

Scrutiny Committee

Date: **Monday 25 September 2023**

Time: **2 pm**

Venue: **Council Chamber, County Hall, Martineau Lane,
Norwich NR1 2DH**

Membership:

Cllr Steve Morphew (Chair)
Cllr Daniel Elmer (Vice Chair)
Cllr Carl Annison
Cllr Lesley Bambridge
Cllr Phillip Duigan
Cllr John Fisher
Cllr Tom FitzPatrick
Cllr Mark Kiddle-Morris
Cllr Keith Kiddie
Cllr Brian Long

Cllr Ed Maxfield
Cllr Jamie Osborn
Cllr Brian Watkins

Parent Governor Representatives

Vacancy
Vacancy

Church Representatives

Ms H Bates
Mr Paul Dunning

Advice for members of the public:

This meeting will be held in public and in person.
It will be live streamed on YouTube and members of the public may watch remotely by clicking on the following link: [Norfolk County Council YouTube](#)

We also welcome attendance in person, but public seating is limited, so if you wish to attend please indicate in advance by emailing committees@norfolk.gov.uk

Current practice for respiratory infections requests that we still ask everyone attending to maintain good hand and respiratory hygiene and, at times of high prevalence and in busy areas, please consider wearing a face covering.

Please stay at home if you are unwell, have tested positive for COVID 19, have symptoms of a respiratory infection or if you are a close contact of a positive COVID 19 case. This will help make the event safe for attendees and limit the transmission of respiratory infections including COVID-19.

A g e n d a

- 1 To receive apologies and details of any substitute members attending**
- 2 Members to Declare any Interests**

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

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

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

If you do not have a Disclosable Pecuniary Interest you may nevertheless have an **Other Interest** in a matter to be discussed if it affects, to a greater extent than others in your division

- Your wellbeing or financial position, or
- that of your family or close friends
- Any body -
 - Exercising functions of a public nature.
 - Directed to charitable purposes; or
 - One of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union);

Of which you are in a position of general control or management.

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

3 Public Question Time

Fifteen minutes for questions from members of the public of which due notice has been given. Please note that all questions must be received by the Committee Team (committees@norfolk.gov.uk) by **5pm on Tuesday 19 September 2023**. For guidance on submitting a public question, please visit <https://www.norfolk.gov.uk/what-we-do-and-how-we-work/councillors-meetings-decisions-and-elections/committees-agendas-and-recent-decisions/ask-a-question-to-a-committee>

4 Local Member Issues/Questions

Fifteen minutes for local member to raise issues of concern of which due notice has been given. Please note that all questions must be received by the Committee Team (committees@norfolk.gov.uk) by **5pm on 5pm on Tuesday 19 September 2023**.

5 To note that the deadline for calling-in matters, from the Cabinet meeting held on Monday 4 September 2023 was 4pm on Tuesday 12 September 2023

6 Call-in: Norwich - Dereham Road - Derestriction and 20mph Speed Limit Order and Bus and Cycle Lane Order (Page 4)

7 Call-in: Governance of the Transport for Norwich Programme (Page 24)

Tom McCabe
Chief Executive
County Hall
Martineau Lane
Norwich
NR1 2DH

Date Agenda Published: 15 September 2023



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Scrutiny Committee

Item No: 6

Report Title: Call in: Norwich - Dereham Road - Derestriction and 20mph Speed Limit Order and Bus and Cycle Lane Order

Date of Meeting: 25 September 2023

Responsible Cabinet Member: Cllr Graham Plant (Cabinet Member for Highways, Infrastructure & Transport)

Responsible Director: Grahame Bygrave – Interim Executive Director, Community and Environmental Services

Executive Summary

This item relates to the call-in of the delegated Cabinet Member decision: Norwich - Dereham Road - Derestriction and 20mph Speed Limit Order and Bus and Cycle Lane Order

1. Background and Purpose

- 1.1 This item relates to the call-in of the delegated Cabinet Member decision Norwich - Dereham Road - Derestriction and 20mph Speed Limit Order and Bus and Cycle Lane Order
- 1.2. The Decision was published on the 29th August 2023. Full details of the decision and associated documents can be found at **Appendix A**.

2. Call-in and Meeting Procedure

- 2.1 Notification was received on Tuesday 5th September that Cllr Mike Sands, Supported by Cllrs Julie Brociek-Coulton, Matt Reilly and Brenda Jones wished to call the decision in. The notice outlining the reasons behind the call-in is attached at **Appendix B**. The Chief Legal and Monitoring Officer has confirmed that it is valid under the requirements of the constitution. This item was originally scheduled for the meeting of the Scrutiny Committee to be held on the 20th September. Following receipt of a second call-in, the Chair elected to handle both call-ins at an additional meeting scheduled for the 25th September.
- 2.2 The Chair and Vice-Chair of the Scrutiny Committee have agreed the following meeting procedure when handling the call-in:

- Those Councillors calling-in the decision will be given collectively 10 minutes introduction to explain their reasons for call-in.
- The Chairman will ask the Cabinet Member and officers if they wish to add anything at this stage.
- Those Councillors calling-in the decision will then be given collectively 20 minutes to question the Cabinet Member and officers. They do not have the right to put forward recommendations; this right is reserved for Members or substitute Members of the Committee only.
- Members and substitute Members of the Committee will then question the Cabinet Member and officers (As the call-in does not relate to education matter the Parent Governor and Church representatives may not put forward or vote on motions. They may still participate in the debate).
- Those Members who have called-in the decision will collectively have 5 minutes at the end of the debate to sum up their arguments.
- Following this, the Chairman will sum up the debate and ask the Committee if they wish to make any proposals regarding the call-in. At this stage, only a limited number of proposals will be considered to be in order. The options available to the committee are as follows:
 - A. The Committee refers the decision back to the decision maker (in this case, the Cabinet Member).
 - B. The Committee refers the decision to Full Council (the Committee should only use this power if the decision is deemed to be either i) contrary to NCC's policy framework; or ii) contrary to or not wholly in accordance with the budget).
 - C. The Committee notes the call-in, but takes no further action.

2.3 The Final list of witnesses to be invited to attend will be agreed by the Chairman and presented to the Committee on the day.

3. Financial Implications

3.1 Detailed in appended report (Appendix A).

4. Resource Implications

4.1 Staff:

Detailed in appended report (Appendix A).

4.2 Property:

Detailed in appended report (Appendix A).

4.3 IT:

Detailed in appended report (Appendix A).

5. Other Implications

5.1 Legal Implications:

Detailed in appended report (Appendix A).

5.2 Human Rights Implications:

Detailed in appended report (Appendix A).

