

Cabinet

Date: **Monday 4 December 2023**

Time: **10 am**

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

Membership

Cllr Kay Mason Billig

Cllr Andrew Jamieson

Cllr Bill Borrett

Cllr Penny Carpenter

Cllr Margaret
Dewsbury

Cllr Fabian Eagle

Cllr Jane James

Cllr Graham Plant

Cllr Alison Thomas

Cllr Eric Vardy

Role

Chair. Leader and Cabinet Member for Strategy and Governance

Vice-Chair. Deputy Leader and Cabinet Member for Finance

Cabinet Member for Public Health and Wellbeing

Cabinet Member for Children's Services

Cabinet Member for Communities and Partnerships

Cabinet Member for Economic Growth

Cabinet Member for Corporate Services and Innovation

Cabinet Member for Highways, Infrastructure and Transport

Cabinet Member for Adult Social Care

Cabinet Member for Environment and Waste

Advice for members of the public:

This meeting will be held in public and in person.

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

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

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

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

A g e n d a

1 To receive any apologies.

2 Minutes

To confirm the minutes from the Cabinet Meeting held on 6 November 2023

Page 6

3 Members to Declare any Interests

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

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

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

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

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

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

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

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

5 Updates from the Chairman/Cabinet Members

6 Public Question Time

Fifteen minutes for questions from members of the public of which due notice has been given. Please note that all questions must be received by the Committee Team (committees@norfolk.gov.uk) by 5pm on Tuesday 28 November 2023. For guidance on submitting a public question, please follow this link: [Ask a question to a committee - Norfolk County Council](#)

Any public questions received by the deadline and the responses will be published on the website from 9.30am on the day of the meeting and can be viewed by clicking this link once uploaded: [Click here to view public questions and responses](#)

7 Local Member Issues/Questions

Fifteen minutes for local member to raise issues of concern of which due notice has been given. Please note that all questions must be received by the Committee Team (committees@norfolk.gov.uk) by 5pm on Tuesday 28 November 2023.

8 Consideration of a County Deal for Norfolk

Page 31

Report by the Chief Executive Officer ,Executive Director Strategy & Transformation, Director of Legal Services and Monitoring Officer and the Returning Officer

9 Norwich Western Link Update

Page 53

Report by the Interim Executive Director of Community and Environmental Services

10 West Winch Housing Access Road – Project update and funding

Page 243

Report by the Interim Executive Director of Community and Environmental Services

11 NCC Apprenticeship Strategy 2023-25

Page 290

Report by the Executive Director of Transformation and Strategy

12 Better Care Fund 2023/24

To Follow

Report by the Interim Executive Director of Adult Social Services

13 Annual Review of Residential Homes

To Follow

Report by the Executive Director of Children’s Services

14 Youth Justice Plan 2023/24

Page 356

Report by the Executive Director of Children’s Services

15 CES Compliance and Enforcement Policy Annual Review

Page 421

Report by the Interim Executive Director of Community and Environmental Services

- 16 Disposal, Acquisition and Exploitation of Property** **Page 500**
Report by the Interim Executive Director of Community and Environmental Services
- 17 Business Rates Pool – Annual Report 2022-23 and Pooling Decision 2024-25** **Page 509**
Report by the Director of Strategic Finance
- 18 Treasury Management Mid-Year Report 2023-24** **Page 519**
Report by the Director of Strategic Finance
- 19 Finance Monitoring Report 2023-24 P7: October 2023** **Page 555**
Report by the Director of Strategic Finance
- 20 Reports of the Cabinet Member and Officer Delegated Decisions made since the last Cabinet meeting:**
To note the delegated decisions made since the last Cabinet meeting.
To be added at publication of agenda
- 21 Exclusion of the Public**

Cabinet is asked to consider excluding the public from the meeting under section 100A of the Local Government Act 1972 for consideration of the item below on the grounds that it involves the likely disclosure of exempt information as defined by paragraph 3 of Part 1 of Schedule 12A to the Act, and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Cabinet will be presented with the conclusions of the public interest test carried out by the report author and is recommended to confirm the exclusion.

- 22 West Winch Housing Access Road – Project update and funding: Exempt appendices A and B**

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

Date Agenda Published: 24 November 2023



If you need this document in large print, audio, Braille, alternative format or in a different language please contact Customer Services 0344 800 8020 or 18001 0344 800 8011 (textphone) and we will do our best to help.

Cabinet
Minutes of the Meeting held on 06 November 2023
in the Council Chamber, County Hall, at 10am

Present:

Cllr Kay Mason Billig	Chair. Leader and Cabinet Member for Strategy and Governance
Cllr Bill Borrett	The Cabinet Member for Public Health and Wellbeing
Cllr Penny Carpenter	Cabinet Member for Children’s Services
Cllr Margaret Dewsbury	Cabinet Member for Communities and Partnerships
Cllr Fabian Eagle	Cabinet Member for Economic Growth
Cllr Jane James	Cabinet Member for Corporate Services and Innovation
Cllr Graham Plant	Cabinet Member for Highways, Infrastructure and Transport
Cllr Alison Thomas	Cabinet Member for Adult Social Care
Cllr Eric Vardy	Cabinet Member for Environment and Waste

Deputy Cabinet Members Present

Cllr Greg Peck	Deputy Cabinet Member for Finance
Cllr Shelagh Gurney	Deputy Cabinet Member for Adult Social Care

Executive Directors Present:

Harvey Bullen	Director of Strategic Finance
Debbie Bartlett	Interim Executive Director of Adult Social Services
Grahame Bygrave	Interim Executive Director of Community and Environmental Services
Paul Cracknell	Executive Director of Transformation and Strategy
Kat Hulatt	Assistant Director of Governance
Tom McCabe	Chief Executive
Sara Tough	Executive Director of Children’s Services`

1 Apologies for Absence

- 1.1 Apologies were received from the Deputy Leader and Cabinet Member for Finance.

2 Minutes from the meeting held on 02 October 2023

- 2.1 Cabinet agreed the minutes of the meeting held on 02 October 2023 as an accurate record.

3 Declaration of Interests

- 3.1 The Cabinet Member for Adult Social Care declared a non-pecuniary interest related to item 9 as local member for the Long Stratton Bypass and related to item 12 as she was a Member on the Norfolk Adoption Panel.

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

4.1 No matters were referred.

5 Update from the Chair/Cabinet Members

5.1 No updates were given.

6. Public Question Time

6.1 The questions received are published in appendix A to these minutes.

6.2.1 Helena Hallas asked a supplementary question:

- A survey had found that 94% of University of East Anglia students and staff would feel safer if streetlights were left on for longer. Helena asked if the Cabinet Member valued the view of students and their safety.

6.2.2 The Cabinet Member for Highways, Infrastructure and Transport replied “absolutely”, and clarified that the Council worked with police and other authorities on student safety on campus. Assuming that this question related to safety off-campus, he added that he would work with those raising the concerns to see if there was anything further that could be done.

7 Local Member Questions/Issues

7.1 The questions received are published in appendix B to these minutes.

7.2.1 Cllr Matthew Reilly asked a supplementary question:

- Cllr Reilly thanked the Cabinet Member for Highways, Infrastructure and Transport for meeting him and university students outside the Council Chamber before the meeting to accept a petition about extending streetlighting outside the university campus. He asked if the Cabinet Member would meet him to discuss this in greater detail.

7.2.2 The Cabinet Member for Highways, Infrastructure and Transport replied that he would look at the petition on greater detail and take advice from officers in the Community and Environmental Services Department before arranging a meeting.

8. Preparing for Seasonal Pressures: Integrated Winter Plan for 2023/24

8.1.1 Cabinet received the report providing information on work being undertaken to support a resilient Health and Social Care system able to face the impact of the 2023/24 winter.

8.1.2 The Cabinet Member for Adult Social Care introduced the report to Cabinet:

- The work set out in the report represented a coordinated partnership approach for preparing for winter pressures and addressed the County Council’s approach via Social Care.
- The Cabinet Member drew attention to paragraph 2.2.10 on page 34 of the report which showed existing and new measures.
- The Cabinet Member acknowledged the work of the team over the last months reducing the number of people on the holding list; this would help support the ability to deal with new enquiries coming in over winter. She

also thanked the Social Care Institute for Excellence (SCIE) team for their work in reducing the waiting list.

- The Cabinet Member reminded people that the Swifts and Night Owls were available to support 24/7 and could support with unplanned need and crisis.

8.2 The Cabinet Member for Public Health and Prevention reported that this plan, which allowed all elements of health and care to work together, had been taken to Health and Wellbeing Board and the Integrated Care Partnership. Acute pressures were experienced in the summer of 2023 which had not been seen in previous years. A high number of organisations worked together to ensure seamless transfers of care.

8.3 The Deputy Cabinet Member for Adult Social Care endorsed the winter plan, and discussed the good work being done in libraries for people to access Warm and Well packs. She suggested that town and parish councils should also receive information on support available during the winter so they could help support residents.

8.4 The Chair agreed that sharing information with councils would be beneficial and help people to stay safe and well over winter.

8.5 Cabinet **RESOLVED** to approve the winter plan and work being carried out to support the system and residents of Norfolk during the coming winter months, and for Norfolk County Council to commit to working collaboratively with partners to promote and support the plan.

8.6 **Evidence and Reasons for Decision**

The winter plan has been developed based on the evidence of effective working during previous winters. It offers a responsive way forward based on the current available evidence of how demand may rise over the winter period. Cabinet is asked to endorse the activity taking place across adult social care in response to the demand being placed on social care.

8.7 **Alternative Options**

The proposals presented have been developed over time with partners and are seen as the most appropriate solution to respond to the pressures within the social care and health system, within the current financial envelope.

9. **A140 Long Stratton Bypass**

9.1.1 Cabinet received the report providing an update on the Long Stratton Bypass project.

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

- The Long Stratton Bypass infrastructure project was a long-held aspiration which would bring benefits around quality of life for local residents by reduction in noise and severance. It would allow planned residential and employment growth within the town.
- Good progress was being made with full planning consent having being

achieved; the Cabinet Member thanked the project team for their work to achieve this and South Norfolk District Council development team who helped secure the land.

- A procurement exercise had been moved forward along with submission of the Statutory Side Road Order and the full business case had been developed ready to submit to the Department for Transport.
- Procurement exercises were nearly complete, and it was hoped that the final contract could be awarded in early 2024 so that advanced ecological mitigation measures could start in January 2024 and the main works in April 2024.
- The scheme would bring significant benefits for both the people of Long Stratton as well as users of the A140 and would also help boost Norfolk's economy.
- The Cabinet Member for Highways, Infrastructure and Transport moved the recommendations as set out in the report.

9.2 The Cabinet Member for Adult Social Care, as a resident of Long Stratton and Councillor for the area, felt this was a significant milestone. She thanked the project team for their hard work in the short time frame involved and the planning team at South Norfolk District Council. The Cabinet Member for Adult Social Care noted environmental mitigations would be required ahead of the project for example to protect nesting birds.

9.3 The Cabinet Member for Public Health and Prevention noted the benefits that building this road would bring, as with other infrastructure developments in the County.

9.4 The Chair agreed that infrastructure projects brought benefits to residents. She thanked the Cabinet Member for Adult Social Care for her dedication in promoting this project which would help everyone living in and visiting the area and would significantly improve the County's infrastructure.

9.5 Cabinet **RESOLVED**:

1. To confirm support for the delivery of the Long Stratton Bypass.
2. To delegate the approval and submission of the Full Business Case to the Interim Executive Director of Community & Environmental Services in consultation with the Cabinet Member Highways, Infrastructure and Transport.
3. To delegate the award of Contract for Long Stratton Bypass to the Interim Executive Director of Community & Environmental Services in consultation with the Director of Procurement and Sustainability and the Cabinet Member Highways, Infrastructure and Transport.
4. To approve the increased costs of the scheme to £46.9m within the capital programme and note the funding sources are being finalised as detailed in section 6.2.2 of the report.
5. To agree to commence advance environmental mitigation and initial mobilisation works from January 2024 ahead of the Full Business Case decision and main construction works in April 2024. The estimated delivery cost of these works is expected to be up to £1.3m and funded on a temporary basis by Norfolk County Council (for more details see section 6.1.5 of the report).

9.6 **Evidence and Reasons for Decision**

The August 2020 Cabinet report set out the evidence and reasons for the project as contained within the Outline Business Case. These have not changed since that time.

9.7 **Alternative Options**

The August 2020 Cabinet report outlined the requirement for the bypass and that without it there would be a failure in delivering the scale of housing and employment growth as set out in the Joint Core Strategy and tested and adopted as part of the Long Stratton Area Action Plan (LSAAP), as well as not delivering the required highway improvements and relief to Long Stratton.

10. **Abbey Estate Thetford – Memorandum of Understanding**

10.1.1 Cabinet received the report setting out an update to the Abbey Estate Memorandum of Understanding.

10.1.2 The Cabinet Member for Corporate Services and Innovation introduced the report:

- The Memorandum of Understanding between Norfolk County Council, Flagship Housing and Breckland District Council was originally agreed in 2019. The updated version of this Memorandum of Understanding continued to support the priorities which were being promoted.
- The Cabinet Member for Corporate Services and Innovation spoke about growing up on the Abbey Estate. She recognised that improvements were needed and was committed to hearing what people wanted and hearing resident voices.
- The Memorandum of Understanding would allow the Council to work with Flagship Housing and make the estate a better place to live.
- Norfolk County Council was a statutory consultee and infrastructure provider and would ensure that redevelopment provided appropriate infrastructure for residents. There was an aim for improved facilities for active travel and public transport.
- The Memorandum of Understanding was not legally binding, and no legal obligations or legal rights would arise between the parties; it was a statement of intent ensuring that improvements on the estate were carried out in a positive way.

10.2 The Cabinet Member for Public Health and Prevention supported this updated Memorandum of Understanding. Page 67 of the report stated: “The Abbey Estate, which provide homes for 1,200 households, faces a number of social economic challenges and is in the 10% most deprived communities in the country.” The Cabinet Member recognised that there was a need to regenerate the estate and pointed out the sense of community there, showing how important it was that the project supported and enhanced the community. This would be the largest urban regeneration project in Breckland and would be impactful for Thetford.

10.3 The Cabinet Member for Highways, Infrastructure and Transport supported the updated Memorandum of Understanding and referred to the outcomes of the Memorandum which were shown on page 69 of the report.

10.3 The Chair recognised that change was difficult however housing needs were

different than when the estate was first built. The Memorandum of Understanding would help the community be involved with the changes needed on the estate.

10.4 Cabinet **RESOLVED** to approve the updated Memorandum of Understanding

10.5 **Evidence and Reasons for Decision**

The Cabinet decision is considered to align closely with the County Council's stated outcomes in our agreed plan 'Better Together, For Norfolk'. The rationale behind the proposal is to improve the physical, environmental and community elements of the estate in a manner agreed with the local community.

10.6 **Alternative Options**

The County Council does not need to agree to the proposal – as Flagship and Breckland could develop the scheme themselves. If this alternative route is chosen, then the County Council would remain a statutory consultee on any planning applications.

11. **Public Health Strategic Plan**

11.1.1 Cabinet received the report setting out the new Public Health Strategic Plan which set out the Council's approach to improving the health and wellbeing of Norfolk's residents with a focus on prevention, partnerships and place, children and young people, adults, and older people.

11.1.2 The Cabinet Member for Public Health and Prevention introduced the report to Cabinet:

- The last iteration of the Public Health Strategic Plan was brought to Cabinet before the Covid-19 Pandemic.
- Public Health spent around £50m per year, with a role across most of the spending departments of the Council.
- Prevention underpinned the work of social care in Adult Social Services and Children's Services, impacting on wellness and happiness. This was an outcome which was difficult to measure.
- Public Health had a role highlighting health outcomes in the county and indicating health inequalities.
- The Cabinet Member for Public Health and Prevention moved the recommendations as set out in the report.

11.2 The Cabinet Member for Children's Services supported the plan, and particularly noted the focus on children's health, social and emotional development. The focus on early intervention would be beneficial for all residents.

11.3 The Cabinet Member for Adult Social Care raised the importance of people living a healthy and long life. Ten priority asks were shown on page 78-79 of the report. Partnership working and prevention were key aspects of the plan.

11.4 The Cabinet Member for Environment and Waste welcomed the report which showed what the County should be doing to support residents to leave a healthy lifestyle. Footpaths and cycle ways showed examples of ways that people could help support their own wellbeing.

11.5 The Chair noted the importance of prevention which was set out in the report.

11.6 Cabinet **RESOLVED** to approve the Public Health Strategic Plan.

11.7 **Evidence and Reasons for Decision**

Preventative interventions are shown to be effective as well as more cost effective to provide than later interventions. There is growing evidence that proactive interventions focussed on prevention are both effective and cost effective with good return on investment (RoI) and more affordable than just simply focussing on providing reactive treatment and care. This can be done by promoting healthy living, seeking to minimise the impact of illness through early intervention, and supporting recovery, enablement, and independence.

11.8 **Alternative Options**

Without an outward facing strategic plan we will not have a published framework to deliver and develop our public health interventions & services and influence our partners across the system.

12. **Summary of Annual Report of Norfolk Adoption Service 2022-2023**

12.1.1 Cabinet received the report detailing the performance of and outcomes achieved by Norfolk's Adoption Service, and a summary of the Adoption Annual Report, showing the Statement of Purpose amended by the previous years' data.

12.1.2 The Cabinet Member for Children's Services introduced the report to Cabinet:

- The Council had a statutory requirement to report on the outcomes, management arrangements and performance of Norfolk Adoption Service.
- The report also included information on Norfolk County Council's involvement in Adoption East. This was an alliance of Adoption Services in Norfolk, Essex, Suffolk, Southend, Luton, Hertfordshire, Bedford Borough and Thurrock and Voluntary Adoption Agencies AdoptionPlus and Barnardo's. Alliance priorities were shown on page 124 of the report.
- The annual report was included from page 126 of the report onwards. Norfolk Adoption Service continued to be outstanding, with Norfolk continuing to provide an excellent service for adopters and prospective adopters.
- The Cabinet Member for Children's Services moved the recommendations as set out in the report.

12.2 The Cabinet Member for Adult Social Care welcomed the report, acknowledging the work of the adoption service which had been exemplary over many years. The report highlighted support to children in Norfolk who needed a forever family and could grow and thrive in the care of an adoptive family. More adopters were needed to allow children to remain in Norfolk.

12.3 The Chair endorsed the Cabinet Member for Adult Social Care comments and noted the diligent process which took place to get things right for children.

12.4 Cabinet **RESOLVED** to accept the Annual Report and endorse the Statement of Purpose for Norfolk Adoption Service 2022/23.

12.5 **Evidence and Reasons for Decision**

N/A

12.6 **Alternative Options**

N/A

13. Annual Report 2022-2023 Norfolk Fostering Service

13.1.1 Cabinet received the report giving an update on the activity of the Fostering Service fulfilling obligations required by the Fostering Services Regulations (2011) to review and improve the quality of care, and National Minimum Standards (2011) to report to the executive side of the local authority.

13.1.2 The Cabinet Member for Children's Services introduced the report to Cabinet:

- The purpose of the report was to provide an update on the activity of Norfolk Fostering Service, to fulfil obligations of regulations and to review and improve quality of care, compliance with key minimum standards and the service offer to those seeking to foster and those who were fostered.
- The report outlined activity between April 2022-23, performance indicators and key priorities.
- Norfolk Fostering Service had undergone transformation to offer more support and training to new foster carers.
- Norfolk Fostering Service wanted all children to flourish and grow up in a stable and loving home. Norfolk Fostering Service offered an opportunity for all vulnerable children to experience this with safe and secure foster families. There was an aim to give children the best childhood, help them become valued members of society and maximise life opportunities.
- The Cabinet Member for Children's Services moved the recommendations as set out in the report

13.2 The Cabinet Member for Public Health and Prevention thanked foster carers for their time and the impact they had on the life of children.

13.3 The Cabinet Member for Corporate Services and Innovation endorsed the report as a member of the steering group for recruitment and retention of foster carers.

13.4 The Chair thanked all who fostered children in Norfolk which was a very rewarding thing to do.

13.5 Cabinet **RESOLVED** to:

1. Note the performance data within the report.
2. Endorse next steps in relation to priorities to increase and retain the pool of registered foster carers.

13.6 **Evidence and Reasons for Decision**

N/A

13.7 **Alternative Options**

N/A

14 Finance Monitoring Report 2023-24 P6: September 2023

14.1.1 Cabinet received the report giving a summary of the forecast financial position for the 2023-24 Revenue and Capital Budgets, General Balances, and the Council's Reserves at 31 March 2024, together with related financial information.

14.1.2 The Chair introduced the report to Cabinet:

- This was the halfway point in the year. The report showed movement from the previous balanced position and was forecasting a £4.4m overspend which represented 0.88% of the net budget.
- The main driver for the forecast overspend was Children's Services. Previously reported risks were now reaching levels which could not be managed within the budget of the department. The key elements to the overspend were social care placements and support and home to school transport with the £9.8m overspend partially mitigated by £1m of reserves. It was also offset by an underspend of £4.4m in finance, related to interest payable and receivable forecast reflecting the higher interest rates and cash balances held by the Council.
- There were risks in other areas of the forecast:
 - Adult Social Services continued to forecast a balanced position by managing and absorbing cost pressures related to purchase of care.
 - Pressures in Community and Environmental Services were managed in the overall position.
- A recent County Councils' Network Survey of 41 councils showed that they were forecasting collectively to overspend in 2023-24 by £639m. Half of this amount related to rising costs and demand in Children's Services.
- The causes and scope of the financial challenges in Norfolk were consistent with the national picture. The Council was reporting strong performance in achieving planned savings with £57.9m forecast to be delivered against the total forecast.
- Executive Directors continued to take measures to reduce and eliminate overspend with a view to achieve a balanced overspend by year end.
- The Chair moved the recommendations as set out in the report.
- The County Councils' Network was lobbying government on behalf of all councils experiencing these cost pressures.

14.2 The Cabinet Member for Adult Social Care noted the responsibility of the council to care for the most vulnerable, which came with financial challenges. All departments were meeting challenges in rising baseline costs which were difficult to overcome.

14.3 The Cabinet Member for Highways, Infrastructure and Transport noted the increased inflation and cost pressures being experienced, along with increased wages being seen. Community and Environmental Services were also experiencing pressures, for example, pressures associated with the recent flooding.

14.4 The Chair reported that the council took its responsibilities seriously and intended to remain financially responsible. Most of the budget was spent on

around 5% of the population. The council would keep up pressure for a fairer funding settlement for rural counties.

14.5 Cabinet **RESOLVED**:

1. To note the increase of £5.233m to the capital programme to address capital funding requirements funded mostly from various external sources as set out in detail in capital Appendix 3, paragraph 1.4 as follows:
 - £3.4m increase to the Great Yarmouth O&M Campus following full Council approval received in September 2023 comprising £2.9m NCC Borrowing and £0.5m contribution from external funding
 - £0.799m increase in the Disabled Facilities Grant funding from central government
 - £1.488m increase in S106 Developer contributions and other external grants to Children's Services across multiple development sites including £0.914m for Bradwell
 - £0.140m additional Department of Transport funding allocated to various Highways schemes and £1.050m increase in NCC Borrowing funding the NCC contribution to the West Winch Bypass approved by full Council in September 2023
 - (£1.461m) reduction in NCC Borrowing budget for ICT comprising of a £1.2m reduction in the schools ICT refresh programme following a full review of kit life cycles and a release of £0.261m for Woodside One Community Hub ICT network following the decision to dispose of Woodside One. This release in ICT budgets will allow for the funding of the Norfolk Fire and Rescue Services Command and Control system of £1.287m, the proposed virement approval is going to full Council in December 2023.
 - (£0.183m) net reduction in various other schemes
2. To note the revised current and future 2023-28 capital programme as set out in Appendix 3 including the significant reprofiling undertaken to date.
3. To delegate to the Director of Procurement and the Director of Property to undertake the necessary procurement and tender processes to deliver this revised capital programme in accordance with the delegated authority awarded on 6 March 2023 in the Authority to enact Capital Programme paper
4. To recognise the period 6 general fund revenue forecast of a £4.363m overspend (0.88% of net budget), noting also that Executive Directors will take measures to reduce or eliminate potential over-spends where these occur within services;
5. To recognise the period 6 forecast of 97% savings delivery in 2023-24, noting also that Executive Directors will continue to take measures to mitigate potential savings shortfalls through alternative savings or underspends;
6. To note the forecast General Balances at 31 March 2024 of £25.410m.

14.6 **Evidence and Reasons for Decision**

The impact of this report is primarily to demonstrate where the Council is anticipating financial pressures not forecast at the time of budget setting, including the implications of the cost-of-living crisis, inflation and rising interest rates, together with a number of other key financial measures.

The additional proposals cover a range of financial matters which will support good governance and robust financial management.

14.7 **Alternative Options**

Please see section 4 of the report

15 Reports of the Cabinet Member and Officer Delegated Decisions made since the last Cabinet meeting

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

The meeting ended at 10:55

Chair of Cabinet

Cabinet
6 November 2023
Public & Local Member Questions

	Public Question Time
6.1	<p>Question from Steve Baile Now BlackRock has said ESG (Environmental Social Corporate Governance) has failed, will the council still push it's climate, social such as drag story times and Corporate control agendas ? So many organisations and Corporations have been fooled by this which has been pushed by BlackRock and Vanguard which are some of the largest investment organisations in the world. https://finance.yahoo.com/news/davos-2023-blackrock-u-inflows-125746960.html</p> <p>Response from the Cabinet Member for Finance Council policies are not the same as ESG, which is about an approach to investment. Norfolk Pension Fund believes that the integration of financially material ESG factors into the investment decision-making process will improve the chances of optimising long term returns for the Fund, to the benefit of its members and sponsoring employers. A summary of this policy can be found at: Statement on Disinvestment/Exclusion & ESG (Environmental, Social & Governance) Aspects of Investment Strategy - March 2022 Norfolk Pension Fund.</p>
6.2	<p>Question from Helena Hallas How would the cabinet member recommend students keep themselves safe when travelling on foot to/from University after studying, working or socialising after midnight on campus/in Norwich City Centre?</p> <p>Response from the Cabinet Member for Highways, Infrastructure and Transport Many students travel to and from the University campus by bus and the County Council is in discussions with the UEA about jointly funding a trial of a night bus between the campus and city centre as part of the delivery of the Bus Service Improvement Plan. There are eleven Beryl bike/e-bike/e-scooter bays on the UEA campus and over 137 bays across Greater Norwich so use of the Beryl network could be considered for travel at a time when other transport options may be limited.</p> <p>The Police and Crime Commissioner (PCC) via its community safety work will be working closely with the police and university and colleges around keeping students safe, Specialist charities such as the Lucy Lamplugh Trust (leaflet enclosed) also offer general safety advice to students. https://www.suzylamplugh.org/students-and-personal-safety</p>
6.3	<p>Question from Gemma Spinks How much would it cost to extend the hours of the street lights that are turned on till 3am on the following roads in Norwich:</p> <p>North Park Avenue South Park Avenue Bluebell Road Earlham Road</p>

Gipsy Lane
Wycliffe Road
Wilberforce Road
Friends Road
The Avenues
Earlham Green Lane

Response from the Cabinet Member for Highways, Infrastructure and Transport

Apart from Wycliffe Road and Friends Road which are part-night lit until midnight and then come back on at 5am, the remainder of the above listed sites are already illuminated throughout the night.

Before considering any review of Wycliffe Road and Friends Road to be illuminated all night (with dimming), the impacts on energy consumption, CO₂ and upgrades to streetlighting equipment to facilitate a change would need to be investigated. Without undertaking this investigative work, we are unable to provide a cost.

**Cabinet
6 November 2023
Public & Local Member Questions**

Public Question Time

7.1 Question from Cllr Matthew Reilly

Can the County Council confirm what discussions it has had with the police and what measures it has put in place to ensure students, particularly female students, feel safe after midnight?

Response from the Cabinet Member for Highways, Infrastructure and Transport

The Police and Crime Commissioner (PCC) via its community safety work will be working closely with the police and university and colleges around keeping students safe, Specialist charities such as the Lucy Lamplugh Trust (leaflet enclosed) also offer general safety advice to students.

<https://www.suzylamplugh.org/students-and-personal-safety>

7.2 Question from Cllr Ben Price

A statement released by the Norfolk Pension Fund in March 2022 said that “NPF does not operate a divestment or exclusion policy with regards to any company.” In 2019 this council made a climate declaration where we said “We agree to lead by example and demonstrate our actions and responsibilities in tackling climate change.” Freedom of information requests by environmental campaigners found that, despite decreases in recent years, UK local government pensions held £9.7 billion of investments in fossil fuel companies in the 2019/20 financial year. Will the cabinet member for finance address the NPF’s contradictory approach to our climate commitments when drafting our treasury management policy for 2024/25?

[statement-on-divestment-esg-aspects-of-investment-strategy-march-2022.pdf](https://www.norfolkpensionfund.org/statement-on-divestment-esg-aspects-of-investment-strategy-march-2022.pdf)
([norfolkpensionfund.org](https://www.norfolkpensionfund.org))

Response from the Cabinet Member for Finance

Thank you for your question. The Pension Fund is not responsible for the County Council’s Treasury Management Policy and this is entirely separate from the investment strategy of the Pension Fund. Alongside the majority of LGPS funds and institutional investors, the Fund continues to believe that the effective integration of financially material ESG factors into investment processes remains the most appropriate approach to optimise long terms returns, for the benefit of its members and sponsoring employers (the fund represents 400+ employers in addition to the County Council). The sole purpose of an LGPS Fund is to pay the benefits due to those members, on time and in full. The Fund takes this purpose and its role as an institutional investor extremely seriously. The Fund monitors and publishes climate risk metrics for its public equity portfolios as part of its approach to ESG risk management. This can be found at [Climate risk reporting - June 2023](https://www.norfolkpensionfund.org/climate-risk-reporting-june-2023) ([norfolkpensionfund.org](https://www.norfolkpensionfund.org)). This demonstrates that the Fund has substantially better quantifiable climate risk characteristics than global equity benchmarks and considers that companies across all sectors contribute to global emissions and will ultimately form part of an effective and just transition. It is less clear how responsible investors simply blanket

selling positions in some companies to other actors will contribute to the transition to a lower emission economy. In addition, the Fund is a substantial investor in renewable energy solutions and forestry via its real asset portfolios that form part of its diversified investment strategy.

Second question from Cllr Ben Price

Can the Cabinet member provide me with an update on the next steps for Wensum Lodge which would include further information on: when adult education courses officially finish at the site, new provision for practical classroom-based studies, securing Wensum Lodge when it closes and the associated costs for that security is, and the work undertaken so far in the development of “meanwhile” lease agreement?

Response from the Cabinet Member for Communities and Partnerships

As set out in the July Cabinet report, we will continue to deliver some courses from Wensum Lodge until the end of the 2023 calendar year to enable a period of transition, and would look to vacate the building fully by early 2024. Some classroom based courses have already moved to new locations and others will change to new locations for the start of 2024.

We knew that securing new locations for our Silversmithing and pottery/ceramics programmes would be more challenging because of the specialist requirements for delivering these courses. I am happy to say that we have identified new venues for both of these and will continue to offer courses for learners. We will need to take a short break from classes in the new year whilst we move to the new locations and to give us time to move equipment and reconfigure the new venues, as well as replacing some of the older equipment with new. We will confirm the locations of the new venues as soon as we have the relevant contractual arrangements in place, which should be very soon. In the meantime, we are keeping staff and learners updated.

Site management arrangements once service delivery ends have not been finalised yet and the security cost is therefore not known. The Council is looking to secure the long-term future of the site and is currently providing information / supporting access to the site, should a qualifying community group want to take on the freehold under the ACV process.

7.3 Question from Cllr Catherine Rowett

Many have been inconvenienced by “once in a blue moon” flooding in the South Norfolk area, in the recent storm (though our problems barely got a mention in warnings and news bulletins). Can the Cabinet Member update on how the work of the Norfolk Strategic Flooding Alliance will be expedited to prevent such disasters again, especially as a warming climate increases the frequency of extreme downpours?

Response from the Cabinet Member for Environment and Waste

The Norfolk Strategic Flooding Alliance brings together all the agencies and organisations in the county with responsibilities for water management and flooding.

Its partners have a track record of quick response to dealing with emergency flooding, as well as completing investigations and delivering long-term solutions where possible. In addition, the Alliance has worked to highlight what landowners and property owners can do to help where they have responsibilities for caring for watercourses and ditches on or adjacent to their property.

In the face of climate change the Alliance is also looking at the changing nature of flood risk that this is bringing and working with specialists and academics to get a detailed understanding of the future implications for Norfolk of this so that it can inform future decisions.

Second question from Cllr Catherine Rowett

Intensive farming and arable agriculture using nitrogen fertilisers contribute a high proportion of the nutrient pollution that affects our waterways, thereby delaying housing development in places where it is needed. Schemes to reduce agricultural emissions, by taking land out of use, or converting it to less damaging uses, are therefore helpful, if they can permanently reduce the overall flow of pollutants. Does this council have powers to restrict the conversion of land to more intensive polluting types of agriculture, or do other authorities/organisations operate regulatory systems, to ensure that we can enforce and maintain important reductions in effluent that will have been paid for in offsetting schemes?

Response from the Cabinet Member for Environment and Waste

Enforcement of pollution is undertaken by the Environment Agency. Issues around land use are defined within the National Planning Policy Framework and managed by Local Planning Authorities.

7.4 Question from Cllr Paul Neale

The cabinet member for highways continues to make one bad decision after another. He has decided to exclude the public and media from highways decisions, claiming it would improve democracy; reversed the Exchange Street pedestrian and cycling only scheme because too many people broke the law, and claimed the mass loss of replacement trees on the NDR was because it was dangerous to water them, to name just a few of his gems. He also seems unable to provide definitive costs for the NWL. Before his bizarre decision making becomes a complete car crash, will he now resign?

Response from the Cabinet Member for Highways, Infrastructure and Transport

I don't accept your opening remarks. I have taken action where action was needed to resolve ongoing issues. I have provided context where a situation was not straightforward, and I have responded appropriately by not confirming details before the work that would inform them has been completed.

I take the responsibility of being a Norfolk County Council cabinet member very seriously, as I believe this shows, and it's disappointing that Cllr Neale is unable to see this. There is no basis whatsoever to call for my resignation and, to confirm, I intend to continue to work hard in this role and deliver good results for the people of Norfolk, which recently have included securing funding for 70 new electric buses, ongoing delivery of the £50m Bus Service Improvement Plan and Transforming Cities measures.

Second question from Cllr Paul Neale

Recently the Leader of this council in an unusual personal and baseless attack on environmentalist Dr Andrew Boswell, branded him a "misguided individual". Will she now retract her attack on Dr Boswell and apologise in light of a Court of Appeal judge now permitting him the right to appeal, saying Dr Boswell's appeal "has a real prospect of success" which to me does not sound misguided as the Leader of the council claimed?

Response from the Leader and Cabinet Member for Strategy and Governance

I do not agree with your interpretation of my comments and stand by my assertion that this person is misguided in their actions in trying to prevent vital infrastructure from being built in our county. Not only are they wasting time in preventing us bringing these much-needed upgrades to our roads, but they have also cost the taxpayer millions of pounds unnecessarily, which would have been better spent on further improvements.

Infrastructure plays a crucial role in Norfolk for all residents. We are traditionally behind other places with our outdated road network and yet Dr Boswell seeks to prevent us from levelling-up and bringing future economic growth to our county with his idealistic views. These three schemes at Blofield, Easton and Thickthorn will improve safety, cut congestion and pollution on key routes and I'm keen that we deliver these for our residents sooner rather than later.

What people don't need, especially in these challenging economic times, is for money to be wasted on expensive and pointless legal cases; because as the Councillor will know, Norfolk County Council has to meet its own legal costs, irrespective of the recent Court ruling in our favour.

Dr Boswell himself is quoted as saying about the ruling of Judge Mrs Justice Thornton 'The judge may well have been right in her conclusion', which our Norfolk residents could very well read as admission and accepting of defeat on Dr Boswell's behalf on this particular issue. Instead of accepting this and allowing us to get on with these vital improvements, we are faced with further delay and costs as a result of this appeal. I would suggest that it is Dr Boswell who should be apologising instead and to the people of Norfolk for his unwarranted intervention in these vital road safety schemes.

7.5 Question from Cllr Jamie Osborn

Residents of the city centre have for years been affected by high levels of air pollution. As the local member, I've repeatedly asked for air quality monitoring around St Giles and Bethel Street since being elected, to provide the data needed to inform decisions about the transport network in the city centre. With the Cabinet Member having reversed the Exchange Street decision unilaterally with no clear evidence behind it, will he now agree to finally monitor air quality around these streets?

Response from the Cabinet Member for Highways, Infrastructure and Transport

As you are a Member of the City Council, you will be aware that air quality monitoring is the responsibility of the City Council in Norwich. Five new pollution monitoring diffusion tubes have been installed by them around Bethel Street and St Giles, and the results will be shared with the Council as part of our close working relationship. Due to seasonal fluctuations, it is hard to get a full picture until there is a full year of results. However, the tubes are changed monthly, so we will be able to monitor monthly variations. The use of diffusion tubes are the accepted way of measuring nitrogen dioxide levels by DEFRA and is the recognised method of carrying out this monitoring.

Supplementary question from Cllr Jamie Osborn

The second National Infrastructure Assessment, commissioned by the Government, last month explicitly recommended placing "practical limits on access to road space by private cars" to reduce congestion. Among the options recommended to achieve this are a workplace parking levy, congestion charges, and physically reallocating space from cars to

walking, wheeling and cycling. Can the Cabinet Member outline in detail progress on such measures?

Response from the Cabinet Member for Highways, Infrastructure and Transport

Recently, the national picture around these types of measures has altered significantly, culminating in the recent publication by the Department for Transport of 'The Plan for Drivers'. Combined with the ongoing delay in the Department for Transport publishing Local Transport Plan guidance, we are keen to avoid any potentially abortive work and will review our approach to assessing measures such as these as soon as the Local Transport Plan guidance is finally issued.

7.6 Question from Cllr Steffan Aquarone

Some people will welcome the announcement of funding for the Norwich Western Link, after the Government has agreed to foot 85% of the cost. However, this is working off 2021 estimates and the cost, in line with inflation and other pressures, is likely to be a lot higher. How does this Council plan to fill this potentially significant funding gap?

Response from the Leader and Cabinet Member for Strategy and Governance

Any update to the budget that was agreed in July 2022 will be included in the report to our Cabinet next month. This is currently being reviewed, along with the project timetable, in light of the very welcome funding announcement and commitment we received from the government in October.

When the Department for Transport (DfT) announced its approval of our Outline Business Case for the Norwich Western Link, they confirmed that there was potential for their contribution to the overall cost of the project to be increased above 85%, following a recent announcement by the Prime Minister. This is clearly very positive as it would mean more national investment coming into Norfolk. We are discussing this with DfT colleagues and, with our strong business case, we will be well-positioned to secure further investment from the government.

Second question from Cllr Steffan Aquarone

Please could the Cabinet Member provide the figure for the amount spent in compensation to Norfolk's drivers for damages caused to their vehicles due to the condition of Norfolk's roads?

Response from the Cabinet Member for Highways, Infrastructure and Transport

In the three-year period 1st April 2020 to 31st March 2023 we received 931 claims where the allegation was that a pothole on the network has caused damage to a vehicle. Of that number the Council admitted liability on 203 claims and compensated these claimants to the sum of £58,978. Within the 931 claims there are still 11 claims that remain open and in dispute and therefore no payment has been made.

7.7 Question from Cllr Brian Watkins

For 24/25 to meet the planned savings target how many older people who would have gone to care homes with council support will now be assessed as being supported in their home. Further, to meet the savings target how many residents currently supporting care homes will be re assessed as suitable to return to living in their own homes.

Response from the Cabinet Member for Adult Social Care

Thank you for the question.

People tell us that wherever possible they would rather stay in their own home provided they have the right care and support so they can continue to live independently.

Through our Promoting Independence strategy, we have a number of different ways we can support people to continue living at home – rather than go into residential care. These include assistive technology where new innovations come on stream every year, through our Norfolk First Support service, through home care, occupational therapy, and housing adaptations. Our Independent Living Housing programme that is building accommodation that is suitable for people who are no longer able to stay at home but not quite ready to enter a long-term residential placement.

With these increased options we think going forward we can support around an additional 300 people a year to continue to live their lives in their homes.

Our focus is on supporting new people to the service, so our savings are not predicated on reassessing anyone already in residential care unless they ask us to. We will of course always consider the most suitable environment to meet a person's needs as part of our regular reviews of service under the Care Act.

7.8 Question from Cllr David Sayers

Given the flood risk advisories for King's Lynn this weekend from Storm Ciaran and isolated flooding from Storm Babet, I seek reassurance from Norfolk County Council as the lead local flood authority. Residents, especially around Peppers Green, are deeply concerned about the current state of sustainable drainage systems locally, which appear to be reaching their limit. There is also anxiety that the forthcoming developments at Knights Hill with further strain these systems, potentially resulting in significant property flooding. Can the cabinet address these pressing concerns?

Response from the Cabinet Member for Environment and Waste

I fully appreciate the concerns and worry that flooding can cause and to address those the County Council has made large scale commitments to address flood risk, including dedicating additional funding for this and establishing the Norfolk Strategic Flooding Alliance.

In relation to sustainable drainage, the County Council in its role as a Lead Local Authority is involved in consultations on large scale developments by Local Planning Authorities and consistently provides evidenced based responses to those, with the final decisions made by the Local Planning Authorities.

And in response to your reference to specific locations I will ask County Council officers to review those locations and raise concerns with the Local Planning Authority as required and we will fully investigate issues of internal flooding to properties as they occur, so that the right actions can be identified for the right organisations and bodies.

Second question from Cllr David Sayers

There have been two recent accidents on Fenland Road which have caused damage to properties, will further road safety measures be considered to alleviate these issues?

Response from the Cabinet Member for Highways, Infrastructure and Transport

The Council prioritises its limited safety engineering budget to the locations with the highest number of recorded personal injury accidents, as these cause the most harm. Around 2,000 of these are recorded each year across Norfolk. There have been no recorded personal injury accidents on Fen Road in the last 3 years so this does not justify a safety engineering intervention. However, I would be happy to arrange a site inspection by the local Highway Engineer to see if there are any low-cost measures that may help.

7.9 Question from Cllr Sharon Blundell

In terms of the rates childcare settings are provided by the council, Norfolk is ranked one of the lowest in the country. This prevents settings from retaining staff and makes some financially unviable. Will the cabinet member consider increasing these rates?

Response from the Cabinet Member for Children's Services

Early Education and Childcare funding rates are set using a national funding formula. As a local authority we consult with early years providers and a consultative group of early years providers to determine with Schools Forum the best local formula for distribution of this funding within a strict set of limited rules. We are not able to distribute more funding than we receive from central government. We remain in full agreement that funding rates remain too low.

In the Spring budget there were several announcements which have the potential to make a significant difference to the childcare market in Norfolk – this included from this term some increase in funding for 3-to-4-year-olds and a significant increase in the funding rate for 2-year-olds. Starting in April there will be a phasing in of extended entitlements for working families of children from 9 months of age. We have had conversations with many providers to explore the opportunities these new entitlements bring.

While it is true that some providers have closed recently, the reasons for these closures are mixed and not all have closed for financial reasons. Recruitment and retention are an issue nationwide – the Department for Education (DfE) are starting a national early year's recruitment campaign in the new year and are promoting early years apprenticeships to try and grow the workforce, but there remain significant challenges across the care and education sectors in recruiting and retaining staff as a result of competition from other sectors and the increased cost of living. We have also supported new providers to open and have an active childminder recruitment campaign where we are supporting more new childminders to enter the market with training and start-up funding. We continue to effectively support providers to adapt their business models and be sustainable.

The evidence suggests that despite significant challenges, Early Education and Childcare in Norfolk remains strong - the percentage of good and outstanding early years providers is slightly above the national average (the most recent figures show that 97% of Norfolk providers are good or outstanding, compared to 96% nationally) and the percentage of children who reach expected standards in the Early Years Foundation Stage Profile is above the national average in every Early Learning Goal.

7.10 Question from Cllr John Crofts

The recent storms have caused considerable flooding around areas in Roydon. Following correspondence from residents and the reporting of these problems to the County Council, a

flood investigation is due to be undertaken. The time scale of this investigation means that it will report in a years' time, does the cabinet member agree a year is too long and the residents affected by these floods deserve action now?

Response from the Cabinet Member for Environment and Waste

Flood investigation reports by the County Council in its role as a Lead Local Flood Authority are undertaken in relation to internal flooding of properties.

The scale and complexity of the flooding events locally, and across the county, help determine the time it takes to complete the investigations and the consultations that relate to those. This thorough and detailed process is key to making sure the right actions and responsibilities are established, and in relation to that process I will ensure that officers continue to treat fast completion of these investigations as a priority.

7.11 Question from Cllr Rob Colwell

Following another summer of misery for road users in West Norfolk, travelling North and South on the A149 in Kings Lynn, what reassurance can you give residents that Norfolk County Council are looking at significant improvements and capacity increase to this road in the near future?

Response from the Cabinet Member for Highways, Infrastructure and Transport

We are committed to improving road infrastructure where necessary, as we have demonstrated with the Norwich Western Link. Work has just commenced on updating the King's Lynn Transport Strategy (KLTS), in partnership between the County Council and Borough Council, and it is considered that this should be carried out first before any feasibility work on improvements or dualling schemes for the A149, so that the wider network implications can also be assessed. The KLTS will include consideration of the A149 and the associated complementary sustainable transport improvements, in and around the town, that would be required to ensure government support for a significant road improvement scheme. The Borough Council are also keen to see scheme development work for an improvement/dualling scheme for the A149 but recognise the need to do this in the context of the KLTS which is anticipated to take around a year to complete.

Second question from Cllr Rob Colwell

Habitat restoration of the Gaywood river, a rare chalk stream, is being hampered by the lack of suitable dual hydrologic/hydraulic flood risk modelling of the Gaywood catchment to include Black and Bawsey drains. What financial support can Norfolk County Council provide towards a proposed joint report with the Environment Agency, KLIDB/WMA, Norfolk Rivers Trust, KLWNBC and other interested parties, to then unlock future national grants?

Response from the Cabinet Member for Environment and Waste

The County Council hosts the Norfolk Coast Partnership, and through this Partnership has an active working relationship with key stakeholders in the area such as the Norfolk Rivers Trust, the Borough Council of King's Lynn and West Norfolk, Natural England and many farmers and land managers.

That Partnership is the forum through which its involvement with projects in the area are progressed and we are currently working closely with partners to support and develop new projects and funding applications which have habitat and river restoration at their core, whilst also supporting species recovery and sustainable rural practices. This approach has notably

resulted in the development and award of a landscape recovery project along the north Norfolk coast and several other initiatives delivered through funding from the National Heritage Lottery Fund, which have significantly improved chalk river habitat with the area.

7.12 Question from Cllr Terry Jermy

The proposals for the Abbey Estate in Thetford, part of my Thetford West division, will see this community increase by some 500 homes. But the memorandum of understanding commits both Breckland Council and Norfolk County Council to seek no section 106 contributions from the developer. How will the County Council ensure the necessary infrastructure is put in place to cope with the increased demand linked to these new homes?

Response from the Cabinet Member for Corporate Services and Innovation

The County Council is supportive of the proposed regeneration of the Abbey Estate, and in its role as a statutory consultee and infrastructure provider will seek to ensure that the redevelopment comes forward in a way that provides appropriate infrastructure and opportunities for both existing and future residents. Children's Services are aware of the proposal and is planning accordingly for the wider Thetford area and has an additional three primary schools safeguarded for the future and has secured funds to allow for further expansion of secondary capacity. The County Council will also expect to see improved facilities to support active travel measures as well as public transport infrastructure.

7.13 Question from Cllr Alison Birmingham

Concerns have been raised about migrant workers at risk of being exploited by social care employers. Migrant care workers can be trapped in inadequate housing, paid the lowest wages and locked into unfair contracts. Often they have paid to come and work in these difficult conditions and fear speaking out and losing their right to work and their job.

I hope that Adult Social Care checks that no employer they commission engages in such practices. Is there any information that the Cabinet Member for Adult Social Services can share concerning the commissioned workforce and these rogue employers?

Response from the Cabinet Member for Adult Social Care

Thank you for your question.

I recognise the risks and issues that you describe, and we take this very seriously. Following the introduction of the health and social care visa, the Government has set up the International Recruitment Fund in February 2023 requiring each region to work in partnership to access funding to support ethical international recruitment in their region. Norfolk is the lead sponsor for the eastern region, and we have been working with all 12 councils in the east to put in place resources and support for care providers and international recruits to champion ethical practice. Examples include webinars and 1:1 support around sponsorship, ethical recruitment, modern slavery, anti-racist practice and cultural orientation and pastoral care. The programme is also offering practical support around driving skills and mock compliance audits for care providers.

But we also know that it can be difficult to know about unacceptable practice until it is too late. We have therefore also written to all providers and commissioned an audit of a sample of the care providers that we work with who hold sponsorship certificates to seek assurance around practice and improve learning.

The government and the Local Government Association are also starting to launch more guidance on this subject. The LGA has just published guidance for local authorities around modern slavery risk assessment and due diligence for adult social care, which we review and take any necessary action.

We are working closely with the Department of Health and Social Care through regular monthly meetings. We are sharing learning from the partnership and also lobbying for further data sharing from the Home Office, to have better insight about the number and location of sponsorships within a local area.

7.14 Question from Cllr Colleen Walker

I'm sure the entire Cabinet share the shock and disappointment of Great Yarmouth that Hemsby has been cruelly denied the funding required to protect against coastal erosion and is now watching as more homes and land are claimed by the sea. The people have been let down and left to fend for themselves despite promises of support. I ask the entire Cabinet to take responsibility where no others have been willing. Will you find the money to help the desperate people of Hemsby protect their homes and livelihoods or to start again somewhere else?

Response from the Cabinet Member for Environment and Waste

As you are aware, the lead roles and responsibilities for coastal matters in Norfolk sit with other bodies and organisations, such as Defra, the Environment Agency, Coastal Partnerships East and the local district councils.

However, the County Council shares the deep concerns and will continue to use its involvement with those bodies to help secure and influence the best possible outcomes for Norfolk's residents and communities, as was demonstrated by our Motion to Full Council on 26th September, which was unanimously supported..

Supplementary question from Cllr Colleen Walker

Will the Cabinet also join me in sending heartfelt thanks especially to the lifeboat crews working so hard for the people of Hemsby and all those others doing their best to support those at risk? Will they please make sure their efforts are not in vain.

Response from the Cabinet Member for Environment and Waste

The efforts and commitment of all organisations, groups and individuals involved with dealing with the challenges and changing situation at Hemsby are fully respected and greatly appreciated by both me and the wider Council. As highlighted in my answer above, the County Council will continue to use its involvement with the bodies and organisations that have the responsibilities for coastal matters in Norfolk, ie Defra, the Environment Agency, Coastal Partnerships East and Great Yarmouth Brough Council, to help influence and secure the best possible outcomes.

7.15 Question from Cllr Maxine Webb

The Cabinet Member for Children's Services recently confirmed that the Council could fill "twice over" the two new special schools announced to open in 2026. Will she therefore now look again at the County's Angel Road school and Dereham Children's centre sites as options for two further special schools, which could be redesigned and renovated to open as new specialist provision, potentially within months rather than years?

Response from the Cabinet Member for Children's Services

This is the 3rd time I have been asked this question within three subsequent Cabinet meetings and, due to the relative short timeframe between these questions being asked and the timeframe for capital decision making I do need to repeat my previous answer: '...as part of the process for any vacated property we consider the potential use of such assets for Children's Service. This will involve how this building could support our Local First Inclusion Programme and will therefore be considered as part of the SEND Sufficiency and Capital workstream'. I am not able to provide any further update currently. However, I believe all councillors are aware that SEND developments remain a priority for this council and that Officers continue to work hard to move these developments forward and I will be happy to provide an update when the next stage of the process has concluded....'. For the avoidance of doubt, I do not want my response to be interpreted as not taking the suggestion seriously but instead to be evidence of quite rightly following a process that guarantees the right decision is achieved for the long-term benefit of the county. On a point of fact, the lease for Angel Road is still not yet transferred to the council and, therefore, this will be the next stage in the process.

Second question from Cllr Maxine Webb

Norfolk is not on the list announced this week, of local authorities set to receive a share of the £40m hardship fund to help fund teachers' well-earned pay rises. What impact does the Cabinet Member for Children's Services think this latest example of the government letting down our schools will have, especially on overstretched SEND provision, disproportionately affected due to the higher staffing levels needed?

Response from the Cabinet Member for Children's Services

The reason why Norfolk was not included in the list announced to receive a share of the 40m hardship fund is because Norfolk is not eligible for this particular pot of funding.

The £40m, referred to as the hardship fund, is a fund to support those schools facing the greatest financial challenges. £20m of this funding will go to only those local authorities who have the most significant school deficits (in effect aggregated school level deficits which represent 1% of their total maintained schools' income, which is not relevant to Norfolk) and the remaining 20m will be used to expand the existing route for academies in financial difficulties, in line with existing criteria and processes.

7.16 Question from Cllr Mike Smith-Clare

The Cabinet Member for Children's Services said if she didn't get a positive answer to hers and the Leaders letter to the Secretary of State for Education reinstating the £5.6m taken from Norfolk schools she would go to London to see her. When is her appointment?

Response from the Cabinet Member for Children's Services

I thank Cllr Mike Smith Clare for his question. He well knows, I wrote to the Minister of State (Minister of State for Schools) The Rt Hon Nick Gibb, MP on 11 October 2023, promptly after the announcement was made of the accountancy error by the DFE. Whilst I remain waiting for a response, I have also written to the Secretary of State for Education the Rt Hon Gillian Keegan, MP on 27 October 2023 jointly with Sir Brandon Lewis MP. We have requested to meet face to face to discuss this issue, with an expectation that the financial gap of 5.6m is honoured. I note that my fellow councillor in his comments in the EDP on the 2nd of November considers this to be a hollow gesture, I beg to differ!

7.17 Question from Cllr Julie Brociek-Coulton

Care workers looking for parking spaces because they don't have permits waste a lot of time that the County Council is paying for that should be time spent caring for the needs of vulnerable people. How much time does the Cabinet Member for Adult Social Services calculate that comes to at what cost?

Response from the Cabinet Member for Adult Social Care

Thank you for your question.

The hourly rate that the Council pays for Home Care includes an element that covers travel time and associated costs such as mileage.

Question from Cllr Julie Brociek-Coulton

If those figures are not available, will she commission research to establish that information and join me on calling for parking permits for care workers like those schemes in some other Councils?

Response from the Cabinet Member for Adult Social Care

I refer you to my answer to the question above, the hourly rate that the Council pays for Home Care includes an element that covers travel time and associated costs such as mileage.

7.18 Question from Cllr Chrissie Rumsby

As money is so tight, would the Cabinet Member for Environment and Waste prefer to see available investment spent on new roads or measures to alleviate flooding?

Response from the Cabinet Member for

This should not be an either/or question, because our role as a County Council is to continually balance our priorities and focus the use of our resources in the best ways possible. Consequently, the County Council will continue to do that in relation to both of these service areas and across all other service areas too.

In addition, the County Council will continue to explore opportunities to secure external funding where opportunities become available, and it has to be accepted that such funding often comes with restricted criteria about what the funding can be used for.

