

Infrastructure and Development Select Committee

**Minutes of the Meeting Held on Wednesday 17 May 2023
10.00am, held at County Hall, Norwich**

Present:

Cllr James Bensly – Chair

Cllr David Bills
Cllr Chris Dawson
Cllr William Richmond
Cllr Chrissie Rumsby

Cllr Vic Thomson
Cllr Maxine Webb
Cllr Tony White

Also Present:

Cllr Margaret Dewsbury	Cabinet Member for Communities and Partnerships
Cllr Graham Plant	Cabinet Member for Highways
Cllr Eric Vardy	Cabinet Member for Environment and Waste

Also Present:

Naomi Chamberlain	Senior Planner, CES
Paul Harker	Place Planning Manager, Children's Services
Martin Horlock	Specialist Advice Manager, CES
Nick Johnson	Head of Planning, CES
Sophie Leney	Head of Trading Standards, CES
John Jones	Head of Environment, CES
Nicola Ledain	Committee Officer, Democratic Services
Steve Miller	Director of Culture and Heritage, CES
Sarah Rhoden	Director of Community Learning and Information CES
Ceri Sumner	Director of Fire and Rescue Service, NCC
Laura Waters	Strategic Planning Team Manager, CES
Charlotte Watts	Lead Project Manager (Delivery – Green Spaces)

1. Apologies and substitutions

- 1.1 Apologies received from Claire Bowes, Jim Moriarty and Robert Savage.

2. Minutes

- 2.1 The minutes of the meeting held on 15 March 2023 were agreed as a true record and signed by the Chair.

3. Declarations of Interest

- 3.1 There were no interests declared.

4. Items of Urgent Business

4.1 There was no urgent business.

4.2 The Chair took the opportunity to report to the committee that, following the council meeting on 9 May 2023 and the agreed motion below, a report would be brought to the committee by the end of the year;

Council believes sewage discharges in rivers and coastal waters is unacceptable. There is a direct and indirect adverse impact on water quality, the environment, human health, amenity and businesses. It also damages the reputation of our beautiful county.

Council regrets the lack of urgency and meaningful sanctions for sewage discharges and recognises increased development in Norfolk will add to the problem in future unless action is taken at source.

Council welcomes the government's intention to consult on the introduction of Schedule 3 of the Flood and Water management Act 2010 and urges government to expedite the process.

Council believes Water companies should be held automatically liable for any sewage discharge.

Council requests the Infrastructure and Development Select Committee to explore existing powers and opportunities available to Norfolk County Council in order to –

1. enforce fines on water companies
2. ensure compensation is paid by water companies for direct and indirect financial losses of those, particularly businesses, near to or affected by discharges and to report back findings and recommendations to Council by no later than December 2023.

5. Public Question Time

5.1 There were 2 public questions received and these are attached at appendix A. Responses had been circulated and published on the website.

6. Local Member Issues / Questions

6.1 There was 1 local member question received and this is attached at appendix A. The response had been circulated and published on the website.

7. Trading Standards Service Plan

7.1 The Committee received the report which provided the Committee with the Trading Services Service Plan 2023/24 which included The Enforcement of Age Restricted Sales and Illegal Tobacco Products Plan which enabled the County Council to discharge its statutory duty to annually consider and review its enforcement of the Children and Young Persons (Protection from Tobacco) Act 1991 and the Anti-Social Behaviour Act 2003. The Plan also included The Food and Feed Law Enforcement Plan which was also a statutory plan required by the Food Standards Agency, which incorporated work that was intended to protect the food supply chain,

covering both food production and control of animal feed used for animals intended for human consumption.