5.3 Equality Impact Assessment (EqIA) (this must be included):

Detailed in appended report (Appendix A).

5.4 Data Protection Impact Assessments (DPIA):

Detailed in appended report (Appendix A).

5.5 Health and Safety implications (where appropriate):

Detailed in appended report (Appendix A).

5.6 Sustainability implications (where appropriate):

Detailed in appended report (Appendix A).

5.7 Any Other Implications:

None identified

6. Risk Implications / Assessment

6.1 Detailed in appended report (Appendix A).

7. Select Committee Comments

7.1 None applicable

8. Background Papers

8.1 Appendix A: Norwich - Dereham Road - Derestriction and 20mph Speed Limit Order and Bus and Cycle Lane Order

8.2 Appendix B: Call-in notice - Norwich - Dereham Road - Derestriction and 20mph Speed Limit Order and Bus and Cycle Lane Order

Officer Contact

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

Officer name: Peter Randall, Democratic Support and Scrutiny Manager

Telephone no.: 01603 307570

Email: Peter.randall@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 or 0344 800 8011 (textphone) and we will do our best to help.

Norfolk County Council

Record of Individual Cabinet Member Decision

Responsible Cabinet Member: Cabinet Member for Highways, Infrastructure & Transport)

Background and Purpose:

These proposals relate to approved schemes along the Dereham Road corridor which are being delivered as part of the Department for Transport's (DfT's) Transforming Cities Fund. This report sets out the Traffic Regulation Orders required for the introduction of bus and cycle lanes along Dereham Road and the 20mph speed limit on the old alignment of Dereham Road that are required to implement the approved schemes.

The bus and cycle lane proposals will make improvements to support sustainable modes of transport, particularly bus travel.

A 20mph speed limit Order is proposed along the residential street U78246 Dereham Road. This road is set back from the main alignment of A1074 Dereham Road and the TRO process is proposed to formalise the 20mph speed limit in this location.

Decision: To approve the implementation of a provision of bus lane and cycle lane and establishment of 20mph speed limit as set out in Appendix B.

Is it a key decision? No

Is it subject to call-in? Yes

If Yes – the deadline for call-in is: 4pm, Tuesday 5 September 2023

Impact of the Decision: As detailed in the attached Report.

Evidence and reason for the decision: As detailed in the attached Report.

Alternative options considered and rejected: As detailed in the attached Report.

Financial, Resource or other implications considered:
As detailed in the attached Report.

Record of any conflict of interest: None

Background documents: N/A

Date of Decision: 25/08/2023

Publication Date of Decision: 29/08/2023

Signed by Cabinet Member:

I confirm that I have made the decision set out above, for the reasons also set out.

Signed: 

Print name: Cllr Graham Plant

Date: 25/08/2023

Accompanying documents:

- Appendix A: Site Location Plan
- Appendix B: Extents of proposed 20mph Speed limits and bus and cycle lane traffic regulation order layout plan
- Appendix C: Objections comments from the consultation
- Appendix D: Statement of Reasons

Once you have completed your internal department clearance process and obtained agreement of the Cabinet Member, send your completed decision notice together with the report and green form to committees@norfolk.gov.uk

Individual Cabinet Member Decision Report

Item No:

Report Title: Norwich - Dereham Road - Derestriction and 20mph Speed Limit Order and Bus and Cycle Lane Order

Date of Meeting: N/A

Responsible Cabinet Member: Cllr Graham Plant (Cabinet Member for Highways, Infrastructure & Transport)

Responsible Director: Grahame Bygrave – (Interim Executive Director, Community and Environmental Services)

Is this a Key Decision? No

Executive Summary / Introduction from Cabinet Member

These proposals relate to approved schemes along the Dereham Road corridor which are being delivered as part of the Department for Transport's (DfT's) Transforming Cities Fund. This report sets out the Traffic Regulation Orders required for the introduction of bus and cycle lanes along Dereham Road and the 20mph speed limit on the old alignment of Dereham Road that are required to implement the approved schemes.

The bus and cycle lane proposals will make improvements to support sustainable modes of transport, particularly bus travel.

A 20mph speed limit Order is proposed along the residential street U78246 Dereham Road. This road is set back from the main alignment of A1074 Dereham Road and the TRO process is proposed to formalise the 20mph speed limit in this location.

Recommendations

To implement the proposed Traffic Regulation Orders to introduce bus and cycle lanes along A1074 Dereham Road, and to establish the 20mph speed limit on U78246 Dereham Road as set out in Appendix B.

1. Background and Purpose

- 1.1 The Department for Transport (DfT) awarded Norwich £32m capital funding through the Transforming Cities Fund (TCF). Norfolk County Council's successful application was based on a vision to "invest in clean and shared transport creating a healthy environment, increasing social mobility and boosting productivity through enhanced access to employment and learning."
- 1.2 The proposals for the Dereham Road corridor were presented to the Transport for Norwich Advisory Committee on 26 January 2023. As an indicated vote, all members of the committee agreed to approve the proposals for Dereham Road and the undertaking of statutory processes for the Traffic Regulation Orders (TROs) and noticing required to implement the proposals. This decision was confirmed by the Cabinet Member in a Decision-Making Report dated 1st June 2023.
- 1.3 The statutory consultation for the TROs took place between 7th July and 1st August 2023. Two objections have been received to the TROs, one from a local councillor and another from a member of the public. It has not been possible to resolve these objections.

2. Proposal

- 2.1 The proposal seeks to introduce a bus and cycle lane along the Dereham Road (south side) from a point 50 metres east of its junction with C162 Longwater Lane eastwards for a distance of 421 metres and Dereham Road (north Side) from a point 100 metres east of its junction with U78239 Richmond Road eastwards for a distance of 188 metres. See Appendix B – Extents of proposed bus and cycle Lane Traffic Regulation Order (TRO) layout plan.
- 2.2 The statutory consultation took place in July 2023 (1st notices posted on site) with the process ending on the 1st August 2023.
- 2.3 Two objections are received during the consultation. Cllr Sands has questioned the need for the travel hub with bus gates, the extended bus lanes and the surface crossing near the Bowthorpe roundabout. Cllr Sands also raised concerns over traffic congestion with the proposed changes.

The other objection from a local resident stating concerns on traffic congestion and pollution from the proposed bus lanes, and questioned the need of a 24-hour bus lane.

Details of the objections can be seen in Appendix C.

3. Impact of the Proposal

- 3.1 The proposed bus and cycle lane will provide shorter and more consistent bus journey times and improve facilities to encourage active travel. The impact of the proposal was documented in the Individual Cabinet Member Delegated Decision report. Please find a link in section 12 of this report.

