

Environment, Transport and Development Overview and Scrutiny Panel

Date: **Wednesday 16 March 2011**

Time: **10.30am**

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

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

Membership

Mr A J Byrne (Chairman)

Mr A D Adams

Dr A P Boswell

Mrs M Chapman-Allen

Mr P G Cook

Mr N D Dixon

Mr P Duigan

Mr T East

Mr M Hemsley

Mr B Iles

Mr J M Joyce

Mr M C Langwade

Mr B W C Long

Dr M Strong

Mr J M Ward

Mr A M White

Mr R J Wright (Vice-Chairman)

Non Voting Cabinet Members

Mr G Plant

Mrs A Steward

Travel and Transport

Sustainable Development

Non Voting Deputy Cabinet Member

Mr B H A Spratt

Mr J Mooney

Travel and Transport

Sustainable Development

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please contact the Committee Administrator:**

Tim Shaw on 01603 222948
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

To confirm the minutes of the Environment Transport and Development Overview & Scrutiny Panel meeting held on 12 January 2011. (Page **1**)

3. Members to Declare any Interests

Please indicate whether the interest is a personal one only or one which is prejudicial. A declaration of a personal interest should indicate the nature of the interest and the agenda item to which it relates. In the case of a personal interest, the member may speak and vote on the matter. Please note that if you are exempt from declaring a personal interest because it arises solely from your position on a body to which you were nominated by the County Council or a body exercising functions of a public nature (e.g. another local authority), you need only declare your interest if and when you intend to speak on a matter.

If a prejudicial interest is declared, the member should withdraw from the room whilst the matter is discussed unless members of the public are allowed to make representations, give evidence or answer questions about the matter, in which case you may attend the meeting for that purpose. You must immediately leave the room when you have finished or the meeting decides you have finished, if earlier. **These declarations apply to all those members present, whether the member is part of the meeting, attending to speak as a local member on an item or simply observing the meeting from the public seating area.**

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

5. Public Question Time

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

Please submit your question(s) to the person named on the front of this agenda by 5pm on Friday 11 March 2011. For guidance on submitting public questions, please refer to the Council Constitution Appendix 10, Council Procedure Rules or [Norfolk County Council - Overview and Scrutiny Panel Public Question Time and How to attend Meetings](#)

6. Local Member Issues/Member Questions

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

Please submit your question(s) to the person named on the front of this agenda by 5pm on Friday 11 March 2011.

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

A joint note by the Cabinet Member for Travel and Transport and Cabinet Member for Sustainable Development (Page **20**)

Items for Scrutiny

8. **Forward Work Programme: Scrutiny** (Page **22**)
Members are asked to review and develop the programme for scrutiny.
9. **Broadband and Mobile Phone coverage for rural and urban areas in Norfolk - Scrutiny Progress update** (Page **30**)
Members are asked to note the progress made and comment on the next steps for this scrutiny exercise.

Items for Review

10. **Service and Budget Planning 2011/14** (Page **38**)
Members are asked to comment on the proposed service objectives and to note the revenue budget and capital programme for ETD Services for 2011-14.
11. **Integrated Performance and Finance Monitoring 2010/11** (Page **50**)
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.
12. **Regional Permit Scheme Update** (Page **65**)
Members are asked to comment on the proposed approach to develop a potential permit scheme for Norfolk.
13. **Events on the Highway** (Page **71**)
Members are asked to:
- (i) consider the report and express a view as to the options preferred for future service delivery;
 - (ii) support a change in the Council's Constitution to allow the Director of Environment, Transport and Development to also make orders under Section 16A of the Road Traffic Regulations Act 1984;
 - (iii) support the Cabinet Member for Travel and Transport in making representations to Government on changes to legislation as set out in the report, to further ease the burden on local authorities in administering highway approvals.
14. **EPIC Performance Update** (Page **94**)
Members are asked to note progress on delivery of the business plan and identify any aspects for further scrutiny.
15. **The Future Role of the Forestry Commission Estate in Norfolk** (Page **100**)
Members are invited to comment on the report.
16. **Exclusion of the Public**
The committee is asked to consider excluding the public from the meeting under Section 100A of the Local Government Act 1972 for consideration of the items below on the grounds that they involve the likely disclosure of exempt information as defined by Paragraph 3 of Part 1 of schedule 12A to the Act, and that the public interest in disclosing the information is

outweighed by the public interest in non-disclosure.

The committee will be presented with the conclusion of the public interest tests carried out by the report authors and is recommended to confirm the exclusions.

Exempt Minutes of the Meeting held on 12 January 2011

(Page **106**)

To confirm the exempt minutes of the meeting held on 12 January 2011.

Group Meetings

Conservative
Liberal Democrats

9.30am
9.30am

Colman Room
Room 504

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

Date Agenda Published: Tuesday 8 March 2011



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Environment Transport and Development Overview and Scrutiny Panel

Minutes of the Meeting Held on Wednesday 12 January 2011

Present:

Mr A Byrne (Chairman)

Mr R Bearman

Dr A P Boswell

Mrs M Chapman-Allen

Mr N D Dixon

Mr T East

Mr T Garrod

Baron Chenery of Horsbrugh

Mr B Iles

Mr J M Joyce

Mr B W C Long

Dr M Strong

Mrs H Thompson

Mr J M Ward

Mr A M White

Mr R J Wright (Vice-Chairman)

Non-Voting Cabinet Member:

Mr G Plant

Mrs A Steward

Travel and Transport

Sustainable Development

Non-Voting Deputy Cabinet Members:

Mr B H A Spratt

Mr J Mooney

Travel and Transport

Sustainable Development

1. Apologies and Substitutions

Apologies were received from Mr A Adams - Mr T Garrod substituted; Mr P Duigan - Baron Chenery of Horsbrugh substituted; Mr M Hemsley - Mr R Bearman substituted; Mr G Cook; and Mr M Langwade - Mrs H Thompson substituted.

2 Minutes

The minutes of the Environment Transport and Development Overview & Scrutiny Panel meeting held on 2 November 2010 were agreed as a correct record and signed by the Chairman.

The minutes of the Environment Transport and Development Overview & Scrutiny Panel meeting held on 17 November 2010 were agreed as a correct record and signed by the Chairman.

3. Declarations of Interests

3.1 The following declarations of interests were received:

Mr Long declared a personal interest in item 7 (Waste PFI Contract Award) as he was a member on the Waste PFI Project Board and was the Environment portfolio holder at the Borough Council of King's Lynn and West Norfolk.

Mr A Boswell declared a personal interest in item 7 (Waste PFI Contract Award) as he was a member of the Waste PFI Project Board.

Mr J Joyce declared a personal interest in item 7 (Waste PFI Contract Award) as he was a member of the Waste PFI Project Board.

Mrs A Steward declared a personal interest in item 8 (Service Planning and Budget Consultation 2011-2014) as her husband was a farmer.

Mr B Spratt declared a personal interest in item 8 (Service Planning and budget Consultation 2011-2014) as his father was a farmer.

4. Items of Urgent Business

There were no items of urgent business.

5. Public Question Time

Appendix A to these minutes sets out the questions and responses to the public questions.

6. Local Member Issues/Member Questions

There were no Local Member Issues/Member questions.

7. Waste PFI - Award of Contract

7.1 The annexed joint report (7) by the Director of Environment, Transport and Development (ETD) was received and introduced by the Project Director - Residual Waste Services.

7.2 The Panel was asked to endorse to Cabinet the recommendations within the report.

7.3 The Cabinet Member for Sustainable Development made the following statement:

"The discussion today is for councillors to revisit the information on Cory Wheelabrator's bid prior to Cabinet making a decision on 24 January. Radio Norfolk implied this morning that the Energy from Waste plant was a 'done deal', although they did correct the statement later. I would like to reiterate that I do not want anyone here to be under the misapprehension that the deal is already done. The planning application process still needs to be followed and as part of that process Norfolk County Council will need to be satisfied that the application

meets all the planning requirements and that the plant will operate safely without any harm to human health”.

- 7.4 During the presentation, the following points were noted:
 - 7.4.1 The report contained no changes to the key commercial information which the Panel had received at its meeting on 2 November 2010.
 - 7.4.2 Members were informed that a petition, containing approximately 2500 signatories opposing the plant at Saddlebow, King's Lynn had been received. The petition would be presented to Cabinet prior to a final decision being made.
 - 7.4.3 Defra approved the pre-preferred bidder final business case confirming Cory Wheelabrator as the preferred bidder.
 - 7.4.4 The Waste PFI Project Board had agreed to award the contract to Cory Wheelabrator at its meeting on 4 January 2011.
- 7.5 The following points were noted in response to questions from Members:
 - 7.5.1 The majority of the 794 objections received were not about the procurement process but about the concerns relating to emissions and health impacts of an Energy from Waste plant.
 - 7.5.2 The Cabinet Member for Sustainable Development was asked if the plans for an incinerator would be scrapped if the public referendum showed overwhelming opposition. The Cabinet Member for Sustainable Development said she had not yet seen the details of the question and therefore could not answer the question.
 - 7.5.3 Members were reassured that it was not unusual for Councils to include caveats detailing financial penalties and breakage costs when dealing with the procurement of large contracts. Different councils across the country had different approaches and Norfolk was one of the first councils to achieve a cap on liability meaning that some of the risk was with the contractor.
 - 7.5.4 The Wrate analysis model endorsed by the Environment Agency had been used to establish the carbon footprint of the proposal and it made valid assumptions on the carbon benefits of electricity from an Energy from Waste facility. The precise assumptions would be researched and provided separately.
 - 7.5.5 Industrial waste had a high rate of recycling as the construction sector was generally good at separating out waste products. Commercial and industrial waste in Norfolk currently amounted to approximately 500,000 tonnes per annum. Large volumes of wood were not expected to be processed through this facility as there were other ways of dealing with waste wood.
 - 7.5.6 The County Council's recycling centres had achieved high recycling rates. To increase recycling rates further in Norfolk we remained reliant on the District Councils increasing kerb-side collections with the County Council providing incentives to support recycling services and enhanced financial incentives for kitchen waste collections which had only been taken up in Norwich and an existing trial in part of Broadland.

7.5.7 When the Cabinet Scrutiny Committee considered the Waste PFI in November 2010 it was identified that any delay in the opening of the plant could cost approximately £200k per week in landfill costs, taxes and fines. The PFI credits also devalued several thousand pounds per day if the contract award was delayed.

7.5.8 It was identified that whilst there was no direct link between this proposal and cheaper electricity for local householders the localism bill was looking at how local communities could benefit directly from infrastructure developments and one company had considered using vouchers to do this.

8 Big Conversation - Service Planning and Budget Consultation 2011-2014

8.1 The annexed report by the Director of ETD was received. Additional comments which had been received since the Big Conversation papers had been published were also circulated (attached to these minutes at Appendix B).

8.2 The Director of ETD introduced the report and informed Members that the report set out the proposals for service and budget planning for the department and gave detailed information which included comments from the Big Conversation consultation. Some of the proposals within the Big Conversation were reflective of the work carried out by the ETD Strategic Review Project. This had been reviewed by the Project Board which included cross party Member representation. Section 6 of the main report provided the context of the overall implications of the budget proposals, and gave an overview of how the proposals impacted on services within the department.

8.3 The Director of ETD thanked those Members who had been involved in the Strategic Review Project Board and their significant input into the review.

8.4 The Panel were asked to consider and comment on the proposed core role and strategy for the County Council, as set out in section 5 and the specific revenue budget proposals and capital programme for the Environment, Transport and Development Service as set out in sections 6 and 7.

8.5 During the discussion, the following points were noted:

8.5.1 The Panel were reassured that there were no plans at present to close any of the waste recycling centres in Norfolk.

8.5.2 The Director of ETD advised the Panel that the officers view was that none of the budget proposals within the report compromised the County Council's statutory responsibilities, although that might be challenged by others.

8.5.3 Discussions were taking place with parish and town councils to encourage them to undertake jobs such as grass verge management, grit bin management, gritting footways and footpath management. A working group had visited some parish councils and had looked at the work they undertook and what support would be needed from Norfolk County Council to facilitate this. The results of these discussions were still being analysed.

8.5.4 The proposal to remove or reduce the subsidy for Park and Ride sites could be a

further discouragement to potential users because of the pricing structure in city centre car parks. Officers were working to try to find ways that services could be maintained when the subsidies were reduced. Members said that they did not wish to see the park and ride service close as it was considered an excellent service.

- 8.5.5 A suggestion was made about the possibility of increasing charges for dealing with retrospective planning applications as they could be deemed as not having followed the proper procedures and therefore should be penalised. The Cabinet Member for Sustainable Development confirmed further consideration would be given to this proposal.
- 8.5.6 Norfolk County Council had already announced they would continue to spend up to £50k per year funding signage and housing for safety cameras. Discussions were taking place with the Police Authority who were developing a scheme to continue with the Safety Camera Partnership. It was noted that the average speed camera on the A149 was now operational.
- 8.5.7 Members were reassured that all the budget proposals had been subject to Equality Impact Assessments and copies of these assessments would be available in the Member's room prior to the Cabinet Meeting on 24 January. If Members had specific issues with the dial-a-ride service they could take these up with the department.
- 8.5.8 Concern was expressed about the proposal to redesign access to the countryside around a core network with a reduction in path cutting as it may encourage some land-owners to divert footpaths which run across their fields. Members asked whether Norfolk County Council would take enforcement action if footpaths were diverted. Members were reassured that the proposals were considered to be consistent with statutory duties.
- 8.5.9 Members asked if the Overview and Scrutiny Panel could monitor the impact of the proposed removal of funding from the Wherry and Bittern Line Community Rail Partnership. The Cabinet Member for Travel and Transport reminded the meeting that no decision had been made as yet and there was a possibility of some money being available although it would be limited.
- 8.5.10 The Director of ETD reassured the Panel that once the decisions had been made the agreed proposals would form part of the ETD Service Plan and would be regularly reported to future Panel meetings. This would give Members an opportunity to comment on progress. It was also the Panel's responsibility to ensure the department were clear on what they wished to be included in the monitoring report.
- 8.5.11 The proposal to reshape and reduce trading standards work on farming issues raised concern with Members asking about the possibility of diseases getting into the food chain if services were cut. The Cabinet Member for Sustainable Development responded that no decisions had yet been taken and discussions with Defra would be taking place to ensure that this did not happen.
- 8.5.12 Discussions were taking place to try to find ways of keeping the Norwich bus station information desk and travel centre open. Further information on the reduction of security would be included within the feedback to Cabinet.

The Panel **noted** the report.

9. Highways Capital Programme 2011/12/13 and Transport Asset Management Plan.

- 9.1 The annexed report by the Director of ETD was received and introduced by Grahame Bygrave, Capital Programme Manager and John Joyce, Assistant Director Highways, ETD.
- 9.2 Members were asked to comment on the report, in particular the reallocation of integrated transport funding to structural maintenance to partially address the deterioration in highways condition and recommend it to Cabinet for approval. They were also asked to comment on the proposed changes to the Transport Asset Management Plan and recommend to Cabinet the use of Chief Officer delegated powers, in consultation with the Cabinet Member, to manage the two-year programme, including the possible increase in the Integrated Transport Programme to £3m to deal with any major scheme cost pressures if they arose.
- 9.3 The following points were noted in response to Member questions:
- 9.3.1 With regard to the Norwich Community Infrastructure Fund (CIF), an expression of interest (EoI) had been submitted to the Department for Transport for funding for the Norwich Northern Distributor Route, including the new junction with the A47 at Postwick. A response from the Department for Transport to the EoI was expected in February/March, with the best and final offer being made in the autumn after which a decision on funding for the NDR is expected by December 2011.
- 9.3.2 The figure of £750,000 quoted in the report for the development of the Northern Distributor Road (NDR) was an estimate of the amount required while Norfolk County Council was waiting for the Department for Transport to confirm its response to the expression of interest. In 2010/11 the County Council is spending the minimum required to carry out essential work.
- 9.3.3 A list of all the schemes which had been deferred due to in-year budget reductions and provisionally programmed for 2011/12 but now deferred, would be circulated to all ETD Overview and Scrutiny Panel Members by the Capital Programme Manager, ETD.
- 9.3.4 Members were reassured that every effort would be made to ensure all the schemes listed in the proposed programme of works 2011/12/13 would be completed subject to approval of budgets, approval of the programme and also subject to the satisfactory completion of consultation and legal processes for individual schemes.

The Panel **noted** the report.

10 Environment, Transport and Development Strategic Review

- 10.1 The annexed report was received and introduced by the Director of ETD and David Allfrey, Major Projects Manager ETD.
- 10.2 The Director of ETD drew Members' attention to the fact that the report would be

presented to Cabinet on 24 January 2011 and that this was the last chance they would have to comment on the report before that meeting.

- 10.3 Members were asked to note and comment on the conclusions of the Strategic Review set out in the report, in particular the proposed way forward for a future service delivery method set out in the draft Cabinet report at Appendix A. The Strategic Review Board would be recommending to Cabinet that the contracts with Mott MacDonald and May Gurney should be allowed to continue until their expiration in 2014 under re-negotiated arrangements, which would provide savings of around £1.5m each year from April 2011 onwards.
- 10.4 The following points were noted in response to member questions:
 - 10.4.1 The Director of ETD confirmed that the work completed had been shared with the Strategic Review Project Board and was based on significant benchmarking data. Benchmarking had shown that the suggested prices were competitive with the current market rate and the best way forward was to renegotiate contracts now which would allow Norfolk County Council to complete negotiations in a structured way.
 - 10.4.2 Some Members of the Panel confirmed their support for the recommendation to renegotiate contracts with May Gurney and Mott Macdonald rather than reprocur contracts.
 - 10.4.3 It was confirmed that, as part of the renegotiating process, performance indicators would be developed to ensure quality of service was maintained.
 - 10.4.4 It was acknowledged that sometimes work was unavoidably carried out in unsuitable conditions which had caused some problems, although it was impossible to solve some issues totally. The Panel was reassured that the department regularly carried out checks on completed work and if substandard work was identified, the contractor would be asked to put the faults right.
 - 10.4.5 It was the intention of the ETD department to set up a further cross-party Project Board to prepare for the procurement of a new contract during 2011.
 - 10.4.6 Members could report any highways problems to the Highways team to ensure they were dealt with quickly.

11. Exclusion of the Public

The Director of ETD presented the following reasoning for exclusion of the public and conclusion in respect of the public interest test:

Item 12: The annex set out some detailed commercial information relating to fees and costs associated with current contracts. The public interest in disclosing this information was outweighed by the public interest in non-disclosure. Disclosing this type of commercial information may impact on the Authority's ability to obtain best value in any future procurement exercises. Disclosure could also have a detrimental impact on Mott MacDonald and May Gurney's ability to participate in the procurement process for any contracts of a similar nature, either with the County Council or other organisations, as it would essentially make commercially sensitive

information available to their competitors.

The Project Director - Residual Waste Services presented the following reasoning for exclusion of the public and conclusion in respect of the public interest test:

Items 13 and 14: Financial and bid issues were outlined in detail for Members to consider. This information was considered to be exempt under Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended 1 March 2006) ('information relating to the financial or business affairs of any particular person (including the authority holding that information)').

The public interest test in disclosing these issues was outweighed by the public interest in non-disclosure. Disclosing sensitive business and financial information may impact on the Authority attaining best value in future negotiations.

RESOLVED:

That the public be excluded from the meeting under section 100A of the Local Government Act 1972 for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Act.

12. ETD Strategic Review

The Panel considered and **noted** the exempt information relating to the Strategic Review.

13. Exempt Minutes of the Meeting held on 2 November 2010

The exempt minutes of the meeting held on 2 November 2010 were agreed and signed by the Chairman.

Summary of Minute excluded from public deposit:

14. Waste PFI Contract Award.

The Panel considered the exempt information relating to the Waste PFI Contract Award.

15 Return to public session

Waste PFI Contract Award

In relation to item 14 (Waste PFI Contract Award), the Panel voted on the recommendations within the report and with 9 votes in favour, 4 against and 2 abstentions, it was

RESOLVED:

To recommend to Cabinet that it makes the following decisions:

1. To approve the award of the Waste PFI contract to Cory Wheelabrator on the basis set out in the final tender and subject to confirmation by Defra that the

bid remained in line with its requirements for the PFI process and therefore secured PFI credits.

2. That the Director of Environment, Transport and Development, in consultation with the Leader and Cabinet Member for Sustainable Development, be delegated to conduct final clarification, confirmation of commitments and due diligence with Cory Wheelabrator in accordance with the Public Contracts Regulations provided that no changes or significant modifications to the bid were made that would distort competition or have a discriminatory effect.
3. That the Director of Environment, Transport and Development, in consultation with the Leader and Cabinet Member for Sustainable Development, be delegated to approve terms for the private finance initiative contract with Cory Wheelabrator and all associated documents together with any additional acts and instruments required to give effect to the project including, without limitation, direct agreements with funders.
4. To authorise provision of an indemnity to the Head of Law or Head of Finance or other appropriate officer who would sign the Local Government (Contracts) Act 1997 certificate as to the County Council's vires to enter into the contract.
5. That the site at Willows Business Park be leased to Cory Wheelabrator for the duration of the contract on terms to be approved by the Director of Environment, Transport and Development in consultation with the Leader and Cabinet Member for Sustainable Development.
6. To confirm affordability with suitable allowance for fluctuations in the cost such that when the contract is entered into the overall cost to the County Council is no greater than the equivalent of a 1% increase in interest rates for a 10% worsening of relevant exchange rates from those assumed in the final tenders.
7. To make provision in the County Council's Financial Plan for the funding of the PFI contract and the resources required to manage the contract.
8. That the Director of Environment, Transport and Development in consultation with the Leader and Cabinet Member for Sustainable Development be authorised to pursue the possibility of further enhancing the environmental benefits by pursuing the possibility of making combined heat and power part of the Energy from Waste facility.

The meeting ended at 12.30pm

CHAIRMAN



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5 Public Questions

5.1 Question 1 from Mr John Martin:

What is the actual or estimated cost (in money or other consideration) of securing a release of the land at Saddlebow, King's Lynn intended by the Council as the site for a waste to power facility from the restrictive covenant prohibiting the use of the land for the commercial production of electricity?

