

Environment Transport and Development Overview and Scrutiny Panel

Minutes of the Meeting Held on Wednesday 17 November 2010

Present:

Mr A Adams	Mr B Iles
Mr R Bearman	Mr J Joyce
Mr A Byrne (Chairman)	Mr M Langwade
Mrs M Chapman-Allen	Dr M Strong
Mr N Dixon	Mr J Ward
Mr P Duigan	Mr A White
Mr T East	Mr R Wright (Vice-Chairman)
Mr M Hemsley	

Non-Voting Cabinet Member:

Mr G Plant	Travel and Transport
Mrs A Steward	Sustainable Development

Non-Voting Deputy Cabinet Members:

Mr B H A Spratt	Travel and Transport
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1. Apologies and Substitutions

Apologies were received from Mr B Long, Mr G Cook, Dr A Boswell (Mr R Bearman substituted) and Mr J Mooney.

2 Minutes

The minutes of the Environment Transport and Development Overview & Scrutiny Panel meeting held on 22 September 2010 were agreed as a correct record and signed by the Chairman.

3. Declarations of Interests

The following declarations of interests were received:

Mr East, Mr White and Mr Bearman declared a personal interest in item 14 as they were members of the Reference Group looking at the Minerals and Waste Development Framework.

Dr Strong declared a personal interest in items 10 and 14 as Local Member for Wells, which was mentioned in both reports.

Mr Joyce declared a personal interest in item 7 as he was a member of the Speedwatch team.

4. Items of Urgent Business

There were no items of urgent business.

5. Public Question Time

Appendix A to these minutes sets out the questions and responses to the public questions.

6. Local Member Issues/Member Questions

Appendix B to these minutes sets out the questions and responses to the Local Member questions.

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

7.1 The annexed joint report (7) by the Cabinet Member for Travel and Transport and the Cabinet Member for Sustainable Development was received.

7.2 The Cabinet Member for Travel and Transport drew Members' attention to the Local Enterprise Partnerships and thanked businesses for getting involved in this business-led process.

7.3 Members' attention was drawn to Hethel Engineering Centre which was now almost fully occupied. Ongoing support for Lotus was another venture that would soon be commencing, which would be a very exciting opportunity.

7.4 Following a Member question it was confirmed that negotiations were still taking place on the speed camera funding and the offer from the Police Authority that the County Council would maintain fixed highways assets and other partners would be responsible for funding and running other activities of the partnership. Members would be updated when there was anything further to report.

It was **RESOLVED**:

To note the report.

Items for Scrutiny

8. Forward work Programme Overview & Scrutiny

8.1 The annexed report (8) by the Director of Environment, Transport and Development was received and introduced by the Support Manager, ETD. The

report outlined the programme for scrutiny and Members were asked to consider the outline programme, agree the scrutiny topics listed and consider any new topics for inclusion on the scrutiny programme.

- 8.2 The Support Manager ETD informed the Panel that the Environment Agency would be invited to the March meeting to give Members a demonstration on their Flood Warning Direct service.
- 8.3 Dr Strong expressed concern over the procrastination of the Environment Agency to carry out this demonstration. She went on to say that she had accepted this demonstration be done at County Hall when she would have preferred it completed in the areas affected. Dr Strong also registered her discontent with the actual flood warning phone messages, as she felt they were inadequate and caused confusion amongst residents.

RESOLVED:

To note the report.

Items for Review

9. Integrated Performance and Finance Monitoring

- 9.1 The annexed report (9) by the Director of Environment, Transport and Development was received and introduced by the Finance Business Partner, Finance Manager and Planning, Performance and Partnerships Manager, ETD. Members were asked to comment on the progress against ETD's service plan actions, risks and budget and consider whether any aspects should be identified for further scrutiny.
- 9.2 The Environment, Transport and Development Department was forecasting an underspend of £0.340m. An underspend on the Capital budget of £1.633m was also forecast and this was mainly due to the scaling back of the work on the Northern Distributor Route (NDR).
- 9.3 The following points were noted in response to Members questions:
 - 9.3.1 The replacement of the National Indicators was a positive way forward as it would give the County Council the opportunity to revisit the most appropriate topics for the people of Norfolk.
 - 9.3.2 At the Panel meeting in July 2010 Members requested an in-depth monitoring report on the East of England Production and Innovation Centre (EPIC) be brought to a future Panel meeting. Members agreed it was important to have a regular report on EPIC and requested a balance sheet showing the income and expenditure.
 - 9.3.3 The focus on energy and carbon management at 1.6 of the report referred directly to the energy used by the County Council. The efficiency aspect was a separate procurement issue.