4. Evidence and Reasons for Decision

- 4.1 A decision to approve the proposals and statutory processes for them has already been taken. The issues raised in the objections to the TROs have already been fully considered following the public consultation process held in November 2022. It has not been possible to resolve the objections listed above because the disagreement on the impact from the bus lanes on the traffic on Dereham Road. The TROs are required in order to implement the approved scheme and it is therefore recommended that the TROs shall be implemented as proposed.

5. Alternative Options

- 5.1 Existing bus lanes along Dereham Road currently operate 24hrs and the current proposal for new sections of bus lane proposed would be consistent with this, and also in line with the Department for Transport's National Bus Strategy for England.

Consideration might be given to bus lanes operating with restricted hours rather than 24 hours. However, this might not resolve the objections and as stated above would not be consistent with the adjacent existing bus lanes or government policy.

6. Financial Implications

- 6.1 The TROs and associated works are being funded by the DfT's Transforming Cities Fund (TCF). The inability to implement the TROs and the approved scheme may result in the loss of the allocated funding and the cost of work carried out to date.

7. Resource Implications

- 7.1 **Staff:**
The scheme is being designed and delivered utilising existing resources.

7.2 Property:

Nil

7.3 IT:

Nil

8. Other Implications

8.1 Legal Implications:

Nplaw have advised on the making of this Traffic Regulation Order and confirmed that actions taken to date have been compliant with the legislative requirements.

8.2 Human Rights Implications: Nil

8.3 Equality Impact Assessment (EqIA) (this must be included):

Norfolk County Council has a duty to pay due regard to equality when exercising its public functions. In making this TRO, we have considered the potential impact on local people, particularly disabled and older people and parents and carers of children, and others who may have particular needs when using the highways.

Public consultation on the TRO has taken place, to enable people to highlight any issues that are important for the Council to be aware of before a decision is made. The proposed improvements should help improve safety for all highway users.

8.4 Data Protection Impact Assessments (DPIA):

As part of the consultation and implementation process, all personal data has been removed from reports being put into the public domain. Personal data has been stored as per the Council's standards in the event that we may need to correspond with affected parties as part of this process.

8.5 Health and Safety implications (where appropriate):

Implementation of this bus and cycle lane should improve safety for non-motorised users in and around Dereham Road and improve public health by making it easier for people to choose active modes of travel.

8.6 Sustainability implications (where appropriate):

The proposed bus and cycle lane will provide improvements to support sustainable modes of transport, particularly bus travel.

8.7 Any Other Implications: Nil

9. Risk Implications / Assessment

- 9.1 The proposals will benefit bus passengers and cyclists and will have minimal impact on traffic.

10. Select Committee Comments

Not applicable.

11. Recommendations

- 11.1 To implement the proposed Traffic Regulation Orders to introduce bus and cycle lanes along A1074 Dereham Road, and to establish the 20mph speed limit on U78246 Dereham Road as set out in Appendix B.**

12. Background Papers

- Appendix A – Site Location Plan
- Appendix B – Extents of proposed notices, Speed limits and bus and cycle lane traffic regulation order (TRO) layout plan
- Appendix C – Objection comments – as a result of consultation
- Appendix D – Statement of reasons
- [Individual Cabinet Member Decision Report - 1st June 2023](#)

Officer Contact

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

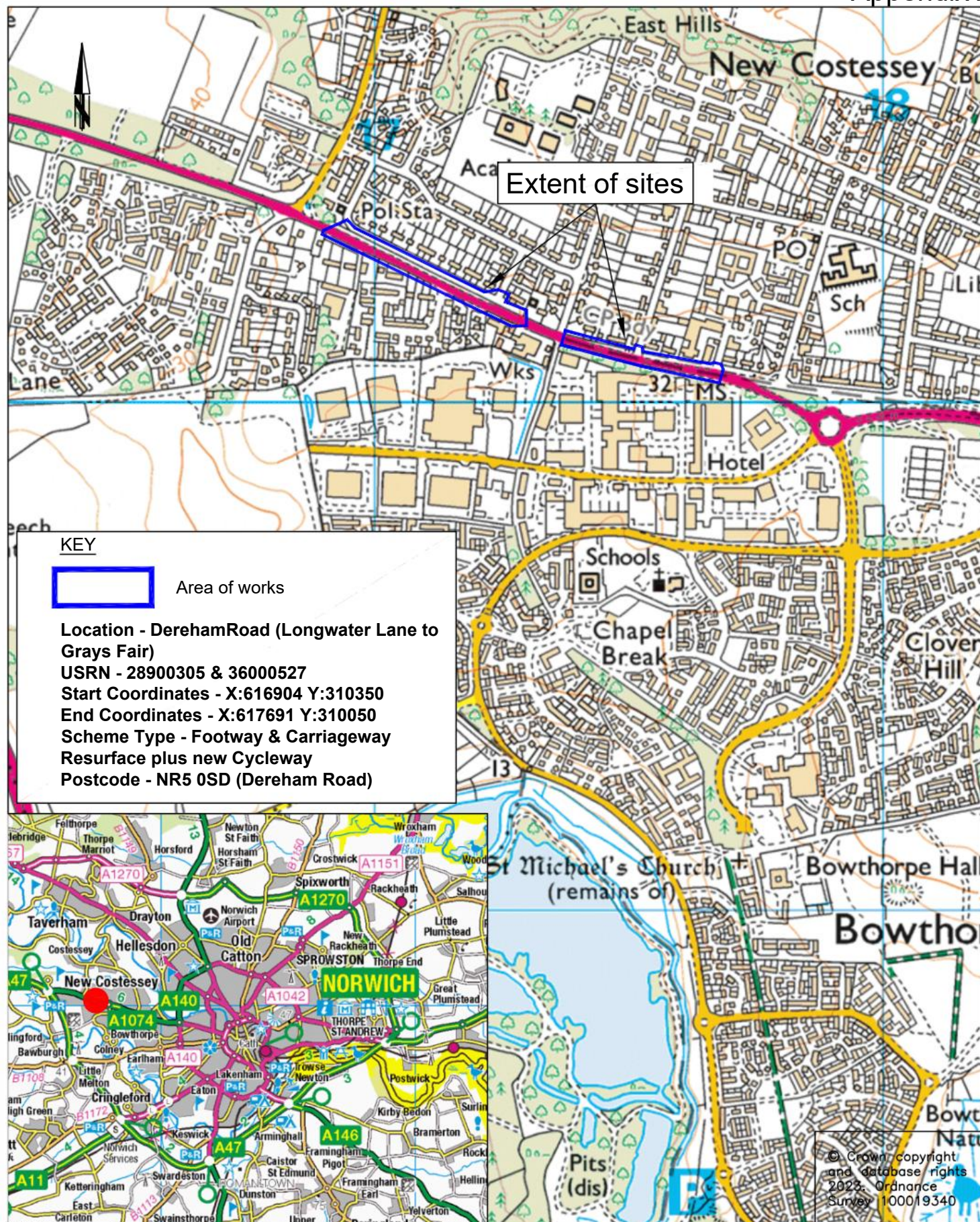
Officer name: David Allfrey

Telephone no.: 01603 223292

Email: david.allfrey@norfolk.gov.uk



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REV.	DESCRIPTION	DRAWN BY	CHECKED	DATE
A	Footway conversion area adjusted	BR		
B	Priority footway and pedestrian crossing added	BR		
C	footway conversion 4 added	BR		
D	Footway conversion 1 extended	BR		