Cabinet

Item No: 8

Report Title: Consideration of a County Deal for Norfolk

Date of Meeting: 4 December 2023

Responsible Cabinet Member: Cllr Kay Mason Billig (Leader and Cabinet Member for Strategy & Governance)

Responsible Director:

Tom McCabe, Chief Executive Officer

Paul Cracknell Executive Director Strategy & Transformation

Katrina Hulatt, Director of Legal Services and Monitoring Officer

Caroline Clarke, Returning Officer

Executive Summary

On 8 December 2022, Norfolk County Council ('the Council') signed an 'in-principle' Level 3 devolution County Deal for Norfolk which, if agreed, will provide Norfolk with new powers, devolved funding and additional investment to help us boost our economy through jobs, training and development, improve our transport network and support our environment.

One of the first of its kind, Norfolk's County Deal will bring greater independence to local decision-making and priority setting. The Investment Fund, available through a Level 3 deal, will bring an additional £600m over 30 years.

The 'in-principle' Deal has been subject to public consultation. Overall, 57% of respondents agreed with the principle of devolution as outlined in the deal and the benefits it brings to Norfolk, while 24% disagreed and a further 17% did not know or were unsure.

The Government and the Council recognise that devolution is a journey, not a one-off event and the Council has continued to negotiate enhancements to the Deal. This includes the opportunity to immediately start negotiations on further devolution of powers and funding (subject to the Level 3 deal being agreed).

To secure a Level 3 Deal, the Council must change its governance model from a 'Leader and Cabinet model' to a 'Directly Elected Leader and Cabinet model'. Key elements of the Deal such as the Investment Fund, the Brownfield Housing Fund, the Integrated Transport Settlement and negotiated enhancements are only available at Level 3.

The Deal text confirmed that this governance change was to take place by resolution of the Council on 12 December 2023, in preparation for the election of a Directly Elected Leader in May 2024. Following discussions with Government, the Council has successfully negotiated the option to defer the election for a Directly Elected Leader, until May 2025, should this be preferred. This option has not previously been available to the Council or other areas negotiating devolution deals.

Recommendations

The Cabinet, recognising that the change in governance would be a matter for the Full Council, recommends one of the options below:

Recommendation Option 1

- a) recognises the work carried out during 2023 to consult with the public, inform Members and prepare plans in relation to the ‘in-principle’ County Deal brought to Council in January this year.
- b) commends the work undertaken by the Leader and Officers to secure additional benefits for the Norfolk County Deal and resolves that the Deal should be accepted.
- c) resolves to change the Norfolk County Council’s governance to an Elected Mayor (Directly Elected Leader) and Cabinet model at this meeting 12th December 2023.
- d) Requests officers to undertake the preparation needed, including publication of the statutory public notice (Appendix A), constitutional change and preparations to allow for a May 2024 election of a Directly Elected Leader.
- e) resolves to change the title by which the elected mayor of the authority is to be known to the alternative title of Elected Leader, as the Council agrees that this clearly connects the role of the elected leader to that of the County Council, and to distinguish this deal from other areas.
- f) Requests officers to send notice of the alternative title to the Secretary of State and to include that notice within the Statutory Notice, to be published on the website and made available at the Councils principal office.

Recommendation option 2

- a) recognises the work carried out during 2023 to consult with the public, inform Members and prepare plans in relation to the ‘in-principle’ County Deal brought to Council in January this year.
- b) commends the work undertaken by the Leader and Officers to secure additional benefits for the Norfolk County Deal and resolves that the Deal should be accepted.
- c) resolves that the election for the Directly Elected Leader should be held alongside the county council elections in May 2025 to enable the widest possible engagement with the electorate.
- d) agrees that the resolution adopting the new governance arrangements must be passed by the Full Council Meeting on 23 July 2024 to facilitate that election date.

- e) agrees on that same date to resolve to change the title by which the elected mayor of the authority is to be known to the alternative title of Elected Leader as the Council agrees that this better represents the role and expectations of an individual regarding the proper leadership of the County.

Recommendation option 3

- a) Resolves to request that the Executive go back to central government and negotiate a Level 2 Deal for Norfolk.

Recommendation option 4

- a) Resolves that Norfolk County Council determine that devolution is not a route that it wishes to pursue at the current time.

1. Background and Purpose

- 1.1. 'County Deals' are part of the Government's levelling up agenda (as set out in the [2022 Levelling Up White Paper](#)) "to spread opportunity equally across the UK" through greater devolution of powers and funding.
- 1.2. The County Deals offer a significant opportunity to unlock long-term funding and gain greater freedom to decide how best to support businesses to grow, meet local needs and create new opportunities for the people who live and work in Norfolk.
- 1.3. On 8 December 2022, the Secretary of State for Levelling Up, Housing and Communities announced that the Government was "minded to" enter into a County Deal for Norfolk, under which the County would benefit from £600m of new Government investment over the next 30 years and an additional £12.9m during the current Spending Review period to fund local priorities to produce growth. In addition, the Deal will also devolve a number of powers, as well as provide the Council with an additional £1.632m capacity funding over 2023/24 and 2024/25 to support implementation.
- 1.4. The Government and Norfolk County Council both recognise that devolution is a journey, not a one-off event. This agreement would be the first step in a process of further devolution and will pave the way for future conversations as part of an ongoing dialogue; with the experience from other devolution areas showing that initial deals can open the door to receiving further powers, funding and influence.
- 1.5. The Deal has required that:
- the content of the 'in-principle' Deal be subject of a formal consultation with other public sector partners – including district, borough and city councils – communities and business.
 - as a Level 3 deal, the Full Council resolves to change its governance model to that of a Directly Elected Leader which will unlock all elements of the 'in-principle' deal (with the Investment Fund, Brownfield Housing Fund, Integrated Transport Settlement and the additional negotiated enhancements only available at Level 3).

- the Secretary of State for the Levelling Up, Housing and Communities be satisfied that the required statutory requirements have been met, and parliamentary approval of the required secondary legislation.
- 1.6. This report summarises the key elements of the Deal (including further enhancements to the Deal negotiated during 2023) and sets out the options for taking forward the Deal for Norfolk.

2. Key elements of the Deal for Norfolk

- 2.1 The Deal contains substantial new and devolved powers and funding for Norfolk and represents an opportunity to gain greater autonomy and agility for local people and leaders to make the right decisions for the County. It will enable us to deliver the ambitions of *Better Together, For Norfolk 2021-2025*; to “pursue the prize of a deal with Government, to leverage more money and powers into the county, for the benefit of the county” and “ensuring that Norfolk claims its fair share of investment to drive growth, prosperity and higher skills so we are not left behind”.
- 2.2 It will allow us to invest in areas such as better transport, skills, job opportunities, housing and regeneration, tailored to the specific needs of local people, and will ensure that the County is not disadvantaged as other areas acquire their own devolution deals. As one of the first “rural” devolution deals, it gives recognition to both the contribution that County geographies make to the UK economy and the challenges they continue to face.
- 2.3 The Deal for Norfolk includes:
- Control of a **new investment fund of £20m per year for 30 years** (40% capital and 60% revenue), to drive growth and take forward priorities over the long term. The revenue secured gives the investment fund a strong multiplier effect, allowing the opportunity to leverage additional private funding. (Level 3 only)
 - Almost **£7m capital funding for the building of new homes on brownfield land** in 2024/25 helping to ease the viability issues that brownfield projects face, alongside supporting wider interventions aimed at economic development. For future spending reviews, Norfolk would be treated the same as other devolved areas. (Level 3 only)
 - **£5.9m of capital funding**, received in this Spending Review period, which has supported the further development of the Operations & Maintenance Campus in Great Yarmouth, the Nar Ouse Business Park in King’s Lynn, and the East Norwich Regeneration Project.
 - New powers to drive the regeneration of the area and to build more affordable homes, including **Homes England compulsory purchase powers** and the ability to establish **Mayoral Development Corporations**, with the consent of the relevant planning authority/ies. (Level 3 only).
 - New powers to shape local skills provision to address challenges, maximise the impact of funding and better meet the needs of the local economy and local people, including the **devolution of the core Adult**

Education Budget (approximately £12m pa) from 2025/26 and development of a Strategic Skills Plan with partners.

- **An integrated transport settlement** c.£40m starting in 2024/25, which will provide greater control in how these budgets are directed locally to better meet our needs and priorities, and **£500,000 in revenue funding** over two years to accelerate the review of Transport plans and implement quantifiable carbon reductions. Government will work with Norfolk to agree an integrated multi-year transport settlement at the next Spending Review, at which point opportunities for expanding the integrated transport settlement offer will also be explored. (Level 3 only)
- A commitment to explore **a local partnership with Great British Railways** so that the County Council can help to shape and improve local rail services.

2.4 The Council will **plan and deliver the UK Shared Prosperity Fund (UKSPF) from 2025/26 engaging district, borough and city authorities on delivery**, and building on projects and initiatives funded in the first two years of the programme. Since the Chancellor's Spring Budget on 15 March 2023, the integration of all Local Enterprise Partnerships forms part of Government policy, and therefore, the integration of the New Anglia LEP functions into the County Council is no longer tied to or dependent on the County Deal.

3. Additional elements of a Deal for Norfolk

3.1. Since signing the 'in-principle' Level 3 Deal, Norfolk County Council has continued to strengthen its relationships with Norfolk's MPs and influence with key government departments, which has included discussions with senior officials and Ministers, and a face-to-face meeting between the Leader of the County Council and the Rt Hon Michael Gove MP, the Secretary of State for Levelling Up, Housing and Communities. Building on that, over the past 6 months, the County Council has also continued to explore additional areas of opportunity to enhance the existing deal. This activity has led to a number of successes:

- Flexibility, unavailable previously, to **allow for the election of the Directly Elected Leader in 2025** (as opposed to 2024) to coincide with the County Council elections.
- Successfully influencing the agreement of the County Council's **outline business case for the Norwich Western Link**, a critical scheme to enhance transport connectivity in our County by connecting existing road infrastructure with the A47.
- Working closely with our MPs and using strengthened connections with Government, contributing to West Norfolk's **Queen Elizabeth Hospital** being added to the Government's New Hospital Programme, with the funding to build a new hospital on the site by 2030.
- Convening meetings of key stakeholders, such as National Grid, UK Power Networks (UKPN), District Councils, the Sub-National Transport Body and offshore wind promoters, since September to understand the

challenges, opportunities and priorities relating to energy, with a view to creating a **Norfolk Energy Plan**, in partnership with the Norfolk Climate Change Partnership.

- Working with the Department for Levelling Up, Housing and Communities (DLUHC), National Grid and UKPN to contribute data, such as housing and jobs growth, to **inform their investment strategies**. Furthermore, the Council is exploring opportunities to increase electricity capacity in constrained areas, supporting the Energy Systems Operator **to develop reforms**, and becoming part of the National Grid Electricity Transmission East Anglia cluster.
- Following discussions with the Department for Levelling Up, Housing and Communities we have put forward a number of **business cases** in support of key projects to deliver jobs and growth (such as community hubs, enterprise parks and other infrastructure improvements), totalling **£9.4m of capital funding**, and which were developed in partnership with our district councils. These are currently under consideration.

4. Level 4 devolution

4.1 In line with past commitments from Government to strengthen and deepen devolution in England, the Chancellor, the Rt Hon. Jeremy Hunt MP, announced a new [‘Level 4’ of the devolution framework](#) in the [Autumn Statement](#) held on 22 November 2023. This framework reflects the progress in devolving decisions and functions. Devolved institutions with a directly elected leader will be able to draw down from this framework, which delivers deeper powers including:

- From the next spending review, a “single pot” consolidated budget from the Department for Levelling Up, Housing and Communities covering devolved funding. The benefit of this are that devolved institutions will be able to plan more effectively longer term and increase its spending power.
- Opportunity for devolution of retrofit funding, subject to the outcome of the existing pilots in Greater Manchester and the West Midlands. The benefit of this is that the local area is guaranteed funding rather than having to submit costly competitive bids.
- Single local transport funding settlement, avoiding the need to bid competitively and providing greater confidence around the delivery of local schemes , enabling savings to be made on delivery.
- Further devolution of adult education, including full devolution of Free Courses for Jobs funding, full flexibility over Skills Bootcamps funding and central convening of careers provision. This builds on existing devolution of adult education, and gives institutions even more control over the local skills landscape.
- Support from the Office of Investment to maximise inward investment and the development of an investment plan. The benefit of this is increased opportunity to focus on local priority sites and key sectors.

- Development of a strategic partnership with the Department for Culture, Media and Sport, and arms-length bodies covering culture, sport, communities and the visitor economy. This will maximise the impact of funding and decisions of these institutions in the local area. Removal of gateway reviews for those institutions which have passed the first gateway and meet the criteria relating to local evaluation frameworks, local transparency and accountability.
- 4.2 The framework published is not exhaustive and can extend to powers already devolved to other areas. All Level 4 powers are optional, and an institution can choose the powers in the framework that are most relevant and meet local needs.
- 4.3 Level 4 of the devolution framework will be available to combined authorities, combined county authorities and local authorities with an implemented Level 3 deal including a directly elected leader in post. Subject to agreement to a Level 3 Deal and a directly elected leader in post, Norfolk will also have the opportunity to submit an expression of interest to the Secretary of State, to start negotiations for “deeper devolution” of further powers and funding through a new ‘Level 4’ Deal.

5. Governance

- 5.1. The Government’s 2022 Levelling Up White Paper placed a strong emphasis on the importance of high profile, directly elected local leadership, strong local governance to deliver joined up public services and better local outcomes, as well as a focal point for innovation and collaboration.
- 5.2. The governance model for the Deal will form the foundation of an Assurance Framework, as required by Government, that will set out the arrangements for Norfolk County Council, as accountable body for the Deal.
- 5.3. ‘Directly Elected Leader and Cabinet Model and constitutional changes**
- 5.3.1. The Level 3 Deal for Norfolk is contingent upon a County Council resolution to change the current leader and cabinet executive governance model to an ‘Directly Elected Leader and Cabinet’ governance model.
- 5.3.2. The Directly Elected Leader will provide overall leadership of the Council and will be vested with all its executive powers, as per current arrangements with the Leader. Committees continue to exist as they are currently, and Full Council retains full discretion over the Committees they have.
- 5.3.3. The Levelling Up and Regeneration Act 2023 provides for the County Council to determine the title by which the Directly Elected Leader of the authority will be known. Technical amendments to the constitution are required to change the title of ‘Leader’ to ‘Directly Elected Leader’, however, these changes are minimal. Other areas of potential change that have been discussed with members are:
- Additions to the policy framework to ensure a clear, full Council mandated direction to the Executive.

- Consideration of the current scrutiny function, with input from the Centre for Governance and Scrutiny to draw on experience from across the country in respect of scrutiny for a directly elected leader model and consideration of Norfolk County Council governance arrangements when compared to the Local Accountability Framework for devolved areas.

5.3.4. Members have been engaged in discussion around these considerations and a full and final version of the constitution will be presented for agreement by Full Council, after going through the Corporate Select Committee, prior to any governance change taking place.

5.4. Election

5.4.1. The ‘in-principle’ Deal currently states that the Council will hold the first election of the Directly Elected Leader on 2 May 2024, coinciding with the county-wide Police & Crime Commissioner election. The Deal agreement specifies 12 December 2023 as the date on which a resolution to change the Council’s executive arrangements is to be brought to Full Council. This date was selected as the first date that a change of governance can be resolved, following the previous change of governance in December 2018.

5.4.2. The Council has since negotiated for Government to allow the date of the election to be deferred to 2025, as an alternative option (the rationale for this is set out in section 7.3. 1). Should the Council choose to exercise the new flexibility and hold an election in 2025:

- The election of the Directly Elected Leader would coincide with the County Council elections minimising disruption and costs.
- The key elements of the Deal will remain unchanged in quantum, but with slight adjustments to the timescales (see section 8 for detail).

5.4.3. The first election of the Directly Elected Leader must take place on the first relevant¹ day of election after three months have passed following the decision to change Governance. If Council resolves to change governance on 12 December 2023, in line with recommendation option 1, the election will be held on 2 May 2024, which is the same date as the Police and Crime Commissioner election. If the election takes place that day, the Directly Elected Leader will take up office on the fourth day after the election, 6 May 2023.

5.4.4. Should Council resolve to change governance on 23 July 2024 instead, in line with recommendation option 2, the next relevant day of election (e.g. after three months following the decision) will be May 2025, and the Directly Elected Leader election would then take place alongside the County Council ‘all out’ elections on 1 May 2025.

5.4.5. Since the change to the Elections Act 2022, these elections will be held under the “first past the post” system.

5.4.6. The Levelling Up & Regeneration Act 2023 offers the ability to change the title of the Leader. The term ‘Elected Leader’ has been considered as appropriate

¹ the ‘relevant’ days of election are the first Thursday in May and the third Thursday in October.

as it connects back to the role of the Leader of the County Council and distinguishes this deal from other areas.

- 5.4.7. The Council must determine that title by resolution at a “relevant meeting of the authority” and include the particulars of that resolution in the notice of the meeting. The “relevant meeting” will be the same meeting at which any change of governance resolution is passed.

5.5. Stakeholder Governance

- 5.5.1. Whilst the County Deal is an agreement between Government and Norfolk County Council, the involvement of district councils, local businesses and other key partners, is pivotal to the success of the Deal. To continue to foster collaboration, and building on existing partnerships, a set of joint working principles has been developed, which includes:

- We work together for what’s in the best interest of Norfolk.
- We are ambitious for Norfolk.
- We build on our strong track record of respect, collaboration and delivery.
- We work on the basis of consensus, wherever possible.
- We focus on improving outcomes for our residents and on reducing inequalities.
- We are evidence-based, intelligence-led, and build on good practice.
- We commit to mutual oversight to ensure the best outcomes are delivered.

- 5.5.2. A governance structure will be established to engage partners as expert advisors to inform and steer decision-making. The above principles have shaped the structure, as described below, which has been developed and honed through several sessions with District Councils and other partners, and will include:

- **A Norfolk Leadership Board** – bringing together leaders from across the public, private and voluntary sector to consider issues of strategic importance to Norfolk where collectively we can have the greatest impact. The Board will promote the ongoing benefit to Norfolk from devolution, shaping recommendations on the development of future County Deal strategies and reviewing annual progress of the Deal.
- **A Norfolk Investment Board** – to include the Directly Elected Leader, an additional member from Norfolk County Council and all District Leaders. The Board will focus on shaping and endorsing the structure and criteria of the Norfolk Investment Fund and its funding streams, as well as assessing proposed projects and proposals to be funded through the Norfolk Investment Fund and recommending them to the Norfolk County Council Executive.
- **A Norfolk Business Board** – a partnership between business, education and local government to enable sustainable growth in Norfolk, focussed on the provision of business support, inward investment, innovation, sector and supply chain development. The Board is a requirement from Government as part of the LEP integration plan, which is separate from the implementation of the County Deal and will build on the successes of the existing LEP Business Board.

- **A Norfolk Employment and Skills Board** – a partnership of local government, the Department of Work and Pensions, voluntary sector, business, and educational provider representatives focussed on developing a portfolio of activity to strengthen skills levels, *shape the Adult Education landscape* and ensure businesses have the right skills to enable their growth.

5.5.3. Norfolk County Council remains the accountable body for public expenditure that supports the Devolution Deal and ultimately decision-making around the delivery of the County Deal rests with Norfolk County Council.

5. Consultation and Engagement

5.1. Public consultation

5.1.1. Following the decision on 17 January 2023 at Cabinet to progress the Deal to the next stage, a six-week public consultation was launched in February 2023.

5.1.2. The County Council worked with representatives of DLUHC, to design and agree the approach and ensure it reflected the Government’s principles for consultation. The County Council also commissioned the Consultation Institute to conduct an independent analysis of all consultation responses, submissions and feedback received.

5.1.3. The content of the consultation covered:

- Each of the functions, powers and funding to be devolved.
- Why the devolution of each of the funding, powers and responsibilities to Norfolk is likely to improve their delivery and benefit Norfolk.
- Proposed changes in governance arrangements required for the Deal.

5.1.4. A total of 1,211 responses were received to the online survey, including hard copy input manually. Analysis of all responses showed that:

- Overall, 57% of respondents agreed with the principles of devolution and the benefits it brings to Norfolk, while 24% disagreed. Only 2% did not answer the question.
- When considering the proposal for a ‘directly elected leader and cabinet’ system of governance half (50%) “agreed” with the proposal (24% strongly agree and 26% agree), with 31% of respondents “disagreeing”.
- All questions in the survey had a majority of “agree” over those who “disagreed”, as well as over those who “didn’t know” or “neither agreed or disagreed”.

5.1.5. The findings of the consultation compare favourably with other areas. For example, in the public consultation for an East Midlands’ County Combined Authority devolution deal, 42% “agreed” with having an elected leader.

5.1.6. The findings of the consultation were agreed at [Cabinet on 5 June 2023](#), and have been shared with the Secretary of State for the Department for Levelling Up, Housing and Communities.

5.2. Member engagement

- 5.2.1. In January 2023, Cabinet agreed to set up a cross party Member Engagement Working Group (MEWG) to oversee the work around the implementation planning and assurance processes. It was also agreed that regular Member briefings and workshops would be held to ensure that all Members understood the devolution Deal and were fully briefed prior to consideration of a Council resolution in December 2023.
- 5.2.2. The Member Engagement Working Group has met on eleven occasions and considered a full programme of briefings and presentations, alongside numerous briefings sessions for all members and briefings for political groups (as requested). Details of this engagement is included as **Appendix C**. These have provided an overview of the County Deal, including proposed governance arrangements, and detailed consideration of each of the key workstreams.
- 5.2.3. Reports and presentations discussed at the working group have been made available to all Members via the Councillor Portal, along with answers to a range of frequently asked Member questions concerning the Deal.

5.3. District council engagement

- 5.3.1. The Council has engaged with the leadership of the seven Norfolk district councils through the Norfolk Leaders' Group and Norfolk Chief Executives' Group. Representatives of District Councils have been included in meetings with Government, proposals have been shared about key aspects of the Deal and with the opportunity to shape these. Over the past year the County Council has worked with both groups to shape and develop the stakeholder governance of the Deal. On Brownfield Funding, the County Council has worked directly with District Councils' Chief Executives and officers to identify the pipeline of potential sites across Norfolk.
- 5.3.2. The County Council engaged with every District Council and the Broads Authority ahead of and during the public consultation on the County Deal, with senior officers attending their full council meetings. Additional briefings were organised following the local elections in May 2023, with the aim of bringing newly elected members up to speed. Briefings on the outcome and findings of the public consultation were also provided to all local councils that requested one.
- 5.3.3. Furthermore, additional briefings were offered to all District Councils' Leaders and their Cabinets, with several meetings taking place in the period June to October 2023.

6. Impact of the Proposal

6.1. Legal and Governance

- 6.1.1. On 26 October 2023, the Levelling Up and Regeneration Bill received Royal Assent and became an Act, establishing formally the legal framework for Norfolk's devolution Deal.
- 6.1.2. A change of governance to a Directly Elected Leader model will mean changes in the way the council operates. Although largely the same as the current Leader and executive model, the constitution will need to be agreed prior to the election. Generally, this decision is taken at the last Council

meeting before the election. This would be on the 26th of March 2024 for a 2024 election.

6.1.3. The Directly Elected Leader will appoint a Cabinet of between 2 and 9 additional members from councillors of NCC, one of whom is required by law to be a deputy leader.

6.1.4. They will also be able to delegate all and any executive powers to their Cabinet members, a meeting of the Cabinet or a Committee of the Cabinet, apart from the power to create a Mayoral Development Corporation, which can be exercised by the Directly Elected Leader, but only with the consent of the local planning authority.

7. Alternative Options

7.1. These are set out as options within the recommendations to give clarification to the Cabinet's options in this area.

7.2. The Deal negotiated as part of the 'in-principle' Deal and outlined in this report is a Level 3 Deal and is subject to Norfolk County Council changing its governance to a 'directly elected leader and cabinet' model.

7.3. Options around election timings

7.3.1. The Council has successfully negotiated with Government the option to hold the election in 2025, instead of 2024. The Council wishes this additional flexibility to be available to its elected Members on the basis that:

- This will be the first election of the Directly Elected Leader, and the option to hold the election in 2025 does provide more time for potential candidates to find out about the role, and for the electorate to become more aware about the new powers coming to the county.
- Elections to the office of the Police & Crime Commissioner have, to date, attracted lower levels of participation than Local Government elections. Data shows that 23.30% of electors voted in the 2016 Police and Crime Commissioner (PCC) elections. Covid-19 delayed the 2020 PCC elections which were instead held alongside the 2021 County Council elections where 32.9% of electors voted - nearly 10% more. It is therefore likely that turnout for the Directly Elected Leader election would be higher if the election were combined with the County Council elections in 2025, giving the new Leader an even stronger democratic mandate.
- The County Council elections in 2025 are already in the Council's budget so the addition of the election for the Directly Elected Leader would be a smaller pressure in 2025 than running a single county-wide election in 2024.
- Holding the Directly elected Leader election and whole council elections at the same time also responds to criticisms when the deal was originally agreed, namely the practical disruption of having a Directly Elected Leader in place for 1 year before potential changes to the wider council or available cabinet members.

7.3.2. In the event of a change of timing for an election, the Council would not be required to carry out another consultation.

7.3.3. Financial implications of the election timings are set out in section 8.3.

7.4. Options around a Level 2 or Level 3 Deal

7.4.1. If a Level 3 deal was to be rejected, the Council has the option to seek a Level 2 arrangement instead. Government has been explicit in its position that there is no automatic right to a L2 deal where a L3 is rejected, and such a deal would need to be negotiated afresh. This has been evidenced in practice elsewhere (i.e. Cornwall Council).

7.4.2. A level 2 arrangement does not require the County Council to change governance. If a Level 2 was sought, it would be worth approximately **£18.63m per year of devolved, existing funding** and include:

- the devolution of the core Adult Education **Budget (approximately £12m)** from the 2025/26 academic year, as well as input into the new Local Skills Improvement Plans.
- the **UK Shared Prosperity Fund from 2025/26 (presently some £6.63m)**, to boost skills, pride in place and support businesses.

7.4.3. The £20m per annum (over 30 years) Investment Fund, Brownfield Housing Fund, Integrated Transport Settlement and the additional negotiated enhancements are **only** available at Level 3. Future devolution of additional funding or powers will then only be once a Level 3 deal has been enacted.

8. Financial Implications

8.1. Key financial elements of the Deal

8.1.1. The key financial elements of the ‘in-principle’ Deal are outlined in section 2 of this report. Funding to Norfolk County Council as part of an agreed Deal includes capacity funding available to fund the set-up costs, governance costs and costs associated with delivering the commitments within the Deal.

8.1.2. On 22 February 2023, Council agreed to allocate £250,000 to support the mobilisation of the County Deal, including the costs of the public consultation and any additional resources required, prior to capacity funding becoming available once the Level 3 County Deal is approved.

8.1.3. Should the Council choose to exercise the new flexibility and hold an election in 2025, the key elements of the Deal remain unchanged in quantum, but with slight adjustments to the timescales as below:

New Funding to Norfolk County Council	2024 Election	2025 Election
Mayoral Capacity Fund - A total of £750,000 over three-years.	Starting in 2023/24	Starting in 2024/25
Brownfield Capacity Fund – A total of £382,000 over two years.	Starting in 2023/24	Starting in 2024/25

Local Transport Plan Capacity Fund – A total of £500,000 in revenue funding over two-years.	Starting in 2023/24	Starting in 2024/25
Adult Education Budget Implementation Funding £351,728	Starts in 2023/24	TBC - possibly 2024/25
Investment Fund - £20m per annum over 30 years	£20m after DEL election	£10m after change of governance
Brownfield Funding - £6.9m	Starting in 2023/24 after change of governance (on site by March 2025)	Starting in 2024/25 after change of governance (on site by March 2026)
Adult Education Budget c£12m	August 2025	
Consolidated Transport Budget c£40m	Not new funding	

8.1.4. Without a County Deal or with a Level 2 Deal only, there are concerns over the future of investment funding for Norfolk as there is no known ringfenced funding available beyond competitive bidding. The cost of future funding bids is a serious consideration for NCC, as it represents further pressures for the council. Recent LGA research estimated that the average cost to councils in pursuing each competitive grant was in the region of £30,000, costing each local authority roughly £2.25 million a year chasing down various pots of money across Whitehall². Historically, Norfolk, as a whole, has not been successful as a rural county in competing for funding against national metrics. This is further evidenced in the third round of Levelling Up Funding allocations, where only one of Norfolk’s councils was successful in its bids.

8.2. Election costs

8.2.1 Based on data from 2016, a Directly Elected Leader election in 2024, held alongside the election of the Police and Crime Commissioner, would cost Norfolk County Council c.£850,000 at today’s prices purely for the administration of the polls. This figure includes 50% of the staffing costs for the 643 polling stations across the county, 50% of the posting and return of 100,000 plus postal votes. This figure also covers the total cost of the additional polling cards, postal voting papers and ballot papers needed of c.£190,000.

8.2.2 A 2025 Election would cost the Council an additional c.£190,000 (as above) for the additional polling cards, postal voting papers and ballot papers. All other costs are accounted for as part of the four-year County Council Election cycle.

8.2.3 There will be no costs for a Level 2 or for no devolution deal.

² <https://www.local.gov.uk/parliament/briefings-and-responses/final-local-government-finance-settlement-202324-house-commons-8#:~:text=LGA%20research%20estimated%20that%20the,pots%20of%20money%20across%20Whitehall.>

8.3. Remuneration

- 8.3.1 The Independent Remuneration Panel, which makes recommendations to Council in relation to allowances paid to Members, was asked to provide a steer on the possible level of the allowance for the Directly Elected Leader.
- 8.3.2 The Panel reviewed the allowances paid to Mayors and Leaders in other authorities with similar populations or budgets and duties, and taking into account that the Directly Elected Leader role in Norfolk will be the first of its kind, decided that using a multiple of the Basic Allowance would ensure the Directly Elected Leader's Allowance would remain in line with other Councillor Allowances over time. The Panel indicated that they would recommend the Directly Elected Leader's Allowance should be in the region of five to six times the Basic Allowance.
- 8.3.3 A directly elected leader would be supported by the County Council's existing officers and systems. This contrasts with mayoral combined authorities, which have their own staff and running costs, separate from the local council and creating another layer of local government. Data obtained by the Local Government Chronicle in 2019, reported further in the House of Commons Library report on "Devolution to Local Government in England"³, found that the then seven MCAs employed 2,877 people in December 2018 with a total staffing budget of £144.2m⁴

9. Resource Implications

- 9.1. **Staff:** There is currently a small project team, within existing staff resources, that have and continue to work on the development of the County Deal
- 9.2. **Property:** None at present
- 9.3. **IT:** None at present

10. Other Implications

- 10.1. **Legal Implications:** It should be noted that a decision to change governance can only be taken once every 5 years. The effect of this is that once the decision is taken, it may not be rescinded, and an election must take place.
- 10.2. **Human Rights Implications:** None.
- 10.3. **Equality Impact Assessment (EqIA) (this must be included):**
- 10.3.1. A comprehensive range of evidence has been gathered and analysed, to enable the Council to develop a sound equality impact assessment about the likely impacts of the Deal on people with protected characteristics.
- 10.3.2. This has involved reviewing data about people and services that might be affected, contextual information and commissioned research about local areas and populations, and crucially, the findings of public consultation.

³ [House of Commons Library report "Devolution to Local Government in England" January 2023](#)

⁴ Data sourced by Sarah Calkin, "[Growth in combined authority workforces revealed](#)", Local Government Chronicle, 16 April 2019

10.3.3. The equality impact assessment, included in the [5 June Cabinet papers](#), identified that the Deal has the potential to significantly enhance access for disabled and older people in Norfolk - and equality of opportunity for people with other protected characteristics.

10.4. Data Protection Impact Assessments (DPIA): No direct DPIA implications arising from this report.

10.5. Health and Safety implications (where appropriate): None.

10.6. Sustainability implications (where appropriate): There are no direct sustainability implications arising from this report. The investment and powers within the proposed Deal have the potential to drive significant environmental benefits.

10.7. Any Other Implications:

11. Risk Implications / Assessment

11.1. One of the key concerns is that with Norfolk's neighbours negotiating or already in receipt of a Level 3 devolution deal, our county faces the very real possibility of Norfolk being left behind if a Level 3 Deal is rejected.

11.2. The General Election, which needs to take place by the end of January 2025, could potentially see changes in Devolution policy and how it applies to Norfolk. This would be a risk if there is a delay to an election or if a decision was taken to pursue a Level 2 as this is not yet negotiated.

11.3. There is a risk related to the set up and implementation costs expended should the Deal not be formally agreed by the County Council. If agreed, it provides capacity funding to cover these costs, in line with the amounts in section 8. There is a risk with 2025 however, as if a decision is made in December 2023 to proceed with a directly elected leader election in 2025, yet an alternative decision to not proceed in July 2024 is taken, Norfolk County Council would have proceeded at financial risk. This has a possible cost to the Council of approximately £500,000.

12. Select Committee Comments

12.1 Having offered thoughts and feedback on activity to date and proposed next steps, the Select Committee resolved to agree that further progress reports were presented to the Committee as appropriate.

12.2 The minutes of this meeting are available here:

[15 November 2023 Infrastructure and Development Select Committee](#)

13. Appendices

Appendix A (Draft) Public Notice Norfolk County Council Change in Governance Arrangements

Appendix B Deal Options Comparison Table

Appendix C Member Engagement Activity

Officer Contact

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

Officer name: Katrina Hulatt / Markella Papageorgiou

Email: Katrina.hulatt@norfolk.gov.uk / markella.papageorgiou@norfolk.gov.uk



If you need this report in large print, audio, braille, alternative format or in a different language please contact 0344 800 8020 or 0344 800 8011 (textphone) and we will do our best to help.

Appendix A (Draft) PUBLIC NOTICE

NORFOLK COUNTY COUNCIL CHANGE IN GOVERNANCE ARRANGEMENTS

At the full Council meeting on 12 December 2023, Norfolk County Council resolved to make a change in its governance arrangements pursuant to Sections 9K, 9KC and 9L of the Local Government Act 2000 as inserted by the Localism Act 2011.

The Council resolved:

1. to adopt the 'Mayor (Directly Elected Leader) and Cabinet' form of governance, to be effective from the Annual Meeting of Council in May 2024; and
2. to approve the proposed structures and the approach to preparatory work as set out in the report to Council.

The report which sets out the proposed arrangements is available for viewing via the Council's website by accessing the agenda pack from the Council meeting held on the 12th December 2023. A copy is also available for inspection at the Council's principal office.

Council will move to a Mayor (Elected Leader) and Cabinet system to be finalised and in place to take effect from the Annual Council meeting in May 2024. The main character of the change is to remove the Leader and Executive form of governance that the Council has operated since 2019 and replace it with a 'Mayor (Elected Leader)' form of governance.

This new form of governance will result in most decisions on Council functions being dealt with by a Directly Elected Leader and Cabinet of elected members subject to the general oversight of the Scrutiny Committee with some decisions legally being reserved to full Council. The Cabinet will have decision making powers collectively and as individual portfolio holders.

The following Committees will also fulfil a role in the system:

- Scrutiny
- Select Committees
- Audit and Governance Committee
- Employment Committee
- Planning (Regulatory) Committee and Planning (Regulatory) Urgent Business Sub-Committee
- Pensions Committee

Over the next 4 months a new Constitution and further details of the structure for the new Directly Elected Leader form of governance will be published on the Council's website and will be made available at the Council's principal office, following input and approval from elected members. These documents will set out in further detail the provisions of the arrangements that will be put in place once the change takes effect in May 2024.

The address of the authority's principal office is: Norfolk County Council, County Hall, Martineau Lane, Norwich, Norfolk NR1 2DH

It should further be noted that at the same meeting the County Council resolved to change the title by which the elected mayor of the authority is to be known to the

alternative title of elected leader as the Council agrees that this better represents the role and expectations of an individual regarding the proper leadership of the County.

APPENDIX B - DEAL COMPARISON TABLE

	Option 1 Level 3 – 2024 DEL	Option 2 Level 3 – 2025 DEL	Option 3 Negotiate Level 2	Option 4 No Deal
Investment Fund (£600m)	✓	✓		
Brownfield Funding (£6.9m)	✓	✓		
Consolidated Transport Budget	✓	✓		
Adult Education Budget (£12m)	✓	✓	✓	
UKSPF (TBC- 2025)	✓	✓	✓	
Directly Elected Leader	✓	✓		
Possible Additionality	✓	✓		
Opportunity for Level 4 Powers	✓	✓		

Appendix C - County Deal Member Engagement Activities

Date	Activity	Topic
22.02.23	Members Engagement Working Group	Terms of Reference Work Plan Initial County Deal Briefing
20.03.23	Members Engagement Working Group	County Deal Update Comms Engagement Plan CD Legislation Framework Policy Framework Work Programme and Timeline
31.03.23	Members Engagement Working Group	County Deal Legislative Framework Policy Framework in Constitution Work Programme and Timeline
19.04.23	Members Engagement Working Group	County Deal Update LEP Governance Update Work Programme
15.05.23	Members Engagement Working Group	Consultation Response Highlights Powers of a DEL Constitution Member Training Update
22.05.23	Member Briefing Session	County Deal Overview
25.05.23	Member Briefing Session	DEL and Governance
01.06.23	Member Briefing Session	County Deal Overview
06.06.23	Members Engagement Working Group	Norfolk Investment Fund County Deal Work Programme
11.07.23	Members Engagement Working Group	English Devolution Developments Briefing
18.08.23	Members Engagement Working Group	Local Transport Plan Adult Education Budget
08.09.23	Members Engagement Working Group	County Deal Update English Devolution Accountability Framework and Scrutiny Protocol
12.09.23	Member Briefing Session	Governance
18.09.23	Member Briefing Session	Governance
21.09.23	Member Briefing Session	County Deal Funding Opportunities
06.10.23	Member Briefing Session	Governance
06.10.23	Member Briefing Session	Brownfield
11.10.23	Member Briefing Session	Local Transport Plan
19.10.23	Member Briefing Session	Adult Education Budget
27.10.23	Member Briefing Session	Investment Fund
01.11.23	Members Engagement Working Group	Update on County Deal Members Engagement Programme
21.11.23	Members Engagement Working Group	Full County Deal Workstream Update Economic Strategy
01.12.23	Member Briefing Session	Governance

Cabinet

Item No: 9

Report Title: Norwich Western Link Update

Date of Meeting: 4 December 2023

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

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

Is this a Key Decision? Yes

If this is a Key Decision, date added to the Forward Plan of Key Decisions: 2 November 2023

Executive Summary / Introduction from Cabinet Member

On 13 October 2023 Government confirmed that the Outline Business Case (OBC) for the Norwich Western Link (NWL) had been approved.

This was a vital decision that we had been waiting and pushing for and gives the Council a commitment to provide more than £200 million of national funding to cover the majority of the cost of the project.

We know how important improving Norfolk's infrastructure is to people and businesses in the county, not only to tackle existing traffic issues and the knock-on impacts these create, but also to make sure our transport networks can cope with anticipated future housing and employment growth. Securing this financial backing from the government is an endorsement not just of the Norwich Western Link, but of the County Council and Norfolk as a whole.

It also crucially means we can move this important project forward, and the next milestone for the project will be submitting the planning application and making and publishing the associated Side Roads Order (SRO) and Compulsory Purchase Order (CPO). Details about these documents are included in this report.

We will be submitting this later than originally intended, due to the delayed OBC announcement, and the project team are in the process of reviewing, updating and finalising the planning application documents to ensure they reflect this revised

timing. This delay has also contributed to a revised timetable for the project and updated project costs, which are detailed in this report.

Additional costs are never welcome. There is the strong possibility for some relief from this however, as the government have suggested that they could increase their funding contribution for the Norwich Western Link. We will be having further discussions with the Department for Transport in the coming weeks about this and making the case to bring even more national investment into Norfolk.

There is a great need for this major infrastructure scheme to be built. Local communities to the west of Norwich are suffering every day from rat-running and traffic congestion on small roads that were not designed to take the volumes or size of vehicles now using them.

Without intervention, these problems are expected to get worse with anticipated population and job growth in and around Norwich. Assessment work has demonstrated that creating a new link between the western end of Broadland Northway and the A47, is the most effective way of tackling these transport issues.

There are also wider benefits that the Norwich Western Link will create: quicker and more reliable journeys to the west of Norwich for all modes; reducing traffic congestion and queuing in communities, and the resulting air quality and road safety improvements this will create; and enabling more opportunities for walking, cycling and public transport use by removing traffic from the local road network.

It is for all these reasons and more that the Norwich Western Link is a priority infrastructure project for the Council. With government backing secured, we are now in a good position to move this project forward and get closer to delivering this important piece of infrastructure for Norfolk.

Recommendations:

- 1. Consider the details presented in this report and approve the continued delivery of the Norwich Western Link project.**
- 2. To delegate to the Interim Executive Director of Community and Environmental Services (CES), in consultation with the Cabinet Member for Highways, Infrastructure and Transport, the authority to agree the finalised planning application and submit it to the Local Planning Authority.**
- 3. To recommend to Council, at its January 2024 meeting, an increased budget of £273.9m (compared with the £251.0m included in the OBC Addendum, that was reported to Cabinet on 4 July 2022), and an increase to the local contribution of £22.9m, as set out in Section 6 of this report.**
- 4. Following the resolution of recommendation 3 above to delegate to the Interim Executive Director of Community and Environmental Services (CES), in consultation with the Cabinet Member for Highways,**

Infrastructure and Transport, the authority to approve the Statement of Reasons, which describes the purpose and effect of the Side Roads Order and Compulsory Purchase Order together with the justifications for making them.

- 5. Following the resolution of recommendations 2, 3 and 4 above, authorise the making, publication and submission, for confirmation by the Secretary of State, of the necessary Side Roads Order required for the project.**
- 6. Following the resolution of recommendations 2, 3 and 4 above, authorise the making, publication and submission, for confirmation by the Secretary of State, of the necessary Compulsory Purchase Order required to acquire the land for the project.**
- 7. To delegate to the Interim Executive Director of Community and Environmental Services (CES), the authority to take all appropriate actions necessary to complete a Public Inquiry should this result from the planning application or the making of draft Orders.**

1. Background and Purpose

- 1.1 The Norwich Western Link (NWL) is a highway scheme linking the A1270 Broadland Northway from its junction with the A1067 Fakenham Road to the A47 trunk road near Honingham. It comprises:
 - The dualling of the A1067 Fakenham Road from its existing junction with the A1270 to a new roundabout located approximately 400m to the north-west;
 - Constructing a new dual carriageway link from the new roundabout to a new junction with the A47 near Honingham, with a short section carried over the River Wensum and its floodplain on a viaduct.
- 1.2 In December 2016 the Council agreed a motion which stated the ‘...Council recognises the vital importance of improving our road infrastructure and that this will help to deliver the new jobs and economic growth that is needed in the years ahead.’ The NWL was named as one of three priority infrastructure schemes for the County Council, alongside the Great Yarmouth Third River Crossing and Long Stratton Bypass.
- 1.3 The Local Transport Plan (LTP) 4 Strategy which covers the period 2021-2037 and its Implementation Plan was adopted by the County Council in 2022. The LTP strategy includes improvements to the strategic transport connections with Policy 8 stating that “Our priority will be to improve major road and rail connections between larger places in the county, and to major ports, airports and cities in the rest of the UK.” It identifies the NWL as being one of the priorities for enhancing strategic connections together with other priorities that include improvements to the major rail links to London and Cambridge, the A140 Long Stratton Bypass, the A10 West Winch Housing Access Road, and full dualling of the A47.

- 1.4 The Transport for Norwich (TfN) strategy was adopted in December 2021. It replaced the previous Norwich Area Transportation Strategy, adopted in 2004, which set out a transportation strategy for the Norwich area. The TfN strategy forms part of a wider suite of documents setting out transport policy in Norfolk. The Norfolk Local Transport Plan (LTP4) covers transport policy across the whole of the county and the TfN strategy aligns with, and nests within this and provides the detail for the Norwich area.
- 1.5 The delivery of the NWL and the TfN will provide significant future transport improvements across Greater Norwich and provide a transport network that meets future demands in terms of both growth and sustainable travel options.
- 1.6 A report providing an update on the delivery of TfN was presented to the Cabinet meeting at its meeting on 3 July 2023. Funding to deliver transport improvement schemes across Greater Norwich as part of TfN comes from a range of different sources including the Department for Transport (DfT), Active Travel England (ATE), the Department for Environment, Food & Rural Affairs (DEFRA), developer contributions and local growth funds.
- 1.7 The draft Greater Norwich Local Plan (GNLP) is currently undergoing independent examination and if adopted (anticipated by early 2024) will replace the Greater Norwich Joint Core Strategy. Although there are no specific sites in the GNLP dependent on the NWL, the project would provide a strategic improvement to the transport network to support the planned growth within the greater Norwich and wider area.
- 1.8 In addition the NWL is identified in the Strategic Infrastructure Delivery Plan (SIDP) which sets out the County Council's priority infrastructure projects, its aim being to deliver projects that will provide significant economic, housing, and jobs growth across Norfolk. The SIDP is developed in partnership with a range of stakeholders so that it aligns with the ambitions of the New Anglia Local Enterprise Partnership's Norfolk and Suffolk economic strategy and the district councils' local plans.
- 1.9 Transport East, our sub-national transport body, provide a regional voice for strategic transport issues in the east. Officers and members of Norfolk County Council have worked closely with Transport East to develop a transport strategy for the eastern region. The transport strategy sets out the challenges and opportunities in the region, Transport East's Vision, and the outcomes Transport East are seeking to achieve. The four core priorities for interventions are focussed around:
- Decarbonising transport;
 - Connecting growing towns and cities;
 - Energising coastal and rural areas;
 - Unlocking global gateways.
- 1.10 Transport East's strategy sets out a delivery pathway to achieve each of these objectives by 2050 and identifies 12 goals against these priorities and the actions for Transport East to progress them. Alongside the Strategy is an

Investment and Delivery Programme (IDP) that sets out the regional investment programme and pipeline to deliver the strategic priorities in the Transport Strategy. The IDP identifies projects that address both regional issues and projects within six core strategic movement corridors.

- 1.11 Transport East's IDP reflects Norfolk County Council's current strategic priorities of West Winch Housing Access Road, Long Stratton Bypass, and the Norwich Western Link.
- 1.12 The member forum of Transport East agreed the Transport Strategy in July 2022 and this, together with its investment and delivery plan, was endorsed by the Cabinet in December 2022. The County Council continues to work with Transport East to progress the strategy and to secure government support for investment in strategic transport for Norfolk and for the other partners.

2. Project Update

2.1 Outline Business Case Submission

- 2.1.1 The Outline Business Case (OBC) for the NWL was submitted to DfT in June 2021. At its meeting of 4 July 2022 Cabinet was provided with a draft OBC Addendum, which described the changes to the original OBC submission resulting from the alignment refinement work and traffic model update. Following the delegated authority from the Executive Director of Community and Environmental Services the Addendum to the OBC was submitted to the DfT in September 2022.
- 2.1.2 The Government confirmed approval of the NWL OBC and its Addendum on 13 October 2023, which means DfT have provided a funding commitment of £213 million towards the overall cost of the project, with the potential for their contribution to be increased. With this funding commitment secured, the project can move forwards with the submission of a planning application and the making of the necessary statutory orders, subject to approval by Cabinet. The OBC is the second of three business case submissions, which are summarised below.
- 2.1.3 The Strategic Outline Business Case was submitted to DfT in June 2020 and its approval provided funding to support the development of the OBC as part of the Major Road Networks programme. The OBC set out the reasons why the Council believes the proposed NWL should receive funding from the DfT's Large Local Major (LLM) fund and an explanation of the five cases was set out in the June 2021 Cabinet report.
- 2.1.4 Approval of the OBC by DfT has confirmed the NWL Programme Entry status, which means that the DfT would expect to provide national funding for the scheme subject to certain conditions, such as any necessary statutory powers being obtained and there being no significant changes to the scheme design or expected benefits.

2.1.5 Programme Entry does not guarantee funding or timing but gives authorities the confidence to proceed with the development and in particular to apply for the necessary statutory powers. It will be necessary to submit a Full Business Case to DfT once planning consent and statutory orders have been confirmed, which would provide up-to-date information on the project at that stage in its development.

2.2 Scheme Update

2.2.1 Since the last update report to Cabinet on 3 July 2023, the project entered a period of reduced activity as approved by Cabinet and pending receiving OBC approval from the DfT. During this time, work continued to develop the NWL proposals to help inform the content of the planning application documents, the Side Roads Order (SRO) and Compulsory Purchase Order (CPO). These documents were developed as far as was practicable while a funding commitment was still awaited and therefore the timing of when a planning application could be submitted and the SRO and CPO could be made was unknown.

2.2.2 The planning application documents are now well-developed and OBC approval enables the project to proceed to submission of the planning application. The project team is carrying out a final review and applying any necessary updates, and it is intended that the application would be submitted as soon as possible.

2.2.3 Work has also continued towards the completion of the SRO and CPO including the associated plans and schedules. These will continue to be developed to allow them to be made and published shortly after the planning application has been made.

2.2.4 The scheme developed to be submitted for a planning application is outlined by the General Arrangement Plans contained in Appendix A of this report.

2.2.5 Norfolk County Council is committed to building the Norwich Western Link in an environmentally responsible way. As well as limiting and mitigating significant impacts on the local landscape, wildlife, and communities, the NWL project is seeking opportunities to improve and create new habitats in the local area with the aim of achieving 'biodiversity net gain' on all applicable habitats as part of the project. This means leaving them in a measurably better state than before construction, as set out by DEFRA.

2.2.6 The NWL project team have been carrying out surveys over a number of years to understand which species of conservation importance are found in the area around the route of the NWL and identifying the measures and improvements that could most effectively support them, taking advice from Natural England and the Environment Agency as part of this process. It has also been working with local landowners to identify areas for habitat creation and enhancement in order to support these species. These areas include woodland and scrub creation, woodland enhancement, hedge planting and enhancement, grassland creation, wetland habitat creation and enhancement

and the installation of owl and bat boxes. Plans showing the ecological mitigation and enhancement proposals are contained in Appendix B of this report.

- 2.2.7 The work undertaken in preparing the planning application has refined the NWL's environmental mitigation and Biodiversity Net Gain (BNG) requirements and the land required for this purpose has been identified. The project team have been discussing the requirements with landowners, with a view to avoiding the use of compulsory powers. Depending on these requirements it may be possible to reach a range of voluntary agreements such as management agreements or section 253 Highways Act 1980 agreements.
- 2.2.8 The agreements with landowners would seek to include maintenance commitments and associated inspection regimes where appropriate.
- 2.2.9 However, to safeguard delivery of the NWL all land identified as being required will be included within the CPO and there could be a need for the County Council to undertake maintenance and inspection regimes itself.
- 2.2.10 Monitoring strategies for bats, water voles and badgers are being developed as part of the work to secure the European Protected Species Mitigation (EPSM) licences from Natural England. The aims of these monitoring strategies are to establish whether the mitigation and compensation provided for NWL effectively addresses the potential adverse effects of the scheme and to establish whether the populations of the present species are being maintained in a favourable status (favourable status being a defined term describing a situation where a species is thriving and is expected to thrive in the future).
- 2.2.11 In consultation with local communities a suite of traffic mitigation measures on some specific roads in the local road network is being developed alongside the NWL. The traffic mitigation measures that were originally proposed were outlined in the pre-application consultation that ran for 8 weeks between 15 August 2022 and 9 October 2022.
- 2.2.12 The report to Cabinet at its 3 July 2023 meeting explained the changes to the traffic mitigation measures proposed as a result of the comments received during the pre-application consultation. The County Council will continue to work with local communities in order to develop the mitigation measures to be implemented as part of the NWL project.
- 2.2.13 In the event of there being an increased period of time between the opening of the A47 Easton to North Tuddenham improvement scheme and the opening of the NWL, there is an agreement between National Highways, Norfolk County Council and Weston Longville Parish Council that work will be undertaken, in consultation with the local community, to develop measures to mitigate the interim traffic impacts from the A47 scheme on Weston Longville.

2.2.14 A post NWL-opening traffic monitoring strategy is proposed and will identify the location and timescales for vehicle surveys that can be used to assess the impacts of the NWL and its accompanying traffic mitigation and sustainable transport measures.

2.3 Planning Application

2.3.1 The planning application is due to be made through the Town and Country Planning Act 1990 process, for which Norfolk County Council would be the Local Authority. It will therefore be both made and decided by the County Council. In this context it is essential that there is clear separation of the Highway Authority, applicant role (the Applicant) and the Local Planning Authority role (the LPA).

2.3.2 The Town and Country Planning General Regulations 1992 sets out the requirements where a local authority applies to itself for planning permission. In applying these regulations, the County Council has produced a Handling Arrangements document that details the administrative arrangements that will ensure the separation of functions between the Applicant and the LPA in relation to the NWL, thereby safeguarding the independence and objectivity of decisions made by the Authority in connection with the planning application for the NWL. This Handling Arrangements document can be viewed on the County Council's project webpage in the 'your questions answered' section.

2.3.3 On submission of the planning application documents to the LPA, it will need to determine whether the application is complete and contains all the necessary information. This is called validation of the application and once an application has been deemed valid and it is registered the determination process commences.

2.3.4 Once an application has been validated and registered, the LPA will then publicise it on their website and undertake a statutory consultation on it. Anyone can comment on the proposals and the LPA will assess the relevance of comments and consider them when determining the application.

2.3.5 The key documents that will form the planning application together with a summary of the information they are anticipated to provide is set out below. It should be noted that the decision as to whether or not planning permission is to be granted is a decision for the Council acting as the planning authority following the relevant legal procedures under the Town and Country Planning Act 1990 regime; this is not a decision that Cabinet is being asked to make with this report.

- (i) **Planning Statement:** This sets out the background to the planning application, identifies the development plan and material considerations that are relevant to the determination of the application. It outlines both the high level and strategic objectives of the NWL and how the scheme submitted for the planning application fulfils these. The high-level objectives are provided below:

- To support sustainable economic growth;
- To improve the quality of life for local communities;
- To promote an improved environment;
- To improve strategic connectivity with the national road.

- (ii) **Statement of Community Involvement and Consultation Report:** The Statement of Community Involvement summarises the various rounds of public consultation and engagement events undertaken in relation to the NWL. The most recent round of public consultation was the pre-application consultation that occurred between 15 August 2022 and 9 October 2022. There have been three previous consultations prior to this. The pre-application consultation was used to understand public views on the scheme proposals and to take these into account in developing the final scheme design for the planning application.
- (iii) **Environmental Statement:** The Environmental Statement (ES) reports the outcome of any likely significant effects arising from the proposed scheme for the NWL and its proposed environmental mitigation and enhancement measures.

The design of the proposed scheme includes landscape planting, habitat creation, habitat enhancement, and the incorporation of green bridges to allow wildlife movement. These design elements will contribute to the existing green infrastructure network, minimise habitat fragmentation, and provide replacement for habitat loss from the proposed scheme. Drainage systems have also been designed to intercept and divert run-off away from watercourses.

- (iv) **Habitat Regulations Assessment:** This provides information on the identification and assessment of effects on internationally designated sites (the National Sites Network). The Habitat Regulations Assessment covers an initial screening assessment (Stage 1) followed by Appropriate Assessment (Stage 2), and also determines whether further Habitat Regulations Assessment stages (Stage 3 and 4) need to be applied to achieve compliance with legislation.
- (v) **Transport Assessment:** The Transport Assessment describes the existing road network and its constraints and shortcomings, the need for a strategic transport improvement to address current and future transport problems, the transport rationale for the NWL, the transport benefits delivered by the NWL, and the impact of the NWL on the existing network.
- (vi) **Sustainable Transport Strategy (STS):** This has been developed alongside the main NWL proposals and presents a range of measures integral to the proposed scheme together with a complementary package of wider interventions to support walking, cycling and public transport use, and to meet the sustainable travel objectives of the NWL. The package of

measures proposed by the STS has been shaped by public consultation and stakeholder liaison.