Reply by the Cabinet member for Sustainable Development

The relaxation of the restrictive covenant is a commercial matter that is not yet concluded so this information cannot be provided at this time.

5.2 Question 2 from Mr John Martin:

Will the Council follow central government advice contained in PPS: 23 - Planning and Pollution Control (2004) and urge Cory Wheelabrator to submit in parallel its application for planning permission and its application for an environmental permit so that their consideration by the Council and the Environment Agency respectively can be co-ordinated?

Reply by the Cabinet member for Sustainable Development

The County Council's assumption and expectation has always been that the processes would be managed in parallel but ultimately this is a decision for Cory Wheelabrator as the developer.

5.3 Question 3 from Mr Mike Knights

On October 27th 2010 I submitted a Freedom of Information act for background information leading up to the NCC Waste PFI Contract award. I particularly wanted to see the site selection criteria. After being kept waiting for the maximum time period my entire request was denied. If a site selection criteria ever existed and was properly applied can I now see the evidence of this for myself without further delay?

Reply by the Cabinet member for Sustainable Development

In response to this question the site selection criteria applied to 260 sites as a part of the process of selecting one site included assessments of:

- Access to the strategic road network.
- Proximity to residential properties.
- Flood risk.
- Environmental constraints.

The key aspect of site selection was the suitability of the site for waste management activities from a planning perspective. The King's Lynn site was chosen primarily due to its strategic location adjacent to existing and proposed infrastructure (notably a gas fired

power station that was expected to expand and a paper mill that was planned for development). This juxtaposition would encourage the exploitation of synergies with any waste treatment facility developed, particularly where electricity, heat, gas or materials are generated by the waste treatment process.

Supplementary question from Mr Knights

Would the Councillors present indicate through a show of hands if they still believe the proposed incinerator would be providing constant monitoring of dioxin and heavy metal emissions during its operation?

The Chairman responded that it was not appropriate for Panel Members to individually confirm whether or not they believed that regular monitoring of dioxin levels would take place.

5.4 Question 4 from Mr Richard Burton

On 8th November I submitted a question to Cabinet asking whether I could give a presentation to County Councillors about the proposed Saddlebow mass burn incinerator. I have given the same presentation to West Norfolk Borough Council and approximately 900 residents. Councillor Steward's written response denied Councillors this opportunity on the grounds that she considered my evidence had been "strongly rebutted" by NCC officers. To put Councillor's Steward's assessment in context, of the approximately 900 people who have attended events and heard both myself and NCC officers speak, their votes show they agree with me at ratio of 899:1 (the 1 who disagreed being Councillor Ian Monson). In light of this, is this group willing to accept my offer of a presentation, and if not will it agree to inform all Councillors that it, along with Cabinet, has denied my offer of a presentation? This is particularly important as most Councillors are unaware that Cabinet has actively sought to stop them hearing the evidence that an independent environmental management consultant can provide."

Reply by the Cabinet member for Sustainable Development

The answer remains similar to that given in response to your similar question in November. This committee will be considering whether to make a recommendation relating to the procurement process.

It is the Planning Committee which will consider all the issues connected with the proposals being made by Cory Wheelabrator. Therefore you may wish to contact the Chairman of that committee with your suggestion at the time when they will be discussing a planning application.

Supplementary Question from Mr Burton

I have audited many of the statements made by Council Directors with regard to the proposed waste incinerator and found that many of them may be incorrect and some are misleading. Cory Wheelabrator has confirmed that the additional HGV movements to be generated will be 164/day. This corresponds exactly with my estimate, yet Council Directors told the Borough Council last year that they would be 25-30/day. A Freedom of Information Act request response shows that at the time Council Directors had information that contradicted this. They have since made other estimates, but all have been inconsistent and wildly inaccurate. Much other information distributed by officers has also proven incorrect. Given that the information that Councillors have before them today was prepared by the same Directors, Councillors cannot rely upon it

being correct. In any private sector company this process would already have been suspended and an investigation launched. Will Councillors therefore agree to suspend the process and investigate their Directors' claims.

The **Cabinet Member for Sustainable Development** responded that detailed work to understand vehicle movements would form part of the planning application process, information provided by officers was given out very early before this and was dependent on the size of plant put forward. The Director of ETD confirmed that earlier information provided clearly only related to the number of refuse collection vehicles delivering municipal waste and that the recent information provided by Cory Wheelabrator related to all the vehicle movements meaning there was no inconsistency. He added that HGV vehicle movements to the plant needed to be kept in context with the total vehicle movements along that stretch of road of between 32,000 and 35,000 vehicles per day.

5.5 Question 5 from Mr Michael de Whalley.

In the event that Wheelabrator are found guilty by the Massachusetts Attorney General's investigation into environmental violations at their Saugus waste incineration plant, as reported in the Boston Globe on 4th January 2011, will Norfolk County Council be willing and able to reconsider the proposed preferred bidder's fitness to manage Norfolk's waste?

http://wap.boston.com/art/35/news/local/massachusetts/articles/2011/01/04/ag_investigating_waste_incinerator/?single=1&p=2

Reply by the Cabinet Member for Sustainable Development:

The County Council is aware of the issues being raised in the Boston Globe and is monitoring the situation very closely and remains confident in its selection of Cory Wheelabrator to deliver a sustainable solution for managing Norfolk's residual waste.

Supplementary question from Mr de Whalley

The site at the Willows Business Park has a covenant restricting the production of electricity. When will the covenant be removed and at what cost?

The **Cabinet Member for Sustainable Development** responded that that information was commercially sensitive at the moment and would become available in the future.

5.6 Question 6 from Judi Knights

There is an established pattern of local Governments in America and here in the UK where Incinerator companies have sold their technology as an economic solution for waste only to have it become an economic disaster for the authorities tied into expensive long-term contracts. The incinerator company's interests usually being well protected. In Claremont USA 29 towns were forced to file for bankruptcy when their incinerator contract failed to deliver the promised benefits, May 2010 the New York times reported Harrisburg's incinerator as their money pit, the Wall Street journal reported the same trend across the country. Some of the companies involved are those now offering the same services here. A spokesman for Kent County Council has already acknowledged their recently opened incinerator was an expensive mistake. There are many examples of incineration not delivering the promised financial benefits compared to the alternatives with local Government being the loser. If

Councillors have taken the trouble to look at other's experience what makes them think Norfolk's proposed incinerator will buck the trend of financial disappointment?

Reply by the Cabinet Member for Sustainable Development:

Incineration is a proven and reliable way of treating left over rubbish. This is evidenced by the fact that many local authorities in this country already have waste services provided to them by companies with incinerators as there are more than twenty across the country treating municipal waste and more are planned like those in Suffolk and Lincolnshire.

Additional information received on the Big Conversation after 31st December 2010

1.0 Introduction

The proposals for the Environment and Development service have received 211 additional responses and the Travel and Transport service 179 additional responses since 31st December 2010. We have also received an additional 100 feedback cards from the bus station. In addition, three responses have been received which do not fit under the existing proposal but make wider comment about the services delivered.

2.0 The following proposals have the largest numbers of responses:

- H13 - Reduce subsidy for Park and Ride in Norwich (46 additional responses)
- E11 - Re-focused, more targeted Public Rights of Way service (33 additional responses)
- E18 - Review historic building work and end some grant funding (33 additional responses)
- H15 - Close the travel information desk at Norwich Bus Station and reduce opening hours of the travel centre (39 additional responses)

3.0 New suggestions, or variations on themes, not already reflected in Section E, (Environment and Development) include:

- Concern in maintaining public protection service to the food industry
- A farmer's concern over crop damage resulting from people not being able to use the Public Rights of Way) PROWS that may become overgrown.
- Consistent practices would need to be maintained across parishes to ensure that full lengths of footpaths that enter several parish boundaries are accessible
- North Norfolk Community Woodland Trust made reference to a consultation being held by DEFRA on Green Spaces which in their opinion our proposal did not 'join up with'
- Suffolk County Council responded on the proposal for the Brecks Partnership, stating that they were proposing not to withdraw funding.
- Introduce a 6 day week for Household Waste Recycling Centres (HWRCs) so each closed one day a week but neighbouring centres should be closed on different days.
- Open HWRCs in the afternoon & early evening or close some week days & open all weekend
- One suggestion to work with local supermarkets to offer more recycling points.
- A response from the Chairman of Shaping Norfolk's Future (SNF) suggests that rather than the proposed reduction over three years of core funding that a single

lump sum be received in 2011/12 to include funding which otherwise would not have received until 2012/13.

- A response from County Cllr. Brian Iles about maintaining support to the Norfolk Churches Trust.
- Produce publications in association with District Councils, entitled 'Working Together'.
- There has been feedback to support increased income from Trading Standards metrology calibration services and to reduce trading standards activities for consumers and businesses.
- North Norfolk District Council "fully endorse" our Waste Strategy.

3.1 Gypsies and Travellers

Officers have visited Gypsy and Traveller sites in Costessey, Frenze Beck, Diss, Smallburgh and Boyland Common to discuss the proposal in the Big Conversation. The following feedback has been received from residents:

- If Registered Social Landlord's are put in charge of NCC sites the rents will increase leading to more roadside encampments
- There are not enough people helping us now without cuts to services
- Who will fill the gap?
- We can't go back to the bad old days of just moving us on all the time without liaison
- Life on the road is hard enough without removing services.
- Traveller liaison has a wealth of knowledge on how to access services e.g. health and education and a better understanding than most about Gypsy & Traveller culture

North Norfolk District Council responded to say that the proposal had the potential of undermining recent initiatives to promote the development of inclusive and cohesive communities.

3.2 Environment Service

The Forestry Commission have responded to suggest that work provided by this service cannot be replaced by the Big Society. They refer to the proposal to withdraw funding from the Brecks Partnership as 'regrettable'. It does support the interest and ownership of land by active communities. Support for the Brecks partnership has also come from a St. Edmundsbury Councillor.

Norfolk Wildlife Trust have expressed an interest in managing some of the nature reserve sites. Also, they have registered concerns regarding the impact of withdrawal of funding from the Wash Estuary Management Group the Norwich Fringe and the Brecks Project

We have received official representation from the Ramblers expression their concern about the ability to meet the Countryside Rights of Way (CROW) Act 2026 and stating that cuts were disproportionate to this service.

Environment staff have commented to say that the cuts will no longer enable them to deliver a proactive service which will be a retrograde step in their opinion, leaving the

authority open to increased legal action. Our ability to meet the Public Health White Paper (2010), Dept of Health White Paper (2004) and Government Rural White Paper (2000) are also questioned.

We have received responses from Wrenningham, Hempnall, Costessey, Swardeston, Burstn and Shimpling PCs. Some stated that they would be unable to help with the provision services and requested further information on how this service will work.

Middleton PC were supportive of greater use of electronic NCC publications and were concerned about increased asbestos fly-tipping.

Responses have been received on behalf of the Norfolk Churches Trust including six members of the Advisory Council, a Trustee / Hon Treasurer, Director / Trustee, one Church Warden, one member of the Trust, one Honourable Chaplain to the Churches Trust and the Chairman, the Norfolk Historic Buildings Trust. The President of the Norfolk and Norwich Archaeological Society is concerned whether other organisations will see this as an opportunity to withdraw funding and that this may damage the local economy.

3.3 Economic Development

There has been correspondence received about the importance of continued development of the LEP and the fear that reduced funding may affect this work:

- Norman Lamb MP
- FIG (Financial Industry Group) Chairman

Melton Constable, Saham Toney PCs, The Executive Director Creative Arts East and Norfolk Playing Fields Association do not support the proposal to reduce contributions to economic development projects.

The Chief Executive Norfolk Rural Community Council (NRCC) stated that if NCC were looking to expand into Community Development & Neighbourhood planning, they recommend linking community based approach to higher level strategies (via NRCC).

Deepdale Farms Diversification Partner, Norfolk Tourism's Chairman, Swaffham Tourism Chair, the Operations Director from Norfolk Cottages and Greenbanks Hotel, Wendling responded with concerns in respect of cutting funds that may affect the tourist industry.

3.4 General Responses

Norfolk Police Authority responded to specific proposals and commented upon the impacts that the proposals would have on illegal activity and enforcement and public fear around safety and security. Also, it endorsed existing community partnerships and suggested joint working arrangements with District based Operational Partnership Teams.

4.0 **New suggestions, or variations on themes, not already reflected in Section H, (Travel and Transport) include:**

- The Head of Corporate Affairs Bus & Coach National Express proposed specific ways in which National Express could assist in maintaining the information desk including taking over its operation.
- Middleton Parish Council suggested that two of the lesser used Park and Rides sites should be 'disposed of'.

- We have received feedback regarding the perceived inefficiency of contractors working within the Partnership, details of which have been passed to the appropriate service manager.

4.1 General Responses

Responses were received from:

NNDC, North Walsham Town Council, Broads Cycle Hire, Cromer Town Council the Chairman of the Wherry Lines Community Rail Partnership, Head of Community Rail Network Rail, former Chairman of Bittern Line Community Rail Partnership / former administrator for North East Norfolk Travellers Association and Vice Chairman of the Wherry Lines Partnership were all concerned about the reduction in funding for transport partnerships.

East Norfolk Transport User Association (ENTUA) has responded to register its concern about the proposals for the Community Rail Partnership, Park and Ride sites and bus information desk at the Bus Station.

Wymondham Bridewell Women's Institute and Visit Norwich were concerned about the effect of the closure of the travel information desk and reducing the subsidy for the Park and Rides.

North Norfolk District Council states that it understands that local government is facing unprecedented difficulties as a result of government grant cuts, and have commented upon proposals which they believe will impact most on the wellbeing of the district. In this instance, proposals for the Park and Ride and Bittern Line funding. Also, it doesn't wish to see rural areas disadvantaged by the reduction in public transport.

The UK Director of Property & Facilities at Aviva has written to say that the Park and Ride is an important facility in helping employees to get to work and that if the service is reduced they would be keen to work with NCC to explore locally defined parking policies.

Norfolk Rural Community Council commented upon the rural bus strategy proposals which included:

- Broadly welcome move to demand responsive transport.
- Please that NCC has protected budgets associated with community transport and recognised the key future role it will play.

Responses from District Councils

In addition to those council's whose responses have already been incorporated into the consultation feedback – responses have also been received from:

- Norwich City Council
- Broadland District Council
- Great Yarmouth Borough Council
- Kings Lynn Borough Council

We also received a 40 page response from Diss Town Council, the comments from which are also incorporated here.

The following comments provide a summary of the key points made in their responses. The full responses will be available for inspection in the members' room.

Key themes:

Consultation process

- Councils felt that more information on the specific budget proposals should have been provided to aid a better understanding of what was being proposed and therefore a better response
- Councils would have liked earlier engagement with them and their members in the Big Conversation

Transfer of costs

- Councils were concerned that reductions in or withdrawal of services would mean that the people they currently support would be left without any services and the costs of helping them would be transferred to district councils and other public sector partners.
- Examples given were: increased pressures on housing provision due to reduced spending on prevention services; increased anti-social behaviour due to lack of Youth Service provision; increased 999 calls due to people with substantial needs not getting the services they need; pressure on Disabled Facilities Grant due to reduced Supporting People budget.

Impact on the most vulnerable

- Councils were concerned that the cumulative impact of the budget proposals had not been fully explored, particularly the impact on the most vulnerable people.
- Norwich City Council were particularly concerned that the proposed change in eligibility criteria for Adult Social care would mean that 1,500 Norwich residents would not receive a service in the future, and that the rate of mental illness in adults was 40% higher in the city than elsewhere in the county and would therefore be disproportionately affected by proposed service reductions.

Preventative services

- Councils felt that proposals to reduce the funding for preventative services was a false economy, that costs would be transferred to other agencies (see above), and people's needs would deteriorate more quickly and therefore require critical services sooner.

Cabinet Member feedback on previous Overview and Scrutiny Panel comments

A joint note by the Cabinet Member for Travel and Transport and
Cabinet Member for Sustainable Development

Travel and transport issues

Report/issue	Norwich City Agency Agreement review
Date considered by O&S Panel:	17 November 2010
O&S Panel comments:	The Panel noted the report, which set out a proposed new Agency Agreement, including the services to be retained by the City Council and services to be moved to the County Council, where there were clear benefits in altering current arrangements.
Date considered by Cabinet:	4 January 2011
Cabinet feedback:	The Cabinet approved the proposed changes to the Agency Agreement.

Joint travel and transport and sustainable development issues

Report/issue	Big Conversation - Service Planning and Budget Consultation 2011-14
Date considered by O&S Panel:	12 January 2011
O&S Panel comments:	The Panel noted the report, which set out the financial and service planning position for Environment Transport and Development services for 2011-14, including a summary of the results of the Big Conversation consultation.
Date considered by Cabinet:	24 January 2011
Cabinet feedback:	The Cabinet resolved to recommend a budget to Council, as set out in the papers for the meeting. This included an amendment to the proposals considered by Panel which sees the level of savings proposed for the public transport network 2011/12 reduce from £1m to £420,000.

A final budget was agreed by the County Council at the meeting on 14 February 2011.

Report/issue	Environment, Transport and Development Strategic Review
Date considered by O&S Panel:	12 January 2011
O&S Panel comments:	The Panel noted the proposed way forward for a future service delivery method, set out in a draft Cabinet report, which would provide savings of around £1.5m each year from April 2011 onwards from the contracts with May Gurney and Mott MacDonald.
Date considered by Cabinet:	24 January 2011
Cabinet feedback:	<p>The Cabinet agreed the proposed way forward, as follows:-</p> <ul style="list-style-type: none"> (i) The 8 year break point is not exercised and the contracts continue until their full term to April 2014 under the re-negotiated arrangements. (ii) The Director of Environment, Transport and Development and Head of Procurement, in consultation with the Cabinet Member for Travel and Transport, continues negotiations with Mott MacDonald and May Gurney, including pursuing the potential transfer of further construction works to May Gurney, and that any additional new arrangements identified are implemented provided there are clear benefits and no increase in costs for the Council. (iii) The Director of Environment, Transport and Development and the Head of Procurement carry out work to prepare for the procurement of a new contract to commence April 2014, including active consideration of potential collaboration with Suffolk County Council and/or the Eastern Highways Alliance. The work will need to commence during 2011.

Officer Contact

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

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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

- 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) to note the Floodline Warning Direct Service provided by the Environment Agency, and consider whether any further scrutiny of this service is needed.

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 (including those relating to ETD services which were previously undertaken by other by other Overview and Scrutiny Panel).

2. **Environment Agency Floodline Warning Direct Service**

- 2.1. The Panel previously agreed that the Environment Agency would be invited to this meeting to demonstrate the warning messages that can be delivered by their Floodline Warning Direct service, and to answer any questions from Panel Members. Representatives are present at today's meeting to do this. To assist discussions, an information note is included at Appendix C.
- 2.2. For information, this scrutiny item was originally initiated by the Fire and Community Protection Overview and Scrutiny Panel, this followed a request from the Cabinet that the Panel scrutinise Floodline Warning Direct. The work carried out by that Panel included a select committee style meeting on 18 May 2010, at which the Environment Agency gave a presentation on the Service and answered questions from Panel Members and members of the public.

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

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

3 **Equality Impact Assessment**

- 3.1 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) to note the Floodline Warning Direct Service provided by the Environment Agency, and consider whether any further scrutiny of this service is needed.

Officer Contact

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

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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 16 March 2011

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 17 November 2010

Added

- None.

Deleted

- None.

Topic	Outline Objective	Cabinet Portfolio Area	Stage 1 (scoping report)	Stage 2 (report back to Panel by Working Group)	Requested by	Comment
Scrutiny Items - Ongoing						
1. Broadband and Telecom provision in Norfolk	Provision of fully effective Broadband and mobile phone coverage for rural and urban areas in Norfolk.	Sustainable Development		19 May 2010, 22 September 2010 and 16 March 2011	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. Regular meetings of Working Group being held. Progress report included on the agenda for discussion at March O&S Panel meeting.
2. Environment Agency Floodline Warning Direct Service	To identify issues in the scheme which affect public confidence and identify ways in which the public can be better informed of the service.	Sustainable Development		Select committee held 18 May	27 July 2009 Cabinet	Environment Agency attending March O&S Panel meeting - see para 2 of covering report and Appendix C.
Scrutiny Items – Ongoing/identified for possible future scrutiny						
3. The recession	To ensure SME's remain viable during the latter half of the economic downturn and are well placed to take advantage of the forthcoming upturn.	Sustainable Development	TBC	TBC	1 September 2009 (by a Task & Finish Group set up by the former ED&CS O&S Panel).	

Continued.../

Topic	Outline Objective	Cabinet Portfolio Area	Stage 1 (scoping report)	Stage 2 (report back to Panel by Working Group)	Requested by	Comment
4. The recession	To keep communities and individuals supported and economically engaged during the latter half of the economic downturn.	Sustainable Development	TBC	TBC		
5. Developing confident young consumers	Reviewing initiatives and supporting our approach to 'growing' successful consumers for the future.	Sustainable Development	TBC	TBC	12 January 2010 (by working group set up by the F&CP O&S Panel)	
5. Community Infrastructure Levy (CIL)	TBC	Travel and Transport & Sustainable Development	TBC	TBC	14 May 2008 (at the former PTEW O&S Panel)	The Government has published regulations regarding implementation. Officers proposed to bring a report to Panel in May, updating Members on CIL and other developments regarding funding for infrastructure.

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
3 March 2010	Carbon Reduction Commitment	PTEW/Full Panel
3 March 2010	Grit bins	PTEW/Full Panel
22 July 2010	Use of civilian traffic marshals	ETD/Full Panel

Environment Agency Floodline Warning Direct (FWD) Information Note

At the Norfolk County Council Cabinet Meeting held on the 27th July 2009 it was requested that the Fire and Community Protection Overview and Scrutiny Panel carry out further scrutiny of the Environment Agency's Floodline Warning Direct (FWD) service.

The following briefing gives some background information as to the current Environment Agency (EA) systems used to warn of flood risks from rivers and seas. Representatives of the EA will be present at the Scrutiny Panel of the 16th March 2011 to provide additional information and answer any questions.