	INITIALS	DATE	DRAWING No.
SURVEYED BY	OS	04/23	PAA009-TCF-TRO-002
DESIGNED BY	BR	04/23	PROJECT TITLE
DRAWN BY	BR	04/23	Dereham Road - Longwater Lane
CHECKED BY	JR	05/23	SCALE NTS @ A1
			FILE No. PAA009 16

Appendix C

Objection comments as a result of consultation

Originator	Objection comments received
<u>Person 1</u> <u>Cllr Mike Sands</u>	No need to have the bus lane extensions, the surface crossing at Wendene, the bus cut through across the central reservation. And the whole proposal will lead to traffic congestion.
<u>Person 2</u> <u>Resident of Stafford Avenue</u>	At the present time for large parts of the day the left hand lane (towards Gurney Road) is grid locked from the Bowthorpe round about to Norwich Road. You are going to extend this gridlocked traffic up beyond Longwater Lane and add to pollution, we don't have 24-hour buses why a 24-hour bus lane? I would like to be able to get out of Stafford Avenue not be stuck because you have created a 2-mile traffic jam. And you did not answer my question how many traveling vehicles using Dereham Road stop in Costessey.

**THE NORFOLK COUNTY COUNCIL
(A1074 DEREHAM ROAD)
(Provision of Bus Lane and Cycle Lane) ORDER 2023**

STATEMENT OF REASONS FOR THE MAKING OF THE ORDER

The proposal to make the Order is made because it appears to the County Council that it is expedient to do so in accordance with Sub-Sections 1(b), (d), (e) and (f) of Section 1 of the Road Traffic Regulation Act, 1984, namely -

- “(b) for preventing damage to the road or to any building on or near the road;
- (d) for preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property;
- (e) without prejudice to the generality of paragraph (d) above) for preserving the character of the road in a case where it is especially suitable for use by persons on horseback or on foot, or
- (f) for preserving or improving the amenities of the area through which the road runs;”

The proposed bus and cycle lanes will improve facilities to encourage active travel. The bus lanes will provide shorter and more consistent bus journey times, and improve journeys for passengers on services along A1074 Dereham Road.

The existing carriageway is wide enough for the introduction of dedicated bus lanes without losing the number of existing traffic lanes.



Call in Request Form

This form is to be completed and signed by any Member of the Council, with the support of at least 3 other Members and must be returned to Democratic Services at committees@norfolk.gov.uk within 5 working days of the Cabinet decisions being published or, if the decision has been taken by an individual member or Chief Officer, within five working days of the decision being published under the Access to Information Procedure Rules in part 11A of the Constitution. Where education matters are involved, the Parent Governor and Church representatives together count as one Member.

Please telephone the Director of Democratic and Regulatory Services on 01603 222949 or Democratic Services Manager on 01603 228913 to make them aware that the call-in form is on its way. You will receive a confirmation email once it has been received.

A Call-In request will only be valid if it has been received in person (by email) by the above people within the 5 working day deadline which will be specified in the decision letter.

Please note that the call-in procedure does not apply to urgent decisions.

Decision Title and minute number
Norwich - Dereham Road - Derestriction and 20mph Speed Limit Order and Bus and Cycle Lane Order

Decision taken by (i.e. Cabinet, Cabinet Member, Chief Officer)
Cllr Graham Plant – Cabinet Member for Highways, Infrastructure and Transport

Date of Decision
25 th August 2023

	Reasons for call in	Highlight which of the following apply and explain why you consider the process/principle has not been followed by the decision maker (as appropriate)
1.	The decision is not in accordance with the budget and policy framework	
2.	The decision is a key decision and it has not been taken in accordance with the Constitution.	
3.	There is evidence that the principles of decision-making (as set out in Part 4 of the Constitution) have not been complied with. These principles are:	The consultation was very limited. Officers present at locations instead of listening seemed to be using a pre-written script.

	<p>a) Actions agreed will be in proportion with what the Council wants to achieve.</p>	<p>The purpose of this scheme that has been outlined is to achieve a smoother flow of traffic. The report does not provide sufficient evidence to show the recommendations approved by the Cabinet Member will achieve that.</p> <p>It has been stated that these improvements will lead to an increase in the number of buses and routes around this part of Norwich. There is no evidence in the report that First buses are contractually obliged to do this following the implementation of this scheme, or how this scheme will ensure that Dereham Road could cope with any potential increase in buses.</p> <p>No evidence was presented as to the projected traffic congestion created by the bus crossing, pedestrian crossing or bus lanes on each side of the road.</p> <p>No alternative scheme was presented utilising the Wendene Road roundabout as the main access point for buses into (or out of) New Costessey via Breckland Rd and Three Mile Lane.</p>
	<p>b) Appropriate consultation will have been carried out and decisions will take account of its results and any professional advice given by Officers.</p>	<p>There was clear objection to the bus lanes as cited on page 100 of the agenda papers for the January 2023 TfN committee meeting here - Document.ashx (cmis.uk.com) yet the officer recommendation was to continue with the bus lanes, citing traffic data and traffic surveys.</p> <p>The data and evidence being relied on has not been presented to the public or Members and therefore needs consideration before the scheme is formally signed off by the Cabinet Member.</p>
	<p>c) Decisions will reflect the spirit and requirements of Equalities and Human Rights legislation.</p>	<p>There is no EqiA attached – the report says they've considered some protected characteristics but the assessment is not there to see. With no Equalities Impact Assessment attached there is no evidence to back up the report's findings in respect of the effect this decision will have on residents with protected characteristics.</p>
	<p>d) The presumption that information on all decisions made by the Council, the Executive and Committees should be public with only those issues that need to be exempt by virtue of the Access to Information Rules will be taken in private.</p>	
	<p>e) Decisions will be clear about what they aim to achieve and the results that can be expected.</p>	<p>The scheme has overarching aims, however these are not specific and there is no evidence laid out in the report of how the Council will monitor the scheme to determine whether it is meeting its agreed aims.</p> <p>In the initial report to the Transport for Norwich Committee in November 2021, it was cited that bus</p>

		<p>journey times could reduce by two minutes but this has not been referred to since.</p> <p>There is also no mention of the expected increase in the number of bus passengers or the anticipated reduction in car journeys for local residents the scheme will achieve.</p>
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Detailed reasons for call in or any additional information in support of the call in that you wish to submit

To be clear on my objections: The consultation was very limited, despite affecting all of Bowthorpe and Costessey only a narrow band of residents either side of Dereham Rd received notice. I know a number of people (a number at my instigation) attended the consultation, but Highways claim only two objections.

