

**Cabinet**  
**Minutes of the Meeting held on Monday 7 June 2021**  
**at Norfolk Showground at 10am**

**Present:**

Cllr Andrew Proctor	Chairman. Leader & Cabinet Member for Strategy & Governance.
Cllr Graham Plant	Vice Chairman. Deputy Leader & Cabinet Member for Growing the Economy
Cllr Bill Borrett	Cabinet Member for Adult Social Care, Public Health & Prevention.
Cllr Margaret Dewsbury	Cabinet Member for Communities & Partnerships.
Cllr John Fisher	Cabinet Member for Children's Services.
Cllr Tom FitzPatrick	Cabinet Member for Innovation, Transformation & Performance.
Cllr Andy Grant	Cabinet Member for Environment & Waste.
Cllr Andrew Jamieson	Cabinet Member for Finance
Cllr Greg Peck	Cabinet Member for Commercial Services & Asset Management.
Cllr Martin Wilby	Cabinet Member for Highways, Infrastructure & Transport.

**Executive Directors Present:**

James Bullion	Executive Director of Adult Social Services
Simon George	Executive Director of Finance & Commercial Services
Tom McCabe	Executive Director of Community & Environmental Services and Head of Paid Service.
Paul Cracknell	Executive Director of Transformation and Strategy
Helen Edwards	Director of Governance
Sara Tough	Executive Director Children's Services

Cabinet Members formally introduced themselves.

**1 Apologies for Absence**

1.1 There were no apologies for absence.

**2 Minutes from the meeting held on Monday 12 April 2021.**

2.1 Cabinet agreed the minutes of the meeting held on Monday 12 April 2021 as an accurate record of the meeting.

**3 Declaration of Interests**

3.1 The Cabinet Member for Children's Services Cllr John Fisher declared an "other interest" as a member of Norfolk Wildlife Trust and Friends of the Earth.

#### **4 Matters referred to Cabinet by the Scrutiny Committee, Select Committees or by full Council.**

4.1 There were no matters referred to Cabinet.

#### **5 Items of Urgent Business**

5.1 There were no items of urgent business.

#### **6 Public Question Time**

6.1 The list of public questions and responses is attached to these minutes at Appendix A.

6.2 Cllr Denise Carlo, Adrian Holmes, Andrew Cawdron, Lesley Grahame, Gil Murray, Adam Green, Clive Lewis MP and Karen Davis asked a supplementary question at the meeting. To see the supplementary questions asked and the responses given please see appendix A.

#### **7 Local Member Questions/Issues**

7.1 The list of Local Member questions and the responses is attached to these minutes at Appendix B.

7.2 The following Councillors asked supplementary questions at the meeting. To see the supplementary questions asked and the responses given, please see appendix B:

- Cllr Alexandra Kemp,
- Cllr Jamie Osborn,
- Cllr Emma Corlett,
- Cllr Ben Price,
- Cllr Steve Morphew,
- Cllr Maxine Webb,
- Cllr Alison Birmingham,
- Cllr Matthew Reilly,
- Cllr Colleen Walker,
- Cllr Mike Smith-Clare,
- Cllr Brenda Jones
- Cllr Mike Sands

#### **8 Norwich Western Link**

8.1 The Executive Director of Community and Environmental Services introduced the report by stating that recommendations 2 and 4 as set out on page 32 were not necessary and should be deleted.

- Recommendation 2 was a recommendation from Cabinet to Council including funding for the project in the forward capital programme. This was a decision that only Full Council could make and was included in the report to Full Council.

- Recommendation 4 could be removed as the decision was not being referred to Full Council as a result of recommendation by Cabinet but as a requirement set out in the Council's constitution. An EGM had been called for the afternoon of the 7 June 2021 for this constitutional requirement to be met.

8.2 The Cabinet Member for Highways, Infrastructure and Transport introduced the report to Cabinet:

- In December 2016 Full Council agreed a motion stating "Council recognises the vital importance of improving our road infrastructure and that this will help deliver new jobs and economic growth that is needed in the years ahead"
- The Norwich Western Link (NWL) was included as one of the three priority infrastructure schemes and highlighted in the Norfolk infrastructure delivery plan 2017-2027.
- The County Council had made significant investments in transport for Norwich, including over £40m investment delivered as part of the three year programme of the Transforming Cities Fund, seeing improvements in sustainable travel, active travel investments and an £18m commitment from First Bus to improve the Norwich city fleet.
- Highways England were bringing forward major improvements to the A47 including dualling at North Tuddenham and Easton. The delivery of this improvement further highlighted the need for delivery of the NWL to connect the A47 to the Broadland Northway and west of Norwich.
- Traffic congestion and rat running through local communities and delays to journey times were significant issues to minor roads in the west of Norwich. Without intervention it was expected these problems would worsen and there would be a negative impact on housing and business growth around the city.
- Building the NWL would: reduce travel times and increase journey reliability including improving emergency response times; better connect people to employment, retail, health, leisure and education sites; improve accessibility from the west of Norfolk and the Midlands including to Norwich airport and improve access to Norfolk's tourism sector; help improve air quality in residential areas and support people to walk, cycle and use public transport; improve quality of life for residents in areas which suffered from high traffic levels, for example Weston Longville, which was predicted to see an approximate 80% reduction in through-traffic. Complementary measures were designed to maximise benefits and support sustainable transport as part of the project.
- The benefits of the project and the level of support were being carefully balanced against environmental impacts and concerns raised. The Council was taking its environmental responsibility seriously with £22m in the project budget for mitigation measures and biodiversity net gains. The proposed level of investment per mile was six times that delivered on the Broadland Northway project. Through understanding local landscapes and habitats, the project would aim to mitigate adverse effects it may have on nature and wildlife, create new habitats and improve existing ones across a wide area in the west of Norwich.

- In July 2019, the project was confirmed as a priority by Transport East and the Strategic Outline Business Case (SOBC) was submitted to the Department for Transport (DfT). The SOBC was approved by DfT in May 2020 and entered into the DfT local large major programme alongside funding to support submission of the OBC.
- The Government launched its national infrastructure strategy in November 2020 setting out that investment in infrastructure would be a crucial part of the country's recovery following the Covid-19 pandemic.
- The selection process to appoint a design and build contractor had been completed; the delivery partner had demonstrated quality and value for money in their tender offering through the competitive procurement exercise. The conclusion of the procurement process resulted in an increase in local underwritten contribution required from NCC since submission of the SOBC, from £23m to £30m.
- The project was a regional priority with a cost benefit ratio of 3.4, putting it in the high value for money category according to DfT criteria. The NWL should be considered an investment priority for this council.
- There was an intention to hold a public consultation in autumn 2021 on the details of the project.
- As part of preparation for submission of the planning application in early 2022, details of land acquisition compulsory orders and highways side road order processes were set out in the report.
- The Cabinet Member for Highways, Infrastructure and Transport moved the remaining 7 recommendations without recommendations 2 and 4.

8.3 The Vice-Chairman discussed the benefits of the NWL development, and key points outlined in the report:

- Building the NWL would support sustainable economic growth, improve quality of life for nearby villages, increase connectivity with other areas by linking communities, places of work and new housing developments to the network, take traffic away from rural roads and encourage new businesses to move to the County.
- The NWL was projected to reduce carbon emissions by 450,000 tonnes over 60 years and if not progressed, Norfolk's Covid recovery via access to inward investors and increasing access to higher paid jobs would be slower.
- Improving connectivity to the North Norfolk coast would address seasonal peaks in traffic and help with productivity gains. It would also support people living in deprived areas with improved connectivity.
- Analysis showed that the project would deliver £70m of wider economic benefits at 2010 levels with total agglomeration benefits just below £90m.
- Norfolk and Suffolk Constabulary had stated that the development would be beneficial in improving response times.
- Paragraph 2.1.13 of the report highlighted that the NWL would significantly reduce journey times, with some journeys more than halving, and journey times on other routes also being improved by the development.
- Reductions in road traffic accidents were forecast reducing the cost to the health service associated with collisions and trauma caused to families.
- Promotion of more sustainable modes for shorter journeys was proposed as part of the project including linking up existing public rights of way.
- Norwich airport was supportive of the development which would support them to develop their site.

- Improved traffic flow in Norwich would improve bus times and increase air quality.
- The Department for Transport's greenhouse gas case workbook had been used to calculate emissions over 60 years, including the update to electric vehicles, and that the sale of non-electric vehicles would be banned after 2030. These figures did not take include the active travel proposals in the scheme.

8.4 The Cabinet Member for Commercial Services and Asset Management reported that the proposed route ran through villages in his division. As a member of ecological charities, he was passionate about protecting the countryside and noted that this also included the people who lived in it. The Cabinet Member for Commercial Services and Asset Management reported that people living in the villages he represented were suffering with rat running which had worsened since the completion of the Broadland Northway. Cars and trucks backing up to allow vehicles to pass on rural roads was increasing emissions, causing erosion of hedgerows and causing a danger to residents. The Cabinet Member for Commercial Services and Asset Management was pleased that residents' concerns about remaining side roads was included in the reports where the NWL would meet the A47 at Honingham. The emphasis on protecting the environment and wildlife with mitigations in place including wildlife passes and underpasses would be beneficial, and it would be more damaging to not build the road than to build it.

8.5 The Cabinet Member for Adult Social Care, Public Health and Prevention:

- Noted the dualling of the A47 by Highways England due to be carried out from East Tuddenham to Easton which would include a junction to join the NWL to the A47 if the NWL project were to go ahead. There were therefore risks to not making this decision in a timely manner; if the A47 upgrade was built without the junction and the Council decided to go ahead with delivery of the NWL in future, there would be an even bigger cost to the taxpayer.
- Communities to the west of Norwich had large lorries and trucks travelling through them on small rural roads due to economic activity already taking place so a solution was required; residents of these areas stated that they wanted the road built.
- A key aspect looked for in the sustainable health system for Norfolk to improve people's individual health outcomes was economic prosperity, as this impacted on mental and physical health outcomes. Development of this road would give immense economic benefits to Norwich and other towns and villages outside of the city as businesses would be able to consider setting up in these areas.
- Government was proposing to pay for 85% of the road, via a one-off grant.

8.6 The Cabinet Member for Communities and Partnerships noted paragraph 2.2.7 of the report discussing rat-running through villages on the outskirts of Norwich. The Cabinet Member for Communities and Partnerships shared that she first stood as a Councillor as she wanted to address the issue of rat running in her area. Lower Easton suffered from nose to tail traffic in both directions and lorries travelling through the village would block through-traffic when they broke down. The lack of pavements in this area also caused difficulties for pedestrians. Costessey and the ring road in Norwich had similar traffic congestion issues, and the new road would take pressure off these areas; less traffic would mean lower carbon emissions for pedestrians, people at bus stops and in gardens in villages.

Rat running in rural villages had damaged footings of ancient housing. The development would also support emergency services to get around areas in the west of Norwich.

8.7 The Cabinet Member for Finance discussed financial aspects of the development; his comments are included below:

- Later today, Council was being asked to agree to include the figure of £186.836m in the forward capital programme, on the assumption it was funded by a DfT grant of £167.6m, which left a residual local contribution of £19.23m.
- The table at 6.2 on page 60 shows that the Council has already invested just over £11.5 million developing this project since 2017, of which just over £1,000,000 has been funded by DfT. Part of the remaining £10.5 million has been met with a contribution from the Business rates Pool of £2.631 million.
- Norfolk County Council's total contribution to the project is assumed to be just under £30 million. Current rates of interest, whether with PWLB or other money market instruments, are around 2%. Upon completion, the annual interest cost to the Council is forecast to be approximately £543,000. However, the £30 million is a local contribution: it is underwritten by Norfolk County Council but takes no account of any contribution from other sources, for example, the LEP or the Greater Norwich Infrastructure Investment Fund. This would reduce both our contribution and therefore our annual interest cost.
- When evaluating the project from a financial 'value-for-money' perspective, we should do so firstly with reference to the adjusted Benefit to Cost Ratio: this has been covered earlier by my colleague, the Member for Highways, but a 3.4 BCR is high value for money as defined by DfT. The OBC states that benefits would have to drop by over 40%, or costs rise by more than 70%, to move the BCR from High to Medium (OBC page 148).
- The quantitative criteria set by DfT are clear and focus primarily on the economic benefits of travel improvements: they are set out on page 44 of the Cabinet report. These include benefits that accrue to greater transport accessibility and journey time savings.
- The links between transport investment and productivity are widely accepted: better transport means better jobs; better jobs means more skilled jobs, means higher wages means a reduction and hopefully a reversal to Norfolk's wage gap between both East of England or the country as a whole. (the average wage in 2018 in Norwich was £501.40 per week, lower than the £558.10 and £570.90 average for the East of England and Great Britain respectively). This gap has widened over the last decade, increasing from £54.80 to £56.70 in the East of England, and from £64.80 to £69.50 across Great Britain. [OBC page 59].
- Continued economic development is dependent on attracting new businesses and increasing the productivity of existing firms. Again, better transport links are essential if we are to persuade more businesses to locate here, more families to come to live here, more young people to stay here. [While the greatest productivity benefits stemming from the introduction of a Norwich Western Link are expected in Broadland and Breckland (£21.6m and £23.9m respectively) they will be felt across the County.]
- The breakdown of costs are shown on page 59 of the Cabinet report under Section 6.2. As mentioned earlier, our contribution is up to £30 million, of which some £11 million has been spent already. As well as assessing Value

for Money, from a financial perspective deliverability, robustness of forecasts and contingent levels of financial risk are vital.