RESOLVED:

- (i) That a report on the East of England Production and Innovation Centre be brought to the Panel meeting in March 2011 showing the income and expenditure.

and

- (ii) To note the report.

10. ETD Strategic Review

- 10.1 The annexed report (10) was received and introduced by the Director of Environment, Transport.
- 10.2 Members were asked to provide any comments on the report and to consider the work of Workstream 3 which was coming to conclusion and how to prioritise the highway capital programme.
- 10.3 During Member questions the following points were noted:
 - 10.3.1 The costs of keeping the waste recycling centre at Docking open had been managed in the waste budget due to a lower volume of waste being dealt with than was budgeted for. The Environment Transport and Development Department was picking up any additional costs associated with the Docking site and was continuing to forecast an underspend. The budget proposal is that all recycling centres could have a later opening time in the future.
 - 10.3.2 Norfolk County Council was responsible for cutting grass verges in the County for highway and safety purposes and the District Councils were responsible for cutting amenity grass areas. North Norfolk District Council had decided not to carry out amenity grass cutting in 2011 and the Panel was reassured that the highway service would continue next summer, although the level of cutting was dependent on the budget outcome. If Parish Councils were to have the opportunity to carry out grass cutting in 2011, Members felt Parish Councils should be made aware of this as soon as possible so the necessary arrangements and contracts could be finalised.
 - 10.3.3 The Partnership contracts with May Gurney and Mott Macdonald were currently being reviewed and the conclusions would be reported to the Strategic Review Board.
 - 10.3.4 Surface dressing was a lower cost treatment option and involved spraying bitumen on the surface and laying chippings on top. Surface dressing was the treatment of choice on lower category roads and was an affordable option, although if the road had deteriorated too badly this would not be a cost effective solution.

- 10.3.5 Members were reassured that Norfolk County Council would not allow the roads to become impassable and deteriorate to the stage where they were unusable and would always endeavour to keep the highways in good order and to a standard to be used by the public.
- 10.3.6 The re-surfacing and surface dressing works carried out by the Highways service following the winter of 2009/10 had been completed exceptionally well and the Panel wished to thank everyone for their efforts.

RESOLVED:

To note the report.

11. Norwich City Agency Review

- 11.1 The annexed report (11) by the Director of Environment, Transport and Development was received and introduced by the Assistant Director Highways and City Agency Manager.
- 11.2 The new Agency Agreement identified the services to be retained by the City Council and services to be moved to the County Council where there were clear benefits in altering current arrangements. Cost efficiencies and robustness of service had been outlined in the report.
- 11.3 Members were asked to consider and comment on the draft Highways Agency Agreement.
- 11.4 As this was his last meeting before his impending retirement, the Chairman thanked Chris Mitchell for his work for the County Council and wished him well.
- 11.5 The Chairman of the Norwich Highway Agency Committee, Tony Adams, said that a lot of work had gone into producing the report. He reiterated that the new Agency Agreement would save the County Council money and he fully commended it to the Panel.

RESOLVED

To note the report.

12. Impact of Winter 2009/10 – an Update

- 12.1 The annexed report (12) by the Director of Environment, Transport and Development was received and introduced by the Capital Programme Manager, ETD.
- 12.2 The report outlined how the additional funding had enabled a targeted response to repair damage to road surfaces caused during the 2009/10 winter, ensuring the most appropriate and cost effective form of treatment had been used.
- 12.3 Members were asked to note and comment on the contents of the report.

- 12.4 During Member questions, the following points were noted:
- 12.4.1 The Local Member for Mancroft Division thanked officers for the timely delivery of the project on the B1108 Earlham Road, Norwich. These works had caused some disruption but he had been very impressed with the communications in advance of the work being done which had given him time to notify his constituents. He was also very impressed with the speed of completion of the works.
- 12.4.2 Following concerns which had emerged last winter over who had responsibility for filling grit bins, the Panel requested a contact telephone number be displayed on the grit bins to enable members of the public to let the Council know when the bins were empty and needed re-filling.
- 12.4.3 Parish Councils were responsible for providing grit bins with Norfolk County Council ensuring these were stocked with grit.
- 12.4.4 The Government had recently published a snow code which gave information on the sensible clearing of paths. The snow code is available by using the following link:
http://www.direct.gov.uk/en/NI1/Newsroom/DG_191868
- 12.4.5 There were currently 800 grit bins across the county.

