

Environment, Transport and Development Overview and Scrutiny Panel

Minutes of the Meeting held on 17 October 2012

Present:

Mr A Byrne (Chairman)

Mr A Adams	Mr P Morse
Mr R Bearman	Mrs H Thompson
Mr B Bremner	Mr T Tomkinson
Mr M Brindle	Mr J Ward
Michael Chenery of Horsbrugh	Mr A White
Mr P Duigan	Mr R Wright (Vice-Chairman)
Mr I Mackie	

Cabinet Members present:

Mr N Dixon	Community Protection
Mr G Plant	Planning and Transportation
Mrs A Steward	Economic Development

Deputy Cabinet Member present:

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

1 Apologies

Apologies were received from Mr T East (Mr M Brindle substituted); Dr A Boswell (Mr R Bearman substituted); Dr M Strong (Mr P Morse substituted); Mrs M Chapman-Allen; Mr M Langwade; Mr P Rice and Mr B Borrett, Cabinet Member for Environment and Waste.

2 Minutes of the meeting held on 7 September 2012

- 2.1 The minutes of the meeting held on 7 September 2012 were agreed as an accurate record and signed by the Chairman.

3 Declarations of Interest

- 3.1 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

6.1 Question from Alexandra Kemp, Local Member for Lynn South and Clenchwarton.

Could the Chair answer whether, in his experience, February is the best month of choice to hold a public enquiry in a rural area, with a view to ensuring maximum public access in an area of extreme demographics, relatively poor road communications and public transport, and the habitual possibility of inclement weather.

Reply by the Chairman, Alec Byrne

The Planning Inspectorate, on behalf of the Secretary of State, is responsible for and makes the final decision for the call in timetable. The Inspectorate requested that the formal parties agree suitable timescales and the Inspectorate has stated that the proposed date is some 6 months after the Secretary of State called the application in and therefore a delay beyond this cannot be justified.

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 (ETD) Overview and Scrutiny Panel meeting.
- 7.2 The Cabinet Member for Economic Development said that the Panel would be receiving an update on the Broadband project shortly. The Cabinet Member also informed the Panel that the mobile phone working group had been established and that the Panel would be receiving further information on the progress of the project in the near future.
- 7.3 The Cabinet Member for Economic Development reported that, in support of the tourism agenda, a new group had been set up called Visit East Anglia. This group had been established by people working within the industry. Mr Pete Waters had been appointed as Brand Manager, supporting both Norfolk and Suffolk. Mr Waters was well known in the area as he had previously worked at the EDP.
- 7.4 The Panel noted that the Economic Development team were working very closely with the Local Enterprise Partnership (LEP) on energy issues.

- 7.5 The Cabinet Member for Planning and Transportation informed the Panel that Greater Anglia had been making excellent progress in working with Network Rail and had recently announced a significant reduction in weekend working on the Great Eastern Main Line during 2013. He said that only 7 weekends would involve bus replacement services compared to 34 in 2012 (a reduction of over 75%). He went on to say that the dates had already been set for weekend working so customers would know these well in advance and could plan their travel arrangements accordingly. There would be no work carried out during weekends between April and October which should make a huge difference for all customers, communities and businesses along the route, which would also bring tourism benefits.
- 7.6 The Cabinet Member for Planning and Transportation also wished to pass on to the Panel that the “Fair Fares” campaign had won the regional campaign award from the East Anglian Chartered Institute of Public Relations at a ceremony on 16 October. There were several highly skilled and heavily resourced private sector PR agencies in the running for the award and he was very pleased that the “Fair Fares” campaign had won.
- 7.7 The Fair Fares campaign had achieved the following:
- Government had listened and the Department for Transport had requested that the Department for Communities and Local Government include a specific question about how revising the method of calculating reimbursement levels for concessionary fares could make it fairer when undertaking their financial consultation in the summer.
 - Norfolk could be slightly better off by about £1.2m if the proposal went ahead as it had been proposed. Although this amount was still not covering the cost of fares, and the shortfall would continue to be highlighted, it was a welcome addition to funds in the effort to maintain and protect vital rural transport services.
 - Other rural counties had also benefited from the Norfolk County Council campaign which had enhanced Norfolk’s reputation. This had been achieved with cross-party support and endorsement from all the MPs in Norfolk.
- 7.8 The following points were noted in response to questions from the Panel:
- The possibility of publishing planned engineering works on the Norfolk County Council website would be investigated. This would assist travellers when making their travel arrangements.
 - The Deputy Cabinet Member for Planning and Transportation welcomed the reduction in weekend working on the Great Eastern main line, as he had received a number of letters of complaint from his constituents about delays and poor experiences of travelling by rail during weekends.
 - Members congratulated Norfolk County Council on the reduction to weekend working rail maintenance announcements, which would

benefit everyone travelling between Norwich and London. The Panel agreed that the award for the Fair Fares campaign was well deserved.

