

Environment, Transport and Development Overview and Scrutiny Panel

Minutes of the Meeting held on 13 March 2013

Present:

Mr A Byrne (Chairman)

Dr A Boswell	Mr I Mackie
Mr B Bremner	Dr M Strong
Michael Chenery of Horsbrugh	Mr T Tomkinson
Mrs H Cox	Mr J Ward
Mr P Duigan	Mr A White
Mr T East	Mr R Wright
Mr M Langwade	

Cabinet Members present:

Mrs A Steward	Economic Development
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Deputy Cabinet Member present:

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

1 Apologies

Apologies were received from Mr B Borrett, Mr N Dixon, Mr A Adams, Mrs M Chapman-Allen, Mr P Rice and Mr G Plant.

2 Minutes of the meeting held on 16 January 2013

- 2.1 The minutes of the meeting held on 16 January 2013 were agreed as an accurate record and signed by the Chairman.

3 Declarations of Interest

There were no declarations of interest.

4 Items of Urgent Business

There were no items of urgent business.

5 Public Question Time

No public questions were received.

6 Local Member Issues/Member Questions

Mr T East asked for reassurance that the Council would receive a full commitment from Mr Borrett, who had been appointed Leader of the Council, Cabinet Member for Transformation and Cabinet Member for Environment and Waste. Mr East felt the size of the portfolio was too large. The Chairman suggested that Mr East raise his concerns directly with the Leader.

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

- 7.1 The Panel received the annexed report (7) by the Cabinet Members for Planning and Transportation, Economic Development, Environment and Waste, and Community Protection, providing feedback on items discussed at Cabinet which had previously been discussed at an Environment, Transport & Development Overview and Scrutiny Panel meeting.
- 7.2 The Cabinet Member for Economic Development had recently attended an East of England Energy Group conference. The networking event had been well attended by representatives from both manufacturing and engineering companies.
- 7.3 The Cabinet Member for Economic Development informed the Panel about the recent positive publicity for Norfolk County Council in raising people's aspirations through the apprenticeship scheme. The Cabinet Member also asked the Panel to welcome Alice Talbot who had joined Norfolk County Council as an Apprentice in the Democratic Services Business Support Unit.
- 7.4 Members were pleased that the apprenticeship scheme was proving so popular and in response to a question about what was being done to assist people living in more rural areas of the county, the Cabinet Member for Economic Development said that on 14 March she would be attending an event in Wayland to launch a new business called Swarm. Norfolk County Council had given £50,000 to Swarm, which would employ the apprentices for a period of one year on behalf of small businesses. After the year, it was hoped that the apprentices would be able to transfer their employment from Swarm to the business they had been working for.
- 7.5 North Norfolk District Council was in the process of setting up their own scheme in north Norfolk to engage and assist businesses who wanted to employ apprentices. It was hoped that the scheme would be established by Spring 2013. As part of the initiative North Norfolk District Council was ensuring information was available in all schools so pupils could learn about the opportunities available to them.
- 7.6 Norfolk County Council had budgeted £3.5m for the Apprenticeship scheme, which included training. Once the apprentices had completed their training, it was hoped that they would be able to secure a permanent job and this would be closely monitored as part of the scheme.

7.7 **RESOLVED** that the report be noted.

8 Forward Work Programme: Scrutiny

8.1 The annexed report (8) by the Director of Environment, Transport and Development was received by the Panel. The report set out the forward work programme for scrutiny and Members were asked to consider the Outline programme at Appendix A of the report, consider new topics for inclusion on the scrutiny programme and consider the feedback from the Member Working Group set out in section 3 of the report and provided verbally at the meeting.

8.2 The Chairman of the Snettisham Access Signs Working Group updated the Panel on the progress of the working group. She informed the Panel that a meeting would be taking place with all stakeholders week commencing 18 March 2013. She reiterated that the topic was a very complex issue and thanked members of the working group and the officers for the work they had done so far.

