



Scrutiny Committee

Minutes of the Meeting Held on 23 June 2022
at 10 am at County Hall Norwich

Present:

Cllr Steve Morpew (Chair)

Cllr Lana Hemsall (Vice Chair)

Cllr Carl Annison

Cllr Lesley Bambridge

Cllr Graham Carpenter

Cllr Phillip Duigan

Cllr Mark Kiddle-Morris

Cllr Keith Kiddie

Cllr Ed Maxfield

Cllr Jamie Osborn

Cllr Richard Price

Cllr Brian Watkins

Also present (who took a part in the meeting):

Cllr Martin Wilby

Cabinet Member for Highways, Infrastructure and Transport
(who due to health- related issues participated in the meeting
remotely via Microsoft Teams)

Tom McCabe

Head of Paid Service and Executive Director of Community and
Environmental Services

Paul Cracknell

Executive Director of Strategy and Transformation

Vince Muspratt

Director of Growth and Development

Al Collier

Director of Procurement

David Cumming

Strategic Transport Team Manager

Karen Haywood

Democratic Services Manager

Kat Hulatt

Head of Legal Services

Tim Shaw

Committee Officer

1. Apologies for Absence and related issues

- 1.1 Apologies were received from Cllr Barry Duffin, Cllr Robert Maxwell, Mr Giles Hankinson (Parent Governor), Mrs Julie O'Connor (Church Representative) and Mr Paul Dunning (Church Representative).
- 1.2 Apologies were also received from Peter Randall, Democratic Support and Scrutiny Manager.

2 Minutes

- 2.1 The minutes of the previous meetings held on 18 May 2022 were confirmed as an accurate record and signed by the Chair.

3. Declarations of Interest

3.1 There were no declarations of interest,

4 Urgent Business

4.1 No urgent business was discussed.

5. Public Question Time

5.1 There were no public questions.

6. Local Member Issues/Questions

6.1 There were no local member issues/questions.

7 Call In

7.1 The Committee noted that there were no call-in items.

8 Live Demonstration of the Emissions Dashboard

8.1 The annexed report (8) was received.

8.2 The Scrutiny Committee received a report from Al Collier, Director of Procurement, that drew Members' attention to the completion of the emissions dashboard that could be found on the Norfolk County Council website. This was an update report that followed on from a report to Scrutiny Committee in April 2022, when a prototype of the dashboard was demonstrated. This latest report provided Members with a clearer understanding of the Council's emissions and progress towards its commitment for a net zero estate by 2030.

8.3 The monitors in the Council Chamber were used to show how the dashboard was linked to an introductory webpage that provided the user with information about net zero carbon emissions and the Council's commitment to this.

8.4 During discussion of the report with Al Collier, Director of Procurement, the following key points were noted:

- The strength of the dashboard was that it provided a basis for a greater understanding of carbon reduction issues.
- It was possible to use the dashboard as a tool to zero in on a particular aspect of carbon emissions and then obtain further details.
- As discussed previously with the Committee, studies about the use of fossil fuel in Council buildings were due to be completed in the Autumn. This was a high priority issue for the Council and not one that would be resolved by electricity grid decarbonisation.
- Targets for area wide emissions would emerge from the work on the Climate Change Action Plan.
- A distinction was drawn between the County Council's targets and those for companies operating in Norfolk that remained responsible for meeting their own emissions targets.

- The Council was co-ordinating its work on decarbonisation with those operating elsewhere in the public sector and particularly with the UEA and the NHS. The Vice-Chair added that there needed to be wider targets for reducing carbon use at the UEA than carbon reduction measures expected of students.

8.5 It was **RESOLVED**

That the Scrutiny Committee:

Acknowledge the publication of the emissions dashboard on the Norfolk County Council's website and pass on thanks to the officers involved in the hard work that has made this possible.