- (vii) **Design and Access Statement:** The Design and Access Statement (DAS) supports the planning application for the NWL scheme and is required by Article 9 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. Within this within which Article 9(3) states:
- “A design and access statement must—
- (a) explain the design principles and concepts that have been applied to the development;
 - (b) demonstrate the steps taken to appraise the context of the development and how the design of the development takes that context into account;
 - (c) explain the policy adopted as to access, and how policies relating to access in relevant local development documents have been taken into account;
 - (d) state what, if any, consultation has been undertaken on issues relating to access to the development and what account has been taken of the outcome of any such consultation; and
 - (e) explain how any specific issues which might affect access to the development have been addressed.”

The DAS for the NWL responds to the requirements above, presenting the proposed scheme design for which planning permission is sought, providing rationale for how it was developed, alternative ideas that were discounted, and explains how it demonstrates good design that takes account of policies and guidance relating to infrastructure projects. The proposed scheme to be submitted for the planning application is outlined by the General Arrangement Plans in Appendix A of this report.

2.4 Side Roads Order

- 2.4.1 A Side Roads Order is the statutory process which authorises a highway authority to make alterations to roads and highways. Such alterations include the provision of new or diverted roads, improving/altering existing highway, stopping up, and providing new private means of access. The NWL will therefore need the making of an SRO in order to provide the scheme proposals outlined by the General Arrangement Plans in Appendix A of this report.
- 2.4.2 The SRO will need to be made by the Council and confirmed by the Secretary of State for Transport to authorise:
- the stopping up, alteration, creation and improvement of highways which will connect with the new classified road (NWL mainline) to be delivered as part of the NWL scheme;

- to authorise the construction of new highways, the stopping up of private means of access, the provision of new private means of access and other associated works, including alterations to public rights of way.

2.5 Compulsory Purchase Order

- 2.5.1 The NWL scheme requires third party land, and the Council has been actively engaging with landowners of this land to seek agreement to acquire it. The area of land required by the scheme is defined by the Red Line Boundary shown on the plans in Appendix A of this report. This area defined by the Red Line Boundary represents the maximum area required by the scheme, and as the CPO proposals are refined there may be opportunity to reduce this.
- 2.5.2 Section 7.2 of this report provides a summary of the landowner negotiations to date, including properties that have already been purchased. However, given the number of affected landowners and the extent of the acquisitions required, it is considered unlikely that all land can be acquired by agreement. It is therefore anticipated that the Council will need to make a CPO, to ensure the deliverability of the NWL scheme in the event that some land is not acquired by agreement.
- 2.5.3 It is anticipated that the CPO would be made under the Highways Act 1980, which provides powers to acquire land compulsorily for the purposes of constructing new highways and improving existing highways, for improving frontages to a highway or improving land adjoining or adjacent to a highway; for carrying out works authorised by a SRO (including creating new means of access to premises, using land in connection with the construction and improvement of highways, including for the provision of working space and access to construction sites, and for the diversion of non-navigable watercourses); and for mitigating the adverse effects of the existence or use of highways.
- 2.5.4 Guidance published in 2019 by the Ministry of Housing, Communities and Local Government entitled 'Compulsory purchase process and the Crichel Down Rules' ("the Guidance") sets out the fundamental principles which the Secretary of State will take into account in deciding whether or not to confirm a Compulsory Purchase Order. The Statement of Reasons, which is a document that will accompany the CPO, explains how these principles have been met. A draft Statement of Reasons is contained in Appendix C of this report. Cabinet authority is sought to delegate approval of the finalised documents to the Interim Executive Director of Community and Environmental Services (CES), in consultation with the Cabinet Member for Highways, Infrastructure and Transport.

2.6 Draft Combined Statement of Reasons

- 2.6.1 Appended to this report is a draft of the Combined Statement of Reasons for making both the Compulsory Purchase Order and Side Roads Order. This document sets out the compelling case in the public interest for making the

CPO, the legal and policy tests that apply to the decision to make a Compulsory Purchase Order and the reasons why it is considered that the Proposed Scheme would meet those tests and that the making of the CPO is justified. The CPO Limits referred to in the draft Statement of Reasons are the same limits as those shown on the plans included in Appendix A. In relation to the Side Roads Order the draft Combined Statement of Reasons sets out the legal tests and guidance that Council is required to consider when making a Side Roads Order. It details and justifies the interventions in the local highway network that are necessary to integrate the Proposed Scheme into the local highway network and the adjustments to private means of access that are consequence of it.

2.7 Human Rights and Equalities

2.7.1 The making of a Compulsory Purchase Order and a Side Roads Order has potential implications for human rights and for the Council's public sector equality duty under the Equality Act 2010. In relation to the human rights implications, these are considered in section 12 of the draft Combined Statement of Reasons where it is concluded that the interferences to private rights arising from the Compulsory Purchase Order and Side Roads Order would be legitimate, necessary and proportionate. In relation to equalities, section 13 of the draft Combined Statement of Reasons explains how regards has been given to the public sector equality duty and where it is concluded that the Proposed Scheme may have a short-term differential impact on persons with a protected characteristics during construction it is concluded that those impacts could be addressed through mitigation, monitoring and communications during the detail design and construction phases. It also concludes that there is the potential for low level positive impacts in the long-term for persons with protected characteristics. The full Equality Impact Assessment is available to view should Members wish to do so.

2.8 SRO and CPO Publication

2.8.1 This report also seeks authorisation to make and publish the finalised SRO and CPO shortly after the planning application has been made. The process for making an SRO/CRO is as follows:

- The SRO and CPO are made and notice of this is published in a local newspaper and on-site;
- After publication, a copy of the SRO and CPO is issued to the DfT;
- On publication a 30-day period commences during which objections to these orders can be made;
- If no objections are received then the Orders can be made, allowing the Council to use the powers that they provide.

2.9 Public Inquiry

2.9.1 The submission of the planning application and the resulting planning determination could be called-in for a public inquiry by the Secretary of State.

Similarly, qualifying objections to the published SRO and CPO would result in the NWL proposals being the subject of a public inquiry.

- 2.9.2 It is proposed that the SRO and CPO will be published shortly after the planning application, so that the opportunity for a single public inquiry that covers all the statutory approvals is maximised.
- 2.9.3 There are no fixed timescales for a public inquiry and the consideration / decision is made by the Secretary of State. Therefore, estimates have been used in the programme dates based on the experience of other projects. It is envisaged that a typical public inquiry could last up to six weeks with the subsequent Secretary of State decision taking 23 weeks. Following the Secretary of State decision, there is a six-week period when a legal challenge to this decision can be made.
- 2.9.4 During the Public Inquiry there may be a need for the Council, in its role as the Applicant, to respond to the questions raised and as a result this report seeks the authority of Cabinet to delegate to the Interim Executive Director of Community and Environmental Services the authority to take all appropriate actions necessary to complete the Public Inquiry.
- 2.9.5 The Full Business Case, which if approved would confirm the final approval of the government's funding towards the NWL, would be submitted to the DfT on completion of the above statutory processes.

2.10 Programme

- 2.10.1 The programme has been reviewed to take into consideration the following:
- The extended period awaiting DfT approval of the OBC (delayed since original anticipated date of late 2022);
 - Delay to the submission of the planning application awaiting the OBC decision;
 - The inclusion of an advance work stage to enable ecological and environmental works to be undertaken prior to a start of the main construction works;
 - The latest ground investigation surveys have identified that more time is likely to be required to build a temporary works platform to facilitate construction of the viaduct, which is a critical path activity in the overall programme.
- 2.10.2 The planning application documents will require some updates before an application can be made. The updated key project milestones, assuming Cabinet authorises the submission of the planning application and publishing of the associated SROs/CPOs at this meeting, are provided below:

Table: Programme Milestones

Milestone	Date
Submit planning application and Determination Period	Early 2024
Publish SROs and CPOs	Spring/Summer 2024
Public inquiry (if required)	Autumn/Winter 2024
Confirmation of all statutory orders and consents	Summer 2025
Submission of Full Business Case	Summer 2025
Land access	Autumn 2025
Start of advanced works	Late 2025
Start of main construction works	Summer 2026
Scheme in Operation	2029

2.11 National Highways Update

2.11.1 National Highways are bringing forward over £300m of major improvements to the A47. Last year, the Secretary of State granted development consent for:

- A new dual carriageway and junctions between Blofield and North Burlingham;
- Redevelopment of Thickthorn junction (where the A11 meets the A47 south of Norwich)
- A new dual carriageway and junctions between Easton and North Tuddenham.

2.11.2 The latter of these will provide a connection with the NWL.

2.11.3 Following confirmation of the development consent orders, the decision from the Secretary of State was subject to a legal challenge. The main grounds for the challenge were around how cumulative carbon is assessed by the government at a national level. An earlier legal issue over the schemes' impact on local bat populations was dropped after National Highways provided additional detail on how this biodiversity issue would be addressed.

2.11.4 The legal challenge was granted permission to proceed to a full hearing, which was heard at the High Court in May 2023 and later dismissed when the judgment was handed down around two months later. The claimant (making the legal challenge) appealed this decision and last month the Court of Appeal granted permission for an appeal to be heard. This is due to be a one-day hearing in January 2024 with a judgment expected around two to three months later.

2.11.5 The legal challenge appeal does not preclude the submission of the NWL planning application (and the related statutory orders) because the decision to

confirm the DCO for the A47 Easton to North Tuddenham scheme remains valid notwithstanding the legal challenge. National Highways has continued to carefully work within the bounds of the legal process and undertake reversible preparatory work ahead of the Court of Appeal judgment expected around spring next year.

- 2.11.6 Subsequent to the decision from the Court of Appeal to permit the appeal to be heard, National Highways have stated that it stands by its plans and remains confident that it can deliver the improvement schemes that will provide significant improvements to both safety and congestion on the A47, as well as providing a boost to the regional economy.

3. Impact of the Proposal

- 3.1 The June 2021 and July 2022 Cabinet reports set out the key impacts of the project against a range of headings, most of which have not changed. Key impacts of the scheme which, where appropriate, include updates since July 2022 to reflect assessments carried out to inform the planning application are:
- 3.2 **Economic:** The Planning Statement will form part of a suite of documents submitted for the planning application. Using the conclusions of the Transport Assessment and the Planning Statement it sets out the transport case for the scheme. This concludes that the lack of a strategic link road to the west of Norwich results in an inappropriate level of traffic on the local road network, seeking to make the connection between main roads. This has an adverse impact on the amenity of those living in the area, as confirmed by the public consultation events that have been carried out in the area over a number of years.
- 3.3 As well as tackling the issues that local residents are currently experiencing, the NWL will also address the strategic gap in the major road network to the west of Norwich and will provide additional capacity in the local road network that is modelled to improve journey times and reliability.
- 3.4 The NWL will both address the existing issues in the road network as well as provide capacity to help support the delivery of the proposed economic development that is contained in the emerging GNLP. The planned growth will increase existing pressure on the road network to the west of Norwich.
- 3.5 The OBC and the subsequent OBC addendum set out the economic benefits of the NWL and appraised its resulting Value for Money (VfM), which was just into the 'high' category. Although detailed Benefit Cost Ratio (BCR) calculations have not been rerun on the revised budget, previous analysis indicates that the VfM would be likely to drop into the higher end of the Medium category. This would indicate a BCR of 1.5 to 2.0 and therefore for every £1 spent the scheme would expect monetised benefits of between £1.50 and £2.
- 3.6 **Environment:** The effects of the NWL on the environment have been a key consideration throughout its development. The appointment of the design and

build contractor has enabled its developing design and construction proposals to inform the Environmental Impact Assessment (EIA) process. The findings of the EIA are reported in the Environmental Statement that forms part of the planning application documents.

- 3.7 Mitigation and enhancement measures have been incorporated into the scheme design to minimise impacts and seek to make improvements to local biodiversity and habitats. This includes landscape planting, habitat creation, habitat enhancement, and the incorporation of green bridges to support wildlife movement. These design elements will contribute to the existing green infrastructure network, minimise habitat fragmentation, and provide replacement for habitat loss from the NWL. Plans showing the ecological mitigation and enhancement proposals are contained in Appendix B of this report.
- 3.8 The design of the NWL, where possible, has included proposals to mitigate impacts on landscape and visual effects. This includes the considered design of structures to complement the rural setting, creation of landscaped bunds to minimise the impact on visual amenity of nearby visual receptors and incorporating landscape mitigation planting to provide screening and visual amenity.
- 3.9 The Levelling Up and Regeneration Act 2023, which contains provisions requiring new development to demonstrate a 10% biodiversity net gain, was enacted on 23 October 2023. The Government has announced that the relevant biodiversity net gain provisions will come into force in January 2024 and are expected to apply to NWL planning application. In any event, both national policy and the County Council's own environmental policy encourages new development to demonstrate Biodiversity Net Gain (BNG). BNG involves leaving habitats in a measurably better state than before development took place. The national policy produced by Defra for biodiversity net gain seeks a 10% uplift in biodiversity after development and is based on the area of habitats directly and indirectly affected by a scheme.
- 3.10 A BNG assessment has been undertaken in accordance with best practice guidance and the report on this assessment will be set out in the Environmental Statement, which will form part of the planning application documents. The assessment takes account of the environmental mitigation and enhancement measures described above.
- 3.11 For BNG purposes, irreplaceable habitats such as veteran trees, are excluded from the 10% net gain requirement as they cannot easily be replaced. Therefore, due to the impacts on irreplaceable habitats (i.e. veteran trees), it is not possible to achieve a scheme-wide BNG outcome. However, a net gain position has been achieved for all non-excluded habitats and the proposed scheme for the NWL is predicted to achieve a quantifiable BNG in excess of 10%.
- 3.12 Carbon Impact update

- 3.12.1 The NWL is an important component of wider transport infrastructure that is being delivered as part of the Transport for Norwich (TfN) Strategy and wider Norfolk County Council Local Transport Plan 4 (LTP4). This update has been prepared to inform members of the scale of change in user emissions and to reassure members that the carbon impact of the scheme will be integrated into the council's ongoing plans to meet carbon targets.
- 3.12.2 At each stage of the NWL business case, the carbon impact of the scheme has been assessed and reported. The traffic model and carbon quantification assessment has been compliant with best practice and the Department for Transport (DfT) requirements at each stage of the scheme's development.
- 3.12.3 In 2021 the OBC submitted to DfT based on the accepted model which included the NWL showed it decreased carbon emissions over the appraisal period. In 2022 the OBC Addendum submitted to DfT also showed a decrease in carbon emissions over the appraisal period. Both were based on modelling outputs that at the time complied with Transport Analysis Guidance (TAG).
- 3.12.4 More recently draft results based on the updated model produced for the planning application Environmental Statement show that the NWL would on average increase carbon dioxide equivalent by 5,475 tonnes each year over the 60-year appraisal period. These model results have assumed the NWL is open for traffic in 2027, rather than the revised opening year of 2029. Results are therefore preliminary and subject to finalisation as part of the ongoing work to support the planning application.
- 3.12.5 The change in operational emissions between 2022 and 2023 can be explained by the traffic modelling supporting the carbon impact assessment. Since completion of the Addendum to the Outline Business Case (OBC), further traffic modelling tests were undertaken to meet revised Transport Analysis Guidance (TAG) and to ensure the traffic model would be accepted by the Department for Transport. As a direct consequence, when assessed in isolation the proposed scheme now results in a disbenefit in carbon terms. By way of context, it can be noted that a disbenefit (i.e. an increase) was also identified at the Strategic Outline Business Case (SOBC) stage in 2019, which was also a consequence of the modelling and the guidance at that time.
- 3.12.6 The draft results should be considered a worst-case scenario, as the traffic model is based on TAG estimates for electric vehicle uptake. The DfT recognises that the current version of TAG does not reflect the proposed ban on the sale of new petrol and diesel vehicles and is therefore considered a pessimistic or worst-case projection. In response, the DfT has issued its Common Analytical Scenario (CAS) forecast (refer to TAG Unit M4) to support the emerging Local Transport Plan (LTP) Quantifiable Carbon Reduction (QCR) guidance. This scenario accounts for national policy announcements covered under the Zero Emission Vehicle (ZEV) mandate and assumes accelerated levels of electric vehicle uptake when compared against TAG. Applying CAS assumptions reduces the annual average impact of the scheme from + 5,475 tCO₂e to +1,917 tCO₂e, highlighting the considerable variability in forecasting vehicle-based emissions across a 60-year period.

- 3.12.7 The LTP4 Implementation Plan sets the target to achieve Net Zero carbon emissions from transport by 2050, in line with the government's Net Zero Strategy (see table for Objective 4, Pg 97). At a local level the carbon impact of the NWL appears to run counter to the Council's Net Zero objectives, as any increase in emissions could be considered material if not offset by wider mitigation measures. Therefore, it is important to ensure the results of the assessment are appropriately contextualised against the limitations of the modelling approach (detailed above) and the wider strategic objectives of the Proposed Scheme.
- 3.12.8 New Local Transport Plan guidance was expected as early as 2022, along with which the DfT were expected to publish Quantifiable Carbon Reduction (QCR) guidance. However, at the time of writing the QCR and LTP guidance has still not yet been published. As such, and in the context of changing government policy, the publication of the guidance and its requirements may be subject to change. Until the guidance and supporting tools on carbon quantification are released by government, at this stage it is not possible for the Council to quantify the impact of the NWL against the wider list of infrastructure projects or the other transport measures noted in the LTP.
- 3.12.9 In advance of the emerging guidance on carbon quantification, Norfolk County Council have already committed to demonstrating tangible action towards carbon reduction through their fourth Local Transport Plan, Environmental Policy (2019) and the wider list of transport proposals. The County Council has been successful in securing additional funding to advance decarbonisation in the area, these funds include:
- Transforming City Fund (TCF);
 - Zero Emission Transport City (ZETC);
 - Zero Emission Bus Regional Area (ZEBRA);
 - Bus Service Improvement Fund (BSIP);
 - Active Travel Fund (ATF);
- 3.12.10 The introduction of the new EVs under the Zero Emission Bus Regional Area scheme will mean that by March 2024 over half of the Norwich network operated by First Bus are due to be electric. These buses are part of First Bus' pledge to convert its entire fleet to zero tailpipe emissions by 2035.
- 3.12.11 These vehicles offer significant environmental benefits, saving around 75 tonnes of CO₂ per vehicle per year when compared to a diesel, and will improve the air quality for the city's residents and visitors as they emit zero tailpipe emissions.
- 3.12.12 Based on a commitment of 70 buses in Norwich this alone could equate to a saving of in excess of 5,250 tonnes of carbon each year up to 2050. To put these numbers in context, the baseline carbon emissions from transport for Norfolk in 2019 were 1,718,000 tonnes, as set out in the [LTP4 Implementation Plan](#). The annual carbon from tailpipe emissions currently projected from the

NWL therefore equates to 0.3 per cent of this countywide figure, or 0.1% if the CAS assumptions are applied.

- 3.12.13 To demonstrate the carbon credentials of the NWL can be accommodated within local carbon targets, the results of the carbon assessment undertaken for the NWL Environmental Statement will be integrated into the wider decarbonisation plan which is being developed to meet local carbon targets as outlined in the LTP 4.
- 3.12.14 The LTP 4 Implementation Plan expects appropriate and proportionate whole life carbon assessments of schemes to include construction and use, as outlined in the actions to support Policy 11. The contractor for the scheme has committed to a number of measures to reduce carbon emissions during the construction phase, which include promoting the use of start-stop technology plant on site, maximising the re-use of site materials for earthworks and pavements, using solar panels for site lighting where practicable, showing preference for providers that use 100% renewable sources of electricity; maximising the use of local suppliers and producing a Carbon Management Plan.
- 3.12.15 The contractor is also actively exploring measures to reduce carbon emissions further during the construction. The measures could include:
- Minimising energy consumption including fuel usage by, for example, minimising machinery use and idling;
 - Promoting the use of hydrotreated vegetable oil fuel by the supply chain;
 - Using sustainable concrete, low/cold application asphalts and re-cycled construction materials where practicable;
 - Re-using trees and vegetation removed during the site clearance as mulch or chippings and using in the landscaping where practicable;
 - Re-using bituminous materials within the permanent works where practicable and where they do not present a pollution hazard;
 - Encouraging the use of solar power and facilities to reduce water usage;
 - Procuring sustainable welfare cabins;
 - Maximising the use of local waste management facilities, instead of transporting waste materials over longer distances;
 - Incentivising of carbon reduction practices within the supply chain.
- 3.12.16 Preliminary results from the construction phase assessment reported in the draft Environmental Statement have found the total Green House Gas emissions from the construction of the NWL is estimated to be approximately 130,000 tCO₂e. It should be noted that figure is subject to finalisation through the process to complete the Environmental Statement. It does not include the potential further mitigation measures outlined in Section 3.12.15 above that the contractor is exploring, which are expected to result in this estimate being reduced.

4. Evidence and Reasons for Decision

- 4.1 The NWL is expected to:
- Offer a direct link between A47 and A1270 on the west side of Norwich, to provide quicker and more reliable journey times between these roads;
 - Remove through-traffic from local villages to the west of Norwich, resulting in fewer barriers to walking and cycling and making the local network more conducive to active travel with the resulting improvements in air quality;
 - Reduce personal injury collisions;
 - Enhance access to key facilities and employment west of Norwich;
 - Support the coastal visitor economy;
 - Enhance highway network resilience.
- 4.2 The delivery of NWL is recognised in the emerging Greater Norwich Local Plan (GNLP) and the adopted Norfolk Local Transport Plan, Norfolk Strategic Infrastructure Delivery Plan 2023 and the Transport for Norwich Strategy 2021.
- 4.3 The delivery of existing and emerging Transport Policy and the strong public support, expressed through public consultation to inform the project's options assessment work, for addressing highway issues to the west of Norwich are strong factors in favour of the NWL. The proposed scheme is the result of an extensive optioneering exercise that has been carried out over a number of years to ensure that the best available route that meets the project objectives whilst minimising environmental impacts has been proposed.
- 4.4 Submission of the proposed scheme and the associated documents for a planning application is a key milestone towards delivery on the NWL. The Cabinet meeting is therefore requested to approve the submission of this scheme for a planning application under the Town and Country Planning Act 1990.

5. Alternative Options

- 5.1 Extensive consideration has been given to potential alternatives prior to reaching a preferred option to take forward for a planning application. This option has been refined in response to known constraints and there is an evidence base of surveys and background data underpinning the option selection and refinement. Considerable effort has been made to consider the potential environmental effects of the NWL throughout the design process.
- 5.2 Separate studies have been undertaken looking at a range of highway options and a public transport option. In 2017-2018 further work was undertaken to test the feasibility of a viaduct over the River Wensum SAC with Natural England.
- 5.3 During 2018-2019 an Option Appraisal Report was prepared, considering a wide range of ideas across a range of modes covering a total of 82 options. A

systematic sifting process identified that highway options were found to best meet the scheme objectives and likely to offer better value for money. However additional non-highway, active travel and public transport measures were identified and reserved for packaging with a preferred option.

- 5.4 The option development and selection process were informed by extensive public consultation and stakeholder engagement, with a first round of consultation establishing the need for a Norwich Western Link in summer 2018, with the majority of respondents indicating that a highway option would best solve the transport issues identified in the study area, with additional non-highway options supporting.
- 5.5 A second round of consultation regarding the shortlisted options confirmed that there was strong agreement among respondents that there is a need for a Norwich Western Link, with Option D ranking as the most popular solution and Option C the second most popular. Option B was notably less popular and Option A the least popular.
- 5.6 From a connectivity perspective, the Option C horizontal alignment offered good connectivity between A47 and A1270 and would encourage strategic traffic to avoid the villages in the west of Norwich with a more direct route from Wood Lane to Broadland Northway, avoiding Ringland and Weston Longville. This route links well with the A47 North Tuddenham to Easton Improvement Scheme. Option C was also considered to be less challenging to construct in terms of vertical alignment as it avoided the steep topography through Ringland Hills and avoids crossing the River Tud on an additional viaduct.
- 5.7 The report to Norfolk County Council Cabinet July 2019 concluded (at Paragraph 4.4.7) that: *'it is recommended that Option C is taken forward as the Preferred Route as this offers a solution which offers good value for money, is publicly acceptable, limits environmental impacts and is the least challenging option to deliver from an engineering and risk perspective.*
- 5.8 The selection of the preferred route had been informed by the ecological surveys that had been undertaken. To inform the development of the design of this route a series of further ecological surveys were undertaken, which identified a barbastelle bat maternity roost associated with the Primrose Grove colony located that was located within the site boundary (at the time) of the Preferred Route at Rose Carr.
- 5.9 An alignment refinement exercise was undertaken where seven alignment refinement options were created and subject to an appraisal in line with the criteria applied in the OSR 2019. A reassessment of the options considered in 2019 has been undertaken to establish if the 2019 conclusions remain the same in light of the refinements undertaken to Option C (called the Refined Option C).
- 5.10 The assessments determined that on balance, Option C Refined was still considered to present the better alignment option overall, which balances the need for increased separation from a maternity bat roost in the northern

woodlands, with other planning and environmental considerations across all of the topics considered.

6. Financial Implications

- 6.1 The report to Cabinet at its meeting on 4 July 2022 provided an update on the scheme cost that would be included in the OBC addendum to be submitted to the DfT. This identified the overall budget requirement as being £251.1m. The breakdown in scheme costs and suggested funding profile was set out in the report to Cabinet.
- 6.2 The OBC addendum was submitted to DfT, to enable a change to the requested funding provision from their Large Local Majors funding programme. The request with the OBC addendum remained at 85%, but the value had increased to £213.4m in line with the increased project costs. The adjusted local contribution of 15% detailed in the OBC addendum had increased to £37.7m on the assumption that the uplifted contribution from DfT could be secured.
- 6.3 At its meeting on 19 July 2022 the County Council endorsed the decision made by Cabinet and agreed the funding for the forward capital programme (as required by the County Council's Constitution, at Appendix 15 para 3.6.1). As this has been referred under that provision once, it does not need to be referred again but should Cabinet agree to an increased budget the County Council will need to endorse that decision.
- 6.4 The overall budget requirement has increased to £273.9m (compared with the £251.1m included in the OBC addendum, that was reported to Cabinet on 4 July 2022), and the breakdown in scheme cost and suggested funding profile is set out in the tables below.
- 6.5 The re-profiled budget forecast that takes account of the updated project milestones outlined in Section 2.10 is provided below.

Table: Breakdown of Scheme Costs

Scheme Element	2017-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	Total
Design, Investigations, Surveys, Procurement, Supervision, and other Client Costs through to Construction	1,372	3,518	4,066	9,358	13,098	11,587	7,762	993					51,754
Statutory Undertakers Works					9	1,238	402	224	1	208			2,082
Land	27	1,439	1,069	328	509	1,877	2,145	9,807	1,700	1,030	-550		19,381
Construction, Supervision, and other Client Costs	4	3	52				460	13,042	43,724	47,320	26,739	313	131,657
Total Cost (excluding risk)	1,403	4,960	5,187	9,686	13,616	14,702	10,769	24,066	45,425	48,558	26,189	313	204,874
Risk						2,623	2,598	2,026	7,126	7,672	4,276		26,321

Total Cost at 2020: Q3 Prices	1,403	4,960	5,187	9,686	13,616	17,325	13,367	26,092	52,551	56,230	30,465	313	231,195
Adjustment to outturn (inflation)						807	1,210	3,969	12,905	15,148	8,629	51	42,719
Scheme Cost (outturn prices)	1,403	4,960	5,187	9,686	13,616	18,132	14,577	30,061	65,456	71,378	39,094	364	273,914

Table: Funding Profile assuming 85% of OBC from DfT

Funding Package	2017-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	Total
Government / DfT Funding			1,024			24,815	7,175	22,707	57,990	63,603	35,781	283	213,378
Local Contribution	1,403	4,960	4,163	9,686	13,616	-6,683	7,402	7,354	7,466	7,775	3,313	81	60,536
Total	1,403	4,960	5,187	9,686	13,616	18,132	14,577	30,061	65,456	71,378	39,094	364	273,914

6.6 DfT have agreed to grant funding of £24.815 million in the current financial year (2023/24) following the OBC decision. In addition, it has also indicated that funding of up to 100% of the NWL (based on the OBC submission of £251.1m) is possible. This is subject to further guidance and agreement with DfT, which is yet to be provided. The table below shows the revised funding profile forecast should funding of 100% of the OBC submission be provided.

Table: Funding Profile assuming 100% of OBC from DfT

Funding Package	2017-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	Total
Government / DfT Funding			1,024			24,815	14,453	31,878	66,587	72,602	39,309	364	251,032
Local Contribution	1,403	4,960	4,163	9,686	13,616	-6,683	124	-1,817	-1,131	-1,224	-215		22,882
Total	1,403	4,960	5,187	9,686	13,616	18,132	14,577	30,061	65,456	71,378	39,094	364	273,914

6.7 It can be seen from the above table that should the DfT fund 100% of the NWL based on the original OBC (and its Addendum) submission of £251.0m then the revised local contribution would be £22.9m. This compares to the original local contribution of £37.7m reported to Cabinet at its meeting of 4 July 2022, when approval to submit the OBC Addendum was given. Cabinet is asked to approve an increase to the current local contribution of £22.9m. It is hoped, as has been alluded to above, that DfT will confirm an increase to their funding which would see the local contribution drop by £14.8m compared to current approved funding.

6.8 The table below shows the July 2022 budget figures compared alongside the current budget figures for 2023.

Table: 2022 to current budget changes (£,000.00)

Scheme Element	July 2022 Total	Current Total	Movement
Design, Investigations, Surveys, Procurement, Supervision, and other Client Costs through to Construction	39,038	51,754	12,716
Statutory Undertakers Works	732	2,082	1,350
Land	17,049	19,381	2,332
Construction, Supervision, and other Client Costs	111,928	131,657	19,729

Total Cost (excluding risk)	168,747	204,874	36,127
Risk	37,366	26,321	-11,045
Total Cost at 2020: Q3 Prices	206,114	231,195	25,081
Adjustment to outturn (inflation)	44,919	42,719	-2,200
Scheme Cost (outturn prices)	251,032	273,914	22,882

6.9 The reasons for budget increase compared with July 2022 are outlined below.

6.9.1 Design, Investigations, Surveys, Procurement, Supervision, and other Client Costs

As a direct consequence of the OBC funding approval from DfT being delayed, submission of the planning application, completion of other statutory processes, completion of this stage of the project and the commencement of the construction stage has been adversely impacted.

The OBC addendum submitted in September 2022 assumed a planning application submission by Spring 2023, with an overall completion of this stage being achieved in late 2023.

DfT's OBC approval was received in writing on 13 October 2023, triggering final preparation and a planned submission of the planning application as soon as possible.

The consequential effects of this delay are:

- Re-working sections of the planning application due to time sensitive data and reports having to be updated;
- Costs associated with the instruction given to the contractor to put non-essential works on hold due to uncertainty surrounding DfT's funding approval;
- Client resources being reduced to align with the revised workload, but with key resources being retained to accommodate a rapid re-start once DfT's funding approval is received;
- Increased archaeological works required, driven by completion and analysis of early exploratory archaeological work.

Cumulative increase of £12.72m.

6.9.2 Adjustment to public utility apparatus

The project is impacted by the construction of new underground power lines. To mitigate costs, advanced works at the interface have been identified with an allowance being made.

Following confirmed development consent issued by the Secretary of State for the Department for Business, Energy and Industrial Strategy on 31 December

2020, the Orsted Hornsea 3 Offshore Wind Farm reached a significant milestone in April 2023 with the project officially entering its main works phase. The project crosses the Norwich Western Link main line in the area around Ringland Lane/Weston Road.

Engagement with Orsted is ongoing in order to establish a co-operation agreement with the NWL project team and ensure there are no conflicts between the works. Communication to date has identified that the Horizontal Directional Drilling (HDD) for the Orsted cables will need to be lower than originally intended to avoid the NWL. As a result, Orsted require a commitment of approximately £1.35m from the NWL budget this financial year to undertake the HDD at the lower depth as part of its works. The risk of not committing this expenditure is that the diversion of the cables would be required as part of the NWL works, which would only be possible at a considerably higher cost. The £1.35m commitment is included in the updated NWL budget.

Cumulative increase of £1.35m.

6.9.3 Land

As a direct consequence of the OBC funding approval from DfT being delayed and the consequential effects on the completion of the statutory process, the land acquisition date has been delayed resulting in land cost increases and increases in compensatory payments, driven by market forces and inflation.

The alignment refinement work and BNG requirements, together with the proposed ecological mitigation, have also been refined resulting in changes to the area of land required for the project which is compounded by refinement of land requirements for BNG.

Cumulative increase of £2.33m.

6.9.4 Construction, Supervision and other Client Costs

Further development of the ecological mitigation works has identified that certain works that cannot be undertaken in advance of all statutory approvals, and there is a consequential impact on the construction programme's critical path.

There has been further site investigation and this has identified the presence of significant pockets of soft organic soil, which has informed the developing detailed design and has resulted in a significant increase in the scale and duration of construction required for the temporary works platform to construct

the viaduct. There is also a related increase in the volume of surplus earthworks material to be disposed of, with consequential effects on the critical path of the construction programme.

As part of the detailed design and development of the planning application proposals, alternative arrangements for the temporary haul road to the southern viaduct abutment have been required along with further design associated with the alignment refinement of the preferred route.

As details have developed, there has been an increase in the allowances made for the cost of off-site works related to the sustainable transport and traffic mitigation measures.

Cumulative increase of £19.73m.

6.9.5 Risk

The project risk register has been fully reviewed and takes account of what is known at this stage of the project and the issues that have been worked through and closed out or mitigated/reduced. A copy of the latest risk register is contained in Appendix D of this report. As projects are progressed risks are addressed and closed out as the design develops. The risk allowances made in July 2022 have been re-assessed and reduced where risks have been resolved.

Cumulative reduction of £11.05m.

6.9.6 Inflation

The allowances for inflation made in July 2022 have been updated. The remaining uncertainty in world markets due to the ongoing war in Ukraine compounded prior events resulting in difficulty in obtaining materials as the world supply chains adjust. Uncertainty surrounding the national infrastructure output programme remains high, which is principally supported by the roads, rail and electricity investment programmes, including work on HS2, and nuclear new build. The extended project programme has also compounded these inflationary drivers.

The tables below set out the assumed inflationary increases that are anticipated to occur over the life of the project.

Table: Assumed inflationary increases over life of project

Inflation rates:	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30
Fees:						
Staff	2.84%	5.76%	8.76%	11.85%	15.03%	18.30%

Consultancy (Environmental and Planning)	2.97%	6.03%	9.18%	2.97%	6.03%	9.18%
Consultancy (Commercial)	5.68%	8.64%	11.68%	14.81%	18.02%	21.33%
Utilities	5.68%	8.64%	11.68%	14.81%	18.02%	21.33%
Land	8.76%	11.85%	15.03%	18.30%	21.66%	25.11%
Construction:						
Stage One Work	17.29%	20.61%	24.02%	27.53%	31.14%	34.85%
Stage Two Work	23.27%	24.95%	26.69%	28.67%	29.64%	32.70%

The inflationary factors used in the forecasting of Design, Investigations, Surveys, Procurement, Supervision and Client Costs, Utilities, and Land are based on historic data combined with current knowledge of the relevant indices being the Consumer Price Indices (CPI) and the Highways Term Maintenance Indices (HTMI). However, the inflationary factors used in the forecasting of Construction costs have been based on the analysis of multiple Building Cost Information Service (BCIS) indices, which form part of the contractual inflationary mechanism that has been compared with the more general BCIS General Civil Engineering Indices, which also provide a forward forecast through to June 2028 with further estimation being made thereafter.

The Construction inflationary assessment has therefore been aligned to industry forecasts but there remains a residual risk to the accuracy of this forecast. Therefore, further variable inflationary forecasts have been considered in the assessment of inflationary risk (Risk B22), resulting in a further allowance being included in the updated forecast and included in the Adjustment to Outturn (Inflation) figures stated above.

Reduction of £2.2 million.

6.10 Financial Risk

- 6.10.1 There are risks to the project delivery that could result in it not proceeding to construction and thereby not proceeding to construction and delivering a capital asset (see Section 9 below). This could be due to a failure to secure statutory approvals. Should this happen the cost expended to develop the scheme to that point may need to be treated as revenue expenditure. As with all capital projects the authority takes on this risk of revenue expenditure implications where a project does not get delivered (i.e. where there is no capital asset delivered). Given the size of the County Council's capital programme it is not unusual for this risk to exist, and it has applied in the past to major projects such as the Broadland Northway and Great Yarmouth 3rd River Crossing. However, it does need to be considered fully when considering the risks associated with the NWL project, and potential mitigation should this revenue cost scenario occur.

6.10.2 The key budget decision milestones and anticipated forecast spend to that point are set out below:

- Stopping the project now would include previous year spend and current year spend and any commitments – estimated at £46.118m;
- At the submission of a planning application in early 2024 – £50.156m;
- At the Full Business Case (FBC) anticipated approval in Autumn 2025 - £68.991m.

Table: Updated anticipated forecast spend at key decision milestones

Forecast	Nov-23	Early 24	Autumn 25
Design, Investigations, Surveys, Procurement, Supervision and other Client Costs through to Construction	£42,148,901	£43,690,704	£53,377,740
Statutory Undertakers Works	£9,589	£645,758	£1,950,531
Land	£3,231,494	£3,424,261	£7,048,296
Construction, Supervision and other Client Costs	£59,335	£59,335	£1,006,155
Expenditure excluding risk	£45,449,319	£47,820,059	£63,382,721
Risk allowance	£668,277	£2,336,076	£5,608,442

Notes:

All figures derived from the revised forecast

Risk allowance figures above may not be incurred if the risks do not materialise

6.10.3 Following approval of the Outline Business Case (OBC) the government will provide capital grant funding for permitted activities on an annual basis. Permitted activities is capital expenditure related to the development of a business case and associated activities (e.g. public consultation, planning applications, surveys, design work). An annual capital grant will reimburse the county council for some of the costs incurred to date and the further costs that will be incurred to achieve FBC. At the time of writing this report, discussions are taking place with the DfT regarding the amount and timing of the grant payments. However, it is anticipated that the capital grant will fund the majority of the expenditure set out in Section 6.6 above.

6.10.4 The grant terms and conditions for the NWL follow the normal DfT grant rules for capital schemes which reserves the right for DfT to seek reimbursement of any capital grant paid if the scheme is not constructed. If the NWL is not constructed, there is a risk that the County Council may need to reimburse DfT all of the capital grants received for the scheme. In this circumstance it is difficult to predict the outcome of discussions with DfT which could range from zero reimbursement, partial or full reimbursement.

6.10.5 Generally capital schemes are funded by a mixture of grant and County Council contribution (either in the shape of capital receipts or borrowing). If the County Council had to set aside separate revenue funding for each major project (or all capital projects until they were brought into service) to mitigate against potential write-off due to non-delivery, then it would not deliver such

projects. To mitigate the risk on NWL the Director of Strategic Finance sits on the Project Board of major projects and also receives a full briefing on Finance / Delivery / Risk Management on a monthly basis to enable an informed opinion of the risk of non-delivery and the potential financial impact.

6.10.6 Should the NWL not proceed to construction the hierarchy of how cost incurred to date would be funded would be as follows:

1. Review corporate centre revenue budgets to identify resources;
2. Review of ear-marked reserves to assess if their intended use is still required and if not reprioritise;
3. Instruct departments to work towards delivering in-year revenue savings where practicable;
4. The council has a General Fund Reserve that it sets aside for major financial shocks and any balance would need to be provided here;
5. If necessary, replenish General Fund/Ear Marked reserves as part of the Medium Term Financial Strategy.

In addition to the above, the Council would enter into discussions with DfT regarding the capital grant and whether it would need to be reimbursed.

7. Resource Implications

7.1 **Staff:**

7.1.1 The project has a dedicated delivery team provided by the in-house Infrastructure Delivery Team, which is supported by WSP (the highways service term consultants), external consultants, specialist legal advisors (including nplaw), and contract administration and cost specialists. Following the award of the contract, Ferrovial Construction were appointed as the design and build contractor for the scheme in 2021.

7.2 **Property:**

7.2.1 The identification of the preferred route in July 2019 opened up two lines of potential land acquisition for landowners affected by the NWL scheme, by virtue of owning land either on or adjacent to the route corridor. These are Blight, where land is required for the scheme itself, and Discretionary Purchase where no land is required. There is also the opportunity to seek to acquire affected land by agreement.

7.2.2 Any land or properties acquired under Blight Notice, Discretionary Purchase or agreement have to be managed by the Council during the period between acquisition and either their use for the Scheme or disposal through re-sale afterwards.

7.2.3 A Land Acquisition Audit Assurance Group was established for the NWL in 2019 in order to ensure the appropriate assurance and oversight of land related matters in regard to the scheme. The group comprises County Council Corporate Property and Finance and Commercial services teams alongside the Project Team and the land agents NPS acting on behalf of the Council. All decisions are presented to and made by the Project Board.

- 7.2.4 At the time of the 3 July 2023 report to Cabinet, three parcels of land had been acquired, two via the acceptance of valid blight notices, and the other by agreement following discussions with the landowner.
- 7.2.5 Following the 2022 alignment refinement a further Blight Notice was served on and accepted by the Council. Acquisition of this property has now also been completed. All purchases to date have been within the allowances made when setting the land acquisition budget.
- 7.3 **IT:**
- 7.3.1 None expected as a result of this report's recommendations.

8. Other Implications

8.1 Legal Implications:

- 8.1.1 The NWL will require an SRO as outlined in Sections 2.4 of this report. The SRO will include changes to the existing highways, private means of access and public rights of way. It would be promoted by Norfolk County Council under Sections 14 and 125 of the Highways Act 1980.
- 8.1.2 Whilst the acquisition of land for the project will be sought by agreement with landowners, project is anticipating the potential need to acquire land by a CPO as outlined in Sections 2.5 and 7.2 of this report. This would be promoted by Norfolk County Council in parallel to the SRO under the Compulsory Purchase Act 1965.
- 8.1.3 If objections to either or both of the Orders are received, it is likely that the DfT, in conjunction with the Planning Inspectorate will hold a public local inquiry into the Orders before the Secretary of State decides whether to refuse the Orders or to confirm them either with or without modifications. As part of this process, and the wider development of the NWL, the County Council will continue to be supported by nplaw and external legal advisers (including Counsel).

8.2 Human Rights Implications:

- 8.2.1 The Human Rights Implications of the NWL are considered in Chapter 12 of the Statement of Reasons, a draft of this is contained in Appendix C of this report. It is recognised that the NWL may have an impact on individuals but it is considered that the significant public benefits that it brings outweigh any harm to those individuals. It is considered that the CPO strikes a fair balance between the public interest in seeing the NWL proceed in a timely fashion (which is unlikely to happen in the absence of the CPO) and the private rights which will be affected by the compulsory acquisition.
- 8.2.2 Any individuals affected by the CPO will have the opportunity to submit representations to the Secretary of State during the period specified in the notice advertising the making of the CPO (a copy of which will be served on all persons affected by the CPO). If an inquiry is held subsequently then any

party objecting to the CPO may make representations to the Secretary of State as part of that process. Additionally, if the CPO is confirmed, a person aggrieved may challenge that decision by way of an application to the High Court if they consider that the grounds for doing so are made out.

8.3 Equality Impact Assessment (EqIA):

8.3.1 An EqIA has been produced and is regularly reviewed and updated, and this process will continue through the delivery of the scheme. The latest version of the EQIA is available to view should Members wish to do so.

8.4 Data Protection Impact Assessments (DPIA):

8.4.1 Part of the County Council's accountability obligations under the General Data Protection Regulation (GDPR) is to assess and demonstrate compliance with its data protection obligations. In developing the NWL proposal, which includes consultations and communications with stakeholders, the County Council is following industry standard good practice and the various acts relating to the governance of data by local authorities.

8.5 Health and Safety Implications:

8.5.1 The NWL is expected to reduce through traffic from rural villages to the west of Norwich which will improve the quality of life for local residents. Traffic reduction through these villages will help make the network more suitable and attractive for walking and cycling and would help to promote active travel, which has the potential to realise health benefits.

8.5.2 The NWL will encourage the reassignment of traffic away from more rural routes and onto a new high standard road, which is expected to reduce accidents in this area.

8.6 Sustainability Implications:

8.6.1 In developing and submitting the OBC the calculation of emissions for transport has been undertaken using a traffic model and carbon quantification assessment that is compliant with best practice and the Department for Transport (DfT) requirements. This is discussed under section 3.12 of this report.

8.6.2 The proposed scheme for the NWL includes a package of environmental mitigation and enhancement measures. Assessments undertaken in accordance with best practice predict that the proposed scheme for the NWL will achieve a quantifiable biodiversity net gain in excess of 10% for the non-excluded habitats. Further details of the environment proposals and BNG are outlined in Sections 3.6 to 3.11 of this report.

8.6.3 A Sustainable Transport Strategy (STS) has been developed alongside the main NWL proposals and presents proposals for a range of measures to support walking, cycling and public transport use. The package of measures includes:

- A new shared use footway/cycleway on the north side of A1067 where the carriageway is to be dualled, providing a link between

existing routes along the Broadland Northway that connect to Marriott's Way;

- A new off-carriageway path for pedestrians and cyclists along Marl Hill Road between Weston Longville and Morton on the Hill (with a new carriageway refuge on the A1067 to improve crossing) which provides connections to Attlebridge and the Marriott's Way;
- Enhancement of the local Public Rights of Way network with the standard of routes being improved;
- Making use of and enhancing routes that will experience lower traffic levels following construction the NWL, to create cycle friendly routes;
- Identification of the opportunity for a new bus service to the west of Norwich that could connect communities to medical facilities and employment areas, such as the Norwich Research Park, UEA and NNUH, without the need to travel into central Norwich and change buses.

8.7 Any Other Implications:

8.7.1 None identified as a result of this report's recommendations.

9. Risk Implications / Assessment

9.1 A summary of the current risk register is included within Appendix D of this report.

9.2 A summary of some of the key project risks was provided in the July 2023 Cabinet report. An update for some of those risks is provided below:

- The A47 North Tuddenham to Easton improvement scheme being promoted by National Highways as a Development Consent Order (DCO) includes provision for improvements to the A47 Wood Lane junction and the NWL scheme's future connection with that improved junction. The DCO has now been made by the Secretary of State, but this decision is the subject of a legal challenge as described in Section 2.11 of this report. Whilst the challenge does not preclude the submission of the planning application (and the related statutory orders) should the challenge be successful as a result of any redetermination by the Secretary of State, and the A47 scheme is not brought forward for delivery, it would not be possible to progress the NWL scheme in its present form.
- Sufficiency of budget forecast and the programme for utility cost diversions. Early engagement is being undertaken with utility companies to determine the impacts of the NWL scheme on their services and agree mitigation proposals.
- DfT funding towards the NWL scheme is subject to final approvals of all statutory processes as set out in this report. Until the Full Business Case approval is granted by DfT there is a risk that the Council would not be able to proceed to the construction phase.

- The June 2021 Cabinet report explained that the planning application for the NWL will need to demonstrate that in bringing forward the NWL scheme, the Council is compliant with national and local policy; it will also need to have regard to any other material considerations relevant to the NWL scheme. The final decision for the decision makers will involve the drawing of a balance where the identified need and benefits of the project will be weighed against the adverse planning impacts, including environmental impacts.
- Similarly, further to the identification of ecological species present in the area, the project team will need to provide sufficient information to allow the planning authority to have regard to its Regulation 9 duty under the Habitats Regulations and its duties under the Natural Environment and Rural Communities Act 2006 and be able to determine that the grant of planning approval would not put it in breach of those duties.
- Notwithstanding the work that has been undertaken by the project team to develop and incorporate suitable mitigation measures for known ecological species present in the area, Natural England (NE) may request changes to the proposed mitigation measures or not agree to a protected species licence due to the failure to meet the Favourable Conservation Status (FCS) test where NE require to be satisfied 'that the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range' and/or the No Satisfactory Alternatives (NSA) and Purpose tests where all reasonable alternatives should be considered and discounted against the proposed solution. The planning authority will need to consider the likelihood of a Licence being granted when determining whether or not to grant planning approval for the NWL scheme.
- In December 2022 Natural England added an area of woodland in the vicinity of the Norwich Western Link onto a shortlist for consideration for potential Site of Special Scientific Interest (SSSI) status. Inclusion on this short list is not a commitment to designate by Natural England and it is likely to take some time for it to determine if the woodland area should be designated as a SSSI. As a result of data collected by the Wensum Valley Barbastelles Research Project (a research project collaboration between Norfolk Wildlife Trust, the University of East Anglia and Wild Wings Ecology) Norfolk Wildlife Trust have advised the project team of a possible bat maternity roost in the vicinity of the NWL scheme. Without access to the data used to support this advice the NWL project team is unable to verify it. The project team has requested access to the data on a number of occasions but has not been able to obtain it to date. The NWL specialist bat experts have carried out their own extensive bat surveys over several years, which have provided a good understanding of the presence of protected bat species in the area around the proposed route. The project has taken

account of this in its design and mitigation measures that have been developed for the planning application.

10. Select Committee Comments

- 10.1 Not applicable, however the Project Team report regularly to the project Member Group.

11. Recommendations

- 1. Consider the details presented in this report and approve the continued delivery of the Norwich Western Link project.**
- 2. To delegate to the Interim Executive Director of Community and Environmental Services (CES), in consultation with the Cabinet Member for Highways, Infrastructure and Transport, the authority to agree the finalised planning application and submit it to the Local Planning Authority.**
- 3. To recommend to Council, at its January 2024 meeting, an increased budget of £273.9m (compared with the £251.0m included in the OBC Addendum, that was reported to Cabinet on 4 July 2022), and an increase to the local contribution of £22.9m, as set out in Section 6 of this report.**
- 4. Following the resolution of recommendation 3 above to delegate to the Interim Executive Director of Community and Environmental Services (CES), in consultation with the Cabinet Member for Highways, Infrastructure and Transport, the authority to approve the Statement of Reasons, which describes the purpose and effect of the Side Roads Order and Compulsory Purchase Order together with the justifications for making them.**
- 5. Following the resolution of recommendations 2, 3 and 4 above, authorise the making, publication and submission, for confirmation by the Secretary of State, of the necessary Side Roads Order required for the project.**
- 6. Following the resolution of recommendations 2, 3 and 4 above, authorise the making, publication and submission, for confirmation by the Secretary of State, of the necessary Compulsory Purchase Order required to acquire the land for the project.**
- 7. To delegate to the Interim Executive Director of Community and Environmental Services (CES), the authority to take all appropriate actions necessary to complete a Public Inquiry should this result from the planning application or the making of draft Orders.**

12. Background Papers

- 12.1 Links to previous committee papers:
- Cabinet Report 3 July 2023 – Follow this [link](#)

- Cabinet Report 4 July 2022 – Follow this [link](#)
- Scrutiny Committee 23 March 2022 – Follow this [link](#)
- Cabinet 7 March 2022 – Follow this [link](#)
- Scrutiny Committee 20 October 2021 – Follow this [link](#)
- Scrutiny Committee 23 June 2021 – Follow this [link](#)
- Cabinet 7 June 2021 – Follow this [link](#)
- Council Meeting 7 June 2021 – Follow this [link](#)
- Cabinet 3 February 2020 – Follow this [link](#)
- Cabinet 15 July 2019 Follow this [link](#)
- EDT Committee 8 March 2019 – Follow this [link](#)
- EDT Committee 09 November 2018 – Follow this [link](#)
- EDT Committee 12 October 2018 – Follow this [link](#)
- EDT Committee 20 October 2017 – Follow this [link](#) (Reports tab)
- EDT Committee 15 September 2017 – Follow this [link](#)
- Business and Property Committee 08 September 2017 – Follow this [link](#)
- Council Meeting 12 December 2016 - Follow this [link](#)
- EDT Committee 08 July 2016 – Follow this [link](#)
- EDT Committee 18 September 2014 – Follow this [link](#)

12.2 Link to National Highways (formerly Highways England) Information:

- A47 North Tuddenham to Easton Improvement Scheme via this [link](#)
- DCO application for A47 North Tuddenham to Easton Improvement Scheme via this [link](#)

Officer Contact

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

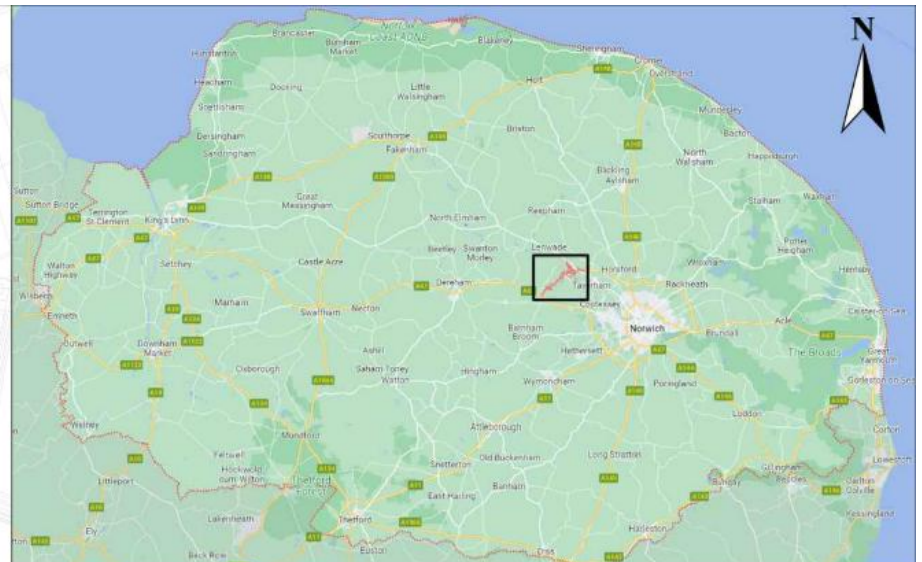
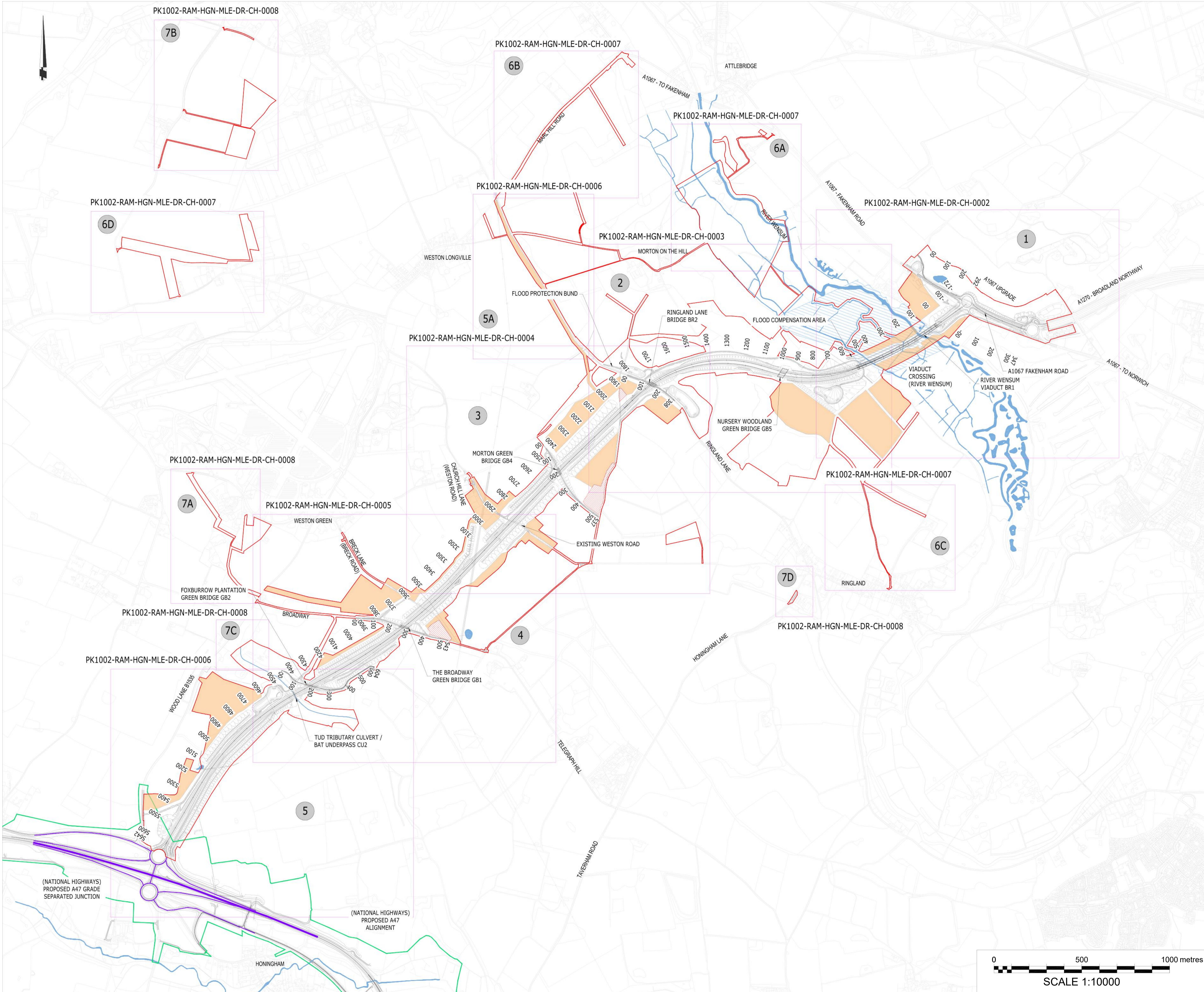
Officer name: David Allfrey / Mark Kemp

Telephone no.: 01603 223292 / 01603 306619

Email: david.allfrey@norfolk.gov.uk or mark.kemp@norfolk.gov.uk



If you need this report in large print, audio, braille, alternative format or in a different language please contact 0344 800 8020 or 0344 800 8011 (textphone) and we will do our best to help.