- 7.2 The Chair invited Cllr Dewsbury to introduce the report.
- 7.3 In addition to the report, the Head of Trading Standards explained that following recent proposals regarding the Retained EU Law Bill, the number of legislative changes being passed this year would be less than expected, which was positive for local businesses in understanding their obligations and for officers who would have fewer changes in the law to gain an understanding of.
- 7.4 During the discussion, the following points were noted:
 - 7.4.1 In response to a question regarding what members could do to help with recruitment and retention given the increase of work caused by new legislation, the Head of Trading Standards responded that a cohort of 10 trainees who were recruited last year had recently completed stage 1 of their professional qualification and sat their first exams. Having already lost staff, it was envisaged that the service would lose more due to the age demographic of the service so further recruitment is necessary. Central government had considered a potential bursary to assist local authorities with training and this would be welcomed as there needed to be a strong national profession. There was a safeguard in place that the trainees had to repay their training fees if they chose to leave Norfolk County Council (NCC) within 2 years of qualification. As most of the cohort were local or had relocated and settled in Norfolk, the service was confident that they would stay.
 - 7.4.2 The Head of Trading Standards reported that they had introduced a market supplement to be able to attract and retain officers. The benefit of Norfolk over other national locations was that people enjoyed living in Norfolk and were often content to stay, rather than having to relocate to work in a neighbouring authority.
 - 7.4.3 The move of Trading Standards to Norfolk Fire and Rescue Service would help with staff wellbeing and workplace tensions that had been referred to in the report. The Director of Fire and Rescue was currently completing work regarding staff wellbeing and it would be a good opportunity to be able to be considered within that remit and learn what was being introduced to help support staff wellbeing.
 - 7.4.4 Members heard that the weighing equipment used as part of the commercial activities and traded service of Norfolk Calibration Services were incredibly accurate and could pick up vibrations from miles away. They needed to be situated where environmental factors could not interfere with them. It was becoming more vital that the service moved to larger premises, and premises were being considered. This would enable more income generation, allow improvement of the online customer offer and fulfil the needs of the current well-established customer base.
 - 7.4.5 With reference to page 37 of the report, the Head of Trading Standards reported that the lack of qualified staffing had affected the Service's ability to attract income from commercial advice for local authority businesses. She explained that if officers found non-compliance, advice was provided to enable the business to comply with the law. basic advice was given without charge. Bespoke, more complex advice could be provided but at a charge. The qualified staffing levels needed to be increased to be able to provide more bespoke chargeable advice.

- 7.4.6 Officers asked for a presentation or briefing online or face to face to explain more about Trading Standards and what they do. It was also requested that vaping information was included in the presentation as that was of particular concern. Members also asked if there were statistics on fires related to vapes
- 7.4.7 Officers asked that it was particularly highlighted to Cabinet that members fully supported the rolling trainee programme as that was crucial to the service being at a fully qualified staffed level and would give more opportunities for income generation.
- 7.4.8 The Cabinet Member for Communities and Partnerships recommended that members could be involved with the promotion of the dangers of vaping. Material could be given out either in the form of posters or something online which could then be shared.

7.5 **RESOLVED**

1. To review and comment on the Trading Standards Service Plan 2023/24 (Appendix 1) including:
 - Annex I: Enforcement of Age Restricted Sales and Illegal Tobacco Products Plan 2023/24 (Appendix 2 to this report)
 - Annex II: Food & Feed Law Enforcement Plan 2023/24 (Appendix 3 to this report), and
 - Annex III: Delivery of Animal Health & Welfare Framework 2023/24 (Appendix 4 to this report) prior to consideration by Cabinet.
2. To particularly highlight to Cabinet that the rolling trainee programme was fully supported.
3. That a briefing regarding the work of Trading Standards to committee members would be organised.
4. That members helped promote the dangers of vaping.

8. **Planning Obligation Standards 2023**

- 8.1 The Committee received the report which considered proposed amendments to the County Council's Planning Obligations Standards (the Standards), which were first introduced in 2000 and have been subsequently updated on an annual basis thereafter. The Standards primarily focus on developer funding towards County Council infrastructure including education, library, green infrastructure, and fire service provision (fire hydrants secured through planning condition) required as a consequence of new residential development.
- 8.2 Cllr Graham Plant introduced the report.
- 8.3 Officers explained following an evidence-based review of government guidance, infrastructure costs and obligations sought by neighboring County Councils that the current costs sought in Norfolk fall below the amount sought elsewhere. Further work will be undertaken to bring NCC in line with statistical and neighboring authorities, and it was agreed the proposed increased costs would be considered by Cabinet.
- 8.4 During the discussion, the following points were noted:

8.4.1 In recognition of the higher demand for SEND places, a contribution from developers for SEND places was now being requested. The Place Planning Manager explained that some of the costs of SEND provision would be offset by monies from developers. The cost per place of a SEND place was based off of national guidance. When seeking contributions for SEND places the County Council would assess the existing capacity of SEND schools. The proposal, as referred to on page 106 of the report, was to further support the funding mechanism that already is in place when seeking contributions for mainstream schools. The multiplier to be used when seeking SEND places will be 0.01, meaning that SEND places, if required would only be sought on developments of 100 dwellings or more.

