legal responsibilities, the way we go about these is determined by priorities identified by our intelligence systems, ensuring that we address local and national issues. In carrying out our regulatory activities we look carefully at what the law is trying to achieve and ensure we apply the law appropriately and proportionately to meet important outcomes for people and business. As well as our reactive work, protecting the citizens of Norfolk, we recognise that preventative measures, ensuring business compliance on core matters and helping the public avoid problems, is key to health, safety and economic prosperity.

A particular focus for this Service Plan are the following priorities:

Trading Standards:

- Rogue trading
- Alcohol and tobacco control, affecting public health and antisocial behaviour
- Mass marketing scams aimed at consumers and business
- Unsafe goods
- Food safety/standards – particularly food production
- Animal disease control measures
- E-crime

Planning Services:

- Major infrastructure applications
- Examination and adoption of the Minerals and Waste Site Specific Allocations Development Plan Documents (part of the Norfolk Minerals and Waste Local Development Framework)
- Review of fees and charges; local validation list
- Development of a Sustainable Drainage Approval Regime
- Implementation of Pre application charging and Planning Performance Agreement Regimes

Resilience:

- Review and use Community Risk Register to inform service delivery
- Review and testing programme of COMAH (Control of Major Hazards), Pipeline and Major Accident Control Regulations plans
- Business Continuity management programme
- Community/business resilience (engagement) support (eg coastal flood risk)

Civil Parking:

- Management of implementation plans and policy application
- Implementation of model for sustainable application of Civil Parking Enforcement

All services within the Public Protection Group will be reviewing how we continue to support customers by making information easier to access, understand and relevant to their needs. We will prioritise interventions on those areas of greatest need while ensuring access to quality information is available to all.

How our priorities help to deliver the County Council's 3 Strategic Ambitions

A vibrant, strong and sustainable economy

Trading Standards: A key objective of the Trading Standards Service is to support economic growth, especially in small businesses, by ensuring a fair, responsible and competitive trading environment. This promotes consumer confidence, which businesses depend upon, and reduces opportunities for black market trading, which affects honest business and impacts on the overall growth of the UK.

Planning Services: Sufficient minerals resources and waste management capacity are essential infrastructure needs for an economically successful county. Good quality forward planning will ensure that the county has sufficient facilities in the most appropriate locations while effective development control and monitoring will ensure that the impact is minimised and environmental benefits such as restoration are realised.

Resilience: The enhancement of resilience across the Authority and throughout Norfolk will help to provide a vibrant, strong and sustainable community should an emergency occur, such as an East Coast Flood, which would have an impact on a wide community within Norfolk. Preparedness and resilience assists in the Health and Well Being of our community before, during and after an incident/emergency.

Civil Parking: The enforcement of parking controls improves accessibility which helps to sustain a vibrant and strong economy across Norfolk.

Aspirational people with high levels of achievement

Trading Standards: A key element of Trading Standards' work is in empowering consumers and businesses to be informed, confident and successful. This includes through the provision of consumer support and information, helping to avoid problems such as scams, or by providing businesses with advice and support to help improve current and future compliance with trading standards. Educational achievement is strongly linked to health, and alcohol and tobacco misuse has a significant effect on both.

Planning Services: High quality design in educational facilities is recognised as making a significant contribution to delivering good quality education and appropriate controls ensure that new development meets local requirements/policy, safeguarding the Norfolk environment.

An inspirational place with a clear sense of identity

Trading Standards: Norfolk is an area of low crime, and detrimental and criminal activities will not be tolerated. As part of a wider review of our work we are strengthening responses to locality issues, and diversifying our activity according to requirements emerging from the Localism Bill. Working with key partners, the service will ensure that it continues to support improvements to neighbourhood issues such as those relating to local anti-social behaviour. We will also continue to support and develop interventions that support wider community safety and public health, such as community based 'No Cold Calling Zones', and through initiatives that support a reduction in underage sales of alcohol, tobacco and other products to young people.

Planning Services: Norfolk prides itself on providing a quality environment for its people by directing development to the most appropriate locations, steering it away from inappropriate ones. By driving up quality the planning service can ensure that Norfolk's environment is protected for current and future generations.

How our priorities help to deliver the County Council's 6 core roles

Speaking up for Norfolk

- Representing Norfolk's interests on the East of England Aggregates Working Party and the East of England Waste Technical Advisory Body
- Leading on representing Norfolk's and the regions interests in national consumer protection
- Influence on flood preparedness/response via East Coast Flood Forum

Assessing and commissioning

- Safety net for ensuring the effective delivery of commissioned services are protected by trading laws

Economic infrastructure

- Protecting our consumer and business community from rogue traders and detrimental trading practices, ensuring a fair, responsible and competitive trading environment
- Protecting the farming industry from disease and contamination impact
- Providing a specialist metrological calibration and verification service for businesses
- Providing information and advice to support businesses to achieve legal compliance and preparedness for incidents
- Providing resilience activity to help a speedy recovery from a major incident/emergency
- Ensuring that developers have local access to the minerals and waste management infrastructure (including sewage treatment works) necessary for communities to grow

Safety net for vulnerable people

- Assisting older and/or vulnerable people to live independent lives by helping them avoid disreputable traders
- Reducing harm and anti social behaviour by tackling underage sales of goods such as alcohol and tobacco
- Providing information and advice to help consumers understand trading standards law, to avoid problems and scams and enable the resolution of disputes between consumers and businesses
- Provide resilience support for the vulnerable at the time of and prior to a major incident/emergency

Signposting to services

- Directing our more confident citizens and businesses to self-help via our web information

Enabling communities

- Consumer Champions, Trusted Trader/Business schemes
- Community Alcohol Partnerships
- No Cold Calling Zones
- Local community business and emergency plans, including household preparedness

3. Our budget

The budget for this service

Our total budget for 2013/14, including staff and cost of services, is £####

For a summary of our service budget – see the following links:

[Medium Term Financial Plan](#) – this plan sets out the Council's financial strategy and planned allocation of resources at a department level over the next three years, including agreed changes to resources and the reasons for these (in the case of additional resources) or the actions to reduce costs/achieve savings (in the case of reductions in resources). All components of the plan are agreed by Members during the planning process or in the case of the budget itself by County Council in February.

[Budget Book](#) – The detailed budget book provides a summary of budget information, for easy reference. It more clearly helps answer questions about how the £600m is allocated across the Council's services and how the budget is spent (i.e. is the service mainly provided in-house with high proportion of staff costs or predominately commissioned externally). It can be used by members and managers to identify further questions/areas for analysis about spend and efficiency.

Budget savings

The following shows known budget savings relevant to the service. Throughout this plan, any actions that will contribute to the delivery of these budget savings will be identified by the budget saving reference (i.e. [C4])

Budget saving reference	Description	Savings required		
		2012/13	2013/14	2014/15
H8	Increased income from Planning Services	£10,000		
H6	Civil Parking Enforcement	£50,000	£200,000	
E13	Planning Service	£100,000	£300,000	
E9	Management savings in Public Protection services		£100,000	
E10	Streamline Public Protection through better joint working	£87,000		
E16	Re-shape and reduce Trading Standards activities for consumers and businesses	£225,000		

4. Delivering our priorities

This section includes detail of actions that the service will deliver in order to meet its priorities. Actions will contribute to delivery of priorities through various delivery mechanisms split into the following: Norfolk Forward (our Transformation and Efficiency programme), Commissioning activity, Change Management or Service Delivery. Activities may encompass several of these mechanisms as part of their general approach. The following template includes provision to identify which delivery mechanism(s) each activity will employ.

Key	Norfolk Forward [NF]	Service Delivery [SD]
	Commissioning Activity [CA]	Continuous Improvement [CI]

Service Objective	Empower and protect consumers and businesses						
Lead	David Collinson, Assistant Director Public Protection						
Risks to achieving this objective	<p>Failure to properly exercise powers or comply with statutory time constraints could lead to failure of enforcement action, including prosecutions with subsequent financial loss/reputational risk.</p> <p>In the event of a major animal disease outbreak resources would have to be diverted to enable an adequate response, thus preventing the Trading Standards and Resilience teams from delivering the full range of services expected.</p>						
Action	Milestones	Delivery mechanism				Owner	Level funded from
		[NF]	[CA]	[SD]	[CI]		
Protect consumers and businesses by responding to fraudulent, illegal and unfair trading practices.				✓		Catherine Girvan Team Manager (Legal Process)	Business/ Consumer Operations [£####]
Ensuring fair and safe trading of goods and services, through a programme of intelligence-led market surveillance and enforcement activities to monitor and improve business compliance and consumer protection				✓		Jon Peddle Team Manager (Inspection & Compliance)	Business Operations [£####]

Engagement with and the provision of business information, advice and support to achieve compliance, particularly to small businesses	We will utilise the most effective channels to engage with Black and Minority Ethnic (BAME) businesses in Norfolk, offering advice and support, to assist with the understanding of trading standards legislation and further economic prosperity			✓		Jon Peddle Team Manager (Inspection & Compliance)	Business Operations [£####]
Support vulnerable people through the provision of consumer advice, information and intervention to help them avoid problems/scams and enable the resolution of disputes between consumers and businesses. Provide signposting and information to support consumers to deal with problems				✓		Alice Barnes Team Manager (Advice & Compliance)	Consumer Operations [£####]
Provision of legal and commercial metrological calibration and verification services to businesses				✓		Adrian Chapman Team Manager (Metrology Services)	Business Operations [£####]
Improve community safety and public health by: <ul style="list-style-type: none"> Tackling the supply of alcohol, tobacco and other age restricted products to young people and the supply of illicit tobacco and alcohol, and Supporting vulnerable people by addressing rogue trading 				✓		Maureen Cleall Team Manager (Community Safety & Investigations)	Consumer Operations [£####]

Ensure the standards of animal health and welfare and reduce the risk of animal disease outbreaks, associated disruption and associated risks to public health				✓		Brian Chatten Team Manager (Farming)	Business Operations [£####]
Ensure the standards, quality, safety and hygiene of animal feeds and agricultural fertilisers				✓		Brian Chatten Team Manager (Farming)	Business Operations [£####]
Ensure the standards, quality, safety and hygiene of food and promoting healthy eating				✓		Jon Peddle Team Manager (Inspection & Compliance)	Business Operations [£####]
Continue to encourage our more confident consumers and businesses to self-help via our web information/assisted information	Channel shift of consumers and businesses accessing information and advice by end March 2014	✓			✓	Alice Barnes Team Manager (Advice & Compliance)	Consumer Operations [£####]

Service Objective	Ensure developments meet local and national policies and safeguard the environment and communities						
Lead	David Collinson, Assistant Director Public Protection						
Risks to achieving this objective	Competing objectives of high quality design and sustainability will be harder to achieve with decreasing budgets for future schemes.						
Action	Milestones	Delivery mechanism				Owner	Level funded from
		[NF]	[CA]	[SD]	[CI]		
Scrutinise and determine planning applications for minerals, waste and County Council's own development including associated screening/scoping opinions, Discharge of Conditions applications, appeals where permission has been refused and inquiries relating to Pre-application advice, informal/ PD enquiries and responding to general consultations.				✓		Principal Planners	Planning Services [£####]
Production of strategic development plan documents and supporting evidence	<ul style="list-style-type: none"> Support the examination of the Minerals and Waste Site Specific Allocations DPDs through the public 			✓		Caroline Jeffery Principal	Planning Services [£####]

	hearings. • Adoption of Minerals and Waste Site Specific Allocations DPDs by Full Council					Planner (Planning & Policy)	
Proactive site monitoring regime and to ensure that breaches of planning control have an appropriate enforcement response.	• All site inspections are carried out to the agreed frequency • Implementation of routine reporting regime for all customers and members.			✓		John Bailey Principal Planner (Monitoring)	Planning Services [£####]
Develop a sustainable drainage approval regime	• Regime for major schemes ready for implantation by April 2014				✓	Nick Johnson Planning Services Manager	Planning Services [£####]

Service Objective	Ensure services and communities are prepared for and resilient to incidents/emergencies.						
Lead	David Collinson, Assistant Director Public Protection						
Risks to achieving this objective	<p>Effective engagement of internal and external partners and communities is required to ensure planning and ownership is robust.</p> <p>Loss of core infrastructure or resources for a significant period could impact on delivery of critical services</p>						
Action	Milestones	Delivery mechanism				Owner	Level funded from
		[NF]	[CA]	[SD]	[CI]		
Participation in the Norfolk Resilience Forum (NRF) Community Risk Register Group to identify risks to Norfolk.	<ul style="list-style-type: none"> To deliver appropriate preparedness and response arrangements for Norfolk County Council in line with identified needs. To actively engage in the production and review of the NCC elements of NRF plans proportionate to the identified risks or legislation, in line with the plan review schedule. To produce and/or review Control of Major Accident Hazard (COMAH), Major Accident Control Regulation (MACR) and Pipeline Regulation Plans as legally required by the Authority. 			✓	✓	John Ellis Resilience Manager	Resilience [£####]

Engage with and implement the Norfolk Resilience Forum Business Plan.	<ul style="list-style-type: none"> The delivery of the NCC elements of the NRF Business Plan according to the plan time line 			✓	✓	John Ellis Resilience Manager	Resilience [£####]
Implement the NCC Business Continuity Framework.	<ul style="list-style-type: none"> Agreement of Business Continuity Programme with COG. To ensure the Business Continuity priorities are implemented/updated. 			✓	✓	Lindsey Spinks Principal Resilience Officer	Resilience [£####]
Implement a Community Engagement Strategy to assist communities to identify risks within their area and encourage them to help themselves, by producing Community Emergency Plans	<ul style="list-style-type: none"> Engage with key community stakeholders to promote activities, such as the production of Community Emergency, Household, Personal and Business Continuity Plans. To work with NRF Partners to update and promote the NRF website To review, update and promote the NCC and NORMIT websites. Promote production and/or improvements to communities at risk of coastal flooding resilience plans. 	✓		✓	✓	Sarah Alcock Principal Resilience Officer	Resilience [£####]
To develop and agree Corporate Work area Recovery arrangements with critical service areas.	<ul style="list-style-type: none"> To document invocation procedures. To complete a test of the Corporate WAR site. To ensure departments are aware of arrangements. 			✓	✓	Lindsey Spinks Principal Resilience Officer	Resilience [£####]
Liaise with other organisations across Norfolk to manage/facilitate joint training and exercising.	<ul style="list-style-type: none"> Delivery of, or assist in the delivery of, Training Events Delivery of, or assist in the delivery of, Exercises 			✓	✓	Sarah Alcock Principal Resilience Officer	Resilience [£####]