9 Local Transport Plan

9.1 The annexed report (9) was received.

9.2 The Executive Director of Transformation and Strategy provided Scrutiny Committee with a report that included final drafts of the LTP4 Implementation Plan and the LTP4 Strategy, which together would form the complete Local Transport Plan 4.

9.3 During discussion of the report with Cllr Martin Wilby, Cabinet Member for Highways, Infrastructure and Transport (who due to health-related issues participated in the meeting remotely via Microsoft Teams), Paul Cracknell, Executive Director of Transformation and Strategy, Vince Muspratt, Director of Growth and Development and David Cumming, Strategic Transport Team Manager, the following key points were noted:

- The Chair said at the end of this meeting the Leader would receive an updated report that included feedback and any recommendations from this Committee. The Local Transport Plan itself has been presented to Cabinet for agreement prior to adoption at Full Council in July, at which point LTP4 would replace LTP3. The report from Scrutiny will be provided to the Leader who will report to Full Council how any recommendations from the Scrutiny Committee have been taken into account
- The Cabinet Member said that drafts of the Strategy and Implementation Plan were presented to Select Committee in May 2022 and to Cabinet in June 2022. They complemented each other and were due to come before Full Council for adoption in July, following a Cabinet recommendation. The updated Local Transport Plan reflected where the Council wanted to be with its transport policy. It would help to meet Norfolk's ambitions and set solid aims for the delivery of the transport agenda. Both the strategy and the implementation plan supported active and public transport initiatives, a vibrant and sustainable economy and good strategic transport connections, all of which made the county a more attractive place for people to live and business to function. Both documents also encouraged a switch to the use of cleaner fuels, supported the Norfolk bus improvement plan and helped the Council prepare for future government funding bids.
- The Cabinet Member said that the authority was aware of, and had taken into account, government guidance and transport policy.
- The Cabinet Member added that the Government had not yet published

guidance on how local transport plans should take into account the statement in the transport decarbonisation plan that, in the future, we should set out how local areas will deliver ambitious quantifiable carbon reductions, taking into account differing transport requirements of different areas. It was not known at this stage when Government guidance would be published. Waiting for the publication of Government guidance on this matter could result in a lengthy delay.

- The Local Transport Plan has been prepared, supported by technical analysis, objective public consultation, and cross-party member Working Groups.
- The Head of Legal Services referred to a letter that she had received from a member of the public that expressed the opinion that it was unlawful for the Council to adopt a version of Local Transport Plan 4 (including an Implementation Plan) without the inclusion of quantifiable carbon reduction targets. The Head of Legal Services stated that it is the view legally that it is permissible to move forward with the Local Transport Plan.
- In reply to questions, the Head of Legal Services said that the Council had sought its own legal advice throughout the development of the Strategy and Implementation Plan to ensure that the approach taken by the Council was legally robust. The Head of Legal Services was confident that it was now permissible to move forward with the Implementation Plan.
- The Vice-Chair asked when the letter was received and said that she would have liked the Committee to have seen the letter and the legal opinion of the Council on it before the start of today's meeting.
- In reply, the Head of Legal Services said that the letter was received on 9 June 2022. The Council had not circulated the letter, or the legal advice that the Council had received, for reasons of maintaining legal privilege. This was standard legal practice when dealing with circumstances such as this.
- The Vice-Chair said that for reasons of visual impediment she did not wish to see verbal updates given at the meeting on issues of this kind and that this matter should have formed part of a supplementary agenda.
- Cllr Osborn said that he shared the comments made by the Vice-Chair about the letter and that he would like to see the background to this legal challenge issue mentioned in any future report including how the Council was dealing with it.
- The Chair said that Full Council would need to be clear in July 2022 about the legal basis on which decisions about adopting a Local Transport Plan were made.
- Cllr Watkins suggested that the adoption of LTP 4 could cost significantly more money if it were adopted at this time rather than waiting until after the Government had published its policy guidance because it was not yet clear what the Government would require on carbon reduction targets.
- In reply, the Director of Growth and Development said that there was no guarantee when Government guidance would be available. This could be in 6 to 12 months or it could take much longer. The Council needed an updated plan that was in line with current thinking on transport issues without any further delay. The revised Plan had been developed over a three-year period and within available resources and met with the Council's requirements.
- In reply to further questions the Director of Growth and Development said that there was a whole raft of issues such as the promotion of electric vehicles, the electric vehicle charging strategy and active transport initiatives that needed to be addressed without further delay. The current LTP is used in developing projects, but is not in step with current transport thinking and has little to no relevance when putting in place a modern local transport framework.