- First, the cost breakdown. Total costs are forecast at £140.8 million. The contract that we will sign is a New Engineering and Construction Contract, whereby construction risks are broadly shared by ourselves and the contractor. This is similar to the Third river Crossing Contract, which is a contract type that our procurement team is very familiar with and has been developed such that it follows industry good practice and allows for a balance of risk between the client and the contractor.
- We have built into the project a risk contingency valued at 28% of the project, or nearly £40,000,000. This covers potential costs that the design team have highlighted as of possible concern but to which we are not inevitably exposed.
- Over and above total costs and the risk contingency, we have also built in an additional £17.7 million (which assumes general inflation of 2.5% p.a and construction cost inflation of 3.9%).
- Second, the procurement process. Norfolk County Council has extensive experience procuring complex highway and structural engineering projects, which has created the foundation for Norwich Western Link's preferred procurement strategy. This means that the contract is split into two main stages: Stage one covering the design work to achieve full planning permission, while Stage 2 covers the building of the road itself. The onus will be on the contractor to complete detailed design work to a set budget; On stage 2, there is more incentive for the Contractor to innovate to achieve a better outturn cost as they are commercially rewarded for doing so.
- Third, finance considerations. At £30,000,000, the cost to the Council is significant but not enormously so. Our capex in the last financial year was £219,451,000 of which our requirement was £75,459,000. Our budgeted net revenue is forecast to be £439,000,000 in the current financial year, so an increase of some £500,000 is quite manageable in the context of providing a piece of infrastructure that so demonstrably supports economic growth, so clearly improves the quality of life and on which we are spending a considerable additional sum to make sure that the environmental costs of those benefits are mitigated.
- Financial risks to the Council are set out in Section 9 of our report. Section 9.1 states very clearly that this is not a wholly fixed price contract but that we have set aside contingency for this.
- Section 9.2 covers timing: because we do not want to see costs rise further by delaying the project, we are awarding the contract at the same time as submitting the OBC. Again, we clearly highlight that the potential cost to the Council is £3.5 million if our bid is unsuccessful. Against this we must weigh the increase in costs if we delay until approval is granted. Furthermore, the structure of the contract, divided into stages, means that our liability is limited to £3,500,000 up until planning permission is granted.
- Finally, I think it important to contextualise this within what we do. We deliver major projects for the benefit of Norfolk residents. We are part way through spending £120,000,000; four times the amount we are discussing today, on our new SEND schools and associated SRB's. We are spending £40,000,000; 33% more than we are speaking of today, on new housing with care facilities and supported housing for our younger adults and older people. We are spending £121million on the third river crossing of which we contribute £21 million, while the DfT pay for the majority of the balance. and are planning to spend £37m on the Long Stratton bypass; and £65 million

on the West Winch relief road, where we will underwrite some £15 million. Furthermore, we have invested, or have caused some £49 million to be invested in Better Broadband for Norfolk. It is our role and our duty to improve the outcomes for our most vulnerable children, create security for our older people. But job creation and wage growth should be at the heart of this Council's efforts to improve the wellbeing of the people of Norfolk and we must ensure that we invest in infrastructure to retain and attract the economic drivers that will keep making this happen.

8.8 The Cabinet Member for Innovation, Transformation and Performance had been lobbied by people asking for more public transport however noted that many people relied on a car for transport. Page 54 of the report set out that the new road would have an increase in and encourage more public transport, walking and cycling. As a Councillor on North Norfolk District Council, the Cabinet Member for Innovation, Transformation and Performance had written in support of the proposal due to the positive economic impact it would have on the area. The Norfolk and Norwich University Hospital had also written in support due to the reduction in accidents, improved road safety and shorter response times for people travelling to hospital and ambulances which were forecast. The Cabinet Member for Innovation, Transformation and Performance's area, Fakenham, would see tourism and economic benefits from the development; economic prosperity for the whole of Norfolk would improve and alongside broadband improvements this would help to keep Norfolk a competitive place for business.

8.9 The Cabinet Member for Children's Services noted that most respondents to the consultation were in support of the scheme. Links from Thorpe Marriott to the Norfolk and Norwich University Hospital and the University of East Anglia would be improved; ambulance response times in Norfolk were among the worst in the country and therefore this would be positive. With transfer stations in Costessey, the journey times of 20tonne lorries travelling to Costessey would be improved. The MP for Norwich North's main concern was increasing productivity and viability of employment sites in the north and whole of Norwich. The case for the NWL was that it would improve quality of life for residents, similar to residents to the north of Norwich since building of the Broadland Northway. Mitigations for environment put into the project showed that the right balance was being struck between providing a route to benefit residents and the economy and mitigate environmental circumstances. Bat bridges were found not to work on other developments, so bat underpasses and green bridges would be installed instead. Benefits of the new road to the tourism sector of increased accessibility would attract more people to visit the county. The development would benefit children who will be able to walk to school in villages in the surrounding area, with less traffic and lower emissions so that they would not suffer from respiratory conditions.

8.10 The Chairman summed up the key points for Cabinet Members to come to a decision by saying:

**GIVEN THE IMPORTANCE OF THIS DECISION I'M GOING TO SUMMARISE  
KEY POINTS FOR CABINET TO COME TO A REASONED AND  
REASONABLE DECISION**



**In overall terms the NWL is about better connectivity for the whole of Norfolk. It's a project intended to leverage a central government financial investment into Norfolk of nearly £170m. A project to underpin future growth in Norfolk's economy and for Norfolk's future.**

**The Cabinet report and the OBC are very detailed**

THESE KEY POINTS ARE:

## **1. Climate change**

There are specific paragraphs in the Cabinet report that relate to this - paragraph 1.1.4 on wider transport plans under Transport for Norwich and Transforming Cities funded projects.

Paragraph 1.2.5 refers to the Sustainable Transport Strategy. Sections 2.2 and 8.5 provide more details of what has been developed as part of the NWL project and is included in full as an appendix to the OBC.

Paragraph 8.5 refers to the adopted NCC Corporate Environmental Policy and LTP that will consider recent carbon reduction targets.

Assessment of carbon emissions from the construction, operation and decommissioning of the road will be developed once a Contractor is appointed. Emissions will be minimised and will follow Carbon Management in Infrastructure guidance.

Paragraph 9.8 refers to the recent legal challenges over government decision making and the need to consider climate change objectives. This will be addressed through the planning application/approvals process.

## **2. Environmental impacts including ecology, protection of natural habitats and ecological systems and biodiversity net gain (BNG)**

Section 2.1.12 acknowledges the objections and concerns raised.

Overall there is a need for further work following further surveys during 2021 and the development of the Environmental Statement that will support the planning application. This is being prepared.

Section 2.4.1 sets out the planning process and that an Environmental Impact Assessment (EIA) has now commenced which will inform the Environmental Statement, required to be submitted with the planning application.

Section 3.1.4 sets out that "The appointment of the design and build contractor at this stage in the project would enable the contractor's developing design and construction proposals to inform the Environmental Impact Assessment (EIA)."

The OBC refers to the Environmental Impact Report. Its summary acknowledges that there are large adverse impacts on bats (including reference to barbastelle bats). But also "This is a precautionary assessment and reflects the status of the mitigation strategy which is yet to be finalised."

This report identifies the habitats and ecology impacted by the project and provides enhancement measures being planned to support local bat populations. Paragraph 7.6.1 sets out that "Surveys for habitats and species impacted by the NWL are ongoing. However, based on the data currently available, outline mitigation and compensation strategies have been developed.

The OBC in paragraph 3.12.13 (in relation to bats) says that “It will be important to maintain habitat permeability and reduce the effects of habitat fragmentation that may otherwise occur.

Key paragraphs are 1.2.4 & 8.5 and also the many references in the OBC. At 1.7.6 “We are following Biodiversity Net Gain (BNG) and Environmental Net Gain (ENG) principles, aiming to leave all applicable habitats for wildlife in a measurably better state than before construction began.”

At 7.5.2, the OBC states “The NWL scheme will look to achieve a minimum of 10% biodiversity net gain through following DEFRA guidance on The Biodiversity Metric 2.0.”

### **3. Creation of “induced” traffic**

Paragraph 1.1.6 of the Cabinet report sets out that “there are as many as 45,000 daily trips on the wider network, crossing through the area west of Norwich between these two major roads. The NWL would provide a similar high standard route and is predicted to accommodate more than 30,000 vehicle movements a day.”

This indicates that the NWL is providing the appropriate and necessary relief to existing routes that are being used. It is growth that is being planned for and accommodated, not simply the new road filling with ‘induced’ traffic.

Section 3.3 of the OBC provides an ‘overview of methodology and assumptions of the traffic modelling’ section.

### **4. Increased carbon emissions**

Section 8.5 of the Cabinet report sets out that “The latest guidance for the calculation of emissions for transport schemes, as given in the DfT’s Greenhouse Gas Workbook has been used to assess changes to vehicle carbon emissions as a result of the NWL. The projections show that delivery of the Norwich Western Link would result in a reduction of over 450 000 tCO<sub>2</sub>e (equivalent tonnes of carbon dioxide) over the 60 year appraisal period, supporting local and national carbon reduction targets. This will benefit all residents in Norfolk and Norwich in improving air quality”

This is related to vehicle carbon emissions only but is a notable decrease in a comparison between a with and without NWL scenario. It does not include construction or operational related carbon as these are still to be assessed once the contractor is appointed and can then complete further work.

The project also includes “Significant levels of planting, included as part of the project’s environmental mitigation and enhancement aims, to help offset carbon emissions.”

All these combined provide confidence in what is stated in section 8.5 that “when considering both construction and operation, it is anticipated the Norwich Western Link will be beneficial in achieving reductions in carbon emissions”.

### **5. Ancient woodland**

Section 8.5 of the Cabinet report states “The NWL design seeks, as far as possible, to avoid impacts on designated ancient woodland and veteran

trees, however some individual ancient and veteran tree loss will be unavoidable.

The OBC in paragraph 7.6.6 states that “A veteran / ancient tree and hedgerow strategy is currently under development and further information regarding mitigation will be included within the ES following a complete baseline.”

## **6. Contamination of meadows**

Sections 8.4.9 to 8.4.12 of the Environmental Impact Report are key. With the appropriate mitigation measure in place the magnitude of impact to groundwater quality is considered to be Minor Adverse with a significance of Low Significance.”

## **7. The viaduct and Special Area of Conservation (SAC)**

In paragraph 4.1.6 a project specific objective, S5, is to “Protect the natural and built environment, including the integrity of the River Wensum SAC.”

Paragraph 1.1.9 refers to discussions with the Environment Agency and Natural England (since 2017) regarding the provision of a viaduct over the Wensum river and that the proposals are anticipated not to affect the integrity of the SAC.

## **8. Barbastelle bats**

The Cabinet report (section 3.1.4) sets out that further surveys are ongoing and that the Council “cannot rely on or give significant weight to assertions, summaries or interpretations of data where the data on which those assertions, summaries or interpretations are based is not made available, irrespective of the reasons why that is the case.

“The Council’s environmental assessment work will be examined through the planning application and all interested parties will have the opportunity to scrutinise the proposals and submit their views to Norfolk County Council’s Planning Authority, as the determining authority, as part of the planning application process.”