It is the responsibility of the EA to predict and warn of the risk of flooding from rivers and seas in England and Wales. As part of its requirement to warn of flooding the EA, with its partners, has developed a national flood warning system that can deliver timely warnings, using multiple communications channels, to the public, professional partners, including the emergency services and local councils, and the media.

The system is known as Floodline Warning Direct (FWD) and is a 24 hour free service which sends direct messages when flooding is possible and may affect properties. Flood warnings will give time to prepare for flooding and can be received via telephone, mobile, email, SMS text message or fax, whichever preference the person receiving has requested – there is no cost to the end user for receipt of warnings.

To ensure resilience there are four FWD systems, any of which is able to issue all the flood warnings for England and Wales. The main site is in North-west England. This holds a main machine and a constantly ready duplicate should the main machine fail. This is known as the “hot standby”. The above arrangement is replicated in south-east England to provide resilience should the main site be lost - known as the “cold standby”.

The FWD system is used by 26 EA teams located across the country. Each team tests their links to the machine, and the machine itself by issuing an internal test message every day; as a result FWD is tested 26 times a day.

When a flood warning is issued FWD generates a report which states the number of calls that were successful and whether they were acknowledged. It also reports the number of calls that were unsuccessful and the reasons for this e.g. if the phone went unanswered, was answered by a machine or if there was a telephony problem. This allows the EA to make an informed decision about what subsequent action to take.

As part of a recent review of customer needs and service improvement in November 2010 the EA changed the FWD flood codes to make them clearer to understand and more visible. The messages provide more relevant and local information, are simpler to understand, and clearer about what actions to take. There are three types of warning - Flood Alert, Flood Warning and Severe Flood Warning.



FLOOD ALERT

FLOODING IS POSSIBLE. BE PREPARED.

A Flood Alert is used to warn people of the possibility of flooding and encourage them to be alert, stay vigilant and make early preparations for flooding. This replaced the previously issued Flood Watches. A Flood Alert will be issued earlier than a Flood Warning, to give customers advance notice that flooding is possible.



FLOOD WARNING

FLOODING IS EXPECTED. IMMEDIATE ACTION REQUIRED.

A Flood Warning will be used to warn people of expected flooding and encourage them to take action to protect themselves and their property.



SEVERE FLOOD WARNING

SEVERE FLOODING. DANGER TO LIFE.

A Severe Flood Warning will be used when there is a significant risk to life or significant disruption to communities and customers need to be encouraged to take action to protect themselves and follow the advice of the emergency services. Significant risk to life means that death or serious injury is a likely risk for people in the area.

Significant disruption to communities means that people maybe without essential services which could result in harm to their health, or people are put at risk by the extent of flooding and the inability of emergency services and the authorities to cope with it.

A “Warning No Longer in Force” message will be used to inform customers that the threat of flooding has passed and no more flooding is expected.

Flood Warnings and Severe Flood Warnings are also issued to Extended Direct Warnings (EDW) Customers in most areas. The Extended Direct (Flood) Warnings (EDW) project enables the EA to send flood warnings to homes and businesses that are not currently registered to receive warnings. These customers can “opt out” from this service.

To provide further support to the emergency services and other responders under the Civil Contingencies Act, including Local Authorities, the Met Office and Environment Agency provide a joint service known as the Flood Forecast Centre (FFC). Each morning the FFC and the Environment Agency in conjunction with the Met Office, hold a teleconference to decide on the detail of the Flood Guidance Statement (FGS). The FGS provides a 5 day outlook of the weather and highlights potential problems - a 3 day version of the FGS report is available to members of the public via the EA website. If necessary a teleconference is held with local resilience forums to assess any risk and co-ordinate a multi-agency response - this allows greater preparation time to respond to any potential flood risks.

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Scrutiny of Broadband and Mobile Phone coverage for rural and urban areas in Norfolk - Progress update

Report by the Chairman of the Scrutiny Working Group

Summary

This report updates the Panel on the progress made by the Scrutiny Working Group since their last report to Panel in September 2010, and the next steps planned.

At this stage, work has focussed on improving Broadband coverage, rather than the wider digital agenda. Key areas of work progressing alongside the scrutiny exercise, for which the working group have received regular updates from officers, include:-

- submission of a bid to EEDA for £150k funding, currently subject to formal appraisal with a final decision expected in March.
- initial work to develop a funding bid for Wave 2 funding from Broadband Delivery UK (BDUK), following the Government's announcement in December that £530m has been made available to BDUK to support Broadband. Guidance on bids is expected in March, with the deadline for submitting bids in April.
- work to develop a Plan to provide Broadband coverage options for the whole of the County – called Broadband for Norfolk. This Plan will include information that can be utilised in developing a bid for BDUK funding.

There continues to be a good level of support from business and residents in Norfolk, with over 4,000 residents, businesses and public sector organisations registering demand for next generation broadband services. Some individuals have also contacted the Working Group direct to register their support. In recognition of this continued interest and support, the Working Group has set up a sub-group to develop a communications plan.

The Working Group proposes to continue to focus on Broadband provision whilst significant work to develop the Broadband for Norfolk Plan and funding bids is being carried out, and consider how best to develop the scrutiny exercise to encompass the wider digital agenda at a later stage.

Action Required

Members are asked to note the progress made and comment on the next steps for this scrutiny exercise.

1. Background

- 1.1. This scrutiny topic was originally identified by the former Economic Development and Cultural Services Overview and Scrutiny Panel, which set up a Member Working Group to carry out the scrutiny exercise. A copy of the terms of reference for this scrutiny, including the members of the Working Group, is included at Appendix A.

2. Progress Update

2.1. The Working Group reported progress to the Panel in September 2010. Since that time, the Working Group has met three times. At this stage, work has focussed on Broadband provision, rather than the wider digital network.

2.2. As reported in September, an officer Broadband Action Team has been set up to take forward key actions relating to Broadband. Appendix B summarises the main packages of work taken forward by Team, along with an indication of the current position for each package of work. Progress on these items is regularly reported to the Working Group, and further information on key areas is provided below.

2.3. Funding bids

2.3.1. In December 2010, the Government launched a Broadband Strategy, setting out a commitment to ensure the rapid roll-out of superfast broadband across the country. They would like remote areas to benefit from this at the same time as more populated areas. The Government has made £530m available to Broadband Delivery UK (BDUK) during the Spending Review period to support broadband and stimulate further private sector investment, including £50m to support a further wave of rural projects.

2.3.2. It is anticipated that guidance on submitting bids for funding from BDUK will be issued in March, with a deadline for submitting bids in April. Indications are that BDUK will be looking for bids in rural counties with upper tier authorities as the lead. Officers met with BDUK during February to start to explore the type of bids that they are likely to be looking for.

2.3.3. In the meantime, the Council's bid to EEDA for £150k funding under their Songbird initiative is currently subject to formal appraisal and a final decision is expected early March 2011.

2.4. Single design for Norfolk

2.4.1. Work is progressing to develop a co-ordinated overall plan to provide Broadband coverage options for the whole of the County. The Working Group has reviewed an early draft of this plan – called Broadband for Norfolk.

2.4.2. The Plan aims to set out the current picture of Broadband provision in Norfolk, the expected development of commercial broadband and priority areas for investment. It will also set out information on potential models to improve Broadband provision in Norfolk including the likely funding gap, above possible commercial investment, based on achieving 85% coverage across the county.

2.4.3. To inform the development of the plan, a pilot of local Wi-Fi technology has been carried out in Hilgay, and a further pilot of long range Wi-Fi technology at both Hilgay and West Dereham are planned.

2.5. Further information on the Broadband for Norfolk Plan will be included in the next update report from the Working Group, planned for July 2011.

2.6. Support for improved coverage

2.6.1. Improving Broadband and Mobile Phone coverage continues to attract support from residents and business in Norfolk. The Working Group has received correspondence from some residents supporting improvements in their area. This

includes correspondence from a business in Eastgate which provided copies of the results of a survey they had carried out in their village to assess demand for a high speed broadband service, which attracted 240 individual replies supporting this.

- 2.6.2. Shaping Norfolk's Future has a webpage dedicated to Broadband – www.broadbandnorfolk.com . This includes a link to the EREBUS (Eastern REgion Broadband Uplift Scheme) Broadband Demand Registration where businesses. The ERABUS site aims to register demand for next generation broadband services as a means to encourage commercial suppliers to invest in infrastructure to deliver this in the East of England. As at end December 2010, 4,064 registrations have been made in Norfolk – 544 from businesses, 3,501 from residents and 19 from third parties.
- 2.6.3. Recognising the continued interest and support for improved Broadband and Mobile Phone coverage in Norfolk, the Working Group has set up a sub-group to consider and develop a communications plan. Membership of this Sub-Group is as follows:
- Janet Murphy – Conservative
 - Marie Strong – Liberal Democrat
 - Colleen Walker – Labour
 - Philip Hardy – Green
 - Andy Ambridge - ICT Ideas Labs Manager, Resources
 - Susie Lockwood – Media Officer, Customer Service and Communications
- 2.6.4 In addition, the Working Group has also recently written to the district councils in Norfolk to highlight that leaving sufficient room in ducting installed for new housing developments for fibre cables to be added at a later date would avoid the need to dig up roads later to install this. This would reduce the cost for service providers and make it more likely the super-fast broadband will become available. This is an issue that the Working Group felt it would be useful for planning authorities in Norfolk to be aware of.

3. **Next steps**

- 3.1. As mentioned above, work has focussed on Broadband provision, rather than the wider digital network. The Working Group did not feel that developing the scrutiny to encompass the wider digital agenda was a priority at this stage. It is proposed to continue to focus on Broadband whilst the funding bids and Broadband Plan for Norfolk are being developed, and consider how best to develop the scrutiny exercise to encompass the wider digital agenda at a later stage.
- 3.2. In the meantime, the Working Group intend to invite representatives from NCC directorates to their meetings over the next few months to start to build a picture of how improved Broadband and Mobile Phone coverage could support improvement and enhancement of NCC service delivery, including operational needs.
- 3.3. The Working Group anticipates continuing to report progress to this Panel at alternative meetings – next updates will be July 2011 and October 2011, if needed.

4. **Resource Implications**

- 4.1. **Finance** : The cost of achieving next Generation Access Broadband coverage across 85% of the county will be dependent on the technology uses, but is

anticipated to be over £60m. This level of investment will not be possible from commercial investment alone. Successful bids for funding from BDUK or EEDA alone would not provide the total funding needed to achieve 85% coverage, and would require a prioritisation of implementation areas and/or funding from other sources.

5. Other Implications

- 5.1. **Equality Impact Assessment (EqIA)** : This report is not directly relevant to equality in that it is not making proposals which may have a direct impact on equality of access or outcome. An equality impact assessment will be completed as part of the development of the Norfolk Next Generation Access Plan.
- 5.2. **Any other implications** : Officers have considered all the implications which members should be aware of. Apart from those listed in the report (above), there are no other implications to take into account.

6. Section 17 – Crime and Disorder Act

- 6.1. N/A.

Action Required

- (i) Members are asked to note the progress made and comment on the next steps for this scrutiny exercise.

Background Papers

Terms of Reference for Scrutiny – Cultural Services and Economic Development O&S Panel - 10 March 2010

Progress Reports by Chairman of the Scrutiny Working Group:

- Cultural Services and Economic Development O&S Panel – 19 May 2010
- ETD O&S Panel – 22 September 2010

Agendas, minutes and papers of the Scrutiny Working Group

Officer Contact

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Scrutiny Terms of Reference

Terms of reference for scrutiny of Broadband and Mobile Phone coverage for rural and urban areas in Norfolk	
Scrutiny by A Member Working Group originally set up by the former Economic Development and Cultural Services Overview & Scrutiny Panel	
Membership of Working Group Stuart Clancy - Conservative Phillip Duigan (Chairman) - Conservative Janet Murphy - Conservative Richard Rockcliffe - Conservative Marie Strong - Liberal Democrat	
In attendance at meetings Ann Steward - Conservative – Cabinet Member for Sustainable Development	
Other Members receiving copies of papers Philip Hardy - Green Andrew Boswell - Green	
Scrutiny and Officer Support Sarah Rhoden - Scrutiny Support Officer, ETD Karen O’Kane - Head of ICT, Resources David Dukes - Economic Development Manager, ETD Chris Starkie - Chief Executive, Shaping Norfolk’s Future Frances Downey - Project Officer, Shaping Norfolk’s Future	
Reasons for scrutiny It is noted by members that there is a lack of effective Broadband and Mobile Phone coverage in Norfolk and councillors are being lobbied by their residents to improve the situation. This scrutiny will provide the opportunity for a group of Members to look at this issue in some depth, and report back to the Overview and Scrutiny Panel.	
Purpose and objectives of scrutiny To look at current provision of Broadband and Mobile Phone coverage in Norfolk and explore methods of improving and increasing its provision.	
Issues and questions to be addressed To avoid duplication the Working Group will establish what work has been carried out or is planned by the local authorities and partners regionally and inter-regionally. What is the current provision of Broadband coverage in Norfolk?	

Continued.../

What is the current provision of Mobile Phone coverage in Norfolk?

What is the current provision of wi-fi coverage around Norfolk?

Can a clearer picture be sought on who is providing broadband?

How does Norfolk compare with other counties in its current provision of Broadband and Mobile Phone coverage?

Are there areas of Government and European funding that can be accessed to help with the provision of increased Broadband and Mobile Phone coverage?

What is currently being done to address the issue?

What are the negative impacts on the social, economic and cultural aspects of Norfolk?

Planned outcomes

Define the extent of the lack of coverage and speed regarding Broadband and mobile phones in the County of Norfolk

Develop proposals to improve Broadband and mobile coverage in Norfolk.

Deadlines and timetable

A first report highlighting the issues around Broadband and mobile phone provision and initial proposals will be taken to the Economic Development & Cultural Services Overview and Scrutiny Panel in May.

Regular reports to Overview and Scrutiny Panel to update on progress – alternative Panel meetings.

Terms of reference agreed by

Original Terms of Reference agreed by the former Economic Development & Cultural Services Overview & Scrutiny Panel

Updated Terms of Reference reported to ETD Overview and Scrutiny Panel

Date

March 2010

March 2011

**Broadband Action Team
Summary of major packages of work**

Title	Description	Progress
1. Creating electronic maps	Bringing together information from multiple sources to aid decision making processes for example existing Broadband infrastructure and demographic information	75% complete. These maps will be used to inform the development of a single design for Norfolk (see 7 below).
2. Mapping Phase 2 – Business proposal	Further maps to be developed to support specific proposals e.g. funding bids, as needed.	To be developed as needed.
3. Identify poor/no coverage areas	Identify areas where Broadband availability does not meet a basic 2MB requirement	Complete. Map showing Norfolk not-spots has been produced and published in local press.
4. Identify areas of existing potential high demand.	Identify areas where concentrations of Broadband demand area likely to exist, both now and in the medium term.	75% complete.
5. Introduce promotion packs	Produce packs that can be used to encourage local registration of demand,.	50% complete.
6. Lobby providers	Explore potential solutions and levels of interest for provision of Broadband service in Norfolk with service providers.	Ongoing
7. Create single design for Norfolk	Create a co-ordinated overall plan to provide Broadband coverage options for the whole of the County.	70% complete.
8. Songbird Bid	Create a co-ordinated bid to EEDA under the Songbird initiative.	Second round bid submitted and, at time of writing, subject to formal appraisal, with final decisions expected early March 2011.

Title	Description	Progress
9. Other bids	Create a co-ordinated bid for other potential sources of funded.	Wave 1 bid for BDUK submitted by not successful. Expecting bids for Wave 2 to be submitted in April 2011.
10. Identify public sector network opportunities	Identify potential opportunities for public sector organisations to share broadband resources to drive efficiencies.	Ongoing.
11. Hilgay/West Dereham pilot	Trial of existing NCC infrastructure to provide Broadband services to rural 'not spot' areas.	Phase 1 pilot of local Wi-Fi in Hilgay, with a transmitter mounted on the school, was not successful. Phase 2 pilot of long range Wi-Fi at Hilgay and West Dereham being progressed.

Broadband Action Team members:

- Karen O’Kane - Head of ICT, Resources, Norfolk County Council
- Andy Ambridge - ICT Ideas Labs Manager, Resources, Norfolk County Council
- Chris Starkie - Chief Executive, Shaping Norfolk’s Future
- Frances Downey - Project Officer, Shaping Norfolk’s Future
- David Dukes – Economic Development Officer, ETD, Norfolk County Council
- Mark Stanton – Head of Economic Development, Breckland District Council

Service and Budget Planning 2011-14

Report by Director of Environment, Transport and Development

Summary

Full Council agreed the County Council's Budget for 2011-14 on 14 February 2011. We have received the final Local Government Settlement for 2011-12, confirming our planning assumptions to be broadly accurate.

This report provides Panel Members with an update on the revenue budget and capital programme for Environment, Transport and Development Service agreed by Full Council, plus detail on any specific grants relevant to the Panel. Information has been split into the Department's two budgets – Environment and Development and Travel and Transport.

The report also sets out draft service objectives for Environment, Transport and Development (ETD) Services for consideration by Panel Members, which are a key element in developing service plans to deliver the County Council Plan for 2011-14 together with an overview of some of the key activities within each service objective.

An update of progress against the delivery of 2010/13 service plan is included elsewhere on this agenda for review.

Actions required:

To comment on the proposed service objectives

To note the revenue budget and capital programme for ETD Services for 2011-14

1. **Background**

- 1.1 At its meeting in January, the Panel considered a detailed report setting out the financial and planning context for Environment, Transport and Development Service for the next 3 years. The report included:
- Financial and planning assumptions agreed by Cabinet in September to inform the Council's budget proposals
 - An updated budget position for ETD Service, based on the local government settlement published in early December
 - A detailed list of costs and pressures facing ETD Service
 - A detailed list of proposals for savings
 - A summary of the results of the Big Conversation consultation, including public and stakeholder feedback on the savings proposals
- 1.2 The minutes from the Panel discussion were included in the report that subsequently went to Cabinet setting out the proposed budget. Full Council agreed the budget on 14 February.
- 1.3 A report of progress against 2010/13 service and budget planning is included elsewhere on this agenda.
- 1.4 The purpose of this report is to provide the Panel with:
- The budget for ETD Service for 2011-14
 - A list of draft service objectives, that will demonstrate how savings will be delivered

2. **Final 2011-12 Local Government Finance Settlement**

- 2.1 The provisional grant settlement reported to Panel in January has now been finalised and the final grant settlement results in a small increase in funding for Norfolk. Formula grant has increased by £27,000 to £256.933m in 2011-12 and by £78,000 to £239.796m in 2012-13. In addition district councils have provided final district council tax figures, which increases the income from council tax for 2011-12 by £72,000. The net budget requirement for 2011-12 is £603.349m. There are no changes to this service arising from the final 2011-12 Local Government Finance Settlement, but we are able to provide further detail on some specific grants announcement relevant to this Panel's service area:

Concessionary Fares

- 2.2 The funding received by Norfolk via the formula grant for the mandatory concessionary fares scheme totals £8.056m, before the grant reduction. After applying the overall grant reduction of 10.28%, comparable funding is £7.228m. This funding is un-ringfenced.
- 2.3 Using the DfT calculator, the estimated cost of reimbursement to operators for revenue foregone is between £9.64m - £11.5m, with additional costs of administering the scheme estimated to be £0.200m.
- 2.4 Representations have been made to the Under Secretary of State for Transport, Norman Baker MP and to the Under Secretary of State for Communities, Bob Neill MP, for an urgent, review of Norfolk's funding.

- 2.5 To mitigate the financial impacts, and provide surety for the council, we are trying to agree a “fixed pot” deal with bus operators, to cap the level of expenditure in 2011/12. A verbal update will be provided for members at the meeting.

3. Revenue Budget for ETD Service

- 3.1 The budget for key services in ETD directorate are as set out below:

	2010/11 Budget	Pressures and Growth	Savings	Other cost Neutral adjustments (1)	2011/12 Budget
	£m	£m	£m	£m	£m
Environment & Development					
Economic Development	2.075	0.070	-0.300	0.179	2.024
Strategic ambitions	0.416	0.003		-0.011	0.408
Planning Strategy	0.416		-0.040	-0.108	0.268
Transport Planning	1.287	0.016	-0.505	-0.069	0.729
Economic Development and Strategy	4.194	0.089	-0.845	-0.009	3.429
Climate Change	0.136	0.251	-0.207	0.484	0.664
Environment	3.757	0.089	-0.687	-0.367	2.791
Residual Waste Services	17.675	1.146	-0.201	-0.011	18.608
Strategic Waste	14.673	1.029	-0.445	0.145	15.403
Environment and Waste	36.241	2.515	-1.540	0.250	37.466
Business operation – Trading Standards	2.110	0.139	-0.218	-0.473	1.558
Consumer Operations – Trading Standards	0.988	0.003	-0.244	0.237	0.984
Planning Services	0.997	0.037	-0.030	0.059	1.063
Special Projects	0.419	0.007	-0.100	0.003	0.330
Corporate Resilience	0.509			0.044	0.553
Public protection	5.023	0.187	-0.592	-0.129	4.489

Environment and development	45.458	2.791	-2.977	0.112	45.384
Highways Maintenance	31.635	1.330	-0.970	2.493	34.457
Transport Programmes	17.887	0.007	-0.150	3.609	21.352
Highways Projects	0.085	-0.047		-0.602	-0.564
Major Projects	0.564	0.001		-0.075	0.491
Highways Network	4.113	0.063	-1.666	-0.306	2.204
Highways works	-0.063	-0.245	-0.200	-4.285	-4.793
Highways	54.221	1.079	-2.986	0.834	53.148
Client Services	0.051	0.072			0.123
Developer Services	0.631	-0.003	-0.005	-0.035	0.588
Passenger Transport Operations	7.290	10.081	-2.331	0.011	15.051
Travel Network	1.421	0.018	-0.590	-0.150	0.699
Travel and Transport Services	9.393	10.168	-2.926	-0.175	16.460
Highways	63.614	11.247	-5.912	0.659	69.608
Business development and Support	4.758	0.045	-0.100	-0.782	3.921
Total ETD	113.830	14.083	-8.989	-0.011	118.913

(Cost Neutral adjustments do not impact on the overall Council Tax and include adjustments for depreciation.)