- Key:-**
- Red Line Boundary
 - Area for Temporary Use During Construction
 - National Highways Scheme Extends Boundary
 - No Work Zone
 - Existing Watercourse
 - Floodplain Area
 - National Highways A47 North Tuddenham to Easton Dualling as shown in DCO Deadline 9 Document Reference TR010038/APP/2.11 Rev 4 and TR010038/APP/2.6 Rev 4. Detailed Design of the A47 is still to be Developed by National Highways

- Notes:**
1. Do not scale from this drawing.
 2. All dimensions are in metres unless otherwise stated.
 3. This drawing is to be read with all other relevant drawings and reports. Any discrepancies, errors or omissions to be brought to the attention of the designer.
 4. The proposed design shown on this drawing is non exhaustive and is independent of any additional works by third parties.
 5. All works to be in accordance with the Specification for Highway Works.
 6. The design is based on National Highways Local Grid.
 7. Please refer to Section 3.4, Chapter 3 (Description of the Scheme) of the Environmental Statement for the Rochdale Envelope flexibility included within the design for the purposes of the Environmental Impact Assessment.
 8. For wider cycle improvements refer to drawing PK1002-NCC-GEN-FSC-DR-CH-0080
 9. For essential environmental mitigation measures refer to drawing PK1002-NCC-GEN-FSC-DR-CH-0050
 7. This drawing is for planning application purposes only, it is not a construction issue drawing.

Mapping reproduced by permission of Ordnance Survey on behalf of HMSO.
 © Crown copyright and database rights 2023 Ordnance Survey 100019340.

S5 - Suitable for Review and Acceptance	P04	GSK	SA	SS	23/05/23
S5 - Suitable for Review and Acceptance	P05	US	SA	SS	24/05/23
S5 - Suitable for Review and Acceptance	P06	US	JE	SS	18/08/23
S5 - Suitable for Review and Acceptance	P07	US	SA	SS	08/11/23
REVISION	DRAWN	CHECKED	APPROVED	DATE	

CLIENT

Norfolk County Council
 Grahame Bygrave
 Interim Executive Director of
 Community and Environmental services
 Norfolk County Council
 County Hall, Martineau Lane
 Norwich NR1 2SG

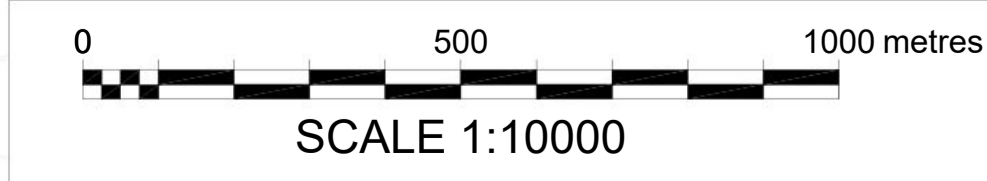


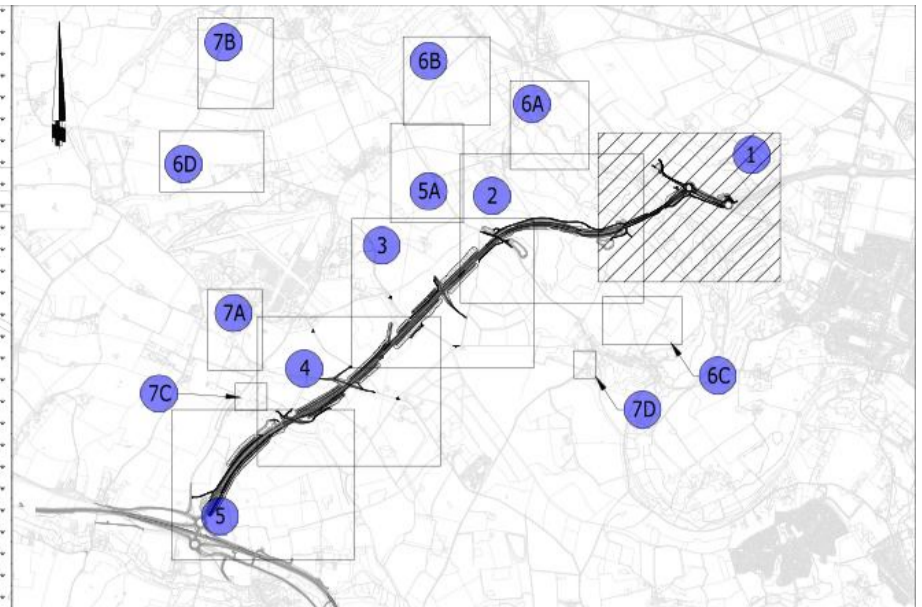
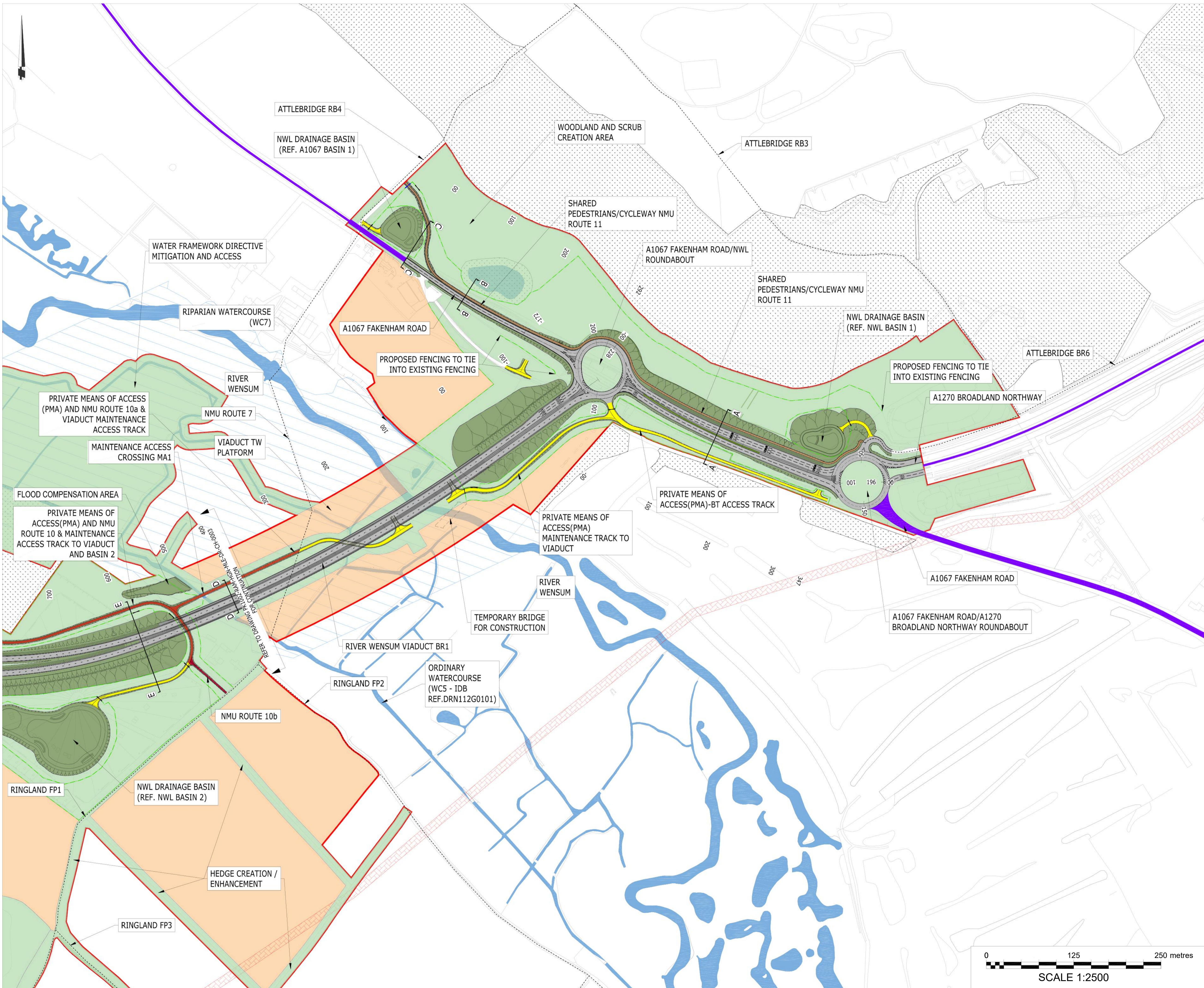
DRAWING TITLE
 NORWICH WESTERN LINK
 GENERAL ARRANGEMENT KEY PLAN

DRAWING STATUS
 S5 - SUITABLE FOR REVIEW AND ACCEPTANCE

DRAWN	CHECKED	APPROVED	AUTHORISED
US	SA	SS	
SCALE @ A1 SIZE	DATE	REVISION	
1:10000	08/11/23	P07	

DRAWING NUMBER
 PK1002-RAM-HGN-MLE-DR-CH-0001





- Key:**
- Red Line Boundary
 - Area for Temporary Use During Construction
 - National Grid HP Gas Easement
 - No Work Zone
 - Carriageway
 - Central Reserve / Splitter Island / Hardened Verge
 - Existing Watercourses
 - Existing Woodland Retained
 - General Fence
 - Close Boarded Fence
 - Close Boarded Parapet
 - Proposed Gate
 - Proposed Verge and Earthworks with Landscaping
 - Proposed and Existing Landscaping and Planting
 - Proposed Reinforced Grass Surface
 - Proposed Badger Culvert
 - Chimney
 - Existing Footpath
 - Existing Restricted Byways (RB) and Bridleways (BR)
 - Public Highway
 - Proposed Bridleways
 - Proposed Private Means of Access (PMA)
 - Proposed Shared Pedestrians / Cycleway
 - Proposed Restricted Byway
 - Proposed Footpath
 - Proposed Footpath and PMA
 - Floodplain Area
 - Non-Motorised Users
 - NMU
 - FP
 - Native Hedgerow
 - Native Hedgerow with trees
 - Instant Hedge
 - Existing Hedgerow to be Retained

- Notes:**
1. Do not scale from this drawing.
 2. All dimensions are in metres unless otherwise stated.
 3. This drawing is to be read with all other relevant drawings and reports. Any discrepancies, errors or omissions to be brought to the attention of the designer.
 4. The proposed design shown on this drawing is non exhaustive and is independent of any additional works by third parties.
 5. All works to be in accordance with the Specification for Highway Works.
 6. Refer to drainage drawings for culvert reference numbers.
 7. For full landscaping design refer to drawings PK1002-RAM-ELS-MLE-DR-NZ-0001 to 0011.
 8. For full cross section design refer to drawings PK1002-RAM-HGN-MLE-DE-CH-0001 to 0008 and 0101 to 0103.
 9. Please refer to Section 3.4, Chapter 3 (Description of the Scheme) of the Environmental Statement for the Rochdale Envelope flexibility included within the design for the purposes of the Environmental Impact Assessment.
 10. For wider cycling improvements refer to drawing PK1002-NCC-GEN-FSC-DR-CH-0080
 11. For essential environmental mitigation measures refer to drawing PK1002-NCC-GEN-FSC-DR-CH-0050
 12. This drawing is for planning application purposes only, it is not a construction issue drawing.

Mapping reproduced by permission of Ordnance Survey on behalf of HMSO.
 © Crown copyright and database rights 2023 Ordnance Survey 100019340.

Suitable for Review and Acceptance				
P05	US	SA	SS	24/05/23
Suitable for Review and Acceptance				
P06	US	JE	SS	18/08/23
Suitable for Review and Acceptance				
P07	US	SA	SS	08/11/23
Suitable for Review and Acceptance				
P08	LL	SA	SS	17/11/23

REVISION	DRAWN	CHECKED	APPROVED	DATE
CLIENT				

Norfolk County Council
 Grahame Bygrave
 Interim Executive Director of
 Community and Environmental Services
 Norfolk County Council
 County Hall, Martineau Lane
 Norwich NR1 2SG



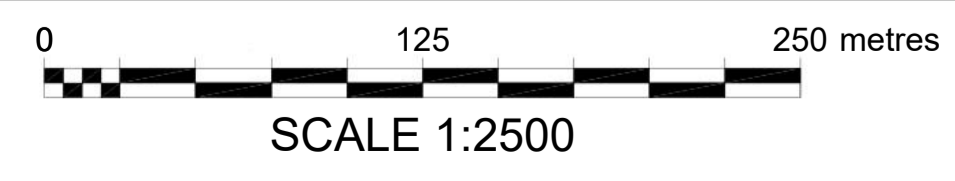
DRAWING TITLE
 NORWICH WESTERN LINK
 GENERAL ARRANGEMENT
 SHEET 1 OF 7

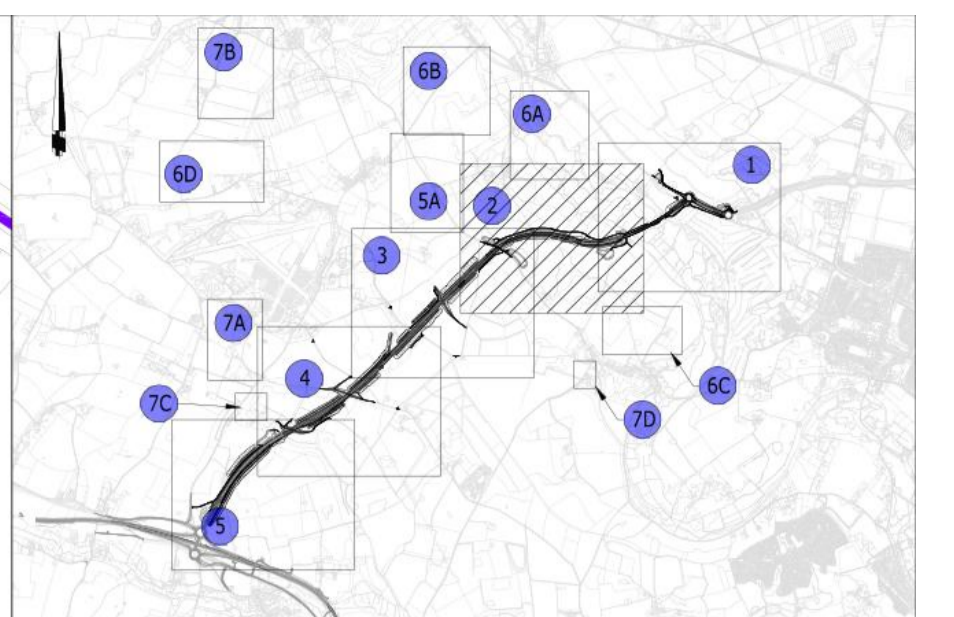
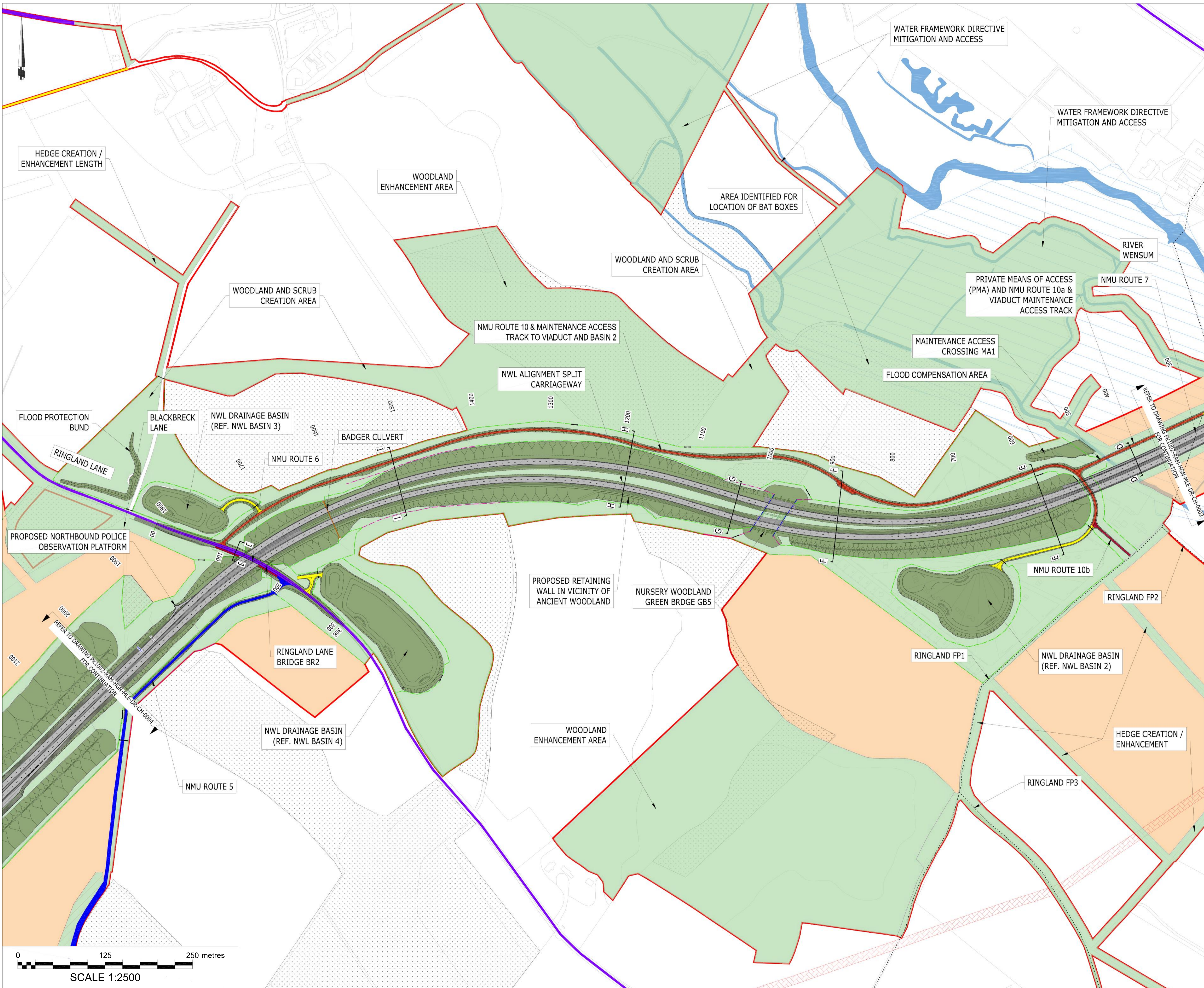
DRAWING STATUS
 S5 - SUITABLE FOR REVIEW AND ACCEPTANCE

DRAWN	CHECKED	APPROVED	AUTHORISED
LL	SA	SS	---

SCALE @ A1 SIZE	DATE	REVISION
1:2500	17/11/23	P08

DRAWING NUMBER
 PK1002-RAM-HGN-MLE-DR-CH-0002





- Key:**
- Red Line Boundary
 - Area for Temporary Use During Construction
 - National Grid HP Gas Easement
 - No Work Zone
 - Carriageway
 - Central Reserve / Splitter Island / Hardened Verge
 - Existing Watercourses
 - Existing Woodland Retained
 - General Fence
 - Close Boarded Fence
 - Close Boarded Parapet
 - Proposed Gate
 - Proposed Verge and Earthworks with Landscaping
 - Proposed and Existing Landscaping and Planting
 - Proposed Reinforced Grass Surface
 - Proposed Restricted Byway
 - Chaiimage
 - Existing Footpath
 - Existing Restricted Byways (RB) and Bridleways (BR)
 - Public Highway
 - Proposed Bridleways
 - Proposed Private Means of Access (PMA)
 - Proposed Shared Pedestrians / Cycleway
 - Proposed Restricted Byway
 - Proposed Footpath
 - Proposed Footpath and PMA
 - Floodplain Area
 - Non-Motorised Users
 - Footpath
 - Native Hedgerow
 - Native Hedgerow with trees
 - Instant Hedge
 - Existing Hedgerow to be Retained

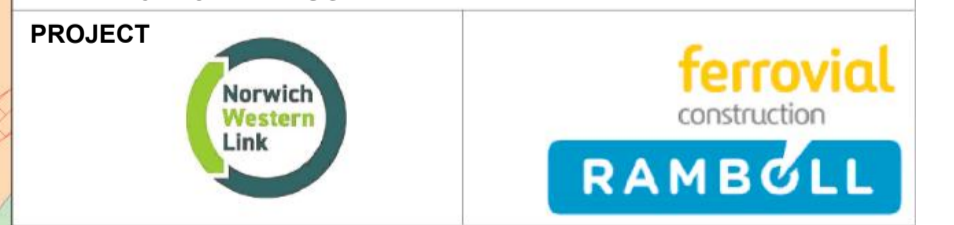
- Notes:**
1. Do not scale from this drawing.
 2. All dimensions are in metres unless otherwise stated.
 3. This drawing is to be read with all other relevant drawings and reports. Any discrepancies, errors or omissions to be brought to the attention of the designer.
 4. The proposed design shown on this drawing is non exhaustive and is independent of any additional works by third parties.
 5. All works to be in accordance with the Specification for Highway Works.
 6. Refer to drainage drawings for culvert reference numbers.
 7. For full landscaping design refer to drawings PK1002-RAM-ELS-MLE-DR-NZ-0001 to 0011.
 8. For full cross section design refer to drawings PK1002-RAM-HGN-MLE-DE-CH-0001 to 0008 and 0101 to 0103.
 9. Please refer to Section 3.4, Chapter 3 (Description of the Scheme) of the Environmental Statement for the Rochdale Envelope flexibility included within the design for the purposes of the Environmental Impact Assessment.
 10. For wider cycling improvements refer to drawing PK1002-NCC-GEN-FSC-DR-CH-0080
 11. For essential environmental mitigation measures refer to drawing PK1002-NCC-GEN-FSC-DR-CH-0050
 12. This drawing is for planning application purposes only, it is not a construction issue drawing.

Mapping reproduced by permission of Ordnance Survey on behalf of HMSO.
 © Crown copyright and database rights 2023 Ordnance Survey 100019340.

Suitable for Review and Acceptance				
P05	US	SA	SS	24/05/23
Suitable for Review and Acceptance				
P06	US	JE	SS	18/08/23
Suitable for Review and Acceptance				
P07	US	SA	SS	08/11/23
Suitable for Review and Acceptance				
P08	LL	SA	SS	17/11/23
REVISION	DRAWN	CHECKED	APPROVED	DATE

CLIENT

Norfolk County Council
 Grahame Bygrave
 Interim Executive Director of
 Community and Environmental Services
 Norfolk County Council
 County Hall, Martineau Lane
 Norwich NR1 2SG



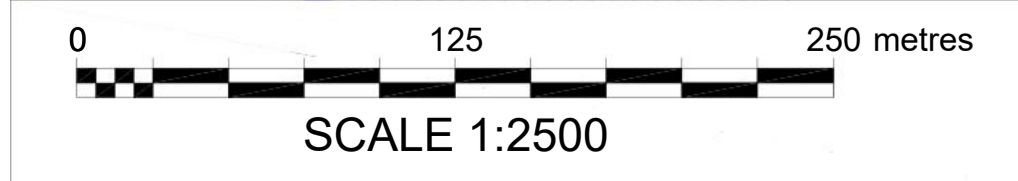
DRAWING TITLE
 NORWICH WESTERN LINK
 GENERAL ARRANGEMENT
 SHEET 2 OF 7

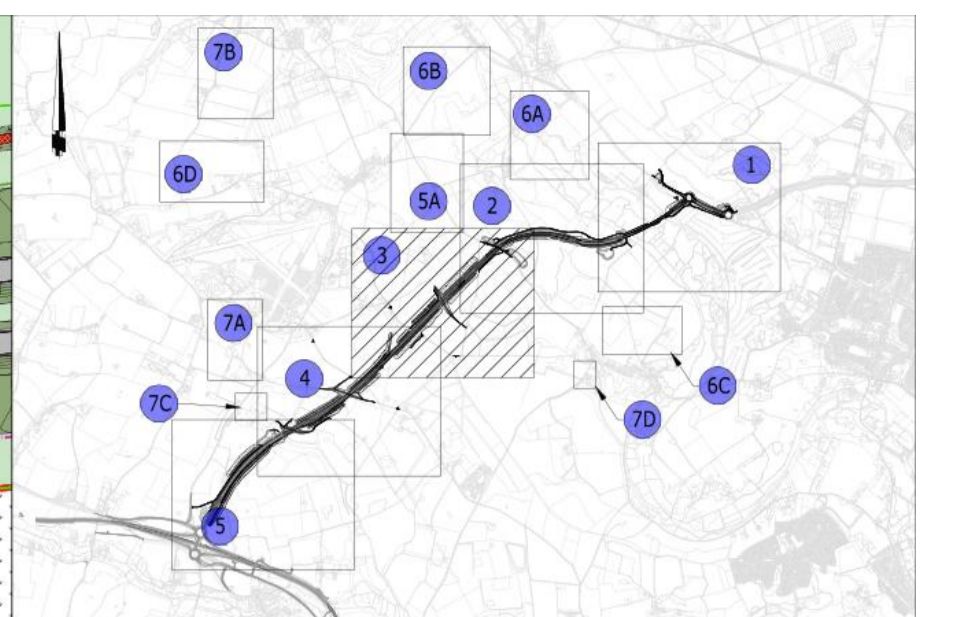
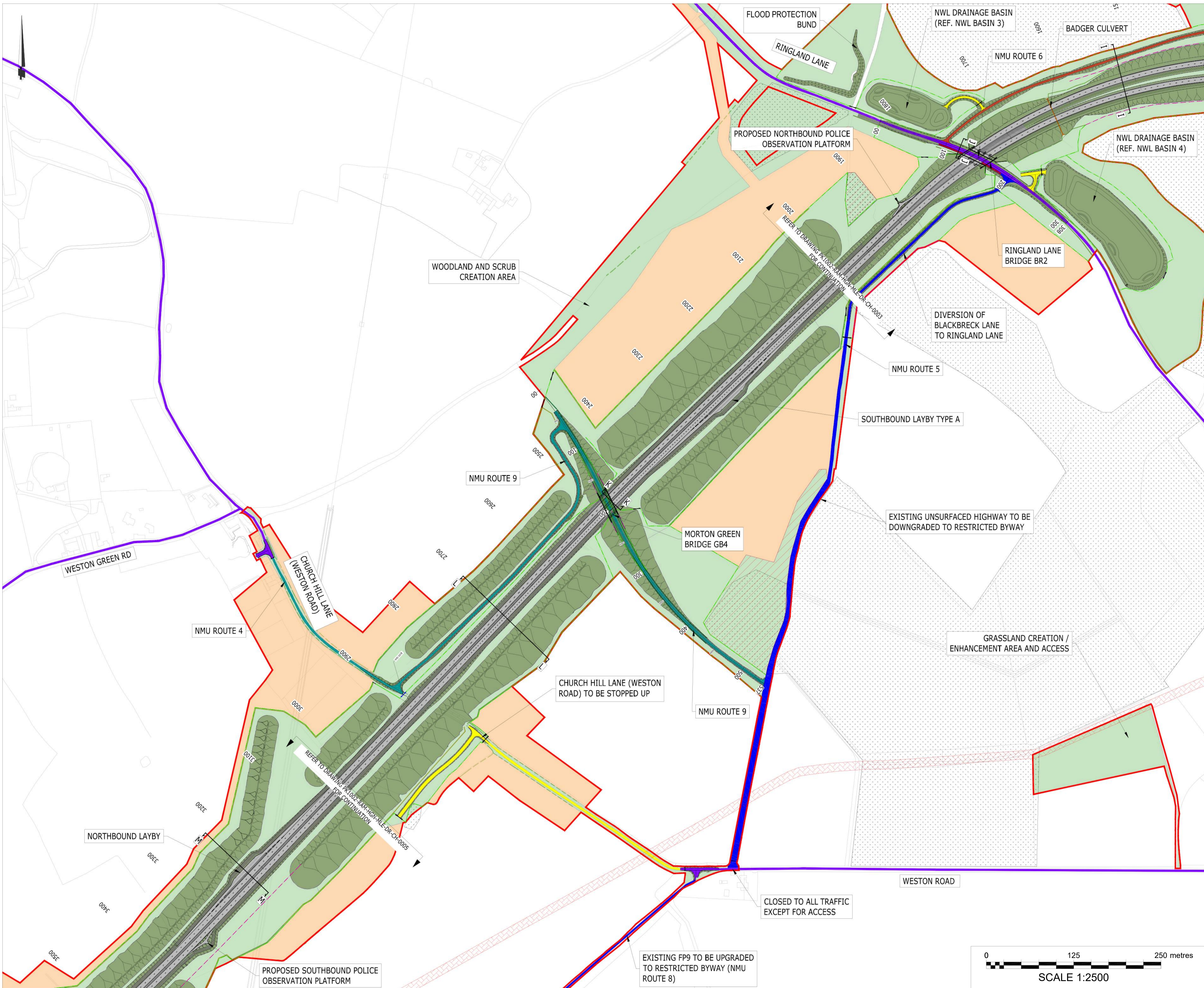
DRAWING STATUS
 S5 - SUITABLE FOR REVIEW AND ACCEPTANCE

DRAWN	CHECKED	APPROVED	AUTHORISED
LL	SA	SS	---

SCALE @ A1 SIZE: 1:2500 DATE: 17/11/23 REVISION: P08

DRAWING NUMBER
 PK1002-RAM-HGN-MLE-DR-CH-0003





- Key:**
- Red Line Boundary
 - Area for Temporary Use During Construction
 - National Grid HP Gas Easement
 - No Work Zone
 - Carriageway
 - Central Reserve / Splitter Island / Hardened Verge
 - Existing Watercourses
 - Existing Woodland Retained
 - General Fence
 - Close Boarded Fence
 - Close Boarded Parapet
 - Proposed Gate
 - Proposed Gate
 - Proposed Verge and Earthworks with Landscaping
 - Proposed and Existing Landscaping and Planting
 - Proposed Reinforced Grass Surface
 - Proposed Badger Culvert
 - Chainage
 - Existing Footpath
 - Existing Restricted Byways (RB) and Bridleways (BR)
 - Public Highway
 - Proposed Bridleways
 - Proposed Private Means of Access (PMA)
 - Proposed Shared Pedestrians / Cycleway
 - Proposed Restricted Byway
 - Proposed Footpath
 - Proposed Footpath and PMA
 - Floodplain Area
 - Non-Motorised Users
 - Footpath
 - Native Hedgerow
 - Native Hedgerow with trees
 - Instant Hedge
 - Existing Hedgerow to be Retained

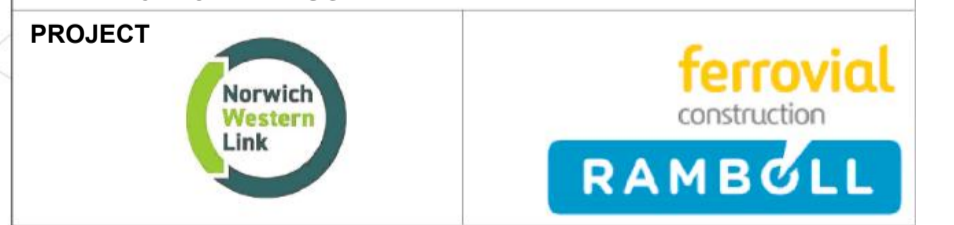
- Notes:**
1. Do not scale from this drawing.
 2. All dimensions are in metres unless otherwise stated.
 3. This drawing is to be read with all other relevant drawings and reports. Any discrepancies, errors or omissions to be brought to the attention of the designer.
 4. The proposed design shown on this drawing is non exhaustive and is independent of any additional works by third parties.
 5. All works to be in accordance with the Specification for Highway Works.
 6. Refer to drainage drawings for culvert reference numbers.
 7. For full landscaping design refer to drawings PK1002-RAM-ELS-MLE-DR-NZ-0001 to 0011.
 8. For full cross section design refer to drawings PK1002-RAM-HGN-MLE-DE-CH-0001 to 0008 and 0101 to 0103.
 9. Please refer to Section 3.4, Chapter 3 (Description of the Scheme) of the Environmental Statement for the Roadside Envelope flexibility included within the design for the purposes of the Environmental Impact Assessment.
 10. For wider cycling improvements refer to drawing PK1002-NCC-GEN-FSC-DR-CH-0080
 11. For essential environmental mitigation measures refer to drawing PK1002-NCC-GEN-FSC-DR-CH-0050
 12. This drawing is for planning application purposes only, it is not a construction issue drawing.

Mapping reproduced by permission of Ordnance Survey on behalf of HMSO.
 © Crown copyright and database rights 2023 Ordnance Survey 100019340.

Suitable for Review and Acceptance				
P04	GSK	SA	SS	23/05/23
Suitable for Review and Acceptance				
P05	US	JE	SS	18/08/23
Suitable for Review and Acceptance				
P06	US	SA	SS	08/11/23
Suitable for Review and Acceptance				
P07	LL	SA	SS	17/11/23

REVISION	DRAWN	CHECKED	APPROVED	DATE

CLIENT
Norfolk County Council
 Grahame Bygrave
 Interim Executive Director of
 Community and Environmental Services
 Norfolk County Council
 County Hall, Martineau Lane
 Norwich NR1 2SG



DRAWING TITLE
 NORWICH WESTERN LINK
 GENERAL ARRANGEMENT
 SHEET 3 OF 7

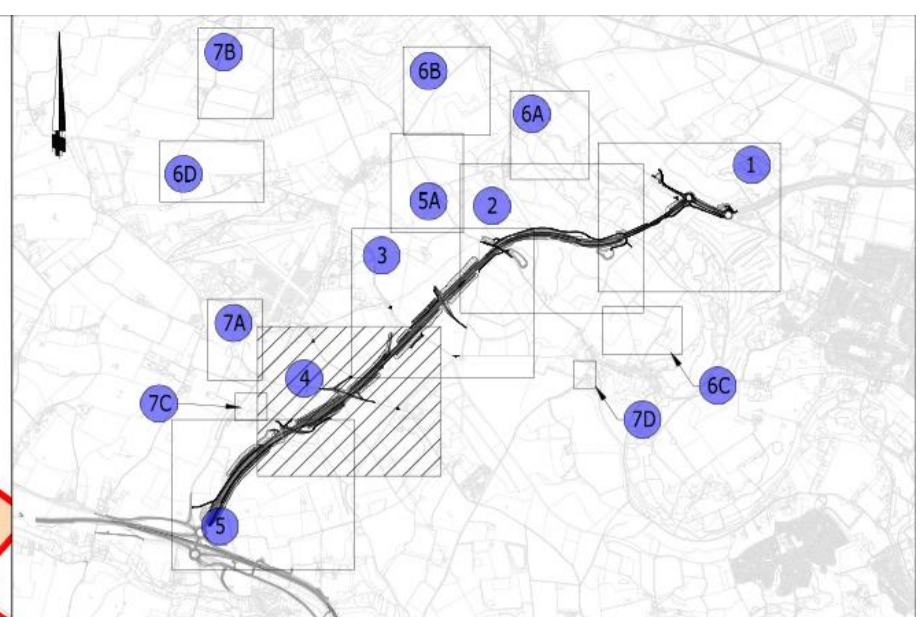
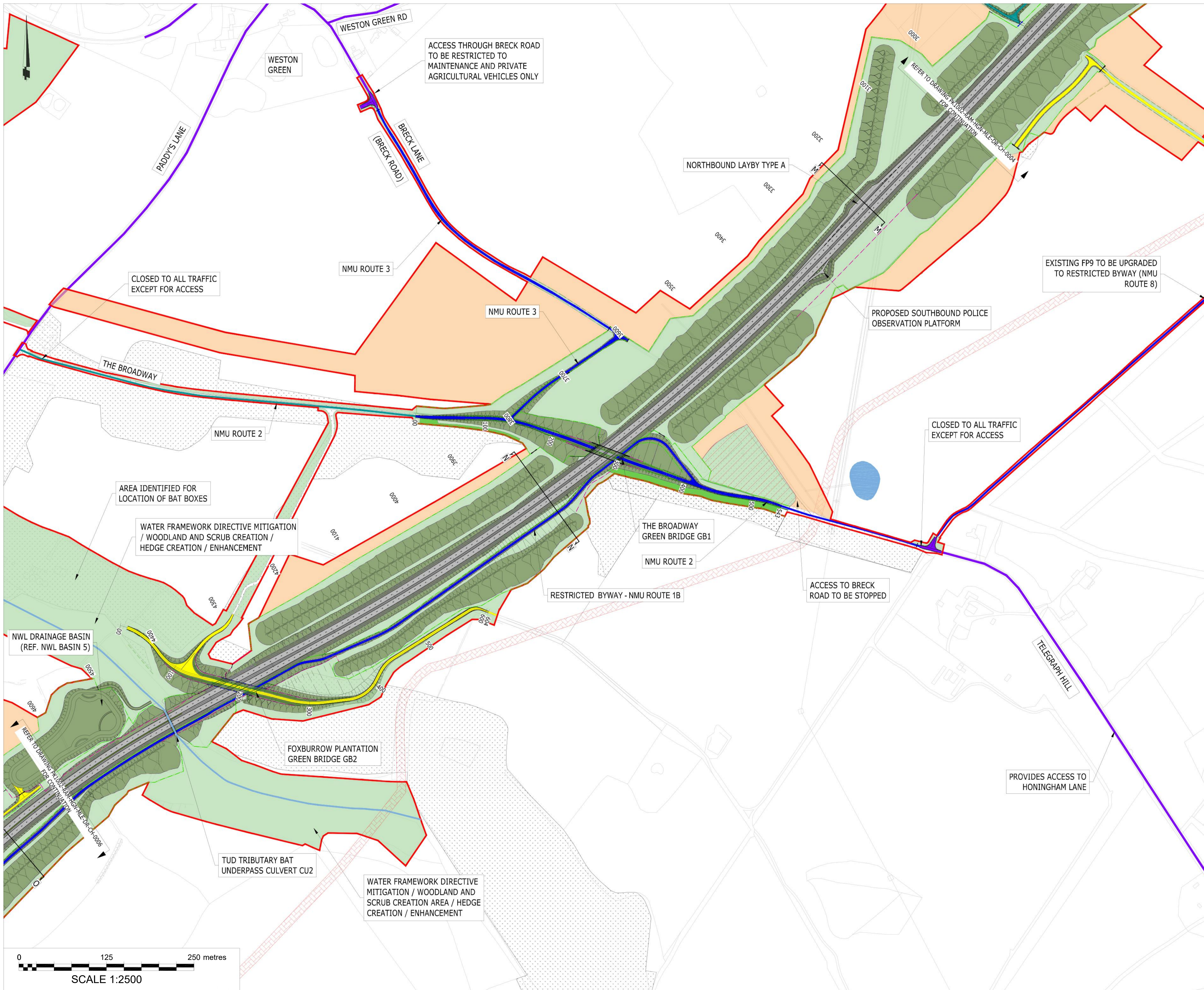
DRAWING STATUS
 S5 - SUITABLE FOR REVIEW AND ACCEPTANCE

DRAWN	CHECKED	APPROVED	AUTHORISED
LL	SA	SS	---

SCALE @ A1 SIZE	DATE	REVISION
1:2500	17/11/23	P07

DRAWING NUMBER
 PK1002-RAM-HGN-MLE-DR-CH-0004





- Key:**
- Red Line Boundary
 - Area for Temporary Use During Construction
 - National Grid HP Gas Easement
 - No Work Zone
 - Carriageway
 - Central Reserve / Splitter Island / Hardened Verge
 - Existing Watercourses
 - Existing Woodland Retained
 - General Fence
 - Close Boarded Fence
 - Close Boarded Parapet
 - Proposed Gate
 - Proposed Verge and Earthworks with Landscaping
 - Proposed and Existing Landscaping and Planting
 - Proposed Reinforced Grass Surface
 - Proposed Badger Culvert
 - Chainage
 - Existing Footpath
 - Existing Restricted Byways (RB) and Bridleways (BR)
 - Public Highway
 - Proposed Bridleways
 - Proposed Private Means of Access (PMA)
 - Proposed Shared Pedestrians / Cycleway
 - Proposed Restricted Byway
 - Proposed Footpath
 - Proposed Footpath and PMA
 - Floodplain Area
 - Non-Motorised Users
 - Footpath
 - Native Hedgerow
 - Native Hedgerow with trees
 - Instant Hedge
 - Existing Hedgerow to be Retained

- Notes:**
1. Do not scale from this drawing.
 2. All dimensions are in metres unless otherwise stated.
 3. This drawing is to be read with all other relevant drawings and reports. Any discrepancies, errors or omissions to be brought to the attention of the designer.
 4. The proposed design shown on this drawing is non exhaustive and is independent of any additional works by third parties.
 5. All works to be in accordance with the Specification for Highway Works.
 6. Refer to drainage drawings for culvert reference numbers.
 7. For full landscaping design refer to drawings PK1002-RAM-ELS-MLE-DR-NZ-0001 to 0011.
 8. For full cross section design refer to drawings PK1002-RAM-HGN-MLE-DE-CH-0001 to 0008 and 0101 to 0103.
 9. Please refer to Section 3.4, Chapter 3 (Description of the Scheme) of the Environmental Statement for the Rochdale Envelope flexibility included within the design for the purposes of the Environmental Impact Assessment.
 10. For wider cycling improvements refer to drawing PK1002-NCC-GEN-FSC-DR-CH-0080
 11. For essential environmental mitigation measures refer to drawing PK1002-NCC-GEN-FSC-DR-CH-0050
 12. This drawing is for planning application purposes only, it is not a construction issue drawing.

Mapping reproduced by permission of Ordnance Survey on behalf of HMSO.
 © Crown copyright and database rights 2023 Ordnance Survey 100019340.

Suitable for Review and Acceptance				
P04	GSK	SA	SS	23/05/23
Suitable for Review and Acceptance				
P05	US	JE	SS	18/08/23
Suitable for Review and Acceptance				
P06	US	SA	SS	08/11/23
Suitable for Review and Acceptance				
P07	LL	SA	SS	17/11/23
REVISION	DRAWN	CHECKED	APPROVED	DATE

CLIENT

Norfolk County Council
 Grahame Bygrave
 Interim Executive Director of
 Community and Environmental services
 Norfolk County Council
 County Hall, Martineau Lane
 Norwich NR1 2SG



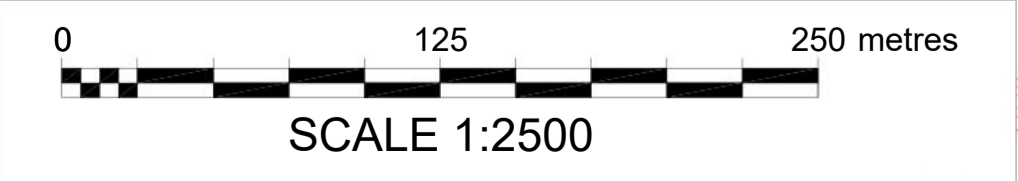
DRAWING TITLE
 NORWICH WESTERN LINK
 GENERAL ARRANGEMENT
 SHEET 4 OF 7

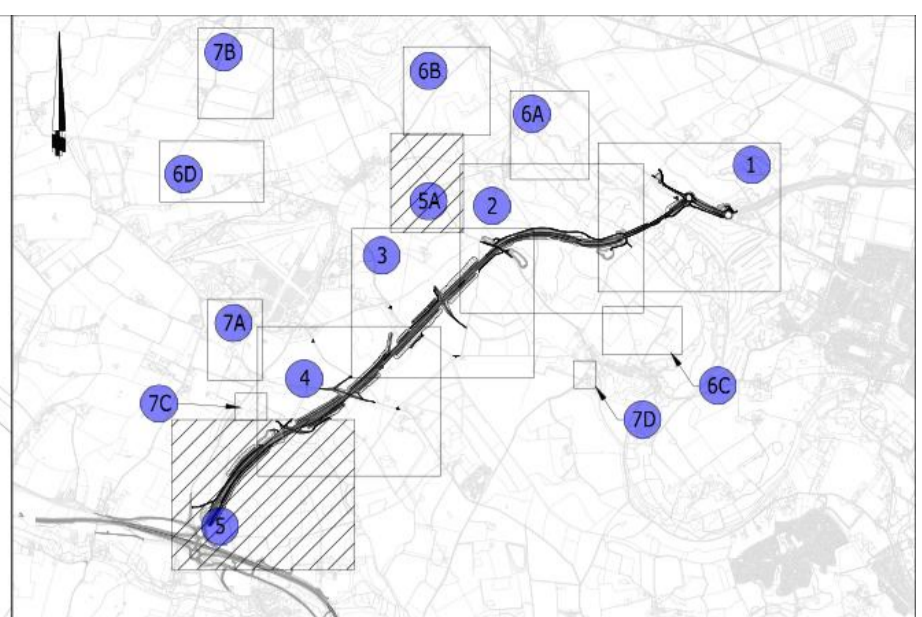
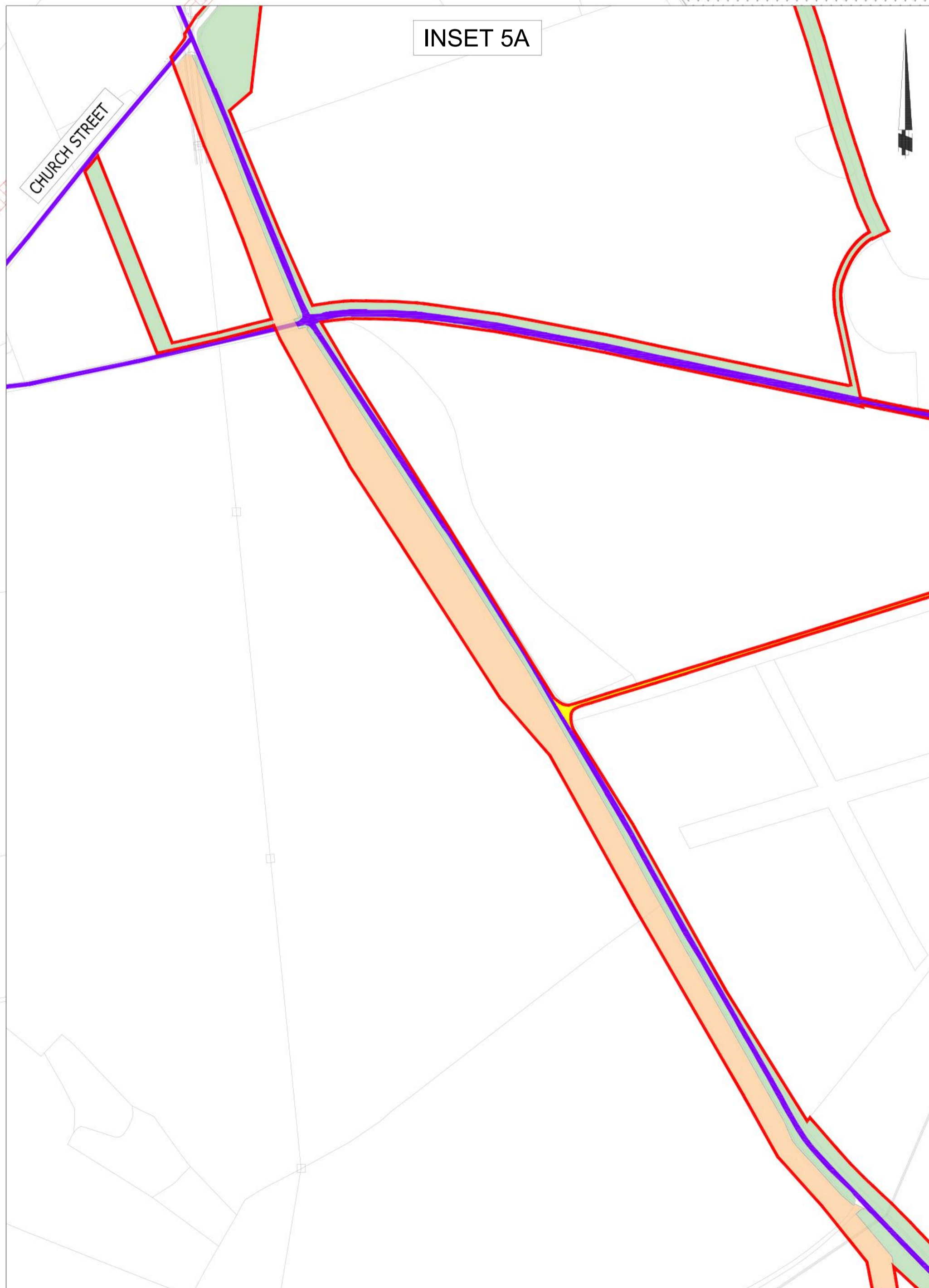
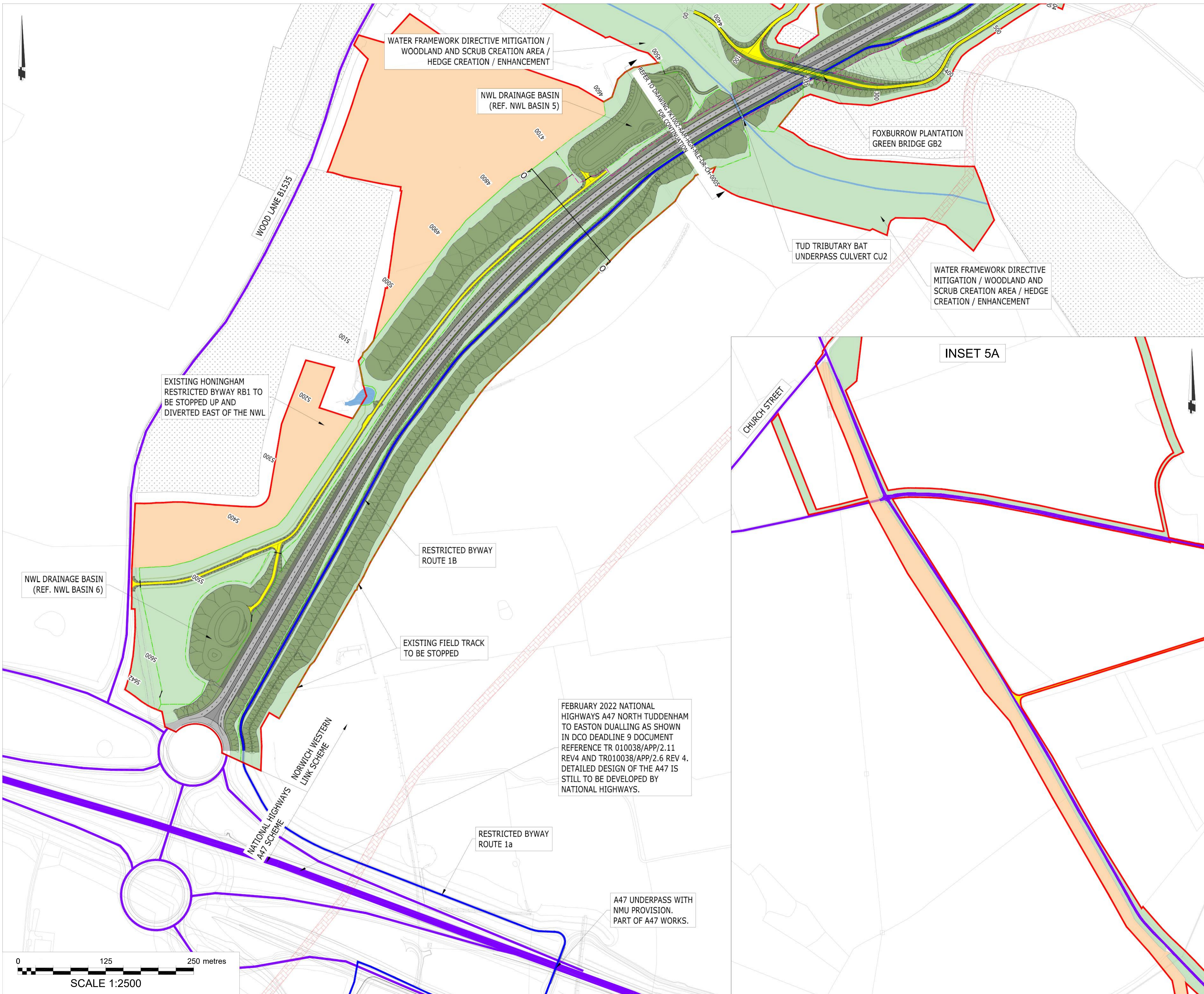
DRAWING STATUS
 S5 - SUITABLE FOR REVIEW AND ACCEPTANCE

DRAWN	CHECKED	APPROVED	AUTHORISED
LL	SA	SS	---

SCALE @ A1 SIZE: 1:2500 DATE: 17/11/23 REVISION: P07

DRAWING NUMBER
 PK1002-RAM-HGN-MLE-DR-CH-0005





Key:

- Red Line Boundary
- Area for Temporary Use During Construction
- National Grid HP Gas Easement
- No Work Zone
- Carriageway
- Central Reserve / Splitter Island / Hardened Verge
- Existing Watercourses
- Existing Woodland Retained
- General Fence
- Close Boarded Fence
- Close Boarded Parapet
- Proposed Gate
- Proposed Verge and Earthworks with Landscaping
- Proposed and Existing Landscaping and Planting
- Proposed Reinforced Grass Surface
- Proposed Badger Culvert
- Chimney
- Existing Footpath
- Existing Restricted Byways (RB) and Bridleways (BR)
- Public Highway
- Proposed Bridleways
- Proposed Private Means of Access (PMA)
- Proposed Shared Pedestrians / Cycleway
- Proposed Restricted Byway
- Proposed Footpath
- Proposed Footpath and PMA
- Floodplain Area
- Non-Motorised Users
- NMU FP
- Footpath
- Native Hedgerow
- Native Hedgerow with trees
- Instant Hedge
- Existing Hedgerow to be Retained

- Notes:**
- Do not scale from this drawing.
 - All dimensions are in metres unless otherwise stated.
 - This drawing is to be read with all other relevant drawings and reports. Any discrepancies, errors or omissions to be brought to the attention of the designer.
 - The proposed design shown on this drawing is non exhaustive and is independent of any additional works by third parties.
 - All works to be in accordance with the Specification for Highway Works.
 - Refer to drainage drawings for culvert reference numbers.
 - For full landscaping design refer to drawings PK1002-RAM-ELS-MLE-DR-NZ-0001 to 0011.
 - For full cross section design refer to drawings PK1002-RAM-HGN-MLE-DE-CH-0001 to 0008 and 0101 to 0103.
 - Please refer to Section 3.4, Chapter 3 (Description of the Scheme) of the Environmental Statement for the Rochdale Envelope flexibility included within the design for the purposes of the Environmental Impact Assessment.
 - For wider cycling improvements refer to drawing PK1002-NCC-GEN-FSC-DR-CH-0080
 - For essential environmental mitigation measures refer to drawing PK1002-NCC-GEN-FSC-DR-CH-0050
 - This drawing is for planning application purposes only, it is not a construction issue drawing.