The proposal is to create an extension to the bus lane back from Gurney Lane to Wendene roundabout. As any local people know congestion then starts from Gurney Lane toward the city past the Larkman Lane traffic lights. This congestion will be extended back past the Wendene roundabout. What will make it worse is the rest of the proposal. Which is:

A bus lane in the right hand lane from Gurney Rd junction toward Wendene heading out of the city. About 70m before Wendene roundabout a cut through the central reservation and the side reservation to Three Mile Lane this to be controlled by traffic lights for buses only. In addition to this, a little closer to the roundabout a light controlled surface pedestrian and cycle crossing. Traffic exiting the Wendene roundabout will then in just 40 metres or so experience in quick succession two sets of traffic lights. This will add to the congestion already described on the city bound side of Dereham Road.

There is a well-used pedestrian cycle underpass at this same location which parents of school children prefer and tell me is well used as it represents a safer crossing; this is to be upgraded with better lighting regardless of the creation of a new crossing.

What makes far more sense and would save the better part of £4million would be to leave things as they are, but to change the route of the 23/24 slightly to turn left at the Wendene roundabout diverting down to Bowthorpe centre to pick up passengers (giving Bowthorpe residents a regular route to Longwater retail centre) here to then go back up Wendene Rd to the roundabout and traverse the roundabout into New Costessey accessing the route through Three Mile Lane. Even if this Bowthorpe route addition was not introduced the 23/24 route would still gain best access to New Costessey by negotiating the roundabout to access the route through Breckland Rd and Three Mile Lane.

Please use the space below to add any further comments. You may wish to consider:

- **The outcome you would like to see as a result of this decision being called in**
- **Any further information that the Scrutiny Committee might wish to consider when assessing this call in.***
- **Any Cabinet Members/Officers you would like to attend the meeting.***

* Please note this will be at the Chair of Scrutiny Committee's discretion

Outcome I wish to see:

Reconsideration with a view to cancellation of the entire scheme as it pertains to Dereham road from the Wendene Rd roundabout to the junction with Gurney Lane.

Further information Scrutiny Committee might wish to consider when assessing this call-in:

The traffic surveys and data analysis that is being relied on to support the scheme.

Cabinet Members/Officers:

Cllr Plant, Cabinet Member

Appropriate Highways Officers

Although it is not a constitutional requirement you are advised to speak to the Chair of Scrutiny Committee before submitting your call in. If you wish to record any comments from the Chair, please insert them below

Name (please print)	Signature	Date
Mike Sands	<i>Mike Sands</i>	05.09.2023

In accordance with the Constitution you must sign this form and obtain the signatures of at least three other Members of the Council:

Name (please print)	Signature	Date
Julie Brociek-Coulton	<i>Julie Brociek-Coulton</i>	05.09.2023
Matt Reilly	<i>Matt Reilly</i>	05.09.2023
Brenda Jones	Brenda Jones	05.09.2023
Colleen Walker	Colleen Walker	05.09.2023

I have considered the above call in and confirm that it is valid under the requirements of the Constitution.

I have considered the above call in and confirm that it is not valid under the requirements of the Constitution for the following reasons.

In coming to this conclusion, I have consulted the Chair of the Scrutiny Committee.

Signed by the Director of Legal Services and Monitoring Officer

Date

Please return to Democratic Services at committees@norfolk.gov.uk

Scrutiny Committee

Item No: 7

Report Title: Call in: Norwich – Governance of the Transport for Norwich Programme

Date of Meeting: 25 September 2023

Responsible Cabinet Member: Cllr Graham Plant (Cabinet Member for Highways, Infrastructure & Transport)

Responsible Director: Grahame Bygrave – Interim Executive Director, Community and Environmental Services

Executive Summary

This item relates to the call-in of the delegated Cabinet Member decision: Governance of the Transport for Norwich Programme.

1. Background and Purpose

- 1.1 This item relates to the call-in of the delegated Cabinet Member decision: Governance of the Transport for Norwich Programme.
- 1.2. The Decision was published on the 5th September 2023. Full details of the decision and associated documents can be found at **Appendix A**.

2. Call-in and Meeting Procedure

- 2.1 Notification was received on Tuesday 12th September that Cllr Emma Corlett, Supported by Cllrs Mike Sands, Maxine Webb and Brenda Jones wished to call the decision in. The notice outlining the reasons behind the call-in is attached at **Appendix B**. The Chief Legal and Monitoring Officer has confirmed that it is valid under the requirements of the constitution. It will therefore be considered at the additional meeting of the Scrutiny Committee scheduled for the 25th September 2023
- 2.2 The Chair and Vice-Chair of the Scrutiny Committee have agreed the following meeting procedure when handling the call-in:

- Those Councillors calling-in the decision will be given collectively 10 minutes introduction to explain their reasons for call-in.
- The Chairman will ask the Cabinet Member and officers if they wish to add anything at this stage.
- Those Councillors calling-in the decision will then be given collectively 20 minutes to question the Cabinet Member and officers. They do not have the right to put forward recommendations; this right is reserved for Members or substitute Members of the Committee only.
- Members and substitute Members of the Committee will then question the Cabinet Member and officers (As the call-in does not relate to education matter the Parent Governor and Church representatives may not put forward or vote on motions. They may still participate in the debate).
- Those Members who have called-in the decision will collectively have 5 minutes at the end of the debate to sum up their arguments.
- Following this, the Chairman will sum up the debate and ask the Committee if they wish to make any proposals regarding the call-in. At this stage, only a limited number of proposals will be considered to be in order. The options available to the committee are as follows:
 - A. The Committee refers the decision back to the decision maker (in this case, the Cabinet Member).
 - B. The Committee refers the decision to Full Council (the Committee should only use this power if the decision is deemed to be either i) contrary to NCC's policy framework; or ii) contrary to or not wholly in accordance with the budget).
 - C. The Committee notes the call-in, but takes no further action.