Engage with Norfolk Local Authority partners to assist in influencing Resilience activities	<ul style="list-style-type: none"> Agree actions with District Resilience leads to help promote inter Local Authority resilience working. 	✓			✓	John Ellis Resilience Manager	Resilience [£####]
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Service Objective	Improve journey reliability						
Lead	David Collinson, Assistant Director Public Protection						
Risks to achieving this objective	Negotiations and consultations with stakeholders, including Local Councils, to introduce measures to improve the financial sustainability of civil parking enforcement do not proceed according to programme						
Action	Milestones	Delivery mechanism				Owner	Level funded from
		[NF]	[CA]	[SD]	[CI]		
Develop proposals for sustainable on-street pay and display parking at suitable locations across Norfolk	<ul style="list-style-type: none"> Draft proposals for consultation by 30 June 2013 Public consultation on proposition by 31 August 2013 Advertisement of proposals by 31 October 2013 Detailed design of proposal by 28 February 2014 Scheme implementation commence by 31 March 2014 			✓	✓	Chris Kutesko Special Projects Manager	CPE Rev Surplus [£####]

ETD performance dashboard (reflecting measures applicable to Public Protection only)

Delivering Norfolk Forward	Managing our resources
<div>Overall assessment of ETD Transformation and Efficiency Programme</div> <div>Programmes</div> <div>ETD process improvements</div> <div>ETD Workstyle related improvements</div> <div>Highways Service Delivery</div> <div>Implementations of Flood and Water Mgt Act requirements in relation to SuDS</div> <div>Improving ETD Customer Service</div> <div>Joint working with Suffolk County Council & through Eastern Highways Alliance</div> <div>Management of Gypsy & Traveller Permanent Sites</div> <div>Norwich Northern Distributor Road</div> <div>Reduce subsidy for Park and Ride</div> <div>Shared Transport</div> <div>Targeted Rights of Way</div> <div>Thetford Household Waste Recycling Centre</div> <div>Waste Private Finance Initiative</div> <div>Waste Procurement & Joint Working</div>	<div>Managing the budget</div> <div>Projected budget spend against revenue budget</div> <div>Projected spend against profiled capital budget</div> <div>ETD efficiency savings</div> <div>H'Ways Strategic partnership (Financial savings – projection of year-end)</div> <div>[A] Premises related costs per FTE [ETD]</div> <div>Sustainability</div> <div>[A] ETD Energy (fossil fuels) consumption</div> <div>Organisational productivity</div> <div>Sickness absence – projection of year end</div> <div>Staff resourcing (composite indicator)</div> <div>Reportable Incidents (per 1000 FTE)</div> <div>Non Reportable Incidents (per 1000 FTE)</div> <div>Corporate level risks (progress against mitigation)</div> <div>Failure to divert waste from landfill</div> <div>Failure to implement NNDR and the Postwick Hub junction improvements</div> <div>Loss of core infrastructure or resources for a significant period</div> <div>Failure to comply with Landfill Allowance</div>
Service performance	Outcomes for Norfolk people
<div>PP Corporate risk reduction through implementation of Business Continuity programme</div> <div>PP Percentage of County Council's own development determined within agreed timescales</div> <div>TTS The number of journeys made using demand responsive/community transport as a proportion of all subsidised bus services (COG)</div> <div>TTS Number of journeys shared between health and social care</div> <div>H'Ways Highway Maintenance Indicator (COG)</div> <div>H'Ways Strategic Partnership (Quality of Works)</div> <div>H'Ways County Council's own highway works promoter performance – Section 74 'fine' comparison with other works promoters in Norfolk</div> <div>EDS Difference in Job Seeker Allowance (JSA) claimants compared to East of England (COG)</div> <div>EDS Jobcentre Plus notified vacancies (COG)</div> <div>E&W Percentage of bio-degradable waste landfilled against allowance (COG)</div> <div>E&W Residual waste landfilled</div> <div>E&W Recycling Centre rates</div> <div>E&W No. people accessing & downloading online national trails info</div>	<div>People's view on Council services</div> <div>Satisfaction with services (through annual tracker survey)</div> <div>Satisfaction with the way in which we handle customer complaints</div> <div>Accessing the council including advice and signposting services</div> <div>Quality and effectiveness of customer access channels</div> <div>Services to improve outcomes</div> <div>H'ways Number of people killed or seriously injured on roads (COG)</div> <div>PP Percentage of businesses brought to broad compliance with trading standards</div> <div>PP Percentage of disputes resolved through advice and intervention</div> <div>TTS % of tracked bus services 'on time' at intermediate timing points</div> <div>[Q] TTS % of planning apps determined in line with NCC advice</div> <div>[Q] EDS Net additional homes provided</div> <div>[Q] EDS Accessibility</div> <div>[A] EDS Proportion of pop. aged 16-64 qualified to Level 3 or higher</div> <div>[A] EDS Median earnings of employees in the area</div> <div>[A] EDS Proportion of new businesses to business stock</div>
<div>This is the ETD departmental dashboard, reflecting the priority measures determined by ETD's management team and Members. Those measures shown in grey are not relevant to this service. Some of the measures highlighted demonstrate departmental wide performance on issues such as people and financial management and are therefore applicable to all services within ETD.</div>	<div>Progress in delivery of service plans</div> <div>Environment, Transport & Development (Overall) (COG)</div> <div>Economic Development and Strategy</div> <div>Environment and Waste</div> <div>Highways</div> <div>Public Protection</div> <div>Travel and Transport Services</div>

Full List of Performance Measures relevant to the Public Protection 2013/15 Service Plan

Performance Measure	2013/14 Value (target)	Service Objective (if required)
Trading Standards		
Percentage of rogue and most detrimental businesses brought to compliance	85%	
Percentage of businesses brought to broad compliance with trading standards	94%	
Percentage of disputes resolved through advice and intervention	90%	
Customer satisfaction with Trading Standards services	90	
Increase in awareness by businesses of trading standards responsibilities	78	
Increase in consumer confidence	81	
Channel shift of consumers and business accessing information and advice	82%	
Planning Services		
Percentage of applications submitted with an environmental statement determined within agreed timescales (between the developer and the planning authority)	90	
Percentage of applications for mineral and waste development determined within agreed timescales (between the developer and the planning authority)	90	
Percentage of County Council's own development determined within agreed timescales	90	
Percentage of programmed monitoring visits undertaken	90	
Resilience		
Increased community awareness of emergency procedures		
Corporate risk reduction through implementation of BC programme		
Increased confidence in incident management		



Norfolk County Council

**Norfolk County Council
Trading Standards Service**

**Food & Feed Law Enforcement Plan
2013/2014**

**Produced in accordance with the requirements of the
Food Standards Agency Framework Agreement**



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

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The Food Standards Agency (FSA) Framework Agreement requires Food & Feed Law Enforcement Plans to be laid out in a common format but recognises that, as local authorities may have corporate service plan templates, they may use the corporate format as long as the information requirements laid out in the Agreement guidance are included and are separately identifiable. Therefore wherever possible this Annex makes reference to the applicable sections of the Public Protection Service Plan 2013-2014 rather than replicating the information it contains.

Section One: Trading Standards Service Aims and Objectives

1.1 Aims and Objectives

The Trading Standards Service objective to empower and protect consumers and businesses is set out in the “Delivering our priorities” section of the Public Protection Service Plan 2013-14.

1.2 Links to Corporate Strategic Ambitions

The linkages to corporate strategic ambitions and core role are described in the “Our priorities” section of the Public Protection Service Plan 2013-14.

Section Two: Background

2.1 Profile of the Local Authority

The Service profile of the Public Protection Service is set out in the “Our service” section of the Public Protection Service Plan 2013-14.

The Trading Standards Service reports, via the Assistant Director of Public Protection, to the Director of Environment, Transport and Development.

The Trading Standards Service is delivered from two offices, County Hall in Norwich and Priory House in King's Lynn, and is structured into the following teams:

- Advice & Compliance
- Community Safety & Investigations
- Inspection & Compliance
- Farming
- Metrology Services
- Legal

The Council has 84 elected Members. The Conservative group took control in June 2001 and retained control in June 2009. They hold 59 council seats, Liberal Democrats 9, the Green Party 6, Labour 5, UKIP 1, Independent Liberal Democrat 1, Independent 1 and Non-aligned 1 (with one current vacancy).

The Director of Environment, Transport and Development reports to the Environment, Transport and Development Overview & Scrutiny Panel, which can review and scrutinise any decisions made or action taken and assist the Cabinet member in making recommendations to Cabinet.

The Panel is represented at Cabinet by Councillor Nigel Dixon, Cabinet Member for Community Protection, Conservative Councillor for Hoveton and Stalham.
email: nigel.dixon@norfolk.gov.uk

2.2 Organisational Structure

Food and feed law enforcement is primarily the responsibility of the Business Operations Unit, headed by:

Mrs Sophie Leney
Trading Standards Manager
Email: sophie.leney@norfolk.gov.uk
Tel: (01603) 224275

The Inspection and Compliance Team, managed by Jon Peddle, is responsible for:

- Delivering targeted proactive business information and advice to support food businesses to comply with trading standards,
- Providing food business information, advice and support on request,
- Acting as 'home/primary authority' for Norfolk based food businesses,
- Delivering enforcement projects, including inspections at food premises and sampling of food, in relation to consumer safety, health improvement and economic prosperity and to tackle the top consumer food concerns in Norfolk, and
- Dealing with food safety incidents, complaints, referrals and requests for specialist consumer advice relating to food.

The Farming Team, managed by Brian Chatten, is responsible for:

- Delivering targeted proactive business information and advice to support animal feed businesses to comply with trading standards,
- Providing feed business information, advice and support on request,
- Acting as 'home/primary authority' for Norfolk based animal feed businesses,
- Delivering enforcement projects in relation to animal feed safety, composition, hygiene and labelling, including carrying out inspections at agricultural premises and sampling of animal feed,
- Delivering enforcement projects in relation to food hygiene at primary production level, and
- Dealing with feed safety incidents, complaints, referrals and requests for specialist consumer advice relating to animal feed.

The Community Safety and Investigations Team, managed by Maureen Cleall, is responsible for:

- Investigating and resolving food complaints made by consumers and businesses to improve business compliance and consumer redress, and
- Conducting proactive food investigations (criminal and civil) and approaches for food relating to prolific offending; complaints relating to the most persistent/detrimental traders.

The Authority has contracted with Public Analyst Scientific Services Ltd (PASS) to provide the public analyst and agriculture analyst for the County.

2.3 Scope of the Feed and Food Service

The Norfolk Trading Standards Service delivers a range of food and feed law enforcement services. Specific functions are:

- Programmed inspections at high-risk premises
- Targeted enforcement activities
- Inspections and other enforcement activities arising from complaints and referrals
- Sampling of food and animal feed for analysis and/or examination as part of EU, national, regional and local programmes
- Responding to referrals from enforcement partners such as the British Cattle Movement Service and the Meat Hygiene Service
- Resolution of complaints
- 'Home/Primary Authority' responsibilities
- Responding to food and feed safety incidents
- Provision of information, advice and support for businesses
- Publicity including public awareness campaigns
- Working in partnership with the Food Standards Agency; the Department of the Environment, Food and Rural Affairs; the Department of Health; the other ten local Trading Standards authorities in the East of England; the seven District Council Environmental Health Departments in Norfolk; and the Meat Hygiene Service.

The food and feed law enforcement service is delivered exclusively by officers employed by the County Council, alongside other similar services, for example, the inspection of weighing and measuring equipment.

2.4 Demands on the Feed and Food Service

There are 79 high-risk, 1572 medium-risk and 4779 low-risk food premises recorded on the Trading Standards Services database.

There are 5610 agriculture premises recorded, 20 of which are high-risk, 2443 medium-risk and 3147 low-risk.

The number of agriculture premises at which Trading Standards has a statutory enforcement duty has exponentially increased since 2006 as a direct result of legislation relating to feed hygiene and food hygiene at primary production level. The service is continuing to capture and manage the storage of the data relating to these premises in order to ensure its accuracy. All such premises are risk rated accordingly and for premises relating to food hygiene at primary production this risk rating process takes into account membership of farm assurance schemes. Those that are members of a recognised scheme and who are broadly compliant are designated low risk with an inspection frequency of once every 50 years. It is necessary for the Service to access membership data via Assured Food Standards (AFS) in order to undertake the risk rating

There are a number of large food manufacturers in Norfolk, together with some large food packers that are contracted to provide fresh vegetables to the main supermarket chains. There are also a number of smaller businesses, which include butchers, bakers and sandwich manufacturers. Retailers tend to be concentrated into fewer large multiple outlets. There are a number of caterers, which include restaurants, hotels and guesthouses. The County also has a number of animal feed manufacturers as well as on-farm mixers. A significant percentage of the companies that the Trading Standards Service has a 'home/primary authority' relationship with are within the food and agriculture sectors.

The food and feed law enforcement service is delivered from the Trading Standards Service's two offices at County Hall in Norwich and Priory House, King's Lynn.

2.5 Enforcement Policy

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) and the Environment Transport and Development Enforcement Policy has been implemented, having regard to the established legal framework for decision-making, the Code for Crown Prosecutors (CPS); the "Enforcement Concordat" (promoting consistency in the regulatory enforcement regime) and the "Regulators' Compliance Code" five Principles of Good Regulation.

Section Three: Service Delivery

3.1 Food and Animal Feed Premises Inspections (Interventions)

The Trading Standards Service reviews its policy in relation to inspections (interventions) at business premises on an annual basis in accordance with the principles of better regulation, the Food Law Code of Practice (England) and the Feed Law Enforcement Code of Practice (Great Britain). As a consequence the Service will inspect all businesses in Norfolk that are deemed to be high-risk by virtue of the previous trading history or the appropriate risk scheme, on at least an annual basis. In addition, intelligence-led inspections or other interventions will be conducted at those business sectors presenting the highest risk to the food chain and consumers/other legitimate businesses. It will also be appropriate, on occasion, to respond with inspections or other interventions where consumer/trader complaints or referrals from other enforcement agencies are received about the non-compliance with trading standards of individual businesses. In line with Hampton principles and the resources available the service will not therefore, as a matter of routine, carry out inspections at medium or low risk food or feed businesses unless they are visited as a result of the aforementioned factors.