Mapping reproduced by permission of Ordnance Survey on behalf of HMSO.
 © Crown copyright and database rights 2023 Ordnance Survey 100019340.

Suitable for Review and Acceptance				
P04	GSK	SA	SS	23/05/23
Suitable for Review and Acceptance				
P05	US	JE	SS	18/08/23
Suitable for Review and Acceptance				
P06	US	SA	SS	08/11/23
Suitable for Review and Acceptance				
P07	LL	SA	SS	17/11/23
REVISION	DRAWN	CHECKED	APPROVED	DATE

CLIENT

Norfolk County Council
 Grahame Bygrave
 Interim Executive Director of
 Community and Environmental services
 Norfolk County Council
 County Hall, Martineau Lane
 Norwich NR1 2SG



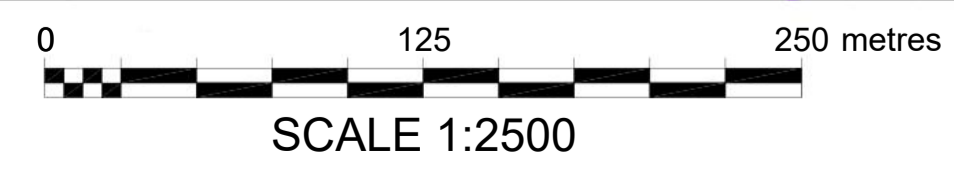
DRAWING TITLE
 NORWICH WESTERN LINK
 GENERAL ARRANGEMENT
 SHEET 5 OF 7

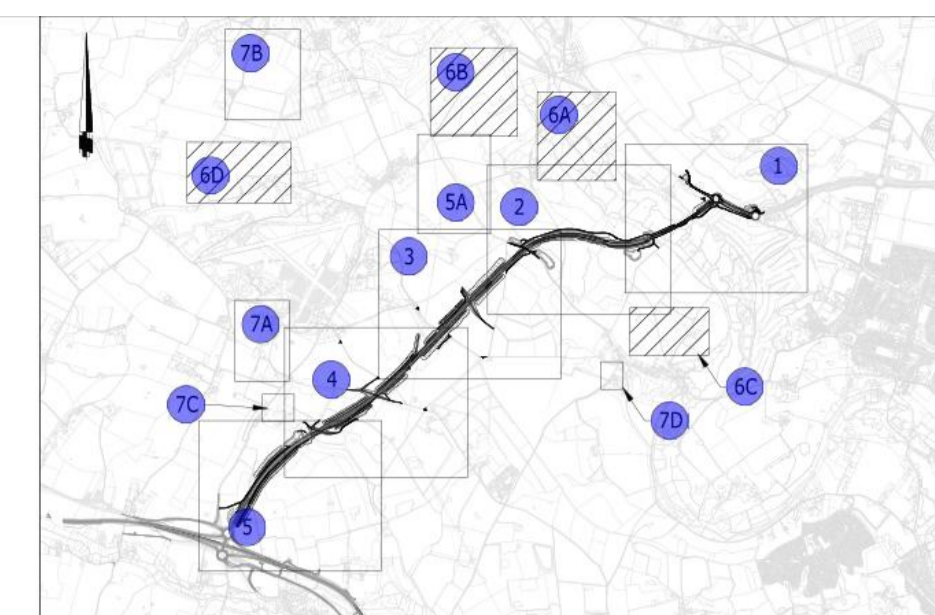
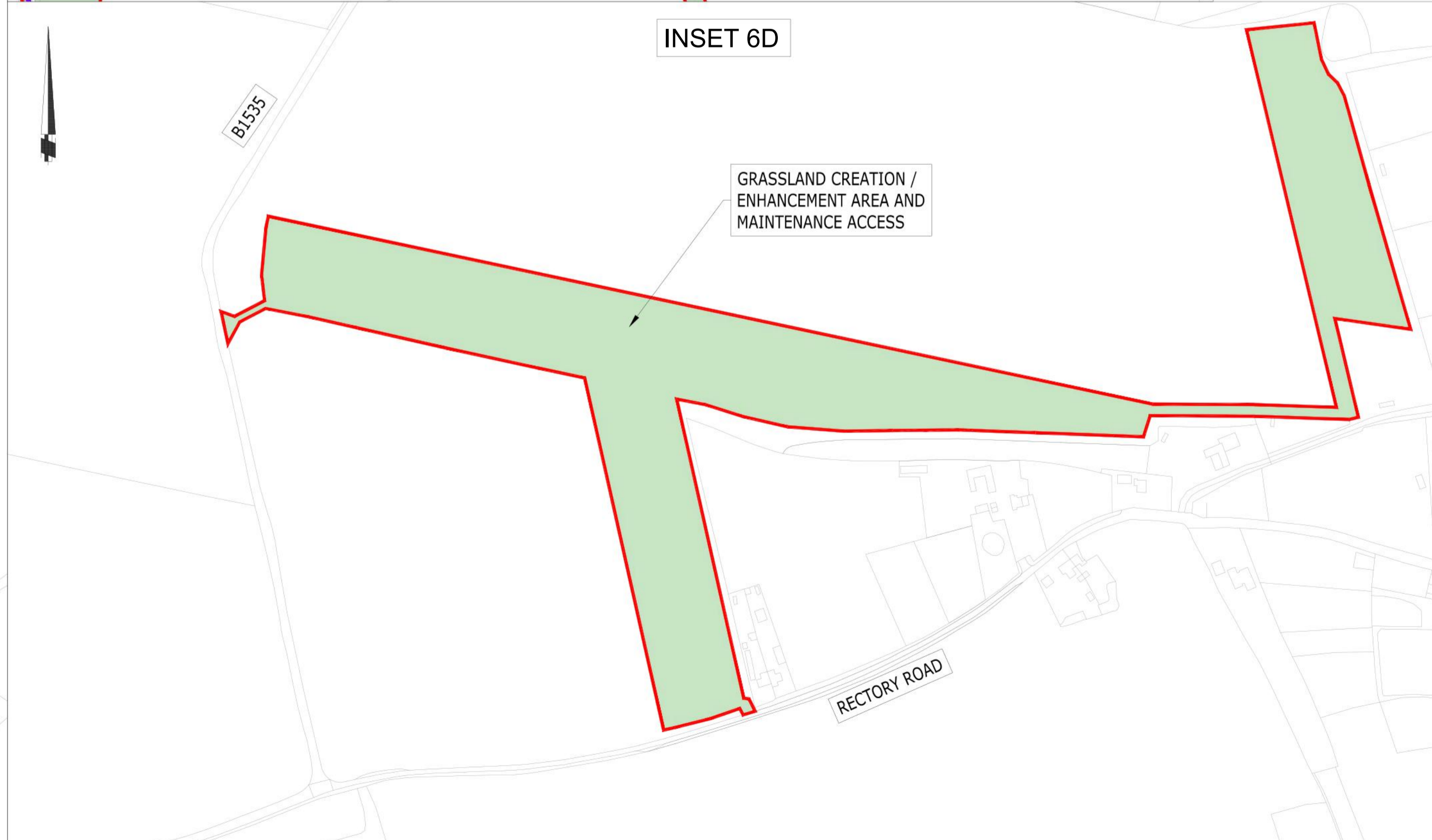
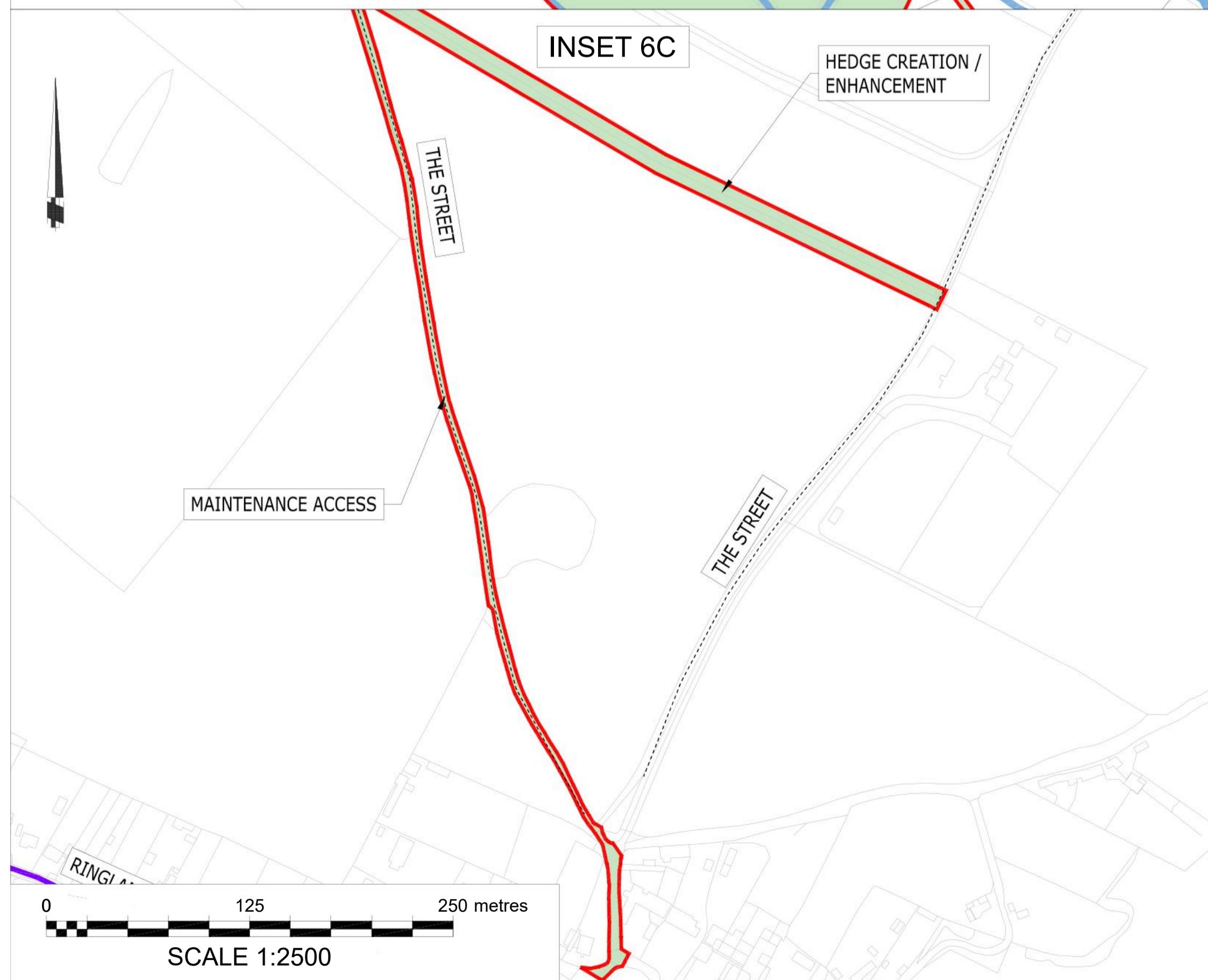
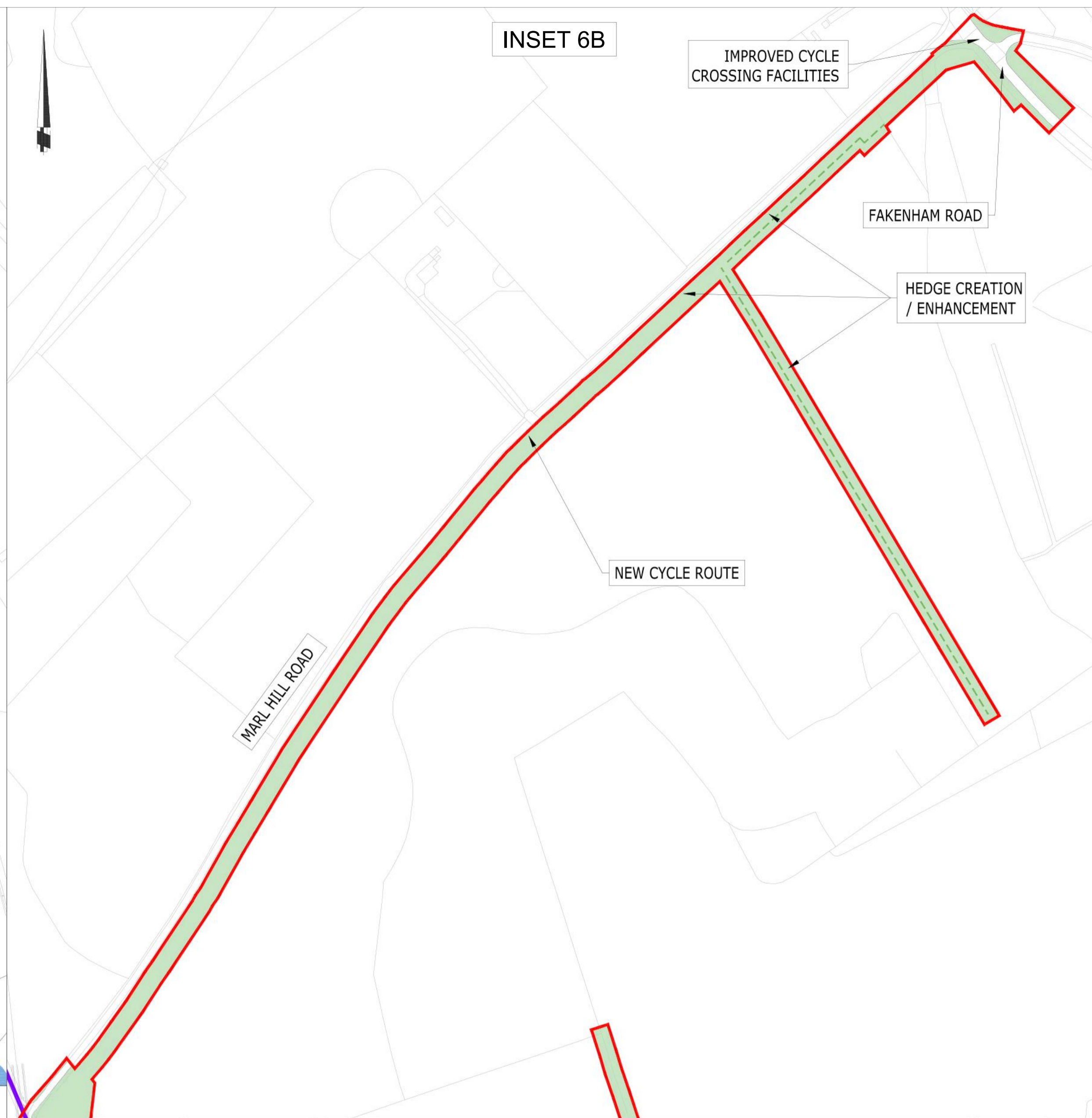
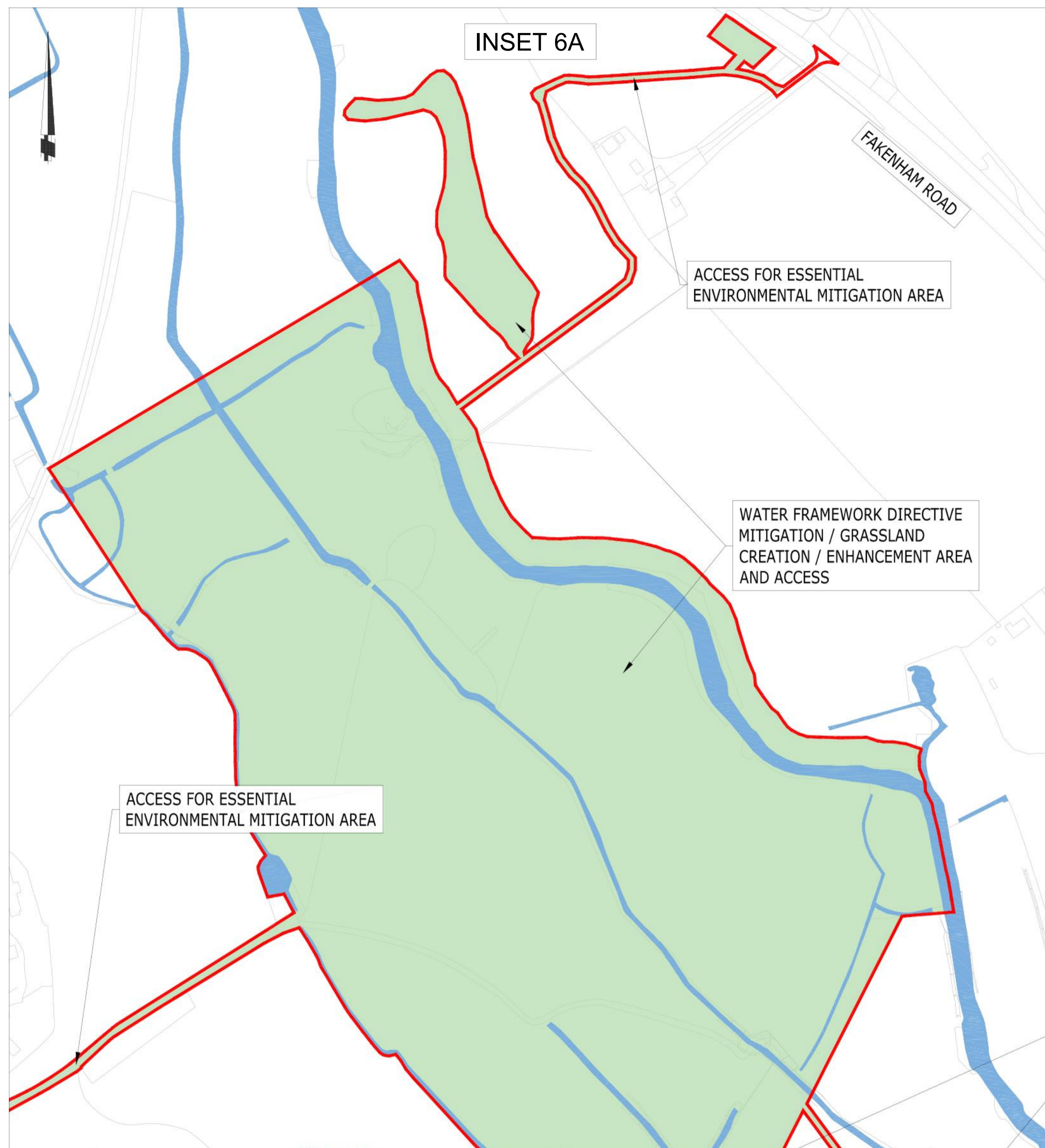
DRAWING STATUS
 S5 - SUITABLE FOR REVIEW AND ACCEPTANCE

DRAWN	CHECKED	APPROVED	AUTHORISED
LL	SA	SS	---

SCALE @ A1 SIZE: 1:2500 DATE: 17/11/23 REVISION: P07

DRAWING NUMBER
 PK1002-RAM-HGN-MLE-DR-CH-0006





Key:

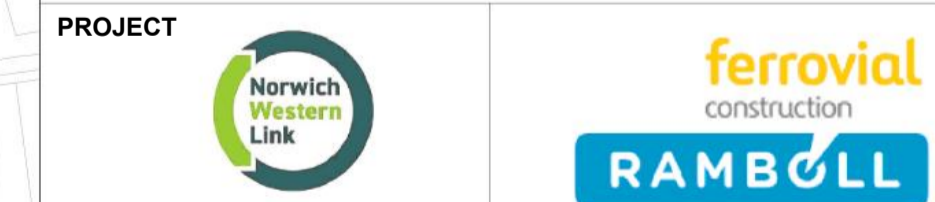
- Red Line Boundary
- Area for Temporary Use During Construction
- National Grid HP Gas Easement
- No Work Zone
- Carrageway
- Central Reserve / Splitter Island / Hardened Verge
- Existing Watercourses
- Existing Woodland Retained
- General Fence
- Close Boarded Fence
- Close Boarded Parapet
- Proposed Gate
- Proposed Verge and Earthworks with Landscaping
- Proposed and Existing Landscaping and Planting
- Proposed Reinforced Grass Surface
- Proposed Badger Culvert
- Chainage
- Existing Footpath
- Existing Restricted Byways (RB) and Bridleways (BR)
- Public Highway
- Proposed Bridleways
- Proposed Private Means of Access (PMA)
- Proposed Shared Pedestrians / Cycleway
- Proposed Restricted Byway
- Proposed Footpath
- Proposed Footpath and PMA
- Floodplain Area
- Non-Motorised Users
- Footpath
- Native Hedgerow
- Native Hedgerow with trees
- Instant Hedge
- Existing Hedgerow to be Retained

- Notes:**
1. Do not scale from this drawing.
 2. All dimensions are in metres unless otherwise stated.
 3. This drawing is to be read with all other relevant drawings and reports. Any discrepancies, errors or omissions to be brought to the attention of the designer.
 4. The proposed design shown on this drawing is non exhaustive and is independent of any additional works by third parties.
 5. All works to be in accordance with the Specification for Highway Works.
 6. Refer to drainage drawings for culvert reference numbers.
 7. For full landscaping design refer to drawings PK1002-RAM-ELS-MLE-DR-NZ-0001 to 0011.
 8. For full cross section design refer to drawings PK1002-RAM-HGN-MLE-DE-CH-0001 to 0008 and 0101 to 0103.
 9. Please refer to Section 3.4, Chapter 3 (Description of the Scheme) of the Environmental Statement for the Rochdale Envelope flexibility included within the design for the purposes of the Environmental Impact Assessment.
 10. For wider cycling improvements refer to drawing PK1002-NCC-GEN-FSC-DR-CH-0080
 11. For essential environmental mitigation measures refer to drawing PK1002-NCC-GEN-FSC-DR-CH-0050
 12. This drawing is for planning application purposes only, it is not a construction issue drawing.

Mapping reproduced by permission of Ordnance Survey on behalf of HMSO.
 © Crown copyright and database rights 2023 Ordnance Survey 100019340.

Suitable for Review and Acceptance				
P03	GSK	SA	SS	23/05/23
Suitable for Review and Acceptance				
P04	US	JE	SS	18/08/23
Suitable for Review and Acceptance				
P05	US	SA	SS	08/11/23
Suitable for Review and Acceptance				
P06	LL	SA	SS	17/11/23
REVISION	DRAWN	CHECKED	APPROVED	DATE

CLIENT
Norfolk County Council
 Grahame Bygrave
 Interim Executive Director of
 Community and Environmental services
 Norfolk County Council
 County Hall, Martineau Lane
 Norwich NR1 2SG



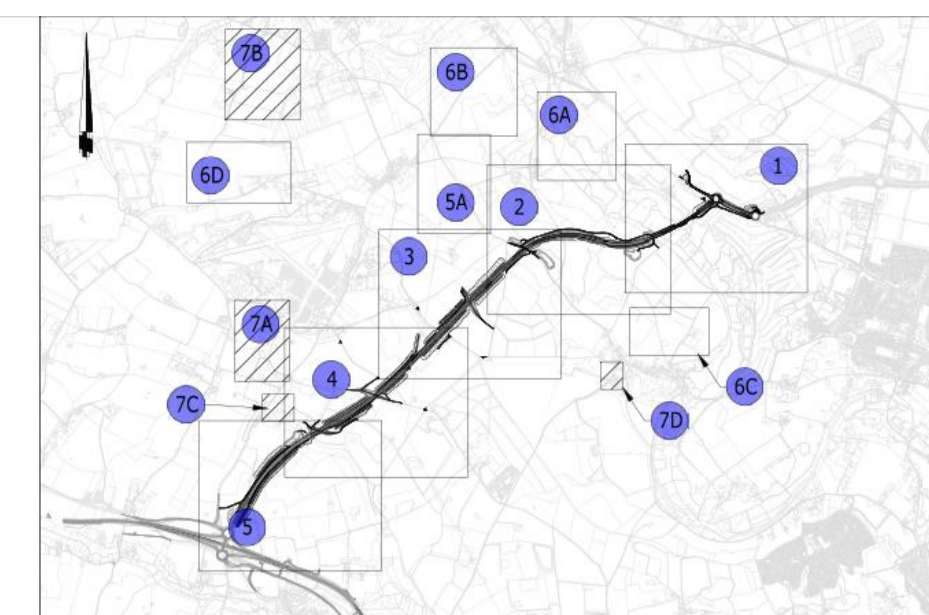
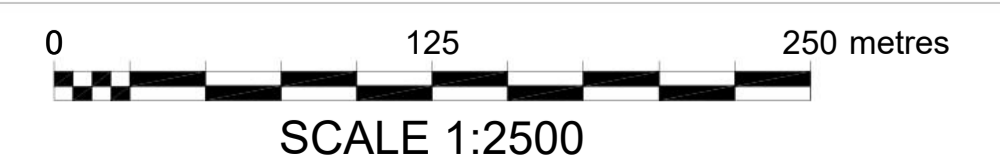
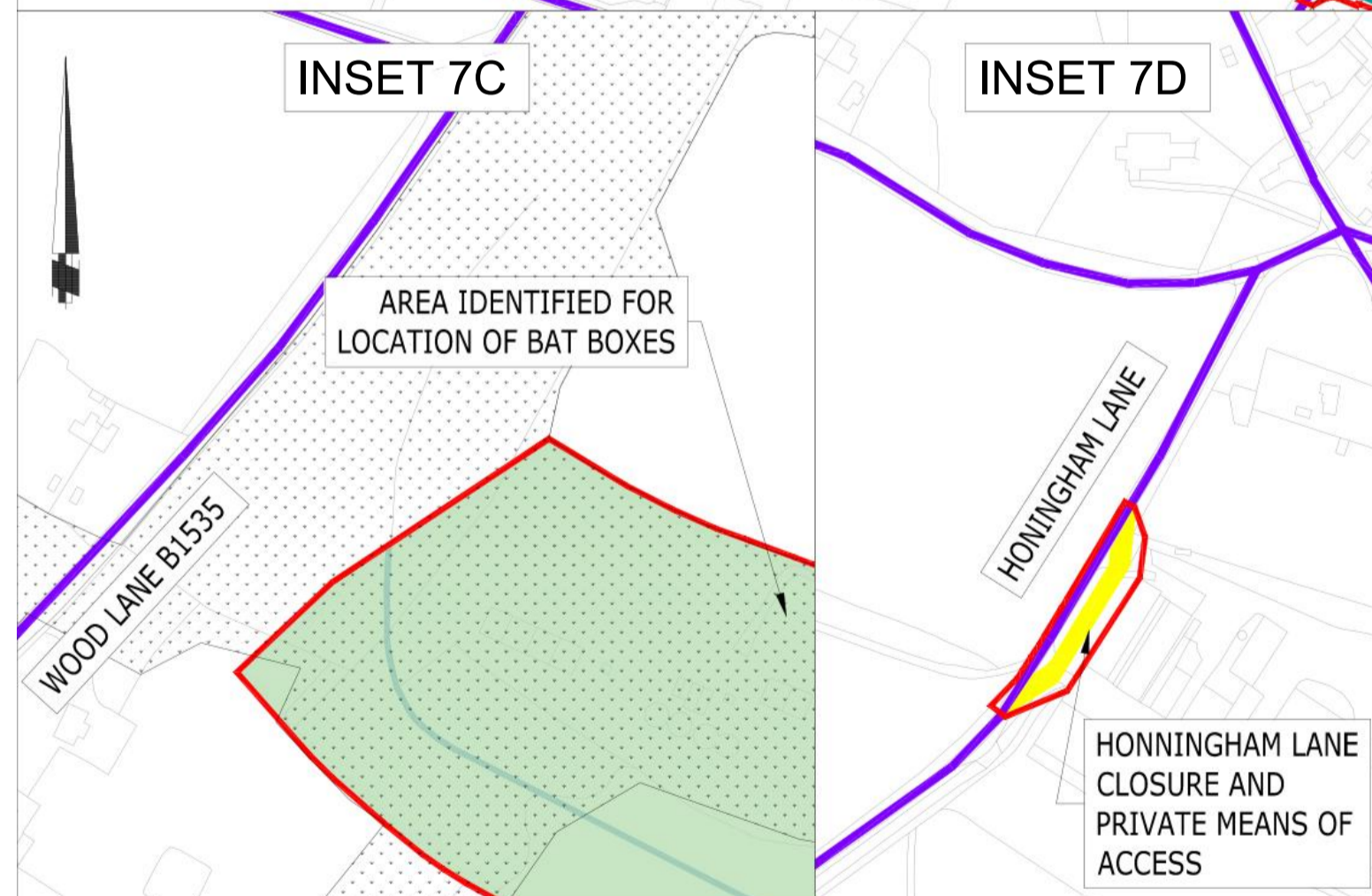
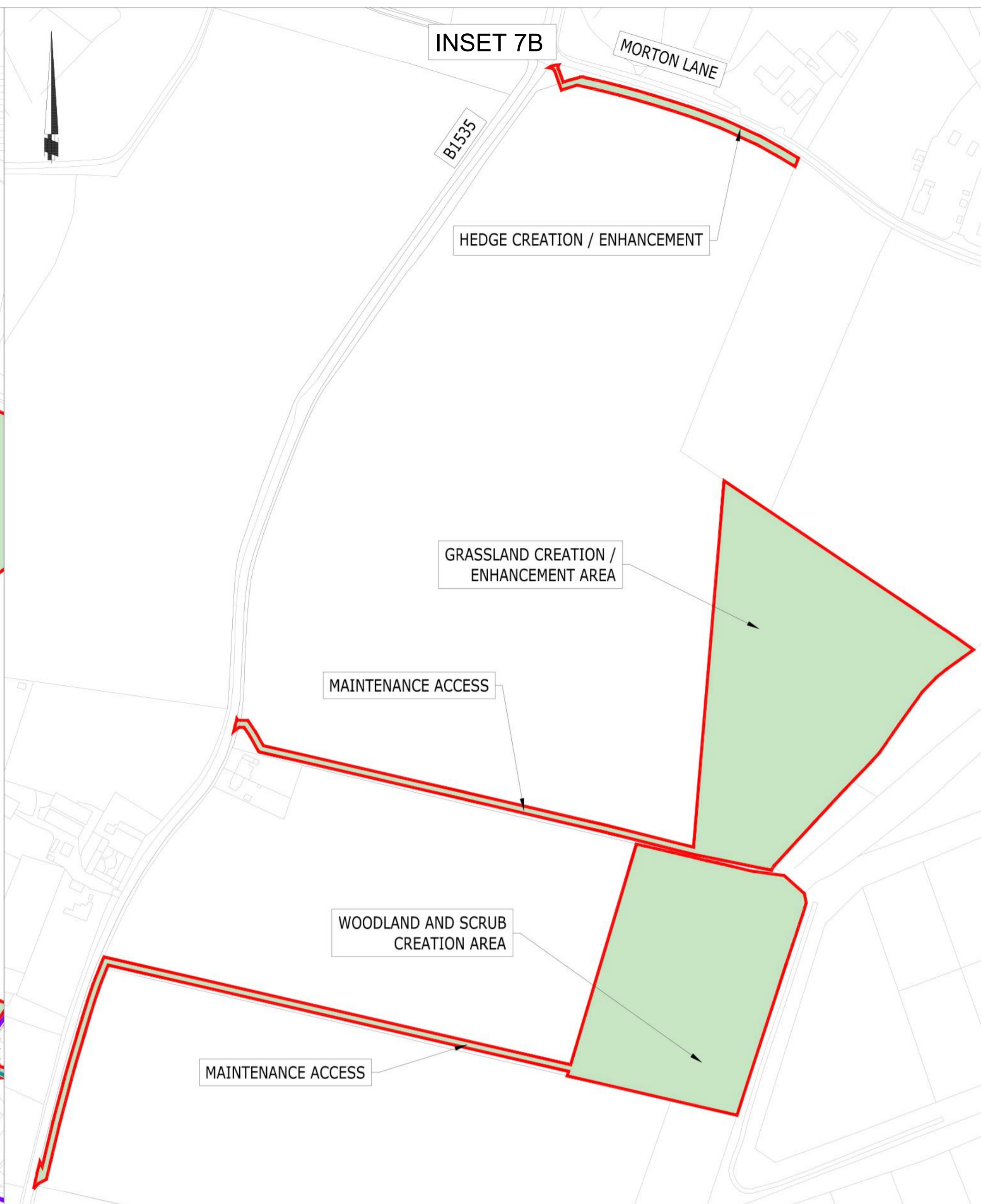
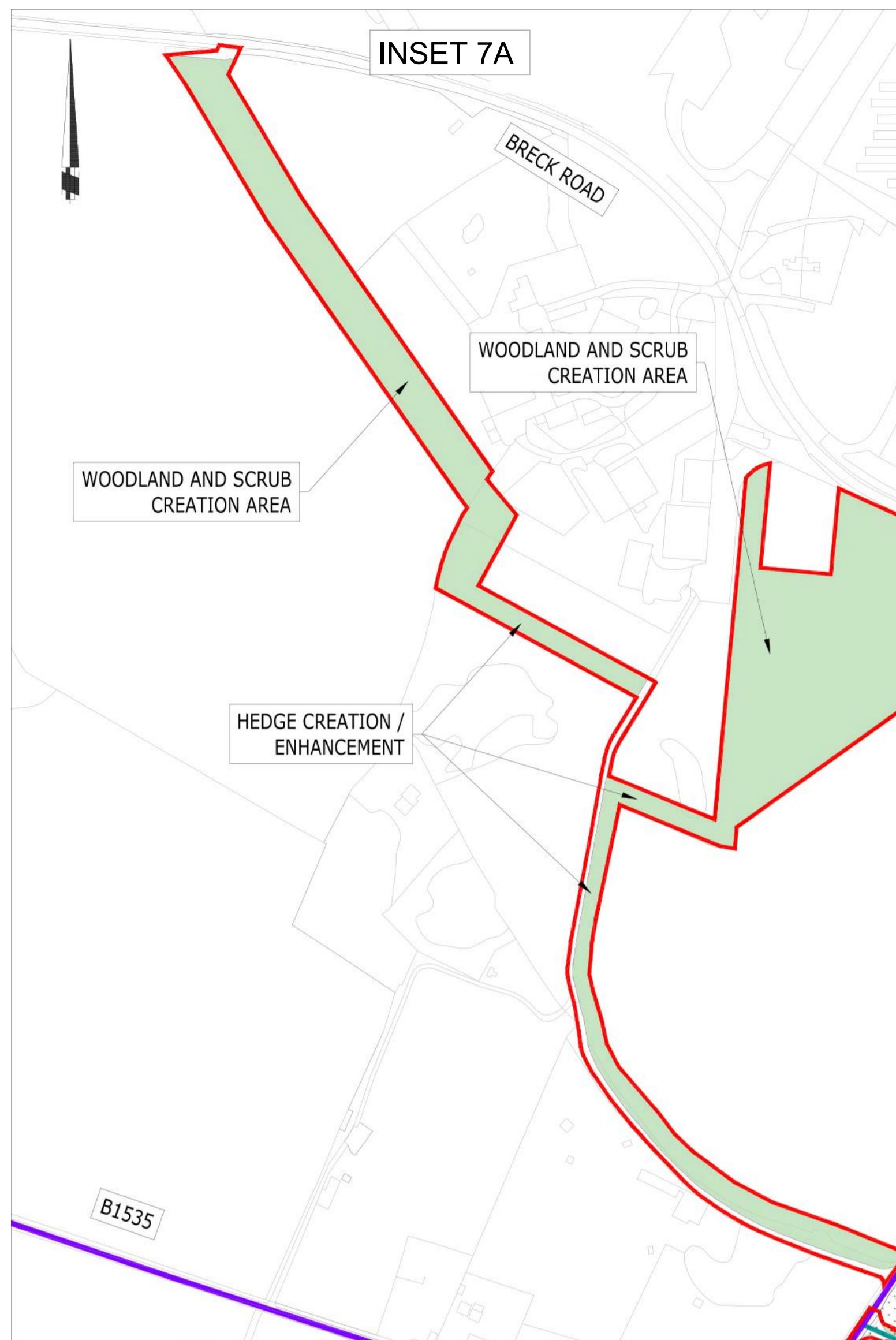
DRAWING TITLE
 NORWICH WESTERN LINK
 GENERAL ARRANGEMENT
 SHEET 6 OF 7

DRAWING STATUS
 S5 SUITABLE FOR REVIEW AND ACCEPTANCE

DRAWN	CHECKED	APPROVED	AUTHORISED
LL	SA	SS	---

SCALE @ A1 SIZE	DATE	REVISION
1:2500	17/11/23	P06

DRAWING NUMBER
 PK1002-RAM-HGN-MLE-DR-CH-0007



- Key:**
- Red Line Boundary
 - Area for Temporary Use During Construction
 - National Grid HP Gas Easement
 - No Work Zone
 - Carrageway
 - Central Reserve / Splitter Island / Hardened Verge
 - Existing Watercourses
 - Existing Woodland Retained
 - General Fence
 - Close Boarded Fence
 - Close Boarded Parapet
 - Proposed Gate
 - Proposed Verges and Earthworks with Landscaping
 - Proposed and Existing Landscaping and Planting
 - Proposed Reinforced Grass Surface
 - Proposed Badger Culvert
 - Chainage
 - 1050m
 - Existing Footpath
 - Existing Restricted Byways (RB) and Bridleways (BR)
 - Public Highway
 - Proposed Bridleways
 - Proposed Private Means of Access (PMA)
 - Proposed Shared Pedestrians / Cycleway
 - Proposed Restricted Byway
 - Proposed Footpath
 - Proposed Footpath and PMA
 - Floodplain Area
 - Non-Motorised Users
 - Footpath
 - Native Hedgerow
 - Native Hedgerow with trees
 - Instant Hedge
 - Existing Hedgerow to be Retained

- Notes:**
1. Do not scale from this drawing.
 2. All dimensions are in metres unless otherwise stated.
 3. This drawing is to be read with all other relevant drawings and reports. Any discrepancies, errors or omissions to be brought to the attention of the designer.
 4. The proposed design shown on this drawing is non exhaustive and is independent of any additional works by third parties.
 5. All works to be in accordance with the Specification for Highway Works.
 6. Refer to drainage drawings for culvert reference numbers.
 7. For full landscaping design refer to drawings PK1002-RAM-ELS-MLE-DR-NZ-0001 to 0011.
 8. For full cross section design refer to drawings PK1002-RAM-HGN-MLE-DE-CH-0001 to 0008 and 0101 to 0103.
 9. Please refer to Section 3.4, Chapter 3 (Description of the Scheme) of the Environmental Statement for the Rochdale Envelope flexibility included within the design for the purposes of the Environmental Impact Assessment.
 10. For wider cycling improvements refer to drawing PK1002-NCC-GEN-FSC-DR-CH-0080
 11. For essential environmental mitigation measures refer to drawing PK1002-NCC-GEN-FSC-DR-CH-0050
 12. This drawing is for planning application purposes only, it is not a construction issue drawing.

Mapping reproduced by permission of Ordnance Survey on behalf of HMSO.
 © Crown copyright and database rights 2023 Ordnance Survey 100019340.

Suitable for Review and Acceptance				
P02	GSK	SA	SS	23/05/23
Suitable for Review and Acceptance				
P03	US	JE	SS	18/08/23
Suitable for Review and Acceptance				
P04	US	SA	SS	08/11/23
Suitable for Review and Acceptance				
P05	LL	SA	SS	17/11/23
REVISION	DRAWN	CHECKED	APPROVED	DATE

CLIENT

Norfolk County Council
 Grahame Bygrave
 Interim Executive Director of
 Community and Environmental services
 Norfolk County Council
 County Hall, Martineau Lane
 Norwich NR1 2SG



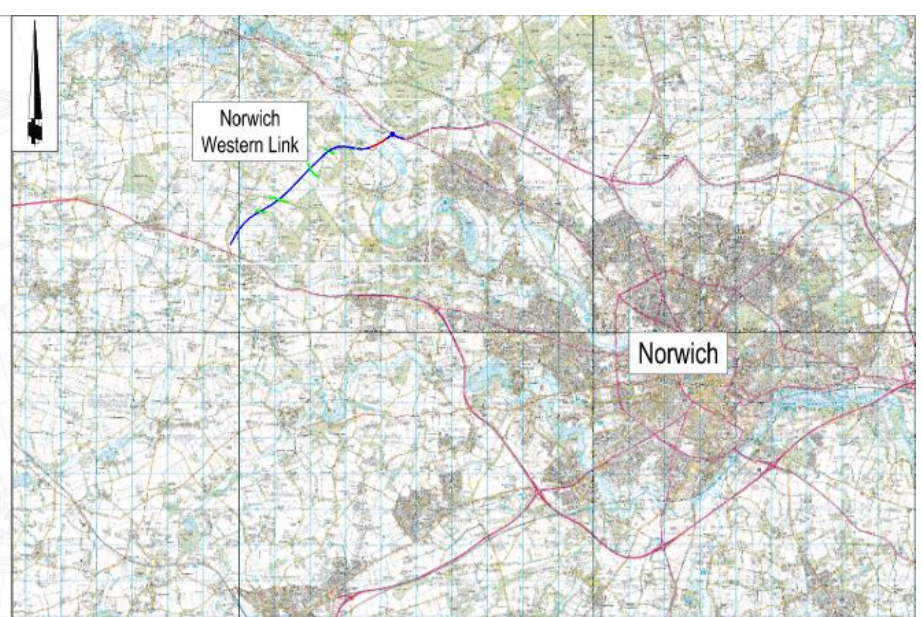
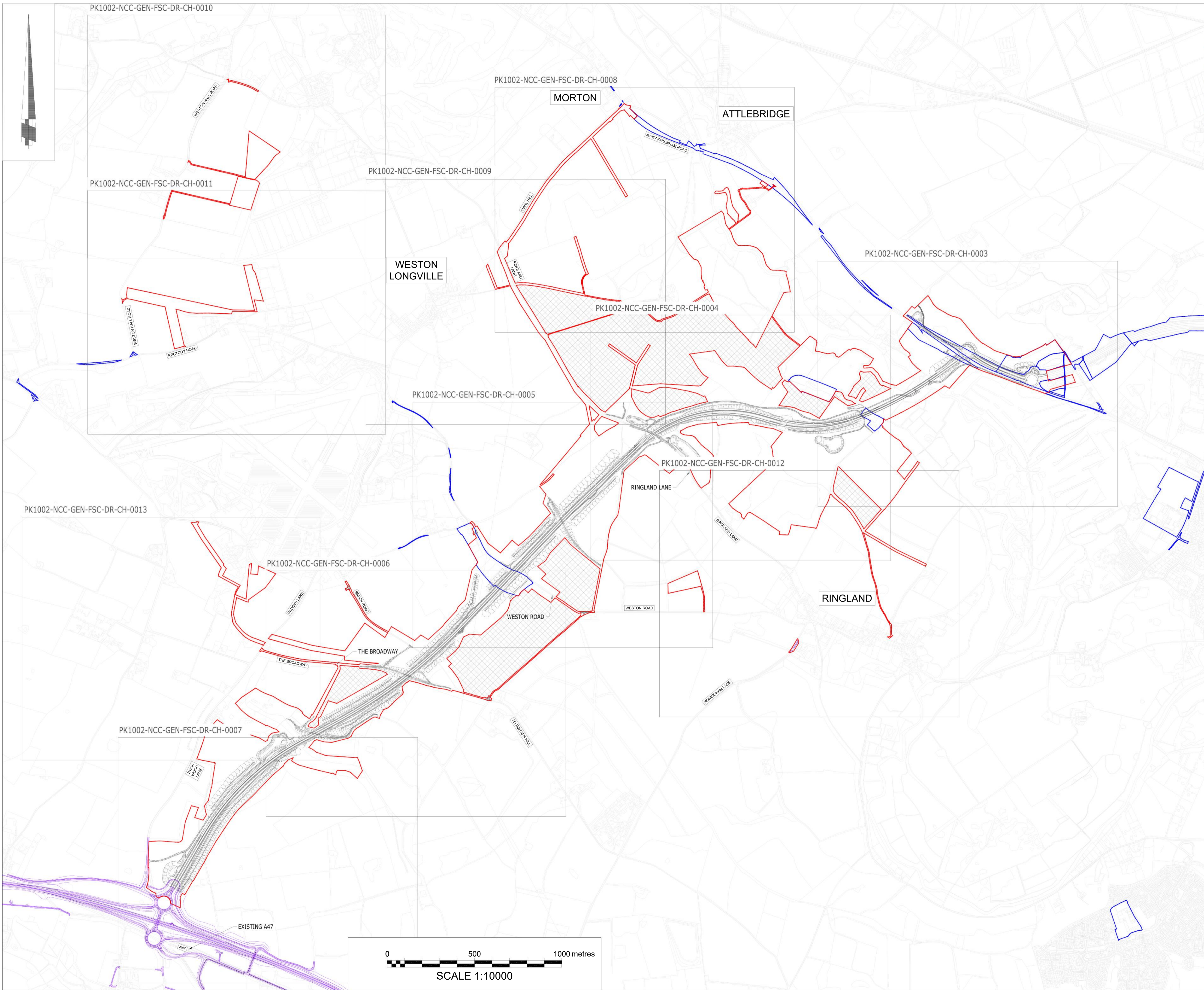
DRAWING TITLE
 NORWICH WESTERN LINK
 GENERAL ARRANGEMENT
 SHEET 7 OF 7

DRAWING STATUS
 S5 - SUITABLE FOR REVIEW AND ACCEPTANCE

DRAWN	CHECKED	APPROVED	AUTHORISED
LL	SA	SS	---

SCALE @ A1 SIZE	DATE	REVISION
1:2500	17/11/23	P05

DRAWING NUMBER
 PK1002-RAM-HGN-MLE-DR-CH-0008



- NOTES**
1. This drawing is for planning application purposes only. It is not a construction issue drawing.
 2. Do not scale from this drawing.
 3. Drawing to be printed in colour.

- KEY**
- Planning Boundary
 - ▨ Excluded from Planning Boundary
 - National Highways A47 Scheme
 - The Proposed Scheme (shown for illustrative purposes only)
 - ▭ Norfolk County Council owned land

Mapping reproduced by permission of Ordnance Survey on behalf of HMSO.
 © Crown copyright and database rights 2023 Ordnance Survey 100019340.

S5 - Suitable for Review & Acceptance				
P04	AF	AL	MKu	17/11/23
S5 - Suitable for Review & Acceptance				
P03	AF	RH	HC	06/07/23
S5 - Suitable for Review & Acceptance				
P02	AF	RH	DC	04/05/23
S5 - Suitable for Review & Acceptance				
P01	AF	RH	-	10/02/23

REVISION	DRAWN	CHECKED	APPROVED	DATE
----------	-------	---------	----------	------

CLIENT

Norfolk County Council
 Grahame Bygrave
 Interim Executive Director of
 Community & Environmental Services
 Norfolk County Council
 County Hall, Martineau Lane
 Norwich NR1 2SG

PROJECT

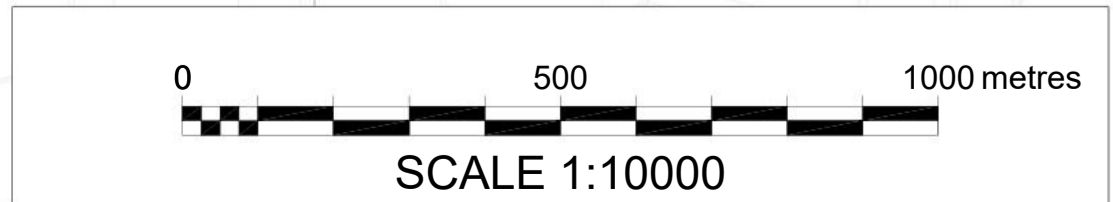
DRAWING TITLE
 NORWICH WESTERN LINK
 RED LINE BOUNDARY KEY PLAN

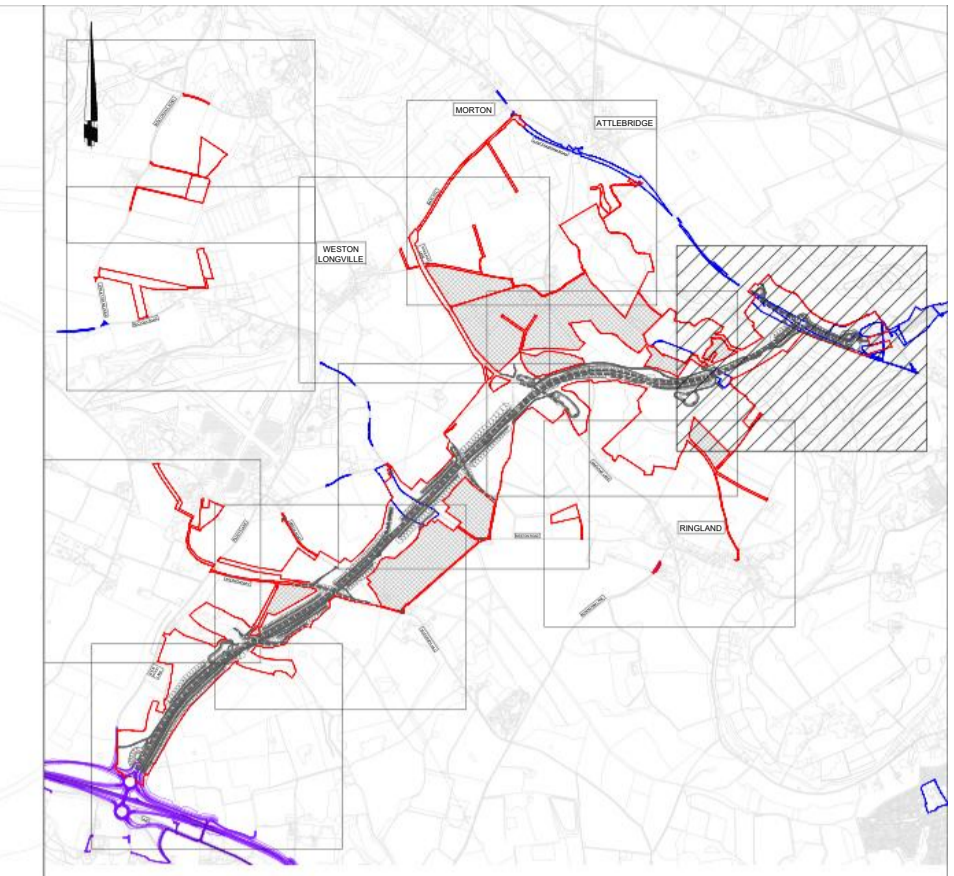
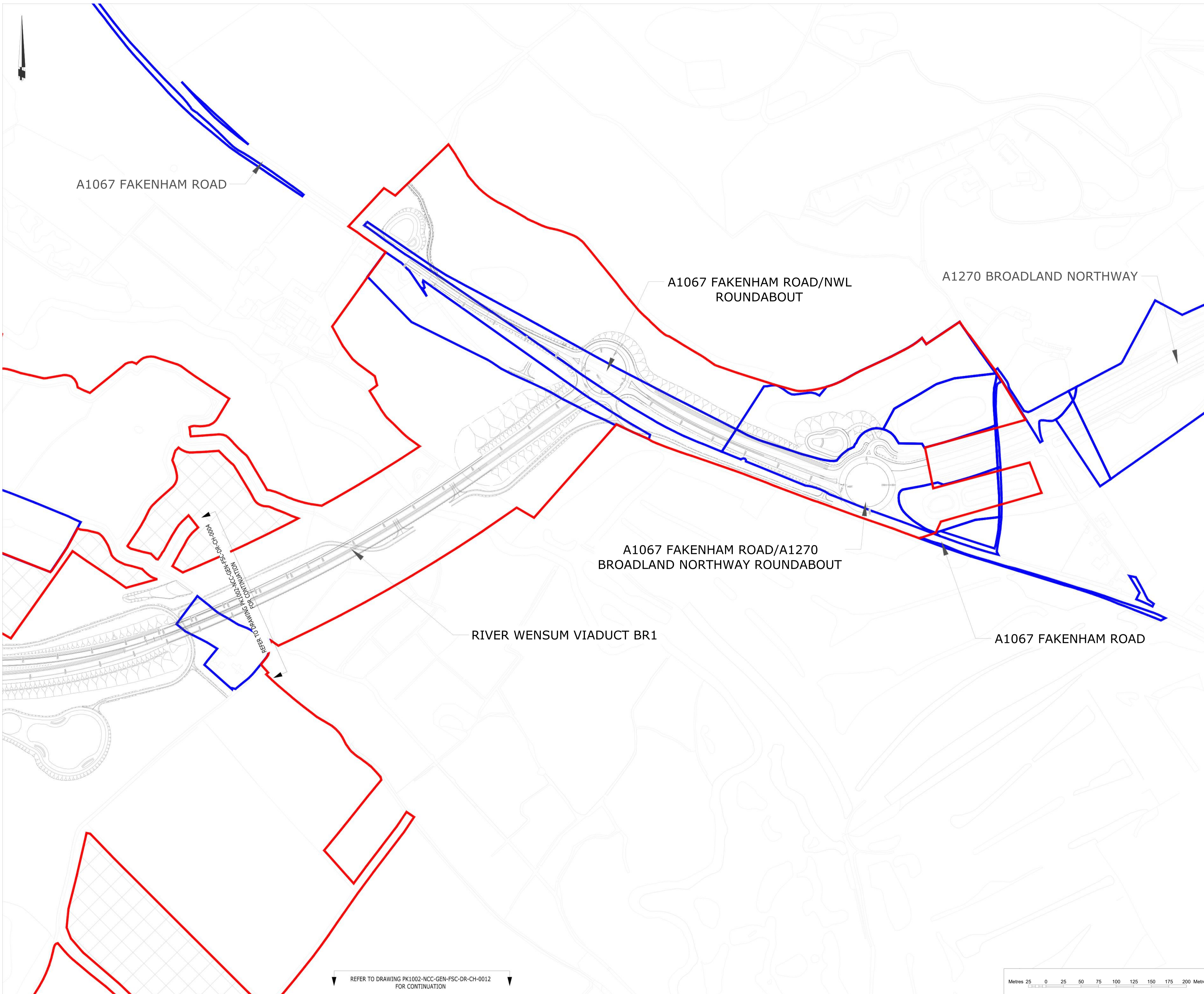
DRAWING STATUS
 PLANNING

DRAWN	CHECKED	APPROVED	AUTHORISED
AF	AL	MKu	---

SCALE @ A1 SIZE	DATE	REVISION
1:10000	17/11/23	P04

DRAWING NUMBER
 PK1002-NCC-GEN-FSC-DR-CH-0002





- NOTES**
1. This drawing is for planning application purposes only, it is not a construction issue drawing.
 2. Do not scale from this drawing.
 3. Drawing to be printed in colour.