2.3 The Final list of witnesses to be invited to attend will be agreed by the Chairman and presented to the Committee on the day.

3. Financial Implications

3.1 Detailed in appended report (Appendix A).

4. Resource Implications

4.1 Staff:

Detailed in appended report (Appendix A).

4.2 Property:

Detailed in appended report (Appendix A).

4.3 IT:

Detailed in appended report (Appendix A).

5. Other Implications

5.1 Legal Implications:

Detailed in appended report (Appendix A).

5.2 Human Rights Implications:

Detailed in appended report (Appendix A).

5.3 Equality Impact Assessment (EqIA) (this must be included):

Detailed in appended report (Appendix A).

5.4 Data Protection Impact Assessments (DPIA):

Detailed in appended report (Appendix A).

5.5 Health and Safety implications (where appropriate):

Detailed in appended report (Appendix A).

5.6 Sustainability implications (where appropriate):

Detailed in appended report (Appendix A).

5.7 Any Other Implications:

None identified

6. Risk Implications / Assessment

6.1 Detailed in appended report (Appendix A).

7. Select Committee Comments

7.1 None applicable

8. Background Papers

8.1 Appendix A: Cabinet Member Decision: Governance of the Transport for Norwich Programme.

8.2 Appendix B: Call-in notice – Governance of the Transport for Norwich Programme.

Officer Contact

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

Officer name: Peter Randall, Democratic Support and Scrutiny Manager

Telephone no.: 01603 307570

Email: Peter.randall@norfolk.gov.uk



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Norfolk County Council

Record of Individual Cabinet Member Decision

Responsible Cabinet Member: Cllr Plant (Cabinet Member for Highways, Infrastructure & Transport)

Background and Purpose:

A Transport for Norwich Joint Committee was established in May 2019 at the same time as the County Council received funding through the government's Transforming Cities Fund. This committee has considered a range of transport schemes, shaping the proposals based on assessment of different options and feedback from consultation and stakeholder engagement.

A change of governance is proposed to enable effective engagement and discussions to continue between the County Council and District partners on transport schemes being promoted across Greater Norwich. A Steering Group is proposed to replace the existing Transport for Norwich Advisory Committee, which will be comprised of members from the County Council and Greater Norwich District Councils, supported by senior officers. The Cabinet Member for Highways, Infrastructure and Transport will attend, but this attendance will be delegated to the Deputy Cabinet Member where necessary. This will not be a decision-making group and will instead advise the County Council on decisions that need to be taken on highway matters.

Decision:

- 1. To approve establishing a Transport for Norwich Steering Group to replace the existing Transport for Norwich Advisory Committee with immediate effect.**
- 2. To approve the Terms of Reference for the Steering Group as set out in Appendix A.**

Is it a key decision? No

Is it subject to call-in? Yes

If Yes – the deadline for call-in is: 4pm, Tuesday 12 September 2023

Impact of the Decision:

The remit of the Steering Group will be to provide advice to the County Council in respect of:

- the development and delivery of substantive transport schemes including public transport, walking, wheeling and cycling, roll-out of electric vehicle charging provision, on and off-street parking, traffic management and major transportation projects;
- the development and prioritisation of a future project pipeline of transport schemes;
- the preparation and submission of funding bids prepared by the County Council for transport schemes;
- the development and delivery of the Transport for Norwich Action Plan;
- the update, review or amendment of the Transport for Norwich Strategy, or related plans, policies and strategies.

Evidence and reason for the decision:

As set out in the attached report.

Alternative options considered and rejected:

As set out in the attached report.

Financial, Resource or other implications considered:

As set out in the attached report.

Record of any conflict of interest:

None

Background documents:

None

Date of Decision: 31/08/2023

Publication Date of Decision: 05/09/2023

Signed by Cabinet Member:

I confirm that I have made the decision set out above, for the reasons also set out.



Signed:

Print name: Cllr Graham Plant

Date: 31/08/2023

Accompanying documents:

- Decision Making Report

Once you have completed your internal department clearance process and obtained agreement of the Cabinet Member, send your completed decision notice together with the report and green form to committees@norfolk.gov.uk

Individual Cabinet Member Decision Report

Item No:

Report Title: Governance of Transport for Norwich Programme

Date of Meeting: N/A

Responsible Cabinet Member: Cllr Graham Plant (Cabinet Member for Highways, Infrastructure & Transport)

Responsible Director: Grahame Bygrave (Interim Executive Director, Community and Environmental Services)

Is this a Key Decision? No

If this is a Key Decision, date added to the Forward Plan of Key Decisions: N/A

Executive Summary

A Transport for Norwich Joint Committee was established in May 2019 at the same time as the County Council received funding through the government's Transforming Cities Fund. This committee has considered a range of transport schemes, shaping the proposals based on assessment of different options and feedback from consultation and stakeholder engagement.

A change of governance is proposed to enable effective engagement and discussions to continue between the County Council and district partners on transport schemes being promoted across Greater Norwich. A Steering Group is proposed to replace the existing Transport for Norwich Advisory Committee, which will be comprised of members from the County Council and Greater Norwich District Councils, supported by senior officers. The Cabinet Member for Highways, Infrastructure and Transport will attend, but this attendance will be delegated to the Deputy Cabinet Member where necessary. This will not be a decision-making group and will instead advise the County Council on decisions that need to be taken on highway matters.

Recommendations:

1. To approve establishing a Transport for Norwich Steering Group to replace the existing Transport for Norwich Advisory Committee with immediate effect;
2. To approve the Terms of Reference for the Steering Group as set out in Appendix A.

1. Background and Purpose

- 1.1 A Transport for Norwich Joint Committee was established in May 2019 at the same time as the County Council received funding through the government's Transforming Cities Fund. This committee has considered a range of transport schemes, which has enabled proposals to be shaped based on assessment of different options and feedback from consultation and stakeholder engagement.
- 1.2 A revised terms of reference for the committee was agreed in 2022 to clarify its legal status, and the name of the committee was changed to the Transport for Norwich Advisory Committee. However, during the life of the Committee there has been some confusion and disagreement about the role of the Committee and the application of the agreed Terms of Reference, which has led to feedback on some key schemes being delayed as some meetings were unable to take place. Therefore, consideration has been given to how this confusion and disagreement could be resolved by revising the arrangements.