- 3.2 The level of savings for this service are set out in Appendix A. Actions to deliver these savings in each of the 3 years will be included in the departmental service plans, which are now being developed.

4. **Capital Programme**

- 4.1 The Capital Programme for ETD Service is as follows:

The table below summarises the allocations of capital funding for 2011/12, 2012/13 and indicative allocations for 2013/14 and 2014/15.

	2011/12 £m	2012/13 £m	2013/14 £m	2014/15 £m
Structural Maintenance & Bridges	22.456	21.403	20.529	19.296
Integrated Transport	4.992	5.324	5.324	7.487
	27.448	26.726	25.853	26.783

All capital transport funding is now provided as capital grant, which is an improvement from the previous arrangement where two thirds of the integrated transport and all of the structural maintenance was provided as supported borrowing.

Following the work of the strategic review examining the highways capital programme, it has been agreed that the funding should be targeted towards maintaining the highway and a targeted approach to the integrated transport programme.

The capital programme for ETD service is as follows:

	2011/12 £m	2012/13 £m
Structural Maintenance	23.948	23.226
Bridge strengthening/ Bridge Maintenance	1.500	1.500
Subtotal of Structural maintenance	25.448	24.726
Major Schemes	0.750	21.750
Public Transport schemes	4.037	0.540
Pedestrian & cycle improvements	2.080	0.495
Traffic management, Road improvements and safety schemes	1.395	0.765
Other Schemes	200	200
Subtotal Integrated transport	8.462	23.750
Highways Total	33.910	48.476
The above table also includes other external funding e.g. developer contributions		
New Thetford Recycling centre	1.100	
Recycling Centre Legal compliance – Environmental Drainage	3.331	
Environment and Development total	4.431	

5. **Service Planning Objectives 2011-14**

5.1 The Cabinet recommended to Full Council that the following three strategic ambitions should continue to underpin all County Council activities. Namely to make Norfolk:

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

And that going forward the council's role should be focussed on:

- Speaking up for Norfolk – providing strategic leadership and influence sufficient to ensure that Norfolk's voice is heard wherever people are taking decisions that are critical to its future economic prosperity, investment, health and well-being.
- Assessing people's needs and commissioning efficient, responsive and cost effective services to meet them
- Supporting, developing and maintaining the infrastructure that helps our economy
- Being a safety net for the most vulnerable people in our county and protecting the public
- Signposting people to the services they need and providing good quality information to help people choose services relevant to them
- Helping and enabling others to build and maintain strong, sustainable and caring communities, giving back community ownership of locally important priorities best tackled through local community action

5.2 In the context of this new core role for the County Council and the financial and service planning context considered by the Panel in January, the following service objectives are being proposed for ETD Services for the next three years. The service objectives reflect the priorities for services within ETD and have been informed by the Strategic Review exercise which is part of the Norfolk Forward transformation programme.

Environment

- a) Adapt to and mitigate the impacts of climate change, including carbon and energy reduction, flood, coastal and marine risk and sustainable resource management.
- b) Manage the Biodiversity, Access and Heritage of the Environment for the benefit of the health and economy of the people of Norfolk.

Objective (a) will carry forward work from last year through the Climate Change Partnership and internal activities to meet carbon reduction targets and consider the impacts of Climate Change for both the authority and the people of Norfolk. Activities will cover new responsibilities as the Lead Local Flood Authority which will bring some additional funding to the authority.

Objective (b) will cover activities that protect biodiversity and the county's natural and archaeological heritage and assist communities and visitors to enjoy Norfolk's countryside. This will be a key area in which the service will re-focus upon the opportunities to engage with communities, District and Parish councils over greater responsibility with respect to delivery of access and maintenance of the countryside. This will also include work focussing on the historic buildings the Council owns and delivering services with the District Councils.

Waste Management

- a) To reduce municipal waste land filled and improve reuse, recycling, composting and recovery.

The objective above reflects the balance now being placed on the four 'Rs' including 'recovery' through delivery of new contracts for waste treatment including the Waste PFI. The service has streamlined its objectives to one in order to reflect this balanced approach, as municipal waste continues to be diverted from landfill.

Public Protection

- a) Empower and protect consumers and business, supporting economic prosperity and public health
- b) Improve Community Resilience and Preparedness
- c) To ensure developments meet local and national policy, safeguarding the environment and community

Objective (a) will cover activities in support of Trading Standards service delivery. Concentrating on supporting the people of Norfolk, ensuring their rights and health are protected as a consumer as well as providing advice and support to local businesses in order to tackle issues 'at source'.

Objective (b) will cover activities in support of Emergency Planning not only for the authority but also to ensure communities are informed and prepared in case of an 'emergency event'.

Objective (c) will cover activities previously represented by the Minerals and Waste service. Areas of focus will include minerals and waste planning as well as Norfolk County Council's own developments such as schools. Activities will also represent major planning applications, providing independent expertise with respect to projects such as the Waste PFI.

A key area of activity for this service will be to deliver responsibilities under Civil Parking enforcement, including ensuring that the service becomes 'self funding'. This area of activity will be reflected as part of the objective 'Maintain and improve Norfolk's transport infrastructure to support sustainable economic growth' identified by the Highways service.

Economic Development and Strategy

- a) Lead on strategic economic issues, including sustainable growth and regeneration

The objective above reflects the move towards a more strategic role to be partly delivered through the development of the Local Enterprise Partnership (LEP). Activities will include work towards 'New Anglia' the Local Enterprise partnership for Norfolk and Suffolk. Development of the next Local Transport Plan (LTP) 'Connecting Norfolk' which will set out the county's strategy and policy framework for delivery up to 2026 will also be covered by this objective. Priorities for the LTP have been agreed as: maintaining and managing the highway network, delivering sustainable growth, enhancing strategic directions, reducing emissions, improving road safety and improving accessibility.

Travel and Transport

- a) Ensure new development is safe and sustainable
- b) Continuously improve the coordination and provision of transport in Norfolk, characterised by excellent value services, quality connections and information to ensure accessible travel choices underpin sustainable housing and economic growth.

Objective (a) relates to work undertaken by Developer services which due to organisational review has now become part of what was formally known as the Passenger Transport service.

Objective (b) relates to work undertaken to provide provision of public transport within Norfolk. Activities will include re-shaping the public network including the shift towards a variety of different methods such as demand responsive transport.

Highways

- a) Manage, maintain and improve Norfolk's transport infrastructure to support sustainable economic growth
- b) Improve journey reliability
- c) Improve highway safety

The objectives above remain unchanged from 2010/13 objectives for this service. Areas of activity will reflect the move towards devolution of appropriate areas of maintenance work to Parish and District authorities. Working in partnership with communities and partners to deliver services in response to the shift towards the 'Big Society' whilst maintaining the authority's statutory duties. Objective (a) will also include activity to meet new duties under CPE which Public Protection are currently leading on.

5.3 Norfolk's Big Conversation will continue as services are re-designed to ensure that service users, stakeholders, and the wider public can have their say. Specific areas for continuing consultation for ETD Service are:

- Parish councils will continue to be consulted as to their willingness and ability to assist with activities such as the maintenance of the Public Rights of Way network and various Highways related service delivery. This approach is in line with the Localism bill, empowering communities to take more responsibility for their environment. The Highway and Community Rangers which are in place has already proved a successful pilot for this approach. However the escalation to fully devolve some activities to the community may take some time to embed.
- Improving the way in which our waste is dealt with will continue to require consultation with stakeholders and the public in order to deal with the future delivery of this service. Progress has already been made against delivery of the power and recycling plant in Kings Lynn which will assist in meeting disposal targets and assist in avoidance of increasing financial penalties. However further consultation will also be required in order to create a more streamlined waste collection and disposal process, as this issue will require a variety of mitigation measures.
- Proposals involving ownership of assets such as nature reserves and the move towards services such as demand responsive transport will all require community involvement whether it is through volunteering or financial support

of the service / asset. Feedback through the Big Conversation identified areas of concern with this approach for all of the proposals where third party / community involvement would be vital to continuation of the service / asset. It must be recognised that this was seen as a general issue for the localism approach. It is unclear how much engagement and consultation this will require. Initial conversations with Parish / District / Town Councils have revealed a mixed response.

- We are currently scoping the level and type of engagement activity required as a result of the removal of subsidised bus routes. This work will be reflected within the 2011/14 service plan.
- Consultation will continue with existing grant recipients who will be losing their Economic Development and Strategy grant funding by 2013/14. A gradual taper in funding has been included within the proposal, in order to give the organisations, particularly those charities we currently fund, time to adjust and explore other sources of funding. In terms of the impact on our work, we will re-focus activity away from the commissioning of economic outcomes from organisations to more of a strategic influencing role. This influencing role will be key to the county's support for the Local Enterprise Partnership (LEP). Economic Development and Strategy's future activity will also be shaped by the LEP's business plan, which is due to be consulted on with stakeholders and completed by the end of 2010/11.

6 Resource Implications

- 6.1 The implications to resources including, financial, staff, property and IT were covered within the Big Conversation paper brought to Panel in January. Consultation on new service structures to support and reflect the proposals within the Big Conversation are underway in order to be in place by the 1st April 2011.

7. Other Implications

- 7.1 **Equality Impact Assessment (EqIA):** The report to Cabinet on the County Council Plan and Budget for 2011-14 set out the Council's duties when making recommendations about the Budget to give due regard in relation to disability, gender and race, and the need to eliminate unlawful discrimination and to promote equality of opportunity, including the need for Equality Impact Assessments (EqIAs). The report included a summary of the findings of the EqIAs, which potentially have an impact on these groups. Where individual EqIAs identify potential adverse impacts, they also propose potential mitigating actions. The full EqIAs for individual proposals have been published on the County Council's website. Equality and community relations considerations are also an element of the Single Impact Assessment completed for all departmental service plans and that identifies any mitigating actions required.
- 7.2 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.

8. Section 17 – Crime and Disorder Act

- 8.1 Potential implications for crime and disorder arising from budget proposals have been reported to and considered by Overview and Scrutiny Panels in January. Community Safety is one of the elements of the Single Impact Assessment completed for all departmental service plans and identifies any mitigating actions required.

9. Risk Implications/Assessment

- 9.1 Risks relating to budget proposals were reported to the Panel in January. Actions to mitigate the risks associated with the delivery of savings and potential adverse impact on equalities will be included in service plans.

10. Action Required

- 10.1 To comment on the proposed service objectives.
- 10.2 To note the revenue budget and capital programme for ETD Services for 2011-14.

Background Papers

“Service and Financial Planning 2011-14 – Report by Leader of the County Council” – Report to Cabinet, 24 January 2011

“Council Plan and 2011-14 Budget” – Report to Cabinet, 24 January 2011

“ETD Strategic Review” – Report to Overview and Scrutiny Panel, 12 January and Cabinet, 24 January 2011

Officer Contact

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Appendix A – Savings required

Travel and transport Services

		2011/12	2012/13	2013/14
H1	Organisational Review phase 2	-0.400		
H2	Business Efficiencies and general expenditure savings	-0.344		
H3	Additional efficiency savings with our private sector partners	-0.150		
H4	Business Support review	-0.050		
H5	Better procurement of footways surveys	-0.020		
H6	Better procurement of Vehicles	-0.200		
H7	Strategic review	-0.600	-1.956	-8.448
H8	Increased income from planning services	-0.005	-0.010	
H9	Rationalisation of highways depots and offices		-0.260	
H10	Changes to street lighting	-0.037	-0.058	-0.031
H11	Re-shaped public transport network with a shift towards demand responsive transport services ('dial-a-ride')	-0.420	-1.000	
H12	Scaling back of safety camera partnership work and transfer of responsibility to the police	-1.646		
H13	Reduce subsidy for Park and Ride in Norwich	-1.475	-0.575	
H14	End funding for Transport Partnerships	-0.065		
H15	Close the travel information desk at Norwich Bus station and reduce the opening hours of the travel centre	-0.250		
H16	Savings from carrying out fewer transport studies	-0.425	-0.125	
	Total	-6.087	-3.984	-8.479

Appendix A – Savings required

Environment and development

		2011/12	2012/13	2013/14
E1	Reduce closed landfill pollution treatment costs	-0.145		
E2	Business support review	-0.050		
E3	Organisational review	-0.265		
E4	More efficient Environmental services – reducing legal costs and reducing management costs and overheads	-0.082	-0.025	-0.060
E5	Improved waste procurement – through better procurement and joint working with District Councils	-0.161	-0.390	-0.565
E6	Civil parking enforcement – through making savings in the running costs of this service	-0.100	-0.050	-0.200
E7	Maintain third party recycling payments at current level and redesign the way that we give advice to businesses about recycling	-0.047		
E8	Increased income from Trading standards metrology Calibration Services	-0.020		
E9	Management savings in public protection services	-0.188		-0.100
E10	Streamline public protection through better joint working	-0.087	-0.087	
E11	Re-focused, more targeted Public Rights of Way service. Re-design access to the Countryside around a core network with a substantial reduction in path cutting, and change how we respond to issues including enforcement in line with the big society	-0.332	-0.123	-0.123
E12	Community ownership of nature reserves and areas and end some grant funding	-0.176	-0.010	-0.010
E13	Re-shape planning services	-0.030	-0.100	-0.300
E14	Integrate “Your Rubbish Your Choice” into Council magazines	-0.040		
E15	Re-shape and reduce trading standards work on farming issues	-0.129		
E16	Re-shape and reduce trading standards activities for consumers and businesses	-0.038	-0.225	
E17	More Effective management of Gypsy and Traveller permanent sites		-0.095	-0.135
E18	Review historic building work and end some grant funding	-0.125	-0.115	
E19	Reduce opening hours at recycling centres	-0.120		
E20	Reduce contributions to economic development projects	-0.170	-0.200	-0.200
E21	Cease asbestos disposals at waste recycling sites	-0.028		
E22	Cease ‘real nappy’ payments	-0.050		
	Total	-2.353	-1.420	-1.693

Environment, Transport and Development Department Integrated Performance and Finance Monitoring Report 2010/11

Report by Director of Environment, Transport and Development

Executive Summary

The progress information included is the most up to date available at the time of writing. However, it should be noted that further updates may have occurred prior to presentation to the Panel meeting. The financial information reflects the forecast position as at the end of December 2010. This report provides an update of the latest progress made against the 2010-13 service plan actions, risks and finances for Environment, Transport and Development (ETD). Information on the development of 2011/14 service plans is reported elsewhere on this agenda.

- **Revenue Budget:** The Department is forecasting an underspend of £0.340M.
- **Capital Budget:** The Highways capital programme has been reviewed and is forecasting an underspend of £2.021M, principally due to a revised programme for the NDR project. The Other Services and Economic Development capital programmes are both on track.
- **Additional funding:** In addition to its core budget, ETD manages a range of Partnerships. Some of the funding is from external sources.
- **Service plan actions:** Based upon the latest information available at the time of writing, three service plan actions have been reported as 'off target'. One of these actions has been 'ceased' due to changes in priority for the service. Thirty service plan actions have remained as 'slightly off track'.
- **National indicators:** Appendix D describes information currently available for the NIs within ETD's remit. Seven National Indicators have been 'ceased'. Despite the formal demise of National Indicators a consultation is underway to determine those measures that government will still require local government to collect. Under this uncertainty and with the additional pressures of financial cuts we have prioritised our service performance accordingly which will mean that some of the targets will not be achieved.
- **Risks:** The department has four risks categorised as of corporate significance. All four are being managed to mitigate, as far as practicable, any likelihood or impact of those risks occurring. One risk has been successfully mitigated and one risk has had its score changed to reflect a reduction in risk to the Authority. Additional information on risk can be seen in Appendix E 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.

1 Performance update

1.1 Update on delivering service plan objectives

- 1.2 We currently monitor all of the actions from the 2010-13 service plans, to assess the extent to which we are achieving our service objectives, by receipt of monthly updates from lead officers.
- 1.3 We report progress to Overview and Scrutiny Panel on this by exception – focusing on areas where progress is off track. Due to re-prioritisation of activities as a result of ‘in year’ cuts some areas of activity identified within 2010/13 service plans have ceased or completed earlier than the target due to a reduction in targets. A total of thirteen actions have been ‘discontinued’ during this period for these reasons.
- 1.4 An action within the Passenger Transport 2010/13 service plan ‘Investigate opportunities for sponsorship’ which shows as ‘off track’ has been discontinued as of January. Work will be progressed where relevant under the corporate initiative to look at the potential for sponsorship and income generation across all activities.
- 1.5 During December two actions have been reported as ‘off track’. These are within Economic Development and Public Protection.
- 1.6 The Economic Development activity, ‘Ensure that an integrated action plan for all indicators for 2010/11 is implemented’ refers to work undertaken to supply information relating to economic indicators within the Local Area Agreement (LAA) and County Council Plan. The action requires the active participation of partners outside of the County Council who are responsible for providing information. The action is mainly ‘off track’ due to the changing environment which has seen the demise of the LAA and National Indicator set. However work has been undertaken in conjunction with the Planning, Performance and Partnerships team in order to develop a more streamlined approach to tracking performance within these key areas. Two indicators have been developed, ‘Difference in job seeker allowance claimants compared to rest of England’ and ‘Jobcentre Plus notified vacancies’. These will be reported under new performance management arrangements in 2011/12.
- 1.7 The Public Protection activity ‘All non complex and non contentious Minerals and Waste planning applications are dealt with within 13 weeks. All non complex and non contentious County Council Developments are dealt with within 8 weeks’ relates to deadlines set for processing planning applications by the Minerals and Waste team. The action is currently ‘off target’ due to the quality of some applications and in these situations, we work with the applicants to help them to reach a satisfactory conclusion. We seek wherever possible to address any issues through negotiation to overcome any obstacles to development. As a result, the time taken to determine can take longer than our target 8 weeks, as this often means that we need to re consult. We believe this approach is more useful than a refusal on the basis that this would take longer to revise and resubmit the application.

We have recently been developing improvements, to improve the pre-application processes which have caused delays in the past.

- 1.8 Recent increased investment in schools has resulted in an increase both in the number and scale of developments the planning service have had to deal with. We have redeployed resources from our planning team supplemented with temporary staff funded through the development programme itself. This has allowed us to ensure the most critical developments were delivered.
- 1.9 EPIC Performance update – EPIC is forecast to outturn within allocated budgets. Whilst revenues from the main Studio continue to be lower than forecast, considerable effort has been made to reduce overhead costs to mitigate. Revenues from Educational and Tenancy activities are generally in line with forecasts. More information about operational activities and successes can be found in the separate paper on the agenda for this meeting.
- 1.10 A separate paper on the development of 2011/14 Service and Budget planning is included elsewhere on this agenda. The paper covers an update on the revenue budget and capital programme for Environment, Transport and Development Service agreed by Full Council, plus detail on any specific grants relevant to the Panel. The paper also details the development of draft service objectives which reflect changes to service delivery as a result of the Big Conversation.

2 National Indicators

- 2.1 The authority is currently taking part in a consultation on the draft single data list following the abolishment of the National Indicator set in October 2010. Once determined the list will provide the minimum data that central Government will require. The list will be open to regular review and challenge. We are not sure how or if we will be assessed against this list at this time.
- 2.2 The table in appendix D shows the latest performance data available for those national indicators (NIs) relevant to the work of the Panel covering all services delivered by ETD. It should be noted that a number of them are outside our direct control and we rely on the relevant central government department to publish the results.
- 2.3 Work continues in an attempt to improve performance against NI157 Processing of planning applications (County Matter) within 13 weeks. The ETD Strategic Review is looking at improvements in this area and a corporate Business Process Re-engineering (BPR) project has also started to look at the overall development process to see how it could be improved.

Benchmark data shows Norfolk County Council receives more applications than its regional peers and is also one of the lowest in overall costs when compared to other Eastern County Teams

- 2.4 NI182 Satisfaction of business with LA regulation services – this indicator remains off target although it has improved by 1% however the data return has ceased as part of the move from National Indicators to the Single Data Set.

- 2.5 NI192 Percentage of household waste sent for reuse, recycling and composting – This indicator is currently showing as ‘off target’. The latest available figure from September is estimated at 44.96%, a reduction on the June figure of 45.28%.

3 Revenue budget

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	113.696	113.356	-0.340	-0.3%	0.00
Total	113.696	113.356	-0.340	-0.3%	0.00

4 Monitoring of budget investment decisions

- 4.1 All investment decisions are on track, with the exception of the planned closure of Docking recycling centre, which has been reviewed and agreed to be changed to part time opening. The cost can be absorbed by savings elsewhere in the waste budget.

5 Capital programme

- 5.1 The Highways capital programme is forecasting an underspend of £2.021M, principally due to the revised programme for the NDR, as shown on Appendix A. Some £1.700M of this underspend will not be carried forward into the 2011 / 12 programme. The Other Services (Appendix B) and Economic Development (Appendix C) capital programmes are both on track.

6 Other financial information Reserves and Partnerships

- 6.1 The year end forecast for reserves is £16.802M. Principle drawdown's are for planned replacements of the gritter fleet, the Waste Partnership Fund, and the use of the Future Jobs Fund. The reserve balances have been reviewed and all balances are earmarked for specific purposes.

7 Risk update

- 7.1 Appendix E shows the assessment of risks relevant to this Panel at the end of December.

- 7.2 The summary of risks includes the four 'corporate level' risks two of which are shown as 'on schedule', one is shown as having 'some concerns' and one has 'met target'.
- 7.3 At the end of March Chief Officer Group (COG) will be asked if the corporate level risk 'Unforeseen extreme weather event causes major disruption to NCC services and/or assets' can be closed earlier than expected. This is largely due to successful mitigation work such as the launch of the Climate Adaptation Toolkit (CAT), the adaptation plan risk analysis "Risky Business" report and the Resilience Forum which addresses Emergency Planning matters.
- 7.4 The current risk score for the corporate level risk 'Failure to divert biodegradable municipal waste' has been reduced from a Medium score of '15' to a Medium score of '10'. The score has been reduced to reflect the progress against the Waste PFI project.

8 Resource implications

- 8.1 All financial implications have been outlined in the report.