8.3 **RESOLVED** to note the report.

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

9.1 The Panel received the annexed report (9) by the Director of Environment, Transport and Development, updating the Panel on the progress made against the 2012/15 service plan actions.

9.2 The following points were noted during the presentation of the report:

- The current position for Waste Procurement and Joint Working, under Delivering Norfolk Forward had worsened because of uncertainties with the Defra changes to the Controlled Waste Regulations.
- The amount of waste to landfill had remained above target despite the efforts to encourage more recycling, in particular the recycling of food waste.
- The sickness target of 6.1 day per full time employee (fte) was above the target for ETD of 5.5 days per fte, but was below the Norfolk County Council target of 6.6 days per fte.
- Outcomes for Norfolk People net additional homes provided, while still below target appeared to be levelling out which was considered a positive step.

9.3 The following points were noted during questions from the Panel:

- The Panel expressed their sympathy to the individuals and families of the casualties involved in accidents on Norfolk roads during the last few weeks. The Deputy Cabinet Member for Planning and Transportation said that further meetings with the Highways Agency would be organised in an attempt to try to find a solution to prevent accidents on the A47, particularly near Dereham, Hockering and Honingham.

‡

Mr Mackie proposed that the Panel write to Government to add cross party support and weight to the case for dualling the A47. The proposal was seconded by Mr East and following a vote the proposal was unanimously **AGREED**. Members also requested that officers consider whether showing the locations of fatal or serious accidents in map form was a useful way to draw attention to this issue and noted that the EDP had recently published a useful map of this type.

- The Cabinet Member for Economic Development drew the Panel's attention to the regeneration project at Great Yarmouth where 19 homes at the Beach car park had been built in partnership with Great Yarmouth Borough Council.
- The Cabinet Member for Economic Development reiterated that there was huge potential to unlock economic benefits in Norfolk and some of the initiatives undertaken so far included the houses built on the Beach coach station at Great Yarmouth and the houses being built in King's Lynn with assistance from the Norfolk Infrastructure Fund. The Cabinet Member was also very proud of the achievements of Hethel Engineering Centre that had supported 70 business start-ups, with only 4 businesses failing out of those 70.
- The Panel were very pleased to note that 89 Norse apprenticeship positions had recently been filled.
- Sickness levels for ETD department were well below the county council average and only slightly above the set target. Sickness absence was a priority for all managers within the department and all reasons for sickness absence were rigorously pursued. Managers in the department were all aware of the high priority and the influence the target could have on overall departmental results.
- The carbon reduction target was on track to meet 25% by 2014 and discussions were taking place to agree the targets for 2014. Norfolk County Council was currently rated 11th best council in the country for carbon reduction achievements. The main area where a reduction in carbon had been achieved was the energy use in buildings, with part-night lighting playing a small part in the reduction of carbon emissions, although streetlighting was a large energy use for ETD.

‡ It was agreed that this minute be amended and was corrected at the committee meeting on 23 July 2013. Please view the minutes of that meeting in order to note the correction made.

- Despite Norfolk County Council offering attractive subsidies to introduce kerbside recycling, the amount of residual waste sent to landfill had levelled out. Although there would always be waste that needed treating, incentives would continue to be offered to District Councils to encourage more recycling.

Kings Lynn and West Norfolk Borough Council were in the process of rolling out a recycling of kitchen waste programme within their Borough.

Norwich City Council had achieved a significant increase in food waste collection since they had introduced their food waste collection scheme. It was hoped the increase in recycling figures would increase further once Kings Lynn and West Norfolk introduced their own food waste collection scheme, and that these increases would be reflected in future performance figures.

- Following the recent deterioration in weather conditions, the Highways department were facing considerable strain on the budget in dealing with the actions. The Director of ETD confirmed the department was monitoring the situation very closely.