2. Proposal

- 2.1 A change of governance is proposed to enable effective engagement and discussions to continue between the County Council and district partners on transport schemes being promoted across Greater Norwich.
- 2.2 A Steering Group is proposed to replace the existing Transport for Norwich Advisory Committee, which will be comprised of members from the County Council and Greater Norwich District Councils, supported by senior officers from relevant authorities. This provides consistency with other Steering Groups and Member Working Groups already established across the service.
- 2.3 The Cabinet Member for Highways, Infrastructure and Transport will attend, but this attendance will be delegated to the Deputy Cabinet Member where necessary.
- 2.4 This will not be a decision-making group and will instead advise the County Council on decisions that need to be taken on highway matters.

3. Impact of the Proposal

- 3.1 There is no change to decision making processes. Neither the Transport for Norwich Advisory Committee or the Transport for Norwich Steering Group has any decision making powers and the role is advisory. Decisions will continue to be taken in accordance with the provision set out in the County Council's Constitution.
- 3.2 The Transport for Norwich Advisory Committee meets in public. Whilst this is supports openness, this is likely to have contributed to some of the confusion around the role of the group, particularly around decision making powers. It is important the Group Members are able to speak openly and frankly with their views on proposed schemes to enable the best possible solutions to be developed, and the proposed new group will support that and will not be a public meeting.
- 3.2 The proposed Steering Group will provide advice to the County Council in respect of:
- the development and delivery of substantive transport schemes including public transport, walking, wheeling and cycling, roll-out of electric vehicle charging provision, on and off-street parking, traffic management and major transportation projects;
 - the development and prioritisation of a future project pipeline of transport schemes;
 - the preparation and submission of funding bids prepared by the County Council for transport schemes;
 - the development and delivery of the Transport for Norwich Action Plan;
 - the update, review or amendment of the Transport for Norwich Strategy, or related plans, policies and strategies.
- 3.3 The Terms of Reference in **Appendix A** will provide clarity to the Steering Group regarding its role and status.

4. Evidence and Reasons for Decision

- 4.1 This proposal will bring about the following benefits:
- Enable meaningful engagement with district council partners that will continue to shape the design and delivery of transport schemes in Greater Norwich;
 - Enable more frequent discussion between Members as part of the decision-making process as the administration of the Steering Group approach is less onerous. This will enable additional meetings to be arranged as appropriate to the development and delivery programme;
 - Ensure consistency with other Steering Groups and Member Working Groups already well established across the service, thereby offering an efficiency and a consistent approach across the county.

5. Alternative Options

- 5.1 An alternative option would be to choose to do nothing and continue with the current arrangement of the Transport for Norwich Advisory Committee. However, this will not enable benefits set out in 4.1 to be achieved.

6. Financial Implications

- 6.1 The proposal to move to a Transport for Norwich Steering Group model achieves consistency and provides an efficiency, which is estimated at £5,000.
- 6.2 The Transforming Cities Fund Programme is funded by Government funding. There is a need to deliver the Programme within required schedules to meet the requirements of the funding allocation to avoid any risk of loss of current or future funding.

7. Resource Implications

7.1 Staff:

The Transport for Norwich programme will continue to be delivered using the same staff resource as is currently in place. Less staff time/input will be required by not servicing the formal Committee meeting processes.

7.2 Property:

None.

7.3 IT:

None.

8. Other Implications

8.1 Legal Implications:

No functions are delegated to the current Transport for Norwich Advisory Committee, where essentially the Members act as consultees and provide views to the County Council, with decisions being taken in accordance with the Constitution. The proposed Transport for Norwich Steering Group will have the same status in terms of decision making.

8.2 Human Rights Implications:

None.

8.3 Equality Impact Assessment (EqIA) (this must be included):

None.

8.4 Data Protection Impact Assessments (DPIA):

None.

8.5 Health and Safety implications (where appropriate):

None.

8.6 Sustainability implications (where appropriate):

None.

8.7 Any Other Implications:

None

9. Risk Implications / Assessment

9.1 None.

10. Select Committee Comments

10.1 N/A

11. Recommendations

1. To approve establishing a Transport for Norwich Steering Group to replace the existing Transport for Norwich Advisory Committee, with immediate effect;
2. To approve the Terms of Reference for the Steering Group as set out Appendix A.

12. Background Papers

12.1 None.

Officer Contact

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

Officer name: Jeremy Wiggin, Head of Sustainable Transport

Telephone no.: 01603 223117

Email: jeremy.wiggin@norfolk.gov.uk



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PROPOSED TERMS OF REFERENCE

Transport for Norwich Steering Group

Background and Context

Transport for Norwich (TfN) is a partnership between Norfolk County Council, Norwich City Council, Broadland District Council and South Norfolk Council and is based around the delivery of the TfN Strategy, which puts carbon reduction and better air quality at the heart of supporting a growing economy, strengthening communities and reducing our impact on the environment. This fully supports the County Council's Local Transport Plan, which seeks to achieve the County Council Environmental Policy target of working towards carbon neutrality by 2030 through changes to our transport network and working with users on how they choose to travel. The delivery of the TfN programme also positively contributes towards the Norfolk Climate Strategy, with particular focus on reducing county-wide emissions from transport and promoting a green economy through engagement and collaboration.

The TfN Strategy recognises that Norwich and the strategic growth areas around it are important for people and businesses across a large area and that what is done within Norwich affects many more people and businesses than simply those who live within the urban area.

Objectives and Remit

A key objective of the Steering Group will be to provide local steer, advice and direction to the formulation and delivery of transport plans and programmes across the Greater Norwich area. This Steering Group would not be a decision-making body but will make recommendations for consideration by the respective councils for the purposes of endorsing / adopting a plan, policy, programme or strategy where appropriate.

The remit of the Steering Group will provide advice to the County Council in respect of:

- the development and delivery of substantive transport schemes including public transport, walking, wheeling and cycling, roll-out of electric vehicle charging provision, on and off-street parking, traffic management and major transportation projects;
- the development and prioritisation of a future project pipeline of schemes;
- the preparation and submission of funding bids prepared by the County Council for transport schemes;
- the development and delivery of the Transport for Norwich Action Plan;
- the update, review or amendment of the Transport for Norwich Strategy, or related plans, policies and strategies.

The County Council will commit to taking the views of the Steering Group into consideration when discharging its functions.

Membership

The group will comprise the following:

- Norfolk County Council (2 elected Members)
- Norwich City Council (2 elected Members)
- Broadland District Council (1 elected Member)

- South Norfolk Council (1 elected Member)

One of the representatives from Norfolk County Council will be the Cabinet Member with responsibility for Highways, Infrastructure & Transport. Should they be unable to attend, the Deputy Cabinet Member with responsibility for Highways, Infrastructure & Transport will attend in their place and brief the Cabinet Member following the meeting.