The key point is that we still continue to gather data that will inform the statutory approvals process, including further surveys during 2021.

## **9. Financial**

The introduction in the Cabinet report sets out that “The conclusion of the procurement process has informed the budget required to complete the project, which is included in the OBC, recognising its overall figure and the County Council’s commitment to underwrite the ‘local contribution’ to the project increasing from £23m to £30m.” There are opportunities to work with others to seek local contribution support (paragraph 6.4).

The Financial Case within the OBC includes the details for the revised budget (up to £198m). The increased costs are in the OBC ensuring that the Economic Case has been informed by the updated budget, and the cost to benefit ratio of 3.4 is based on latest figures.

This is a robust estimate informed by tender submissions. The estimate includes realistic allowances for risk including significant environmental

mitigation. COVID uncertainty, the state of the construction market and construction inflation.

The DfT contribution, once made in response to the OBC is a fixed amount and won't be increased. As NCC is underwriting the local contribution, it is accepting the risk of any budget increases beyond the £198m – as explained in paragraph 6.5.

## **10. Planning**

This will be an application to NCC rather than a DCO to the Secretary of State. It's a large project but is regarded as regionally significant not nationally significant.

The details are covered in section 2.4 of the Cabinet report.

## **11. Potential Public Enquiry**

Given the objections already received, it is highly likely that the Secretary of State will be asked for a Public Inquiry. This has been allowed for in the programme and budget.

## **12. Procurement and Justification for awarding the contract now**

It is essential to award the contract now to enable the contractor to develop the design for which they are responsible in support of the planning application process.

The contract has 3 stages (as set out in 4.2.4) and NCC is not committed to progress to stages 2 & 3 (construction and initial landscaping maintenance) “if the overall budget is exceeded, if funding is no longer available or if the statutory approvals are not confirmed”. There are no penalties within the contract for not proceeding to stage 2.

By awarding the contract before the approval of the OBC there is a financial risk to NCC, particularly if DfT do not approve the OBC and confirm the necessary funding for the project. It is a short-term risk, and the costs during that period would be in the order of £3.5m but this risk needs to be balanced against the risk of delay to the project.

Section 9.2 also captures the costs to date and for the current financial year commitment, which are capital expenditure (of c.£23.5m taken from the table set out in 6.2). As these are either costs paid by NCC, or underwritten by NCC then there is a risk that if the project were to stop completely, and thereby prevent the scope to provide some sort of 'capital asset', then the financial regulations would require costs to be repaid by revenue budgets, rather than using capital. This would only occur if there was a complete stop to the project and no scope for any capital asset to be realised.

## **13. Land acquisition**

In the first instance trying to agree the necessary land by negotiation is preferred. Section 4.4.1 sets out that “the compulsory purchase powers in the CPO would only be used where attempts to buy the necessary land by agreement were unsuccessful.”

## **14. Risks**

A project of this size and nature does have risks that are set out in section 9. In 9.1 it shows “For this contract responsibility for the design and construction rests with the contractor and they have an allowance in their pricing for these risks should they occur.” This differs from the Broadland Northway project where the design risk was retained by the client. The approach to the contract for the NWL is similar to that used for the Great Yarmouth 3<sup>rd</sup> River Crossing project.

The OBC sets out in paragraph 6.9.11 “Risks have been quantified in order to produce a risk-adjusted cost estimate. Further detail is provided in the Financial Case Section 4.2.”

The non-delivery of the A47 is considered in 9.3. As there is an established preferred route published for the A47 project and an accepted DCO application, as well as confirmed funding under the RIS1 programme, there is strong confidence regarding the likely delivery of that project.

There are other risks as listed in the summary bullet points of section 9.

### **The Dr Boswell Open Letter**

The letter is included with the Cabinet report details published online including the two documents referred to (from Dr Hassall – 19 February 2021 – and Dr Packman – 26 February 2021). Cabinet Members have seen these details in the context of today’s debate and decision-making process.

With specific reference to barbastelle bats NCC’s evidence continues to be collated and further surveys are being completed during 2021. To date there is no evidence from NCC surveys that there is a maternity roost within the project boundaries. We are aware of the foraging routes used by the bats and this has been factored into the mitigation measures developed to date (ie green bridges and underpasses as well as woodland and wetland habitat creation). The 2021 surveys will further inform the project design and the Environmental Impact Assessment and Environmental Statement that will support the planning application documents.

The evidence referred to has been continually requested but has not been provided.

### **15. Support**

Paragraph 1.2.7 of the Cabinet report is relevant. In the initial consultation in summer 2018, 86% of respondents said they wanted the council to consider the option of a new road link between the A47 and Broadland Northway.

In winter 2018/19, 77% of respondents either agreed or mostly agreed there was a need for a NWL.

The support for the project is listed in paragraph 2.1.10 in the Cabinet report, as well as the objectors to the project, listed at 2.1.12. It shows overwhelming support.

The consultation details are also discussed in the OBC document

### **The Chairman concluded with these 2 elements:**

### **16. The case for the NWL and the benefits it brings**

Section 2.1.13 in the Cabinet report sets out that “The adjusted benefit to cost ratio (BCR) is 3.4 based on the latest assumed overall budget position, which means it is considered to be in the ‘high’ value for money category (BCR between 2.0 and 4.0) according to DfT criteria for a transport infrastructure project.”

There are journey time benefits set out in the OBC and the table in the report at 2.1.13.

Section 2.1.13 also sets out some of the economic benefits for Norfolk over the 60 year appraisal period; £315million worth of travel time benefits; £31million worth of journey reliability benefits; Productivity gains of £107 million, as a result of workers becoming more productive due to improvements in connectivity; 515 fewer accidents, a saving worth £22million.

A47 work will see improvements to travel west of Norwich. This, along with the emergence of the Food Enterprise Park and completion of the Broadland Northway underlines the need for the NWL.

Section 1.1.12 sets out that the NWL is complementary to Transport for Norwich and improved infrastructure so that trips that do not need to be routed through the city have viable alternatives, of which the NWL is a major part. This also includes alternatives means of travel.

## 17. Outline Business Case

The ‘case for the scheme’ is set out in the Cabinet report from paragraph 2.1.2 to 2.1.9, taken from the Strategic Case within the OBC document. The case is considered to be strong and aligns with national, regional and local policies.

Paragraphs 4.1.4 and 4.1.5 in the Cabinet report build on this by reference to growth / inward investment, the existing problems and the impact of not changing.

The OBC covers all the details required by DfT to assess the scheme for funding.

The Chairman said that to his mind, Cabinet has considered all the aspects of making this decision today to take this project forward.

He referred Cabinet members to pages 32/33 of the agenda in particular recommendations 1 and 3. There was also an exempt appendix that Cabinet members have seen but do not need to make any reference to now.

### 8.11 Cabinet **RESOLVED** to:

1. Agree to the continued delivery of the project and to the submission of the Outline Business Case to the Department for Transport (DfT), to secure a total of c.£169m of government funding for the project for Norfolk.
2. Following the outcome of the procurement process for the project, to agree to award the contract to the bidder that has achieved the highest score in accordance with the evaluation criteria, and to delegate to the Executive Director of Community and Environmental Services in consultation with the Cabinet Member for Highways, Infrastructure & Transport, the authority to approve the finalisation and signing of the contract

3. Agree to the commencement of the non-statutory pre-planning application consultation in the autumn of 2021 and to delegate to the Cabinet Member for Highways, Infrastructure & Transport in consultation with the Executive Director of Community and Environmental Services, the authority to approve the details for that consultation, which will be based on the design solution developed by the successful bidder (see item 3 above).
4. Authorise the Executive Director of Community and Environmental Services to take all appropriate actions necessary for the purpose of negotiating the terms and conditions to acquire by agreement (in advance of the CPO) the land and new rights over land which are needed to allow the construction, operation and maintenance of the NWL.
5. Agree to acquire land required for the delivery of the NWL project by negotiated agreement and if this is not achievable in the timescales required, to agree in principle to the Council's use of compulsory purchase powers, and for authority to be delegated to the Executive Director of Community and Environmental Services to proceed with preparatory work (including land referencing and requisitions for information) to facilitate the drafting of, and all necessary steps to prepare for the making, publication and submission to the DfT for confirmation, of a compulsory purchase order (CPO) in support of the NWL project (noting that a further Cabinet resolution will be sought in due course, to authorise the making, publication and submission of the CPO and confirming the final details therein).
6. Agree in principle to the Council's making of a side roads order (SRO) under the Highways Act 1980 to authorise works necessary in connection with the delivery of the NWL project, and to the subsequent making, publication and submission of the SRO to DfT for confirmation, and for authority to be delegated to the Executive Director of Community and Environmental Services to proceed with preparatory work to facilitate the drafting of, and all necessary steps to prepare for the making, publication and submission of the SRO to the DfT for confirmation (noting that a further Cabinet resolution will be sought in due course, to authorise the making, publication and submission of the SRO and confirming the final details therein).
7. Delegate to the Executive Director of Community and Environmental Services, the authority to approve purchase orders, employer's instructions, compensation events or other contractual instructions necessary to effect changes in contracts that are necessitated by discoveries, unexpected ground conditions, planning conditions, requirements arising from detailed design or minor changes in scope subject always to the forecast cost including works, land, fees and disbursements remaining within the agreed scheme budget.

#### 8.12 **Evidence and Reasons for Decision**

See report, paragraphs 4.1 - 4.4.1 (pages 52-57)

#### 8.13 **Alternative Options**

See report, paragraphs 5.1-5.4 (pages 57-59)

## 9. Authority to enact capital programme

9.1 The Cabinet Member for Finance introduced the report to Cabinet. The recommendation covered decisions reached at February's Council meeting and did not refer to additional spending. The report delegated necessary authority for directors to undertake detailed work in accordance with criteria. The Cabinet Member for Finance moved the recommendations as set out in the report.

9.2 Cabinet **RESOLVED:**

A To undertake a programme of capital works for which Council has agreed a budget, as further set out in the paper Capital strategy and programme 2021-22 (the "Programme Paper") approved by Cabinet on 1 February 2021.

B To delegate:

B1) To the Director of Procurement authority to undertake the necessary procurement processes including the determination of the minimum standards and selection criteria (if any) and the award criteria; to shortlist bidders; to make provisional award decisions (in consultation with the Chief Officer responsible for each scheme); to award contracts; to negotiate where the procurement procedure so permits; and to terminate award procedures if necessary;

B2) To the Director of Property authority (notwithstanding the limits set out at 5.13.6 and 5.13.7 of Financial Regulations) to negotiate or tender for or otherwise acquire the required land to deliver the schemes (including temporary land required for delivery of the works) and to dispose of land so acquired that is no longer required upon completion of the scheme;

B3) To each responsible chief officer authority to:

- (in the case of two-stage design and build contracts) agree the price for the works upon completion of the design stage and direct that the works proceed; or alternatively direct that the works be recompeted
- approve purchase orders, employer's instructions, compensation events or other contractual instructions necessary to effect changes in contracts that are necessitated by discoveries, unexpected ground conditions, planning conditions, requirements arising from detailed design or minor changes in scope subject always to the forecast cost including works, land, fees and disbursements remaining within the agreed scheme or programme budget.

C That the officers exercising the delegated authorities set out above shall do so in accordance with the council's Policy Framework, with the approach to Social Value in Procurement endorsed by Cabinet at its meeting of 6 July 2020, and with the approach set out in the paper entitled "Sourcing strategy for council services" approved by Policy & Resources Committee at its meeting of 16 July 2018.

9.3 **Evidence and Reasons for Decision:**

Cabinet recommended adoption of the capital budget, including adoption of new schemes on the basis of the justifications set out in Appendix D to the programme paper. It is now logical that it approves enactment of the programme. Expedient execution of the programme requires the delegations to officers set out in this programme.

9.4 **Alternative Options**



Cabinet could choose not to approve the delegations set out herein. This would require a plethora of individual cabinet or cabinet member decisions and be likely to delay programme execution: this course of action is not recommended.