9 Equality Impact Assessment (EqIA)

- 9.1 A full programme of equality impact assessments has been carried out covering all Environment, Transport and Development activities, which will include those whose progress is reported here as appropriate. However, this report is not directly relevant to equality in that it is not making proposals which may have a direct impact on equality of access or outcome.

10 Any other implications

- 10.1 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.

11 Section 17 – Crime and Disorder Act

- 11.1 None

12 Risk implications / assessment

- 12.1 Progress against the mitigation of those risks currently identified as of corporate significance has been detailed within the report. Other risks are managed at either departmental or group level within the department. All risks will be subject to review as part of a larger NCC wide exercise to review risk in light of the changed environment and reduction in budgets. This exercise will run in parallel with Service Planning for 2011/14.

13 Conclusion

- 13.1 The department is forecasting an underspend of £0.340m against its revenue budgets following further review of trends in waste to landfill levels. The Highways Capital Programme, because of a revised programme for the NDR, is reporting a potential underspend of £2.021m.
- 13.2 There are currently three National Indicators that are 'off-track' with mitigation measures being take to remedy the situation where appropriate.

14 Action required

- i) Comment on the progress against ETD's service plan actions, risks and budget and consider whether any aspects should be identified for further scrutiny.

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 or textphone 0344 800 8011 and we will do our best to help.

Highways Capital Programme

Appendix A

Scheme Name	Spend	Original Programme 2010/11	Revised 2010/11 Programme	2010/11 Forecast Out -turn	2010/11 Variance	2010/11 Carry Forward	Spend to date - current year	Over/ (Under) Spend	2011/12 Out- turn	2012/13 Out- turn	Total Spend for project
	project to date (Prior years)										
Bridge Strengthening		1,700,000	1,635,108	1,474,692	-160,416		668,961		2,000,000	0	3,583,256
Bus Infrastructure Schemes		770,000	547,922	582,078	34,156		166,893		800,000	0	1,372,993
Bus Priority Schemes		1,508,000	2,130,975	2,172,302	41,327		939,425		1,675,000	0	2,480,688
Cycling		1,325,000	1,727,141	1,664,017	-63,124		483,452		1,250,000	0	3,099,833
Fees for Future Schemes		274,000	0	0	0				450,000	0	450,000
Local Road Schemes		2,581,000	5,071,402	4,373,691	-697,711		3,095,384		3,300,000	0	7,479,446
Local Safety		1,315,000	1,675,745	1,326,332	-349,413		671,447		1,350,000	0	2,659,878
Other Schemes		30,000	207,471	113,882	-93,589		94,896		125,000	0	245,882
Park & Ride		5,550,000	203,508	177,585	-25,923		40,645		5,500,000	0	5,677,585
Public Transport Interchanges		890,000	1,278,080	1,190,691	-87,389		674,452		4,073,000	0	5,323,740
Retentions/ Land costs on completed schemes		275,000	0	0	0				300,000	0	300,000
Road Crossings		800,000	450,700	645,485	194,785		410,669		750,000	0	1,302,543
Safer & Healthier Journeys to School		905,000	960,907	956,219	-4,688		658,330		850,000	0	1,801,019
Structural Maintenance		33,434,000	36,161,377	35,324,467	-836,910		26,147,423		28,803,000	0	64,513,538
Traffic Management & Calming		2,927,000	4,346,635	4,255,727	-90,908		2,483,439		1,151,000	0	5,430,996
Walking Schemes		1,185,000	1,641,298	1,873,925	232,627		1,434,230		1,900,000	0	3,996,297
LPSA Increasing the use of bus transport in Norwich		1,130,000	0	0	0				1,130,000	0	1,130,000
0			0	0	0				0	0	0
Great Yarmouth Third River Crossing			800,000	1,836,000	1,036,000		1,042,453		0	0	1,836,000
Northern Distributor Road	10,082,293	3,200,000	3,039,831	1,500,000	-1,539,831		1,335,230		2,800,000	8,200,000	22,583,566
Norwich - A47 Postwick Hub	1,588,528	14,517,000	0	390,000	390,000		327,961		13,483,000	0	15,461,528
Kings Lynn CIF 2 (Community Infr Fund)		3,200,000	0	0	0	0			0	0	0
0			0	0	0	0			0	0	0
Future Years Funding			0	0	0	0			0	32,099,000	32,099,000
											0
TOTAL	11,670,820	77,516,000	61,878,100	59,857,093	-2,021,007	0	40,675,290	0	71,690,000	40,299,000	182,827,787

ETD - Other Capital

Appendix E

Scheme Name	Spend Project to date (prior years)	2010/11 Programme	2010/11 Out-turn	2010/11 Variance	Spend to date - current year	2010/11 Carry Forward	Over/ (Under) Spend	2011/12 Out-turn	2012/13 Out-turn	Total Spend to date for project
Closed Landfill Sites-Capping & Restoration		599,886	599,886		116,602					599,886
Drainage Improvements		700,000	700,000		256,916			3,330,825		4,030,825
IT Schemes over £20,000 each		355,220	355,220							355,220
PROW, Pilgrim's Way (Walsingham Disused Railway Line) - surfacing of tar chip		20,000	20,000		19,683					20,000
PROW, Dersingham Picnic Site - works to toilet block		6,000	6,000		5,474					6,000
PROW; Footpath 16, Sutton; Foothpaths 7 & 9, Stalham - surface improvement		14,000	14,000		14,000					14,000
PROW, Footpath 17, Dereham - surface improvement		10,000	10,000		10,000					10,000
PROW, Dereham Rushmeadow - boardwalk installation		19,700	19,700		19,653					19,700
PROW, Footpath 1, Trunch - surface improvement		15,000	15,000		7,985					15,000
PROW, Brancaster - boardwalk installation		35,000	35,000		35,666					35,000
Gapton Hall		66,371	66,371		65,412					66,371
Waste PFI (Contract B)		44,723	44,723		44,723					44,723
Various Sites - Structural Improvements		80,000	80,000		75,337					80,000
PROW, Footpath 3, Poringland- Various		8,662	8,662							8,662
TOTAL		1,974,562	1,974,562		671,451			3,330,825		5,305,387

Economic Development Capital Programme

Appendix C

Scheme Name	Spend Project to date (prior years)	2010/11 Programme	2010/11 Out-turn	2010/11 Variance	Spend to date - current year	2010/11 Carry Forward	Over/ (Under) Spend	2011/12 Out-turn	2012/13 Out-turn	Total Spend to date for project
Investing in Communities - Internal Allocation	1,295,872	33,500	33,500		33,500					1,329,372
Investing in Communities	6,220,453	5,571	5,571		5,571					6,226,024
Industrial Sites Unallocated	16,127	1,970	1,970							18,097
Industrial Sites/Hethel Engineering Centre	5,039,192	6,114	6,114		2,713					5,045,306
Great Yarmouth Rail Sidings		29,660	29,660		29,660					29,660
Rural Internet Mobility Project	243,687	4,127	4,127		4,127					247,814
Growth Point - Catton Park	34,057	1,943	1,943							36,000
Growth Point Catton Park Educ Bldg		15,064	15,064		15,064					15,064
Growth Point - Mousehold Heath		24,605	24,605							24,605
NE & SW Econets	36,046	53,954	53,954		90					90,000
Lakenham Common & Yare Valley Connections	1,100	14,800	14,800		(1,100)					15,900
Genome Analysis Centre		2,000,000	2,000,000		1,250,070					2,000,000
Hethel Engineering Centre - Phase II	1,102,195	1,297,805	1,297,805		1,279,768					2,400,000
NORA		1,000,000	1,000,000							1,000,000
Hethel Technology Park		300,000	300,000							300,000
TOTAL	13,988,729	4,789,113	4,789,113		2,619,463					18,777,842

Performance Indicators

Appendix D

National Indicator (NI)	Description	Previous year-end result (March '10 unless otherwise stated)	Current performance	Year-end target	Current Performance alert	Comments
Related to 47	People killed or seriously injured in road crashes	395 (2009)	353 (Dec)	425	★	Figures are for a 12 month rolling period.
Related to 48	Children killed or seriously injured in road crashes	21 (2009)	18 (Dec)	31	★	
151	Overall Employment Rate (Working Age)	73.5 (Dec 08)	78 (Sept 09)	-	-	Annual measures. The authority is not directly responsible for these indicators. A decision was taken by the LAA Group not to set targets.
152	Working age people on out of work benefits	12.10 (Dec 09)	-	-	-	
153	Working age people claiming out of work benefits in the worst performing neighbourhoods	30.75 (Dec 09)	-	30.90	-	Annual measure.
154	Net additional homes provided	3,518 (March 09)	-	3372	-	Annual measure, 09/10 figure expected in February 2011.
155	Number of affordable homes delivered (gross)	789		860		Annual measure.
157	Processing of planning applications (County Matter) within 13 weeks	63.83%	64% (Dec)	77%	▲	
163	Proportion age 19 – 64 for males and 19 – 59 for females qualified to at least level 2	69.3 (Dec 09)	-	73	-	Annual measure.
164	Proportion age 19 – 64 for males and 19 – 59 for females qualified to at least level 3	42.89 (Dec 08)	-	-	-	Annual measures. Targets to be set by the Employment and Skills Agency.
165	Proportion age 19 – 64 for males and 19 – 59 for females qualified to at least level 4	25.6 (Dec 09)	-	-	-	
166	Median earnings of employees in the area	445.20	445.8 (2010)	505.50	▲	

National Indicator (NI)	Description	Previous year-end result (March '10 unless otherwise stated)	Current performance	Year-end target	Current Performance alert	Comments
167	Congestion - average journey time per mile during the morning peak	3:50 (2008/9)				Data return ceased.
168	Principal roads where maintenance should be considered	3%	3% (Provisional)	3%	-	Annual measure.
169	Non-Principal classified roads where maintenance should be considered	11%		8%	-	Annual measure.
171	New business registration rate	43 (Mar 09)	-	48.30	-	Annual measure.
172	Percentage of small business in an area showing employment growth	14.08 (Mar 08)	-	-	-	Annual measure. 09/10 data expected in 1 st quarter 2011.
173	Flows on to incapacity benefits from employment		-	-	-	Department of Works and Pensions currently unable to provide data for indicator.
175	Access to services and facilities by public transport, walking and cycling	81.03%				Data return ceased.
176	Working age people with access to employment by public transport (and other specified modes)	75.80 (Dec 09)	-	-	-	Annual measure.
177	Local bus and light rail passenger journeys originating in the authority area	29,336,574				Data return ceased.
178i	Bus services running on time (non-frequent services)	81.6%	84.44 (July 10)	85%	●	
182	Satisfaction of business with LA regulation services	78%				Data return ceased.
185	CO ₂ reduction from local authority operations	N/A	-	5%	-	2008/09 was taken as the baseline. DEFRA have not supplied 2009/10 information in order to enable the indicator to be calculated.

National Indicator (NI)	Description	Previous year-end result (March '10 unless otherwise stated)	Current performance	Year-end target	Current Performance alert	Comments
186	Per capita reduction in CO ₂ emissions in the LA area	3.8 (Dec 08)	-	-	-	Annual measure.
188	Planning to adapt to climate change	2				Data return ceased.
189	Flood and coastal erosion risk management	100%	-	-	-	Annual measure.
190	Achievement in meeting standards for the control system for animal health	2.3	-	3.0	-	Annual measure.
191	Residual household waste per household (Kg)	546.24Kg	537.38Kg (Sept)	536.98Kg	●	Projection of year-end
192	Percentage of household waste sent for reuse, recycling and composting	43.49%	44.96% (Sept)	48%	▲	Estimate
193	Percentage of municipal waste landfilled	55.91%	54.56% (Sept)	54%	●	
194	Air quality - % reduction in NO _x and primary PM ₁₀ emissions through local authority's estate and operations	N/A				Data return ceased.
197	Improved local biodiversity - proportion of local sites where positive conservation management has been or is being implemented	56%	-	61%	-	Annual measure.
198	Children travelling to school - % travelling by car	29.93%				Data return ceased.

Key to symbols: On target or better is denoted by a green star alert (★); worse than target but within 5% variance is shown by a blue circle alert (●); worse than target, by a greater amount, is shown by a red triangle alert (▲).

Greyed cells indicate that the Government has formally announced that we do not need to make a data return for that indicator. Most of the other indicators are being consulted on to determine if they too should be kept or deleted. In some instances it may be decided to continue to locally monitor some deleted indicators as they are useful to the management of the service – these issues will be considered as part of the overall review of service provision.

Targets where applicable are set within service plans however some indicators are currently under review in light of Government announcements as to whether they should continue or not.

No.	Risk Description	Risk Score	Prospects	Risk Owner
Corporate Level Risks				
1	Failure to implement Norwich Northern Distributor Route (NDR)	L3 x I4 = 12	Some Concerns	Director of ETD
2	Failure to secure resources to improve the energy efficiency of NCC operations or prepare for CRC	L3 x I4 = 12	On Schedule	Director of ETD
3	Unforeseen extreme weather event causes major disruption to NCC services and/or assets	L2 x I4 = 8	Met Target?	Director of ETD
4	Failure to divert biodegradable municipal waste	L2 x I5 = 10	On Schedule	Director of ETD
Departmental Level Risks (only those with a 'score' of 12 and above with a prospect of 'some' or 'serious concerns' are reported)				
6	Insufficient funding to improve the transport Infrastructure	L3 x I4 = 12	Serious Concerns	Assistant Director Economic Development and Strategy
7	Failure to achieve desired outcomes from the Greater Norwich Development Partnership project	L3 x I5 = 15	Some Concerns	Assistant Director Economic Development and Strategy

Key: With regard to the 'Risk Score' – L = Likelihood and I = Impact. The multiplication of the two produces the score.

Detailed Risk Updates

Information shown is from December 2010 – only risks at a Departmental or Corporate level with a prospect 'score' of 'some concerns' or 'serious concerns' are included.

Risk Name & Description				
Risk No. RM0201 - Failure to implement Norwich Northern Distributor Route (NDR)				
Risk Owner	Risk Score	Aspiration Score	Aspiration Date	Prospects
Director of ETD	L3 x I4 = 12	L2 x I4 = 8	2015	Some Concerns
Overview and Scrutiny Panel		Date Entered on Register	Level of risk	
Environment Transport and Development		April 2005	Corporate	
Risk Progress				
<p>Future funding decisions for all Department for Transport (DfT) funded schemes were placed on hold as part of the Emergency Budget on 22 June 2010. The Transport Secretary announced on the 26 October that the NDR has been included in a 'Development Pool' of schemes acknowledging the good value for money the scheme offered. Further discussions will take place with DfT following the submission of an Expression of Interest document on 29 Dec 2010. DfT has indicated that it will decide which projects within the Development Pool will be funded by Dec 2011. Further work will be required through 2011 with DfT. The Joint Core Strategy has now completed its Examination in Public. The Inspector's report is expected by Mid-Feb 2011 and, if it is found to be sound, it is anticipated that it will be adopted by all Councils early in March 2011.</p>				
Tasks to mitigate the risk				
<ul style="list-style-type: none">• Develop NATS implementation package (to Cabinet April 2010).• Further develop NDR i.e. detailed design, traffic modelling and environmental surveys to inform the environmental statement and planning application.• Review programme for Planning Application in light of current funding / economic situation and following CSR announcement				
Corporate Objective				
CP1 Lead a strategic approach to the development of the Norfolk Economy				

Risk Name & Description				
Risk No. RM8630 - Insufficient funding to improve the transport infrastructure				
Risk Owner	Risk Score	Aspiration Score	Aspiration Date	Prospects
Assistant Director Economic Development and Strategy	L3 x I4 = 12	L2 x I4 = 8	2010 and ongoing	Serious Concerns
Overview and Scrutiny Panel		Date Entered on Register	Level of risk	
		September 2008	Departmental	
Risk Progress				
Ongoing delivery of LTP2 going well and Members have given approval to continue development of LTP3 to meet Government timescales. Comprehensive spending review announcements confirmed funding for All dualling. NDR in government 'Development Pool' with final bid to be submitted Autumn 2011. Future major scheme funding may come under LEP arrangement and therefore will depend on investment priorities of the joint Norfolk/Suffolk LEP. Currently awaiting guidance on criteria for Local Sustainable Transport Fund and starting process of working up NCC bid for submission. Work ongoing to investigate alternative sources of transport funding.				

Tasks to mitigate the risk
<ul style="list-style-type: none"> • Deliver Local Transport Plan. • Engagement and lobbying of key organisations to develop more cross sector/partnership working e.g. NHS, HCA to position Norfolk to take advantage of ad hoc funding streams e.g. Local Sustainable Transport Fund. • Develop Community Infrastructure Levy and investigate other potential sources of funding e.g. TiF, workplace parking levy
Corporate Objective
CP 1 To lead a strategic approach to the development of the Norfolk economy

Risk Name & Description				
Risk No. RM6446 - Failure to achieve desired outcomes from the Greater Norwich Development Partnership project				
Risk Owner	Risk Score	Aspiration Score	Aspiration Date	Prospects
Assistant Director Economic Development and Strategy	L3 x I5 = 15	L2 x I5 = 10	2010 and ongoing	Some Concerns
Overview and Scrutiny Panel		Date Entered on Register	Level of risk	
		February 2008	Departmental	
Risk Progress				
<p>The Joint Core Strategy was agreed by the Greater Norwich Development Partnership (GNDP) and submitted to the Inspector on 5 March 2010. The Inspector held an Exploratory Meeting on 13 May and issued a statement setting out a number of matters that require clarification. Consultation with respondents on 'Focussed Changes' to the JCS is took place over six weeks ending on 30 August 2010. The results of the consultation and all additional evidence was submitted to the Inspector October 2010 in advance of the Examination in Public. The EIP ran 8 November 2010 for 3 weeks with one final hearing day to take place 9 December. Consultation on the Inspectors proposed changes will take place during January. The biggest current risks to the GNDP are cuts in government funding to support major infrastructure requirements to support housing and job growth and the Inspector failing to report in time to enable the Joint Core Strategy to be approved by each authority before pre-election purdah period begins at the end of March. The possibility of including the GNDP within the framework of the proposed Local Enterprise Partnership is being considered.</p>				
Tasks to mitigate the risk				
<ul style="list-style-type: none">• Partnership risk register to be maintained and monitored to ensure the approach to development remains consistent and the partnership and funding issues are addressed in a timely and efficient manner.• Partnership Manager to provide highlight reports to ETD's Executive Management Team every 2 months to inform on progress.• Head of group has regular progress meetings with partnership manager.• Directors meet regularly.				
Corporate Objective				
CP 1 To lead a strategic approach to the development of the Norfolk				

Regional Permit Scheme Update

Report by the Director of Environment, Transport and Development

Summary

The Traffic Management Act 2004 (TMA) introduced 'permits' for works and other activities on the street as a tool for local highway authorities to reduce the congestion and disruption caused by those activities. The provision for permits is one of a number of duties and powers in the TMA, all aimed at improving the management of the road network. The principal benefits for the Council are stricter control of street works and the scope to recover some costs. It is likely that Permits will improve the controls on the timing and duration of works, and the quality of the traffic management and the road repairs/reinstatements. It is likely for instance that there will be more first time permanent repairs reducing the number of occasions utility companies carry out a temporary repair only to subsequently come back at a later date to carry out a final reinstatement.

On 15 September 2008, Cabinet approved the County Council taking part in a consultation for a regional common permit scheme, and subject to a satisfactory consultation outcome to join such a common scheme when the requisite software systems were in place and proven. Development of a regional common permit scheme has reached a key stage.

Norfolk participated in the regional feasibility study to help identify an appropriate common permit scheme that could be adopted by all authorities across the East of England. As part of the feasibility work various schemes were evaluated. The Department of Transport has recently advised that Permit Schemes will not require central government approval from April 2012.

This report updates members on work within the Region in relation to a Common Scheme where Permits would be sought and charged for on all roads (known as a 100% scheme), and advises that the case is not strong enough for Norfolk to take part. Notwithstanding the weakness of a 100% scheme for Norfolk, there is merit in taking forward a scheme better tailored to the county's needs.

Various options that have been considered and an approach is advocated where the Council would only charge for Permits on those streets designated as 'Traffic Sensitive' and the roads designated for treatment during winter on a Priority 1 and 2 basis. In this option the Council would directly control works on all the strategic routes in the county, and all those other routes, which are considered to be essential to the county's economic and social well-being. This report also updates Members on officer discussions with Suffolk County Council and other authorities that are also not taking part in the regional Common Scheme about collaborative working based around our preferred approach.

Action Required

- (i) To note that we propose not to take part in the Anglian Sub-Regional Permit Scheme.
- (ii) To comment on the proposed approach to develop a permit scheme for Norfolk.

1. **Background**

- 1.1. The Traffic Management Act 2004 (TMA) introduced duties on Highway Authorities to ensure the expeditious movement of traffic on its road network and those networks of surrounding authorities and to coordinate works on the highway. The Act included the concept of permits for works and other activities on the street as a tool for local highway authorities to reduce the congestion and disruption caused by those activities. The provision for permits is one of a number of duties and powers in the TMA, all aimed at improving the management of the road network.
- 1.2. A permit scheme allows the Streetworks authority (the County Council) to grant a permit to undertake roadworks. This differs from the current noticing system where we receive notices from utilities, and others, that they intend to carry out work on the highway, and whilst we can impose conditions they do not require permission for works to take place. A permit to work scheme gives a higher level of control of on street activities.
- 1.3. Permit schemes are now operational in London, Northamptonshire and Kent. Each permit scheme is tailored to that particular street works authority to help them meet their duties. To date each permit scheme has required the approval of the Secretary of State. The Department of Transport has recently advised that such central government approval will not be required from April 2012.
- 1.4. On 15 September 2008, Cabinet approved the County Council taking part in a consultation for a regional common permit scheme, and subject to a satisfactory consultation outcome to join such a common scheme when the requisite software systems were in place and proven.

2. **Progress So Far**

- 2.1. Norfolk participated in the regional feasibility study to help identify an appropriate common permit scheme that could be adopted by all authorities across the East of England. As part of the feasibility work the following various schemes were evaluated.