The Service has assessed the value of carrying out unannounced inspection as opposed to announced inspection. It has concluded that, where intelligence shows a business could be highly likely to be non compliant, an unannounced inspection will take place. In all other cases the officer will seek to undertake their inspection at a mutually convenient time to the business and the officer in order to maximise the resource benefit of such inspections for both the business and the service. The timeframe in which the inspection is arranged will be minimised and will, in the normal course of events, not exceed 14 days.

In order to engage with low and medium risk feed premises in 2013/14 the Farming Team will carry out other enforcement activities with such premises in the form of a self assessment questionnaire and targeted business advice.

The food inspection programme covers 100% of high-risk food premises and the animal feed inspection project covers 100% of high-risk agriculture premises. The type and number of premises to be inspected are detailed below.

.Project Name	Project Description/Outcomes	Staffing/Other Resources*	
		2012/13	2013/14
Inspection of High-Risk Agricultural Businesses	To inspect 20 high-risk agriculture businesses, eg feed mills, fertiliser manufacturers, importers and selected farms in conjunction with Animal Health and the Animal Medicines Inspectorate. To ensure compliance in relation to feed and fertiliser labelling/packaging, stock rotation/storage, feed hygiene, record keeping/traceability and sale or use of prohibited materials.	0.20 FTE	0.20 FTE
		(including revisits/ follow-up action)	
Inspection of High-Risk Businesses (Non-Farming)	To carry out inspections at 79 premises identified as high risk for food, fair-trading and safety, to ensure business compliance.	1.90 FTE	2.00 FTE
		(including revisits/ follow-up action)	
*Excluding managerial, administrative and legal support			

The Service also plans to address the following enforcement areas:

Project Name	Project Description/Outcomes	Staffing/Other Resources*	
		2012/13	2013/14
Feed Hygiene	To assist businesses to comply with the feed hygiene requirements	0.20 FTE	0.20 FTE
Food Hygiene at Primary Production	To assist businesses to comply with the food hygiene requirements and therefore improve food hygiene further along the food chain.	0.20 FTE	0.20 FTE
*Excluding managerial, administrative and legal support			

Food and animal feed inspections are carried out by suitably qualified and experienced trading standards officers. Some targeted enforcement activities are carried out by trainee trading standards officers, studying for the Diploma in Consumer Affairs and Trading Standards, adequately supervised by qualified staff.

Food/Feed Standards Inspections are carried out in accordance with the Food Law Code of Practice (England), the Feed Law Enforcement Code of Practice (Great Britain) and Operating Procedure 'Enforcement Visits to Businesses'. In addition officers are able to consult detailed guidance notes for Food Standards Inspections.

3.2 Food and Animal Feed Complaints

Food and animal feed complaints will be handled by virtue of the following projects. Anticipated resource requirements are based on the complaint/contact numbers received in previous service years, the nature of those complaints/contacts and the level of enforcement response required. The number of food complaints/contacts is anticipated to be 60 and the number of agriculture complaints/contacts is anticipated to be 350.

Project Name	Project Description/Outcomes	Staffing/Other Resources*	
		2012/13	2013/14
Farming Team Complaints	To undertake reactive enforcement in response to complaints from other enforcement agencies, businesses and the general public in relation to animal health and agriculture matters to ensure legal compliance. Analysis will be undertaken to identify further proactive work, identify trends and report on significant outcomes and impacts.	0.70 FTE	0.70 FTE
Managing Referrals (disputes and complaints)	To enable the resolution of disputes between consumers and businesses, meeting customer expectation and corporate customer care standards.	1.15 FTE	1.15 FTE
*Excluding managerial, administrative and legal support			

Food and animal feed complaints are dealt with in accordance with Work Instruction 'Food and Feedingstuffs Complaints'.

In addition to reactive complaints work, information and advice is made available to consumers. This is achieved through the provision of consumer information leaflets, provided by our staff or through the Council Information Centres and on-line information provided via our website www.norfolk.gov.uk/tradingstandards, which carries a link to the Citizens Advice Adviceguide website.

3.3 Home Authority Principle and Primary Authority Scheme

The Trading Standards Service has adopted the Home Authority Principle, administered by the Trading Standards Institute (TSI).

The Service will provide the following levels of service to Home Authority businesses:

- Place special emphasis on the control of goods and services originating within Norfolk
- Actively promote the benefits of the home authority system to businesses within Norfolk
- Designate a Home Authority Officer to each business, with the relevant competencies or access to the necessary expertise to be able to offer advice, and publish their name
- Respond to requests for advice and guidance from Home Authority businesses
- Facilitate a response to enquiries raised by other authorities
- Maintain records of relevant incidents, business policies and diligence procedures, where known, in Home Authority Files
- Maintain confidentiality in relevant circumstances
- Ensure Home Authority businesses are aware of our procedure for dealing with complaints or disagreements
- Have in place arrangements to notify other authorities of indulgences relevant to “subsequently corrected” errors
- Participate in relevant sector groupings of home authorities
- Support national advice and conciliation procedures, where appropriate

Home Authority businesses will be inspected / visited or otherwise contacted on at least an annual basis:

- As part of the inspection programme for high-risk businesses, or
- As part of the planned series of targeted enforcement activities, or
- As a result of a complaint/referral received, or
- To maintain the Home Authority relationship.

Currently, the Service has a Home or Originating Authority relationship with 135 food businesses and 17 animal feed manufacturers. A summary of these companies along with the relevant contact officer details is provided by the ‘Home Authority List’. In the 2013/14 service year, the Service anticipates receipt of 70 complaints/service requests relating to Home Authority food businesses and 25 complaints/service requests relating to Home Authority agriculture businesses. The resources required to handle these are included in Sections 3.2 and 3.4.

The Service’s ‘Home/Primary Authority’ work has been reviewed in light of the introduction by the Local Better Regulation Office (LBRO) of the Primary Authority Scheme, which came into force on 6 April 2009. Under the scheme, locally based, national businesses can apply to establish a primary authority relationship with the Service. The Service does not currently have any primary authority relationships.

3.4 Advice to Business

The Trading Standards Service works with businesses to help them to comply with trading standards and to encourage the use of good practice. This is achieved through the provision of proactive information and advice:

- During the course of inspections and other visits; or
- On-line via our website www.norfolk.gov.uk/tradingstandards, which carries links to Business Link, ERWIN (Everything Regulation, Whenever it's Needed) and the seven District Councils in Norfolk; or
- Via our Twitter account.

and, in response to service requests:

- The provision of leaflets produced by partner organisations, our business briefings or standard letters,
- The provision of bespoke information or advice via the telephone or a letter, or
- Visits to businesses to provide comprehensive advice.

In 2011/2012 the Service undertook a full review of all information and advice it provides to consumers and businesses. This was against a remit of, where possible, a channel shift to self service and assisted service for customers; with a greater emphasis on the provision of such information online. This work will continue in 2013/2014.

Food and animal feed service requests will be handled by virtue of the following projects. Anticipated resource requirements are based on the service request numbers received in previous service years, the nature of those service requests and the level of enforcement response required.

The number of food service requests is anticipated to be 168 and the number of agriculture service requests is anticipated to be 55.

Project Name	Project Description/Outcomes	Staffing/Other Resources*	
		2012/13	2013/14
Business Advice	To provide information and advice in relation to food in response to requests from businesses.	3.00 FTE	3.00 FTE
Farming Team Service Requests	To provide information and advice in relation to animal health and welfare, and agriculture (animal feed, feed hygiene, pet food, fertilisers) in response to requests from businesses. Analysis will be undertaken to identify further proactive work, identify trends and report on significant outcomes and impacts.	0.25 FTE ⁺	0.20 FTE ⁺
*Excluding managerial, administrative and legal support			
⁺ Provision in relation to agriculture only			

3.5 Food and Animal Feed Inspection and Sampling

The Trading Standards Service targets its proactive sampling at locally produced foods and animal feed, those products/ingredients from companies that manufacture in, are based in, or import into Norfolk. In line with a letter from the FSA (ENF/E/08/061) the Service is committed to ensuring that at least 10% of all food samples are of foods imported into the European Union.

In addition, foods/animal feed are targeted which are causing current concerns. These are identified through communication with the Food Standards Agency and the Department of the Environment, Food and Rural Affairs; through local, regional and national intelligence held by local authorities; and through consultation with the Public Analyst. The Service's sampling programmes therefore include projects run in conjunction with the Food Standards Agency, the Trading Standards Institute (TSI) and the East of England Trading Standards Association group of authorities (EETSA).

Listed overleaf are sampling surveys that will be carried out in 2013/2014. This list will be added to as, for example, intelligence identifies other food/animal feed that should be targeted.

All sampling undertaken by officers is in accordance with relevant legislation and all formal food and animal feed samples are taken in accordance with the Food Law Code of Practice (England) or Feed Law Enforcement Code of Practice (Great Britain) as applicable.

Samples are procured in accordance with the 'Sampling' Operating Procedure and established Work Instructions for both Food and Agriculture sampling.

Samples are analysed and/or examined by the Service's nominated Public/Agriculture Analyst in accordance with the procedures laid down in the Food Safety (Sampling and Qualifications) Regulations 1990, the Food Law Code of Practice (England) and the Feed Law Enforcement Code of Practice (Great Britain). Alternatively some samples are examined/tested in house, if it is appropriate to do so.

The Public/Agriculture Analysts appointed by the Authority are employed by Public Analyst Scientific Services Ltd (PASS).

Project Name	Project Description/Outcomes	Staffing/Other Resources*	
		2012/13	2013/14
Agricultural Sampling	To undertake animal feed and fertiliser sampling to ensure compliance in relation to composition, safety, hygiene and labelling.	0.80 FTE £16,840 Purchase and analysis costs	0.80 FTE £17,000 Purchase and analysis costs
<p>Surveys under the sampling project will include:</p> <ul style="list-style-type: none"> • Formal sampling of feed ingredients and additives • Informal sampling of carryover undesirable substances • Formal sampling of imported feeds/ingredients that have been the subject of feed hazard notifications • Ammonium nitrate samples (when notified) • Salmonella in feed materials • Feed materials which are the subject of a complaint to the Service • [Note: awaiting details of FSA sampling programme for 2013/14] 			
Food Safety, Healthier Locally Produced Food and Food for Health Programme	Targeting food sampling at areas identified as causing the most harm to consumers in terms of food safety, quality or nutritional standards	1.50 FTE £42,000 Purchase and analysis costs	1.50 FTE £42,000 Purchase and analysis costs
<p>Surveys under the sampling project will include:</p> <ul style="list-style-type: none"> • Sampling during the investigation of complaints • Sampling during the investigation of food fraud • Locally produced and locally imported foods • Foods imported from outside the EU as identified by Food Standards Agency priorities • Nutrition and health claims • Edible clay for heavy metals • Irradiated foods • Meat species • [Note: awaiting details of FSA sampling programme for 2013/14] 			
*Excluding managerial, administrative and legal support			

3.6 Control and Investigation of Outbreaks and Food Related Infectious Disease

Food poisoning notifications do not usually fall within the remit of the Trading Standards Service. If, however, the Service became aware of any incident of food poisoning or infectious disease, the facts would be reported to the appropriate authority in accordance with Work Instructions 'Food and Feedingstuffs Complaints' and 'Food Hazards'.

3.7 Food and Feed Safety Incidents

On receipt of any food or animal feed alert, the Trading Standards Service will respond as directed and as appropriate and in accordance with the Food Law Code of Practice (England), the Feed Law Enforcement Code of Practice (Great Britain) and Work Instruction 'Food Hazards'.

The FSA issues a "Product Withdrawal Information Notice" or a "Product Recall Information Notice" to let local authorities and consumers know about problems associated with the food. In some cases a "Foods Alert for Action" is issued which requires intervention action by enforcement authorities. 50 food alerts were issued by the FSA in 2012 (January to December), 10 of which were for action. The FSA also issued 73 allergy alerts.

During 2012/2013, as a result of sampling activity, the Service raised 11 food incident reports with the FSA. Six related to edible clay products with illegal levels of lead and arsenic, two related to undeclared irradiated foods, two related to Goji berries with illegal levels of sulphur dioxide and one related to a peanut product with illegal levels of aflatoxin.

The Farming Team will respond accordingly to feed alerts but these are far less frequent than food alerts. During 2012 (January to December) 2 feed alerts were issued by the FSA.

It is estimated that, for the coming service year, 0.1 FTE will be required for food/feed safety incident work.

In cases where the Service receives reports of chemical contamination of food and there is a subsequent threat to human health, it will liaise with the appropriate district council environmental health department, with a view to taking over responsibility for the case, or for undertaking a joint investigation, as the situation demands.

3.8 Liaison with Other Organisations

The Trading Standards Service works with a wide range of organisations, to varying degrees of formality, in carrying out its food and feed law enforcement function. These include the Food Standards Agency (FSA), the Department of Health (DH), the Department of Environment, Farming and Rural Affairs (DEFRA), Animal Medicines Inspectorate (AMI), the other ten local authority Trading Standards Services in the East of England (EETSA) and District Council Environmental Health Departments.

The Service maintains a strong commitment to the regional work of EETSA and officers from Norfolk chair both the EETSA Food Group and the EETSA Agriculture Group. Via quarterly meetings and a regional intranet, the Service aims to ensure that local food and feed enforcement activity is consistent with neighbouring authorities.

The Service participates in the national Food Focus Group facilitated by ACTSO.

The Service also ensures co-ordination with Environmental Health Departments, the Meat Hygiene Service and the Health Protection Agency through the Norfolk Food Liaison Group (NFLG) set up to co-ordinate activities as per the Food Law Code of Practice (England).

The estimated staffing resource to be allocated to liaison work during the year is 0.3 FTE.

3.9 Food and Animal Feed Safety and Standards Promotion

Food and animal feed safety and standards promotional work for the year is linked to events attended by the Service, to the results of our sampling and other enforcement projects, to any relevant prosecutions, and to information provided through leaflets/information displayed at points throughout the County. Such promotional work also includes regular press releases, locally, regionally and nationally.