## **10 Norfolk Armed Forces Covenant Annual Report**

- 10.1 Air Commodore Kevin Pellatt, the Armed Forces Commissioner, thanked the armed forces for their work in the community during the Covid-19 pandemic. It had been a challenging year for all and for the organisations represented by the armed forces covenant board.
- Since the start of the pandemic the Board had reconfigured how they worked with clients, especially older veterans. The pandemic had also impacted on the Board's action plan, as it had not been possible to get out and promote the covenant plan as much as intended.
  - The Board were on course to deliver their amended plan.
  - As reported previously, a new dental centre had been built at RAF Marham.
  - A booklet had been delivered to all schools giving information on the service pupil premium and best practice examples of its use and talking about issues which service children and their families may face.
  - A successful event with Town and Parish Councils had encouraged them to sign up to the pledge and others were also planning to do too.
  - The Board had re-thought their priorities for 2021-22 and would launch a wellbeing fund to support mental health and reduce social isolation of the armed forces community.
  - A focussed piece of work would be carried out working with the renewable energy sector to encourage them to sign the pledge, to support people leaving the forces to find work in this sector
  - A Norfolk-wide covenant pledge was being considered to encourage statutory bodies to align the pledge to their work
  - Air Commodore Pellatt thanked Council Support Officers for their support given to the Armed Forces Covenant Board.
- 10.2 The Cabinet Member for Communities and Partnerships moved the recommendations as set out in the report.
- 10.3 The Chairman asked what the biggest challenge would be in the next 12 months to progressing the work of the Covenant. Air Commodore Pellatt replied that being able to get out to promote the Covenant would be the biggest challenge. The idea of a website for the Covenant was also being discussed.
- 10.4 The Cabinet Member for Adult Social Care, Public Health and Prevention noted the importance of the Covenant and was glad there was continued investment in it; the veteran population of Norfolk was 90,000 which was 10% of the total population. The Cabinet Member for Adult Social Care, Public Health and Prevention supported and congratulated the work of the Covenant Board and endorsed the proposed partnering with Adult Social Care and the Carers Charter.
- 10.5 The Cabinet Member for Innovation, Transformation and Performance noted that it was important for District Councils to provide housing support for people leaving the forces and help in finding employment. The Cabinet Member for Innovation, Transformation and Performance endorsed the report and thanked everyone currently serving in the forces and veterans.

10.6 the Cabinet Member for Children’s Services endorsed section 2.10 of the report which discussed the work done around the service pupil premium and with schools to make them aware of this and the issues for services families which were important to recognise.

10.7 The Vice-Chairman supported the report and recognised the importance of the work with the offshore energy sector to help people leaving the forces find work in this sector.

10.8 Cabinet **RESOLVED** to:

1. Note the local and national developments set out in Section 1 of the report, particularly the Government’s progress towards legislating a new duty of due regard for local authorities, requiring them to consider the impact of their policies on the armed forces community, and that a further report setting out any associated implications and considerations arising from this will be brought to Cabinet once further information is available.
2. Review and comment on the progress made in 2020/2021 to deliver the norfolk Armed Forces Covenant Action Plan 2019/2022, as summarised in section 2 of the report.
3. Endorse the Armed Forces Covenant Board’s forward strategy for2021/2022, as set out in Section 3 of the report.

#### 10.9 **Evidence and reasons for Decision**

The evidence for the proposals is set out in sections 1, 2 and 3. The work of the Board helps ensure a focus on supporting the needs of both serving armed forces communities and their families, as well as the 90,000 veterans and their families who live and work in Norfolk.

#### 10.10 **Alternative Options**

N/A

### 11 **Joint Committee for Transforming Cities Fund Projects – Revision to Terms of reference**

11.1 The Cabinet Member for Highways, Infrastructure and Transport discussed that work was underway to review the Transport Strategy for Norwich utilising the successful partnership with Norwich City Council, Broadland District Council and South Norfolk District Council for delivering Transport for Norwich projects. It was proposed to change the terms of reference of this body as set out on pages 90-91 of the report. The Cabinet Member for Highways, Infrastructure and Transport moved the recommendations as set out in the report.

11.2 Cabinet **RESOLVED** to:

- Agree the revised terms of reference for the Transforming Cities Joint Committee as set out in Appendix A of the report.

### 11.3 **Evidence and Reasons for Decision**

The existing joint committee is working well to provide a partner approach to delivery. This proposal provides a practical approach to governance for strategy development that utilises existing arrangements that are accustomed to dealing with transport issues in the Norwich area.

### 11.4 **Alternative Options**

An alternative option would be to make no change. This option is not considered to be reasonable it would not address the need to provide joint member input from partners to guide Transport for Norwich Strategy development.

## 12 **Annual Treasury Management Outturn Report 2020-21**

12.1 The Cabinet Member for Finance discussed that this report tied into the financial monitoring report at item 13 of the agenda, gave an overview of treasury activity over the previous financial year, 2020-21 and showed the Council's compliance with strategy and policy. The Council debt at 31 March 2021 was £749m with £50m borrowed in-year. Capital expenditure for the year 2020-21 was £219.451m. Borrowing of 50m in 2021 left £10m to be funded of the capital requirement; the total under-borrowed position was £ 93m. The under-borrowed position would be brought back down in 2021-22. The Cabinet Member for Finance moved the recommendations as set out in the report.

12.2 Cabinet **RESOLVED** to:

Endorse and recommend to County Council the Annual Treasury Management Outturn Report 2020-21 as set out in Annex 1 of the report.

### 12.3 **Evidence and Reasons for Decision**

#### **Annual Treasury Management Outturn Report**

The annex attached to the report sets out details of treasury management activities and outcomes for 2020-21, including:

- Investment activities
- Borrowing strategy and outcomes
- Non-treasury investments
- Prudential indicators.

#### **Governance, Control and Risk Management of Treasury Management Report**

The Council's 22 April 2021 Audit Committee considered and agreed this report, noting that it provided assurance to the Audit Committee as to the adequacy and effectiveness of the governance, control and risk management arrangements for Treasury Management.

### 12.4 **Alternative Options**

In order to achieve treasury management in accordance with the Council's treasury management strategy, no viable alternative options have been identified to the recommendation in this report.

## 13 Finance Monitoring Report 2020-21 Outturn

13.1 The Cabinet Member for Finance introduced the report to Cabinet:

- The report was forward looking, putting in place a robust financial position to take the Council through a difficult budget setting process.
- The last financial year brought the Council £430m net budget in line with forecasts made before the pandemic.
- Increased departmental reserves had been made to protect against Covid-19 related “aftershocks”.
- £4m had been transferred into general reserves, bringing them up to 5% of the forecast net budget.
- Most of the Covid-19 related “aftershocks” had been seen in adult social care, public health and children’s services. In adult social care, additional costs had been seen for example through hospital discharge costs and an impact on transformational benefits through more people contacting the service and limited progress on supported living reviews. In children’s services, increased, unfunded support for schools had been seen as well as market pressure for transport and unpredictable demand caused by national and pandemic lockdowns.
- £1.9m had been set aside to assist with unforeseen pressures and to help with getting the Council’s economy back on track after the pandemic
- £4m had been transferred to the reserves helped by underspends during 2020-21, including a reduction in Councillor travel expenditure.
- The recommendations included the formal write off of 4 debts and for Harvey Bullen to replace Simon George as director of Legislator 1656 Limited and of Legislator 1657 Limited in accordance with Financial Regulations.
- The Cabinet Member for Finance moved the recommendations as set out in the report.

13.2 Cabinet **RESOLVED** to:

1. Approve the appointment of Harvey Bullen, Director of Financial Management, as a director of Legislator 1656 Limited and of Legislator 1657 Limited in accordance with Financial Regulations, to replace Simon George, Executive Director of Finance and Commercial Services, as set out in paragraph 2.2;
2. Approve the write-off 4 debts over £10,000 totalling £133,905.59 due to the exhaustion of one estate and the dissolution of three companies where there is no further possibility of recovery, as set out in Appendix 1 paragraph 9.10;
3. Note that the revenue outturn for 2020-21 is a balanced budget;
4. To note the General Balances at 31 March 2021 have increased to **£23.763m**, after transfers of **£4.056m** from non-Covid related savings and underspends in Finance General;
5. To note the year end reserves of **£154.1m** which are subject to confirmation of the tax income guarantee and any final year end audit adjustments.
6. To note the COVID-19 costs of **£103.837m**, grant funding received of **£132.701m**, and total transfers to Covid risk and grant reserves of **£54.437m** resulting in net in year unsupported Covid-19 costs of **£25.573m**, as set out in table 4d;

7. To note the saving shortfall of **£17.255m**, as described in Appendix 1 paragraph 6;

8 To note the expenditure and funding of the revised current and future 2020-24 capital programmes

### 13.3 **Evidence and Reasons for Decision**

Two appendices are attached to this report giving details of the forecast revenue and capital financial outturn positions:

**Appendix 1** summarises the revenue outturn position, including:

- Forecast over and under spends
- Covid-19 pressures and associated grant income
- Changes to the approved budget
- Reserves
- Savings
- Treasury management
- Payment performance and debt recovery.

**Appendix 2** summarises the capital outturn position, and includes:

- Current and future capital programmes
- Capital programme funding
- Income from property sales and other capital receipts.

### 13.4 **Alternative Options**

In order to deliver a balanced budget, no viable alternative options have been identified to the recommendations in this report.

## 14 **Reports of the Cabinet Member and Officer Delegated Decisions made since the last Cabinet meeting:**

14.1 Cabinet **RESOLVED** to **note** the Delegated Decisions made since the last Cabinet meeting.

## 15 **Exclusion of the Public**

15.1 Cabinet resolved **not** to go into private session as they would not need to discuss the exempt appendix to item 8, Norwich Western Link.

## 16 **Norwich Western Link- Exempt Appendix**

16.1 Cabinet did not need to discuss the exempt appendix.

The meeting ended at 12:17

**Chairman**

<b>Agenda item 6</b>	<b>Public Question Time</b>
6.1	<p><b>Question from Cllr Denise Carlo</b></p> <p>In the event of the Wensum Valley within the Study Area being designated as a potential candidate Special Area of Conservation/SSSI owing to the very large presence of barbastelle bats and the environmental impact on biodiversity being reappraised as ‘Very Large Adverse’ , will Norfolk County Council abandon its Preferred Route and develop a sustainable transport strategy based on traffic reduction and shift to sustainable modes of transport?</p> <p><b>Response from the Cabinet Member for Highways and Infrastructure</b></p> <p>The project team will continue to consider any new information relevant to the Norwich Western Link as it becomes available and consider any potential implications it could have.</p> <p>Regarding this specific point, section 3.1.4 of the cabinet report states the following: “... in the context of the statements about conservation status which are made in the open letters received (<a href="#">see link here</a>), whilst the Barbastelle bat is a European protected species, unless or until steps are taken by the relevant regulatory bodies to make the relevant designations, their habitat has no status as a Special Area of Conservation or Site of Scientific Special Interest (and accordingly, the legal and policy considerations associated with those designations are not applicable).”</p> <p><b>Supplementary Question from Cllr Denise Carlo</b></p> <p>Cllr Carlo noted that the indication of the Council’s reply to her question was that SOP status will dramatically change. Cllr Carlo asked if the council would share with the public the legal opinion that the council will take on the planning application associated with the construction and operation of the road.</p> <p><b>Written response from the Cabinet Member for Highways, Infrastructure and Transport:</b></p> <p>Our original response did not speculate on any potential changes but rather suggested that we will continue to use an evidence-based approach to our work and consult with the relevant statutory bodies. The Council does not routinely publish the legal advice it receives.</p>
6.2	<p><b>Question from Cecilia Rossi</b></p> <p>According to the draft Outline Business Case for the Norwich Western Link (May 2021) the loss of irreplaceable ancient and veteran trees “will not be factored into BNG calculations” (137). How can biodiversity net gain be achieved when the loss of complex and irreplaceable habitat is being factored out of the calculations?</p> <p><b>Response from the Cabinet Member for Highways and Infrastructure</b></p> <p>We are seeking to achieve biodiversity net gain on all applicable habitats, as set out by Defra. Ancient and veteran trees are not included in Natural England’s biodiversity net gain calculator and our ecologists will develop a separate</p>

compensation strategy for any trees identified as ancient or veteran on which the project will have an impact. This strategy will follow the appropriate legislation and policy associated with those habitats.

**Supplementary question from Cecilia Rossi**

A recent arboriculture report (WSP April 2021) commissioned by WSP for the Norwich Western Link project team suggests that the loss of ancient trees and woodland along the route is a large adverse impact that “will persist for the lifetime of the scheme and beyond” (37). How can environmental mitigation be achieved when the same report suggests that “the loss of high quality arboricultural features can't be mitigated through replacement planting and other measures”(37)?