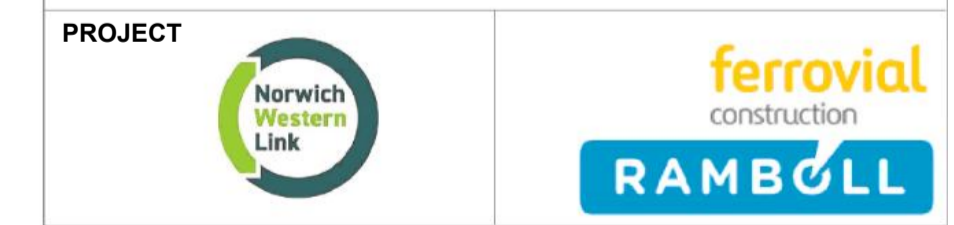
- KEY**
- Planning Boundary
 - Excluded from Planning Boundary
 - National Highways A47 Scheme
 - The Proposed Scheme (shown for illustrative purposes only)
 - Norfolk County Council owned land

Mapping reproduced by permission of Ordnance Survey on behalf of HMSO.
 © Crown copyright and database rights 2023 Ordnance Survey 100019340.

S5 - Suitable for Review & Acceptance				
P04	AF	AL	MKu	17/11/23
S5 - Suitable for Review & Acceptance				
P03	AF	RH	HC	06/07/23
S5 - Suitable for Review & Acceptance				
P02	AF	RH	DC	04/05/23
S5 - Suitable for Review & Acceptance				
P01	AF	RH	-	10/02/23
REVISION	DRAWN	CHECKED	APPROVED	DATE

CLIENT

Norfolk County Council
 Grahame Bygrave
 Interim Executive Director of
 Community & Environmental Services
 Norfolk County Council
 County Hall, Martineau Lane
 Norwich NR1 2SG



DRAWING TITLE
 NORWICH WESTERN LINK
 RED LINE BOUNDARY PLAN
 SHEET 1 OF 11

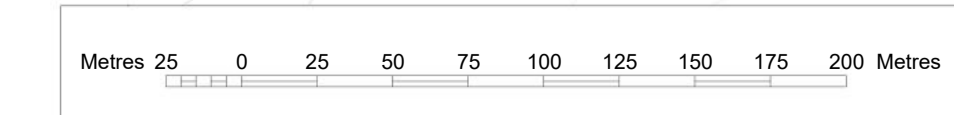
DRAWING STATUS
 PLANNING

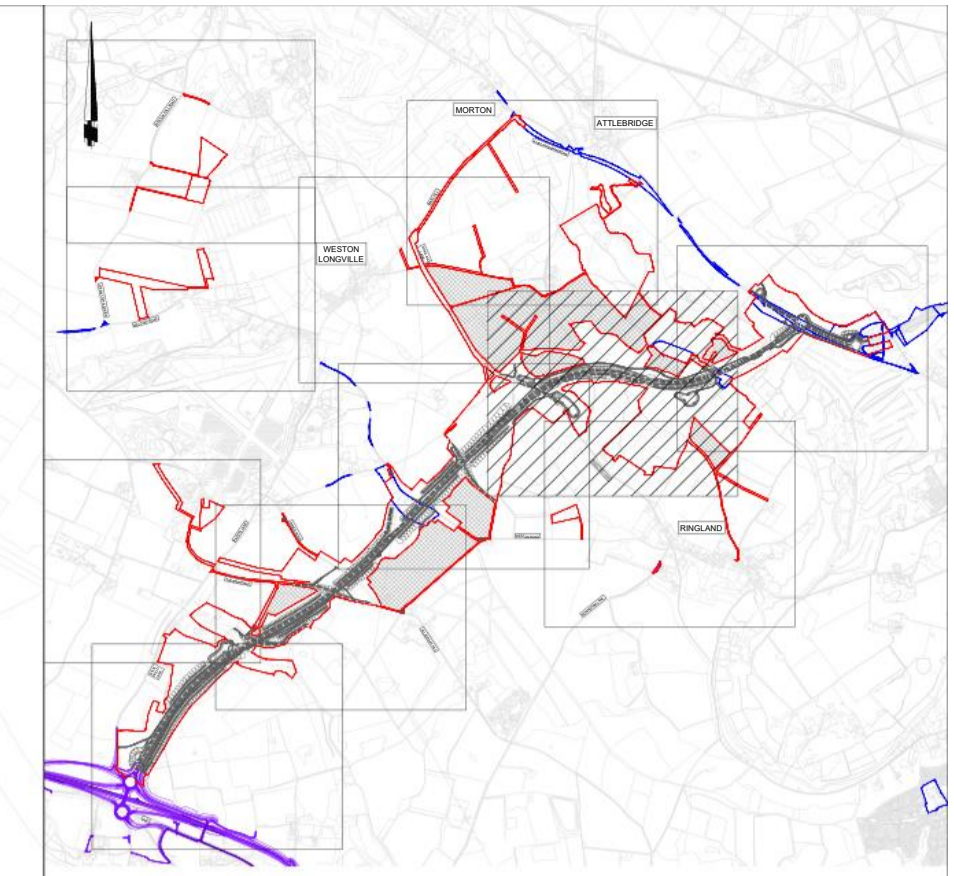
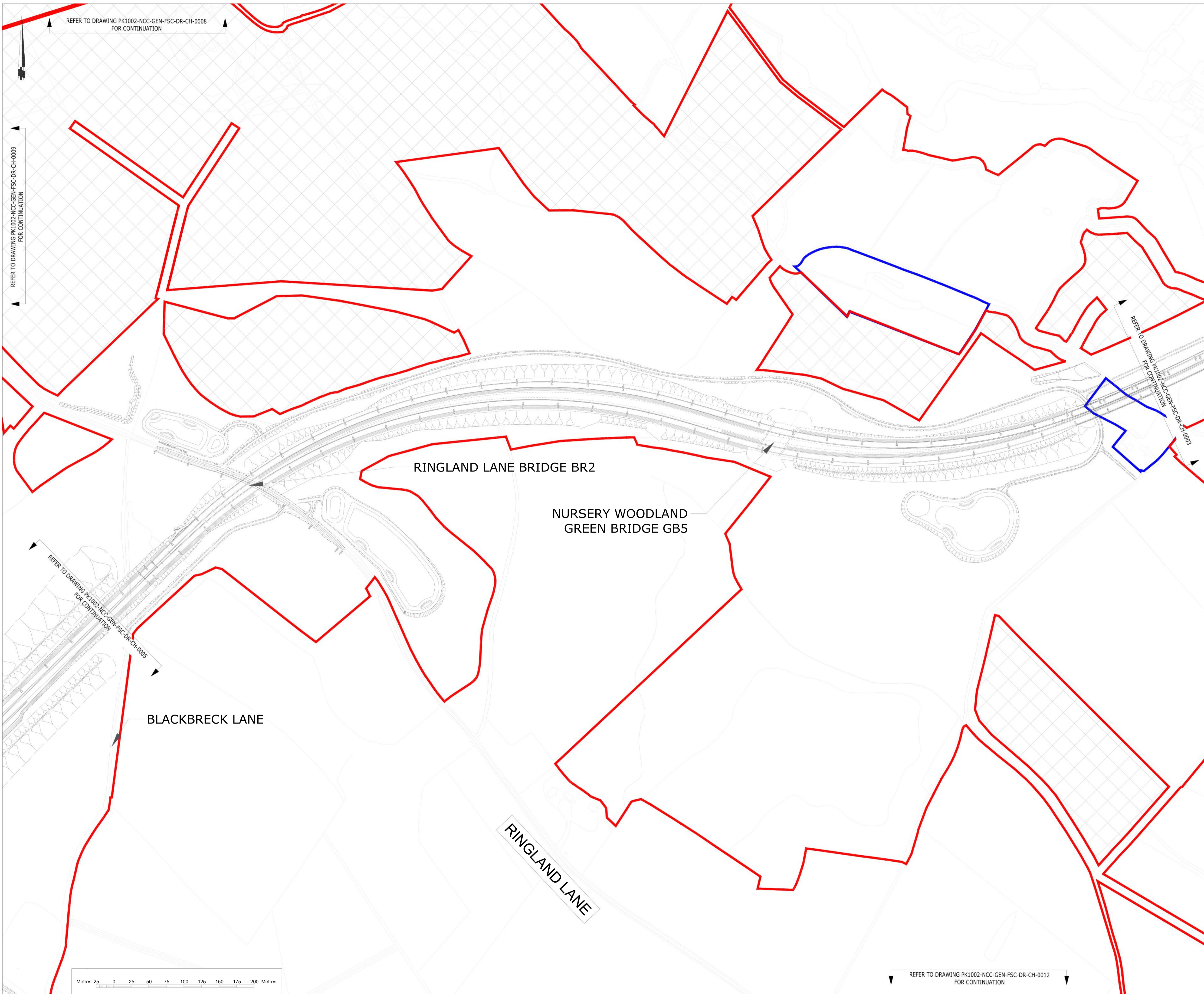
DRAWN	CHECKED	APPROVED	AUTHORISED
AF	AL	MKu	---

SCALE @ A1 SIZE	DATE	REVISION
1:2500	17/11/23	P04

DRAWING NUMBER
 PK1002-NCC-GEN-FSC-DR-CH-0003

REFER TO DRAWING PK1002-NCC-GEN-FSC-DR-CH-0012 FOR CONTINUATION





- NOTES**
1. This drawing is for planning application purposes only, it is not a construction issue drawing.
 2. Do not scale from this drawing.
 3. Drawing to be printed in colour.

- KEY**
- Planning Boundary
 - Excluded from Planning Boundary
 - National Highways A47 Scheme
 - The Proposed Scheme (shown for illustrative purposes only)
 - Norfolk County Council owned land

Mapping reproduced by permission of Ordnance Survey on behalf of HMSO.
 © Crown copyright and database rights 2023 Ordnance Survey 100019340.

S5 - Suitable for Review & Acceptance				
P04	AF	AL	MKu	17/11/23
S5 - Suitable for Review & Acceptance				
P03	AF	RH	HC	06/07/23
S5 - Suitable for Review & Acceptance				
P02	AF	RH	DC	04/05/23
S5 - Suitable for Review & Acceptance				
P01	AF	RH	-	10/02/23
REVISION	DRAWN	CHECKED	APPROVED	DATE

CLIENT

Norfolk County Council
 Grahame Bygrave
 Interim Executive Director of
 Community & Environmental Services
 Norfolk County Council
 County Hall, Martineau Lane
 Norwich NR1 2SG



DRAWING TITLE

NORWICH WESTERN LINK
 RED LINE BOUNDARY PLAN
 SHEET 2 OF 11

DRAWING STATUS

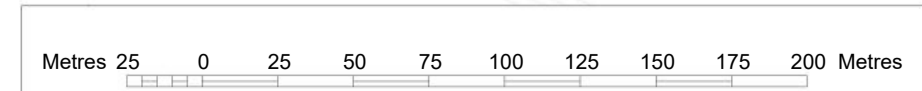
PLANNING

DRAWN	CHECKED	APPROVED	AUTHORISED
AF	AL	MKu	---

SCALE @ A1 SIZE	DATE	REVISION
1:2500	17/11/23	P04

DRAWING NUMBER

PK1002-NCC-GEN-FSC-DR-CH-0004



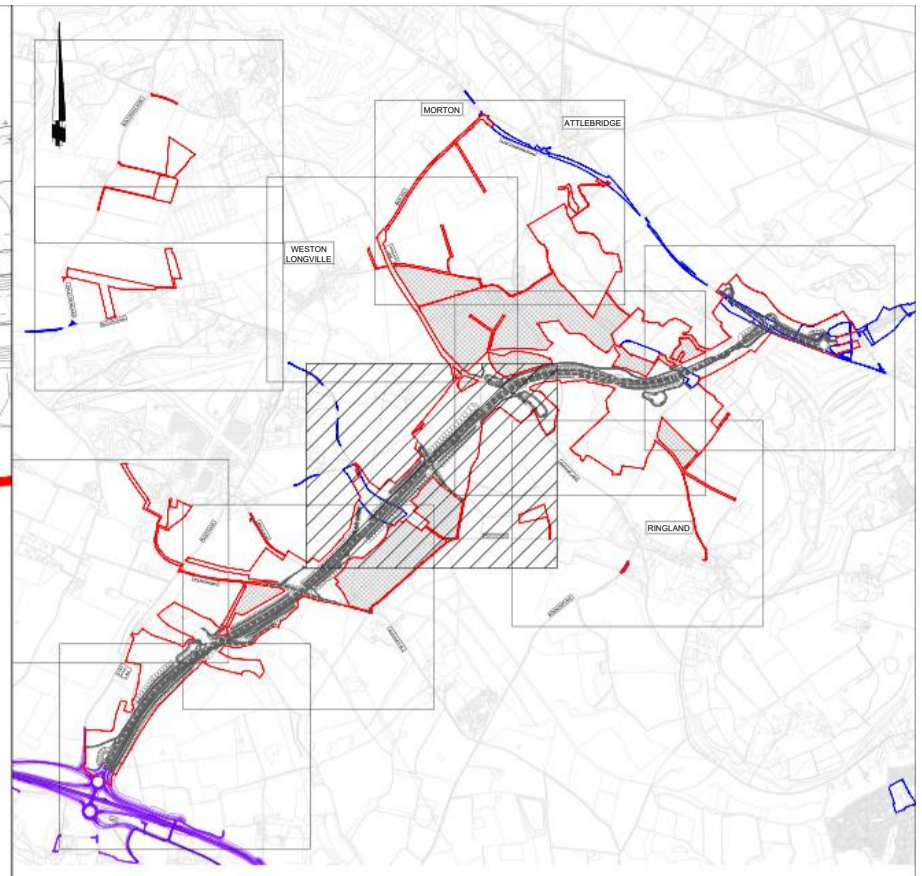
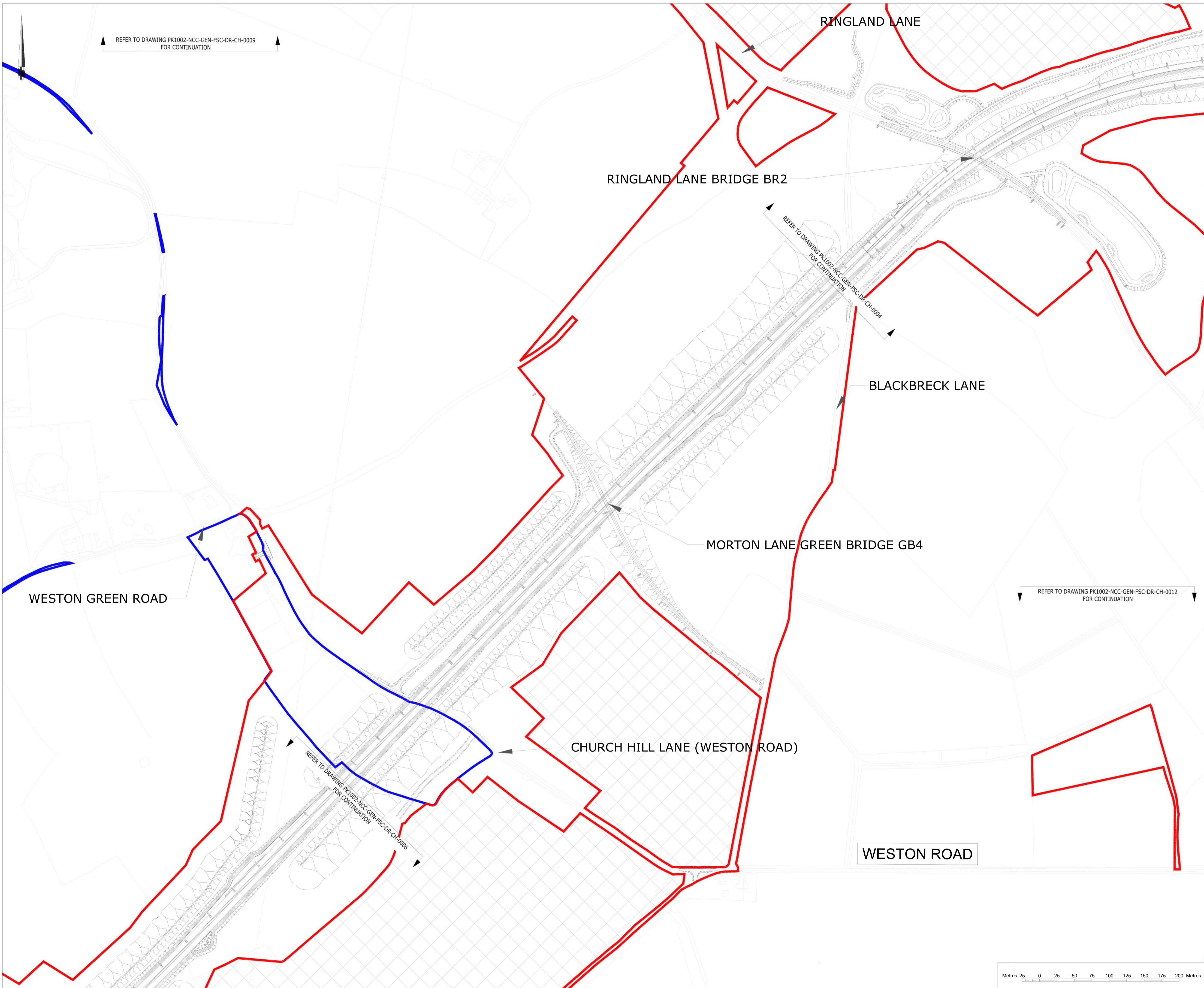
REFER TO DRAWING PK1002-NCC-GEN-FSC-DR-CH-0012 FOR CONTINUATION

REFER TO DRAWING PK1002-NCC-GEN-FSC-DR-CH-0008 FOR CONTINUATION

REFER TO DRAWING PK1002-NCC-GEN-FSC-DR-CH-0009 FOR CONTINUATION

REFER TO DRAWING PK1002-NCC-GEN-FSC-DR-CH-0003 FOR CONTINUATION

REFER TO DRAWING PK1002-NCC-GEN-FSC-DR-CH-0005 FOR CONTINUATION



REFER TO DRAWING PK1002-NCC-GEN-FSC-DR-CH-0009 FOR CONTINUATION

REFER TO DRAWING PK1002-NCC-GEN-FSC-DR-CH-0004 FOR CONTINUATION

REFER TO DRAWING PK1002-NCC-GEN-FSC-DR-CH-0012 FOR CONTINUATION

REFER TO DRAWING PK1002-NCC-GEN-FSC-DR-CH-0006 FOR CONTINUATION

- NOTES**
1. This drawing is for planning application purposes only, it is not a construction issue drawing.
 2. Do not scale from this drawing.
 3. Drawing to be printed in colour.

- KEY**
- Planning Boundary
 - - - Excluded from Planning Boundary
 - National Highways A47 Scheme
 - The Proposed Scheme (shown for illustrative purposes only)
 - Norfolk County Council owned land

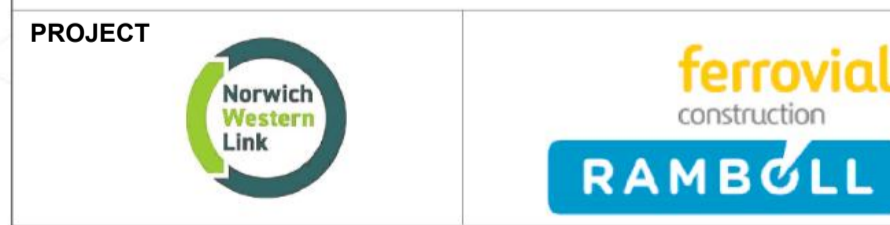
Mapping reproduced by permission of Ordnance Survey on behalf of HMSO.
 © Crown copyright and database rights 2023 Ordnance Survey 100019340.

S5 - Suitable for Review & Acceptance				
P04	AF	AL	MKu	17/11/23
S5 - Suitable for Review & Acceptance				
P03	AF	RH	HC	06/07/23
S5 - Suitable for Review & Acceptance				
P02	AF	RH	DC	04/05/23
S5 - Suitable for Review & Acceptance				
P01	AF	RH	-	10/02/23

REVISION	DRAWN	CHECKED	APPROVED	DATE
----------	-------	---------	----------	------

CLIENT

Norfolk County Council
 Grahame Bygrave
 Interim Executive Director of
 Community & Environmental Services
 Norfolk County Council
 County Hall, Martineau Lane
 Norwich NR1 2SG



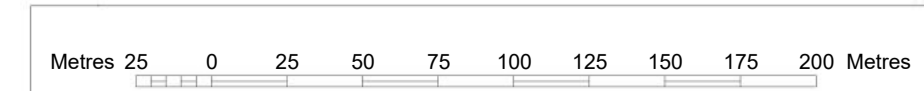
DRAWING TITLE
 NORWICH WESTERN LINK
 RED LINE BOUNDARY PLAN
 SHEET 3 OF 11

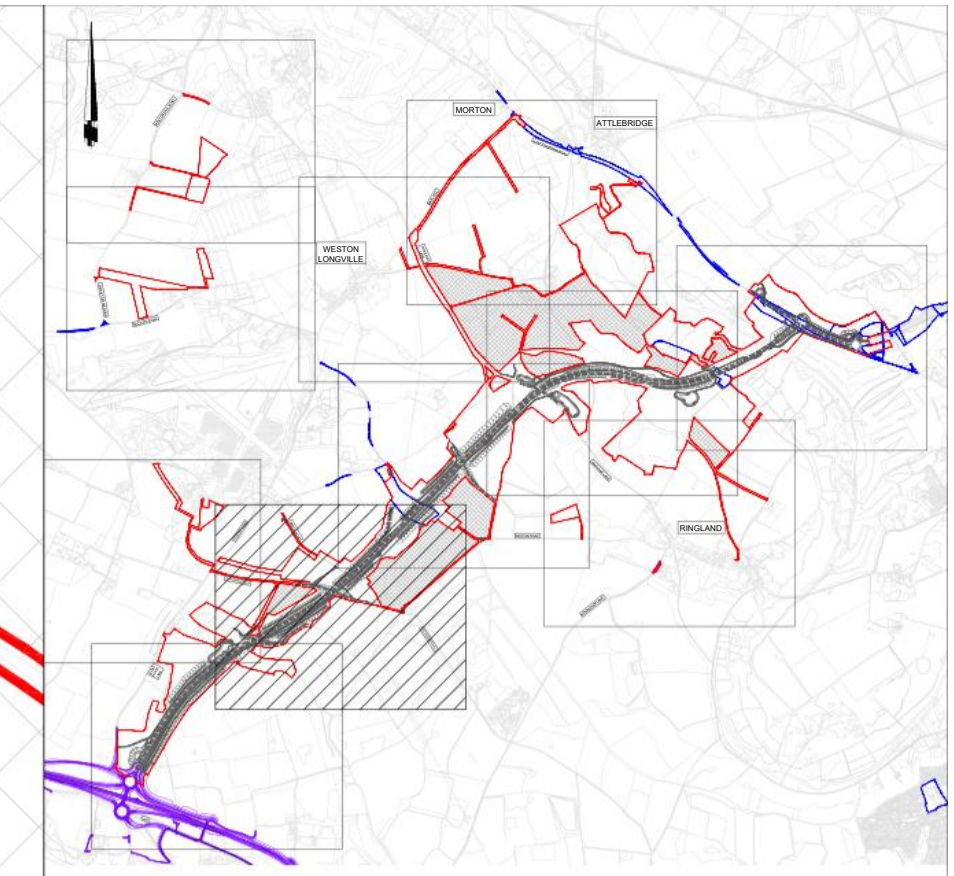
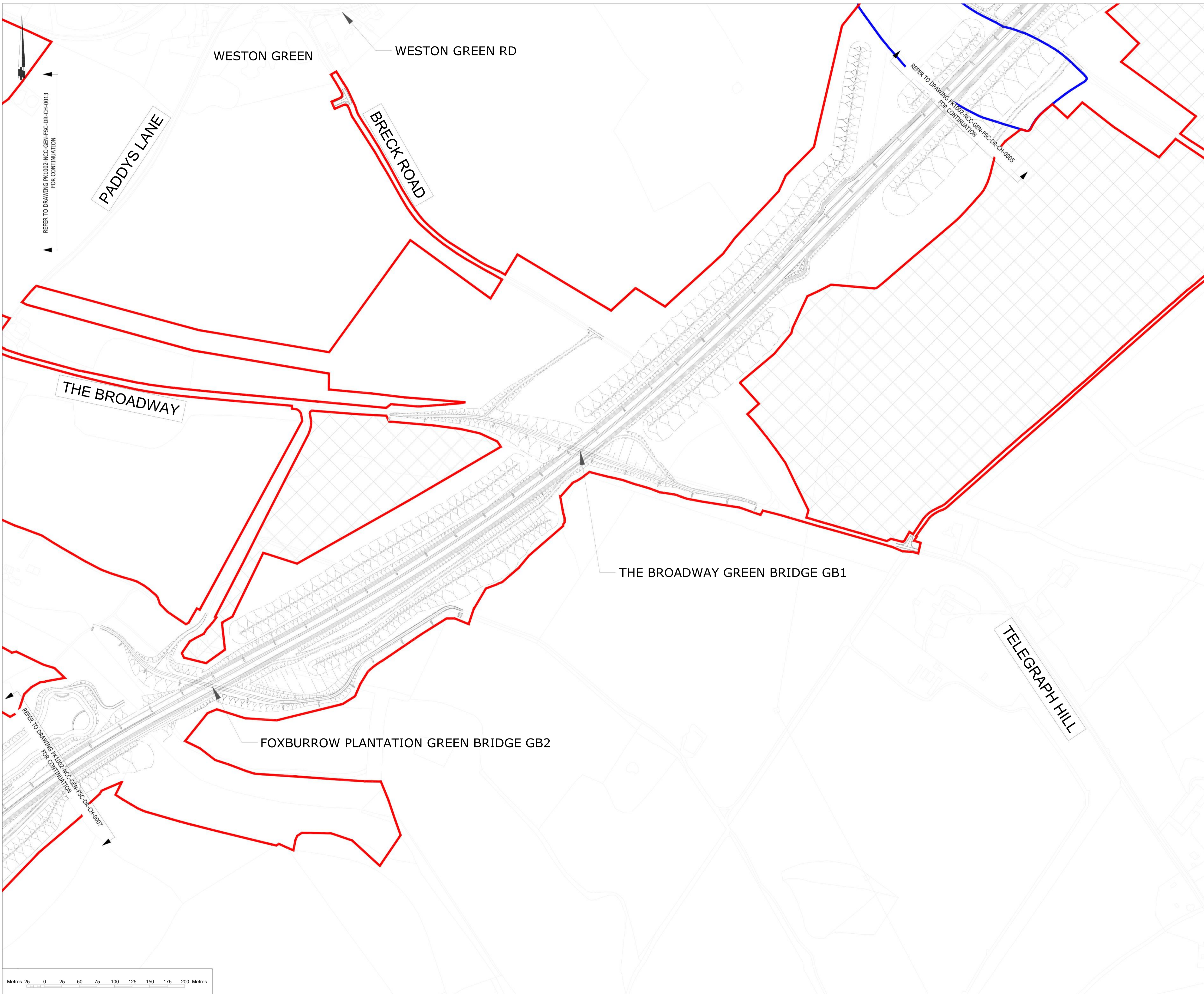
DRAWING STATUS
 PLANNING

DRAWN	CHECKED	APPROVED	AUTHORISED
AF	AL	MKu	---

SCALE @ A1 SIZE	DATE	REVISION
1:2500	17/11/23	P04

DRAWING NUMBER
 PK1002-NCC-GEN-FSC-DR-CH-0005





- NOTES**
1. This drawing is for planning application purposes only, it is not a construction issue drawing.
 2. Do not scale from this drawing.
 3. Drawing to be printed in colour.

- KEY**
- Planning Boundary
 - ▭ Excluded from Planning Boundary
 - National Highways A47 Scheme
 - The Proposed Scheme (shown for illustrative purposes only)
 - ▭ Norfolk County Council owned land

Mapping reproduced by permission of Ordnance Survey on behalf of HMSO.
 © Crown copyright and database rights 2023 Ordnance Survey 100019340.

S5 - Suitable for Review & Acceptance				
P04	AF	AL	MKu	17/11/23
S5 - Suitable for Review & Acceptance				
P03	AF	RH	HC	06/07/23
S5 - Suitable for Review & Acceptance				
P02	AF	RH	DC	04/05/23
S5 - Suitable for Review & Acceptance				
P01	AF	RH	-	10/02/23
REVISION	DRAWN	CHECKED	APPROVED	DATE

CLIENT

Norfolk County Council
 Grahame Bygrave
 Interim Executive Director of
 Community & Environmental Services
 Norfolk County Council
 County Hall, Martineau Lane
 Norwich NR1 2SG

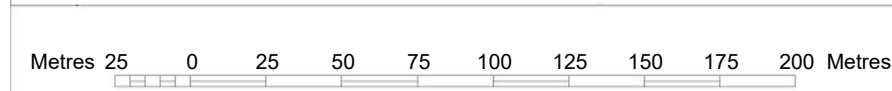
PROJECT

DRAWING TITLE
 NORWICH WESTERN LINK
 RED LINE BOUNDARY PLAN
 SHEET 4 OF 11

DRAWING STATUS
 PLANNING

DRAWN	CHECKED	APPROVED	AUTHORISED
AF	AL	MKu	---
SCALE @ A1 SIZE	DATE	REVISION	
1:2500	17/11/23	P04	

DRAWING NUMBER
 PK1002-NCC-GEN-FSC-DR-CH-0006



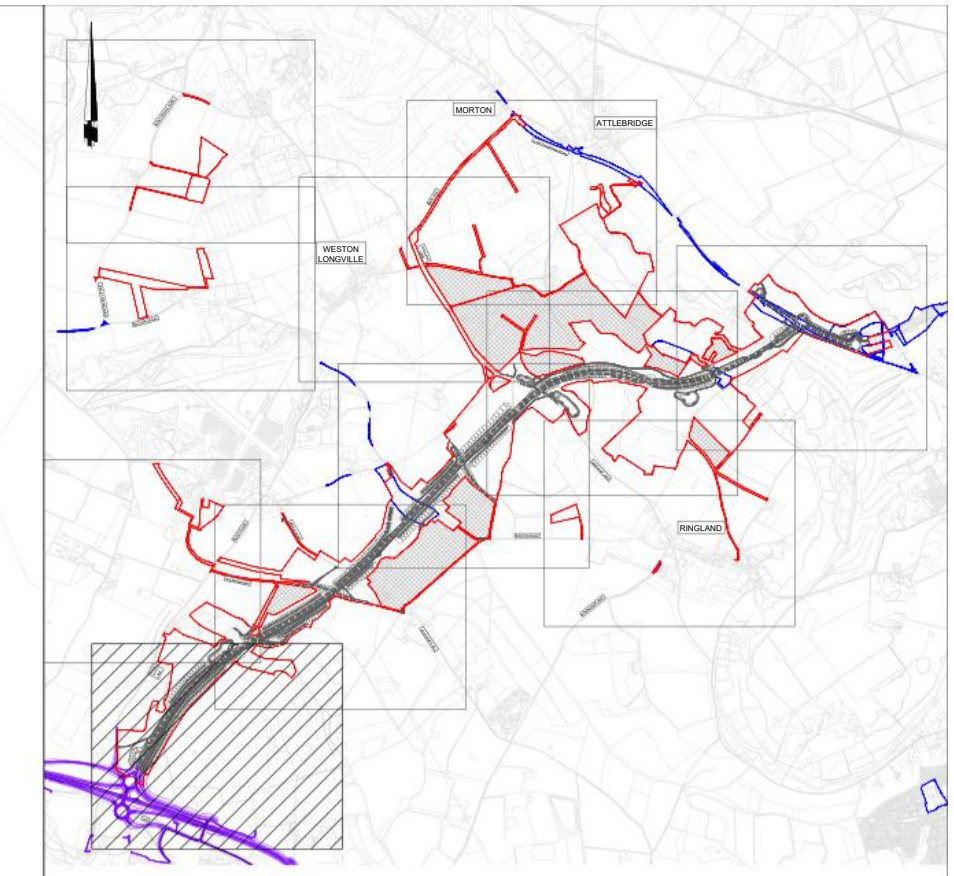
REFER TO DRAWING PK1002-NCC-GEN-FSC-DR-CH-0013 FOR CONTINUATION

FOXBURROW PLANTATION GREEN BRIDGE GB2

B1535
WOOD
LANE

REFER TO DRAWING PK1002-NCC-GEN-FSC-DR-CH-0006 FOR CONTINUATION

A47



NOTES

1. This drawing is for planning application purposes only, it is not a construction issue drawing.
2. Do not scale from this drawing.
3. Drawing to be printed in colour.

KEY

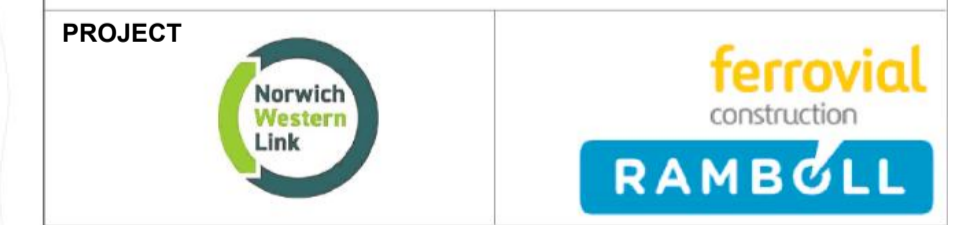
- Planning Boundary
- - - Excluded from Planning Boundary
- National Highways A47 Scheme
- The Proposed Scheme (shown for illustrative purposes only)
- Norfolk County Council owned land

Mapping reproduced by permission of Ordnance Survey on behalf of HMSO.
© Crown copyright and database rights 2023 Ordnance Survey 100019340.

S5 - Suitable for Review & Acceptance				
P04	AF	AL	MKu	17/11/23
S5 - Suitable for Review & Acceptance				
P03	AF	RH	HC	06/07/23
S5 - Suitable for Review & Acceptance				
P02	AF	RH	DC	04/05/23
S5 - Suitable for Review & Acceptance				
P01	AF	RH	-	10/02/23
REVISION	DRAWN	CHECKED	APPROVED	DATE

CLIENT

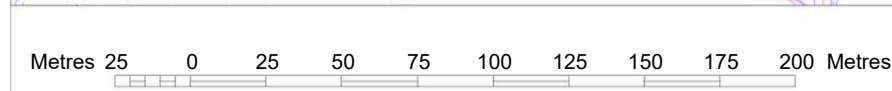
Norfolk County Council
 Grahame Bygrave
 Interim Executive Director of
 Community & Environmental Services
 Norfolk County Council
 County Hall, Martineau Lane
 Norwich NR1 2SG



DRAWING TITLE
 NORWICH WESTERN LINK
 RED LINE BOUNDARY PLAN
 SHEET 5 OF 11

DRAWING STATUS PLANNING			
DRAWN AF	CHECKED AL	APPROVED MKu	AUTHORISED ---
SCALE @ A1 SIZE 1:2500	DATE 17/11/23	REVISION P04	

DRAWING NUMBER
PK1002-NCC-GEN-FSC-DR-CH-0007



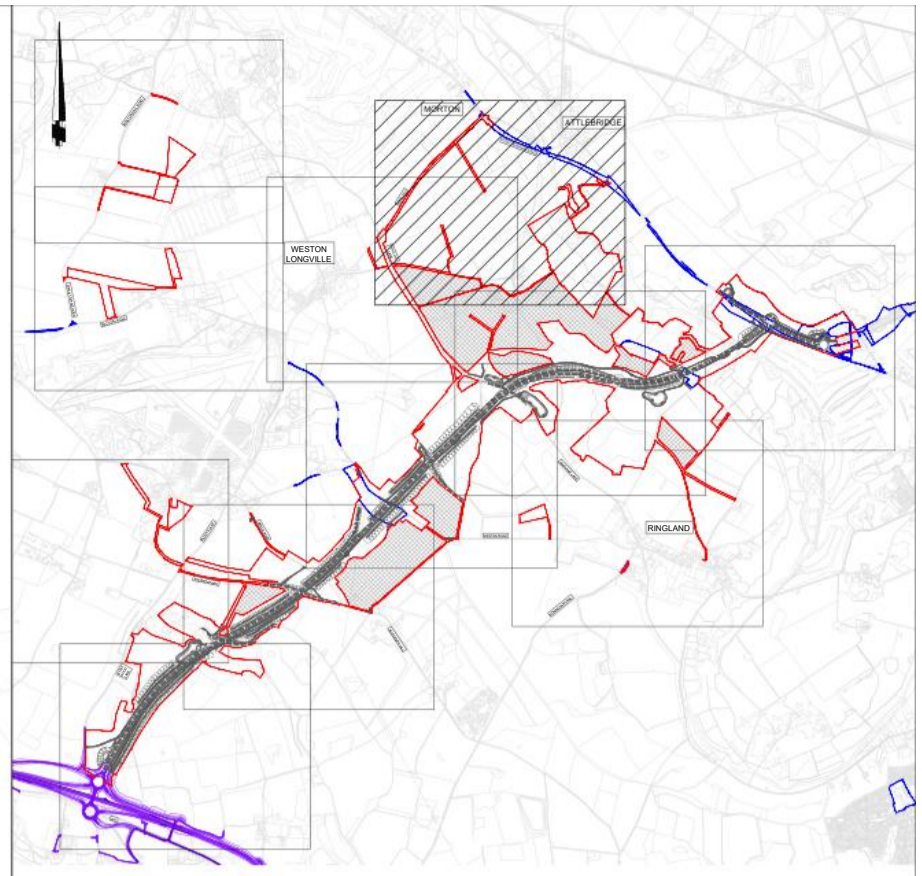
MORTON

ATTLEBRIDGE

A1067 FAKENHAM ROAD

MARL HILL

RINGLAND LANE



- NOTES**
1. This drawing is for planning application purposes only, it is not a construction issue drawing.
 2. Do not scale from this drawing.
 3. Drawing to be printed in colour.

- KEY**
- Planning Boundary
 - ▭ Excluded from Planning Boundary
 - National Highways A47 Scheme
 - The Proposed Scheme (shown for illustrative purposes only)
 - ▭ Norfolk County Council owned land

Mapping reproduced by permission of Ordnance Survey on behalf of HMSO.
© Crown copyright and database rights 2023 Ordnance Survey 100019340.

S5 - Suitable for Review & Acceptance				
P04	AF	AL	MKu	17/11/23
S5 - Suitable for Review & Acceptance				
P03	AF	RH	HC	06/07/23
S5 - Suitable for Review & Acceptance				
P02	AF	RH	DC	04/05/23
S5 - Suitable for Review & Acceptance				
P01	AF	RH	-	10/02/23
REVISION	DRAWN	CHECKED	APPROVED	DATE

CLIENT

Norfolk County Council
Grahame Bygrave
Interim Executive Director of
Community & Environmental Services
Norfolk County Council
County Hall, Martineau Lane
Norwich NR1 2SG

PROJECT

DRAWING TITLE
NORWICH WESTERN LINK
RED LINE BOUNDARY PLAN
SHEET 6 OF 11

DRAWING STATUS
PLANNING

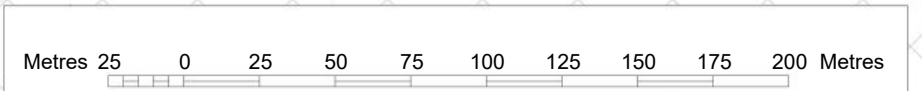
DRAWN	CHECKED	APPROVED	AUTHORISED
AF	AL	MKu	---

SCALE @ A1 SIZE	DATE	REVISION
1:2500	17/11/23	P04

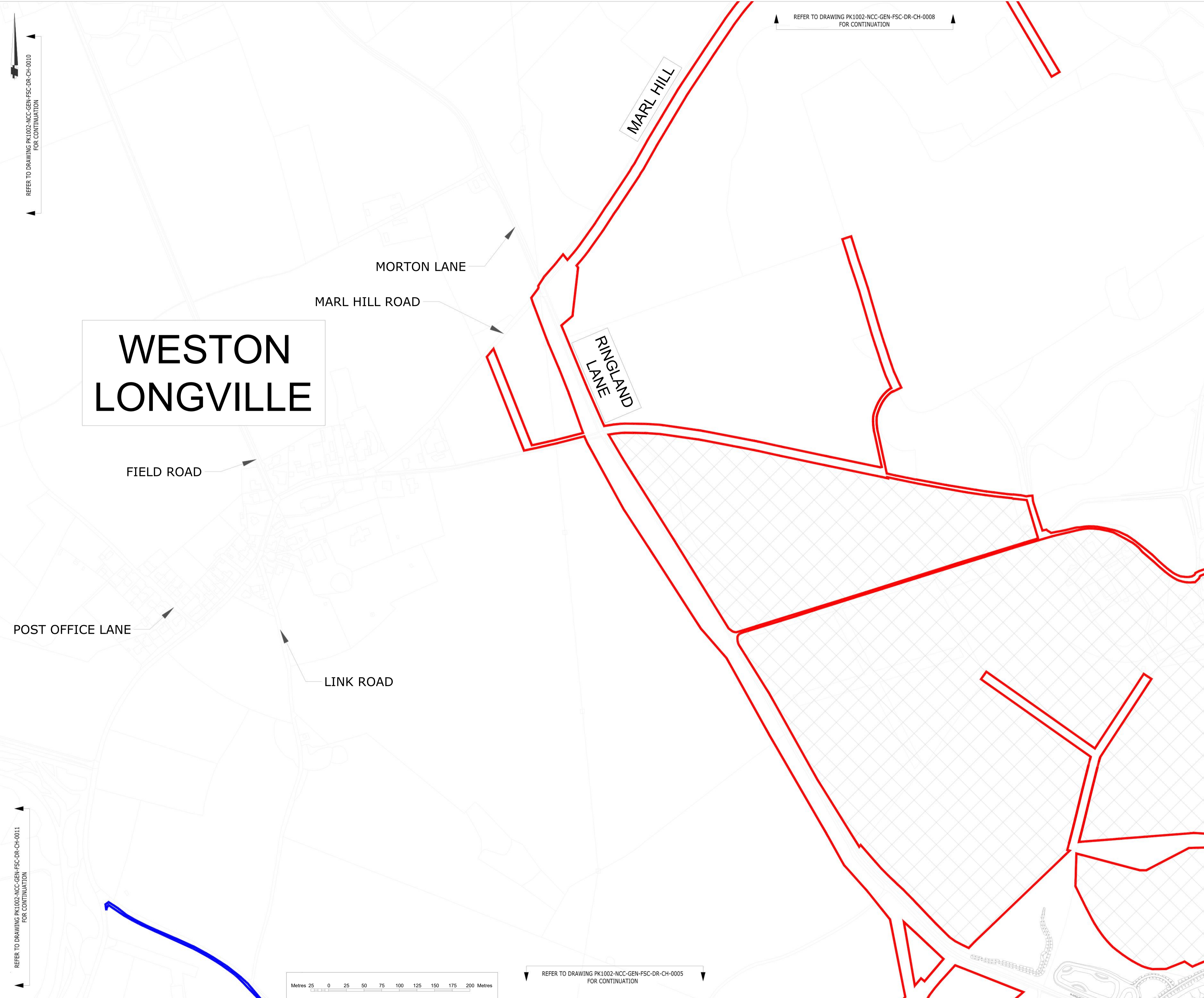
DRAWING NUMBER
PK1002-NCC-GEN-FSC-DR-CH-0008

REFER TO DRAWING PK1002-NCC-GEN-FSC-DR-CH-0009 FOR CONTINUATION

REFER TO DRAWING PK1002-NCC-GEN-FSC-DR-CH-0004 FOR CONTINUATION



WESTON LONGVILLE

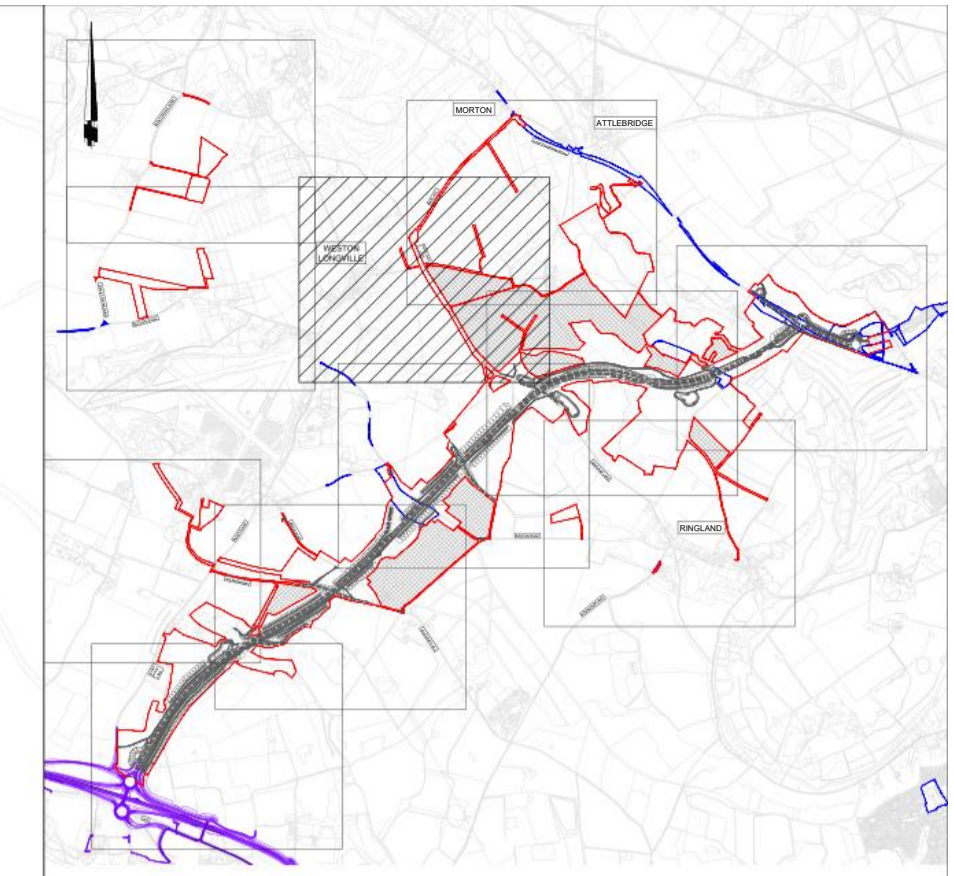
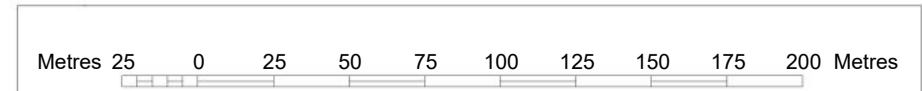


REFER TO DRAWING PK1002-NCC-GEN-FSC-DR-CH-0008 FOR CONTINUATION

REFER TO DRAWING PK1002-NCC-GEN-FSC-DR-CH-0010 FOR CONTINUATION

REFER TO DRAWING PK1002-NCC-GEN-FSC-DR-CH-0011 FOR CONTINUATION

REFER TO DRAWING PK1002-NCC-GEN-FSC-DR-CH-0005 FOR CONTINUATION



NOTES

1. This drawing is for planning application purposes only, it is not a construction issue drawing.
2. Do not scale from this drawing.
3. Drawing to be printed in colour.

KEY

- Planning Boundary
- Excluded from Planning Boundary
- National Highways A47 Scheme
- The Proposed Scheme (shown for illustrative purposes only)
- Norfolk County Council owned land

Mapping reproduced by permission of Ordnance Survey on behalf of HMSO.
© Crown copyright and database rights 2023 Ordnance Survey 100019340.

S5 - Suitable for Review & Acceptance				
P04	AF	AL	MKu	17/11/23
S5 - Suitable for Review & Acceptance				
P03	AF	RH	HC	06/07/23
S5 - Suitable for Review & Acceptance				
P02	AF	RH	DC	04/05/23
S5 - Suitable for Review & Acceptance				
P01	AF	RH	-	10/02/23
REVISION	DRAWN	CHECKED	APPROVED	DATE

CLIENT

Norfolk County Council
Grahame Bygrave
Interim Executive Director of
Community & Environmental Services
Norfolk County Council
County Hall, Martineau Lane
Norwich NR1 2SG

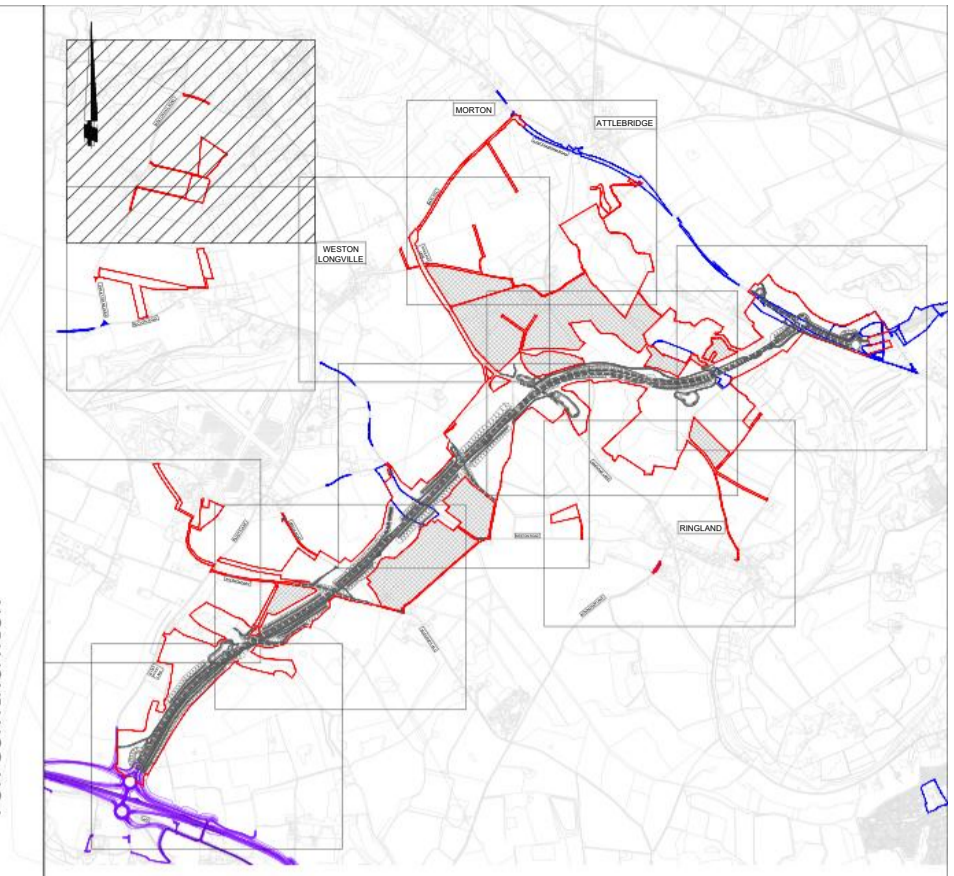
PROJECT

DRAWING TITLE
NORWICH WESTERN LINK
RED LINE BOUNDARY PLAN
SHEET 7 OF 11

DRAWING STATUS
PLANNING

DRAWN	CHECKED	APPROVED	AUTHORISED
AF	AL	MKu	---
SCALE @ A1 SIZE		DATE	REVISION
1:2500		17/11/23	P04

DRAWING NUMBER
PK1002-NCC-GEN-FSC-DR-CH-0009



REFER TO DRAWING PK1002-NCC-GEN-FSC-DR-CH-0009 FOR CONTINUATION

NOTES

1. This drawing is for planning application purposes only, it is not a construction issue drawing.
2. Do not scale from this drawing.
3. Drawing to be printed in colour.

KEY

- Planning Boundary
- Excluded from Planning Boundary
- National Highways A47 Scheme
- The Proposed Scheme (shown for illustrative purposes only)
- Norfolk County Council owned land

Mapping reproduced by permission of Ordnance Survey on behalf of HMSO.
 © Crown copyright and database rights 2023 Ordnance Survey 100019340.