Attendance at promotional events by the Service will be assessed considering the likely impact of the event, and the client groups and potential number of attendees. Events include attendance at the Royal Norfolk Show and The Spring Fling. The Service will also evaluate the effectiveness of its promotional work by using a questionnaire with those members of the public/businesses who have contact with us at such events.

Promotional work falls within the two projects detailed overleaf:

Project Name	Project Description/Outcomes	Staffing/Other Resources*	
		2012/13	2013/14
Business Engagement Programme	To increase awareness of business rights and obligations through the design and implementation of an effective business engagement programme. To develop and improve links with organisations that support businesses within Norfolk to increase access to business advice and information services and achieve efficiency savings by partnership delivery.	0.05 FTE ⁺	0.05 FTE ⁺
Consumer Engagement Programme	To raise awareness of consumer rights and routes to provide support and assistance through the continued development and innovation of our consumer engagement programme.	0.05 FTE ⁺	0.05 FTE ⁺
*Excluding managerial, administrative and legal support			
*Provision in relation to food and agriculture only			

Section Four: Resources

4.1 Financial Allocation

The total budget for the Trading Standards Service for 2013/2014 is £2,200,206. A breakdown of the Trading Standards budget is shown below:

	2012/13 Projected Outturn	2013/14 Estimate
Staffing	Total: £2,173,916 Food & Feed: : £422,217 (based on 10.55 FTE)	Total: £2,129,950 Food & Feed: £413,678 (based on 10.55 FTE)
Sampling budget (Food & agriculture purchase and analysis)	£58,840	£59,000
Subsistence/car allowances and travelling	Total: £58,065 Food & Feed: :£11,277 (based on 10.55 FTE)	Total: £60,800 Food & Feed: £11,809 (based on 10.55 FTE)
Please see note in relation to Food Standards Agency grants overleaf		

Note: In 2012/13 the Service received Food Standards Agency grants totalling £40,862 for:

- Food/feed primary production inspections = £8,310
- Feed hygiene inspections = £11,570
- Feed sampling for undesirable substances = £11,414
- Food sampling for heavy metals in edible clay, irradiated foods and allergens = £9,568

At the time of drafting this plan the Service is planning to apply for FSA grant funding for food and feed sampling to supplement the 2012/13 sampling budget.

The relative amounts allocated to food and feed law enforcement are based on the staff allocation breakdown given in Section 4.2.

The Food Standards Agency framework agreements and codes of practice require the Service to inspect all its feed and food business operators over a 5 year cycle. In addition to the inspection of all high risk businesses and other interventions detailed in this plan, the expectation is that all medium risk businesses will be inspected every 2 years and all low risk businesses every 5 years.

The Service has determined that, if it were to conduct the routine inspection programme detailed above, the following resource would have to be redeployed from other enforcement activities, such as fair trading, animal health & welfare or product safety work:

Feed Business Inspections:

- Medium risk 2.85 FTE
- Low risk 3.40 FTE

Food Business Inspections:

- Medium risk 2.05 FTE
- Low risk 4.95 FTE

However, mindful of the recommendations of the Hampton and Macdonald Reviews which state the Service should only carry out inspections of businesses where there is a clearly identified risk presented by that business, the Service will, as in previous years, conduct intelligence-led inspections or other interventions within those business sectors or at those food/feed business operators presenting the highest risk to the food chain and consumers/other legitimate businesses. A flexible approach to resourcing enables us to respond appropriately to incidents and our local approach to risk assessment and effective targeting of resources, rather than the conduct of a routine inspection programme, will provide the necessary protection to the County's food chain.

The Service continues to invest in modern ICT systems and provides its annual Local Authority Enforcement Monitoring System (LAEMS) return via a direct download to the FSA. Access to the Internet, to the APP Civica database and to other information systems is seen as a vital resource for operational staff. Currently the Service is implementing the use of the FSS UK iNet database for recording, managing and submitting food and feed sampling data; with the benefit of a £2,000 grant from the FSA.

All food and feed law enforcement officers have been issued with mobile telephones and digital cameras. All officers have been issued with laptop computers. The Service does not have an individual budget for ICT as such matters have now been transferred to Corporate Funding.

No fixed amount is set aside for legal costs with specific regard to food and feed law. However a general legal cost header is allocated to the budget, the forecast amount for 2013/2014 being £25,500.

4.2 Staffing Allocation

The current staffing allocation to food and feed enforcement has been calculated on the basis of the projects/activities described in Section 3 above and ongoing development work and is summarised below:

Plan Section	Project/Activity	FTE	
		2012/13	2013/14
3.1	Inspection of high-risk agriculture businesses	0.20	0.20
3.1	Inspection of high-risk businesses (non-farming)	1.90	2.00
3.1	Feed hygiene	0.20	0.20
3.1	Food hygiene at primary production	0.20	0.20
3.2	Farming Team complaints	0.70	0.70
3.2	Managing referrals (disputes and complaints)	1.15	1.15
3.4	Business advice	3.00	3.00
3.4	Farming Team service requests	0.25	0.20
3.5	Agricultural sampling	0.80	0.80
3.5	Food safety, healthier locally produced food and food for health programme	1.50	1.50
3.7	Food/feed alerts	0.10	0.10
3.8	Liaison	0.30	0.30
3.9	Business and consumer engagement programmes	0.10	0.10
	Market Fair	0.05	0.00
	Food & Feed Code of Practice improvement plan/compliance	0.10	0.10
	Total:	10.55	10.55

Given the structure of the organisation and the multifaceted teams that deliver food and feed work it is not possible, in quantifying the number of staff needed to deliver the service, to express such figures in terms of competency with reference to the relevant food and feed law codes of practice.

4.3 Staff Development Plan

The Service focuses on the needs of both specialist food and feed law enforcement officers and other staff in terms of their training and continuous professional development (CPD).

The current training arrangements are reflected in the Learning and Development Framework and Plan. The Service has invested in supporting a number of members of staff to study for the Diploma in Consumer Affairs and Trading Standards (DCATS).

Section Five: Quality Assessment

5.1 Quality Assessment and Internal Monitoring

The following arrangements will be used to assess the quality of the Authority's service:

- All procedures and work instructions relating to food and feed law enforcement are subject to established in-house quality improvements and auditing procedures which apply to the whole of the Trading Standards Service
- Evaluation surveys sent out to a sample of businesses following an inspection or request for advice
- Review of a random number of inspections, service requests and complaints by team manager
- Programme of peer review at inspection for food/feed officers. Areas of good practice and improvement are anonymised, collated and fed back to officers as a group
- Feedback at 1-2-1 meetings, mid year review and appraisal on individual performance
- Feedback at monthly team meetings

Section Six: Review

6.1 Review Against the Service Plan

The Service uses a performance measurement toolkit and database (PRISM) to report and review the following on a monthly basis:

- Project managers tasked with ensuring delivery of identified projects/activities enter a report which is viewed and given a progress status by a team manager
- The Service collates and reports against targets on identified Service outcome measures
- The Service also collates a report on the impact it has had on its stated Service Actions which include:
 - Ensure the standards, quality, safety and hygiene of animal feeds and agricultural fertilisers
 - Ensure the standards, quality, safety and hygiene of food and promote healthy eating

At bi-monthly intervals the Public Protection Management Team hold an Impact Performance Review meeting. The meeting includes recognition of any variance from target, the reasons for variance and any appropriate measures to be put in place to address such variance.

Information on specified performance targets and targeted outcomes is set out in the “ETD performance dashboard” section of the Public Protection Service Plan 2013-2014.

6.2 Identification of any Variation from the Service Plan

As outlined in 6.1 above the Service, on an ongoing basis, monitors its performance using the performance measurement toolkit and takes action to address variance from target throughout the year.

6.3 Areas of Improvement

The Service is committed to addressing areas of improvement highlighted by the ongoing quality assessment and internal monitoring as outlined in 5.1 above and the monthly reporting as outlined in 6.1 above.

Under the guise of the Food and Feed Code of Practice Improvement Plan projects the Service will ensure that it meets the requirements of the codes, where appropriate to do so, and keeps abreast of any amendments.

In October and November 2011 the Service was audited by the Food Standards Agency (FSA) and then visited by the European Union Food & Veterinary Office (FVO) with regard to its feed enforcement activities. Broadly speaking the FSA and FVO were satisfied that the Service delivered its feed enforcement activities in accordance with the Code of Practice, with the exception of our frequency of inspection and our policy on unannounced inspections. A small action plan was produced by the Service following the FSA audit; covering such matters as agreeing corrective action with the Feed Business Operator (FEBO) where non compliance is identified and the Service’s database update management procedures. The action plan was completed and reported to the FSA in October 2012.



Norfolk County Council

Public Protection

Environment, Transport & Development

Trading Standards Service
Enforcement of Age Restricted Sales Plan 2013-14

Minor Sales – Major Consequences

A strategy to deter the sale of age restricted products to minors in Norfolk, with the intention of improving community safety and public health.



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

1. Context

- 1.1 The Children and Young Person's (Protection from Tobacco) Act 1991 requires a Local Authority to review its enforcement activity relating to the supply of cigarettes and tobacco to persons under the age of 18 on an annual basis. There are similar duties arising from the Licensing Act (alcohol) and the Clean Neighbourhoods and Environment Act (Aerosols). This Plan fulfils these obligations, as part of the overall work by Public Protection to improve community safety and public health.

2. Background

- 2.1 Public Protection activities focus on both national and local priorities; improving community safety and health by tackling illicit/age restricted products is a key priority for the Trading Standards Service. The Service recognises that effective enforcement of legislation to prevent the sale of age restricted goods requires a multi-agency approach and seeks to work in partnership with a range of agencies and stakeholders to ensure accurate identification of priority and high-risk areas, share best practice and engage in collaborative work (e.g. joint operations and licence reviews).
- 2.2 Operations and activities are delivered across the whole of the County. Teams work within agreed procedures and protocols, including those that cover the sharing of information and the recruitment of young persons for test purchase programmes.

Examples of enforcement activity in this area include:

- Project based inspections
 - The investigation of complaints
 - The provision of advice, information and support for businesses
 - An intelligence led 'test purchasing' programme
 - Enforcement activity
 - Publicity and promotional activities
 - Multi-agency and partnership working
 - Working with community groups and other voluntary agencies/organisations.
- 2.3 A range of legislation supports this work, setting out controls for the following products:
- Alcohol
 - Cigarettes and tobacco products
 - Fireworks
 - Video, DVD, blu-ray & gaming products
 - Aerosols, petroleum spirit and other intoxicating substances (butane/solvents)
 - Lottery and scratch cards
 - Explicit printed sexual material
 - Knives and blades

Alcohol and tobacco continue to be the main focus of our enforcement activity.

3. Alcohol

- 3.1** Alcohol-related crime and disorder by young people is currently estimated to cost society £1 billion per year. According to a schools survey, whilst the proportion of pupils who have never had an alcoholic drink has increased gradually in recent years, pupils who are drinking, are consuming a large amount. Those who drink alcohol have a mean intake of 14.6 units a week.
- 3.2** In January 2010 new powers to tackle underage drinking were introduced through the Policing and Crime Act. The Act changed the definition of persistently selling alcohol to under 18s from three sales within three months to two sales in the same period. Since 2005 the Trading Standards Service has been a Responsible Authority in licensing matters. The Service continues to cooperate with its partners in considering licence applications during this period and recently contributed to the development of a revised agreement to enhance joint working arrangements (Licensing Guide).
- 3.3** During 2012/ 2013 Trading Standards visited a total of 78 businesses as part of its activity in this area. The Service conducted a number of advisory visits and 40 test purchase visits, resulting in 5 illegal sales to young volunteers. Test purchase sales were made at premises where intelligence suggested there was a likelihood of illegal sales of alcohol, including those where there was an increased incidence of anti-social behaviour linked to alcohol consumption. Further visits are planned as part of joint work with the Police during 2013/2014.
- 3.4** In April 2012 a Community Alcohol Partnership (CAP) was launched in Great Yarmouth. CAPs take a multi agency/organisation approach to reducing underage access to alcohol; and so include partners such as the Police, youth services, The Matthew project and schools. Retailers are also key partners and have been actively involved in setting up the CAP in Great Yarmouth. Since late 2011, test purchase visits within the Great Yarmouth CAP area have indicated an overall failure rate/baseline of 28%. This comprised 25 attempted test purchases of alcohol, of which 7 sales were made. The data includes a recent exercise to test the operation of the Challenge 25 age verification policy, by an 18 year old volunteer. Though not illegal, the challenge 25 policy is a key measure and one which retailers have signed up to as part of the CAP criteria. The requirement to have an age verification scheme is of course one of the seven mandatory licensing conditions. Proposals are now in place to extend the area of the CAP to include neighbouring boroughs because of the success the CAP has already had.
- 3.5** We continue to support the development of joint strategies for Alcohol Harm Reduction with partners. This includes additional support for the **night time economy** via the Purple Flag initiative. Purple Flag is a "gold standard" that recognises safe and welcoming entertainment and hospitality areas at night. Places that achieve the standard will be those that offer a positive experience to night time visitors and users. Trading Standards plan to validate this through targeted work in reducing underage sales of alcohol in such areas. The Service is has also worked with 'Best Bar None' and similar schemes regarding underage sales and wider Trading Standards requirements/opportunities for joint working. The 'Night Safe' scheme is currently under review in Great Yarmouth, and Norfolk Trading Standards are part of the discussions on how to take this accreditation forward.