RESOLVED:

To note the report.

Mr M Hemsley left the meeting at this point and did not return.

13. Norfolk Highway Gating Trials

- 13.1 The annexed report (13) by the Director of Environment, Transport and Development and the Director of Community Services was received and introduced by the Community Safety Coordinator and the Transport Planning Strategy Manager, ETD.
- 13.2 The report updated Members on the progress of Norfolk's highways gating pilots at Dolman Square, Great Yarmouth and Pilot Street King's Lynn, which had been in place for more than 18 months.
- 13.3 Members were asked to note the contents of the report; support extending the period of gating the two existing pilot schemes by an additional period of 24 months and support the proposed policy/process by which future schemes are approved; and comment on the most appropriate source of funding for the costs of the statutory process.
- 13.4 Members' attention was drawn to the fact that the report was not now to be presented to the Community Services O&S Panel.

- 13.5 During the discussion, the following points were noted:
- 13.5.1 Members felt that the gating trials should not be funded from the highway budget, although it was noted that the County Council had a duty under the Section 17 Crime and Disorder Act to take account and do all it reasonably can to make Norfolk a safe place to live in.
- 13.5.2 The two gating trials currently in place had mainly come about due to anti social behaviour and were generally following lower level issues which had not necessarily been reported to the police but had an impact on the quality of life for residents.
- 13.5.3 Members agreed that the County Council had a statutory duty to all its residents for safety. They felt that Norfolk County Council had a duty to complete the legal paperwork but should not be responsible for paying for the gating. The organisation seeking the orders should be made aware that they would need to provide any funding which would be dealt with on a case by case basis.
- 13.5.4 As a Statutory Partner, Norfolk County Council had a duty of care to take account of the crime and disorder implications under Section 17 and would therefore need to prove that these implications had been taken into account if challenged.
- 13.5.5 The Director highlighted to the Panel that the Council had taken forward the pilots, demonstrated that the approach could be effective and was proposing a policy framework in which further schemes could be brought forward.
- 13.5.6 The following motion was proposed and seconded:

Norfolk County Council should complete the necessary legal process for gating, but all costs should be met by the local partners/agencies promoting the schemes.

With 13 votes in favour, 0 votes against and 1 abstention it was

RESOLVED:

To recommend that Norfolk County Council complete the necessary legal process for gating, but that all costs should be met by the local partners/ agencies promoting the schemes.

14. Minerals and Waste Development Framework Sixth Annual Report (2009-10).

- 14.1 The annexed report (14) by the Director of Environment, Transport and Development was received and introduced by the Planning Services Manager, ETD.
- 14.2 The report outlined the four main sections of the Minerals and Waste Annual Monitoring Report (AMR).
- 14.3 Members were asked to endorse the findings of the AMR and to resolve that the AMR be submitted to Cabinet and then to the Secretary of State and to

recommend that Cabinet resolve that the revised Minerals and Waste Development Scheme shall have effect from 18 January 2011.

14.4 Following a Member question, it was confirmed that the reservoir at Stody had now received planning permission and could commence works as and when required.

14.5 **RESOLVED to:**

- (i) endorse the findings of the AMR and to resolve that the AMR be submitted to Cabinet and then to the Secretary of State.
- (ii) recommend that Cabinet resolve that the revised Minerals and Waste Development Scheme shall have effect from 18 January 2011.

The meeting ended at 11.45am.

CHAIRMAN



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5 Public Questions

5.1 Question from Anne Barnes, Clerk to Cringleford Parish Council

Cringleford Parish Council would like to know why Norfolk County Council is refusing to adopt the public footpath, known as Harts Lane, Cringleford, as it will be the major footway/cycleway link between the already established parts of the village and the new development known as Round House Park and more importantly the new 420 place school to be built at the end of Harts Lane?

Reply by the Cabinet member for Travel and Transport

The County Council supports the creation of a suitable footpath link between Colney Lane and the Roundhouse Park development and accepts the importance of this link particularly once the new school opens. This was identified at an early stage and the planning permission requires the provision of such a link. However, the planning consent cannot guarantee the subsequent adoption of such a route. For this to happen footpath must be appropriately lit and constructed to suitable standards for the County Council to adopt as publicly maintainable highway and it must also form a continuous link between Colney Lane and Dragonfly Lane within the new development. There can be no section of the footpath which is retained in third party ownership over which the County Council would have no control and the public no right to cross, as I understand is the case here.