- Cllr Osborn said that he would be much more comfortable with the proposed Implementation Plan if it showed in greater detail how the Council was going to get to a position where it reduced carbon and met with its legal requirements for 2030. He said that all policy documents needed to be evidenced with quantifiable, milestone targets. The plan did not provide for baselining on carbon reduction with other Authorities nor did it show how the Council would be tracking carbon reduction. None of the proposals had any quantifiable carbon targets attached to them.
- Officers said that development of the Local Transport Plan had been underpinned by an evidence base including on carbon. The Plan includes a strategy showing how carbon will be reduced and the Implementation Plan includes a series of actions that will drive the measures that would subsequently be delivered. draft Implementation Plan was more than sufficiently detailed to meet its purpose. The County Council had deliberately adopted a carbon reduction strategy that was in line with that of the Government. To achieve a more demanding reduction would require a level of government funding that was not available. The matter would be kept under review and if the council is able to draw down more funding, it could look at reviewing the targets.
- It was accepted that on a population basis Norfolk had one of the highest carbon emissions in the Country.
- The Vice-Chair said that the Council was acknowledged to have been successful in its bids to Government for funding for greener forms of transport.
- In reply, to questions from the Vice-Chair about how LTP 4 would be kept up to date, the Executive Director of Strategy and Transformation said that the council has a duty to have a plan, and to keep it under review. The means of keeping it under review is anything from keeping up to date with policy announcements through to professional networks. What it means, in practice, is to assess those things that might need to be adapted and to consider those things that might have a material and fundamental change, which could come at any time. Another way in which it is kept under review is to monitor progress on the implementation plan. There are processes in place to ensure we keep our policy environment and implementation environment to ensure it is current.
- The Chair noted that progress would be monitored by reports to Cabinet on a quarterly basis throughout the lifetime of the strategy. The vital signs (performance) report to Cabinet would be the means whereby the performance on the implementation of the plan was kept under review and include any forthcoming changes on issues such as employment growth and transport accessibility issues.
- The Committee recognised that going forward there could be trigger events in society that affected the environment and lead to the need for fundamental change on transport related issues.
- The Chair said that if Norfolk adopted too rigid a transport policy framework, then it would lack the flexibility to be updated quickly enough when Councillors wanted to strengthen aspects of transport policy and take advantage of future government funding opportunities. The LTP 4 needed to be robust but also flexible enough to be able to include where Councillors wanted Norfolk to be in the future on issues such as sustainable and accessible forms of transport.
- The Executive Director of Strategy and Transformation said that generally the plan sets out those broad parameters that are consistent with the general

direction of government and general policy. Officers have brought to Members' attention that there might be things that change the policy or legislative environment, meaning change is required, and the process for how this is done is set out in statute.