4. Tobacco Control

- 4.1** Smoking is the biggest preventable cause of death globally killing half of all smokers prematurely and smoking remains the biggest cause of preventable death in Norfolk. The NHS spends more than £2.7 billion a year on treating smoking-related illness. More than 80% of smokers take up the habit by the age of 18 and studies have shown that smoking just one cigarette in early childhood doubles the chance of a teenager becoming a regular smoker by the age of 17. Trading Standards Services have the powers to advise business and enforce legislation in respect of age-restricted goods and illicit tobacco and therefore has a vitally important role to play in supporting health improvement by reducing access to these products.
- 4.2** During 2012/ 2013 the Service also took part in a wider (national) tobacco control campaign focussing on illicit tobacco. Funded by the Department of Health, the project focused on the supply of illicit tobacco and reducing access to tobacco by underage persons. The project aimed to generate intelligence and included preventative work such as advice leaflets, radio advertisements, posters and an interactive website. As part of this campaign the Service used of a piece of equipment which can identify counterfeit packets of cigarettes by looking for invisible anti-counterfeit security markings carried on genuine products. Illicit tobacco represents a developing area of concern; not only in terms of the associated (additional) health risks but also in the potential for extending illegal sales of tobacco products to under 18's. A number of investigations have been undertaken this year - these are ongoing and likely to result in formal action via the Courts. In other similar cases tobacco has been analysed and found to contain high levels of cadmium, arsenic and lead, up to 30 times that found in genuine tobacco.

5. Other areas of focus for 2012/2013

- 5.1** Alcohol and Tobacco sales to under 18's remained a priority area because of the problems identified at both local and national level. However compliance visits included advice and inspection in relation to cigarettes, solvents, knives, fireworks, DVDs and spray paints. In relation to fireworks, Trading Standards worked alongside the Fire and Rescue Service and Norfolk Constabulary to help make sure everyone enjoyed Halloween and Guy Fawkes celebrations safely. As part of a targeted campaign, officers inspected premises and carried out test purchasing operations in those areas where information suggested there to be irresponsible use or underage sales of fireworks. Fortunately there were no sales to minors this year.
- 5.2** The Service also took part in a regional project targeting the sale of knives at self service tills to persons under the age of 18. Six test purchases were attempted however no sales were authorised to our volunteer.
- 5.3** Sadly, during 2012 a 15 year old was killed having inhaled butane from a gas canister. He had taken his 19 year old brothers identification in order to purchase the product. The Service will look to undertake some follow up (targeted) work in this area next year although, fortunately, such incidents remain relatively rare across the County.

6. Looking ahead to 2013/14

6.1 Enforcement Activity (including test purchasing programmes)

- 6.1.1 One element of an effective enforcement strategy is to carry out a test purchase programme, targeted at known problem premises. The programme for 2013/2014 will continue to concentrate on the sale of alcohol, tobacco and fireworks, unless subsequent intelligence directs our activity to other products. A particular focus for activity next year will be as follows:
- Follow up (targeted) visits in the Great Yarmouth area including butane gas
 - Intelligence led test purchasing with support from Norfolk Police
 - Roll out of the Fair Trading Award 'Do You Pass?' Module to support retailers to know what to do when selling age restricted products
- 6.1.2 The test purchasing of alcohol at 'off licence' premises will be led and undertaken by the Trading Standards Service. We will continue to provide officers and utilise Trading Standards young volunteers to support Norfolk Police who lead on such activity at 'on licence' premises.
- 6.1.3 Norfolk Trading Standards will continue to work with the Police and other agencies in support of local initiatives to reduce knife crime. Analysis of crime data does not highlight Norfolk as having a particularly high level of knife related crime, and Trading Standards have received no complaints relating to illegal sales of knives to under 18's in the past 12 months. However national intelligence continues to identify knife crime as a serious concern and one which the government is keen to see effectively tackled. Trading Standards has a role to play in preventing the sale of knives to young people under the age of 18 and so will on an intelligence-led basis conduct test purchase operations and provide advice and education to businesses. Where necessary, formal action including prosecutions will be taken, in accordance with our enforcement policy.
- 6.1.4 The recruitment, selection and utilisation of young persons for test purchasing will only be in accordance with the protocols and systematic procedures adopted and developed in line with the Home Office and other guidelines. These protocols and procedures are maintained in the Service's Management System and are thus subject to rigorous internal audit. All Officers involved in the test purchase programme have been Criminal Records Bureau checked.

6.2 Tackling Anti-social Behaviour

- 6.2.1 The link between anti-social behaviour and the consumption of alcohol or solvent abuse is established. This strategy is designed to prevent the upstream supply of a number of restricted products to underage persons and thus reduce the level of anti-social behaviour associated with the use of these products.
- 6.2.2 This plan will contribute to community objectives and those arising from Government strategy for community safety and public health. Alcohol and associated Anti-social Behaviour will continue to be a particular focus in this.

6.3 Proof of Age Schemes

- 6.3.1 The Trading Standards Service does not promote any specific proof of age scheme but supports those schemes that conform to the PASS Scheme criteria. The large supermarket chains have adopted the “Challenge 25” policy in relation to all age restricted products. It is Trading Standards’ intention for 2013/14 to further encourage all premises involved in the sale of alcohol to become engaged with “Challenge 25”; our ‘Minor Sales Major Consequences’ pack has now been amended to include Challenge 25 policy.
- 6.3.2 The Trading Standards Service will also encourage and promote the use of a ‘Refusals Log’ by traders to provide evidence that proof of age is being sought and sales refused in appropriate circumstances.

6.4 Additional Activity in the area of Tobacco Control

- 6.4.1 The Government’s Tobacco Control Strategy is key to the Trading Standards Service’s response in enforcing legislation in relation to both the supply of illicit tobacco and underage sales. During 2013/2014 it will remain a priority to gather and then act upon the limited intelligence available. We will continue to utilise and act on intelligence provided from our partners in the Police, HMRC, and members of Norfolk Smoke Free Alliance.
- 6.4.2 Legislation governing tobacco display partly came into force on 6th April 2012 for large shops (exceeding 280 square metres). All other shops are affected from 6th April 2015. In large shops it is a requirement for all tobacco products to be stored out of public sight except in limited circumstances, it will also be illegal to show as well as to sell tobacco products to a customer under the age of 18 who asks to see or buy tobacco. Price lists and labels for tobacco products must only be displayed in specific formats laid down in the regulations. Trading Standards inspection visits based on intelligence will take place to advise businesses and take any action during 2013-14.

6.5 Education Programmes

6.5.1 Businesses

The Minor Sales: Major Consequences Information Pack will continue to be distributed on request and, where appropriate, when an inspection visit to a business is undertaken.

Norfolk Trading Standards has six Officers trained who are able to deliver the Trading Standards Institute “Do You Pass” module of the Fair Trading Award. This is a nationally delivered training for retailers regarding under age sales activity. This training was delivered for the first time to 16 retailers in 2012 and includes a retailer training pack. This work will be continued in 2013.

Publicity will also be used to raise trader awareness about specific issues and this will include the reporting of enforcement action outcomes.

6.5.2 Young Persons

The Trading Standards Service Underage Sales Education Pack has previously been distributed to schools and we will be reviewing our work with schools as part of improved targeting of our consumer education programme.

In addition all volunteers who participate in test purchasing programmes will receive a training package primarily designed to equip them with the knowledge and skill to undertake the task. The pack will be developed this year as part of improvements to the way we support our young volunteers.

6.6 Publicity and media campaigns

- 6.6.1 The Trading Standards Service will produce a number of articles to raise awareness through the press, radio and television. A Facebook advertisement was commissioned in 2012 with crimestoppers. This advertisement was shown 598,057 times and resulted in 187 clicks. Due to the success of this advertisement a similar advertisement will be commissioned in 2013.
- 6.6.2 Where appropriate, enforcement action will be reported through local media outlets.
- 6.6.3 Multi-agency work will be actively promoted and reported, including regional or national coverage where relevant.
- 6.6.4 Support and publicity will be sought for new initiatives launched during 2013/14. Where possible local members or community representatives will be requested to support or attend relevant activities.

6.7 Community Involvement

- 6.7.1 Where possible, the Trading Standards Service will participate in or support community based projects that develop resources to assist in reducing underage sales. As part of a wider review of its work the Service has strengthened its response to locality issues, working with key partners to ensure that local needs are addressed. We will work with local communities to understand if this might be one solution to issues of anti-social behaviour associated with underage drinking.
- 6.7.2 The Trading Standards Service will continue to promote underage sales work through presentations at community group meetings and diversify its activity according to requirements emerging from the Localism agenda.
- 6.7.3 Where resources allow, the Service will undertake to tackle specific problems identified by a community group regarding underage sales. A community group will need to provide sufficient evidence of a credible nature in support of the request before the Service will undertake any activity.
- 6.7.4 The Service may also look to participate in other local projects if relevant to underage sales activities.

Marine Conservation Zones: Consultation on Proposals for Designation in 2013

Report by the Director of Environment, Transport and Development

Summary

This report considers the consultation by Defra for proposed designation of a first tranche of Marine Conservation Zones in 2013. The development of recommended sites by the NetGain Project has generated significant interest within Norfolk. Whilst there has been a body of support for their recommendations for Marine Conservation Zones, there remains significant concern about recommendations for Reference Areas and Norfolk County Council has expressed those concerns to the Minister for the Environment, both in writing and direct local Member representation.

Defra has responded by not taking forward any of the Reference Area proposals and undertaking a full review of the approach to selecting and designating these areas.

Whilst there are no proposed sites affecting Norfolk within this tranche, the consultation provides an opportunity to comment on future proposals for MCZs. Two sites affecting Norfolk that may be taken forward in subsequent tranches are the Cromer Shoal Chalk Beds and The Wash Approach. These are discussed and this report proposes a response to the consultation with regard to these sites.

Overall, the report concludes that the principles behind Marine Conservation Zones should be supported and the decision not to take forward Reference Areas in their current form is welcomed. Looking ahead to future consultations on sites that may affect Norfolk, the report highlights the benefits of effective engagement with the fishing community and gaining a clear understanding of non-commercial activities associated with the sites and their impacts on local businesses and livelihoods.

The consultation closes on 31 March 2013.

Action Required

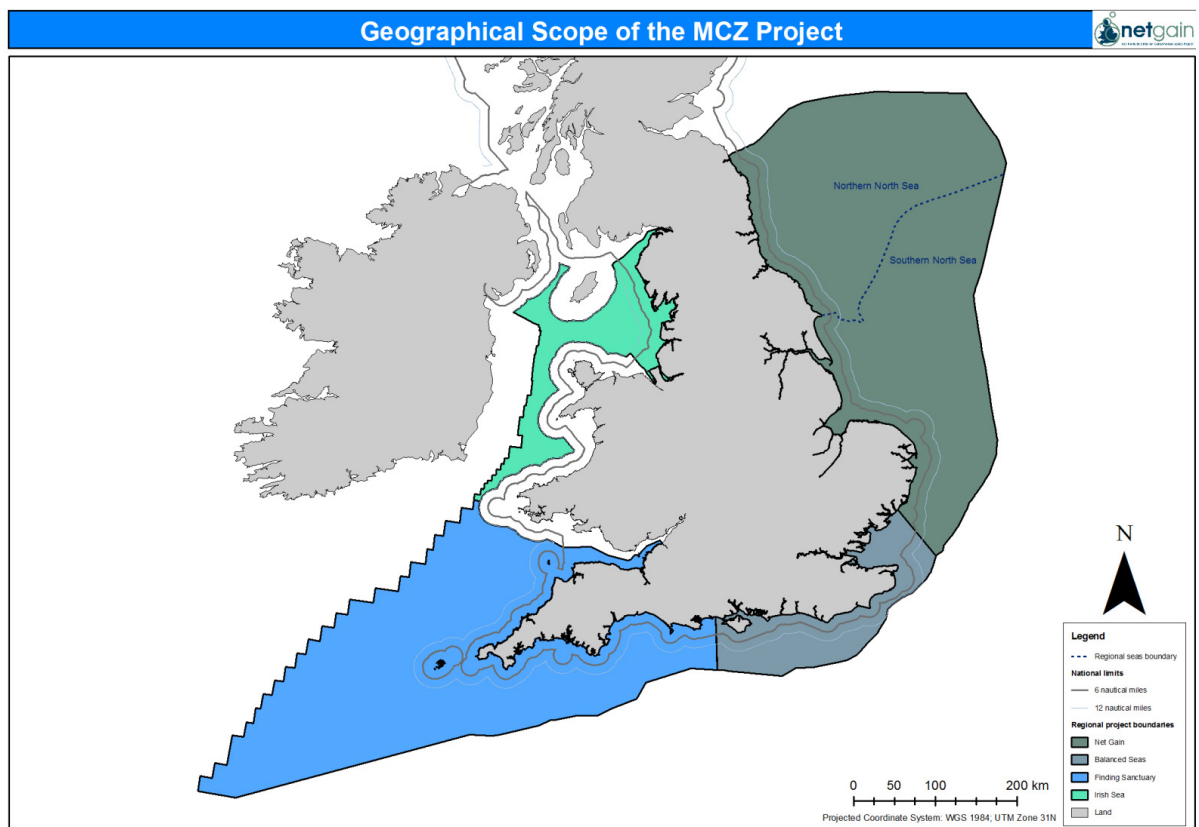
Members are invited to consider the issues discussed in the report and support the proposed response to the consultation by the Cabinet Member for Environment and Waste.

1. Background

- 1.1. The long-awaited Government response to proposals for the designation on Marine Conservation Zones (MCZ) and Reference Areas (RA) is now published for consultation.
- 1.2. The analysis and designation process will underpin delivery of National and European policy and legislation, including the Marine and Coastal Access Act 2009 and the EU Marine Strategy Framework Directive. Marine Conservation Zones are intended to compliment the designation of other European Marine Sites (EMS)

under the EU Habitats and Wild Birds Directive – currently over 23% of English inshore waters fall within an EMS.

- 1.3. Designation of MCZs under the legislation (Section 123 of the Marine & Coastal Access Act 2009) is to contribute to a network of conservation sites that satisfy the following conditions:-
- That the network contributes to the conservation or improvement of the marine environment in the UK marine area;
 - That the features which are protected by the sites comprising the network represent the range of features present in the UK marine area; and
 - That the designation of sites comprising the network reflects the fact that the conservation of a feature may require the designation of more than one site.
- 1.4. The designation is for the purposes of conserving:-
- Marine flora and fauna
 - Marine habitats or types of marine habitats and
 - Features of geological or geomorphological interest.
- 1.5. The preliminary identification of potential MCZs was led by 4 regional projects across England and Wales. See map below:-



MCZ project boundaries: largely based on political and administrative boundaries, the exact limits of the UK Continental Shelf are set out in orders made under section 1(7) of the Continental Shelf Act 1964 (© Crown copyright). Land: based on OS boundary line (Mean High Water Mark); © Crown copyright. All rights reserved. Regional seas: ©JNCC (2009). National limits: UKHO. Contains UKHO Law of the Sea data © Crown copyright and database right.