**Response from the Cabinet Member for Highways and Infrastructure**

The Norwich Western Link avoids impacts on ancient woodland. As set out in the arboriculture report referenced, any ancient or veteran tree loss as a result of the project will be accounted for through a dedicated compensation strategy. We want to create a positive lasting legacy for wildlife through the project by creating and improving habitats across a wide area to the west of Norwich. Improvements will be tailored to support wildlife that already exists in the area to the west of Norwich, including the barbastelle bats.

6.3

**Question from Bryan Robinson**

I have been informed by the Head of Planning that his department will carry out a Habitats Regulation Assessment for the NWL when a detailed application is received. Section 63 of the Regulations requires Authorities to carry out an Appropriate Assessment before giving any consent or authorisation to a plan as or project. Government Guidance (February 2021) includes “funding plans” within examples when a proposal is a plan, or change to a plan. The Cabinet is making recommendation to the Council to approve changes to the authorised planned budgets, to incorporate the NWL capital project. Can you give assurance of the validity for this recommendation without undertaking the HRA?

**Response from the Cabinet Member for Highways and Infrastructure**

The submission of the OBC and changes to budgets are not considered to be a “plan” in the sense in which that term is used in Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (“Habitats Regulations”), because a decision by the Cabinet to agree to the recommendations put before it would not in its own right prescribe, set the framework for, or otherwise dictate whether any particular type of development or activities will take place within a certain area. Those functions would instead continue to be regulated under the planning regime through the plan making and development management approval processes.

The activities (for which Cabinet authorisation is currently sought) are clearly distinct from and do not amount to authorisation or permission to carry out the NWL as a “project” for the purposes of the Habitats Regulations. Where such authorisation or permission were, subsequently, to be sought, the Council’s duties under the Habitats Regulations would be carefully addressed through the planning process.



	<p><b>Supplementary Question from Bryan Robinson</b></p> <p>If legal confirmation and/or advice have been obtained why is this not publicly available; conversely, if legal advice has not been sought or received should not the recommendation to full Council to authorise the construction contract as a budget change be delayed until the legality for consent to changes to a plan without an Appropriate Assessment as required by the Habitats Regulations is clarified?</p> <p><b>Response from the Cabinet Member for Highways and Infrastructure</b></p> <p>The Council does not routinely publish the legal advice it receives. For the reasons discussed in response to Mr Robinson's first query (6.6 above), it is not considered that the matters raised (in relation to Appropriate Assessment under the Habitats Regulations) justify any delay to the decision which the Cabinet and Full Council are being asked to make.</p>
6.4	<p><b>Question from John Wells</b></p> <p>Why does the proposed route for the Norwich Western Link (immediately after the proposed viaduct) aim directly through the amenity woodland that is owned by at least a dozen different landowners, when this could so easily be avoided. Why can this route not be adjusted to stop this needless destruction?</p> <p><b>Response from the Cabinet Member for Highways and Infrastructure</b></p> <p>The proposed route has been designed with consideration to all constraints along the corridor, which have informed the alignment to minimise impact on adjacent landowners and environmental features. Provisions are in place to protect natural assets (for example the scheme has been developed to avoid loss of areas of designated ancient woodland) as much as possible through the design and construction methodology, whilst mitigating impacts where necessary</p>
6.5	<p><b>Question from Gabriella Ditton</b></p> <p>When can we expect the cabinet to prioritise the climate emergency over the economy?</p> <p><b>Response from the Cabinet Member for Environment and Waste</b></p> <p>In response to concerns around climate change, Norfolk County Council adopted an ambitious new Environmental Policy in November 2019. This Policy sets out the goal for Norfolk County Council of achieving 'net zero' carbon emissions on our estates by 2030, and the means by which we will achieve this. Beyond our immediate estate, we also recognise our role within the wider County working with Government, District Councils and other key organisations in both the public and private sectors. Since the adoption of the Policy, significant work has been undertaken across a number of delivery areas including working with partners, communities and landowners to plant one million trees over five planting seasons; working with partners on a major active travel programme including the development of new walking and cycling infrastructure and EV charging points; and further work has successfully been completed on our long-term plans to install LED streetlights across Norfolk.</p> <p><b>Supplementary question from Gabriella Ditton</b></p> <p>What is the council's plan to protect its residents from the devastating effects a</p>

	<p>projected 4 - 6° temperature rise (above pre-industrial levels) before the end of the century?</p> <p><b>Response from the Cabinet Member for Environment and Waste</b></p> <p>The Council's approach to tackling climate change is set out in full in the Environmental Policy adopted in November 2019 and available on the County Council website.</p>
6.6	<p><b>Question from Adrian Holmes</b></p> <p>The assertions of carbon reductions are based on projected traffic flows, with the claim that shorter journey times will mean lower CO2 emissions. Can the Cabinet member provide quantified evidence that the NWL will not increase overall traffic flows and therefore increase CO2 emissions more than alternative options?</p> <p><b>Response from the Cabinet Member for Highways and Infrastructure</b></p> <p>The Option Selection Report (OSR) includes a comparison of the CO2 emissions predicted by each of the shortlisted options considered. A number of different factors were taken into account when choosing the preferred option including engineering, traffic, environmental and public consultation.</p> <p>The more recent assessment has been completed to support the Outline Business Case and has only assessed the preferred route.</p> <p>Greenhouse Gases are discussed in the Outline Business Case (OBC) in Section 3.8.27 to Section 3.8.30.</p> <p><b>Supplementary question from Adrian Holmes</b></p> <p>Mr Holmes said it was reported that the NDR had caused an increase in traffic and that dualling of the A47 would do the same. He asked what evidence there was that this would not be the case with the building of the Norwich Western Link.</p> <p><b>Response from the Cabinet Member for Highways and Infrastructure</b></p> <p>The Cabinet Member for Highways, Infrastructure and Transport replied that there was support for the Norwich Western Link from local people living to the west of Norwich, and the development would cut down on rat running in this area, positively impact on community services and had support from the business sector. Building this section of road would reduce journey times and be an important scheme for Norfolk and the East of England.</p>
6.7	<p><b>Question from Jonny Benton</b></p> <p>How do the proposals intend to preserve the protected barbestelle bat population within the wensum Valley from habitat destruction, as these are a protected species under the wildlife and countryside act 1981. They only inhabit ancient woodland and cannot relocate to new habitats that do not exist, so new replacement woodland</p>

	<p>would not protect the woodland, and bat bridges as seen on the NDR have no significant proof of working to protect bats, and also do not replace the habitat lost, and so I would like to know what other options can be considered, as otherwise this area cannot be disturbed.</p> <p><b>Response from the Cabinet Member for Highways and Infrastructure</b></p> <p>There is no loss of designated areas of ancient woodland in order to enable the scheme.</p> <p>Baseline data collected from extensive bat surveys undertaken since 2019 will inform the proposed mitigation and compensation strategy, which will follow the mitigation hierarchy, with an aim to avoid, mitigate and then compensate.</p> <p>Habitat creation will be utilised to create connectivity within the wider landscape, linking mature woodlands and barbastelle habitats. In addition, woodlands will be enhanced for bats (and other protected species), as well as to help achieve the project's Biodiversity Net Gain aims.</p> <p>The green bridges and wildlife underpasses included within our proposals will aim to maintain connectivity within the wider landscape. Bat gantries as seen on the NDR will not be included as part of mitigation strategy for NWL.</p> <p><b>Supplementary question from Jonny Benton</b></p> <p>How can the council justify the destruction of irreplaceable ancient woodland habitats in the wensum valley, as the loss of irreplaceable habitats at a time of climate emergency can surely not be quantified by merely "predicted" economic upturn.</p> <p><b>Response from the Cabinet Member for Highways and Infrastructure</b></p> <p>The scheme has been developed to avoid loss of areas of designated ancient woodland.</p>
6.8	<p><b>Question from Gawain Godwin</b></p> <p>You will be aware that Council have been reported to the Norfolk Police Rural Crime Unit for the 'deliberate disturbance' of a European Protected Species on the NDR. On what basis is the council prepared to spend public money in defending the inevitable legal action which will be taken against them if the NWL is built, and the resulting unavoidable disturbance to wildlife occurs, resulting in heavy fines, payable from the public purse ?"</p> <p><b>Response from the Cabinet Member for Highways and Infrastructure</b></p> <p>The works carried out for the NDR that related to European Protected Species were completed under licence from Natural England (NE). Correct processes were followed by the licence holder with NE throughout the delivery of that project. We are not aware of any reports to the Norfolk Police Rural Crime Unit.</p>
6.9	<p><b>Question from Andrew Cawdron</b></p> <p>This Council is about to commit significant public funds to allow for further surveys and design for the Western Link Road, with some apparent open ended expenditure</p>

	<p>against Planning Difficulties being experienced. Can this Cabinet assure us that the Contract does not carry any penalty clauses, (as e.g. were triggered on the failed Incinerator contract), in the event that Planning Consent or other "stop" eventualities mean that the dual carriageway works cannot progress ?</p> <p><b>Response from the Cabinet Member for Highways and Infrastructure</b></p> <p>The Cabinet report, in section 4.2.4, sets out the stages of the contract and that there are safeguards should the project not proceed to stage 2 (construction). Section 9.2 in the cabinet report discusses risk and states that there are no penalties under the contract.</p> <p><b>Supplementary question from Andrew Cawdron</b></p> <p>Mr Cawdron asked, in light of ecological destruction the development of the Norwich Western Link would bring, if it was wise to award a contract with further detailed environmental surveys when the contractor had vested interests in not finding or removing unhelpful obstructions of rare plants, rare wildlife or veteran trees when costs or delays are involved.</p> <p><b>Response from the Cabinet Member for Highways and Infrastructure</b></p> <p>The Cabinet Member for Highways, Infrastructure and Transport replied that the Council was aware that the area was environmentally sensitive and would put appropriate mitigations in place to safeguard wildlife, improve the area for wildlife and the environment and improve the environment for people living in the surrounding area.</p>
6.10	<p><b>Question from Catherine Oliver</b></p> <p>On the basis planned development in the North Western Quarter is not dependant on the construction of the Western Link road, and bearing in mind there already exists a viable connection between the Strategic Road Network and Major Road Network ( via Postwick), can the Cabinet member explain how it can be claimed this road can be viewed as "nationally significant"?</p> <p><b>Response from the Cabinet Member for Highways and Infrastructure</b></p> <p>There has not been a claim that the NWL is nationally significant. The planning process for the project is discussed in section 4.3 of the Cabinet report.</p>
6.11	<p><b>Question from Lesley Grahame</b></p> <p>The Climate Change Committee states that a 70% reduction in transport emissions is required by 2050 in order to stay within carbon budgets. The total reduction in emissions projected from this scheme is estimated at 1.55%. How will the council assess in the Environmental Impact Assessment alternative proposals that would deliver greater reductions in transport emissions, for example investing more in public transport?</p> <p><b>Response from the Cabinet Member for Environment and Waste</b></p>

If the Cabinet agrees to the recommendations which have been put to it, then the Council, in its capacity as the applicant for planning permission for the NWL project, will prepare an Environmental Statement to accompany the planning application. The Environmental Statement will include a description of the reasonable alternatives studied by the Council (as applicant) which are relevant to the NWL and its specific characteristics, and an indication of the main reasons for the option chosen, taking into account the effects of the proposal on the environment.

#### **Supplementary Question from Lesley Grahame**

Ms Grahame noted that the answer to her substantive question asserted there would be environmental assessments in the Norwich Western Link project. She asked, with the trajectory of 2 degrees of global warming, how bad the situation would have to get before the Council put its duty of care to residents being exposed to climate breakdown first and stop making the problem worse. She noted that current assessment showed that 1.5% in carbon emissions may be saved over the lifetime of the road when 100% needed to be saved.

#### **Written response from the Cabinet Member for Environment and Waste**

The latest guidance for the calculation of emissions for transport schemes, as given in the DfT's Greenhouse Gas Workbook has been used to assess changes to vehicle carbon emissions as a result of the NWL. The projections show that delivery of the Norwich Western Link would result in a reduction of over 450 000 tCO<sub>2</sub>e (equivalent tonnes of carbon dioxide) over the 60-year appraisal period, supporting local and national carbon reduction targets.