2.2. **Option 1 - 100% scheme**

Permits would be required for all streets within Norfolk and a permit charge applied to all the permits submitted.

In this option the Council would seek to directly manage all work undertaken on Norfolk's road network.

The feasibility work suggests that a 100% scheme would not be appropriate to Norfolk, with our large rural road network, because the additional works planning and administrative burden generated (cost to operate) would far exceed the network management benefits realised.

2.3. **Option 2 - 40mph and Traffic Sensitive Network**

Permits would be required for all streets within Norfolk. However the Council would only seek detailed information and apply charges on those streets subject to a speed limit of 40mph or less and all streets designated as 'Traffic Sensitive' (as defined under New Roads and Street Works Act 1991).

In this option the Council would seek to directly manage work undertaken on our most important road network and the urban road network within our communities.

This would cover 36% of Norfolk's road network.

The feasibility work suggests that such a scheme would not be appropriate to Norfolk because the additional works planning and administrative burden generated (cost to operate) would exceed the network management benefits realised.

2.4. Option 3 - Traffic Sensitive Network plus Winter Service Gritting Routes

Permits would be required for all streets within Norfolk. However the Council would only seek detailed information and apply charges on those streets designated as 'Traffic Sensitive' (as defined under New Roads and Street Works Act 1991) and the roads in the county that are designated for treatment during winter on a Priority 1 and 2 basis.

In this option the Council would directly control works on all the strategic routes in the county and all those other routes, like HGV Access Routes and Local Access Routes, that are considered to be essential to the economic and social well-being of Norfolk. This option would include all current scheduled bus routes.

This would cover 32% of Norfolk's road network.

The feasibility work undertaken indicates that the benefits to Norfolk of operating such a scheme outweigh the cost to operate.

2.5. Option 4 - Only Traffic Sensitive Network

Permits would be required for all streets within Norfolk. However the Council would only seek detailed information and apply charges on those streets designated as 'Traffic Sensitive' (as defined under New Roads and Street Works Act 1991).

Details of Norfolk's existing 'traffic sensitive' network are set in information placed in the Members Room. They represent 3% of Norfolk road network.

In this option the Council would seek to only directly manage work undertaken on our most important road network. The feasibility study results show that as this network is so small that it would prove costly to introduce, operate and maintain and would result in only small real network management benefits.

This option would not include all current scheduled bus routes.

2.6. During the course of the feasibility work it was evident that each Street Authority in the region had slightly different ideas about how they sought to meet their street works duties. The scheme that found most support amongst the more urban authorities across the region was a 100% permit scheme. Such a scheme offers significant benefits to authorities that have a large proportion of urban roads and as a result Hertfordshire County Council, Luton Borough Council, Southend-on-Sea Borough Council and Bedford Borough Council decided to develop a Common 100% permit scheme. The current working name for which is the 'Anglian Sub-Regional Permit Scheme' (AS-RPS).

2.7. Norfolk and 8 other authorities declined to enter into the AS-RPS on the basis of the results of the feasibility work. However given the potential benefits a permit scheme can provide (notably a stricter control of streetworks and scope to recover some costs) officers still believe it is worthwhile developing and implementing a permit

scheme more appropriate to Norfolk's needs. Option 3 above, based on the county's Traffic Sensitive Network plus the Priority 1 and 2 gritting routes, is the preferred solution at present, and forms the basis of discussions with the authorities that have not sought to be part of the AS-RPS.

3. **Cost Benefit Analysis**

3.1. The feasibility work undertaken to date has used an outline appraisal method that considers only the benefits arising from reducing congestion and setting those benefits against the cost to implement and operate a scheme. While there is no requirement to use a specific methodology to calculate the costs and benefits of permit schemes the detailed assessment work needed is likely to use the following indicators or outputs in any financial evaluation for Norfolk:-

- Reductions in delays and congestion (including impact on bus operator's revenue)
- Changes in carbon (Greenhouse Gases) emissions (including impact on local air quality)
- Accident reduction
- Journey time reliability improvement
- Reduction in road maintenance costs
- Costs of implementation and operation (including all of the stand-alone operating costs and incremental operating costs)
- Reductions in number and duration of Street Works
- Reduction in waste materials (likely increase in use of first time permanent reinstatements)

4. **Next Steps**

4.1. Work continues to refine the outline financial appraisal.

4.2. At the time of writing this report discussions have opened with Suffolk County Council, as part of the Council's Transformation and Efficiency Programme, to assess if they wish to consider the development of a joint permit scheme to be implemented across the two authority areas. Discussions are at an early stage and will include an exploration of the followings approaches:-

1. **Common Permit Scheme** – Similar to that being developed by those authorities with a significant proportion of urban roads (para 2.6 above) but using a criteria more appropriate for rural authorities. There may be scope for sharing of 'back office' systems and administration, although Suffolk use a different suite of street works software to this authority. There may also be scope for other authorities that are not part of the AS-RPS to take part which would further help bring down costs.
2. **Single Project Permit Scheme** – Joint procurement of individual permit schemes for each authority. Such an approach allows for maximum local flexibility, with each authority setting its own criteria. There would be less scope for shared 'back office' systems or administration but it would bring down the set up costs for a permit scheme in each local authority area

through the use of a single Project Team and pooling of training and operational support. Such an approach could prove an attractive method of developing and implementing a scheme for those authorities that are not taking part in AS-RPS and wish to retain their local diversity of service delivery.

- 4.3. The results of the discussions with Suffolk County Council will inform the way forward. However, it is clear from the feasibility work undertaken to date that a viable Business Case, for introducing a regime of permits on a network of roads in Norfolk, can be made.
- 4.4. Once we have fully assessed the resource implications for the preferred permit scheme and have an idea how many other authorities, if any, would wish to enter a joint scheme a full report will be submitted to Members for approval.

5. **Resource Implications**

- 5.1. **Finance** : A permit scheme allows the authority to recoup the proportion of its costs attributable to utility company works. There will need to be a transparent system for attributing costs and an annual review of charges, but the County Council's costs in so far as they relate to operating a permit scheme for public utility works would be self financing as costs are recovered through the scale of permit charge set. In addition the cost of developing and implementing a permit scheme, likely to be in the region of £350K, can be recovered over a 3 year period through an additional levy on standard charges set.
- 5.2 **Staff** : Officers are working towards the position that a scheme will not require extra staff above existing establishment.
- 5.3 **Property** : None at this stage, although a permit scheme would provide the opportunity to deliver the inspection regime using staff that worked remote from an office. This coupled with the opportunity to share 'back office' systems and administration with Suffolk County Council or any other authority that Norfolk may develop a Joint Scheme with could provide the opportunity to further rationalise the office/depots used.
- 5.4 **IT** : The Council already has a suite of software capable of supporting a permit scheme in Norfolk. There would be some further development required to make use of all of its functionality and to ensure the needs of both the Street Authority and the Council as its own promoter of highway works are catered for. Suffolk County Council uses a different suite of street works software to that used in Norfolk. The development of a joint scheme would need to take into account the impact (and cost) of changes to IT systems. This is incorporated in the Corporate IT Plan.
- 5.5 **Any other implications** : Officers have considered all the implications which members should be aware of. Apart from those listed in the report (above), there are no other implications to take into account.

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

- 6.1 The introduction of permits to work may slightly improve the on street practices of those undertaking roadworks. Poorly maintained sites are often subject to petty vandalism. It is hoped better control and works being carried out for a shorter duration will reduce this.

Action required

- (i) To note that we propose not to take part in the Anglian Sub-Regional Permit Scheme.
- (ii) To comment on the proposed approach to develop a potential permit scheme for Norfolk.

Background Papers

Cabinet Report 18 September 2008

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 Tim Edmunds or textphone 0344 800 8011 and we will do our best to help.

Events on the Highway

Report by the Director of Environment, Transport and Development

Summary

The legislation and guidance on managing events on the highway is complex. A simpler process is required to help communities and the County Council in dealing with requests for such events. Norfolk Constabulary has recently changed their approach to their approval of such events, which has required the Council to rely on the use of formal road closure procedures. The Secretary of State for Communities and Local Government has also recently advocated new guidance for certain events.

Such matters have during recent months attracted significant attention. The change of stance of the Police has resulted in increased complaints from event organisers over the fees charged and the amount of time it takes to process the request and secure the formal order.

This report considers the Council's existing approach and sets out options for future service delivery. There is an opportunity for the Council to reduce the 'red tape' imposed upon those that wish to hold an event on the highway. There are legal issues and some risks to the Council in balancing its role as local Highway Authority with allowing the public to organise some activities themselves and taking responsibility to conduct such events in a safe and appropriate manner.

In order to assist event organisers and the County Council (in streamlining the processing requests for road closures) it is recommended that support be given for the County Council to lobby Government to change the current legislation, in order to enable a more proportionate and balanced approach to requests for road closures.

Action required

- (i) To consider this report and express a view as to the options preferred for future service delivery. In particular giving guidance on:-
 - 1. How Road Closure Orders should be processed.
 - 2. The nature of what the Council should charge for.
 - 3. The extent to which certain events should be exempt any fees charged.
 - 4. Whether to relax the requirement in respect of public indemnity insurance and allow organisers of local neighbourhood events to decide for themselves whether or not to take out such insurance.
- (ii) To support a change in the Council's Constitution to allow the Director of Environment, Transport and Development to also make orders under Section 16A of the Road Traffic Regulations Act 1984.
- (iii) To support the Cabinet Member for Travel and Transport in making representations to Government on changes to legislation, as set out in para 6.7 of this report, to further ease the burden on local authorities in the administering the highway approvals.

1. **Background**

- 1.1. For many years all events held on the highway have been approved jointly by the County Council as Local Highway Authority and Norfolk Constabulary using powers available under the Town Police Clauses Act 1847 (TPCA). Norfolk Constabulary, responding to Association of Chief Police Officers' (ACPO) guidance, has recently withdrawn from using the 1847 Act for the purposes of managing traffic on the highway in order to enable an event to take place safely.
- 1.2. In essence the change of stance by Norfolk Constabulary has resulted in their withdrawal of free assistance to event organisers in helping to informally close roads forcing event organisers to secure a formal temporary Traffic Regulation Order (TRO) processed by the County Council using highway powers.
- 1.3. Since the change of stance by the police the number of applications the Council receives for such formal orders has increased significantly and we have received many complaints from event organisers over the standard £450 fee charged and the amount of time it takes to process the request and secure the formal order. Many organising committees are very concerned or simply unable to fund the current fee and we are told that events that have been undertaken in previous years may well be cancelled in the future as a direct result of the costs that may be incurred.
- 1.4. The Council's £450 fee is reviewed annually and is set to recover the average cost of placing the advert in the local newspaper and the associated legal costs in processing the order. The fee does not cover any of the time taken by officers within Environment Transport and Development (ETD) in checking each application, considering the request in relation to the wider network management implications, which may include visiting the site of either the location of the proposed road closure or any planned diversion route, preparation of draft legal orders and associated plans and updating our internal systems which are used to coordinate activities. On average it is estimated officers in ETD spend 3 hours 'administering' each proposal.
- 1.5. In order to minimise costs for event organisers the Council promotes the use of multiple event orders. A recent example of this was the celebrations marking the switching on of Christmas lights in many of Norfolk's towns and villages last December. Processing a multiple order for the Christmas Lights events reduced the cost to the 19 event organisers of securing a formal TRO from £450 to £55. Given the cost savings that arise multiple orders are popular, however, the administration of such a process is very demanding of officer time with ETD and can create a problem for those not able to get their submission within the deadline for processing.

A list of known events in Norfolk is provided in Appendix A. The information provided sets out those events which are currently exempt a fee and splits the rest into neighbourhood street parties and fetes and other larger public events.

2. **Legislative context**

Town Police Clauses Act 1847 (TPCA)

- 2.1. The County Council and Norfolk Constabulary have successfully used this legislation for many years without challenge. 'Road closures' resulting from events were processed by an exchange of letters between the County Council and Norfolk Constabulary. As the process required little resource, no fee was charged for this work. Following the issuing of ACPO guidance it is accepted that only District

Councils have powers to use the TPCA and Norfolk Constabulary no longer support 'closures' processed using the TPCA.

Section 16A of the Road Traffic Regulation Act 1984 (S16A order)

- 2.2. Taking into account the legal advice about TPCA, formally closing a road to enable an event to take place on the highway can only be secured by the County Council using a S16A order. In some instances a S16A order will also require approval from the Local Government Office North East.
- 2.3. The DfT published guidance notes in 1997 setting out that 'significant events' should be published in a local paper a minimum of 8 weeks ahead of the event and that notices be placed in the street giving these details 14 days ahead of the event. The Council currently advertise the event details in the local press but do not require organisers to post the notices on site.
- 2.4. The DfT guidance advocates a shortened procedure be used where the event (under the same name) generally takes place at the same time each year or where no more than 2 miles of road are affected (where all roads are subject to a 30mph speed limit or less and the closure duration does not exceed 12 hours). For these 'less disruptive' events the event details should still be published in the local press (4 weeks ahead of the event) and notices displayed in the affected streets 7 days ahead of the event. For these types of events the Council generally meets the 1 month advert requirement, we do not require organisers to post notices on site.
- 2.5. In addition to the DfT advice, any event that has a duration exceeding 3 days or any event that closes a road that has already been subject to a S16A order that year (1 Jan to 31 Dec) cannot be closed without the approval of the Government Office North East. This increases the time and cost required to process the request irrespective of whether they are 'significant disruptive' event types or not.

3. Latest Government Guidance on Street Parties and Fetes

- 3.1. In August 2010 the Rt Hon Eric Pickles MP, Secretary of State for Communities and Local Government announced his success in reducing the bureaucracy in planning street parties and fetes that require roads to be closed. The letter sent to all local authority Chief Executives (Appendix B), the news release (Appendix C) and new application forms (Appendix D) are attached with this report.

- 3.2. In summary this advice suggests that :

Local Authorities should seek S16A orders in relation to events where there is no restriction on who may attend (i.e. an event more significant than a local neighbourhood street party). In such cases it is still recommended to publicise the proposed road closure in local newspapers and secure proof of public liability indemnity insurance. The expectation is that events of this nature will be arranged by professional or skilled organisers familiar with undertaking and acting upon the results of formal risk assessments.

A different approach is advocated for neighbourhood street parties or fetes. These are seen as being typically for residents only and would be most likely organised at a more informal local level. Publicity could be restricted to those most likely to be affected (i.e. the residents). The expectation is local authorities should adopt a less onerous process that does not impose regulations that require public liability insurance or formal traffic orders and extensive alternative route signing.

- 3.3. In addition the Secretary of State advocated the use of a single local authority application form covering the Highway Authority (County Council) road closure approvals, licensing requirements (District and Borough Council) and any Safety Advisory Group approval (groups organised by the District and Borough Councils which are supported by Highway and Police Authorities). The general thrust was that in this way Local Authorities could process applications more quickly and at no charge.
- 3.4. In November 2010 we received further advice (Appendix E) extending the coverage of the August guidance to street parties, festivals, picnics and other events.
- 3.5. On 7 February 2011 the Transport Secretary, Philip Hammond, announced that the 1997 DfT guidance on S16A Orders has been withdrawn *"in order to make it easier for Councils to let street parties go ahead and allow local communities to celebrate without being bogged down by paperwork."*

4. Options

- 4.1. It should be noted that when the Council receives a request from an event organiser to use the highway, approval is not given in all cases. While it is extremely rare that a request is refused there may well be cases where it is not considered appropriate to allow the event to take place using the highway.
- 4.2. The Council's existing procedures have been reviewed and options developed for future service delivery that minimise 'red tape'. Some options minimise the financial burden on the Council by seeking to recover all the costs incurred and others retain the current approach which shares the financial burden between the Council and the event organiser.
- 4.3. All events require a road closure order processed using S16A. Officers have explored the potential to exempt certain events, such as neighbourhood fetes and street parties, from the requirement to secure a formal road closure order, but there is no basis in law for doing this without exposing the Council to unnecessary risks.

4.4. How should formal Road Closure Orders be processed?

Notwithstanding that all events require an order to lawfully enable the highway to be closed (to vehicles) there is significant scope within the legislation, in particular now that the 1997 DfT guidance has been withdrawn, for how such orders are administered and secured. A significant element of the current fees charged relates to the cost of placing formal advertisements in local newspapers (principally the EDP). Section 16A of the Road Traffic Act 1984 does not place any requirement on the Council to advertise and now that the DfT guidance has been withdrawn there is a real opportunity to cut down the administrative burden and costs incurred. The options are:-

Variant A

As existing, whereby the Council would continue to advertise the propose closure in local newspapers. Normally single applications but multiple events orders promoted for regular seasonal events.

Variant B

Amend existing process to only advertise and process orders through multiple event orders. Given the number of events that take place in Norfolk annually, the Council may need to operate such a system on a monthly cycle.

It should be noted that where applications could have been included in a multiple event order but were received too late for inclusion, they would only be processed under Variant A with the event organiser bearing the single application fee.

Variant C (including C Large Single and C Large Multiple)

Amend existing process withdrawing the need for newspaper advertising of events of a local nature, which are proposed to take place for no longer than one calendar day on minor local roads (such as a residential cul-de-sac) which if closed are unlikely to have an adverse impact on the wider movement of traffic including bus services.

Organisers of local neighbourhood events would be expected to consult those locally affected and submit evidence of the local support, or any concerns expressed, when making their application. The Council would effectively 'fast track' applications considering the support or concerns expressed, coordinate with other works or events in the highway and conduct consultations with emergency services. It is expected that properly made applications could be turned round and a S16A Order secured within 28 days. Upon receipt of the Council's 'approval' event organisers would be required to place a notice on the highway informing other road users of event and the date the road would be closed. There would be no administrative or cost saving arising from multiple orders and all applications for local neighbourhood events would be treated as single applications.

Larger public events would still be required to advertise in local newspapers using either single orders (Variant C Large Single) or through multiple orders (Variant C Large Multiple).

Variant D

As per Variant C, but further extending the removal of the need to advertise in local newspapers to all events. Local neighbourhood events would be treated as set out in Variant C above, but in the case of larger public events it is still felt beneficial to carry out a formalised 'consultation'. The Council would advertise the proposed road closure on its website and require event organisers to also place a notice advertising the proposed closure on street for one month providing an additional opportunity for road users to express their views or make an objection to the Council. There would be no administrative or cost saving arising from multiple orders. In this variant all applications would be treated as single applications.

5. Resource Implications

5.1. Finance : What should the Council charge for?

Having determined how the order should be processed the Council needs to decide what should be included to calculate the fee charged. There are two basic options.

Fee Regime A

As existing, where the Council shares some of the financial burden with event organisers. Fees set annually at a level estimated to recover only the Council's legal and advertisement costs, but exclude recovery of officer time for staff within the ETD department (estimated to be typically be 3 hours per application).

Existing single application fee is £450. Recent fee charged for each of the 19 applicants for the multiple event order for switching on the 2010 Christmas lights was £55. Fee set for the forthcoming Royal Wedding is £29.04.

Variant A

Single Order applications £450.

Multiple orders in the range of £30 to £80 (dependant upon number of applications).

Variant B

£60 (based on 125 events annually).

Variant C

Local neighbourhood events £36

Larger public events single applications £450 (Variant C large Single)

Larger public events multiple applications £60 (Variant C Large Multiple - based on 125 events annually)

Note: The significant reduction in cost for local neighbourhood events is achieved by not having to pay for newspaper advertising and 're-engineering' the 'back office' processes to remove duplication of effort between staff in ETD and npLaw. To realise these savings the Council's Constitution would need to be amended to also allow the Director of Environment, Transport and Development to also make orders under Section 16A of the Road Traffic Regulations Act 1984.

Variant D

All applications £36. Cost reduced for the reasons set out for single applications above under Variant C.

Fee Regime B

Fees set annually at a level estimated to recover all of the County Council's costs. Many other local authorities have adopted this regime. It is likely that the costs set out above would typically increase by £72 per application (single or multiple order applications) for all local neighbourhood events or any larger public event that did not affect a bus route or by an additional £108 for larger public events which affected a bus route and required the Council to liaise with bus operators.

5.2. Exemptions

Assuming the Leader's decision that all Remembrance Day and military homecomings remain exempt from the fee Members views are sought on whether any other form of event should also be exempt the fee taking into account that any increase in exemptions creates an additional cost pressure for the County Council. Additional cost pressures could be reduced or negated if the fee set for chargeable events allowed for the cost of delivering the exemptions within the overall service cost.

- 5.3. Appendix A sets out the number and type of applications the County Council typically receives annually (excludes those events handled by Norwich City Council under Highways Agency powers). The number of application may increase during the next few years with the likelihood that Norfolk communities may wish to celebrate the Queen's Diamond Jubilee or the Olympics.
- 5.4. **Staff** : The Council currently receives approximately 125 applications per year and applies in the order of 0.2 of a staff post to this activity spread across the teams that deal with these matters in the four Area Highways offices. There are no implications

for staff arising from any of the above options, although in Variant C and D there would be a reduction in work load for staff in npLaw as the administration of the legal orders moves across to staff in ETD.

5.5. **Property** : None.

5.6. **IT** : The Secretary of State's suggestion that local authorities may wish to consider using a Single Application Form would require the development of a shared 'back office' system for use by the County Council, District and Borough Authorities and the emergency services. This has not been evaluated in any detail at this stage and is to be the subject of officer level discussions through the Safety Advisory Groups which the County Council supports.

6. **Other Implications**

6.1. **Legal Implications** : There are no legal issues arising from financial aspects set out above. The only substantive legal matter, which is explained in more detail in the risk assessment section below, relates to the extent and nature of the formal requirements the Council places on those wishing to hold an event on the highway. The Council's legal and risk and insurance advisors have helped developed and have approved the contents of this report

6.2. Various highway legislation set out the powers the County Council has as local Highway Authority for controlling how the local road network in Norfolk is used. While the scope of the various powers is relatively broad the County Council is under no obligation to use all of the powers available to it. In relation to the holding of events on the highway the County Council as local Highway Authority has the following specific duties to take into account in determining its approach to service delivery and in specific decisions on individual cases:-

- Duty to maintain the highway (free from obstruction)
- Duty to ensure the expeditious movement of traffic on its road network and those networks of surrounding authorities
- Duty to coordinate works
- Duty to promote road safety

6.3. Allowing an event to use the highway and closing the road to general traffic does present some risks for the Council. If Members were to advocate the use of Variant C or D as set out above to reduce or cease the use of newspaper adverts there is no reason to assume, given previous experience of using the TCPA, that such relaxations would present an unacceptable risk to the Council.