The “Net Gain” project covered the North Sea Area, from the Scottish border to Bawdsey in Suffolk, and took responsibility for stakeholder engagement to the point

of submitting recommendations to Defra in September 2011.

In addition to MCZs, Reference Areas were also proposed, for each feature within a project area.

1.6. Sites recommended by the Net Gain project, affecting Norfolk were:-

Marine Conservation Zones

Cromer Shoal Chalk Beds (NG2)

The Wash Approach (NG4)

Reference Areas

North Norfolk Blue Mussel Beds (rRA1)

Seahorse Lagoon and Arnold's March (rRA2 a and b)

Glaven Reedbed (rRA3)

Blakeney Marsh (rRA4)

Blakeney Seagrass (rRA5)

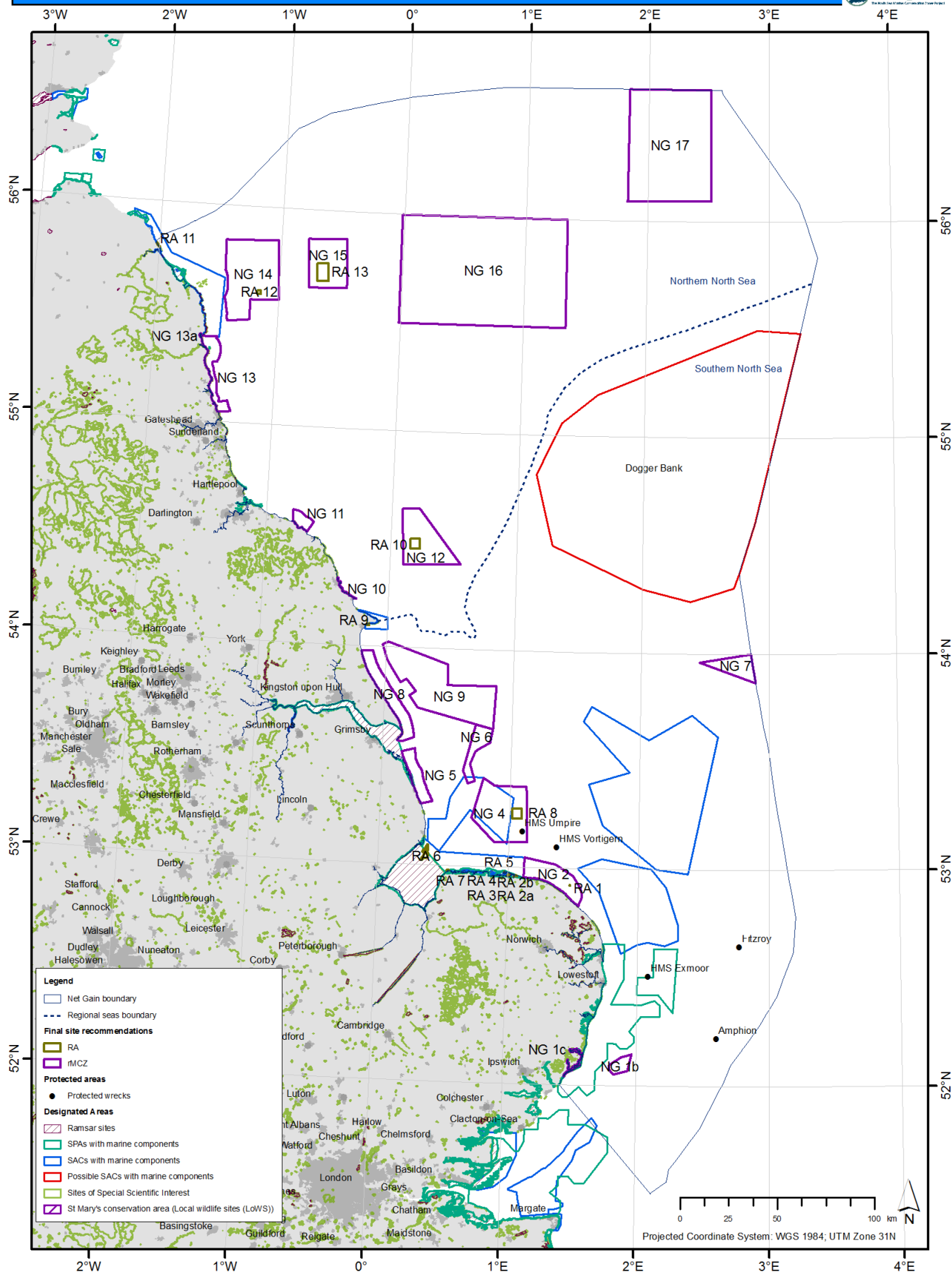
Dogs Head Sandbanks (rRA6)

Sea Henge Peat and Clay (rRA7)

The Wash Approach (rRA8)

The locations of these sites, along with existing marine protected areas are shown on the map below:-

Network of marine protected areas: existing MPAs, recommended MCZs and Reference Areas



St Mary's voluntary data provided by: North Tyneside council. WFO limits provided by: Jess Woo (ESFJC). Marine protected areas boundaries: natural England and JNCC websites. Protected Wrecks: English Heritage and UKHO. GCR sites: ABPmer / De fra contract and Natural England. Net Gain boundary: largely based on political and administrative boundaries, the exact limits of the UK Continental Shelf are set out in orders made under section 1(7) of the Continental Shelf Act 1964 (© Crown copyright). Land: based on OS boundary line (Mean High Water Mark) © Crown copyright. All rights reserved. Regional seas: JNCC (2019). National limits: UKHO. Contains UKHO Law of the Sea data © Crown copyright and database right. Human settlements: ESRI® Data & Maps.

- 1.7. The full report from Net Gain can be found following the link below:-
<http://publications.naturalengland.org.uk/publication/1466980>

The summary NetGain report will be made available in the Members Room prior to this meeting, along with Defra's consultation documents. The full consultation documents are also available on this link:-

<http://www.defra.gov.uk/consult/2012/12/13/marine-conservation-zones-1212/>

- 1.8. The consultation closes midnight on 31 March 2013.
- 1.9. Whilst there has been general support from the organisations and individuals involved in the evidence-gathering and analysis of the proposals for the MCZs, there has also been a great deal of concern locally about the recommendations for Reference Areas, especially for rRA 4 at Blakeney Marsh. The Cabinet Member for Environment and Waste wrote to the Minister for the Environment in January 2012, highlighting serious concerns in both the site selection process, the lack of account taken of the impact on the local community and the inflexibility being shown to reviewing what was seen as a flawed process. The point was strongly made that a failure to revise the deeply contentious recommendations prior to consultation scheduled almost a year later would be wasteful and counter-productive. The Norfolk Coast Partnership expressed similar concerns and the local Member along with local stakeholders attended a meeting with the Environment Minister and Defra officials reaffirming these points.
- 1.10. Defra responded to these concerns that designation of sites would involve formal advice from the independent Science Advisory Panel. The extended delivery timetable was necessary to properly evaluate the full range of evidence, including an Impact Assessment, formal advice from Natural England and the Joint Nature Conservation Committee (Statutory Nature Conservation Bodies – SNCBc) as well as the independent expert review of the evidence and additional seabed mapping work.

2. **MCZ Proposals**

- 2.1 Of the 16 MCZ sites recommended by Net Gain, only 3 have been put forward as proposals within this first (2013) tranche of designations. These sites are all in the north of the region, off the coast of Northumberland, namely the Aln Estuary, Swallow Sand and Rock Unique.
- 2.2 Across England and Wales, no reference areas at all have been proposed within this tranche. The Science Advisory Panel has determined that they did not meet the requirements of the Ecological Network Guidance (ENG) and that Defra, and SNCBs would need to the design of the reference area network. The SNCBs further concluded that the Regional MCZ projects' recommendations on Reference areas were inadequate and failed to meet the protection principle for the network and recommended that the approach to realising the benefits of high level protection

should be reviewed.

- 2.3 Defra has accepted this advice and proposes that the review of the approach to Reference Areas will take a fresh look at the requirements including size, number, location and management measures, particularly in relation to long-standing non-commercial traditional activities. Consultees are therefore advised that recommendations for Reference Areas will not be taken forward in their current form and further information on how the review will be carried out will be provided shortly.

2.4 Consultation Site Summary for Cromer Shoal Chalk Beds (NG2)

Overall it concludes that there is a significant level of designation advantages, incorporating approximately 75% of the “moderate energy infralittoral rock” recommended for designation in the NetGain region.

In terms of data certainly, however, it is considered that there is not sufficient data certainty for any of the recommended features.

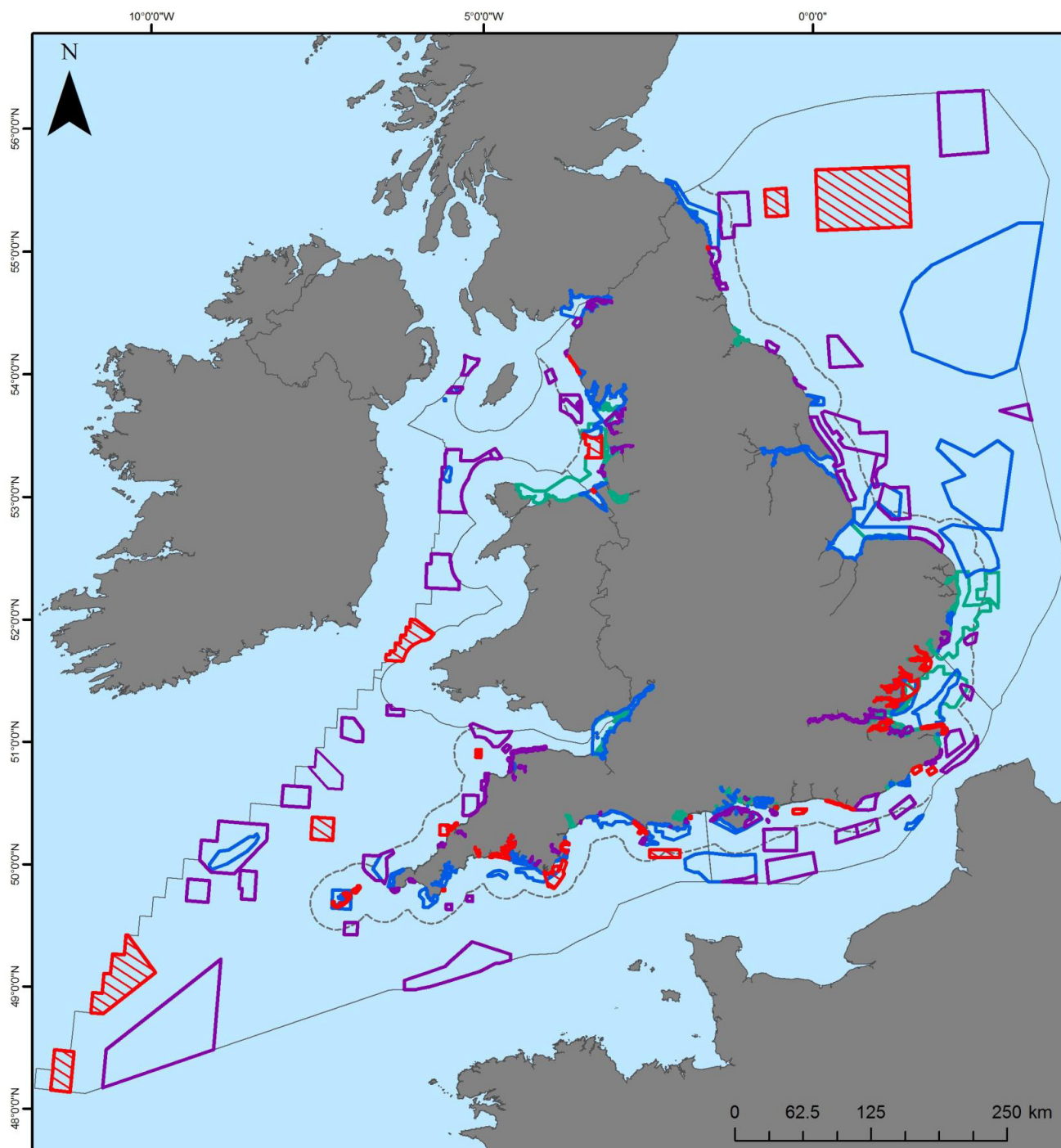
Whilst the advantages of the site would justify the socio-economic implications, further work is required prior to designation at this stage.

2.5 Consultation summary for The Wash Approach (NG4)

This site has the second largest feature of Subtidal mixed sediment habitat in the NetGain region and is needed to meet the adequacy criteria for this feature. As well as other broad scale habitats and an important foraging area for seabirds and seals, the site also contributes to achieving connectivity for the Sublittoral sediment habitats.

It is concluded that there is acceptable data certainty for this site, although further work will be required to better understand socio-economic implications of the site prior to consideration for future designation.

A map showing the sites proposed within the first tranche of designations.



Sites overview



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- 2.4 The consultation is asking 8 questions specifically for those MCZs proposed for designation in 2013. However it is also seeking responses to Q 2-8 in respect to all other sites to assist with decisions on future MCZ designations. The questions and proposed responses are given in Appendix 1.

3. **Conclusions**

- 3.1. Overall, the principles behind the designation of Marine Conservation Zones, as part of a network of marine protected areas, are to be supported. From the evidence assembled and analysed by the NetGain project and the conclusions drawn from this evidence, it is clear that NR2 and NG4 areas may warrant designation in a future tranche.
- 3.2. The decision not to take forward Reference Areas in their current form is to be welcomed, along with a fundamental review of reference area requirements.
- 3.3. The need for rigorous engagement with the fishing community and understanding of non-commercial activities is highlighted. Full analysis is needed of the impacts to businesses and livelihoods, including impacts on fishing grounds and potentially unsustainable effects of displacement of activities.
- 3.4. Whilst there are no sites affecting Norfolk in this first Tranche, the opportunity to comment on those sites as prospective MCZs is welcomed and a response to the questions raised is proposed in Appendix 1.