The county council's environmental policy, adopted in 2019, sets out our wider commitment to care for Norfolk's environment and reflect the increasing importance that climate change has on all aspects of the environment. The goals and aims of the environmental policy can be viewed [here](#).

6.12

#### **Question from Gil Murray**

How were the contractor's standards for the environmental work for the Western Link assessed and scored during the procurement?

#### **Response from the Cabinet Member for Highways and Infrastructure**

The tenders from the shortlisted bidders were assessed on the basis of quality (77%) and cost (23%). Environmental standards and approaches are integral to many elements of the project which were assessed within the 'quality' weighting, including construction methodology, engineering design and architectural design. The contractor's scores are commercially sensitive as set out in the Cabinet report.

#### **Supplementary question from Gil Murray**

Mr Murray noted that the response to his substantive question about the Norwich Western Link stated that quality was commercially sensitive, and therefore asked how the public or Council could be assured that the contractor would meet the required standards of environmental work; he asked if it was in the interests of the council and public for contractors to see how contractors achieve standards, so

	<p>others could be made to be more competitive.</p> <p><b>Response from the Cabinet Member for Highways and Infrastructure</b></p> <p>The Cabinet Member for Highways, Infrastructure and Transport replied that the Council took all environmental issues very seriously with regards to the Norwich Western Link project and had worked with and would continue to work with the appointed contractor throughout the duration of the scheme.</p>
6.13	<p><b>Question from Adam Green</b></p> <p>The council claims that the Western Link will somehow result in reduced carbon emissions. Please can the cabinet member provide evidence to back this claim up?</p> <p><b>Response from the Cabinet Member for Highways and Infrastructure</b></p> <p>The methodology used to calculate that the Norwich Western Link would result in a reduction in carbon emissions from vehicles is set out in the cabinet report at 8.5. Further detail is provided in the Outline Business Case, and within Environmental Impact Report and Economic Appraisal Report, all published with the Cabinet papers.</p> <p><b>Supplementary question from Adam Green</b></p> <p>Mr Green stated that there was widely available evidence that schemes such as the development of the Norwich Western Link always resulted in increased carbon emissions by increased cars or increased speed of travel; widely available evidence showed that 80% of supposed evidence of electric vehicles was wiped out by the environmental cost of building the Norwich Western Link before taking into account the cost dis-benefit of electric vehicles.</p> <p><b>Response from the Cabinet Member for Highways and Infrastructure</b></p> <p>The Cabinet Member for Highways, Infrastructure and Transport replied that there would be a reduction in carbon emissions from building the Norwich Western Link and reduction in rat running through villages in the west of Norwich. For example, on the day of the meeting the A47 bypass was closed resulting in an increase in traffic travelling through the city causing congestion. If the ring road could have been used this would improve air quality in the city.</p>
6.14	<p><b>Question from Hanne Lene Shierff</b></p> <p>On p. 40 in the OBC report objectives of the National Policy Planning Framework, NPPF, which the NWL plans are supposed to sit within, are listed.</p> <p>Please can you explain how the NWL will help to improve biodiversity in the Wensum Valley which is one of the key objective in the NNPF?</p> <p><b>Response from the Cabinet Member for Highways and Infrastructure</b></p> <p>The NPPF sets out policies to ascertain that appropriate opportunities are taken for avoiding and mitigating adverse effects and achieving net environmental gains. The</p>

	<p>impacts on biodiversity will be assessed and reported in the Environmental Statement and Habitat Regulations Assessment that will be produced as part of the planning application submission. This assessment will identify mitigation requirements and the Construction Environmental Management Plan will outline the mitigation.</p> <p>As part of the project's biodiversity net gain aims, we are planning to create new habitats for wildlife and improve existing ones across a wide area to the west of Norwich. Improvements will be tailored to support wildlife that already exists in the area.</p>
6.15	<p><b>Question from Clive Lewis MP</b></p> <p>The UK is a signatory to the United Nation's 2030 Agenda for Sustainable Development. The Sustainable Development Goals are universal with all signatories expected to contribute to them both internationally and domestically.</p> <p>As such can councillors explain how the Western Link, given its known impact on local biodiversity in the Wensum Valley, can be seen as compatible with goals - 8, 9, 11, 13, 15 and 16?</p> <p><b>Response from the Cabinet Member for Environment and Waste</b></p> <p>It is a well-established principle that it is for national governments to implement commitments arising from international treaties. In England such commitments are usually implemented through planning and related policies. The national, regional and local policies applicable to the NWL scheme are set out in the Outline Business Case (Chapter 2), where sustainable development is discussed in the context of the National Planning Policy Framework.</p> <p><b>Supplementary question from Clive Lewis MP</b></p> <p>Mr Lewis said that the Norwich Western Link project was in breach of 6 of the UN's sustainable development goals of which the UK is a signatory, particularly part 15, "Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss", and given pledges made by Norfolk Conservatives at Norfolk elections for "a radical programme that will put our environment first in everything we do" Mr Lewis asked how Councillors found this compatible with these pledges.</p> <p><b>Response from Chairman and Leader of the Council</b></p> <p>The Chairman replied that the answer to this question was given in response to the substantive question posed by Mr Lewis</p>
6.16	<p><b>Question from Karen Davis</b></p> <p>Please can the Cabinet Member explain why there is no Equality Impact Assessment provided with the Outline Business Case for the Western Link Road, and if they agree that the scheme will widen social exclusion because as stated in the papers the scheme has not been designed to address accessibility, and therefore does not address the needs of those without a car or access to a bus</p>

service which will disproportionately impact those with a protected characteristic?

**Response from the Cabinet Member for Highways and Infrastructure**

The scheme's Equality impact Assessment (EqIA) is addressed within the cabinet report section 8.3 and within the Outline Business Case section 3.5.

**Supplementary question from Karen Davis**

Ms Davis noted that reliable and affordable public transport could mean the difference between the ability to work and welfare dependency. She said that 64% of jobseekers didn't have access to a car and 2 in 5 said that lack of affordable transport was a barrier to employment. She asked how the Western Link would support people at risk of exclusion from the labour market as outlined in Norfolk County Council's Covid channel area response.

**Response from the Cabinet Member for Highways and Infrastructure**

The Cabinet Member for Highways, Infrastructure and Transport replied that by building the Norwich Western Link, improvements would be made to both walking and cycling provision and public transport available to the people of Norfolk and visitors to the County.



**Cabinet  
7 June 2021  
Local Member Questions**

<b>Agenda item 7</b>	<b>Local Member Issues/Questions</b>
7.1	<p><b>Question from Cllr Alexandra Kemp</b></p> <p>Norfolk Council unanimously agreed a Motion on Monday 24 May, the first Motion of the new term of office, to write to the Govt for funding for the immediate rebuild of the Queen Elizabeth Hospital in King's Lynn.</p> <p>Councillors heard how the roof is collapsing all over the hospital estate, with a tenfold increase in the past three months of the number of steel props holding up the roof, from 20 to 200, with an increasing safety risk to patients and staff and disruption to services.</p> <p>Has this Council's letter now been sent to the Government?</p> <p><b>Response from the Cabinet Member for Adult Social Care, Public Health and Prevention</b></p> <p>Thank you for your question. Yes.</p> <p><b>Supplementary question from Cllr Alexandra Kemp</b></p> <p>Cllr Kemp asked if the Cabinet Member agreed that as there had still not been a response from government about the announcement of funding for the rebuild of the Queen Elizabeth Hospital and only 63% of roof surveyed, if there was a problem criteria the Government had for the rebuild of hospitals and asked what the Cabinet Member's next steps would be</p> <p><b>Response from the Cabinet Member for Adult Social Care, Public Health and Prevention</b></p> <p>The Cabinet Member for Adult Social Care, Public Health and Prevention was pleased that there was universal support for the motion at council and confirmed that the letter about the rebuild was sent straight to the Secretary of State, signed by Leader of the Council. He was not qualified to speak on the decision-making process of central Government but agreed there was a need to keep this issue in the limelight and continue to press for an answer on this issue.</p>
7.2	<p><b>Question from Cllr Jamie Osborn</b></p> <p>The GHG TAG worksheet acknowledges that there is uncertainty in the calculations due to an absence of data for 2025 - 2040. Given this uncertainty, why has overrun of CO2 emissions not been included in the risk register?</p> <p><b>Response from the Cabinet Member for Environment and Waste</b></p> <p>Linear change in emissions between the years that are represented by the traffic model (2025 and 2040) is a reasonable and standard assumption in the absence of better data.</p>

**Supplementary Question from Cllr Jamie Osborn**

Cllr Osborne said that the Council were making assumptions that there would be a reduction in carbon emissions; he noted that there was no evidence in the report to show there will be a reduction in carbon emissions and asked if the cabinet Member will commit to publishing evidence based assessment of the risks of exceeding carbon budgets.

**Written response from the Cabinet Member for Environment and Waste**

The Cabinet report, in section 8.5, states that: “The latest guidance for the calculation of emissions for transport schemes, as given in the DfT’s Greenhouse Gas Workbook has been used to assess changes to vehicle carbon emissions as a result of the NWL. The projections show that delivery of the Norwich Western Link would result in a reduction of over 450 000 tCO<sub>2</sub>e (equivalent tonnes of carbon dioxide) over the 60 year appraisal period, supporting local and national carbon reduction targets.”

The report, also in section 8.5, sets out that: “Carbon emissions resulting from the construction, operation and decommissioning of the road will be further developed once a Contractor has been appointed. Contractors will adhere to the principles set out in Carbon Management in Infrastructure guidance (PAS 2080), the leading specification for quantifying carbon infrastructure in the UK, when designing and constructing the project, minimising emissions where practicable. Significant levels of planting, included as part of the project’s environmental mitigation and enhancement aims, will also help to offset carbon emissions. Overall, when considering both construction and operation, it is anticipated the Norwich Western Link will be beneficial in achieving reductions in carbon emissions, again supporting national and regional policy. Details will be provided in the Environmental Statement submitted as part of the planning application.”

As set out in the Cabinet report, details will be published within the documents that support the planning application.

7.3

**Question from Cllr Emma Corlett**

Has the Cabinet / Council received a legal opinion or legal advice in writing or during a minuted meeting on planning considerations for the construction and operation of the proposed Western Link Road over and through the Wensum River Special Area of Conservation?

**Response from the Cabinet Member for Highways and Infrastructure**

The Council has appointed external legal representatives to provide ongoing legal support in relation to its emerging planning and statutory order proposals for the NWL project. The Council does not routinely publish the legal advice it receives.

**Supplementary question from Cllr Emma Corlett**

Cllr Corlett asked if the Cabinet Member agreed that the legal information she

	<p>requested is essential information for all Councillors to see so that they can assess the risk register, and asked if all legal advice would be shared with all Councillors ahead of the Full Council EGM in the afternoon.</p> <p><b>Response from the Cabinet Member for Highways and Infrastructure</b></p> <p>The Cabinet Member for Highways, Infrastructure and Transport replied that the response to this question had been given in response to the substantive question posed by Cllr Corlett</p>
7.4	<p><b>Question from Cllr Ben Price</b></p> <p>As the relevant planning authority for the NWL planning application, how will the NCC Planning Department assess the percentage level of carbon emissions reduction that counts as being 'radical' and meets the National Planning Policy Framework requirement for the planning system to "shape places in ways that contribute radical reductions in greenhouse gas emissions"?</p> <p><b>Response from the Cabinet Member for Highways and Infrastructure</b></p> <p>The submission of a planning application is still some way off. What we can say, at this stage, is that the contents of the National Planning Policy Framework will be a material consideration when assessing the proposal and the impact on Green House Gas (GHG) emissions will be a relevant consideration. Any assessment will be robust and use recognised methods. The actual weight that is given to the impact on GHG emissions will be for the decision maker, in this case the planning committee, exercising planning judgement.</p> <p><b>Supplementary question from Cllr Ben Price</b></p> <p>Cllr Price noted that the climate change committee had advised Government that transport emissions need to be reduced by 70% by 2035. He felt that the Council may face problems demonstrating that 1.55% carbon emission reduction is compliant with national policy. Cllr Price asked to be provided with the legal advice provided to the Council on carbon reduction and mitigations associated with the scheme</p> <p><b>Response from the Cabinet Member for Highways and Infrastructure</b></p> <p>The Cabinet Member for Highways, Infrastructure and Transport replied that this shows that the scheme was needed more than ever as it would take traffic out of villages to the west of Norwich; without building it more traffic would travel through these villages.</p>
7.5	<p><b>Question from Cllr Steve Morphew</b></p> <p>What degree of mitigation to the disturbance and harm to barbastelle bats does the cabinet member believe will be achieved by the planned measures and will be publish the evidence to support his beliefs?</p> <p><b>Response from the Cabinet Member for Highways and Infrastructure</b></p> <p>The forthcoming Environmental Statement will detail a suite of mitigation packages aimed at bat populations and specifically barbastelle. The strategy will follow the</p>