- The Cabinet Member for Travel and Transport confirmed that the campaign to attain a fairer settlement of reimbursement levels for concessionary fares would continue.

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 and consider new topics for inclusion on the scrutiny programme, including considering the Councillor Call for Action as detailed at Section 2 and Appendix C of the report.

8.2 Cllr John Dobson, Local Member for Dersingham Division, attended the meeting to present his Councillor Call for Action (CCfA). A summary of the issues raised in the CCfA could be found at Appendix C of the report. The Chairman allowed Mr Dobson five minutes to make his presentation, during which the following points were noted:

- The topic for consideration was a complex issue which related to signs erected at Snettisham Beach by a limited number of chalet owners located between the common land and the edge of the beach.
- A photograph was circulated to the Panel which showed a sign forbidding people from walking along that section of land. The sign had been erected in the car park at Snettisham Beach by a member of the public who had no authority to do so.
- Mr Dobson stated that Norfolk County Council had failed to resolve these issues raised by the erection of the private sign, which had been the subject of much correspondence, because they were awaiting the outcome of the Modification Order process.
- Mr Dobson added that this issue needed settling as soon as possible as local businesses were losing revenue. He had understood that people driving onto the car park were not staying in the area once they had seen the signs.
- Lastly, Mr Dobson noted that these signs had been in place approximately 2 years.

8.3 The following points were noted in response to questions to Mr Dobson from Members of the Panel:

- Members felt that, as the signs had been put up without going through the

proper processes, it should be a simple process to remove them.

- The Common land was owned by a number of people, which brought certain rights of access for everyone.
- It was evident that Norfolk County Council had signed up to a three-partnership working Code of Practice in Norfolk and, under the conditions of this Code, the organisations involved should work together to get an effective relationship in place to resolve issues such as these.
- In final comment, Mr Dobson explained that he had brought this matter to the Panel as a CCfA as he felt the process was purpose built to help solve this issue and to attempt to stop the situation from getting worse. He was concerned for the real possibility of further acts of criminal damage and also the possibility of people getting injured.

8.4 Mr T Edmunds, Highways Network Manager, gave a presentation on the Norfolk County Council position, during which the following points were noted:

- Norfolk County Council's position had been clearly set out in the summary of the issues involved (appendix C of the report).
- Under normal circumstances the local Planning Authority would approve such signs under advertising regulations.
- The issue which needed to be considered related to public access rights to registered Common Land and Public Rights of Way matters. The issues raised were complex and the view of the County Council was that the most appropriate action would be to await the outcome of the Modification Order process, which may involve a Public Enquiry and then deal with the signs in full knowledge of the extent of the Public Rights of Way network at that time. Therefore, it was suggested that no further action be taken until after the outcome of the Public Enquiry was known.

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

- The Head of Democratic Services, in consultation with the Director of Environment, Transport and Development, had deemed the Environment, Transport and Development Overview and Scrutiny Panel the most appropriate Panel to deal with the CCfA from Cllr Dobson. The process for dealing with CCfA was contained within the Norfolk County Council Constitution.
- If there were no objections to the Modification Order Public Enquiry, it was possible that this issue could be resolved during 2012. If there were objections, the process could take as long as 2 years.
- Members commented that if there was a public right of access it needed to be enforced.

- The Highways Network Manager reiterated that the view of the County Council was to await the outcome of the Modification Order.

8.6 Arising from the discussion, a Panel Member noted that the Councillor Call for Action was a very useful tool. He wished to support the CCfA and therefore proposed that the final sentence in the outcome (as shown in Appendix C of the report) be agreed:

- Norfolk County Council should show leadership in seeking to achieve this by bringing all involved authorities round a table at a Scrutiny Panel meeting as allowed for under section 119 of the Act, which appears to be the ideal instrument for this purpose.

This was seconded by Mr White.

8.7 During the debate on the proposal, the following points were noted:

- Some Members said this should not be an issue for the Panel to consider at all, it should be dealt with in the same way as neighbourhood disputes.
- In response to a question over manorial rights over the common land, the Highways Network Manager agreed to clarify the position and reply in writing to all Panel Members following the meeting.
- Mr Bearman proposed an amendment to the above proposal, which was not seconded:
 - Norfolk County Council should show leadership in seeking to achieve this by bringing all involved authorities round a table at an **appropriate Scrutiny Panel** meeting as allowed for under section 119 of the Act, which appears to be the ideal instrument for this purpose.
- Some Members felt that officers should enforce the public rights of way and deal with the problem in that way.