- In response to a question from Councillor Osborn about how we will measure progress about achieving carbon reduction, the Director of Growth and Development said that the council allocated an amount of money towards transport in its annual budget-setting process. The bulk of the transport opportunities to drive delivery of targets comes from government. Generally, the Council provided only 15% of the funding for large transport schemes. There was, however, the potential for the Council to have a greater say on locally determining the use in Norfolk of strategic transport budgets through a county deal.
- Cllr Watkins said that the Council had often got far less than what it had bid for on non-car projects when it came to obtaining government funding and that the outcome of recent applications for government funding for transport policy was disappointing. People believe the council has a reputational issue when it comes to dealing with carbon emissions on transport
- The Vice- Chair and the Cabinet Member said that they disagreed with Cllr Watkins comments and that the Council had an excellent reputation for obtaining government funding for strategic transport issues.
- The Director of Growth and Development said that it sets out pathways for carbon reduction and the impact of the interventions will be assessed and monitored. The Executive Director of Transformation and Strategy said that this was a high-level Strategy and Implementation Plan and the target for carbon is for a reduction by the date set and showed a trajectory, which could be found on page 197 of the agenda papers.
- Cllr Kiddle-Morris said that it was unrealistic to expect a high-level strategy and implementation plan of this kind to include a step-by-step approach to carbon reduction.

9.4 Cllr Kiddle-Morris moved, seconded by Cllr Kiddie

That a report reviewing progress on LTP 4 is presented to Scrutiny Committee on a yearly basis until such time as the Committee decides otherwise (and that the Scrutiny Committee are asked to agree on what should be included as part of that review).

On being put to the vote this was **AGREED** (there being no votes against).

9.5 The Chair and Vice-Chair were authorised to scope out what should be included in the yearly review of the Implementation Strategy and were asked to report back to the Committee on this matter.

9.6 **RESOLVED**

That the Scrutiny Committee:

- **Note the proposed Local Transport Plan 4 and the role of scrutiny about any adopted plan, moving forward.**
- **That a report reviewing progress on LTP 4 is presented to Scrutiny Committee on a yearly basis until such time as the Committee decides**

otherwise (and that the Scrutiny Committee are asked to agree on what should be included as part of that review).

- Provide a report to the Leader based on the comments made at Committee on the Local Transport Plan 4 Strategy and Implementation Plan, Scrutiny having no recommendations to make, to be prepared by the Chair and Vice Chair.
- That the Committee place on record thanks to Cllr Martin Wilby for attending the meeting virtually when he was unable to attend at County Hall in person due to health-related issues.

10 Update from the Chair of the Norfolk Countywide Community Safety Partnership (NCCSP) Scrutiny Sub Panel.

10.1 The annexed report (10) was received.

10.2 Cllr Kiddle-Morris, Chair of the NCCSP, explained the progress that was being made by the Partnership towards delivering the agreed outcomes for the Neighbourhood Crime priority, with a focus on Project ADDER (Addiction, Diversion, Disruption, Enforcement and Recovery). Cllr Kiddle-Morris also explained the issues that would be examined at the next meeting of the NCCSP in September 2022.

10.3 At the request of Cllr Osborn, Cllr Kiddle-Morris agreed to ask at the next meeting of the NCCSP about the steps that were being taken as part of Project ADDER to treat drug misuse more widely than just drug enforcement activity.

10.4 **It was RESOLVED**

That the Scrutiny Committee endorse the report on the progress being made by the Scrutiny Sub Panel, from their meeting on 9 June 2022.

11 Scrutiny Committee Forward Work Programme

11.1 The annexed report (12) was received.

11.2 Cllr Kiddie asked if because of public concern about the effect on Norfolk communities of new routes of pylons running from Norwich to Tilbury this matter could be considered by the Committee earlier than December 2022.

11.3 Cllr Osborn asked if because of public concern about fuel poverty this matter could also be considered earlier in the programme.

11.4 The Chair and Vice-Chair asked for a rescoping exercise to be carried out in relation to both these issues before a decision was finally made at the next meeting on where they should fit in the work programme.

11.5 **RESOLVED**

That the Committee:

Note the current forward work programme as set out in the appendix to the report subject to further consideration being given as to where the

effect on Norfolk communities of new routes of pylons running from Norwich to Tilbury and the effect of fuel poverty should fit within the work programme.

The meeting concluded at 12.40 pm

Chair