9.3 **RESOLVED to**

- note the progress made against ETDs service plan actions, risks and budget.
- Note the contents of the Economic Intelligence Report.
- Write to Government to raise the Panel's concerns with regard to the number of accidents recently on the A47, to add weight to the case for dualling the road.

10 **ETD Service Plans 2013/14**

10.1 The Panel received the annexed report (10) by the Director of Environment, Transport and Development covering the next stage of delivery through the draft 2013/14 ETD service plans. The Public Protection Service Plan had been included with the agenda papers and the other service plans for the ETD department were available in the Members room and on Members Insight for Members to look consider at their leisure.

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

- All Trading Standards department staff were trained to carry out a variety of duties and were therefore able to move around the service to deal with the different issues that arose. Any work which could be dealt with as a slightly lower priority would be deferred if an urgent case needed investigation.
- The Panel congratulated the Trading Standards Team for the work they had done when dealing with the recently well publicised food safety issues.

- The Memorandum of Understanding protocol provided guidance on how to respond to trading on the highway, for example cars advertised for sale. This legislation was primarily enforced by the District Councils. Any clear breaches of the protocol would be resolved by the Police, Highways Authority or District Councils as appropriate.
- Norfolk County Council had access to a database containing information about subscribers of mobile phones and owners of email addresses. Consultation was taking place with the Government on how adequate control of this information could be maintained as this information could assist Trading Standards in identifying people who used multiple telephone numbers and email addresses to advertise cars on the side of the road. The Minister for Consumer Matters recognised there was a business case for this information, although the matter had yet to be finalised.

10.3 **RESOLVED that**

- i) the Panel recommend the Public Protection draft service plan, covering Trading Standards activities, to Cabinet prior to Full Council, and
- ii) to note the report.

11 **Marine Conservation Zones: Consultation on Proposals for Designation in 2013.**

- 11.1 The Panel received the annexed report (11) by the Director of Environment, Transport and Development, considering the consultation by Defra for proposed designation of a first tranche of Marine Conservation Zones in 2013. Members were asked to consider the issues in the report and support the proposed response to the consultation by the Cabinet Member for Environment and Waste.
- 11.2 Mrs Cox addressed the Panel outlining her concerns if the Cromer Shoal Chalk Beds were included in future proposals for Marine Conservation Zones (MCZs). The following points were noted during her presentation:
 - Potting fishery was a traditional method of fishing off the north Norfolk coast and had been taking place for generations with little change over the years in the technique.
 - Target species, crab and lobster were trapped in baited pots which were laid on the seabed, attracting the targeted species and therefore creating very few discards. Towed net fishing methods affected a much larger area of the seabed and often caught other species, damaging the seabed in the process.
 - The pot mesh was designed to target larger crab and lobster above the specified minimum landing size and any undersized crab or lobster would be returned to the sea at the point of capture, which led to good survival rates.

- Other byelaws were in place to aid conservation. These included a ban on the use of edible crab for bait, a ban on the landing of berried crabs and lobsters which are those bearing eggs, a ban on the landing of soft shelled edible crab and lobster and a ban on the landing of parts of crab or lobster.
- Cefas had identified a moderate to high exploitation in the southern north sea area, but this did not compare the inshore fishery with larger offshore vessels and there was an element of uncertainty in the assessment. Therefore it was recommended that the current inshore fishery should not be restricted in order to protect the seabed features at the site, the fishermen had been aware of this site for many years and a detailed consideration of all fishing activities should be undertaken, as well as a consultation to ascertain that the chalk bed at north Norfolk was not necessary.

11.3 The following points were noted during the discussion:

11.4 Dr Boswell proposed that with regard to question 3 - NG2 – Cromer Shoal Chalk Beds, the recommended response should be amended to read: “NG2 – The features proposed for designation are supported, **and supported by various conservation bodies**, although may require reassessing in the light of the review of reference areas, eg; the exclusion of Blue Mussel Beds as a feature within the recommended MCZ”. The proposal was seconded by Mr East.