	<p>mitigation hierarchy with an aim to avoid impacts where possible and then mitigate and compensate. The mitigation will be informed by available evidence and with input from nationally recognised bat experts.</p> <p><b>Supplementary question from Cllr Steve Morpew</b></p> <p>Cllr Morpew noted that the mitigation hierarchy talked about avoidance, then mitigation then compensation. The hierarchy also stated that anything other than avoidance brings harm to bat populations and therefore asked what impact on barbastelle bats would he consider to be acceptable if he couldn't avoid it altogether.</p> <p><b>Response from the Cabinet Member for Highways and Infrastructure</b></p> <p>The Cabinet Member for Highways, Infrastructure and Transport replied that surveys had and would continue to take place especially on the barbastelle bats and appropriate mitigation measures required to reduce impact on them and other wildlife would be put in place.</p>
7.6	<p><b>Question from Cllr Maxine Webb</b></p> <p>Please can you point us to the quantitative research that proves green bridges and the "landscaping" that is proposed to promote the use of these features by the bats will ensure no significant disturbance, injury and death will be caused to barbastelle bats during construction and operation of the road?</p> <p><b>Response from the Cabinet Member for Highways and Infrastructure</b></p> <p>When designed appropriately, and placed on existing commuting routes, green bridges have been demonstrated to be effective in maintaining an established bat commuting route (Bach, Bach, &amp; Muller-Stie, 2008). A 2014 study (Berthinussen &amp; Altringham, 2015) of one green bridge over a four-lane road in the UK found that the green bridge was used by 97% of bats that crossed the road. Importantly, significantly more bats crossed the road using the green bridge (97% - 121 of 125 bats) than crossed the road below the bridge at traffic height (2.4% - 3 of 125 bats) or above traffic height (0.8% - 1 of 125 bats).</p> <p><b>Supplementary question from Cllr Maxine Webb</b></p> <p>Cllr Webb asked if it was the case that no robust evidence exists with the inevitable consequences being the significant loss of the £22m of public money set aside for mitigation and putting the Council at risk of prosecution for loss of a protected bat species; she asked if the risk register should be amended accordingly.</p> <p><b>Response from the Cabinet Member for Highways and Infrastructure</b></p> <p>The Cabinet Member for Highways, Infrastructure and Transport replied that the £22m set aside for environmental issues on this road showed the Council's commitment to improve the environment around the area of this road and noted that building the road would take traffic out of these villages protecting the environment for people who lived there</p>

7.7	<p><b>Question from Cllr Alison Birmingham</b></p> <p>Why has the Greenhouse Gases section of the Environmental Impact Report not provided calculations and estimates of greenhouse gas emissions from the construction phase of the project, nor calculations and estimates of greenhouse gas emissions from “Land Use Change” pre-construction and land clearance phase of the project?</p> <p><b>Response from the Cabinet Member for Environment and Waste</b></p> <p>This requires input from the project’s contractor so this can’t be provided until they are appointed.</p> <p><b>Supplementary Question from Cllr Alison Birmingham</b></p> <p>Cllr Birmingham referred to paragraph 4.8.2 of the Norwich Western Link report where it stated that greenhouse gas mitigation requirements had not been identified and were deferred to the environmental impact assessment exposing the Council to legal challenge later. She asked for legal advice to the Council on the GHG their mitigation and legal risks associated with the scheme.</p> <p><b>Written response from the Cabinet Member for Environment and Waste</b></p> <p>The Cabinet report, in section 8.5, sets out that: “Carbon emissions resulting from the construction, operation and decommissioning of the road will be further developed once a Contractor has been appointed. Contractors will adhere to the principles set out in Carbon Management in Infrastructure guidance (PAS 2080), the leading specification for quantifying carbon infrastructure in the UK, when designing and constructing the project, minimising emissions where practicable. Significant levels of planting, included as part of the project’s environmental mitigation and enhancement aims, will also help to offset carbon emissions. Overall, when considering both construction and operation, it is anticipated the Norwich Western Link will be beneficial in achieving reductions in carbon emissions, again supporting national and regional policy. Details will be provided in the Environmental Statement submitted as part of the planning application.”</p> <p>The Council does not routinely publish the legal advice it receives.</p>
7.8	<p><b>Question from Cllr Matthew Reilly</b></p> <p>When did the cabinet member first become aware that the costs of the NWL had rocketed by £45 million to £198 million?</p> <p><b>Response from the Cabinet Member for Highways and Infrastructure</b></p> <p>Indicative costs were provided in January however these were preliminary figures from all the bidders and were subject to change as the procurement process continued. Due to this, and commercial sensitivity requirements that govern procurement processes, it would not have been appropriate to disclose this publicly at this stage.</p> <p>Final figures were confirmed as part of the briefing process ahead of the cabinet</p>

	<p>report being published, so in mid-May.</p> <p><b>Supplementary question from Cllr Matthew Reilly</b></p> <p>Cllr Reilly noted that the Council first knew about the cost of the scheme increasing by 30% in January 2021, and asked why the meeting to discuss this increase, in March 2021, was cancelled. He felt it would have been helpful for the public to know this when they voted in the recent local elections.</p> <p><b>Response from the Cabinet Member for Highways and Infrastructure</b></p> <p>The Cabinet Member for Highways, Infrastructure and Transport replied that as the project was in a live procurement process at that time it was not possible to discuss that information at the time, and the information had now come forward at an appropriate time for discussion</p>
7.9	<p><b>Question from Cllr Colleen Walker</b></p> <p>The Outline Business Case states at paragraph 2.9.8 that the Council “is able to meet anticipated future operating and maintenance costs”. Will the Council receive new money to fund these or will it come out of existing highways budgets?</p> <p><b>Response from the Cabinet Member for Highways and Infrastructure</b></p> <p>The maintenance of the NWL will be included as part of the Council’s Transport Asset Management Plan (TAMP) - details of this are provided on the Council’s website. Funding for maintenance is provided from several sources as set out in the TAMP.</p> <p><b>Supplementary question from Cllr Colleen Walker</b></p> <p>Cllr Walker noted that the response to her substantive question stated funding for maintenance of the Norwich Western Link was provided from several sources including existing budgets; she asked that the budget be adequately increased to ensure highway costs were met and for assurance to be given that there would be adequate funding for her division and Great Yarmouth for repairs including potholes.</p> <p><b>Response from the Cabinet Member for Highways and Infrastructure</b></p> <p>The Cabinet Member for Highways, Infrastructure and Transport replied that the Council had a good record of getting funding for highway repairs and had been judged number 1 for maintaining and looking after its roads compared to comparative Counties, so was in good stead to maintain this road.</p>
7.10	<p><b>Question from Cllr Terry Jermy</b></p> <p>Can you confirm what the minimum cost to NCC would be if the council approves the proposals on 7th June but ultimately planning permission is not granted and what the estimated cost to the council is for each month that the project is delayed?</p> <p><b>Response from the Cabinet Member for Finance</b></p> <p>The project costs are detailed in the Cabinet report, in sections 6.2 and 9.2. The costs related to delay are difficult to quantify as it would depend on the timing and</p>

	<p>overall delay period. The costs related to inflation are included in the costs provided in section 6.2 of the Cabinet report. These would need to be adjusted depending on the extent of any delay.</p>
7.11	<p><b>Question from Cllr Paul Neale</b></p> <p>The Committee on Climate Change estimates that car miles can be reduced by nearly a fifth by 2050 in a balanced pathway. This reduction is a pre-requisite for the 70% reduction in transport emissions required to stay within carbon budgets, according to the CCC. Can the Cabinet member explain how the estimated 3% reduction in vehicle miles that the NWL would deliver contributes to this 70% reduction in total vehicle emissions?</p> <p><b>Response from the Cabinet Member for Environment and Waste</b></p> <p>The Option Selection Report (OSR) set out the reduction in vehicles kilometres travelled with the reduction in CO<sub>2</sub> for each of the shortlisted options in the scheme Opening Year. All shortlisted options reduced the vehicles kilometres travelled and the CO<sub>2</sub> emissions across the transport model study area when compared to the scenario without any of the shortlisted options in the scheme Opening Year.</p> <p>The Outline Business Case (OBC) shows that the current design of the NWL reduces Non-traded CO<sub>2</sub>e emissions (petrol and diesel vehicles) and CO<sub>2</sub>e traded emissions (electric vehicles) over the 60-year appraisal period which will contribute to the target set by the Committee on Climate Change.</p> <p><b>Supplementary Question from Cllr Paul Neale</b></p> <p>The OBC's Monitoring and Evaluation Plan provides no plan for monitoring impacts on biodiversity. Can the Cabinet Member confirm at what stage the impacts on biodiversity will be reported on and explain the process for taking remedial action should the impact on biodiversity be found to be worse than expected?</p> <p><b>Response from the Cabinet Member for Environment and Waste</b></p> <p>The impacts on biodiversity will be assessed and reported in the Environmental Statement and Habitat Regulations Assessment that will be included with the planning application. This assessment will identify mitigation requirements and identify the monitoring requirements. The Construction Environmental Management Plan will outline the mitigation and monitoring requirements that will be adhered to.</p>
7.12	<p><b>Question from Cllr Chrissie Rumsby</b></p> <p>Residents in my division are contacting me about recycling. They buy items from a supermarket that says can be recycled, but when they go to supermarket to get the item recycled, they are told to go to the council. They then go to a council recycling depot only be told that this authority does not recycle these items. Does the cabinet member agree with me that there needs to be a more uniformed approach to recycling if we are to save the planet and can he reassure me that none of our recycling ends up abroad polluting the sea or land elsewhere and just helping with our figures on recycling?</p>

**Response from the Cabinet Member for Environment and Waste**

The district, city and borough councils in Norfolk all recycle plastic pots, tubs, trays and bottles in the kerbside bin. These items are commonly recycled across the country and much of the packaging displays the recycling symbol. Less widely recycled materials are often labelled 'check locally for recycling' and are typically plastic films, crisp packets or mixed material packaging. For the local authority to collect a material for recycling, it is important that the market is both environmentally beneficial and financially viable.

Around 90% of the materials the district councils collect for recycling in Norfolk are reprocessed in the UK. For the 10% that goes abroad Norse Environmental Waste Services (News) on behalf of the councils provide transparent documentation that ensures its end destination and that it is going to a compliant and suitable licensed facility for recycling.

Norfolk County Council has previously trialled a recycling service for rigid plastics, such as garden furniture, at the Recycling Centres. Unfortunately, the market for rigid plastics is unstable and the trial was not able to continue. New markets investigated in 2021 remain volatile. There are current national Government consultations open on deposit return schemes, producer responsibility and recycling consistency. All of which the Norfolk Waste Partnership (made up of the County Council and seven district, city and borough councils) are contributing to.

7.13

**Question from Cllr Mike Smith-Clare**

Evidence suggests a loss of at least 50% of insects since 1970 and 41% of all insect species are now "threatened with extinction." With insects including bees essential in the pollination of crops, what targets is the Leader setting for his administration to protect and enhance their natural habitats in Norfolk?

**Response from the Cabinet Member for Environment and Waste**

Norfolk County Council's new Environmental Policy, adopted in November 2019, recognises the importance of Norfolk's rich biodiversity, particularly insect populations. Following the National Pollinator Strategy, Norfolk County Council is committed to delivery against our own local plans which set out our approach across both our estates and transport networks, as well as our work with other key partners within Norfolk and beyond. A full update on this important work, including delivery targets, will be brought to the Infrastructure & Development Committee later in the year. Our Nature Recovery team, will invest time in improving our verges for both pollinators and expanding the herb rich habitats which still exist along our roadside corridors. In line with our emerging 25 Year Environment Plan we intend to set measurable targets for improvement and the first draft will be ready by this autumn.