4. **Resource Implications**

- 4.1. **Finance** : No direct implications
- 4.2. **Staff** : No direct implications
- 4.3. **Property** : None
- 4.4. **IT** : None

5. **Other Implications** : None

- 5.1. **Legal Implications** : None arising directly from this consultation. A public authority is under a general duty to exercise any function which may affect a MCZ in a manner which furthers the conservation objectives stated for the MCZ; and not to undertake or give consent to any activity which would have an adverse effect on achieving the conservation objectives for a MCZ.
- 5.2. **Human Rights** : None
- 5.3. **Equality Impact Assessment (EqIA)** : Equality issues have been considered as part of the site evaluation process.
- 5.4. **Communications** : The consultation exercise led by Defra forms part of the overall designation process.

- 5.5. **Health and Safety Implications** : No implications for NCC.
- 5.6. **Environmental Implications** : Environmental implications are considered within the site selection process.
- 5.7. **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.
6. **Section 17 – Crime and Disorder Act**: Not applicable at this strategic level
7. **Risk Implications/Assessment**: No specific risk to Norfolk County Council

Action Required

- (i) Members are invited to consider the issues discussed in the report and support the proposed response to the consultation by the Cabinet Member for Environment and Waste

Background Papers

Marine Conservation Zones: Consultation on Proposals for Designation in 2013 (Defra; December 2012)

Letter from Cabinet member for Environment & Waste to Minister for Environment 17 January 2012

Letter from Defra in reply to above 28 February 2012

Letter from Norfolk Coast Partnership to Minister for Environment 29 December 2011

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 0344 800 8020 and ask for Phil Bennett-Lloyd or textphone 0344 800 8011 and we will do our best to help.

Marine Conservation Zones – Response to Consultation Questions
Norfolk County Council

NG2 = Cromer Shoal Chalk Beds

NG 4 = The Wash Approaches

Qn	Consultation Question	Recommended response
1.	Do you agree that this site and specified features should be designated in the first tranche? Please explain and provide evidence to support your views as necessary.	No sites relevant to Norfolk within the 1 st Tranche.
2.	Are there any additional features (not recommended by the Regional MCZ Projects) located within this site that should be protected?	None known
3.	Do you have any comments on the proposed conservation objective(s)?	NG 2 – The features proposed for designation are supported, although may require reassessing in the light of the review of reference areas, eg; the exclusion of Blue Mussel Beds as a feature within the recommended MCZ.
4.	Are there significant reasons for alteration of this site's boundary?	NG2 – The revised site boundary, positioned 200m offshore to avoid hindering potential coastal defence works is supported and should be retained as part of any future designation proposal.
5.	Is there any additional evidence to improve data certainty for features within this site?	None known
6.	Are there any additional activities (that may have an impact on the recommended features) occurring within this site that have not been captured within the Impact	NG 2 and NG 4 – It is considered that insufficient weight has been given to the impacts of designation on the local fishing communities. Whilst the commercial economic value of the industry may not rank as particularly significant on a national scale, the impact on the local economy and local livelihoods is very important. Greater engagement with the fishing communities affected by these designations is needed for

	Assessment?	a more rigorous analysis of the impacts, risks and benefits.
7.	Do you have any new information on costs to industry not covered in the Impact Assessment, that would be directly attributable to MCZs as opposed to costs stemming from existing regulatory requirements, or evidence that suggests the need for changes to the methodologies or assumptions used in estimating costs (including in relation to fishing displacement)	<p>Not directly, but see answer to Q6 above.</p> <p>Methodologies for assessing costs and ranking impact need to be geared to the overall scale of the industry or community affected and the vulnerability of those businesses to additional regulation, change or displacement.</p>
8.	Do you have any new information that was not available or used in the Impact Assessment to inform or quantify the value of the benefits of MCZs?	No new information. However, in support of improving data certainty for the features within NG2, consideration should be given to resourcing further survey and monitoring activities, developing the work of Sea Search East and engaging with the North Sea Marine Cluster to build capacity in this area.
9.	You may wish to provide comments on other aspects of this consultation such as evidence requirements, identification and treatment of high risk sites. Where you disagree with the approach taken please provide evidence to support your views.	The extent of stakeholder engagement for the sites affecting Norfolk within the NetGain project that lead to the recommended MCZs and particularly the Reference Areas was inadequate. Consequently, the understanding and underpinning evidence of the social and economic implications of site designation is likely to be lacking. It is strongly recommended that stakeholder engagement is substantially improved prior to subsequent tranches of MCZs being proposed.

Report to Environment, Transport and Development Overview and Scrutiny Panel

13 March 2013

Item No 12

Better Broadband for Norfolk

Report by the Better Broadband for Norfolk Programme Director

Summary

Norfolk County Council (NCC) identified improved broadband infrastructure as a key priority.

In 2010 the Council developed the Norfolk Local Broadband Plan which identified significant economic benefits as achievable.

The Authority allocated £15 million to improve broadband infrastructure in Norfolk. The Government allocated Norfolk £15.44 million from the Broadband Delivery UK (BDUK) Fund.

The Better Broadband for Norfolk Project is seeking to:

- Deliver the highest possible levels of Superfast (24 Mbps+) broadband
- Deliver Basic broadband (a minimum access line speed of 2Mbps) for all Norfolk premises.

A key factor in the success of the programme will be Members involvement in achieving strong local community engagement throughout the deployment.

This report is for information and describes the Better Broadband for Norfolk (BBfN) Programme's progress to date and forthcoming activities. It is intended that an update report will be brought to Review Panel every six months.

Action required:

That Panel consider and comment on the activities described in section 2 of this report

1 Background

1.1 County Councillors identified that the lack of broadband infrastructure disadvantages large parts of Norfolk both economically and socially.

1.2 NCC created a Local Broadband Plan which identified the following economic benefits as achievable in Norfolk if improved broadband infrastructure was implemented:

1,337 additional jobs over 10 years (equivalent to 0.61% of Norfolk's current private sector employment)

£88 million in additional annual Gross Value Added (GVA) by 2021/22 (estimated benefit to Norfolk's economy)

Discounting at 3.5%, as per HM Treasury guidance, the **present value of the net GVA impact is £401 million** over a ten year appraisal period

- 1.3 In May 2011, Broadband Delivery UK (BDUK) approved the Norfolk Local Broadband Plan (as one of the first three Local Authorities to receive approval) and allocated £15 million to match the £15 million already committed by the Authority. The Government's contribution has since risen to £15.44 million.
- 1.4 The Better Broadband for Norfolk Team worked with the Government's BDUK Team to establish a National Broadband Delivery UK Framework Agreement. This contract was signed on 29 June 2012.
- 1.5 The BBfN Team conducted a 'mini-competition' under the new National BDUK Framework Agreement and signed a contract with BT Group on 21 December 2012.
- 1.6 On completion of the deployment of new infrastructure in late 2015 over 80 per cent of Norfolk's homes and businesses are expected to be able to access superfast broadband services (24 megabits per second and above), with the intention of providing all homes and businesses with access to minimum broadband speed of 2Mbps. Without the County Council's intervention there would have been no timetable for these improvements to be made and it is estimated that only 43 per cent of the county's premises would be able to access fibre broadband in three years' time.
- 1.7 The main technology used will be Fibre to the Cabinet, which delivers broadband speeds up to 80Mbps. A 'fibre on demand' service throughout the whole of the fibre footprint should local businesses want the ultra-fast speed it offers (up to 330Mbps).
- 1.8 A combined Norfolk County Council and BT Programme Team are working on the Mobilisation stage of the Programme which will be complete end March 2013, this includes:
 1. Establishing Programme Governance – the rules of engagement
 2. Detailed planning for the Mobilisation phase and the first phase of Deployment
 3. Establishing an effective approach to communication which recognises the role Members play in achieving strong community engagement
 4. Working with County and District Planners to establish effective joint working
 5. Working with UK Power Networks to plan for the provision of power for the new Street Cabinets that will be required.
- 1.9 A 'Fast Start' meeting with the Minister for Communications Ed Vaizey took place on 24 January 2013, and project approach was endorsed.

2 The Better Broadband for Norfolk Programme

- 2.1 The Programme includes the following related projects, which are being managed as a single programme by the joint Norfolk County Council and BT Team.
 - Deployment
 - Planning
 - Communications
 - Demand Stimulation
 - Finance

- 2.2 Deployment – all the activities required to deploy the infrastructure, including survey, design, installation, and commissioning infrastructure.
- 2.2.1 The programme will deploy fibre based infrastructure via a number of phases.
- 2.2.2 BT's bid included an infrastructure design for Norfolk based on BT's existing network modelling tools and the information it already has concerning current infrastructure in Norfolk.
- 2.2.3 Before installation for a phase can begin, survey work must take place to inspect existing infrastructure e.g. ducts. Wherever possible existing infrastructure will be used as this reduces deployment costs and timescales potentially allowing more coverage from the available investment.
- 2.2.4 Following survey work the design can be confirmed and a detailed phase deployment plan produced. For Phase 1 this is expected summer 2012.
- 2.2.5 Installation for each new phase is expected to begin approximately every three months. Phase 1 deployment is expected to be complete by the end of 2013.
- 2.2.6 All fibre based phases are expected to be complete late 2015.
- 2.2.7 By 2015 the programme will identify any premises that will still not have access to a minimum 2Mbps after deployment of the fibre based infrastructure is complete. Assuming an alternative solution is not already in place e.g. from an existing wireless provider an 'In-fill' solution will be made available. There are two main reasons for leaving this phase of the project until 2015:
- If costs are less than expected during implementation of fibre phases, Broadband Services take-up is higher or additional funding becomes available further deployment of fibre based infrastructure may be possible
 - Technology develops quickly and therefore 'In-fill' technologies are expected to continue to improve and therefore may offer faster speeds than the minimum 2Mbps.
- 2.3 Planning – the programme represents a very significant civil engineering exercise across large parts of Norfolk and the related highway and planning activities are extensive.
- 2.3.1 A dedicated Network Planning Coordinator has been appointed within ETD and will ensure that the BBfN Programme works effectively with District Councils and others to co-ordinate the work for the programme with other Highways programmes to avoid conflict situations and ensure best value and efficient programming is achieved which minimise disruption to road users
- 2.4 Communications – a range of activities to provide information as it becomes available on the planned deployment including:
- Working with Members to ensure effective local community engagement
 - Ensuring the BBfN website has up to date information on deployment and the answers to a range of Frequently Asked Questions
 - Providing packs of material for use at local events

- 2.5 Demand Stimulation – activities to encourage as much use of the new infrastructure as possible. Once BT has deployed the new infrastructure, Internet Service Providers will buy capacity on it and then package services to sell onto local residents and businesses. Activities will include:
- Working with local business support organisations to promote the benefits of Superfast broadband
 - As Superfast broadband services become available holding events to ensure local people are aware of what's available and the possible benefits.
- 2.6 Finance – because the programme is using Grant Funding from Government and must comply with European State Aid requirements there are reporting obligations which the programme must comply with. Consequently it is necessary to ensure the correct information is available at the right time to support the requirements set out in the Grant Agreement
- 2.7 It is intended that an update report will be brought to Review Panel every six months.

3 Resource Implications

- 3.1 **Finance:** In addition to the £15.44M contribution from the Government's BDUK fund, the project involves £15M of Council match funding. Formal approval for the scheme was given by Cabinet and County Council as part of the 2012/13 capital programme.

In addition to covering the ongoing costs of supporting and maintaining the network, BT will make a £11.35 million contribution towards the cost of installing the fibre infrastructure.

- 3.2 **Staff:** None.
- 3.3 **Property:** None.
- 3.4 **IT:** None

4 Other Implications

- 4.1 **Legal Implications:** None.
- 4.2 **Human Rights:** None report for information only.
- 4.3 **Equality Impact Assessment (EqIA):** None report for information only.
- 4.4 **Communications:** None report for information only.
- 4.5 **Health and Safety Implications:** The Framework contract includes Health and Safety obligations that BT must adhere to.
- 4.6 **Environmental Implications:** The environmental impact of BT's proposals and, specifically, what steps BT will take to minimize the environmental impact of the project were assessed as part of Norfolk's procurement process.

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

5 Section 17 – Crime and Disorder Act

- 5.1 This project has no implications in relation to Section 17, Crime & Disorder Act.

6 Risk Implications/Assessment

- 6.1 Risks have been identified and managed using the Corporate Risk Management Framework. The BBfN Steering Group has regularly reviewed project risks and proposed mitigations.

7 Action Required

- 7.1 That Panel consider and comment on the activities described in section 2 of this report.

Background Papers

Norfolk Local Broadband Plan

Officer Contact

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Lead Local Flood Authority Flood Investigation Duty

Report by the Director of Environment, Transport and Development

Summary

This report updates the panel on a new role to review and scrutinise the delivery of the Council's overall Flood and Water Management duties. Responsibility for this new role was passed to Environment, Transport, Development Overview and Scrutiny Panel from Cabinet Scrutiny who agreed this approach on the 24 July 2012.

It highlights the role of Norfolk County Council as the Lead Local Flood Authority in carrying out its duty to investigate flooding in line with Section 19 of the Flood and Water Management Act 2010. Accompanying this report is a flood investigation protocol (see Annexe) that details how Norfolk County Council would fulfil this duty.

The protocol sets out that Norfolk County Council will investigate flooding where there is a risk to life or serious injury, internal flooding of residential or commercial properties and flooding impacting on critical services.

Recommendation / Action Required

- (i) Members are asked to note the Panel's new role in the scrutiny of the Council's Flood and Water Management duties.
- (ii) Endorse the proposed flood investigation protocol.

1. Background

- 1.1. Following the Flood & Water Management Act 2010 and further amendments under the Localism Act 2011, duties now apply to the Lead Local Flood Authority to review and scrutinise the functions of Risk Management Authorities in its area. Under the Flood and Water Management Act 2010 Risk Management Authorities are defined as the Environment Agency, Lead Local Flood Authorities, District Councils for areas where there are no unitary authorities, Internal Drainage Boards, Water Companies and Highway Authorities. Those Risk Management Authorities must comply with a request made by a Lead Local Flood Authority for information or for a response to a report.