S5 - Suitable for Review & Acceptance				
P04	AF	AL	MKu	17/11/23
S5 - Suitable for Review & Acceptance				
P03	AF	RH	HC	06/07/23
S5 - Suitable for Review & Acceptance				
P02	AF	RH	DC	04/05/23
S5 - Suitable for Review & Acceptance				
P01	AF	RH	-	10/02/23
REVISION	DRAWN	CHECKED	APPROVED	DATE

CLIENT

Norfolk County Council
 Grahame Bygrave
 Interim Executive Director of
 Community & Environmental Services
 Norfolk County Council
 County Hall, Martineau Lane
 Norwich NR1 2SG

PROJECT

DRAWING TITLE
 NORWICH WESTERN LINK
 RED LINE BOUNDARY PLAN
 SHEET 8 OF 11

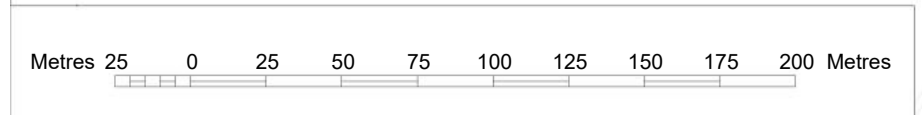
DRAWING STATUS
 PLANNING

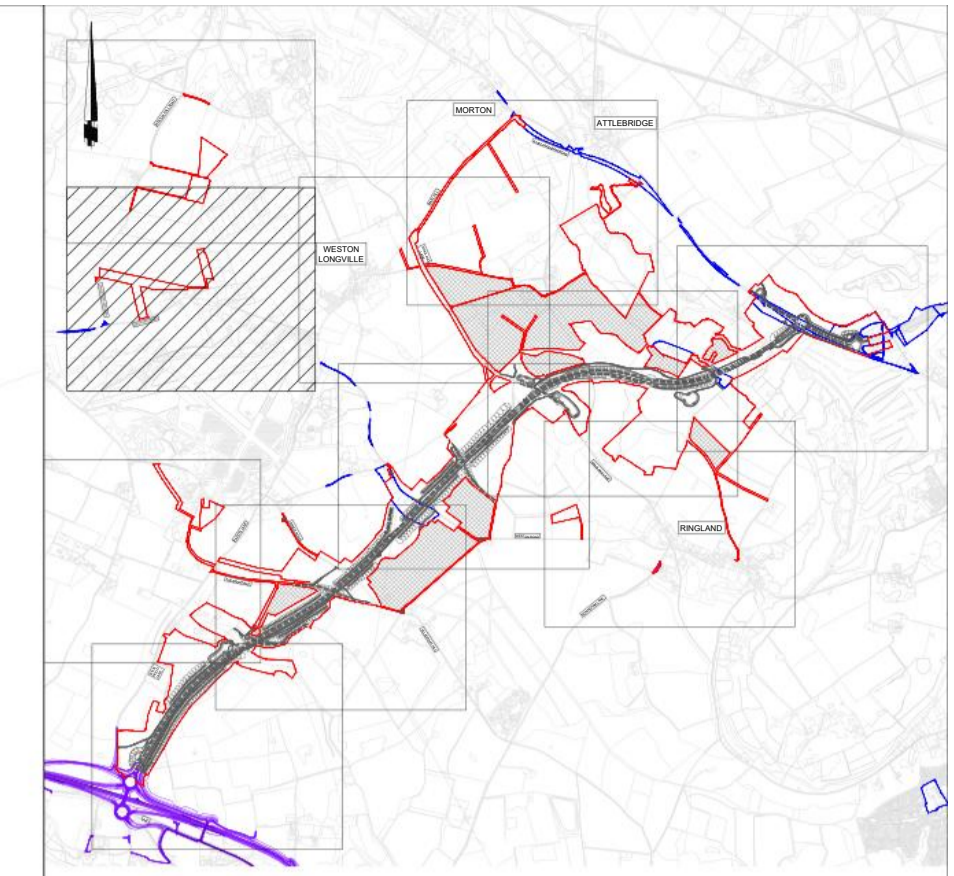
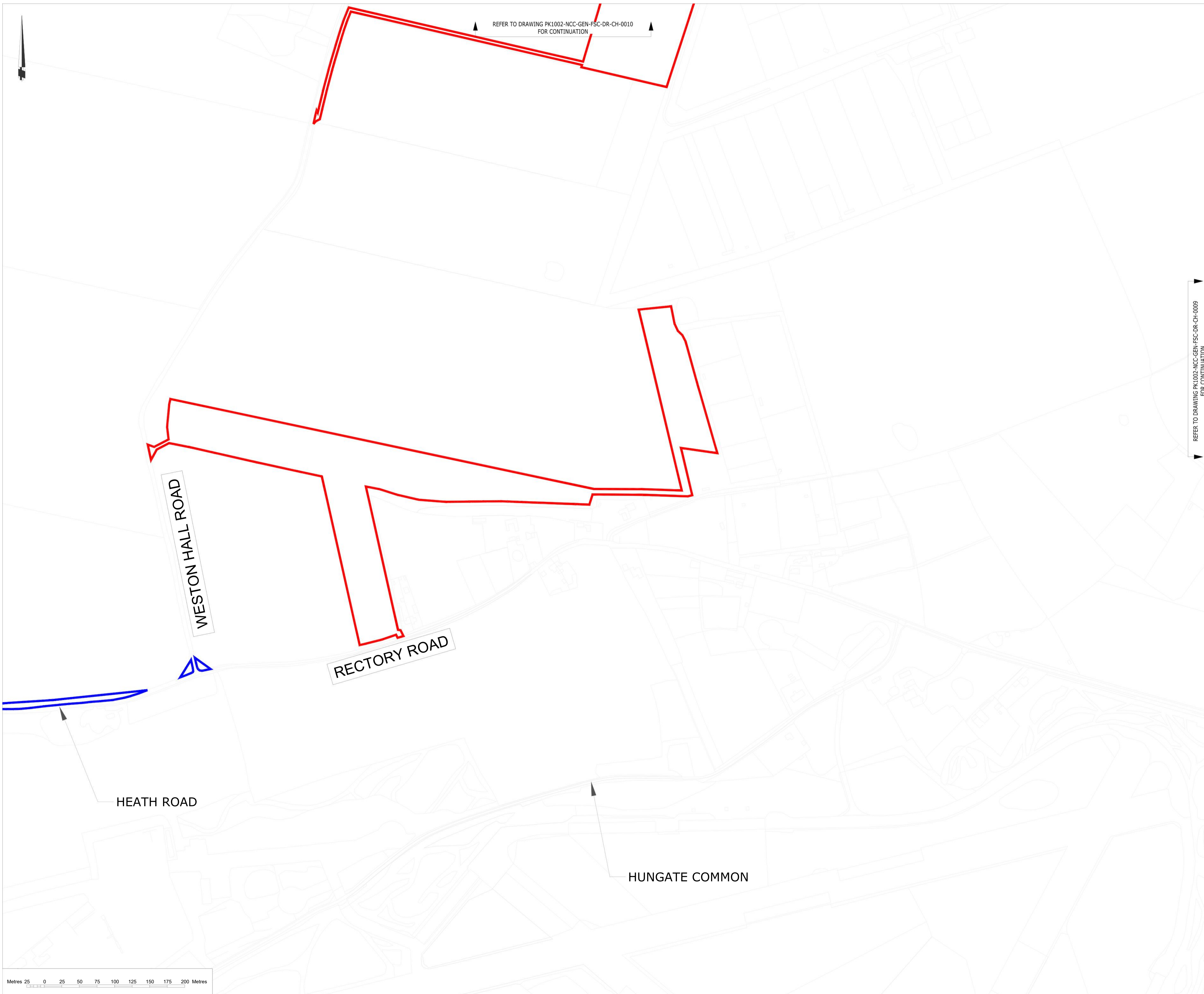
DRAWN	CHECKED	APPROVED	AUTHORISED
AF	AL	MKu	---

SCALE @ A1 SIZE	DATE	REVISION
1:2500	17/11/23	P04

DRAWING NUMBER
 PK1002-NCC-GEN-FSC-DR-CH-0010

REFER TO DRAWING PK1002-NCC-GEN-FSC-DR-CH-0011 FOR CONTINUATION





- NOTES**
1. This drawing is for planning application purposes only, it is not a construction issue drawing.
 2. Do not scale from this drawing.
 3. Drawing to be printed in colour.

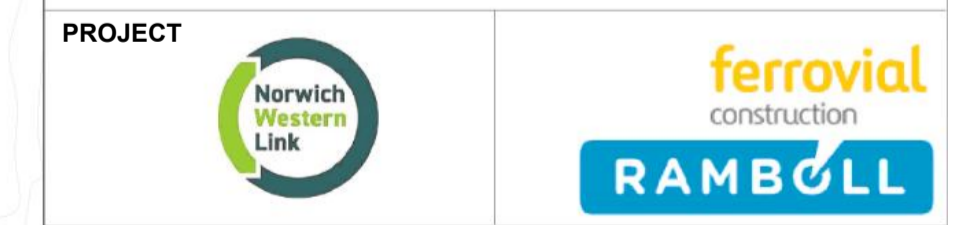
- KEY**
- Planning Boundary
 - Excluded from Planning Boundary
 - National Highways A47 Scheme
 - The Proposed Scheme (shown for illustrative purposes only)
 - Norfolk County Council owned land

Mapping reproduced by permission of Ordnance Survey on behalf of HMSO.
 © Crown copyright and database rights 2023 Ordnance Survey 100019340.

S5 - Suitable for Review & Acceptance				
P04	AF	AL	MKu	17/11/23
S5 - Suitable for Review & Acceptance				
P03	AF	RH	HC	06/07/23
S5 - Suitable for Review & Acceptance				
P02	AF	RH	DC	04/05/23
S5 - Suitable for Review & Acceptance				
P01	AF	RH	-	10/02/23
REVISION	DRAWN	CHECKED	APPROVED	DATE

CLIENT

Norfolk County Council
 Grahame Bygrave
 Interim Executive Director of
 Community & Environmental Services
 Norfolk County Council
 County Hall, Martineau Lane
 Norwich NR1 2SG



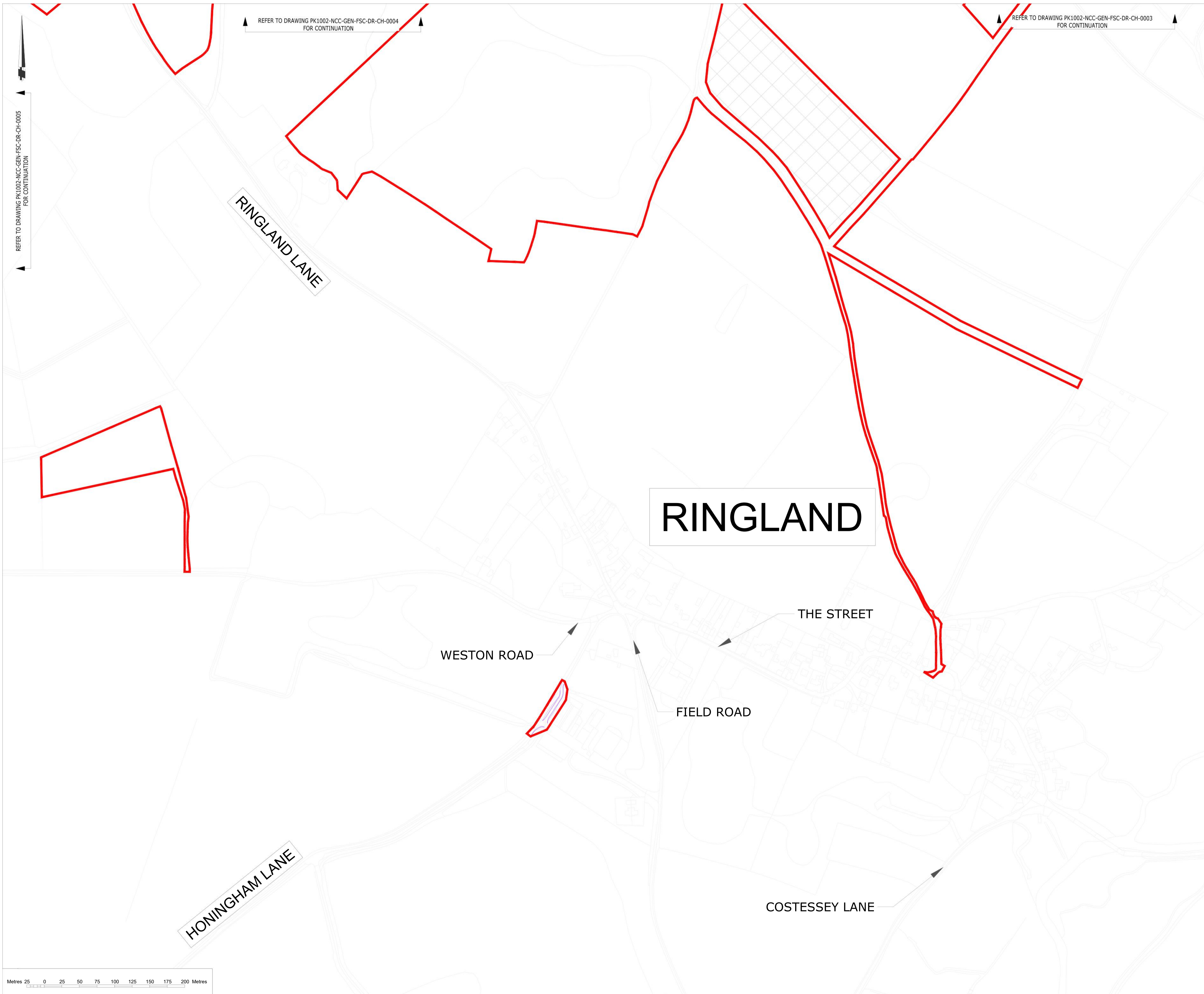
DRAWING TITLE
 NORWICH WESTERN LINK
 RED LINE BOUNDARY PLAN
 SHEET 9 OF 11

DRAWING STATUS
 PLANNING

DRAWN	CHECKED	APPROVED	AUTHORISED
AF	AL	MKu	---

SCALE @ A1 SIZE	DATE	REVISION
1:2500	17/11/23	P04

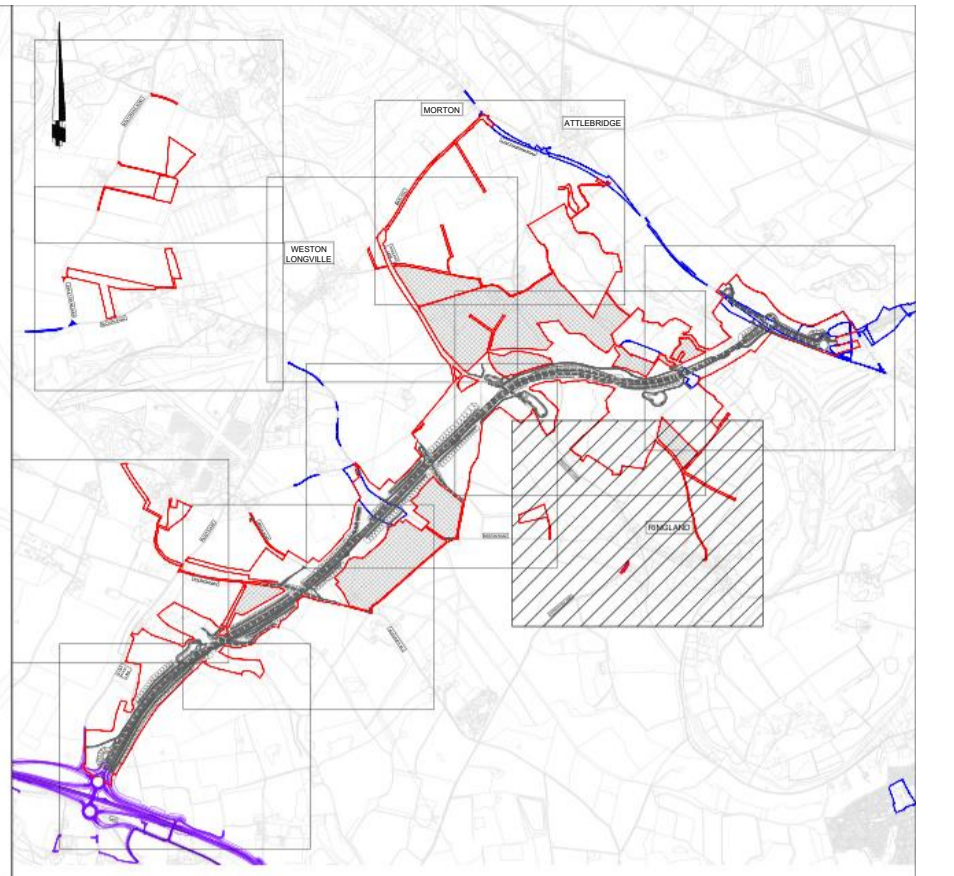
DRAWING NUMBER
 PK1002-NCC-GEN-FSC-DR-CH-0011



REFER TO DRAWING PK1002-NCC-GEN-FSC-DR-CH-0004 FOR CONTINUATION

REFER TO DRAWING PK1002-NCC-GEN-FSC-DR-CH-0003 FOR CONTINUATION

REFER TO DRAWING PK1002-NCC-GEN-FSC-DR-CH-0005 FOR CONTINUATION



NOTES

1. This drawing is for planning application purposes only, it is not a construction issue drawing.
2. Do not scale from this drawing.
3. Drawing to be printed in colour.

KEY

- Planning Boundary
- Excluded from Planning Boundary
- National Highways A47 Scheme
- The Proposed Scheme (shown for illustrative purposes only)
- Norfolk County Council owned land

Mapping reproduced by permission of Ordnance Survey on behalf of HMSO.
 © Crown copyright and database rights 2023 Ordnance Survey 100019340.

S5 - Suitable for Review & Acceptance				
P04	AF	AL	MKu	17/11/23
S5 - Suitable for Review & Acceptance				
P03	AF	RH	HC	06/07/23
S5 - Suitable for Review & Acceptance				
P02	AF	RH	DC	04/05/23
S5 - Suitable for Review & Acceptance				
P01	AF	RH	-	10/02/23
REVISION	DRAWN	CHECKED	APPROVED	DATE

CLIENT

Norfolk County Council
 Grahame Bygrave
 Interim Executive Director of
 Community & Environmental Services
 Norfolk County Council
 County Hall, Martineau Lane
 Norwich NR1 2SG

PROJECT

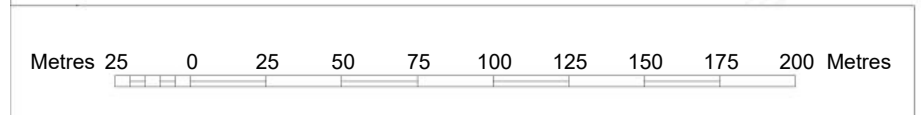
DRAWING TITLE
 NORWICH WESTERN LINK
 RED LINE BOUNDARY PLAN
 SHEET 10 OF 11

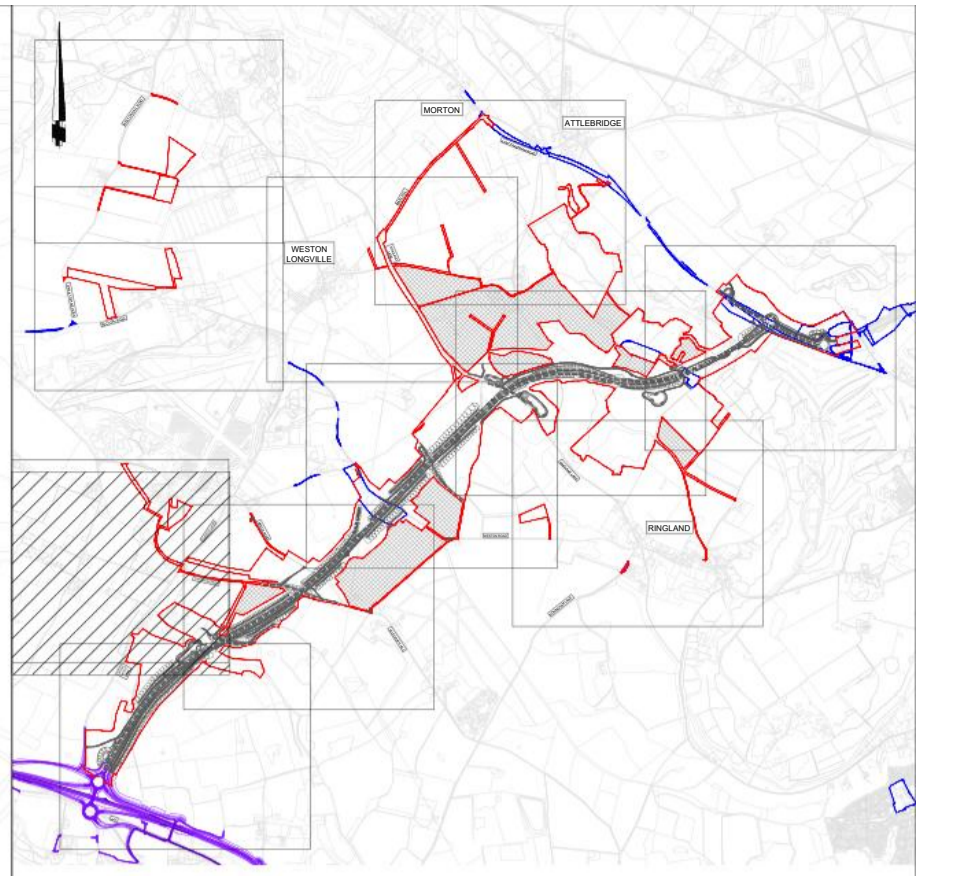
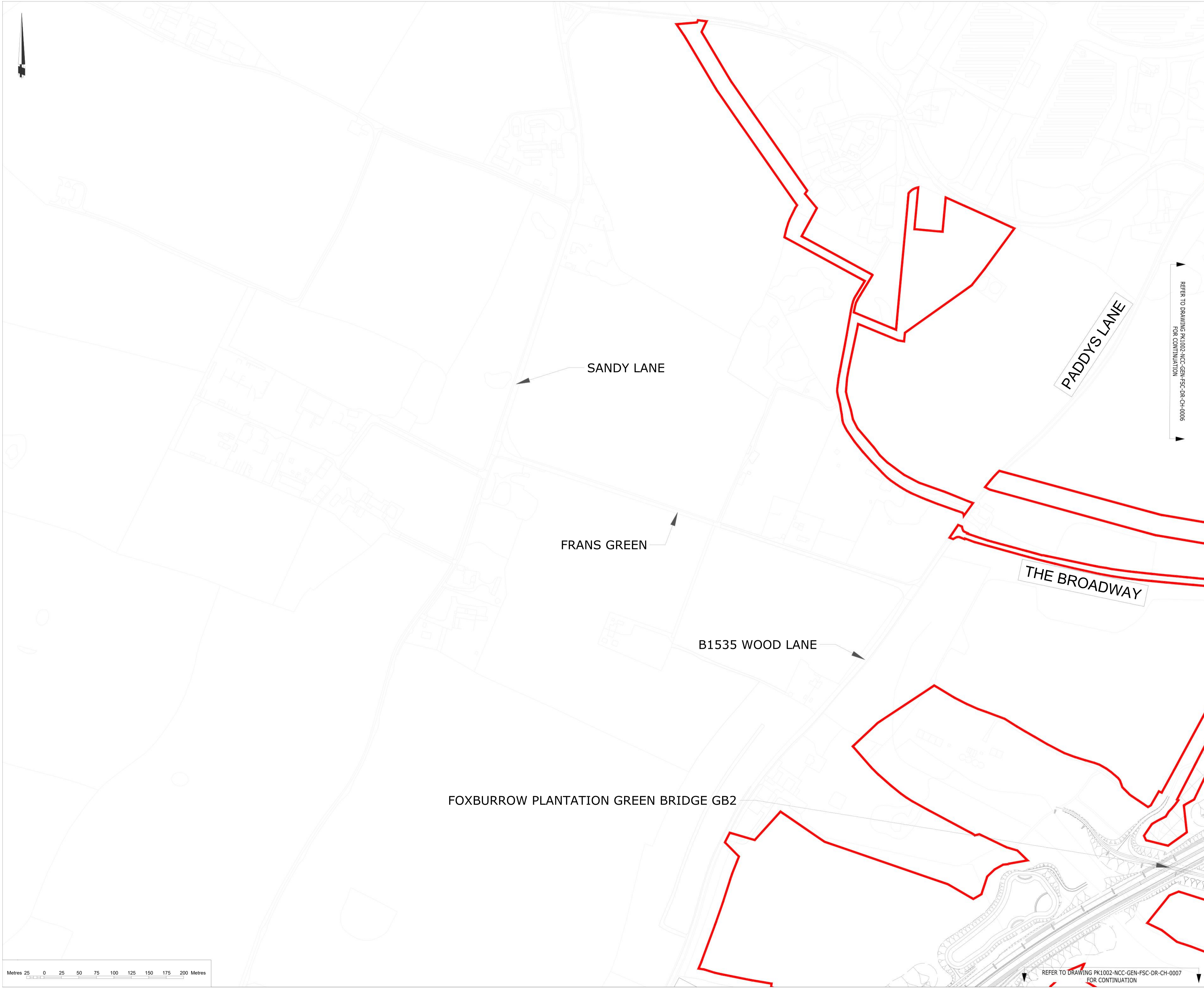
DRAWING STATUS
 PLANNING

DRAWN	CHECKED	APPROVED	AUTHORISED
AF	AL	MKu	---

SCALE @ A1 SIZE	DATE	REVISION
1:2500	17/11/23	P04

DRAWING NUMBER
 PK1002-NCC-GEN-FSC-DR-CH-0012





- NOTES**
1. This drawing is for planning application purposes only, it is not a construction issue drawing.
 2. Do not scale from this drawing.
 3. Drawing to be printed in colour.

- KEY**
- Planning Boundary
 - Excluded from Planning Boundary
 - National Highways A47 Scheme
 - The Proposed Scheme (shown for illustrative purposes only)
 - Norfolk County Council owned land

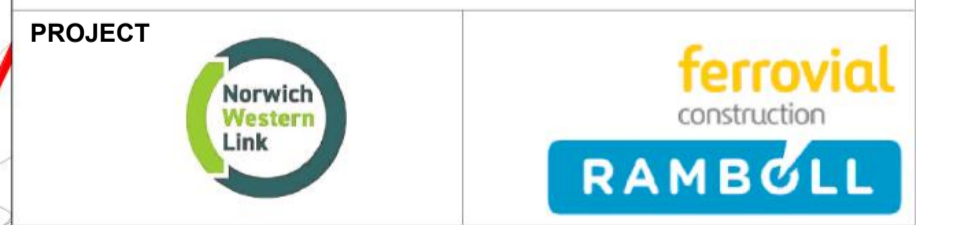
REFER TO DRAWING PK1002-NCC-GEN-FSC-DR-CH-0006 FOR CONTINUATION

Mapping reproduced by permission of Ordnance Survey on behalf of HMSO.
 © Crown copyright and database rights 2023 Ordnance Survey 100019340.

S5 - Suitable for Review & Acceptance				
P04	AF	AL	MKu	17/11/23
S5 - Suitable for Review & Acceptance				
P03	AF	RH	HC	06/07/23
S5 - Suitable for Review & Acceptance				
P02	AF	RH	DC	04/05/23
S5 - Suitable for Review & Acceptance				
P01	AF	RH	-	10/02/23
REVISION	DRAWN	CHECKED	APPROVED	DATE

CLIENT

Norfolk County Council
 Grahame Bygrave
 Interim Executive Director of
 Community & Environmental Services
 Norfolk County Council
 County Hall, Martineau Lane
 Norwich NR1 2SG



DRAWING TITLE
 NORWICH WESTERN LINK
 RED LINE BOUNDARY PLAN
 SHEET 11 OF 11

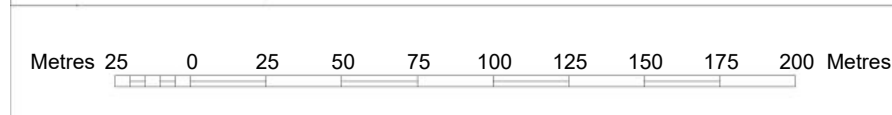
DRAWING STATUS
 PLANNING

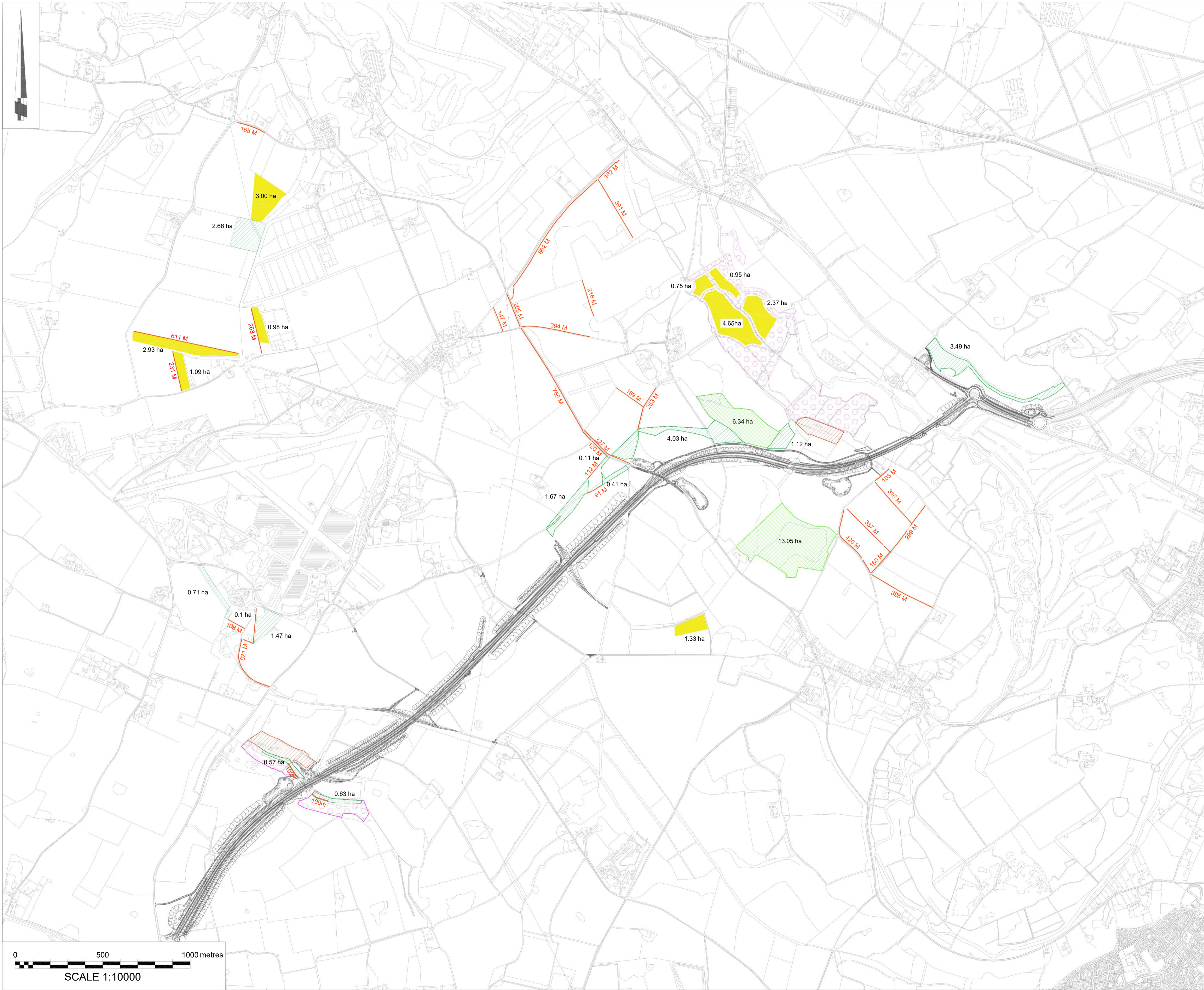
DRAWN	CHECKED	APPROVED	AUTHORISED
AF	AL	MKu	---

SCALE @ A1 SIZE	DATE	REVISION
1:2500	17/11/23	P04

DRAWING NUMBER
 PK1002-NCC-GEN-FSC-DR-CH-0013

REFER TO DRAWING PK1002-NCC-GEN-FSC-DR-CH-0007 FOR CONTINUATION





KEY

- Woodland Enhancement Area (Ha)
- Woodland & Scrub Creation Area (Ha)
- Grassland Creation / Enhancement Area (Ha)
- Water Framework Directive Mitigation
- Area identified for location of bat boxes
- Hedge Creation / Enhancement Length (m)

OFFSITE ECOLOGICAL MITIGATION	
MITIGATION TYPE	TOTAL SHOWN
WOODLAND ENHANCEMENT	19.39 ha
WOODLAND AND SCRUB CREATION	16.97 ha
GRASSLAND CREATION / ENHANCEMENT	18.05 ha
HEDGEROW CREATION / ENHANCEMENT	8468 M

Mapping reproduced by permission of Ordnance Survey on behalf of HMSO.
 © Crown copyright and database rights 2023 Ordnance Survey 100019340.

S5 - Suitable for Review & Acceptance				
P03	AF	RH	MK	18/10/23
S5 - Suitable for Review & Acceptance				
P02	AF	RH	DC	19/04/23
S5 - Suitable for Review & Acceptance				
P01	AF	RH	-	10/02/23
REVISION	DRAWN	CHECKED	APPROVED	DATE

CLIENT

Norfolk County Council
 Grahame Bygrave
 Interim Executive Director of Community and Environmental Services
 Norfolk County Council
 County Hall, Martineau Lane
 Norwich NR1 2SG

PROJECT

DRAWING TITLE

NORWICH WESTERN LINK
 ESSENTIAL ENVIRONMENTAL MITIGATION

DRAWING STATUS

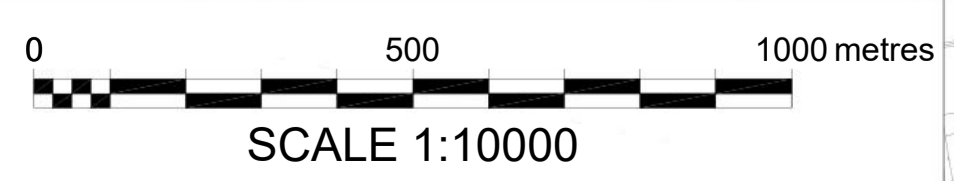
S5 SUITABLE FOR REVIEW AND ACCEPTANCE

DRAWN	CHECKED	APPROVED	AUTHORISED
AF	RH	HC	---

SCALE @ A1 SIZE	DATE	REVISION
1:10000	18/10/23	P03

DRAWING NUMBER

PK1002-NCC-GEN-FSC-DR-CH-0050





Norwich Western Link

DRAFT Combined Statement of Reasons

DRAFT

Author: WSP

Document Reference: NCC/PK1002/SoR/1.1

Version Number: Draft 3

Date: 23 November 2023



Contents

1. Introduction 4

1.1 Purpose of the Statement of Reasons..... 4

1.2 Structure of the Statement of Reasons..... 5

2 Need for, and benefits of, the Proposed Scheme..... 7

2.8 Strategic Connectivity Gap in Norfolk’s Major Road Network 8

2.9 Existing Highway Geometrical Constraints..... 10

2.10 Constraints at Existing Highway Bridges 15

2.11 Proposed Scheme Location 17

2.12 Desire Line Analysis..... 22

2.13 Supporting Residential Development 23

2.14 Supporting the Coastal Visitor Economy..... 25

2.15 Reducing Travel Distance and Improving Journey Times 25

2.16 Supporting Orbital Movement Around Norwich 26

2.17 Providing Traffic Reduction on Key Routes to central Norwich..... 26

2.18 Improving Access to Public Transport 27

2.19 Highway Network Resilience 28

2.20 Facilitating Active Travel and Mode Shift 28

3 Planning and Policy Context..... 30

4 Planning Position..... 37

5 Funding Position..... 38

5.1 Scheme Cost..... 38

5.2 Scheme Funding..... 38

5.3 Conclusions..... 40

6 Delivery of the Proposed Scheme 41

7 Location and Description of the Proposed Scheme 43

7.16 Summary Description of the Proposed Scheme 47

8 Consideration of Alternatives..... 54

8.1 Route Options and Alternatives 54

8.2 Local Access..... 57

8.3 Design Development..... 58

8.4 Environmental mitigation..... 58

8.5 Alternatives to compulsory purchase 59

9 Consultation 61



9.2 Transport Issues Consultation – May to July 2018 61

9.3 Shortlisted Options Consultation – November 2018 to January 2019..... 61

9.4 Local Access Consultation – July to September 2020 62

9.5 Pre-planning Application Consultation – August to October 2022 62

9.6 Conclusion 63

10 Negotiations with landowners 64

10.1 Communications and Negotiations With Landowners 64

10.2 Steps Taken to Acquire Land by Agreement..... 65

11 Special Considerations and Special Category Land 68

11.1 Protected Assets 68

11.2 Ecclesiastical Property / Consecrated Land..... 68

11.3 Special Kinds of Land..... 68

11.4 Crown land 69

11.5 Statutory Undertakers and Statutory Bodies 69

12 Compatibility with European Convention on Human Rights..... 71

12.1 Human Rights 71

13 Equality Duty 75

14 Need and Justification for the Compulsory Purchase Order (CPO)..... 78

14.1 Authority to make the CPO 78

14.2 CPO Enabling Powers 78

14.3 Compelling Case in the Public Interest..... 79

14.4 How the Council intends to use the CPO Land 81

14.5 Planning Policy Support 83

14.6 Alternatives 83

14.7 Funding and Viability..... 84

14.8 Last Resort..... 85

14.9 Impediments to the Proposed Scheme going ahead 86

14.10 Human rights and Equalities 87

15 Need and Justification for the Side Roads Order (SRO) 88

15.1 Authority to make the SRO 88

15.2 SRO Enabling Powers 88

15.3 Need and Justification for the Side Roads Orders 89

15.4 Details of the SRO 91

15.5 Site Plan 1..... 92



15.6 Site Plan 2A and 2B 94

15.7 Site Plan 3..... 101

15.8 Site Plan 4..... 103

15.9 Site Plan 5..... 107

15.10 Site Plan 6..... 108

15.11 Conclusion..... 109

16 Other Consents, Licences and Orders 110

16.13 Other projects 112

16.14 Conclusion..... 114

17 Other Information 115

17.1 Contact Information 115

17.2 Public Inquiry 115

17.3 Inspection of Documents 115

17.4 Compensation 117

17.5 Documents referred to in this Statement and to be relied on at Public Inquiry..... 117

18 Conclusion..... 120

DRAFT



Foreword

[Insert body text here]

DRAFT



Glossary of Abbreviations and Defined Terms

Term	Definition
A47 DCO	The A47 North Tuddenham to Easton Development Consent Order 2022
BDC	Broadland District Council
BNG	Biodiversity Net Gain
CPO	The Norfolk County Council (A1270 Norwich Western Link) Compulsory Purchase Order 2024
CPO Limits	The land and rights over land identified within the CPO Map accompanying the CPO as being required for the construction and operation of the Proposed Scheme.
Council	Norfolk County Council, in its capacity as the highway authority promoting the Proposed Scheme
DCO	Development Consent Order
DfT	Department for Transport
DMRB	Design Manual for Roads and Bridges
EAST	Early Assessment and Sifting Tool
ECHR	European Convention on Human Rights
EqIA	Equalities Impact Assessment
FP	Footpaths
GNLP	Greater Norwich Local Plan
Highways Act 1980	The Act covers agreements between authorities, the creation of highways, maintenance and improvement of highways, the construction of bridges and tunnels, access, lawful and unlawful rights, and damage with respect to streets and highways, new streets, private streets and financial provisions
LIQ	Land Interest Questionnaire



Term	Definition
LoNI	Letters of No Impediment - Natural England's advice in relation to the three statutory licensing tests under Part 5 of the Habitats Regulations
LPA	Local Planning Authorities
LTP	Local Transport Plan
MRN	Major Road Network
NCC	Norfolk County Council
NDR	Norwich Northern Distributor Road
NMU	Non-Motorised Users
NPPF	National Planning Policy Framework
NPS	Norfolk Property Solutions
NSIDP	Norfolk Strategic Infrastructure Delivery Plan
NWL	Norwich Western Link
OBC	Outline Business Case
Order Land	The land within the CPO Limits
OSR	Option Selection Report
PSED	Public sector equality duty
Public Rights of Way (PRoW)	A public right of way is a highway over which the public have a right of access along the route.
RB	Restricted Byways
SAC	Special Area of Conservation
SOBC	Strategic Outline Business Case
SRN	Strategic Road Network



Term	Definition
SRO	The Norfolk County Council (A1270 Norwich Western Link) (Side Roads) Order 2024
SSSI	Site of Special Scientific Interest
The Orders	The CPO and the SRO
The Proposed Scheme	The proposed Norwich Western Link scheme.
TRO	Traffic Regulation Orders
WebTAG	DfT Transport Assessment methodology
WFD	Water Framework Directive

DRAFT

1. Introduction

1.1 Purpose of the Statement of Reasons

1.1.1. This Statement of Reasons (“the Statement”) relates to the Norwich Western Link Scheme (“the Proposed Scheme”) and has been prepared by Norfolk County Council (“the Council”) to set out its reasons for making the following Orders (together, the “Orders”):

- a compulsory purchase order entitled “The Norfolk County Council (Norwich Western Link Scheme) Compulsory Purchase Order 2024” (“**the CPO**”) and explains why the Council is seeking the powers to acquire land and new rights compulsorily should it be necessary to do so; and
- a side roads order entitled “The Norfolk County Council (Norwich Western Link) (Side Roads) Order 2024” (“**the SRO**”) and explains why the Council is seeking to stop up various existing highways and existing private means of access, provide new private means of access and highways, and improve existing highways.

1.1.2. In this Statement the CPO and SRO are together referred to as “the Orders”.

1.1.3. The CPO is made pursuant to sections 239, 240, 246, 250 and 260 of the Highways Act 1980 (the “1980 Act”) for the acquisition of all interests in the land shown coloured pink and the acquisition of rights over land shown coloured blue on the plan attached to the CPO (“the Order Plan”), and as described in the Schedule to the CPO. The SRO is made pursuant to sections 14 and 125 of the 1980 Act. The land required is in a variety of ownerships and Norfolk County Council are, or will be, the highway authority for the side roads.

1.1.4. This Statement sets out Council’s reasons for making both the CPO and the SRO and the justification in the public interest for the compulsory acquisition of land and works on other highways not forming the classified road. It also summarises how the Proposed Scheme meets the requirements of relevant legislation, policy and guidance.

1.1.5. This Statement has been prepared in support of the making of the Orders in accordance with the Department for Levelling Up, Housing and Communities’ ‘Guidance on Compulsory purchase process and The Crichel Down Rules’ (“**the Guidance**”).

- 1.1.6. The Council, in preparing and making the CPO and this Statement, has had regard to the advice contained within the Guidance and Department of Transport Circular 2/97 “Notes on the Preparation, Drafting and Submission of Compulsory Purchase Orders for Highway Schemes and Car Parks for which the Secretary of State for Transport is the Confirming Authority”.
- 1.1.7. The Council, in preparing and making the SRO and this Statement, has also had regard to the advice contained in the Department of Transport Circular 1/97 “Highways Act 1980: Orders Under Section 14 of the Highways Act 1980 and Opposed Orders Under Section 124 of that Act”.

1.2 Structure of the Statement of Reasons

1.2.1 The structure of the Statement of Reasons is as follows:

- **Section 2** summarises the need for, and benefits of, the Proposed Scheme;
- **Section 3** summarises the planning and policy context;
- **Section 4** summarises the current position with the planning application for the Proposed Scheme;
- **Section 5** sets out the availability and timing of the funding required to deliver the Proposed Scheme;
- **Section 6** outlines the anticipated timescales for the delivery of the Proposed Scheme;
- **Section 7** describes the Proposed Scheme and its surroundings;
- **Section 8** summarises the alternatives to the Proposed Scheme considered by the Council;
- **Section 9** summarises the consultation undertaken by the Council when developing the Proposed Scheme;
- **Section 10** considers the Council’s approach to negotiations to acquire the land and interests in land it requires to deliver the Proposed Scheme;
- **Section 11** summarises any special land considerations and special category land;
- **Section 12** considers the Council’s compliance with human rights legislation;

- **Section 13** considers the Council's compliance with its public sector equality duty;
- **Section 14** sets out the need and justification for the Compulsory Purchase Order;
- **Section 15** sets out the need and justification for the Side Roads Order;
- **Section 16** considers other consents, licences and orders that may be required to implement the Proposed Scheme, and summarises the Council's approach to them;
- **Section 17** sets out other information relevant to the Orders, including contact details by which persons affected by the Orders may contact the Council.

DRAFT

2. Need for, and benefits of, the Proposed Scheme

- 2.1 The need for the Proposed Scheme, together with its key transport benefits and supporting evidence are set out in detail in the Transport Assessment accompanying the planning application and are summarised in this section of this Statement.
- 2.2 The **Transport Assessment (Document Reference 4.01.00)** concludes that a new strategic link will help make future journeys more efficient and reliable. The Proposed Scheme is expected to significantly reduce journey times for vehicles travelling north to south, south to north, or to the west of Norwich, with some journey times more than halving. Furthermore, the implementation of the Proposed Scheme, in combination with the proposed mitigation measures, will help to create a more sustainable and resilient transport network for the future which will adequately support forecast traffic levels to 2037 and beyond.
- 2.3 As well as the need for a new link in the MRN to the west of Norwich, a series of proposed transport, housing, and employment developments are proposed which are anticipated to put additional pressure on the local highway network. These are set out in **Chapter 3 of the Planning Statement (Document Reference 1.01.00)**.
- 2.4 The Proposed Scheme has been designed to address the established transport problems facing local residents, whilst also fostering and enabling delivery of a wide range of strategic objectives for Norfolk County Council. There is direct support for the proposals in emerging planning policy and the scheme aligns with adopted policy objectives and aspirations.
- 2.5 The **Transport Assessment (Document Reference 4.01.00)** reviews the existing conditions and outlines:
- There is a strategic connectivity gap in Norfolk's major road network;
 - While this strategic connectivity gap exists strategic traffic will continue to use routes that are inappropriate due to:
 - Existing highway geometrical constraints; and
 - Constraints at existing highway bridges.
- 2.6 Traffic modelling data set out in the **Transport Assessment (Document Reference 4.01.00)** shows that the Proposed Scheme will accommodate more than 30,000 vehicle movements per day. As well as addressing the lack of strategic connectivity between the MRN and the Strategic Road Network (SRN), this additional capacity will help to reduce the need for traffic to enter the western Greater Norwich area, which will help to alleviate transport issues, including congestion. The Transport Assessment considers the transport benefits that the Proposed Scheme would deliver. These include:
- Respond to existing desire lines to travel to the west of Norwich;
 - Enhance access to key facilities and employment west of Norwich;

- Support residential development;
- Support the coastal visitor economy;
- Reduce travel distance and improve journey times;
- Support orbital movement around Norwich;
- Provide traffic reduction on key routes to central Norwich;
- Improve access to public transport;
- Enhance highway network resilience.

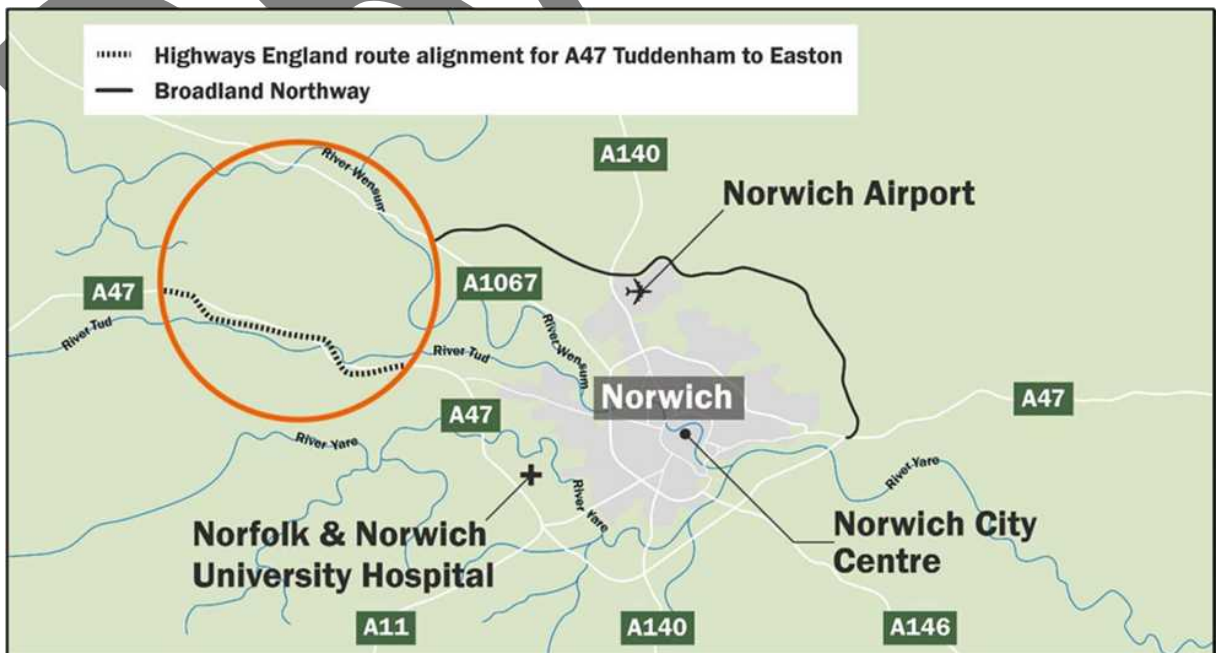
2.7 This section of the statement summarises these existing constraints and the transport benefits that the Proposed Scheme would deliver by addressing them.

2.8 Strategic Connectivity Gap in Norfolk’s Major Road Network

2.8.1 Following the completion in April 2018 of the A1270 Broadland Northway (Formerly known as the Norwich Northern Distributor Road or NDR), there is now an evident connectivity gap between the A47 and A1067 through the area to the west of Norwich as illustrated in **Figure 2-1**.

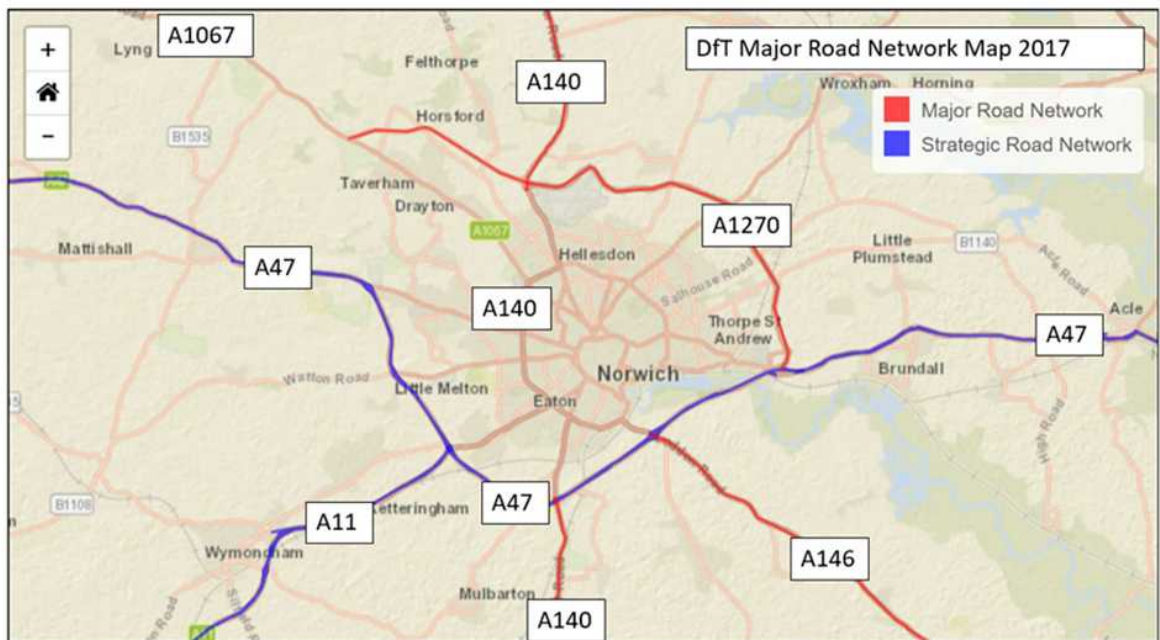
2.8.2 The Norfolk Strategic Infrastructure Delivery Plan identifies that the Proposed Scheme is one of the County Council’s priority road infrastructure schemes.

Figure 2-1 Strategic Gap Between A47 and A1270



- 2.8.3 Within the west of Norwich area, the River Wensum and, to a lesser extent, the River Tud present a significant physical barrier to north-south movement between the A47 and A1067 which are the two key radial routes into central Norwich from the west.
- 2.8.4 There are no existing Primary A Road Standard routes available to cater for longer distance north-south movement to the west of the Outer Ring Road (A140 Sweet Briar Road). The nearest A Road route available (A1065 from Swaffham to Fakenham) is located approximately 35km west of A140.
- 2.8.5 The existing signed HGV route via the B1535 is also remote from Norwich, some 10km west of the A140 outer ring road. Following B-road re-classification in 2015, the current B1535 has a tortuous alignment geometry with tight bends which deters some users. This leaves shorter distance routes on very narrow minor rural roads through the villages of Weston Longville and Ringland susceptible to rat running, especially at peak times of day as these less suitable routes offer more direct access to the north of the city from A47 and to the south west of the city from A1067 currently.
- 2.8.6 Other than the A140 Outer Ring Road (Sweet Briar Road), there is a very limited number of existing bridges crossing the River Wensum which are narrow and constrained by weight restrictions. The existing bridges located at Ringland and Costessey for example are both very narrow and unsuitable for heavy vehicle traffic. There is an existing bridge on A1067 at Attlebridge, although it is aligned on a radial route (broadly east-west) rather than a north-south orientation, so does not facilitate orbital movement efficiently.
- 2.8.7 In 2017 the DfT Consulted on a Major Road Network and published a map of the proposed MRN routes alongside the SRN. The area around Norwich is shown below in **Figure 2-2** below which emphasises the connectivity gap on the western edge of Norwich. The Norwich Western Link would offer enhanced connectivity between the SRN and MRN networks, facilitating orbital movement around Norwich.

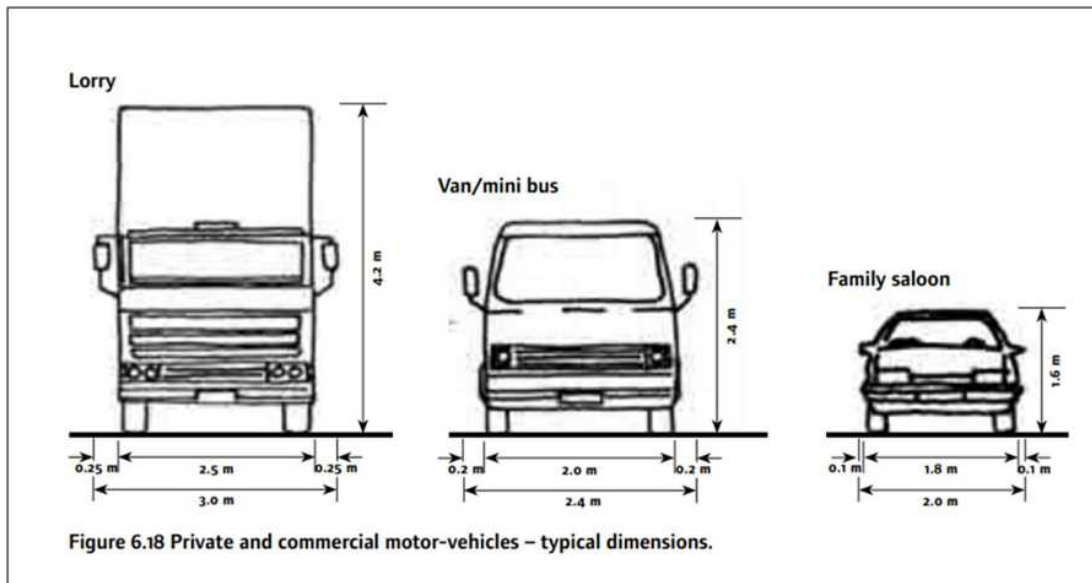
Figure 2-2 DfT Major Road Network Map (extract)



2.9 Existing Highway Geometrical Constraints

- 2.9.1 A key problem identified within the area to the west of Norwich is the minor and constrained character of the existing rural road links which were not designed to be used by strategic traffic. The roads are generally narrow with tight bends and mature trees alongside the roads and limited verge space on various sections of road outside of the villages. The existing roads also take traffic through villages with residential frontages. Commercial vehicles are often seen to use these roads which impacts on residential amenity.
- 2.9.2 Manual for Streets guidance **Figure 6.18** illustrates the typical dimensions of vehicles. An extract is shown below in **Figure 2-3**. This demonstrates that a minimum road width of about 6m is required for two commercial HGVs to pass each other safely without conflict. At slow speeds a HGV can pass a van or mini bus within a 5.5m width and a car can safely pass an HGV on roads with a width of about 5m. However, the majority of existing minor rural roads through the west of Norwich are less than 5m in width and often with tight bends and narrow or protected verges.

Figure 2-3 Typical Vehicle Dimensions



2.9.3 Manual for Streets design standards are also applicable to slower speed roads less than 40mph, whereas the rural west of Norwich is generally subject to higher 60mph speed limits. Increased width is therefore typically required to enable vehicles to pass safely and efficiently at the designated speed limit. However, the DMRB (Design Manual for Roads and Bridge) applicable guidance does not generally consider minor road geometry for routes less than 6m.

2.9.4 The existing roads through Weston Longville are generally 5m in the centre of the village at Honingham Road and Woodforde Close, with traffic calming features as shown below in **Figure 2-4**. Church Street is narrower and has tight bends and also several traffic calming features.

Figure 2-4 Honingham Road, Weston Longville – Traffic Calming



2.9.5 The route through the village is not suitable for HGVs (and there are appropriate restrictions and signage in place) but larger vans, caravans and minibuses are often observed to use this route during site visits and traffic surveys. Without intervention, projected growth will only exacerbate these issues.

Figure 2-5 LGV Passing The Hall for All, Weston Longville



2.9.6 The onward route to the north at Marl Hill Road connecting Weston Longville to A1067 also has a typical width of about 5m but is frequently used by LGVs and commercial vehicles for access through the villages avoiding the B1535 route which is significantly longer.

Figure 2-6 Marl Hill Road, Weston Longville



- 2.9.7 The existing B1535 route is the designated HGV route in the west of Norwich and is currently intended to be the main route for all through traffic avoiding residential properties. It is generally about 6m wide but does not have a marked centreline along some of its length from A47 to A1067. This route is constrained horizontally by a series of tight bends (as shown below in **Figure 2-7**) and connects with A1067 about 2.5km west of Marl Hill Road.