Where possible, Members assigned to the Steering Group should attend all meetings to gain knowledge of the topics of discussion and enable consistency of debate. However, Members will be able to nominate a substitute Member from their local authority to attend meetings on their behalf if required. A quorum for the meeting will be 4 members.

The chair of the group shall be appointed by Norfolk County Council from one of their Member representatives. This can be reviewed on an annual basis.

The group will be supported by officers, principally comprising the following:

- A lead officer from Norfolk County Council being the Director of Highways, Transport & Waste
- Head of Sustainable Transport from Norfolk County Council
- Transport for Norwich Manager from Norfolk County Council
- Lead officers from Norwich and Broadland / South Norfolk

Representatives from other organisations and other officers can be invited to attend meetings, as appropriate.

Access to Meetings

Notice of each meeting, confirming the venue, time and date, together with the agenda, shall be sent to each member of the Steering Group and any other person required to attend no later than 10 working days before the date of the meeting. The agenda will be agreed by the chair. Any reports, information and supporting papers shall be sent to Steering Group members and to other attendees as appropriate, at the same time. Members may raise an item under 'Any Other Business' if necessary and as time permits.

Meetings of the Steering Group shall be held in person unless this is impracticable and the majority of members (including the chair) agree to meet virtually via Microsoft Teams. Where in person meetings are held, these will be held at County Hall, Norwich.

The meetings will not take place in public.

Frequency of Meetings

The Steering Group shall meet every 2 months or at intervals appropriately scheduled in relation to key activities in the development and delivery of infrastructure projects or strategy development. Additional meetings will be scheduled where necessary.

Minutes of Meetings

Formal minutes of the meetings will be prepared by the County Council, including the names of those in attendance, identifying any actions and by whom. These will be sent via email to all Steering Group members and attendees no later than 4 weeks after the meeting and before the agenda of the next meeting is circulated.

August 2023

DRAFT



Call in Request Form

This form is to be completed and signed by any Member of the Council, with the support of at least 3 other Members and must be returned to Democratic Services at committees@norfolk.gov.uk within 5 working days of the Cabinet decisions being published or, if the decision has been taken by an individual member or Chief Officer, within five working days of the decision being published under the Access to Information Procedure Rules in Appendix 13 of the Constitution. Where education matters are involved, the Parent Governor and Church representatives together count as one Member.

Please telephone the Assistant Director of Governance on 01603 222949 or Democratic Services Manager on 01603 228913 to make them aware that the call-in form is on its way. You will receive a confirmation email once it has been received.

A Call-In request will only be valid if it has been received in person (by email) by the above people within the 5 working day deadline which will be specified in the decision letter.

Please note that the call-in procedure does not apply to urgent decisions.

Decision Title and minute number
Governance of Transport for Norwich Programme

Decision taken by (i.e. Cabinet, Cabinet Member, Chief Officer)
Cllr Graham Plant, Cabinet Member for Highways, Infrastructure & Transport

Date of Decision
31 st August 2023

	Reasons for call in	Highlight which of the following apply and explain why you consider the process/principle has not been followed by the decision maker (as appropriate)
1.	The decision is not in accordance with the budget and policy framework	
2.	The decision is a key decision and it has not been taken in accordance with the Constitution.	
3.	There is evidence that the principles of decision-making (as set out in Article 10 of the Constitution) have not been complied with. These principles are:	

	a) Actions agreed will be in proportion with what the Council wants to achieve.	
	b) Appropriate consultation will have been carried out and decisions will take account of its results and any professional advice given by Officers.	<p>The decision to replace the Transport for Norwich Advisory Committee with a Transport for Norwich Steering Group has been made without appropriate consultation with elected district partners and fails to follow the recommendations of the Monitoring Officer.</p> <p>The decision to change the committee without appropriate review, consultation or consideration of professional advice given by Officers does not align with the Statement of Policy on Governance and Partners as per the Transport for Norwich Strategy.</p>
	c) Decisions will reflect the spirit and requirements of Equalities and Human Rights legislation.	
	d) The presumption that information on all decisions made by the Council, the Executive and Committees should be public with only those issues that need to be exempt by virtue of the Access to Information Rules will be taken in private.	
	e) Decisions will be clear about what they aim to achieve and the results that can be expected.	The decision document does not provide sufficient explanation as to why the current terms of reference have been deemed to no longer fit the governance and oversight of the Transport for Norwich Strategy and why the proposed changes will support and develop improved governance and engagement with district partners.

Detailed reasons for call in or any additional information in support of the call in that you wish to submit

The decision to change the composition, meeting arrangements, scope and terms of reference for the current Transport for Norwich Advisory Committee has been taken without consultation with the appropriate elected members from district partners.

The decision has been made without discussion with the current members of the Transport for Norwich Advisory Committee. This is contrary to the recommendations put to the Transport for Norwich Committee on 29th September 2022 by the Monitoring Officer in her report accompanying the Terms of Reference proposals.

The report fails to provide robust reasons for bypassing the existing committee, for the changes proposed and how it reflects the governance ambitions set out in Chapter 13 of the Transport for Norwich Strategy.

The existing Terms of Reference were endorsed by Cabinet on 5th December 2022 and there is no suggestion that the revised Terms of Reference will be subject to the same democratic process, creating inconsistency and confusion over the amendment process.

Please use the space below to add any further comments. You may wish to consider:

- The outcome you would like to see as a result of this decision being called in
- Any further information that the Scrutiny Committee might wish to consider when assessing this call in.*
- Any Cabinet Members/Officers you would like to attend the meeting.*

* Please note this will be at the Chair of Scrutiny Committee's discretion

The decision should be rescinded and a report with proposals should be taken to the Transport for Norwich Committee as per the recommendations from the Monitoring Officer, to ensure democratic oversight, accountability and engagement with district partners.

Although it is not a constitutional requirement you are advised to speak to the Chair of Scrutiny Committee before submitting your call in. If you wish to record any comments from the Chair please insert them below

Name (please print)	Signature	Date
Emma Corlett	<i>Emma Corlett</i>	12.09.2023

In accordance with the Constitution you must sign this form and obtain the signatures of at least three other Members of the Council:

Name (please print)	Signature	Date
Mike Sands	<i>Mike Sands</i>	12.09.2023
Brenda Jones	<i>Brenda Jones</i>	12.09.2023
Maxine Webb	<i>Maxine Webb</i>	12.09.2023

I have considered the above call in and confirm that it is valid under the requirements of the Constitution.

I have considered the above call in and confirm that it is not valid under the requirements of the Constitution for the following reasons.

In coming to this conclusion, I have consulted the Chair of the Scrutiny Committee.

Signed by the Director of Governance and Monitoring Officer

Date

Please return to Democratic Services at committees@norfolk.gov.uk