- 1.2. A report was submitted to Cabinet Scrutiny in July 2012. In the report Members were asked to consider that the ongoing scrutiny of the delivery of the Council's overall Flood and Water Management duties (alongside other Risk Management Authorities) are, in future, undertaken primarily through Environment, Transport and Development Overview and Scrutiny Panel. In addition, it was recommended that Cabinet Scrutiny would retain its capacity to 'call in' issues of concern or that it felt warranted further analysis or challenge.
- 1.3. It was agreed at the meeting that responsibility for overview of this issue is to 'be passed to the Environment, Transport and Development Overview and Scrutiny Panel, but for Cabinet Scrutiny to maintain an element of overall review for the strategic aspects of the issue and to receive an annual report on the 'Delivery of Duties under the Flood & Water Management Act' which would include the following';
- The lack of sanctions available to Norfolk County Council;
 - Managing the high public expectations of Norfolk County Council;
 - The importance of Member involvement and using local knowledge;
 - Working with planning authorities at District Council level to avoid increased bureaucracy; and
 - The important role that Internal Drainage Boards continue to play.

2. Flood Investigation Protocol

- 2.1. Section 19 of the Flood and Water Management Act 2010 sets out a statutory duty for Lead Local Flood Authorities to investigate flooding in their area. This section states that on becoming aware of a flood in our area, where necessary or appropriate, we must investigate which Risk Management Authorities have relevant flood risk management functions and whether each of those Risk Management Authorities has exercised, or is proposing to exercise, those functions in relation to the flood.
- 2.2. The Lead Local Flood Authority in conjunction with the Norfolk Water Management Partnership have produced a flood investigation protocol (Annexe) that provides an agreed approach by all Risk Management Authorities to the reporting of flooding and which informs the decision-making process as to whether or not to initiate, and subsequently publish, a formal report. The protocol sets out that Norfolk County Council will investigate flooding where there is a risk to life or serious injury, internal flooding of residential or commercial properties and flooding impacting on critical services. A report of the investigation's findings will aim to provide the means to identify appropriate mitigation for managing the causes and effects of flood water and offer direction to Risk Management Authorities over where responsibilities may lie.

- 2.3. The Flood and Water Management Team have received 3477 flood reports from Risk Management Authorities from April 2012 – February 2013. These reports are provided by Risk Management Authorities and Norfolk County Council requires clarity on how these are being managed. Where the Council cannot ascertain who is responsible for managing these incidents, or where they fall within the criteria outlined in the Annexe, we will investigate them further, in line with the Protocol.
- 2.4. Of the flood reports that the Flood and Water Management Team received, 37 flood incidents have been taken forward for further investigation, based on the criteria outlined in the Annexe. Of those being investigated 29 have been resolved and closed down as work is being done and there is no need for further investigation. The total number that are still under investigation are 8. These include flood investigation's within the following areas:
- Dereham - where a number of flooding incidents will form the basis of a report that we are currently undertaking;
 - Wymondham - there has been significant and frequent flooding to a priority gritting route.
- There are a number of other flood Investigations covering King's Lynn, North Walsham, Caister, Clippesby and Attleborough that are being progressed due to ambiguity over which organisation is responsible and/or linked to flood risk to properties.
- 2.5. The Flood and Water Management Team aim to submit a first investigation report to the next Environment, Transport and Development Overview and Scrutiny Panel meeting in June 2013.
- 2.6. There are a number of surface water flood investigations that are linked to the delivery of Surface Water Management Plans and are dealt with as part of this work through a multi-agency steering group.
- 2.7. The flood investigation report will provide a series of recommendations on mitigating flooding issues. As part of an assessment of potential solutions there is a requirement to make a judgement about the relative merit of solutions that take into account the level of protection afforded to properties and assets.
- 2.8. In addition, a document detailing the roles and functions of Risk Management Authorities roles and functions will be submitted alongside the first investigation report in June 2013. This document will provide a framework enabling Members to consider the appropriateness of individual Risk Management Authorities responses to flood events. Members will therefore be able to seek scrutiny of those organisations and their proposed solutions to mitigate flooding issues. Whilst this would not provide direct sanctions it would provide a mechanism to challenge or influence the behaviour of Risk Management Authorities.

3. **Resource Implications**

3.1. **Finance** : No new implications.

3.2. **Staff** : No new implications.

3.3. **Property** : None.

3.4. **IT** : No new implications.

4. **Other Implications**

4.1. **Legal Implications** : The Flood and Water Management Act 2010 introduces new statutory duties on Norfolk County Council. These are outlined in the report. Further local legal /statutory guidance is ongoing. Under the Localism Act 2011, duties now apply to the Lead Local Flood Authority to review and scrutinise the functions of Risk Management Authorities in its area. Those Risk Management Authorities must comply with a request made by a Lead Local Flood Authority.

4.2. **Human Rights** : None.

4.3. **Equality Impact Assessment (EqIA)** : An EqIA will be included and assessed at the Flood Investigation Report level. It is important to note that the Government's approach to funding flood mitigation is to operate a beneficiary pays policy, where Government funding is unlocked through seeking local contribution. However, it may transpire that we identify communities that may be less able to afford contributions towards schemes.

4.4. **Communications** : Published flood investigation reports will support the Council's Flood Investigation responsibilities, with a view to making the multi-agency response to flooding more effective and transparent.

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

4.6. **Environmental Implications** : This report addresses issues associated with adapting to the impacts of climate change. Climate change is placing additional burdens on communities and organisations through increasing the intensity and frequency of rainfall that leads to flood events.

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

5. **Section 17 – Crime and Disorder Act** : Not applicable.

6. **Risk Implications/Assessment**

Norfolk has been recognised as the 10th most at-risk area out of 152 Lead Local Flood Authority areas. As such, failure to implement the provisions, duties and regulations within new and emerging legislation would put Norfolk properties at greater risk of flooding in the longer term and reduce the potential for drawing in funding to Norfolk to reduce or mitigate against flood risk.

7. **Alternative Options**

7.1. Norfolk County Council does not adopt a flood investigation protocol. However, this is likely to create confusion for residents and businesses that are affected by flooding and is likely to result in inefficiencies in service delivery. The protocol is intended to provide clarity both to stakeholders and service managers across all Risk Management Authorities in Norfolk.

8. **Reason for Decision**

8.1. This protocol underpins a statutory duty under the Flood and Water Management Act 2010.

Recommendation / Action Required

- (i) Members are asked to note the changes to Environment, Transport and Development Overview and Scrutiny Panel's role in the scrutiny of the Council's Flood and Water Management duties.
- (ii) Endorse the proposed flood investigation protocol.

Background Papers

[Annexe: Flood Investigation Protocol](#)

Officer Contact

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Glossary of Terms

Flood and Water Management Act 2010

Part of the UK Government's response to Sir Michael Pitt's Report on the summer 2007 floods, the aim of which is to clarify the legislative framework for managing surface water flood risk in England.

Lead Local Flood Authority

Local Authority responsible for local flood risk management.

Norfolk Water Management Partnership

The Norfolk Water Management Partnership was formed in 2009 to bring together officers from approximately 36 organisations to inform and respond to the implementation of the Flood and Water Management Act 2010.

Risk Management Authority

Norfolk County Council, the Borough, City and District Councils in Norfolk, the Environment Agency, Water Companies, Highways and Internal Drainage Boards.

Annexe

Lead Local Flood Authority Flood Investigation Function

Contents

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Flood Investigation Protocol

Norfolk County Council will, on becoming aware of a flood in its area, assess the necessity and appropriateness of initiating a formal flood investigation.

What we will investigate

If initiated, Norfolk County Council will investigate the role and response of Risk Management Authorities in Norfolk to the flood event.

When we will investigate

Norfolk County Council will investigate flooding where there is a risk to life or serious injury, internal flooding of residential or commercial properties and flooding impacting on critical services.

When will we publish

After a formal flood investigation has been carried out, Norfolk County Council will publish the results of its investigation and notify any relevant Risk Management Authorities.

Guidance on Flood Investigation Protocol

A Background

- (1) Section 19 of the Flood and Water Management Act 2010 (FWMA) sets out a statutory duty for Lead Local Flood Authorities (LLFA's) to investigate flooding in their authority area; it states;

- (1) On becoming aware of a flood in its area, a lead local flood authority must, to the extent that it considers it necessary or appropriate, investigate –*
 - (a) which risk management authorities have relevant flood risk management functions, and*
 - (b) whether each of those risk management authorities has exercised, or is proposing to exercise, those functions in response to the flood.*
- (2) Where an authority carries out an investigation under subsection (1) it must –*
 - (a) publish the results of its investigation, and*
 - (b) notify any relevant risk management authorities.*

- (2) In addition, the Yorkshire and Humber Learning and Action Alliance information note on Section 19 of the FWMA outlined some further interpretation on the duty to investigate. It stated;

In his review of the summer 2007 floods, Sir Michael Pitt recommended that local authorities should be given a duty to investigate flooding.

His recommendation came in response to complaints from flood victims that they had struggled to get satisfactory responses to their questions regarding the causes of, and responsibility for, flooding affecting their properties and communities.

B Awareness of Flooding

- (3) Member organisations of the Norfolk Water Management Partnership will, in accordance with the partnerships Terms of Reference and Section 13 of the FWMA (Co-operation and Arrangements), provide information on flooding incidents that occur within Norfolk. This information will form the basis of Norfolk County Councils (NCC's) LLFA Flood Incident Log.
- (4) Furthermore, details of any Risk Management Authority (RMA) investigations carried out in response to flooding incidents that occur within Norfolk must be forwarded to the LLFA. This information will form the basis of NCC's RMA Flood Investigation Log.
- (5) NCC will utilise the Flood Incident and RMA Flood Investigation Logs to inform the decision making process to conduct a study outside of the formal investigation process.
- (6) NCC will share information with the appropriate RMA's where they have been notified of a flooding incident in accordance with agreed timescales.

C Studies outside of the formal investigation process

- (7) NCC would initiate studies outside the formal investigation process where there is a need to quantify or clarify the cause, nature and frequency of the event (only if this is not already a requirement placed on a RMA through statute or if the RMA is unable to provide sufficient information).
- (8) These studies seek to identify past, present and future risk within LLFA areas of responsibility. In some cases these studies may satisfy the need to determine;
 - (a) What the potential future risk is to properties or communities, or
 - (b) Whether a flood event provides evidence for a greater future risk.
- (9) The Flood Investigation Process Chart (see Appendix 2) sets out the processes and timescales associated with fulfilling NCC's duty. This stipulates expected response times to ensure the following are completed:
 - (a) Sharing information between RMA's and LLFA's.
 - (b) Timescales associated with the LLFA investigations including publication.
- (10) It is worth noting that these studies are generally undertaken as an initial phase of a formal flood investigation or remain outside this formal investigation process. Where the event does not trigger a formal investigation process, as outlined below, these studies would not be subject to any duty to publish findings or any other associated requirement.

D Decision to undertake formal flood investigation

(11) If, through;

- (a) The provision of information via flood reports, or
- (b) The provision of information through studies outside the formal investigation process;

NCC determines that;

- (a) There is ambiguity surrounding the source or responsibility of a flood incident, and/or;
- (b) There is cause to investigate the flood incident (following an initial assessment of its impact criteria – see Appendix 1), due to either its;
 - Impact (area, number of properties and/or people affected), or
 - Consequence (people displaced/stranded or danger to health etc).

Then NCC will undertake a formal flood investigation.

E Notification of investigation

(12) When a decision is taken to investigate, NCC will notify the relevant RMA.

F Prioritisation of flood investigations

(13) During widespread flooding NCC will prioritise flood investigations initially based on the flood characteristics detailed in Appendix 1 as this information is deemed the most likely to be available. However further information may be taken into account, where available, such as;

- (a) The current status of the flood incident.
- (b) The level of disruption to key services caused by the cumulative impact of flooding.
- (c) Frequency - number of times previously occurred.

(14) If after considering the flood characteristics set out above there remains no clear priority, then characteristics such as; flood source, flood depth and velocity, rate of onset and duration will be taken into account (if known).

G Out of hours working

- (15) For the purposes of this policy, NCC may decide it is appropriate for Officers of the authority to attend a flood event where there is a need to, or benefit from, the collection of independent information. This may require out of hours working.

H Publication

- (16) Flood Investigation Reports (FIR's) should be published within 3 months of an incident being investigated by NCC. However there are cases where this timeframe will be extended (e.g. widespread flooding across the County).
- (17) Once completed the FIR's will be published on NCC's website.
- (18) NCC would share a pre-publication draft for comments with the appropriate RMA's. However NCC reserves the right to include or disregard any comments received thereafter.

I Scrutiny

- (19) NCC will provide any published reports to the next available Environment Transport and Development Overview and Scrutiny Panel.

J Data Protection

- (20) The Flood Incident / RMA Flood Investigation Logs will adhere to the requirements of the Data Protection Act 1998.

Appendix 1

The following criteria will be used to evaluate the requirement to investigate a flooding event and to prioritise action.

The risk categories and indicators proposed are in accordance with those used in the Norfolk Preliminary Flood Risk Assessment

Risk Category and Indicator	Impact Criteria
Human Life	
<ul style="list-style-type: none"> Risk to loss of life 	Any Risk to loss of life or serious injury.
Social	
<ul style="list-style-type: none"> Residential Property 	One or more properties flooded internally.
Critical Services/Installations and Vulnerable Persons	
<ul style="list-style-type: none"> Hospitals Health Centres/Clinics/Surgeries Pharmacies Schools/Colleges Day Nurseries Care/Nursing Homes Rest Centres Police, Ambulance, Fire & Rescue Stations Power Services: (Electricity Stations/Sub Stations, Gas Stations) Water Services: Sewage Treatment Works & Sewerage Pumping Stations Water Treatment Works & Pumping Stations 	<p>One or more properties flooded internally; and/or</p> <p>One or more properties rendered inoperable or their functions severely compromised due to the access to the premises being impassable.</p> <p>One or more flooded critical installations, resulting in a loss of service impacting on the local community.</p>
Economic	
<ul style="list-style-type: none"> Shops/ supermarkets Manufacturing premises Offices Motorways, main roads, minor roads Bus services/depots Railways/railway stations 	<p>One or more properties flooded internally; and/or</p> <p>Any section of a national category 3 road or above made impassable due to flooding; and/or flooding to priority 1 and 2 gritting routes.</p> <p>Flooding adversely impacting a rail link by making it impassable.</p>

Appendix 2