The Panel noted that the Inshore Fisheries and Conservation Authority (IFCA), the MNOEA and Defra would respond individually as part of the consultation, therefore the additional sentence was not necessary.

Following a vote, with 3 votes for, 1 abstention and 10 votes against, the motion was lost.

11.5 Dr Strong addressed the Committee regarding designated area RA4 Blakeney Marsh. A copy of Dr Strong’s presentation is attached at Appendix A to these minutes. Following her presentation, Dr Strong proposed that the Council write to Defra on behalf of the Panel asking them not to consider this zone as a MCZ at any time in the future. The proposal was seconded by Mr East.

With 3 votes for, 0 votes against and 11 abstentions, the motion was **carried**.

- The Panel **AGREED** to request ETD write to Defra separately from the overall response to the consultation that RA4 Blakeney Marsh should be excluded entirely from any future consideration regarding designation as a MCZ.

11.6 **RESOLVED** to:

- i) Note the report
- ii) Agree the response to the consultation by the Cabinet Member for Environment and Waste as outlined in the report. Write to Defra on

behalf of the Panel that RA4 Blakeney Marsh should be excluded from any future consideration as a designated Marine Conservation Zone.

12 Better Broadband for Norfolk

- 12.1 The Panel received the annexed report (12) by the Better Broadband for Norfolk Programme Director, describing the Better Broadband for Norfolk (BBfN) Programme's progress to date and forthcoming activities.
- 12.2 The Cabinet Member for Economic Development congratulated the team on this excellent good news story and said that Norfolk was leading the way with broadband.
- 12.3 The following points were noted in response to questions from the Panel:
- Implementation would take place in phases. In advance of implementation of each phase survey work would take place to ascertain exactly where existing ducts could be used and areas where new ducts would need to be laid. It was hoped that phase one implementation would be completed before Christmas 2013, with new phases released every three months.
 - The completion of survey work for each phase would enable design and planning work to take place for the phase. This would include planning notifications/applications and ascertaining the impact on highways, road closures, etc. and liaison with the power companies to ensure that when road closures were required they could be utilised for providing power supply to cause the least amount of disruption.
- 12.4 The project was expected to be completed by the end of 2015.
- 12.5 Members requested that consultation take place with the District Councils to ensure when new housing developments were identified, the developers were contacted early to see if broadband infrastructure could be laid before the roads were set out.
- 12.6 The Panel expressed their pleasure about how the project was progressing and said that the benefits to small businesses and the improvements in the local economy would be very welcome.
- 12.7 **RESOLVED** that
- i) The report be noted;
 - ii) The Panel would receive an update report every six months.

13 Lead Local Flood Authority Flood Investigation Duty

- 13.1 The Panel received the annexed report (13) by the Director of Environment, Transport and Development, updating the Panel on a new role to review and

scrutinise the delivery of the Council's overall Flood and Water Management duties. Responsibility for this new role was passed to Environment, Transport and Development Overview and Scrutiny Panel from Cabinet Scrutiny Committee, who had agreed this approach at their meeting on 24 July 2012.

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

- 13.2 • The Panel were pleased to endorse the flood investigation protocol as set out in the Annex to the report.

13.3 **RESOLVED** to

- i) Note the Panel's new role in the scrutiny of the Council's Flood and Water Management duties, and
- ii) Endorse the proposed flood investigation protocol.

(The meeting closed at 12.15pm)

Chairman



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Appendix A Agenda item 11

Ref: Area Designate RA4 Blakeney Marsh.

Net Gain was employed by Natural England to carry out research as to appropriate reference areas. In simple terms these were to be areas where no human or domestic animal should walk.