8.7 The proposal, as presented by Mr Tomkinson was put to a vote and, with 9 votes in favour, 0 votes against and 4 abstentions, it was **AGREED** that

- Norfolk County Council should show leadership in seeking to achieve this by bringing all involved authorities round a table at a Scrutiny Panel meeting as allowed for under section 119 of the Act, which appears to be the ideal instrument for this purpose.

8.8 **RESOLVED** that .

- i. Norfolk County Council should show leadership in seeking to achieve an agreed, unified view of the signs issue between the key responsible authorities in order to give the police a firm line to prevent further escalation in acts of criminal damage or violence. This could be achieved by bringing all involved authorities round a table at a Scrutiny

Panel meeting as allowed for under Section 119 of the Act, which appeared to be the ideal instrument for this purpose.

9 Green Light for Better Buses

- 9.1 The Panel received the annexed report (9) by the Director of Environment, Transport and Development, setting out plans for increasing the use of buses, cutting congestion and increasing the competitiveness of the bus industry. The proposals only apply in England and would not affect long-distance coach travel.
- 9.2 During the presentation of the report, the Assistant Director of Travel and Transport drew Members' attention to the fact that some of the current funding would be used to set up a new local government fund (Better Bus Areas) which would encourage transport authorities and bus companies to improve services and boost passenger numbers.
- 9.3 If the plans went ahead as proposed, Bus Service Operators Grant (BSOG) for supported services would be devolved to Norfolk County Council from October 2013. This meant bus operator's costs would increase but a similar amount of money (estimated to be £350-£400k per year for the whole of Norfolk) would be given to the council to compensate for contract price increases. The change in policy was intended to be cost neutral.
- 9.4 The fund had been ring-fenced until 2014, after which it would be up to local authorities how they allocated the available funding.
- 9.6 The following points were noted in response to questions from the Panel:
- Operators who had installed smart ticketing equipment or used low-carbon emission buses would receive direct incentive payment of 8% and 2% above the BSOG base rate. There may also be opportunities to invest further in public transport smart ticketing equipment in the future.
 - A Norfolk County Council website which would give passengers information about all travel options within Norfolk was currently being developed.
 - Norfolk County Council was not technically able to purchase fuel on behalf of bus companies as the BSOG payments could only be paid to companies who operated the service. The Assistant Director for Travel and Transport agreed to investigate bulk fuel purchases further.
 - The Cabinet Member for Planning and Transportation drew the Panel's attention to the sentence at 2.1.1 of the report which stated that "the devolved funds from DfT should cover the additional tender costs" and highlighted this as a health warning. He also asked officers to monitor the policy change closely to ensure that Norfolk was not short-changed in the process. The Assistant Director for Travel and Transport said

that, until the Government had chosen the baseline year they would be using for their calculation, the position would remain unclear.

- Norfolk was part of the DfT Working Group and the Assistant Director Travel and Transport agreed to take all the issues forward to try to avoid a negative impact on rural areas.
- Following a suggestion that a reduction in fares may encourage more people to use buses, it was noted that although prices did have an influence on how many people used buses, evidence had shown that quality and reliability of service was the best incentive for getting more people to travel on public transport.
- Members wished to thank the Travel and Transport team for developing the Post-16 travel scheme which provided discounted fares for young people travelling on buses. They agreed this was a major good news story and was a credit to the authority.

9.5 **RESOLVED** to note the report.

10 The Joint Norfolk and Suffolk Gypsy and Traveller Strategy

- 10.1 The Panel received the annexed report (10) by the Director of Environment, Transport and Development setting out the details of the Norfolk and Suffolk Gypsy and Traveller Strategy.
- 10.2 Members were asked to consider the final version of the Gypsy and Traveller Strategy, which included a position statement and action plan and support its endorsement.
- 10.3 Members agreed that the joined up approach between Norfolk County Council and Suffolk County Council worked well.

RESOLVED to

- Support the endorsement of the final version of the Gypsy and Traveller Strategy, which included a position statement with action plan.

11 Independent Panel on Forestry – Report following Call for Views.

- 11.1 The Panel received the annexed report (11) by the Director of Environment, Transport and Development, summarising the findings from the Independent Panel on Forestry report and the implications for Norfolk County Council.
- 11.2 The Panel noted that the government had not yet responded to the findings contained within the Independent Panel on Forestry report.
- 11.3 The Panel welcomed the report and agreed it was important that facilities such as Burlingham Woods remained in public ownership as they brought benefits to general wellbeing as well as ecological and biological benefits.

11.4 Members endorsed and welcomed this report.

11.5 **RESOLVED** to note the report.

(The meeting closed at 11.40am)

Chairman



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