Unfortunately, the current proposals do not meet the County Council's minimum standards for adoption due to the combination of land ownership issues and substandard construction and lighting proposals submitted by the developer.

Supplementary Question: The County Council wishes to encourage as many people to walk and cycle and this staying healthy policy is incorporated into the Council's own policies and stated in 'Every Child Matters' and in every School Travel Plan.

It appears to the Parish Council that the District Council's 'no dig' policy and the County Council's 'no tarmac – no adopt' policy has resulted in a catch 22 situation where everyone is a loser.

This footway/cycleway is essential for the health and safety of the local people, especially the children going to the new school and if the developer is going to end up being responsible for maintaining the Harts Lane footpath/cycleway, who will ensure that this happens?

The **Cabinet Member for Travel and Transport** stated that the County Council took its responsibility very seriously. The path currently does not meet the construction standards and would need to meet that criteria before it could be adopted by the County Council. The developer was aware of the criteria and the standards that would need to be met before the path could be adopted by the County Council.

6 Local Member Issues/ Member Questions

6.1 Question from Dr Andrew Boswell, Local Member for Nelson Division.

Following recent Press reports that the Norwich Northern Distributor Road (NDR) will be included in the Big Conversation, will the Cabinet member please provide details of what information the public will be given about the project and what questions will be posed for the public to give their views on.

Reply by the Cabinet Member for Travel and Transport.

The NDR is not specifically mentioned as part of the Big Conversation. There was extensive consultation previously for the NDR and more recently for the Norwich Area Transportation Strategy (NATS) Implementation Plan, which included the NDR. These consultations received a significant number of responses, with the majority being positive towards the NATS Implementation Plan and the NDR.

In my comments to the EDP, I recognised the changing climate in which we now find ourselves and as such reflected this. I am therefore keen to receive comments from the public regarding our spending in future years and the outcome of this may influence the timing of some of the proposed transport infrastructure. In response to the spending set out in the Big Conversation documents, people may comment on the NDR, NATS, or other countywide transportation issues. These comments would need to be balanced against the results of previous consultations.

Supplementary Question (asked by Mr Bearman, on behalf of Dr Boswell): Given the NDR is not mentioned in the Big Conversation, is it acceptable to provide residents with any public domain information about the progress to date, when seeking response or comments on NDR or NATS. Specifically the previous consultation responses in 2006 & 2008 were conducted under a very different financial climate to that which we find ourselves now, and can the result of those consultations be weighted accordingly?

The **Cabinet Member for Travel and Transport** agreed that the County Council's financial position had changed considerably since the consultations in 2006/08. He reiterated that the Big Conversation had been put in place so the people of Norfolk could let the County Council know their priorities. Once the consultation had finished, Cabinet would consider all the issues and decide how these could be fed into Norfolk County Council policies.

6.2 Question from Mike Brindle, Local Member for Thetford West

The question concerns the new street lighting.

In Thetford there are a number of excellent heritage style street lights in conservation areas. These lights are typically in a traditional gas lantern style. Amey have begun work to replace these expensive and appropriate lights with the one-size-fits-all job lot. I have arranged for the work on this small number of lights in key areas to be halted to allow further consideration.

Would you please explain why at a time when we are seeking to save money in general we appear to be in the process of replacing expensive heritage lights before they are past their sell-by date thus impoverishing the cultural heritage of the town as well as spending money on lights that could be retained for use in more suitable locations?

Reply by the Cabinet Member for Travel and Transport.

Our street lighting PFI represents excellent value for money for council tax payers. The total cost of maintaining our stock has been held constant, while securing government grant worth £38m to replace life expired stock.

We have always been clear that we can only afford to replace with standard columns, however special arrangements have been agreed elsewhere with the support of local partners. We are happy to explore options here too. I understand a meeting with Martyn Wegg, our Street Lighting PFI Manager, has been arranged with you, the Thetford Society and other interested parties, for Thursday to discuss a way forward

Supplementary Question:

Can you reassure me that Thetford had been treated no worse than any other area when replacing street lights like for like?

The Cabinet Member for Travel and Transport replied that the lights that were being replaced as part of PFI agreement were standard columns. Other Councils had been prepared to pay the difference between these and the expensive heritage lights and negotiations could take place to look at this option. The Director for Environment, Transport and Development confirmed that Norfolk County Council would be happy to explore the opportunities for the heritage columns to be replaced and these would be discussed further at the meeting on 18 November.