One such area designate is RA4 Blakeney Marsh a 1 kilometre square of saltmarsh habitat between Blakeney and Morston

If the reference area is approved it means wild fowlers would be banned, there would be no more collection of samphire or sea lavender,

When the seal boaters asked what would happen if one of their boats got cast upon the area they were told they would not be allowed on to retrieve it

Apart from the seal boats the other activities may not be main sources of income but they are certainly secondary sources – and yet there had been no socio-economic survey

Indeed there were several more interesting aspects of the research – such as the question of a public right of way running through the area which had been overlooked.

It further transpired that not only had I, representing the County Council, not been consulted but neither had the District Councillor or the Parish Councillors - nor indeed the National Trust who owned the land.

I could go on to describe the many meetings, attended by Natural England, where it was clearly stated by local councillors, residents and representatives of the many long shore activities that the idea was totally unacceptable.

This opinion and many arguments were presented to the Minister for the Environment Richard Beynon and Defra officials – as was also some 2½ thousand signatures.

It was subsequently reported to us that no other proposal had created such a furore as ours.

And as a consequence of our evidence that the consultation, or more importantly the research, had been – to say the least – inadequate. **All** reference zones have been withdrawn and will be reconsidered

Unfortunately this means we have no assurance that Blakeney's RA4 is safe

Yet it should never have been under consideration. This area is situated within Blakeney National Nature Reserve, owned by the National Trust – who work with users maintaining the fragile balance between conservation and public access.

It is also a

- Special Site of Scientific Interest
- An Area of Outstanding Natural Beauty,
- A Ramsar site

- A Marine Special Area of Conservation
- A Special Protection Area

And additionally

- A nominate World Heritage Site and a Biosphere Reserve

Ignoring its long standing non-commercial traditional activities – which the Government noted had been overlooked – it was chosen because it is in excellent condition

It is in that condition because there are 6 special protection orders

It is in that condition because the locals and visitors respect it

It is in that condition because over years the National Trust has worked to gain respect and support from users of the marsh

And what would happen if it is designated as a reference zone?

The police have stated they do not have the resources to police it

The NT feels it could not 'police' the zone – and it would destroy the relationships which keep the marsh in good condition

(And by the way the NT have suggested another area which would meet the needs of NE and which is not accessed by the public)

I am told the Blakeney marsh was picked on because the Burnhams were considered but fortunately for them they have Common Rights

NETGAIN then reached Holkham and found it was private – and as time was running out landed on Blakeney

Many organisations are in favour of the concept of MCZs but the Wildlife Trust, who know Blakeney marshes well, came out publicly stating this area should not be referenced.

All in all to even consider this area is ludicrous

The only outcome would be a negative impact on traditional activities – some of which provide an income, many of which give pleasure to Norfolk residents and visitors.

So I am asking this Panel to write to DEFRA sending a very clear message to DEFRA that this area should never again be considered for zoning.

Dr Marie Strong
County Councillor – Priory, Glaven & Walsingham Parishes
13 March 2013

**Actions arising at the Environment, Transport & Development Overview & Scrutiny Panel meeting
13 March 2013**

Agenda Item Number	Report Title	Action	REPLY by: -	
9	ETD Integrated Performance & Finance Monitoring Report 2012/13.	Mr Mackie proposed that the Panel write to Government to add cross party support and weight to the case for dualling the A47. The proposal was seconded by Mr East and following a vote the proposal was unanimously AGREED . Members also requested that a map showing the locations of fatal or serious accidents along the A47 between Swaffham and Great Yarmouth between 2008 and 2013 be included in the representation.	Chairman – Alec Byrne. Drafted by ETD.	Letter signed by Chair and sent to the Government on 22 March 2013.
11	Marine Conservation Zones: Consultation on Proposals for Designation in 2013.	The Panel AGREED to request ETD write to Defra separately from the overall response to the consultation that RA4 Blakeney Marsh should be excluded entirely from any future consideration regarding designation as a Marine Conservation Zone.	ETD Cabinet Member for Environment and Waste	Letter signed by Bill Borrett and sent to Richard Benyon MP and copied to Defra on 20 March 2013.