**Supplementary question from Cllr Mike Smith-Clare**

Cllr Smith-Clare noted that Dr Lynn Dicks of the University of East Anglia highlighted that every square km in the UK had lost 11 species of bee and hoverfly



	<p>over 30 years, and asked if the loss of habitat and impact on insect numbers would be prioritised by the Cabinet Member including ensuring that numbers returned to 1980 levels.</p> <p><b>Response from the Cabinet Member for Environment and Waste</b></p> <p>The Cabinet Member for Environment and Waste replied that he could not commit to saying that insect numbers would return to 1980 levels but would commit to working as hard as possible to increase pollinators as much as possible and the published pollinator plan committed to do this.</p>
7.14	<p><b>Question from Cllr Brenda Jones</b></p> <p>How many Covid positive patients were discharged to Norfolk care homes last year?</p> <p><b>Response from the Cabinet Member for Adult Social Care, Public Health and Prevention</b></p> <p>Thank you for your question. As reported to Scrutiny Committee last year we do not have this data, testing by the NHS on discharge was not usually available early on in the first wave of the pandemic. Like all councils, we followed the National Discharge Guidance agreed in March 2020. We did however put in place our own enhanced discharge criteria to minimise risks to residents, in collaboration with care homes and the NHS. This drew on the best practice in infection control, making use of community hospitals and other NHS premises to create safe areas. This included North Walsham Hospital as a designated setting, and Cawston Park as a discharge facility. We continued to change and adapt our processes in line with national changes in guidance about infection control, testing and visiting. We took the decision to support care providers and to do everything we could to minimise the impact of the pandemic. Cawston Park was brought on line to safely cohort patients discharged from hospital in the first wave. Though it was not needed in the first wave, it was used in the second wave. The concept of a "Nightingale" care home was held up as a potential model for other areas to follow.</p> <p><b>Supplementary question from Cllr Brenda Jones</b></p> <p>Cllr Jones noted that restrictions in care homes would continue after 21 June 2021. She asked what these restrictions were and the plans for reducing them.</p> <p><b>Response from the Cabinet Member for Adult Social Care, Public Health and Prevention</b></p> <p>The Cabinet Member for Adult Social Care, Public Health and Prevention replied that there had been a delicate balance with regards to care homes during the pandemic, with a duty to protect those in care homes meaning access had been restricted. This had affected people in care homes though lack of contact with loved ones. The Council took advice and followed national guidance and had taken a precautionary approach throughout the pandemic to ensure that guidance to partners was clear and had provided support and financial assistance, which would continue.</p> <p>All information and guidance for providers is published on our internet and can be</p>

	<p>found by following this link</p> <p><a href="https://www.norfolk.gov.uk/business/supplying-norfolk-county-council/norfolk-care-market/coronavirus-information-for-care-providers">https://www.norfolk.gov.uk/business/supplying-norfolk-county-council/norfolk-care-market/coronavirus-information-for-care-providers</a></p>
7.15	<p><b>Question from Cllr Mike Sands</b></p> <p>Is the cabinet member aware of the increasing practice of patients being discharged from acute mental health admissions to hotel / b&amp;b accommodation and how many mental health service users have been discharged in this manner?</p> <p><b>Response from the Cabinet Member for Adult Social Care, Public Health and Prevention</b></p> <p>Thank you for your question. Norfolk County Council does not collect this information directly and I would recommend asking NSFT who would be the source of information about hospital discharge 'destination' of people. The NCC Discharge Team at Hellesdon Hospital only supports people to be discharged in cases where the person has eligible social care needs and in most cases the patient is returned to their original accommodation. We continue to work closely with NFST and District Council colleagues to help those residents needing support.</p> <p><b>Supplementary question from Cllr Mike Sands</b></p> <p>Cllr Sands asked where patients have been detained under the Mental Health Act, the Council has the responsibility to coordinate oversight and the numbers concerned. He asked if the Norfolk Health Overview and Scrutiny Committee would investigate and consider this and liaise with the Norfolk and Suffolk Foundation Trust.</p> <p><b>Response from the Cabinet Member for Adult Social Care, Public Health and Prevention</b></p> <p>The Cabinet Member for Adult Social Care, Public Health and Prevention replied that as the Chairman of the Norfolk Health Overview and Scrutiny Committee was a member of the Council, he was happy to endorse this request with her, but the final decision on this would rest with her.</p>
7.16	<p><b>Question from Cllr Steff Aquarone</b></p> <p>Could you please explain how a constituent who lives in Melton Constable and has recently secured a job in the recovering hospitality sector in Fakenham, can use clean, green public transport to get to and from work?</p> <p><b>Response from the Cabinet Member for Highways and Infrastructure</b></p> <p>Sanders provide the service 9 from Melton Constable to Fakenham Monday to Saturday, with 8 return journeys Monday to Friday and 5 return journeys on a Saturday.</p> <p><b>Supplementary Question from Cllr Steff Aquarone</b></p>

Do you believe that footpaths and cycleways are a key part of Norfolk's future, as they provide a low carbon, healthy infrastructure, and if so, how can residents in the Melton Constable division create new walk and cycle paths along routes that they have identified as viable?

**Response from the Cabinet Member for Highways and Infrastructure**

Norfolk County Council recognises that walking and cycling infrastructure are a key part of Norfolk's future. The local highway member fund can be used to create new footpaths and cycle paths along routes that are determined as suitable by the highway engineer, as well as to deliver improvements to existing Public Rights of Way. Alternatively, the parish partnership scheme has been in operation for over ten years and has been used to deliver such schemes locally. If the route is not on an existing highway or established public right of way *and frequent and established use of the route is demonstrated, there is a 'claim' process whereby an individual or Parish Council can make an application to the County Council to determine whether sufficient rights have been accrued to have the route recorded on the legal document as a Public Right of Way. The details of how this process works can be found on the NCC website under the section entitled "Unrecorded Public Rights of Way".*

7.17

**Question from Cllr Lucy Shires**

The Council's 2016-2020 Public Health Strategy committed to Protect communities and individuals from harm by focusing tobacco control and stop smoking services on reducing smoking rates in key vulnerable groups. Norfolk has the highest proportion of mothers who are still smoking at the time of delivery, in the region and this is higher than the national average. Why has this council failed to create significant change for this group, and what was the strategy to target this specific group?

**Response from the Cabinet Member for Adult Social Care, Public Health and Prevention**

Thank you for your question. As you are aware Norfolk has a higher proportion of pregnant mothers who smoke at the time of delivery compared to the England average. Given this is of concern, over the last 5 years the Norfolk and Waveney Local Maternity and Neonatal System (LMNS) has overseen The Norfolk and Waveney Healthy Pregnancy Plan which describes how the LMNS and partners (including Public Health) are working to deliver a whole system approach to reducing the problem. Over the last 5 years the quality of data collection and recording has been improved, which has enabled those requiring support during pregnancy to be targeted with more specialist smoking cessation services. In addition, specialist smoking midwives have been employed providing interventions and maternity staff have been trained in specialist stopping smoking techniques and advice. There are now CO monitors for all midwives which is a key tool in testing and screening and in turn enables bespoke interventions for support to stop smoking.

Direct stopping smoking support can also be accessed through a further number of different routes, which include online digital support and advice on the Just One

Norfolk pregnancy webpages in collaboration with the Healthy Child Programme for Norfolk. An enhanced Smokefree Norfolk offer for pregnant women is a key feature of a transformational plan being implemented, alongside tailored and targeted social media campaigns. The issue remains a significant one and the focus remains on supporting the small number of people who find it hardest to quit smoking.

### **Supplementary question from Cllr Lucy Shires**

In the most recent data, the numbers of people killed or seriously injured on Norfolk's roads was at a 7 year high with a higher than regional and national number of deaths and serious injuries of secondary school children in road traffic accidents. The Council continues to fail to meet its targets to reduce these numbers so when will we see the impacts of the overdue new road safety strategy and how much longer do Norfolk residents have to wait for improvements in road safety?

### **Response from the Cabinet Member for Highways and Infrastructure**

There are multiple variables which affect both the number and rate of those killed and seriously injured each year on public roads.

Road casualties in Norfolk have risen in the years through to 2019, a regrettable trend that is reflected in both East of England and national data.

Norfolk's Road Safety Partnership has adopted the Safe Systems approach, which reflects the national strategic direction. The ambition is to implement a step change in how we address road safety, acknowledging that the road system should be designed; built; and used in a way which considers the human-factor in real-life use, and focussing on protecting lives.

There are five key pillars to this approach: safe road users; safe speeds; safe vehicles; safe roads; and post-crash care. The Road Safety partners take a multiagency approach, using expertise within different areas to address these five pillars.

Norfolk County Council Road Safety team has several interventions that focus on educating road users, creating a continuum of learning and options for Norfolk residents to learn and apply skills and knowledge.

With progress disrupted by the impact of COVID-19 both on school attendance and the ability to utilise school environments in a COVID-secure fashion, the County Councils road safety team has now begun delivery of an online pedestrian training intervention to secondary schools, which covers the green cross code; safe places to cross; and the perspectives of other road users.

The team has also been developing a new intervention Over to You – Your Choice. The session allows pupils to make decisions in a safe environment applying their knowledge to a scenario they may encounter. This intervention links into the FATAL 4 intervention delivered by Norfolk Constabulary.

7.18	<p><b>Question from Cllr Brian Watkins</b></p> <p>How many Electric Vehicle Charging Points are there now across Norfolk and how many are planned for the next 4 years. What plans are there to ensure that the installation of these points will match with the increasing demand for their usage?</p> <p><b>Response from the Cabinet Member for Environment and Waste</b></p> <p>Currently there are 198 publicly accessible EV charging points across Norfolk, which are a mix of rapid and fast. This breaks down within the districts as follows:</p> <ul style="list-style-type: none"><li>• Breckland - 18</li><li>• Broadland – 15</li><li>• Gt Yarmouth – 20</li><li>• KLWN – 37</li><li>• North Norfolk – 41</li><li>• Norwich – 44</li><li>• South Norfolk – 23</li></ul> <p>Although not a local Authority responsibility the County Council and Norwich City Council are jointly working with UK Power Networks to install circa 50 on-street charge points, which will be a mix of fast and rapid chargers within Norwich. This work is currently ongoing with the expectation that installation will be underway in 2022. In addition, the County Council has commissioned a county-wide EV strategy, which is currently being finalised.</p> <p>Private sector work also happening. For example, the company Gridserve are aiming to install in Broadland District an EV Charging Hub that will be a facsimile of their other developments already in place in the UK, for example, the one they have in the region at Braintree - <a href="https://www.gridserve.com/braintree-overview/">https://www.gridserve.com/braintree-overview/</a></p>
7.19	<p><b>Question from Cllr Tim Adams</b></p> <p>The County Council is yet again in Private Eye about how it has treated people with disabilities following the Minimum Income Guarantee High Court Ruling. Isn't it time to do the right thing and remove the barriers that you have put in place so that the people affected can get the money that they are owed?</p> <p><b>Response from the Cabinet Member for Adult Social Care, Public Health and Prevention</b></p> <p>Thank you for your question. I respectfully refer you back to my email sent to you, all Members and Norfolk's MPs on 28th April (forwarded by Tracey Howard) which fully responds to your question. I am happy to reiterate that the Council did not put barriers in place to stop residents receiving their money.</p>

7.20

**Question from Cllr Dan Roper**

The State of Nature report is grim reading with the UK appearing to be one of the most nature depleted countries in the world. According to another study published in May, road verges makes up 1.2% of land in the UK and support half of wildflower species. Plant Life, The Wild Plant Conservation Charity, advises that Councils should be cutting grass, besides essential vision splays and overgrowth, between Mid-July and September and one additional cut before Christmas. Why is it that this Council chooses to instead cut grass verges at the time the majority of wildflower plants are in flower during May and June?

**Response from the Cabinet Member for Environment and Waste**

Norfolk County Council's new Environmental Policy, adopted in November 2019, recognises the importance of Norfolk's rich biodiversity, particularly insect populations. Following the National Pollinator Strategy, Norfolk County Council is committed to delivery against our own local plans which set out our approach across both our estates and transport networks, as well as our work with other key partners within Norfolk and beyond. A full update on this important work, including our approach to the management of highways' verges, will be brought to the Infrastructure & Development Committee later in the year. Our Nature Recovery team, will invest time in improving our verges for both pollinators and expanding the herb rich habitats which still exist along our roadside corridors. In line with our emerging 25 Year Environment Plan we intend to set measurable targets for improvement and the first draft will be ready by this autumn.