6.4. Event organisers in applying under the previous TPCA procedures set out and signed up to a range of matters which sought to minimise risks to the Council. For instance indemnifying the County Council against any claim for damage or injury resulting (either directly or indirectly) from the street event and the erection of traffic barriers. A copy of a TPCA application form is attached as Appendix F. It is intended that the range of requirements set on the application form, items (a) to (f), would also be set out on any application form used pursuant to the option that Members chose.

6.5. In the case of local neighbourhood events the views of Members are sought on whether or not the Council should relax it's current insistence that all event organisers have public indemnity insurance. The Council's application pack and the

forms the event organiser signs will make it clear that the event organisers will be liable for any claims which are made if they are negligent in the way they deal with the road closure, but there is scope in relation to local neighbourhood events (as opposed to larger public events) to simply advise event organisers of the need to consider taking out public liability insurance.

- 6.6. **Lobbying Government:** Certain provisions of Section 16A of the Road Traffic Regulation Act 1984 are considered to place an unnecessarily high administrative burden on local authorities, which could be remedied if the Government were to amend legislation.
- 6.7. It is proposed that the Council should write to Government setting out the following amendments to the Road Traffic Act 1988:-
1. Include the description 'community event' within the list of event definitions set out in Section 16a of the Act. Extending the definition of events would help the Council deal with some charitable events, like farmers markets, which are currently excluded from the provisions of this part of the Act.
 2. Extend the scope of Section 16a to also include events that take place near to the highway. This would help deal with cases where it is advisable to close the road in the interests of public safety but the event is not actually proposed to take place on the highway.
 3. Remove the requirement for Secretary of State consent for proposals which:-
 - may be in force for more than three days (this currently burdens proposals like those promoted for the Lynn Mart)
 - which are proposed on a stretch on road that has already been the subject of a S16A order within any calendar year (this causes difficulties processing applications in many of our town and city centres where there is demand for a number of events throughout the year).
- 6.8. **Human Rights** : The way in which the highway is used and any limitations the Council imposes upon its use can impact upon a person's entitlement under Article 1 of the First Protocol of the Human Rights Act 1998, in so far as such use or limitation may deprive a person of their right to the peaceful enjoyment of their possessions. The Council in exercising the provisions of S16A takes into account the impact closing a road to enable an event would have on those directly affected, and weigh that impact against the rights of those wishing to hold the event and any wider public benefits that may arise.
- 6.9. **Equality Impact Assessment** : A full programme of equality impact assessments has been carried out covering all Environment, Transport and Development activities. However, this report is not directly relevant to equality in that it is not making proposals which may have a direct impact on equality of access or outcome.
- 6.10. **Health and Safety Implications** : Officers attend the Safety Advisory Groups set up by the District and Borough Councils as a means of providing a 'one stop shop' for advice on aspects such as the correct licensing and road closure orders to ensure the safety of those attending events. The Council also provides specific advice direct to event organisers on how to safely close roads and cater for the needs of traffic who may require an alternative diversion route. However notwithstanding the role the County Council has as a local Highway Authority, an event organiser also has a responsibility for the safety of event that they provide.

- 6.11. **Communications** : There is a great deal of community and media interest in the events that take place in Norfolk. The manner in which the County Council helps support (or burdens) event organisers attracts specific attention and helps determine the way in which the Council is perceived by members of the public or specific charities or businesses.
- 6.12. **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. **Conclusion**

- 7.1. The County Council requires those that undertake events on the highway to secure the Council's approval and a formal traffic order. Such approval provides the opportunity to coordinate events with planned public utility or highway works and make arrangements for the event to take place safely, which may involve formally closing roads and diverting traffic (including bus services).
- 7.2. There is an opportunity for the Council to reduce the administrative burden and further reduce costs imposed upon those that wish to hold an event on the highway. There are legal issues and some risks to the Council in balancing its role as local Highway Authority with allowing the public to organise some activities themselves and taking responsibility to conduct such events in a safe and appropriate manner. The views of Members are sought on future service delivery.

Action required

- (i) To consider this report and express a view as to the options preferred for future service delivery. In particular in determining:-
 - 1. How Road Closure Orders should be processed.
 - 2. The nature of what the Council should charge for.
 - 3. The extent to which certain events should be exempt any fees charged.
 - 4. Whether to relax the requirement in respect of public indemnity insurance and allow the organisers of local neighbourhood events to decide for themselves whether or not to take out such insurance.
- (ii) To support a change in the Council's Constitution to allow the Director of Environment, Transport and Development to also make orders under Section 16A of the Road Traffic Regulations Act 1984.
- (iii) To support the Cabinet Member for Travel and Transport in making representations to Government on changes to legislation, as set out in para 6.7 of this report, to further ease the burden on local authorities in the administering the highway approvals required to enable such events to take place.

Background Papers

Officer Contact

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

Name	Telephone Number	Email address
Tim Edmunds	01603 224435	tim.edmunds@norfolk.gov.uk



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

Currently Exempt	Street parties or fetes	Larger Public Events
Cromer, British Legion Remembrance Parade Dereham, Homecoming (Light Dragoons) Downham Market, Remembrance Parade Downham Market, Royal Air Forces Association Parade Downham Market, St Georges Ceremony Holt.TPC But should possibly be 16A Hunstanton, Remembrance Parade King's Lynn, RAF Freedom Parade King's Lynn, Remembrance Parade Sheringham, Remembrance Parade Swaffham, Homecoming (RAF Marham II (AC) Squadron) Thetford, Homecoming (D-Squadron's joint Chemical Biological Radiological and Nuclear Regiment) Wroxham and Hoveton, Remembrance Parade	Banham, Summer Fair Dickleburgh, Big Lunch Street Party Hockham, Village Fete Kenninghall, Go-kart races Langley, Fete/Fun Day Litcham, Community Fete New Buckenham, Fete Shouldham, Village Event Swannington, Village Picnic Thorpe St Andrew, Street party/BBQ Tibenham, Fete/soap- box derby Wortwell, Fete/Wacky Races	Attleborough, Christmas Carnival Aylsham Show. No order. Prob not needed signing sufficient. Aylsham, Carnival Procession Aylsham, Christmas Light Switch On Aylsham, God 4 U event Bawburgh, Royal Norfolk Show Bawburgh, Royal Norfolk Showground - Cancer UK Race for Broome, Black Dog Road Run &Fun Run Bungay, Black Dog Marathon Bunwell, Santa Fun Run Burnham Market, Christmas Light Switch On Burnham Market, Craft Fair Caister on Sea, Carnival Procession Cromer, Carnival Cromer, Christmas Lights Switch On Cromer, Crab and Lobster Festival Dereham, Christmas Lights Switch On Dereham, Festival (Music in the Market Place) Diss, Carnival Diss, Christmas Lights Switch On Downham Market, Carnival Procession Downham Market, Christmas Light Switch On Earsham, 'Memory Walk' (Alzheimers Society) Fakenham, Christmas Lights Switch On Gorleston on Sea, Christmas Lights Switch On Gt & Lt Plumstead, Fireworks Gt Yarmouth, ½ Marathon Gt Yarmouth, 10K Road Race Gt Yarmouth, Diversity Day Gt Yarmouth, Mardi Gras Festival Gt Yarmouth, North Drive Fireworks Gt Yarmouth, 'Outthere' Festival Harleston, Christmas Lights Switch On Heacham, Carnival Hempton, East Coast Riders (Cyclo- cross) Hemsby, Festival Hemsby, Fireworks

Currently Exempt	Street parties or fetes	Larger Public Events
		<p> Hethersett, 2012 Olympics Open Weekend Fun Run Holt, Christmas Lights Switch On Hopton on Sea, Carnival Houghton, Race For Life (5km run) Hunstanton, Carnival Hunstanton, Christmas Day Swim Hunstanton, Christmas Light Switch On Hunstanton, Fireworks (cliff top car park) Kettlestone, Street Fair King's Lynn, Festival Too (Music & Fireworks) King's Lynn, Festival Too (music) King's Lynn, GEAR Run King's Lynn, Christmas Light Switch On King's Lynn, Mart Opening Ceremony King's Lynn, Mayor's Charity Motorbike Ride King's Lynn, Walks Lions Fun day Langham, Fayre Lingwood, Fireworks Ludham, New Year's Eve Fireworks Martham, Street Parade Mundsley, Christmas Event Norfolk East Coast Truckers Norfolk Eastern Lights Motorcycle cavalcade Norfolk Tour of Britain North Walsham, Christmas Light Switch On Norwich, Half Marathon (from Showground/Easton etc.) Reedham, Beer and Music Festival Reedham, Duck Race Reepham Big Weekend. No order but should be 16A Reepham, Christmas Lights Switch On Sheringham, Carnival Sheringham, Christmas Lights Switch On Sheringham, Coast Day Sheringham, Crab and Lobster Festival Sheringham, Morris Festival Snettisham, Victorian Market South Walsham, Broadland ½ Marathon Stalham, Christmas Lights Switch On </p>

Currently Exempt	Street parties or fetes	Larger Public Events
		Stalham, Street Fayre Strumpshaw, Steam Festival Strumpshaw, Symmetry Music Festival Thetford, Continental Market Thetford, Dad's Army Parade Thetford, Saturday Market Thetford, Street Market Thorpe St Andrew, Christmas Lights Switch On Walsingham, Anglican Shrine - National Pilgrimage Walsingham, RC Shrine - processions Walsingham, RC Shrine Ecumenical Assumption Procession Walsingham, RC Shrine Union of Catholic Mothers Pilgrimage Walsingham, RC ShrineTamil Pilgrimage Watton, Carnival Watton, Christmas Market Wells on Sea, Carnival Wells on Sea, Christmas Tide Wimbotsham, Fenman Motor Bike Rally Wolferton, Scarecrows Wymondham, Dickensian Christams Fayre Wymondham, Lions St George's Event



The Rt Hon Eric Pickles MP

Secretary of State for Communities and Local Government

Department for Communities and Local Government

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Dear

Street Parties and Fetes

The seasonal fete and street party is a great British tradition. There is no better way for people to get to know their neighbours and meet members of their community, than by holding an event on their doorstep. Events such as The Big Lunch show there is a demand for street parties and fetes. This is only going to increase in the lead up to the Queen's Diamond Jubilee and the Olympics in 2012. This is the Big Society in action.

I do not want people to be put off holding this sort of event with their neighbours by unnecessary red tape and bureaucracy. I know that many local authorities are very supportive of residents who want to hold neighbourhood events. I want to get behind you by getting central government's house in order and removing any barriers we have created.

For starters, we have been working with Department for Transport to clarify the position on road closures for local events. For most small street parties that do not affect the wider road network, there is no requirement in law for local authorities to advertise proposed closures or carry out consultations. Neither are specific signs or other traffic management equipment required. Local authorities should act proportionately, wisely, and in the public interest and apply their discretion to suit local circumstances.

We have also worked with Streets Alive, the Big Lunch and local government partners to produce a short guide for local residents on how to organise a street party or fete. It includes a simple, easy to understand form for residents who are planning local events. The form can be downloaded from the CLG website [add link]. I very much hope you will be able to use of this in your area.

RT HON ERIC PICKLES MP



News Release

EMARGOED UNTIL 00:01 SATURDAY, 28 AUGUST 2010

28 August 2010

BUREAUCRACY FOR SUMMER FETES OVERRULED BY PICKLES

Eric Pickles has succeeded in his quest to ban the reams of forms, high costs and red tape getting in the way of communities organising street parties and summer fetes.

From now on, instead of organisers being met with endless, confusing guidelines on food licences, road closures and insurance – councils can ask street party organisers to complete one simple form

A cross government meeting set up by Mr Pickles, with the Department for Transport, Department of Culture Media and Sport as well as local government and community groups such as the Big Lunch and Streets Alive, has agreed this new approach.

Mr Pickles will make it clear in a new leaflet that there are no dusty, central laws restricting councils from taking a common sense approach to administering events.

He will expel the myth that councils are required by law to advertise and charge extortionate fees for small road closures, potentially saving organisers thousands of pounds.

Previously, some small community groups were asked to apply for up to five separate licences and found it tricky to get upfront advice on what to do. They also found out about hidden costs right at the last minute, causing delays or cancellations to community events.

Mr Pickles, said:

“Fetes, street parties and fairs should be fun, and everyone’s energy needs to go into the fun part – not trawling through endless reams of guidance and dusty rules.

“I want to banish the myths around laws preventing people from putting on events.

“So there is still time for you to get together with your neighbours this summer. Your council may be able to help you close a road for a proper street party. If not, you can hold something in a garden or even the park. It’s your community, so celebrate it.”

For most small organised street parties that don’t affect the wider road network, there is no requirement in law for local authorities to advertise proposed closures or carry out

consultations. Neither are specific signs or other traffic management equipment required. Local authorities should act proportionately, wisely, and in the public interest – and highways law do not present any barriers to that.

Some easy, good practice guidance has been agreed in a new leaflet which will be published in September and be made available online and from town halls.

Chris Gittins, Director of street party campaign group, Streets Alive:

“At last the red tape is being cut on road closures and the bunting can go up on building community spirit through street parties. After years of campaigning on this the Government is listening to us. Though there is more to do, it is a great step for common sense and a chance to open up the country to the simple pleasure of meeting your neighbours in your traffic-free street. We hope that councils will respond with a sigh of relief and make it easier for residents to join in what is a great British tradition.”

Edward Lister, Leader of Wandsworth Council:

"Traditional street parties are a terrific way for neighbours to have fun and get to know each other better. This year we made some big changes which made it much easier for our residents to get these up and running. We've been advising the new Government on ways in which they can cut through the red tape and come up with a streamlined, user-friendly application process with local authority interference kept to an absolute minimum. If we want street parties to take off then councils need to stop fussing over the paperwork and leave the organisers free to get on with it."

A Croydon Council spokesman said:

“Our overall aim is to help communities organise on-street activities wherever it is safe and practical to do so. We would expect that reducing red tape to simplify the process would be appreciated within communities who want to bring people together in a social environment. If it makes it easier to organise street parties, fetes and so on then this is something we would welcome as these kind of events are potentially powerful in developing a community ethos among people of all ages and backgrounds.”

Media Enquiries: 0303 44 41201 Out of hours: 0303 444 1201

Email: press.office@communities.gsi.gov.uk

News Releases: www.communities.gov.uk/newsroom

Secretary of State for Communities and Local Government

Good luck.

What sort of events does this apply to?

Street parties and fetes:

Publicity only to residents

music incidental and no selling is involved

Self-organised

Anyone can attend

External publicity (such as in newspapers)

Licence usually needed

Insurance needed

Risk assessment common

Professional/skilled organisers

It's that simple

The number one tip for holding a party is to plan early, think about what you want to achieve and get in touch with your council at least 4-6 weeks in advance. A good first point of contact will be your council's events or communities team.

A vibrant, cartoon-style illustration of a community picnic. At the top, a string of colorful triangular flags (green, blue, red, orange) hangs across the scene. Below the flags, a white rectangular banner is suspended, featuring a logo of teal dots arranged in a circle to the left of the text "Communities and Local Government". In the foreground, a group of diverse children are gathered around a long wooden picnic table. On the left, a boy with dark skin and curly hair sits on the table, eating. Next to him, a girl with blonde pigtails sits, also eating. In the center, a girl with blonde hair and a blue dress stands, smiling. Behind her, a boy with orange hair, a girl with brown hair in a pink dress, a boy in a blue cap and brown overalls, a boy with dark skin in a green shirt, and a girl with blonde pigtails in an orange dress are standing and talking. On the far right, a boy with brown hair sits on the table, eating. To the left of the picnic table, a yellow grill sits on a tripod stand, with smoke rising from it. The ground is green grass with small white flowers. The background is a plain white sky.



Celebrating your community

Application form for a street party or a small community event

Road closure for residential or neighbourhood street parties

Name of person:

Organisation (if applicable):

Contact address (incl. postcode):

Telephone number (daytime):

Telephone number (evening):

Email address:

Name of road(s) to be closed:

Date and time of road closure

If you plan to close only a section of the road(s), where will the closure begin and end?

From:

To:

Give a brief list of properties affected. This means any property, residential or commercial, which is located on or accessed only by the road(s) you wish to close – e.g. Cedar Close numbers 1-20 and numbers 21-98

Are any of the roads to be closed used by through traffic?

YES/NO?

If yes, you will need to send a traffic plan showing the exact extent of the closure and an alternative route for traffic.

Are you planning on closing a road that is part of a bus route?

YES/NO?

If yes, you will need to consult the bus company and attach a copy of their response.





Will access for emergency vehicles (if required) be readily available at all times?

YES/NO?

If no, you will need to discuss this with your council and emergency services. In the interest of safety we highly recommend that roads are accessible for all emergency vehicles.

How will people know the road has been closed off - have you thought about barriers/diversion signs needed?

If yes, can you say what you will be doing?

If no, you can speak to your council or Streets Alive (www.streetparty.org.uk) who will be able to help you with street signs.

Have most residents agreed to this neighbourhood/community event?

YES/NO?

The council will want to ensure most people are happy with this event, so if there are any objections you should let them know. They may be able to help you resolve any objections. It is worth remembering that not everyone will be able to participate so let everyone know what time the party will start and end (you may want to finish by 9pm to minimise noise).

If you are planning a road closure you will also need to consult businesses in the wider area that may be affected. Have you already consulted about the road closure?

YES/NO?

If yes, please attach a copy of your consultation invitation/notice and confirm the date it was sent:

What happens next?

Send your form to your local council (in a two-tier council area this will be your borough or district council).

The council will look at what you are proposing, will process your application for road closure and will let you know if there is anything else you need to consider.

We hope this guidance has made things easier for you. Good luck with your event.





FAQS and checklist

Q. Do we need insurance cover?

A. Most local authorities do not ask for public liability insurance cover for a small residential street party. But where you or your council think insurance would be a good idea you might find it helpful to go on Streets Alive (www.streetparty.org.uk) and The Big Lunch website (www.thebiglunch.com) for further advice. Quotes for insurance start from as little as £50. The costs can always be split between residents, or you could hold a raffle or ask for donations to cover the costs.

Q. Do I need to do a risk assessment?

A. Most local authorities do not ask for a risk plan for small street parties, but you may wish to think about how you can minimise things going wrong and have a back up plan, for example - what would you do if there was bad weather? Can you use plastic plates and cups rather than glass? Have you made sure an adult is in charge of the barbeque etc.

Q. We're serving alcoholic drinks - do we need an alcohol licence?

A. No, licences are only required if alcohol is sold. At a private party, sharing drinks with your neighbours does not require a licence. If you did want to sell alcohol, you will need to contact your council for a Temporary Events Notice form. This form costs £21.

Q. We're playing music - do we need an entertainment licence?

A. No - if your street party is a private party for residents and the music is not advertised in advance to attract people, and you're not making money then there is no need for a licence for your music, whether it's live or recorded.

Q. Do we need a permit to serve food?

A. No - as a private party, you do not need a licence under the Licensing Act 2003 to sell food (unless you wanted to only sell hot food and drink after 11pm). Remember you can always ask your neighbours to bake a cake, make a sandwich or bring food to share with one another. This is also a good way to bring different groups of people together.

Q. We're having a tombola/raffle - do we need permission?

A. Probably not. If the tombola/raffle tickets are sold on the day and the prizes are not worth more than £500 in total then it will be exempt from gambling regulations (however, if tickets are sold in advance of the event, you will need a lottery registration but do speak to your council first). Any proceeds from the tombola/raffle must go to a good cause such as charity or even covering the cost of your party. Alternatively, if you did want to raise some money for your local church or charity, you can always ask people for donations.

Q. Do we need to clean up afterwards?

A. Yes, you will need to clean up after your street party. It's your street, your party, so keep your local area clean and tidy. Let people know in advance what time the party will finish and have a section set aside for bin bags and recycling.





The Rt Hon Eric Pickles MP

Secretary of State for Communities and Local Government

Department for Communities and Local Government

Eland House
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12 NOV 2010

Dear colleague,

Many of you are already starting to think about celebrating the Diamond Jubilee in 2012. This is truly a once-in-a-lifetime event - in fact, it's only once happened in our history before. Just a few weeks before the start of the Olympics, this is a wonderful time to encourage people to come together with their family, friends and neighbours to commemorate Her Majesty's reign in street parties, festivals, picnics, and other events.

The excitement around these celebrations must not be dampened or extinguished because of red tape or bureaucracy. No community group should be put off from marking the occasion because they are worried about the costs of insurance or licences. In the past, councils have pointed to excessive government requirements, but I have swept these away. I'm concerned that councils who continue to over-interpret the rules or invent extra obstacles will squeeze the fun and the life out of these events.

As the guidance I put out this summer makes clear, there are really two requirements groups wishing to hold a small event: they must have community approval, and make appropriate arrangements for diverting traffic. This short guidance contains a straightforward two-page form which should help any groups wishing to hold this sort of event. Exactly the same rules apply to small community Christmas celebrations which your residents may be planning: such as carol concerts or fairs. Too many myths and misperceptions about rules and fees have been allowed to grow up over the year - and I'm determined to ensure that common sense always prevails.

More than a million people attended a Big Lunch to get to know their neighbours this year which shows just what an appetite there is for these small scale events which allow people to get to know their neighbours. I hope that many millions more are able to enjoy the Diamond Jubilee celebrations.

Yours,

A handwritten signature in black ink that reads "Eric Pickles".

THE RT HON ERIC PICKLES MP

Application for a Street Closure for the Purpose of a Street Event
Town and Police Clauses Act

To:- Area Manager (North)
Burgh Road
Aylsham
Norwich
NR11 6AR
Tel. 0344 800 8009

I/We _____ (Name)
of _____ (Organisation)
Address _____

apply for permission to hold a street event and to erect barriers in the highway known as
_____ in _____ (Town/Parish)
from _____ (length of highway affected)
to _____ (length of highway affected)
for the purposes _____ (the street event)
of _____
between the hours of _____ & _____ on _____ (date)

Proof of Public Liability insurance provided?	Yes <input type="checkbox"/>	No* <input type="checkbox"/>
---	------------------------------	------------------------------

* Please note that proof of Public Liability insurance will be required prior to the street event taking place.