8.4.2 Members asked what procedures or mechanisms are in place to ensure County Council obligations are secured. Officers explained the Standards provide a clear and effective mechanism for securing funding from housing developers and are also cited in District Local Plans. The team is consulted on all planning applications of over 20 dwellings or more, the County Council shares its response with the Local Planning Authority and all applications are carefully logged and monitored. We work closely with District colleagues when preparing Section 106 agreements and ensure all obligations meet the three tests set out in the National Planning Policy Framework. The County Council also has a statutory requirement to produce a [Infrastructure Funding Statement](#) covering developer agreements, contributions and agreement transactions.

8.5 **RESOLVED**

To review and comment on the amended 2023 Planning Obligations Standards prior to consideration by Cabinet.

9. **Norfolk County Council Local List for Validation of Planning Applications 2023**

9.1 This report is to advise the Select Committee of the consultation of the draft Local List and seek comments for consideration by Cabinet. Once the Local List was formally adopted, it would be published on the Council's website and form part of the planning validation process.

9.2 **RESOLVED**

To consider the draft Local List consultation feedback, the draft Local Lists and make any comments for consideration by the Cabinet.

10. **Tree Health: Ensuring Resilience of Tree Stocks and Public Safety**

10.1 The Committee received the report which set out an end of year analysis of the ongoing work and provided evidence of the ongoing need for the project and resources to facilitate this.

10.2 The Chair asked the Cabinet Member for Environment and Waste to introduce the report.

10.3 During the discussion, the following points were noted:

10.3.1 At the start of the project, it was initially thought that most of the trees that would need work would belong to NCC, however, it had evolved that many of those trees

that needed work did not belong to NCC. Most of the budget was now being used on staff to provide information and guidance, supporting landowners, and identifying the owners of those trees that needed attention. Officers explained that if it was a dangerous tree that needed to be removed urgently due to public safety, NCC would take ownership.

- 10.3.2 Officers were aware that the communication around the work that was being undertaken needed improvement. The service were currently working with colleagues in the communications team to develop an awareness raising campaign and to upload more information onto the website explaining what work was being done and why. As the work involved a high risk to the public there was little alternative to carrying out the project. Officers reported that they were working closely with highways who would essentially be those who closed the roads. This could often happen quickly which prevented a lot of notice. It was acknowledged that more could be done to warn local members when works were being carried out so they could inform or answer queries from residents.
- 10.3.3 When the trees were taken down, they were in most cases replaced. If they had been taken from near the highway and it wasn't suitable or safe to replace like for like, they would be replaced in a more suitable location. Officers also explained that funding was being applied for regularly to help with the replacement of those trees that had to be removed and those replacement trees would not count towards the '1 million trees' initiative. The Cabinet Member for Environment and Waste confirmed that NCC officers were working with colleagues at Norwich City Council with the aim to replace those trees removed from the city area, but it wasn't an easy process.
- 10.3.4 With regards to the Norwich Western Link and the removal of the trees, there would be a plan for the mitigation of the loss of trees and officers would be involved in the planning application of that project.

10.4 **RESOLVED**

1. The committee supported the continuation of the current targeted survey programme to identify and undertake remedial work or removal of trees that pose a potential risk to the public
2. The committee supported the expansion the survey beyond ash trees to recognise the potential threats to other species and to acknowledge the reduced risk to the public that a comprehensive survey and action approach was providing

11. Tree Planting in Norfolk, including Country Parks

- 11.1 This paper proposed that NCC purchases sufficient land to plant 500,000 trees over the next two planting seasons. Creating woodland with public access would fulfil the existing commitment to create a country park in Norfolk.
- 11.2 The Cabinet Member for Environment and Waste introduced the report.
- 11.3 The Lead Project Manager informed the committee that Norfolk was the only authority to have committed to plant 1 million trees in 5 years. Other local authorities who had made a similar commitment had chosen to spread it over 10 years.
- 11.4 During the discussion, the following points were noted:

- 11.4.1 Whilst the country park project was supported, it was also important that the current projects to plant the trees in other locations continued. Parish councils and residents in many areas were enthusiastic and had made plans. Officers commented that past initiatives for communities to obtain free or low cost trees would still continue for the next couple of years and there could be opportunities for that to continue beyond. Officers were always keen to hear of any initiatives in areas which would increase tree planting particularly where it added value to communities. New initiatives for communities would be shared with members as soon as possible.
- 11.4.2 Although the target date for completing the project could be extended if council decided, officers had provided a solution which achieved the target in the originally set timescale. By completing it in that timescale, it had a number of benefits and by creating a woodland of their own, NCC would gain carbon credits which, in time could be used to offset their own residual emissions. Within 10 years of the trees in the country park being planted, carbon credits would be generated which could be used as offsets. The park would offset circa 150k tonnes of carbon and NCC's residual annual emissions are expected to be 2500 tonnes. The carbon could not be reduced to zero by demand or managed led as the services that NCC provided to the public would not allow that. The country park that was being proposed would be for the benefit of Norfolk residents and give them the opportunity in Norfolk to enjoy exercise and nature.
- 11.4.3 The costings would soon be considered by Cabinet. The cost benefit calculation figure would be proved to be good value and the return would clearly show that it was a sound investment.
- 11.4.4 There could be potential for tree planting on landfill sites, and colleagues in waste had been hugely supportive and were considering opportunities where possible. Planting on landfill sites would continue where it was possible to do so.
- 11.4.5 Officers reassured members that thorough detail had gone into the cost benefit analysis of the proposal. The proposal was started in 2020 and there had been in-depth research and investigations carried out to the benefits of creating the woodland area.
- 11.4.6 Members felt it was important to note that the planted trees would need to be maintained otherwise it was pointless planting them. Officers explained that the maintenance was crucial. For this particular project the proposal for maintenance was to work with Forestry England. They would, through a lease agreement of between 60 and 120 years, pay for the maintenance costs which would mean that NCC were not obligated for the maintenance.
- 11.5 The following amendment to the recommendations was moved and duly seconded. Delete recommendation 1 in the report and replace with:
- 1) Officers to report back to the Infrastructure and Development Committee with a revised delivery plan for the 1 million trees project, as soon as practicable, to include the following:
 - a. Detailed projections of current workstream planting projects outcomes
 - b. A revised, realistic deadline to deliver the initial 1 million tree target

- c. A proposal, with initial project timescales, to extend tree planting to 1.25 million and then 1.5 million trees, in order to continue the Council's commitment to this environmentally important project beyond 2024

- 2) Recommend to Cabinet that the Council supports the creation of Cringleford Country Park and will work with partners, including Cringleford Parish Council, South Norfolk District Council and the Greater Norwich Growth Board to help deliver this project.

11.5.1 Following debate and discussion, members commented that there wasn't enough readily available information regarding item 2 of the above amended recommendation. Officers also explained that the current Green Infrastructure Strategy for the Norwich Growth Board was being updated and this would include community ideas. The advantage of it being picked up through that process was that the location would become registered as a potential location for community infrastructure levy.

11.5.2 It was agreed that the following amendment would be voted upon;

- 1) Officers to report back to the Infrastructure and Development Committee with a revised delivery plan for the 1 million trees project, as soon as practicable, to include the following:
 - a. Detailed projections of current workstream planting projects outcomes
 - b. A revised, realistic deadline to deliver the initial 1 million tree target
 - c. A proposal, with initial project timescales, to extend tree planting to 1.25 million and then 1.5 million trees, in order to continue the Council's commitment to this environmentally important project beyond 2024

11.5.3 After a show of hands, with 5 in favour and 3 against, the recommendation was **CARRIED**.

11.6 **RESOLVED**

- 1. That the committee comment on and recommend this proposal to Cabinet
- 2. That officers report back to the Infrastructure and Development Committee with a revised delivery plan for the 1 million trees project, as soon as practicable, to include the following:
 - a. Detailed projections of current workstream planting projects outcomes
 - b. A revised, realistic deadline to deliver the initial 1 million tree target
 - c. A proposal, with initial project timescales, to extend tree planting to 1.25 million and then 1.5 million trees, in order to continue the Council's commitment to this environmentally important project beyond 2024

12. **Forward Work Programme**

12.1 The Select Committee received the report by the Executive Director of Community and Environmental Services which set out the Forward Work Programme for the Committee to enable the Committee to review and shape.

- 12.2 Members identified that the forward plan seemed very healthy. Information only items could be considered by the committee by alternative means such as an information briefing circulated by email. It was also suggested that extra meetings could be considered if the committee felt that there was not enough time to sufficiently discuss the items listed.
- 12.3 Having reviewed the report, the Select Committee **AGREED** the Forward Work Programme set out in Appendix A.

The meeting closed at 12.15pm

Chair



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