If permission is granted, I/We will:-

- (a) erect the barriers in the highway to the satisfaction of the County Council.
- (b) indemnify the County Council against any claim for damage or injury resulting (either directly or indirectly) from the street event and the erection of barriers.
- (c) pay to the County Council the cost of repairing any damage to the carriageway, footway or verges as a result of the street event and the erection of barriers.
- (d) apply to the District Council for permission to hold any street collections.
- (e) immediately following the end of the street event clear up and return the highway to a safe state for use by traffic, and to the County Council's satisfaction.
- (f) provide access for emergency vehicles and pedestrians at all times.

Signed: _____ Date: _____
on behalf of Organisation

For Official Use Only

Authorisation

Norfolk County Council pursuant hereby authorises you to hold a street event as detailed and to erect barriers subject to conditions (a) to (f) overleaf.

Signed: _____

Date: _____

for Director of Environment, Transport and Development

Police Consultation

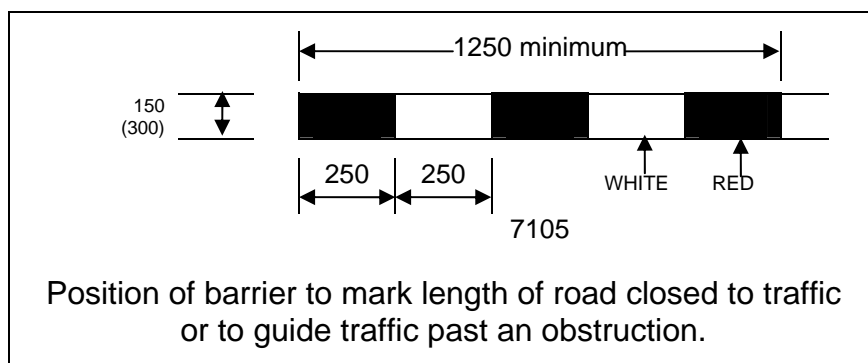
I do/do not object to the proposal.

Signed: _____

Date: _____

Chief Constable

The diagram illustrates the type of barrier required and this should be coloured red and white as shown. Please discuss with the Area Manager's Representative the details of barriers and traffic sign arrangements which you are responsible for providing, maintaining and removing.



EPIC Performance Update

Report by the Director of Environment, Transport and Development

Summary

A detailed report on EPIC's history and performance was presented to this panel in March 2010. Since then, updates have been included in the regular performance reports to Panel. This report provides members with a further update on progress and developments in 2010/11:

- **Finances.** 2010/11 costs have been contained within budget, which has been reduced from £0.604m to £0.525m. Educational revenues have held up and EU funded projects are also developing well, although an increased grant has had to be made, as some project income will now come in in 2011/12 rather than 2010/11. While studio and tenancy revenues are lower than forecast, additional tenancy space is being made available and is being taken up. As reflected in the reduced budget, considerable efforts are being made to cut costs, to mitigate the income shortfalls: a 20% reduction in overheads has been achieved, with further reductions of 1-5% planned.
- **Key performance indicators** are on track, and over the past four years EPIC has been responsible for:
 - 21 business start ups
 - Incubating businesses creating 75 jobs
 - Assisting 36 people to get jobs
 - Supporting 130 businesses
- A number of **physical improvements** have been made to the Centre, to increase commercial income, such as:
 - Turning a studio into a 50 capacity Conferencing Suite, with live streaming
 - Opening a studio as a Conference Theatre, with its own marketing material
 - Combining two galleries into one larger one, which is now tenanted
 - Opening up an additional glass office for rent
 - Relocating the EPIC team to a workshop - their office space is now tenanted.The common area and café / kitchen have also been upgraded.
- In terms of **new revenue streams**, a number of options are in hand or in development:
 - Further developing partnerships with learning providers
 - New projects to access external funding, including EU monies
 - Initiatives to generate further income, such as consultancy services and 'EPIC Experiences', a team building experience for businesses

Action Required

Members are asked to note progress on delivery of the business plan and identify any aspects for further scrutiny.

1 Introduction

1.1 A detailed report on EPIC's performance was last presented to this panel in March 2010. This paper provides members with a further update on progress and developments.

1.2 EPIC's vision is to be a hub for creative / digital / media sectors and a centre of excellence, targeting the key priorities of innovation, enterprise and skills.

This hub focuses specifically on:

- Exploiting ideas
- Providing incubation space and business / technical support
- Training and development
- Access to studios, editing suites, dubbing / sound / video facilities and equipment hire
- Networking through the cafe, conferencing and catering services

2 Key performance highlights

2.1 Financial

2.1.1 The three year financial plan presented to members in March 2010 was as follows:

	2010/11	2011/12	2012/13
Activity	£ 000	£ 000	£ 000
Commercial activity	201	238	260
Educational /cultural engagement	105	140	175
Strategic activity – 3 rd party grants	198	165	210
Economic Development grant	100	80	0
Total net income	604	623	645
Expenditure	604	623	645
Excess of income over expenditure	0	0	0

2.1.2 2010/11 Budget vs latest forecast

	Budget	Forecast
Activity	£ 000	£ 000
Commercial activity (studio / tenancy)	201	114
Education	105	103
Strategic activity – 3 rd party grants	198	82
Economic Development grant	100	226
Total net income	604	525
Expenditure	604	525
Excess of income over expenditure	0	0

- 2.1.3 For 2010/11, although Education revenues have held up well, the economic climate has meant that commercial activity projections have not been achieved. Section 3 of the report outlines options being explored to increase revenue.

Where grants are concerned, as mentioned in 3.4.1, the European E-CLIC project has been extended beyond 2010/11. This has meant that some of the anticipated project income will materialise in 2011/12, rather than 2010/11.

The Economic Development grant for 2010/11 has therefore been increased to cover these shortfalls. In view of reduced income projections and as part of the general review of finances by the new Managing Director for EPIC, all costs have been scrutinised and the following reductions made:

- Overhead reductions of 20% (£0.106m, year to date) achieved by combining the EPIC and HEC Centre Directors' posts, reducing the costs of service contracts (such as cleaning and security) and cutting operational expenditure.
- Further savings are being identified by the Managing Director and Operations / Facilities Manager. These include those arising from the installation of additional low energy lighting and improvements to: the telephone system, to ensure tenants are correctly billed; the layout, to minimise unnecessary labour charges; the web site, so that it can be revised by EPIC staff rather than contract support. EPIC is on track to reduce overheads by a further 1 – 5%.

These cuts have allowed EPIC to contain its costs within a reduced budget. The remaining two years of the business plan will therefore be revised, with overheads of a maximum of £0.525m for 2011/12 and reducing over time, rather than rising to £0.645m by 2012/13.

2.2 Outputs and outcomes

- 2.2.1 EPIC Phase 1 is now complete and in four years the following have been achieved:

- 21 business start ups
- Incubated businesses have created 75 jobs
- 36 people have been assisted to get jobs
- 130 businesses have been supported
- Skills supported through partnerships with Norwich University College of the Arts (NUCA), University of East Anglia (UEA) and City College Norwich (CCN)

- 2.2.2 Phase 2 focuses on:

- Reducing overheads further (as outlined in 2.1.3)
- Improving services and infrastructure
- Raising EPIC's profile
- Increasing revenues and margins
- Identifying new funding and revenue streams

The following paragraphs outline current and planned actions to deliver Phase 2.

3 Phase 2 Delivery

3.1 Improving services and infrastructure

- 3.1.1 Customer service is being improved by moving the Centre Coordinator from the first floor to the ground floor, by providing the opportunity for an unemployed young person to take on a reception role (funded by the Future Jobs Fund Programme that Norfolk County Council manages) and by upgrading the common area and café. Further commercial infrastructure improvements are outlined in 3.3.1.

3.2 Raising EPIC's profile

- 3.2.1 EPIC has adopted a simpler, clearer logo and put in place a new website, which can be updated and improved by the EPIC team.
- 3.2.2 A London-based marketing associate is in place for 3-6 months to promote EPIC to key audiences, who are primarily based in London.
- 3.2.3 EPIC now hosts a bi-monthly 'Hot Source' event, at which businesses can meet one another and hear about key issues affecting the sector. Fifty businesses attended the last Hot Source event. Also for businesses, six 'real advice' workshops are being run, in conjunction with Norfolk Network.

For students, two conventions on career opportunities in the creative and future digital sectors have been hosted, as well as the High Energy Schools Challenge.

3.3 Increasing revenues and margins

- 3.3.1 A number of physical improvements are being made, in order to increase conferencing and tenancy space/income, such as:
- Turning a studio into a 50 capacity conferencing suite, with live streaming
 - Opening a studio as a conference theatre, with its own marketing material
 - Combining two galleries into one larger one, which is now tenanted
 - Opening up an additional glass office for rent
 - Relocating the EPIC team to a workshop - their released office space is now tenanted.
- 3.3.2 In terms of strengthening EPIC's support services to the sector it is providing bespoke business and technical support in partnership with other organisations, encouraging the involvement of graduates and work experience students.
- 3.3.3 With the aim of increasing income relating to skills, NUCA's short/medium term objectives are being confirmed, stronger partnerships are being built with CCN and UEA and talks are taking place with Anglia Ruskin University and learning providers further afield, such as the University of Hertfordshire.

3.4 Identifying new funding and revenue streams

3.4.1 EU-funded projects

E-CLIC has been extended from the end of August 2011 to the end of February 2012 and will enable EPIC to continue the work done with schools. A promotional

video of centres similar to EPIC across Europe is also under discussion, with activity likely to be funded in addition to the existing project budget.

An application was submitted for **SeaMedia**, which will deliver an online TV channel by and for young people, with a focus on music, politics and journalism. Potential partners include UEA and organisations in Belgium and France.

EPIC is also exploring **InCompass**, a proposed project led by Dundee University, which seeks to share knowledge from successful incubation models for start-ups.

- 3.4.2 A wide range of potential innovation projects and revenue streams are being explored, including: Virtual Conferences, Virtual Mentors, Low Carbon Studio Lighting, The Training Club, Broadcast Public Meetings Quotation Tool, EPIC Partner Search and EPIC Consultancy.
- 3.4.3 Where commercial customers are concerned, EPIC is on track to achieve its 2010/11 forecast, with a wide range of customers both large (eg BBC) and small, as well as a memorandum of understanding with Elstree Studios in the pipeline.
- 3.4.4 Plans are in hand to launch 'EPIC Experiences' as a team building experience for businesses. This would be a unique offering in the region and uses freelance staff, with some technical backup from EPIC.

4 Risks

- 4.1 As with all businesses, there is a risk that some business plan prospects are not realised. The EPIC business plan and risk register are monitored monthly by the Assistant Director of Economic Development and Strategy, Finance Manager, Managing Director and Chairman of the Advisory Board.

5 Resource Implications

- 5.1 **Finance:** As mentioned in section 2, EPIC has contained its costs within a reduced budget, however the shortfall on commercial income and the re profiling of EU funding in to 2011- 2012 has meant an increase in grant from Economic Development.
- 5.2 **Staff:** As outlined in the report, some staff changes are being made to improve efficiency and profitability. All appropriate HR procedures are being followed.

6 Other Implications

- 6.1 **Legal Implications:** EPIC has legal commitments to NUCA to host students and to the EU-funded E-clic project until April 2012.
- 6.2 **Equality Impact Assessment (EqIA):** A full programme of equality impact assessments has been carried out covering all Environment, Transport and Development activities. However, this report is not directly relevant to equality in that it is not making proposals which may have a direct impact on equality of access or outcome.

- 6.3 **Communications:** EPIC will need to work hard to communicate its offer as a centre of excellence. A short term London-based marketing presence should help.

7 Section 17 – Crime and Disorder Act

- 7.1 Previous reports have identified EPIC's positive economic impact on a relatively run down area of the city, which can help prevent crime.

8 Conclusion

- 8.1 Based on current forecasts, EPIC should out turn within a reduced budget in 2010/11. Its business plan and risk register are closely monitored by the Centre's Advisory Board, which explores options to take its development to the next stage.

Action Required

- (i) Members are asked to note progress on delivery of the business plan and identify any aspects for further scrutiny.

Background Papers

EPIC Performance Update, 10 March 2010 Panel.

Officer Contact

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The Future Role of the Forestry Commission Estate in Norfolk

Report by the Director of Environment, Transport and Development

Summary

The Forestry Commission has a large land holding in Norfolk, both freehold and leasehold. As part of the Spending Review, Ministers announced that approximately 40,000 ha or 15% of land managed by the Forestry Commission England would be sold over the four year period to 2014-15.

On 11 February 2011, Defra announced that these sales “will be temporarily suspended until extra protections on access and biodiversity are put in place”. Defra also launched a consultation on the future of the public forest estate in England, which was withdrawn following press and public opposition. Instead, the Government is to set up an independent panel to look at the issue.

The Leader of the Council has written to Parish, Town and District Councils seeking views on the Defra consultation, and all but one of the 80 responses received was against the proposal (the responses are summarised at Annex 1). We have had over 80 responses, all but one of which was against the proposals, with most expressing strong concerns.

This report sets out the potential implications for Norfolk if the land managed by the Forestry Commission was sold.

Action Required

Members are invited to comment on this report, noting that officers will prepare a further report detailing the implications for Norfolk of any future government consultation or initiative concerning the future of the Forestry Commission estate when decisions come back from government concerning the Spending Review sales and the Defra consultation.

1. Background

- 1.1. As part of the Spending Review, Ministers announced that approximately 40,000 ha or 15% of land managed by the Forestry Commission England would be sold over the four year period to 2014-15. On 11 February 2011, Defra announced that these sales “will be temporarily suspended until extra protections on access and biodiversity are put in place”.
- 1.2. In addition, Defra launched a consultation: the Future of the Public Forest Estate in England, with proposals to move the remaining 85% out of the public sector. Following considerable press and public opposition, this consultation has now been withdrawn. However, the Government is to set up an independent panel to look at forestry policy, the role of the Forestry Commission and the future of the Public Forest Estate.

1.3. This paper looks at some of the possible implications for Norfolk.

2. **Possible implications for Norfolk**

2.1. Any sales of Forestry Commission land could have a significant impact on the people of Norfolk. The reduction of funding for the Forestry Commission will also have effects. There are a number of areas where the Forestry Commission play an important role in the economy and well being of Norfolk.

2.2. The Leader of the Council, Derrick Murphy wrote to Parish, Town and District Councils seeking views on the Defra consultation. The results are summarised in Annex 1. We have had over 80 responses, all but one of which was against the proposals, with most expressing strong concerns.

2.3. **Access**

2.3.1. Publicly owned woodlands are important green space resources allowing the public to walk, cycle, horse ride, orienteer, watch wildlife, etc. All Forestry Commission freehold sites are dedicated in perpetuity for access on foot under Section 16 of the Countryside and Rights of Way Act, and these rights will be maintained on divestment. "Higher" rights, such as cycling or horse riding are not currently protected. In addition, many Forestry Commission sites in Norfolk are leasehold and access cannot be guaranteed here if they are sold. All Forestry Commission land is managed not only for its timber resource, but also for wildlife, archaeology, access and to mitigate climate change. The concern is that new owners would be more single issue and that access would be restricted.

2.4. **Continuity of Timber Supply**

2.4.1. The Forestry Commission manages 18% of woodland in the East of England, but produces approximately 70% of the timber supply. Three of the larger sawmills in England are based in Hevingham near Norwich. They have all invested heavily in recent years, and they have been able to do this because the Forestry Commission have in effect underwritten this investment by guaranteeing timber supplies for many years ahead. This may not be possible under divested ownership.

2.5. **Norwich and Thetford Growth**

2.5.1. The Forestry Commission estate in Norfolk is of particular interest because of its proximity to the growth areas around Norwich and Thetford, and there is a great potential for increased partnership work between Norfolk County Council and the Forestry Commission to develop this. Recent work has included green infrastructure planning around the proposed ecotown at Rackheath, and green bridge links to improve access between Thetford Forest and the expanding town.

2.6. Environment

- 2.6.1. The Forestry Commission Estate in Thetford is the largest Site of Special Scientific Interest (SSSI) in the East of England; all SSSIs under FC management are in "Target Condition". In other words they are in the best possible condition. In common with the County Council, the FC has duties under the Natural Environment and Rural Communities (NERC) Act to have regard to the conservation of biodiversity when carrying out their normal functions. If the estate is moved out of public ownership, such duties may not apply.

2.7. Sustainable Production and the Economy

- 2.7.1. The recently published Woodland Wealth appraisal shows that woods and forests in the East of England contribute £1.3 billion annually
This includes:

	£ million/annum
Timber and Wood Products	345.5
Renewable Energy	5.2
Recreation and Tourism	550.0
Field Sports and Game	81.0
Housing and Industry	30.6
Carbon Storage/Sequestration	60.6
Health and Well Being	19.5
Education	1.2
Landscape	124.0
Biodiversity	71.0
Air and Water Quality/Management	33.0

- 2.7.2. The Forestry Commission has a total commitment to the concept of certified woodland, with 100% of its estate being audited as meeting the requirements of the United Kingdom Woodland Assurance Standard and thus the Forest Stewardship Council (FSC). This standard ensures the highest levels of responsible forest management. Disposal of the Forest Commission estate could lead to a reduction in this commitment. This auditing process is entirely voluntary.

2.8. Tree Diseases

- 2.8.1. There is considerable concern about tree diseases at present. For example, Red Band Needle Blight on pines could have a considerable economic impact on commercial woodlands. Acute Oak Decline is causing considerable concern in the East of England and there are fears that it could run through the oak population in a similar way to how Dutch Elm Disease affected elms. Research and dissemination of best practice in disease control is lead by the Forestry Commission's Forest Research agency, which is also experiencing a 25% reduction in funding.

2.9. Working in Norfolk

- 2.9.1. One of the key issues for Norfolk is the distinction between leasehold and freehold land currently managed by the Forestry Commission. If the 15% sale is to go ahead it is likely to have a particularly significant impact on Norfolk. Many of the holdings north of Norwich are leasehold and they are likely to be sold as part of the 15%. The few freehold sites in this area would then not be viable and would probably be sold at the same time. Access and other benefits may not be protected on leasehold sites and it is difficult to foresee what increased legal or contractual protection could be given to these sites.
- 2.9.2. Norfolk County Council works closely with the Forestry Commission on a number of projects, several of which are national exemplars. These include:
- The Norfolk Community Woodland Scheme which has seen communities develop their own community woodlands and establish their own trusts.
 - Woodfuel East, which Norfolk County Council helped develop and now delivers sustainable woodfuel heating schemes to public buildings across Norfolk.
 - County Wildlife Sites which give 80% externally funded grants only to Norfolk woodland owners and a wet woodland project targeting this National priority habitat for advice.
 - The setting up of Forest Schools, where curriculum learning takes place in “outdoor classrooms” has been supported with grants from the Forestry Commission and has resulted in a number of exemplar sites in Norfolk.
 - Norfolk County Council has worked closely with other Local Authorities and the Forestry Commission on the East of England Woodland Strategy, prioritising delivery of public benefits through trees and woodland.
 - The Forestry Commission and the Deer Initiative are working in Norfolk to manage wild deer populations and provide venison, offering grants and advice.

Norfolk and the UEA has been the focus for a project on providing low carbon building materials using locally produced timber.

3. Other Implications

- 3.1. **Equality Impact Assessment (EqIA)** : This report is not directly relevant to equality in that it is not making proposals which may have a direct impact on equality of access or outcome.

As set out in paras 2.3.1 and 2.9.1. above, access and other benefits may not be protected on leasehold sites . Reduced accessibility, for example reduced maintenance, may reduce the overall accessibility of sites for all people, particularly older people, wheelchair users, people with walking aids or pushing prams.

- 3.2. **Communications** : As set out in para 2.2, the Leader of the Council has written to Parish, Town and Districts Councils about the Defra consultation, and the responses to this are summarised at Annex 1.

3.3. **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.

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

4.1. No implications.

Action Required

- (i) Members are invited to comment on this report, noting that officers will prepare a further report detailing the implications for Norfolk of any future government consultation or initiative concerning the future of the Forestry Commission estate when decisions come back from government concerning the Spending Review sales and the Defra consultation.

Background Papers

Woodland for life. Reappraising the East of England's woodland. www.woodlandforlife.net

The case for trees. www.forestry.gov.uk/thecasefortrees

Officer Contact

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Residents' responses to future forest proposals

We have invited residents to feedback their views on forest proposals.

- People can email their comments to haveyoursay@norfolk.gov.uk
- People can call into our customer service centre
- People can email / write to Cllr Derrick Murphy directly
- Written to town and parish councils and other key stakeholders
- Information on our website
- Info released to the media

Response

- We have received over 80 responses on the issue.
- Only one of the responses is favourable to the proposals.
- All the other responses are against the proposals, expressing some very strong concerns.
- People are very passionate about our forests in Norfolk and identify very strongly that woodlands are part of our local cultural heritage. In particular the community has a strong emotional tie to Thetford forest. However, every small wood matters to someone.
- Many comments stress the desire to keep the forests in 'public' ownership. People feel that currently the forests belong to them.
- People are seeking a great deal of reassurance about future public access.
- There is also a feeling that there are other priorities that the Government should be tackling first.
- Some of the key concerns / feelings are
 - People don't see the need to change the current situation
 - Worried who will come forward with the time and commitment to care for the forests and about private companies motivation
 - The proposals would result in higher costs, rather than efficiencies
 - Losing woodland, which is already seen to be in decline
 - Forestry Commission are perceived as doing a good job
 - Heritage forests are irreplaceable once they have been lost
 - Feels like it is 'selling off the family silver'
 - Forests are a national asset
 - Concerns that some providers would not provide equal access to all current users and that conflicts of interest and access might occur – eg conservation charity might not allow dogs etc
 - Our forests are a tourist attraction so need to remain open access