Figure 2-7 B1535 Tight Bend at Rectory Road



- 2.9.8 For journeys towards Norwich from A47 Wood Lane at Honingham, the B1535 route offers a journey distance to the western edge of the A1270 of 13.2km. This is some 4.6km longer than the route via Weston Longville and Marl Hill Road, so offers a substantially less efficient traffic routing option than the more minor roads through Weston Longville. Despite the geometrical restraint on routes through the village and existing traffic calming features, without intervention the route via Weston Longville is predicted to carry at least 30% more traffic than the B1535 Weston Hall Road which runs parallel to the west.
- 2.9.9 Existing routes through Ringland village are also constrained in width. The roads within the village are narrow, with a typical width of 4.8m and property frontages on both sides immediately adjacent to the edge of carrieway in places.
- 2.9.10 Further east, an existing parallel route through Taverham Lane, Costessey takes traffic through residential areas which is constrained by width at West End, Costessey with a typical width of 4.8m-5m, reducing to 3m where traffic calming features have been installed along the route with priority give way markings and speed management measures seeking to deter through traffic from this route which is lined with residential frontages.

2.9.11 Despite the presence of traffic calming measures, this route is predicted to be more heavily utilised than the B1535, without intervention.

Figure 2-8 Traffic Calming Features at West End, Costessey



2.9.12 An alternative route through the western urban fringe of Norwich via Costessey Lane which leads to A1067 Drayton High Road is also narrow and constrained with residential dwellings and informal footways and traffic calming features.

Figure 2-9 Narrow Street at Costessey Lane



- 2.9.13 Weston Road, Breck Road and The Broadway - existing east-west routes that cross the Proposed Scheme alignment also have a typical width of 3m or less with limited passing bays. These are currently in low usage.
- 2.9.14 The existing minor rural road routes to the west of Norwich are predominantly unclassified roads expected to be unsuitable for individually carrying more than about 5,000 vehicles per day AADT (Annual Average Daily Traffic).
- 2.9.15 Without intervention unsuitable minor local roads will continue to carry inappropriate volumes of traffic and inappropriate types of traffic.

2.10 Constraints at Existing Highway Bridges

- 2.10.1 Taverham Mill bridge crosses the River Wensum at Taverham Lane between Taverham and Costessey. It is about 6m between parapets but the carriageway has been narrowed to about 5m. The road alignment has tight bends on approaches from the north and south within 50m of the bridge on both sides. Taverham Mill bridge is surrounded by lakes and the road has been known to flood in recent years.
- 2.10.2 The existing bridge over the River Wensum at Costessey Lane, Drayton is on a tight bend and positioned on a skewed angle. Due to the constrained highway alignment and aging structure it is subject to a 20mph speed limit and a 7.5T weight limit. The road approaching the bridge has several tight bends with poor forward visibility and a typical width of 5m.

Figure 2-10 Costessey Mill Bridge, Costessey Lane



- 2.10.3 Ringland Road bridge (shown in **Figure 2-11** below) is located at the eastern edge of Ringland village, it is narrow (with a carriageway width of about 4.8m) and is positioned on a bend with poor forward visibility on approach to the junction opposite a public house where Ringland Road meets The Street and Costessey Lane. The bridge is relatively low over the water and the greenspace around the bridge has also been observed to flood.

Figure 2-11 Ringland Road Bridge



- 2.10.4 Hellesdon bridge (shown in **Figure 2-12**) also crosses the River Wensum about 800m west of Sweet Briar Road. This is a very narrow bridge with a carriageway width of about 4m, it also has a 3T weight restriction. The route is popular with local cyclists as it is located about 100m north of the Marriott's Way (NCN1 route which is part of the Sustrans National Cycle Network).

Figure 2-12 Hellesdon Bridge

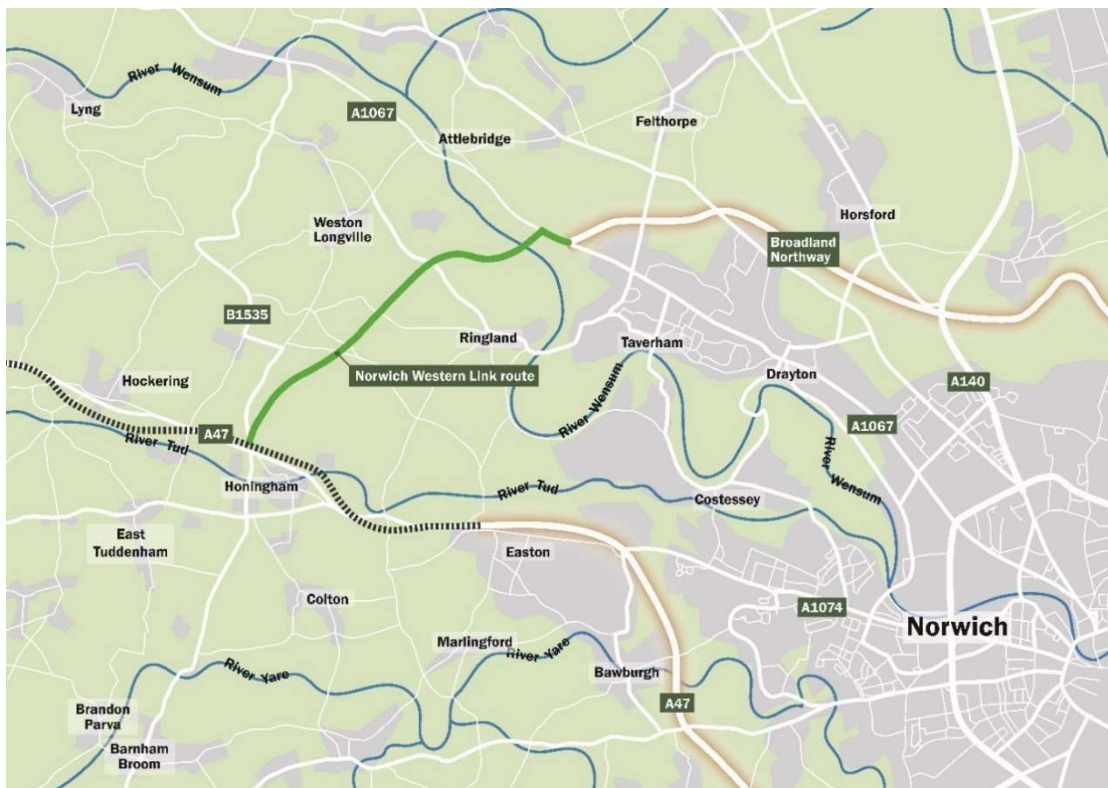


2.10.5 These more historic bridges do not have the physical capacity to support significant volumes of strategic traffic and several have weight restrictions in place, prohibiting heavy vehicles. If improvements were made to the bridge structures, the onward routes also have constrained highway geometry and residential frontages, (as set out above) so increasing pressure on these routes would impact on highway safety and potentially increase the risk of collisions. Enhancing these routes for strategic traffic would also impact on residential amenity.

2.11 Proposed Scheme Location

2.11.1 The Proposed Scheme has been developed in response to the above issues and constraints. The Proposed Scheme is located approximately 10 kilometres to the north-west of the city of Norwich. The nearest settlements to the Proposed Scheme are Weston Longville (approximately 200m west), Ringland (approximately 700m east), Weston Green (approximately 300m west), Honingham (approximately 700m southeast) and Eaton (approximately 3.4km east). See **Figure 2-13** Overview of the Proposed Scheme below.

Figure 2-13 Overview of the Proposed Scheme Location



2.11.2 The Proposed Scheme will comprise a new dual-carriageway all-purpose road to the west of Norwich, connecting the A1067 Fakenham Road and the A47 trunk road near Honingham, with a dualled section of the A1067 to the existing A1270 Broadland Northway roundabout. The Proposed Scheme will also include a new viaduct bridge over the River Wensum and its floodplain.

2.11.3 The Proposed Scheme will provide a direct connection between the Strategic Road Network and the A1270 through the west of Norwich. This will complete an orbital route around Norwich, which forms part of the Major Road Network.

High-level objectives

- Support sustainable economic growth;
- Improve the quality of life for local communities;
- Promote an improved environment;
- Improve strategic connectivity with the national road network.

Specific objectives

- Improve connectivity and journey times on key routes in Greater Norwich;

- Reduce the impacts of traffic on people and places within the western area of Greater Norwich;
- Encourage and support walking, cycling and public transport use;
- Improve safety on and near the road network, especially for pedestrians and cyclists;
- Protect the natural and built environment, including the integrity of the River Wensum Special Area of Conservation; and,
- Improve accessibility to key sites in Greater Norwich.

2.11.4 How the Proposed Scheme meets the high level and strategic objectives of the Proposed Scheme are assessed in Table 3-1 below.

Table 3-1 High Level and Strategic Objectives

Objective	How the Proposed Scheme Fulfils the Objective
High Level Objectives	
H1: Support sustainable economic growth.	The Proposed Scheme will provide additional capacity on the highway network, which will reduce delays and congestion and give greater certainty over journey times.
H2: Improve the quality of life for local communities.	<p>The Proposed Scheme is modelled to reduce rat running through the rural villages to the west of Norwich which will improve the quality of life for local residents.</p> <p>Traffic reduction through these villages will help make the network more suitable and attractive for walking and cycling and would help to promote active travel, which is consistent with improving quality of life.</p>
H3: Promote an improved environment.	The submitted Environmental Statement and Transport Assessment identifies that the Proposed Scheme will result in local noise and air quality improvements will also contribute to

	improved quality of life for local residents in rural communities.
H4: Improve strategic connectivity with the national road network.	The Proposed Scheme will provide a high quality dual carriageway link to address the missing link between the major road network configuration to the west of Norwich (which includes the A1270 Broadland Northway) and the strategic road network to the west of Norwich (i.e. the A47).
Strategic Objectives	
S1: Improve connectivity and journey times on key routes in Greater Norwich.	<ul style="list-style-type: none"> i. Improve journey time and journey time reliability, on routes through the area west of Norwich ii. Reduced congestion and delay through the area west of Norwich iii. Reassignment of traffic away from existing routes reducing delay and congestion improving existing accessibility. iv. Reduced emergency response times v. Improved network resilience vi. Provides a more-suitable direct route for HGV/LGV vehicles vii. Reduces trips on local minor roads for vehicular traffic
S2: Reduce the impacts of traffic on people and places within the western area of Greater Norwich.	<ul style="list-style-type: none"> i. Reassignment of trips onto appropriate routes ii. Reduced noise in local communities overall in the western area of Greater Norwich iii. Improved Non-Motorised User connectivity iv. Improved air quality, especially in the built-up areas of west Norwich v. Minimised traffic impacts on local residents during construction
S3: Encourage and support walking, cycling and public transport use.	<ul style="list-style-type: none"> i. Facilitates increases in number of trips taken by walking, cycling and public transport ii. Increases access to public transport, walking and cycling facilities

<p>S4: Improve safety on and near the road network, especially for pedestrians and cyclists.</p>	<ul style="list-style-type: none"> i. Reduced overall network accident rate ii. Reduces the number of people killed or seriously injured on roads in the area west of Norwich iii. Minimises highway safety impacts and severance during construction
<p>S5: Protect the natural and built environment, including the integrity of the River Wensum SAC.</p>	<ul style="list-style-type: none"> i. Biodiversity Net Gain ii. Minimised impact on landscape iii. Minimised impact on heritage iv. Does not affect the integrity of the River Wensum SAC v. Minimised impact of the scheme on climate change vi. Minimise adverse environmental impacts arising from construction
<p>S6: To improve accessibility to key sites in Greater Norwich.</p>	<ul style="list-style-type: none"> i. Improved accessibility to Norwich International Airport, Norfolk & Norwich University Hospital and key employment, housing and education sites ii. Improved access to the cycle and Public Rights of Way network

DRAFT

2.12 Desire Line Analysis

- 2.12.1 The desire line analysis contained in the Transport Assessment indicates the Proposed Scheme would potentially offer a suitable route choice for at least 2,220 trips per hour throughout the day (based on the Interpeak typical hour matrix totals). In the AM and PM peak hours, this would increase to around 3,300-3,400 vehicle movements per hour. This is based on 2019 data, without considering forecast growth.
- 2.12.2 The analysis indicates that over 30,000 trips would have a desire line that is catered for by the Proposed Scheme, even with conservative assumptions applied as a robust estimate. This is approximately the same volume of traffic observed to be using the A140 Sweet Briar Road in 2021 at DfT monitoring site 6498.

Enhancing Access to Key Sites in the West of Norwich

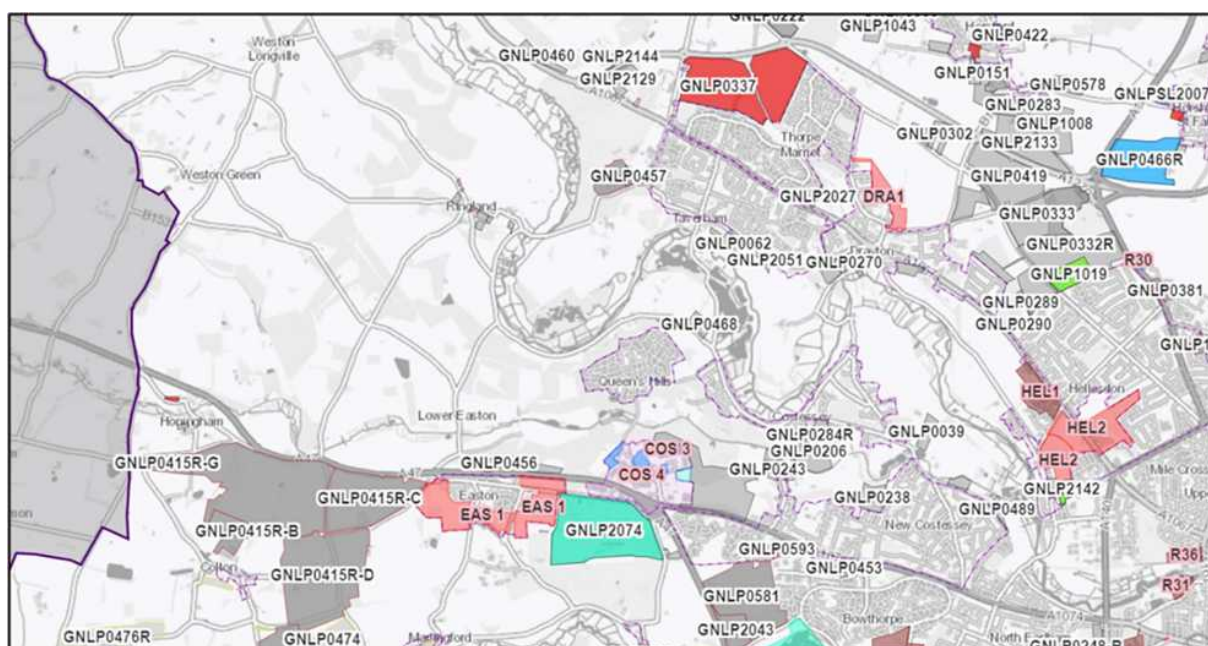
- 2.12.3 The Proposed Scheme would enhance access to key sites to the west of Norwich.
- 2.12.4 The Norfolk and Norwich University Hospital (NNUH) is a key employment site and trip attractor from across Norfolk and the wider region. NNUH Foundation Trust employs around 10,000 staff, most of whom are based at the main campus at the western edge of Norwich urban area and is a key site that people from across the region need access to outpatient services, maternity and emergency A&E facilities.
- 2.12.5 Many patients are unable to travel by non-car modes and often face travelling long distances as the hospital serves a catchment within an approximate 30 mile radius. The nearest alternative A&E hospital sites are much further away in Kings Lynn (c54 miles), Bury St Edmunds (53 miles) and Lowestoft (35 miles). Emergency service vehicles also need good and uncongested access to the NNUH site to achieve suitable emergency response times. As congestion in the west of the city increases, emergency access becomes more challenging and constrained. Additional highway capacity on the western edge of Norwich would facilitate emergency access to the hospital.
- 2.12.6 Similarly, the University of East Anglia (UEA) is also at the western fringe of the city and plays an important role for employment and education, with about 17,000 students and 3,700 staff based at the campus. The site is co-located with NNUH and Norwich Research Park (NRP). In addition to UEA, NRP has over 115 companies based at the site, with around 30,000 jobs provided in this area at the west of the city, it is a major trip attractor which would substantially benefit from improved accessibility as a result of the Proposed Scheme.

- 2.12.7 Longwater Retail Park is also a key trip attractor in the west of Norwich at the junction of A47 and A1074 – this site offers a wide variety of employment opportunities and caters for food retail with a major supermarket located here. Major retailers such as Next, Sainsburys, Argos, The Range, Pets at Home, MacDonalDs, Smyths and Sports Direct are located here. All of these have HGV distribution requirements and are located adjacent to the A47 for ease of access to the Strategic Road Network but deliveries often form part of a longer journey with multiple drop off sites enroute, so orbital connectivity around Norwich, enhanced by the Proposed Scheme would be of benefit. For example, Sainsburys also has a large store in North Walsham, so HGVs could use the Proposed Scheme for access between the two stores instead of using the Outer Ring Road or less suitable minor roads.
- 2.12.8 Nearby, at Easton a Local Development Order was granted for a new Food Enterprise Zone (FEZ) where up to 50,000sqm development is permitted on a site totalling 19 Hectares adjacent to Blind Lane within 300m of A47. This site will benefit from enhanced strategic access once the Proposed Scheme is in place. The Norwich Western Link will be accessible within a 2 minute drive from the FEZ.
- 2.12.9 Easton is also the location of Norwich Showground and Easton College which also require strategic access from trip origins across the Wensum Valley.
- 2.12.10 These sites are located at the southwest edge of the city, and due to the regional nature of their catchment, encompassing the North Norfolk coast and key settlements north of the city such as Aylsham, Fakenham, and North Walsham it is a requirement to cross the River Wensum and there are very limited opportunities for doing this currently. At peak times, the existing routes become congested, so a new link crossing the River Wensum allowing traffic to avoid congestion would substantially enhance the accessibility of these vital employment sites.

2.13 Supporting Residential Development

- 2.13.1 There are several major residential developments identified on the western edge of Norwich which are currently going through the planning process or are proposed for site allocation as part of the emerging Greater Norwich Local Plan. These have been considered as committed developments within the traffic modelling for the Proposed Scheme within this Transport Assessment. An extract of the GNLP allocations map used for the Reg19 submission in July 2021 is shown below in **Figure 2-14** which illustrates the location and scale of these sites:

Figure 2-14 GNLP Local Plan Development Sites



2.13.2 The major allocations specifically considered within the transport modelling for the Proposed Scheme include:

- Site GNL0337 Land between Fir Covert Road and Reepham Road, Taverham (78.36 ha) allocated for residential development. The site is likely to accommodate at least 1,400 homes, 33% of which will be affordable, associated public open space, new primary school and local medical centre. A planning application has also been lodged for this site.
- Site EAS 1 Land south and east of Easton (approx. 52.6 ha) allocated for residential development and associated infrastructure. This will accommodate approximately 1,044 homes.
- DRA1 Land east of Cator Road and north of Hall Lane, Drayton (Approx. 12.5 ha) is allocated for residential development, allotments and open space. This will accommodate approximately 250 homes.
- HEL1 Land at Hospital Grounds, southwest of Drayton Road, Hellesdon (approx. 14.7 ha) is allocated for residential and employment uses. The site will accommodate approximately 300 homes, and B1 employment uses.
- HEL2 - Land at the Royal Norwich Golf Club, either side of Drayton High Road, Hellesdon (approx. 48.1 ha) is allocated for residential and open space uses. This will accommodate approximately 1,000 homes.

- 2.13.3 The above major allocations offer a total of approximately 4000 dwellings in the west of Norwich to be developed within 10 years of opening the Proposed Scheme (if permitted). Whilst these sites are not considered to be development that depends on the Proposed Scheme coming forward; without the Proposed Scheme in place, there would be increased pressure on the highway network in Costessey, Taverham, Easton and Drayton.
- 2.13.4 New residential development helps meet local housing need and stimulates the economy, with new jobs and commercial development becoming more viable with increased population.
- 2.13.5 The Proposed Scheme would support the allocations proposed in the emerging Greater Norwich Local Plan by increasing capacity on the network and providing greater connectivity.

2.14 Supporting the Coastal Visitor Economy

- 2.14.1 According to 'Written evidence submitted by North Norfolk District Council to the DCMS Select Committee – Call for Evidence Impact of COVID-19 on Tourism Sector' North Norfolk is heavily dependent on the visitor economy, which in 2018 comprised 29% of the district's employment, generating £511m from 9.6m trips. The visitor economy is critical to the sustainability of retail and hospitality businesses in and around the district's seven market and resort towns.
- 2.14.2 The North Norfolk coast is a popular UK tourist destination, attracting trips from the East of England, the wider south east, the Midlands and London. Many of these trips have trip origins to the south and west of Norwich and destinations north of Norwich which would be well served by a Norwich Western Link connecting A47 and A1270 Broadland Northway to more efficiently connect to the A140 which takes traffic north of the city to the coast.

2.15 Reducing Travel Distance and Improving Journey Times

- 2.15.1 It is evident that significant journey time savings are possible with the Norwich Western Link in place. The Transport Assessment shows that as travel distances reduce with the Proposed Scheme in place and vehicles are able to travel at higher speeds on the new link and no longer need to slow down to negotiate tight bends on existing alignments that are constrained, so vehicles can travel more smoothly and safely through the network.
- 2.15.2 The journey distance saved depends on the specific journey being undertaken within the model. However, for journeys from A47 Wood Lane Junction to A1270 which currently use the B1535 and travel east towards Norwich on A1067, there is a substantial reduction in journey distance because the new alignment enables these vehicles to 'cut the corner' and take a more streamlined route towards A1270 Broadland Northway.

2.15.3 The existing B1535 route is the only available designated HGV route and is currently intended to be the main route for all through traffic avoiding residential properties. It is generally about 6m wide and has a marked centreline along its length from A47 to A1067, so is of B Road standard. However, this route is constrained horizontally by a series of tight bends and connects with A1067 about 2.5km west of Marl Hill Road. For journeys towards Norwich from A47 Wood Lane at Honingham, the B1535 route offers a journey distance to the western edge of the A1270 of 13.2km. There is a shorter route (c 8.6km) available via Weston Longville and Marl Hill Road which is constrained in width and flanked with residential properties so is unsuitable for HGVs.

2.15.4 The Proposed Scheme would further reduce this distance to 3.9km, so would halve the travel distance from A47 Wood Lane to A1270. This substantial trip distance saving is forecasted to alleviate the vast majority of through-traffic from both B1535 and Weston Longville.

2.16 Supporting Orbital Movement Around Norwich

2.16.1 Monitoring carried out after the A1270 Broadland Northway opened in April 2018 demonstrated that existing routes elsewhere across Norwich which are parallel with the new A1270 Broadland Northway, have already benefitted from noticeable traffic reductions since opening.

2.16.2 Based on the extensive set of monitoring locations across the wider area, the results indicate that A1270 Broadland Northway is achieving the following objectives:

- Reducing orbital rat running in the northern suburbs;
- Reducing orbital rat running on rural roads outside the built-up area of Norwich;
- Reducing traffic flows on the roads just outside the Norwich Outer Ring Road;
- Reducing traffic flows on the Norwich Outer Ring Road.

2.16.3 It is therefore expected that the Proposed Scheme would similarly be capable of offering traffic relief to the minor rural existing roads by completing the orbital route. In particular, it is envisaged that with the Proposed Scheme in place, HGV and LGV movements would be redirected to a purpose-built and efficient route which has good connectivity and competitive journey times for commercial traffic, avoiding sensitive residential properties and improving quality of life for village residents in communities such as Ringland, Weston Longville, Weston on the Green, Lenwade, Attlebridge, Taverham, Honingham, Easton, Drayton and Costessey.

2.17 Providing Traffic Reduction on Key Routes to central Norwich

- 2.17.1 The Transport Assessment includes a review of the strategic highway modelling in terms of forecast traffic flow changes across the network. This shows the impact of not changing the network (ie without the Proposed Scheme). Traffic is shown to transfer to the outer routes around Norwich including A47 and A1270 Broadland Northway.
- 2.17.2 Without the Proposed Scheme in place, there is increased pressure on the majority of radial routes into central Norwich and the junctions around the southern A47 bypass, as well as notable increases on the A47 North Tuddenham to Easton section and A1067 through Morton on the Hill and Attlebridge in the range.
- 2.17.3 On the west side of Norwich, the routes parallel with the Proposed Scheme are also predicted to experience an increase in traffic including routes through Ringland and Weston Longville as well as Costessey Lane through Drayton.
- 2.17.4 To the east of Norwich there are notable increases on routes parallel with A1270 around Horstead, Rackheath, Salhouse, Hoveton, Wroxham and on A47 east of Norwich through the Burlingham to Blofield section which is also being improved by National Highways.
- 2.17.5 With the Proposed Scheme in place, there is predicted to be significant traffic reductions on routes parallel with the new road shown blue, including B1535, Paddy's Lane, Marl Hill Road and Ringland Road. There is a significant reduction in range vehicles per day on A47 southern bypass from A11 to Postwick Hub and on the NDR east of Norwich around Rackheath. Parallel routes on the east side of Norwich also experience traffic reduction and along A140 and routes via Horsted and Horsford in the north. There also reductions on A1074 Dereham Road east of Longwater and B1108 Watton Road on approach to the NNUH, UEA and NRP site, plus modest reductions on many links across the urban area of Norwich.
- 2.17.6 There are also increases due to traffic re-routing at Attlebridge, Felthorpe, and Stratton Strawless in this scenario and to a lesser extent Barnham Broom, Kimberley and Carleton Forehoe. Hence these are the locations of traffic mitigation measures which accompany the Proposed Scheme.

2.18 Improving Access to Public Transport

- 2.18.1 It is anticipated that the Proposed Scheme will facilitate access to the Park and Ride (P&R) sites on the western edge of Norwich at Costessey and the Airport by linking the two radial corridors into Norwich A1067 and A47 on the western side of the city and allowing Park and Ride traffic to avoid the outer ring road.

- 2.18.2 Both P&R sites serve different destinations. The Costessey P&R site serves the NNUH, UEA and NRP site whereas the Airport P&R operates to the city centre. The Proposed Scheme will enable some of the traffic accessing Park and Ride sites to avoid the Outer Ring Road on the west side of Norwich (also known as Sweet Briar Road A140). For example, those living north of the city wishing to access NNUH, UEA and NRP could in future drive to Costessey Park and Ride site via the Norwich Western Link. These major employment sites already have significant pressures on car parking, so offering more efficient access to Costessey Park and Ride site would help to intercept more vehicle trips at the edge of the city.

2.19 Highway Network Resilience

- 2.19.1 The existing bridges over the River Wensum in the west of Norwich located at Ringland, Costessey Lane, Taverham Lane (Taverham Mill Bridge) and Hellesdon Bridge are relatively low lying. With all of the bridges crossing the same river, it is possible that more than one of the existing routes would become unavailable at the same time during events of extreme flood.
- 2.19.2 The Proposed Scheme would offer a much more elevated route above the river channel. The viaduct would be more resilient and unlikely to be closed when the River is in flood because it is designed to span over the entire floodplain.
- 2.19.3 As a dual carriageway standard route it would have sufficient capacity to take the traffic diverted from other bridges in the event of flood. With increasing emphasis on climate change going forward, the Proposed Scheme will assist with offering enhanced network resilience.

2.20 Facilitating Active Travel and Mode Shift

- 2.20.1 The Transport Assessment includes an assessment of the reduction of traffic on local roads as a result of the Proposed Scheme. This shows that with the Proposed Scheme in place several routes are predicted to change to become more attractive for cycling category. These include routes through Taverham and Costessey, Ringland and Wood Lane. It also shows that local routes will become more attractive to cyclists as a result of reductions in the levels of HGVs using those routes.
- 2.20.2 The Proposed Scheme would therefore offer benefits by encouraging active travel on routes which are shown to become green with the new road in place or where they reduce from purple to yellow it would add suitability for some cyclists.

- 2.20.3 In addition to pure traffic relief, there are further measures available to complement the Proposed Scheme and offer enhanced support to active travel via the Sustainable Transport Strategy. These include an extensive network of Non-Motorised User routes in the immediate vicinity of the scheme which will join up and enhance the Public Right of Way network and add grade separated crossings of the Proposed Scheme and links with the A47 DCO scheme.
- 2.20.4 A wider package of Cycle Friendly Routes can also be implemented once the Proposed Scheme is fully open to traffic and strategic traffic is routed to the more appropriate strategic link comprised in the Proposed Scheme. This would enable low traffic routes to be utilised more readily by cyclists with speed management measures and improved signage, lining and a branding strategy in place.

DRAFT

3. Planning and Policy Context

- 3.1 Detail on the relevant plans and policy is set out in the **Planning Statement (Document Reference 1.01.00)** and is summarised below.

RELEVANT TRANSPORT POLICY

Transport Policy: Norfolk Local Transport Plan

- 3.1.1 As the Highway Authority for the region, Norfolk County Council produced the Local Transport Plan (LTP) 4 which covers the period 2021-2036. The LTP comprises the Local Transport Plan 4 Strategy and its Implementation Plan. The LTP was adopted in July 2022. The LTP sets out Norfolk County Council's plans, policies and programmes on transport and transport infrastructure for the region and details how Norfolk County Council will deliver a transport network in Norfolk through identifying the projects and programmes important to the region.
- 3.1.2 The 'Strategic Priorities' for the LTP include the Norwich Western Link'.
- 3.1.3 Page 84 of the LTP strategy confirms that: Completion of the Norwich Western Link will connect the Broadland Northway to the A47 in the west and will be complemented by sustainable transport measures. The Norwich Western Link would provide a higher standard route between the western end of Broadland Northway and the A47 and significantly improve travel between these two major roads. Traffic congestion, rat-running and delays to journeys are all significant issues on minor roads to the west of Norwich.
- 3.1.4 Page 4 of the LTP identifies NWL as being one of the 'priorities'.

Transport Policy: Norfolk Strategic Infrastructure Delivery Plan 2023

- 3.1.5 Norfolk County Council's Strategic Infrastructure Delivery Plan (NSIDP) sets out the Norfolk wide high-level strategic infrastructure priorities for the next 10 years and seeks to pull together information on the key infrastructure needed to deliver economic growth in Norfolk. The aim of the document is to ensure that the full potential of Norfolk is unlocked by ensuring that existing and planned infrastructure links people to jobs, homes and local amenities as well as connecting businesses with customers.
- 3.1.6 Page 41 of the NSIDP states that NWL has been identified as 'one of the County Council's priority road infrastructure schemes'.

NATIONAL PLANNING POLICY

Planning Policy: The National Planning Policy Framework (NPPF)

3.1.7 The National Planning Policy Framework (NPPF) was published in February 2019 and subsequently revised in July 2021. The NPPF sets out the Government's economic, environmental, and social planning policies for England, articulating a national strategy for sustainable development. This forms the strategic level of national policy, which is a material consideration in the determination of planning applications.

3.1.8 At the heart of the NPPF is a presumption in favour of sustainable development. Paragraph 11 of the NPPF identifies that a presumption in favour of sustainable development should be seen as a golden thread running through both plan-making and decision-taking. The relevant paragraph requires that decision makers should be:

- 'approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
- the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.'

3.1.9 Paragraph 81 of the NPPF states that 'planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, considering both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future.'

3.1.10 Paragraph 82 requires that 'planning policies should seek to address potential barriers to investment, such as inadequate infrastructure, services or housing, or a poor environment.'

3.1.11 Paragraph 104 of the NPPF states that transport issues should be considered from the earliest stages of plan-making and development proposals, so that 'the environmental impacts of traffic and transport infrastructure can be identified, assessed and considered – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains.'

3.1.12 Amongst other objectives, Paragraph 106 of the NPPF requires that planning policies should: 'provide for high quality walking and cycling networks and supporting facilities such as cycle parking (drawing on Local Cycling and Walking Infrastructure Plans)'.

3.1.13 Paragraph 154 of the NPPF states that new development should be planned for in ways that:

- 'avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure; and
- can help to reduce greenhouse gas emissions, such as through its location, orientation and design.'

3.1.14 Paragraph 180 of the NPPF is a particularly relevant material consideration in assessing the NWL planning application. This states that:

3.1.15 'When determining planning applications, local planning authorities should apply the following principles:

- if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;
- development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons, and a suitable compensation strategy exists; and
- development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.'

- 3.1.16 Paragraph 182 states that the presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects) unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.

REGIONAL / LOCAL PLANNING POLICY

The Development Plan: Broadland District Council Development Plan

- 3.1.17 The Proposed Scheme is located within the Local Planning Authority area of Broadland District Council (BDC), and as such the Broadland Development Plan is of primary relevance in determining the planning application.
- 3.1.18 The relevant planning policies of the documents that comprise the Broadland District Council development plan are listed in **Appendix B of the Planning Statement (Document Reference 1.01.00)**

Emerging Planning Policy

- 3.1.19 Within the Greater Norwich area, Broadland District Council, Norwich City Council and South Norfolk Council LPAs are collaborating to produce a joint strategic plan, the Greater Norwich Local Plan (GNLP). It is intended that when adopted, the GNLP will play a key role in guiding the transition to the new planning system and will help to ensure sustainable housing and jobs growth in Greater Norwich.
- 3.1.20 The Publication draft GNLP, also called the Regulation 19 Pre-Submission Draft Plan, sets out the planning strategy across the three districts of Broadland, Norwich, and South Norfolk from 2018 to 2038.
- 3.1.21 Paragraph 76 of the emerging GNLP confirms that historically relatively poor strategic infrastructure link has limited growth in the area. It also notes that recent and planned infrastructure improvements are set to assist growth.
- 3.1.22 Paragraph 138 sets out that the transport system within Norfolk will be enhanced by a combination of infrastructure improvements and new technologies and confirms that these improvements are intended to include Norwich Western Link.
- 3.1.23 Paragraph 240 of the emerging GNLP identifies that Norfolk County Council has identified the NWL as one of its 'infrastructure priorities' for the region, and that a Preferred Route Announcement for the NWL was made in July 2019. This broad location route is shown on the Key Diagram.

3.1.24 There is also specific emerging planning policy support for NWL in Policy 4 ('Strategic Infrastructure') of the emerging GNLP. Emerging draft policy is currently worded, following the release of the Schedule of Main Modifications in October 2023, to state that:

"POLICY 4 - STRATEGIC INFRASTRUCTURE

Strategic infrastructure improvements will be undertaken to support timely delivery of the Greater Norwich Local Plan and the wider growth needs of the area. Key elements will be:

Transport

Transport improvements will support and embrace new technologies and develop the role of Norwich as the regional capital, support strategic growth in the Cambridge Norwich Tech Corridor, improve access to market towns and rural areas and promote sustainable and active transport.

Transport infrastructure will be brought forward to support the development aims of this plan. A considerable shift towards non-car modes will be promoted in the Norwich urban area over the plan period. High density growth will be focussed in locations with good access to improved sustainable transport networks and interchanges in Norwich, creating a virtuous cycle where clean transport is prioritised, less use is made of cars and space is used more efficiently and attractively.

This will be achieved by:

- *Having regard to the Transport for Norwich Strategy including consideration of its aims to:*
 - *Reduce carbon emissions and improve air quality,*
 - *Significantly improve the bus, cycling and walking networks to promote modal shift.*
 - *Develop the role of the park and ride system.*
 - *Change attitudes to travel.*
- *Continuing to improve public transport accessibility to and between main towns and key service centres, taking account of Norfolk County Council's market towns network improvement strategies.*

And promoting regional connectivity recognising the work already underway on:

- Enhancement of rail services, including improved journey times and reliability to London and Cambridge, supporting the East-West Rail link and *innovative use of the local rail network*.
- Improvements to the A47, including delivery of the Blofield to North Burlingham, Thickthorn and North Tuddenham to Easton improvements being progressed by National Highways.
- **The Norwich Western Link being progressed by Norfolk County Council.**
- *Enhancement of the Major Road Network including provision of the A140 Long Stratton bypass being progressed by Norfolk County Council.*
- Protection of the function of strategic transport routes (corridors of movement).
- Continued investigation of and support for rail *freight opportunities*.
- Supporting the growth and regional significance of Norwich Airport for both leisure and business travel to destinations across the UK and beyond.”

3.1.25 In order to establish the applicability of utilising the CPO procedures for the proposed development, we must assess the test criteria enshrined within the Department for Levelling Up Housing and Communities ‘Guidance on Compulsory Purchase Process and the Crichele Down Rules’ (July 2019). This guidance document sets out the approach to utilising the CPO procedure, and identifies in what instances it may be applicable and lawful to do so. The guidance confirms that the CPO procedure allows and enables public bodies on which they are conferred to acquire land compulsorily, and that compulsory purchase powers are an important tool to use as a means of assembling the land needed to help deliver social, environmental and economic change. Used properly, they can contribute towards effective and efficient urban and rural regeneration, essential infrastructure, the revitalisation of communities, and the promotion of business – leading to improvements in quality of life. The guidance document identifies that the acquiring authorities should use compulsory purchase powers where it is expedient to do so. However, a compulsory purchase order should only be made where there is a compelling case in the public interest.

3.1.26 Paragraph 104 of the Guidance seeks to establish what justification is needed to support an order to acquire land compulsorily under section 226(1)(a), and states:

“Any programme of land assembly needs to be set within a clear strategic framework, and this will be particularly important when demonstrating the justification for acquiring land compulsorily under section 226(1)(a). Such a framework will need to be founded on an appropriate evidence base, and to have been subjected to consultation processes, including those whose property is directly affected.

The planning framework providing the justification for an order should be as detailed as possible in order to demonstrate that there are no planning or other impediments to the implementation of the scheme. Where the justification for a scheme is linked to proposals identified in a development plan document which has been through the consultation processes but has either not yet been examined or is awaiting the recommendations of the inspector, this will be given due weight.

Where the Local Plan is out of date, it may well be appropriate to take account of more detailed proposals being prepared on a non-statutory basis with the intention that they will be incorporated into the Local Plan at the appropriate time. Where such proposals are being used to provide additional justification and support for a particular order, there should be clear evidence that all those who might have objections to the underlying proposals in the supporting non-statutory plan have had an opportunity to have them taken into account by the body promoting that plan, whether or not that is the authority making the order. In addition, the National Planning Policy Framework is a material consideration in all planning decisions and should be taken into account.”

3.1.27 As is shown above, the Proposed Scheme is being developed within an established set of planning policies and frameworks, both at a national, regional and local scale. At a national scale, the NPPF acts as the overriding policy guidance document, with relevant regional policies including, the Local Transport Plan 2021-2036, the Norfolk Strategic Infrastructure Delivery Plan 2020. With the Proposed Scheme being located within the Local Planning Authority area of Broadland District Council the Broadland Development Plan is of primary relevance in determining the planning application. There is also specific emerging planning policy support for the Proposed Scheme in Policy 4 ('Strategic Infrastructure') of the emerging GNLP.

3.1.28 The Proposed Scheme is both supported directly through policy, being a named priority infrastructure scheme for Norfolk County Council, and indirectly as it supports the delivery of ancillary policies relating to the provision of quality transport options, environmental protection, and fostering economic growth.

4. Planning Position

- 4.1 A planning application seeking FULL detailed consent ([Insert Application Reference]) for the Proposed Scheme was submitted on [Insert Date] 2024 and validated by the LPA on [Insert Date] 2024. The application was submitted under Regulation 3 of the 1992 Town and Country Planning General Regulations.
- 4.1 The Application was submitted by the Council to NCC in its capacity as Local Planning Authority (“LPA”), in accordance with Regulation 3 of the Town and Country Planning General Regulations 1992.
- 4.2 The Proposed Scheme falls under Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (the “EIA Regulations”), section 10(f) ‘Construction of roads’, and exceeds the threshold of being greater than 1ha in area. The Proposed Scheme therefore qualifies as EIA development and accordingly an Environmental Statement accompanied the planning application.

DRAFT

5 Funding Position

5.1 Scheme Cost

- 5.1.1 The current Proposed Scheme forecast is £273.9m which includes the estimated cost of the compulsory acquisition of the land required for the Proposed Scheme. This is an estimate of the anticipated outturn cost.
- 5.1.2 The Proposed Scheme forecast includes:
- A construction cost estimate;
 - A fees and utilities estimate;
 - A land cost estimate, which has been produced by NPS Property Consultants based on local knowledge of land costs;
 - A risk allowance estimate, which is informed by a Quantified Risk Assessment to determine the quantitative risk allowance.

5.2 Scheme Funding

- 5.2.1 In May 2020 Strategic Outline Business Case (SOBC) for the Scheme was approved by the Department for Transport (DfT), which gave provisional entry into the DfT's Large Local Majors programme alongside funding to support the submission of the Outline Business Case (OBC).
- 5.2.2 On 7 June 2021, Norfolk County Council's Cabinet agreed to submit the Outline Business Case (OBC) for the Scheme to the DfT and at its meeting on 7 June 2021, held after the Cabinet meeting, the County Council also resolved to endorse the decision taken by Cabinet and agreed the funding for the forward capital programme, with the local contribution to be underwritten by the County Council.
- 5.2.3 In June 2021 the County Council submitted an Outline Business Case (OBC) for the Scheme to the Department of Transport (DfT). This outlined the overall budget requirement as £198.4m and sought an 85% contribution (£168.6m) from the DfT's Large Local Majors funding programme with the local contribution being the remaining 15% (£29.8m).

5.2.4 As a result of ongoing work to develop the Scheme, on 4 July 2022 Norfolk County Council's Cabinet approved the submission of an Addendum to the OBC, which outlined the revised overall budget as being £251.1m. The request for funding from the DfT's Large Local Majors funding programme remained at 85% however it had increased from £168.6m to £213.4m in line with the increased project costs. The adjusted local contribution had increased to £37.7m. At its meeting on 19 July 2022 the County Council endorsed the decision made by Cabinet.

5.2.5 The OBC Addendum was submitted to the DfT in September 2022 and was approved in October 2023, which means that the DfT would expect to fund the 85% (£213.4m) contribution towards the Scheme subject to certain conditions such as the necessary statutory powers being obtained. This does not guarantee funding or timing but provides confidence to proceed with the application for the necessary statutory powers. It will be necessary to submit a Full Business Case to the DfT once the statutory approvals have been confirmed.

5.2.6 The DfT has indicated that funding of up to 100% of the NWL (based on the OBC submission of £251.1m) is possible. This is subject to further guidance and agreement with DfT, which is yet to be provided. However, notwithstanding this fact on [Insert Date] Norfolk County Council's Cabinet approved the submission of a planning application for the Scheme and publication of the associated SRO and CPO. The decision was based upon the updated budget forecast for the Scheme being £273.9m, with the government contribution remaining fixed as £213.4m (i.e. the figure outlined in the approved OBC) and the local contribution increasing to £60.5m. The same Cabinet also agreed to recommend this revised budget and local contribution to the full meeting of the County Council.

5.2.7 Table 5-1 below outlines the forecast spend profile for the updated Scheme budget assuming the government contribution of £213.4m.

Table 5-1 Funding Profile

Funding Package	2017-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	Total
Government / DfT Funding			1,024			24,815	7,175	22,707	57,990	63,603	31,954	283	213,378
Local Contribution	1,403	4,960	4,163	9,686	13,616	-6,683	7,402	7,354	7,466	7,775	7,140	80	60,537
Total	1,403	4,960	5,187	9,686	13,616	18,132	14,577	30,061	65,456	71,378	39,094	364	273,914

- 5.2.8 At its meeting on **[Insert Date]** the County Council agreed the revised funding for the NWL in the forward capital programme, with £213.4m funded from the DfT Grant and £60.5m local contribution, underwritten by the County Council.

5.3 Conclusions

- 5.3.1 The Council is content that there is a reasonable prospect of the necessary funds for the delivery of the Proposed Scheme being available at the time when funds are required. Funding is no impediment to the delivery of the Proposed Scheme or the payment of compensation to persons affected by compulsory acquisition, temporary possession, or a blight claim.

DRAFT

6 Delivery of the Proposed Scheme

- 6.1 Following approval of the Strategic Outline Business Case by DfT the process to appoint a Design and Build Contractor for the Proposed Scheme commenced. The procurement and evaluation process was approved by Norfolk County Council's Cabinet at its meeting on 3 February 2020.
- 6.2 Completion of this process identified a successful bidder, Ferrovia Construction, and at its meeting on 7 June 2021 Norfolk County Council's Cabinet agreed to award the contract to Ferrovia and also referred this decision to its Full Council as required by its financial regulations. At its meeting on the same day the Full council resolved to endorse the decision made by Cabinet.
- 6.3 The contract has three stages, with Stage One being the design and support through the statutory approvals process, Stage Two being construction and Stage Three initial maintenance. The early appointment of a Design and Build Contractor has facilitated the development of the design and informed the development of the planning application.
- 6.4 The contract is being monitored during Stage One to ensure that any impacts to the tendered price for construction are managed in accordance with the contract. The contract includes provisions that safeguard the County Council, and a decision to award the contract to commence Stage One does not bind NCC to Stage Two should the project fail to achieve statutory approvals, or if the costs of the project are beyond the budget provisions.
- 6.5 Key elements of the preliminary construction programme have been incorporated into a delivery programme for the Proposed Scheme; this includes the following milestones to which the Council is currently working:

Milestone	Date
Start of advanced works	Late 2025
Start of main construction works	Summer 2026
Scheme in Operation	2029

- 6.6 Provided the Orders are confirmed, these milestones are considered to be reasonable and viable and will enable the Council to exercise its compulsory purchase powers within the statutory timeframe.

DRAFT

7. Location and Description of the Proposed Scheme

7.1 The Order Land is shown on the Compulsory Purchase Order Maps. It includes land needed for construction, operation, environmental mitigation, drainage, landscaping and maintenance purposes. It is in a variety of ownerships and includes arable and pastoral farmland, mixed woodlands, and grassed and vegetated verges. The Proposed Scheme crosses the River Wensum (a Special Area of Conservation (SAC) and a Site of Special Scientific Interest (SSSI)), and its flood plain by means of a viaduct.

Existing land use

7.2 The majority of the existing land use within the CPO Limits is agricultural / arable land and areas of existing woodlands. The Proposed Scheme crosses the River Wensum (a Special Area of Conservation (SAC) and a Site of Special Scientific Interest (SSSI)), and its flood plain by means of a viaduct. In the southern section the Proposed Scheme will cross over a Tributary of the Tud (Foxburrow Stream).

7.3 There are two residential properties located within the CPO Limits (both of which have been acquired by the Council) and eleven residential properties whose direct access lie within the CPO Limits. With one exception, there are no business premises (excluding agricultural) or recreational facilities within the CPO Limits. The exception relates to business units on the site known as Woodstock which is already within the ownership of the Council.

7.4 There are two other business premises whose accesses lie within the CPO Limits. These include:

- Direct access to Mid Norfolk Shooting Ground lies within the CPO Limits;
- Direct access to Khora Yoga lies within the CPO Limits;

7.5 Recreational facilities identified within 500m of the CPO Limits include two golf clubs, one shooting ground and one yoga studio. Marl Hill Road Open Space is also within 500m of the CPO Limits.

7.6 The Proposed Scheme includes areas of woodland that are partially within the CPO Limits including an area of woodland between Primrose Grove and Rose Carr, Spring Hills, Long Plantation, Gravel Pit Plantation and Foxburrow Plantation.

Public access

7.7 The following footpaths, restricted byways, cycleways and footways run through the CPO Limits;

Footpaths (FP)

- Ringland FP1 - Approximately 250m south of the A1270 Fakenham Road
- Weston Longville FP9 - Between Weston Road and The Broadway
- Honingham FP5 - Between Weston Road and The Broadway

Restricted Byways (RB)

- Honingham RB1 - North and South of the A47
- Attlebridge RB3 - Approximately 440m north of the A1270 Fakenham Road
- Attlebridge RB4 - North of the A1270 Fakenham Road

Cycleways

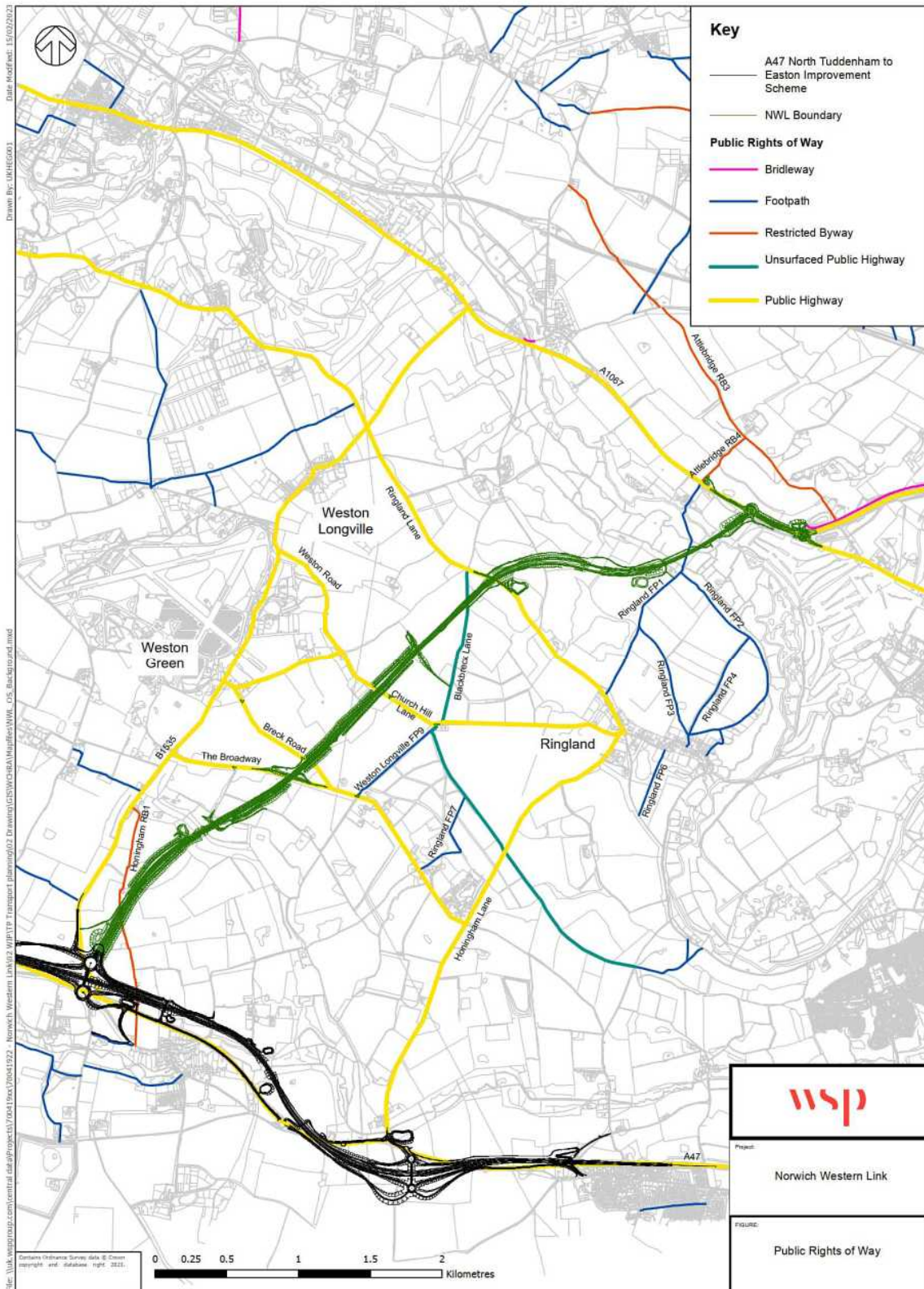
- Marriott's Way circular - Along The Broadway
- An unnamed cycleway - At the roundabout between the A1270 Fakenham Road and the A1270 Broadland Northway (formally known as the Northern Distributor Road).

Footways (non-designated routes)

- Breck Road – East of Weston Green
- Weston Road - Between Weston Green and Ringland
- Ringland Lane - Between Weston Longville and Ringland
- Blackbreck Lane - Between Weston Green and Ringland

7.8 There are five existing Public Highways and two existing Public Rights of Way which cross the Proposed Scheme alignment, as shown in **Figure 7-1** below.

Figure 7-1 Existing Routes Crossing the NWL Alignment



7.9 In addition to the existing A1067 Fakenham Road, the A1270 Broadland Northway and the new local highways proposed to be constructed by National Highways under its A47 North Tuddenham to Easton Development Consent Order, there are 9 local roads within the CPO Limits (Ref 2.4):

- Ringland Lane is a rural road connecting the villages of Ringland and Weston Longville. Ringland Lane is the most frequently used route crossing the NWL, with better visibility for road users, and as a Class C Road, it is maintained to a higher standard;
- In the centre of the route, Weston Road (Church Hill Lane) provides a connection between communities at Ringland and Weston Green. The existing road is a narrow rural lane, with limited forward visibility in places, with low observed traffic flows;
- Breck Road is a narrow rural lane with restricted forward visibility in places; it runs in a south-easterly direction from Weston Green, connecting with Telegraph Hill at its south-eastern extent. Breck Road then becomes Telegraph Hill approximately 1005m east of Weston Green Road;
- The Broadway is a narrow, tree-lined, rural lane running broadly east-west from Telegraph Hill in the east, to its junction with Paddy's Lane and Wood Lane in the west; and
- Blackbreck Lane is an unsurfaced Public Highway within the central section of the route;
- Paddy's Lane and Marl Hill Road. Paddy's Lane is a rural single carriageway road running approximately north-east to south-west through the settlement of Weston Green, leading to Weston Longville. The route connects the B1535 junction with Marl Hill Road;
- B1535 is a single carriageway B-Road route that connects the A47 to A1067;
- Honingham Lane a single lane road through farmland with a national speed limit.

7.10 There are two existing PRoWs which cross the CPO Limits; Ringland Footpath FP1, and Honingham Restricted Byway RB1:

- To the north of the Proposed Scheme, the existing FP1 crosses the Wensum floodplain in the location where the Proposed Scheme viaduct would pass over it. This path was observed to be in low usage currently and is located away from potential desire lines from the nearest settlements of Ringland and Weston Longville towards existing key facilities that Non-motorised users (NMUs) would potentially wish to access; and

- The existing Honingham Restricted Byway RB1 passes through open farmland, with access to the south severed by the existing A47 alignment and access to the north only possible from the B1535, with no footways or cycleway to ensure safe access for NMUs Usage of RB1 is low.
- 7.11 Bus services 608 and 23 operate along the A1067 which connect with the northern extent of the Proposed Scheme on A1067 Fakenham Road. At the southern extent of the Proposed Scheme, buses 4 and 8 plus the A, B and C Excel services operate along the A47 corridor from Dereham to Norwich.
- 7.12 There are no bus stops, taxi ranks, or railway stations located within the CPO Limits. There are four bus stops along the A1067 that are within 500m of the CPO Limits. All four are located on Fakenham Road, two to the east of Marl Hill junction and two to the west of Marl Hill Junction.

Existing land ownership

- 7.13 Land that is already within the ownership of the Council has been included within the CPO to ensure there are no remaining subsidiary rights that would cause an impediment to the Proposed Scheme.
- 7.14 Full details of the Order Land appear in the Schedule to the Order. Known interests and new rights to be acquired are also recorded in the Schedule. The Schedule has been prepared based upon information gathered through inspection of Land Registry title documents and information provided by owners and occupiers within land interest questionnaires.
- 7.15 The extent, description and situation of the land plots to be compulsorily acquired and the reason for their inclusion in the order, is appended to this Statement as **Appendix A**.

7.16 Summary Description of the Proposed Scheme

- 7.16.1 **Chapter 3 Environmental Statement (Document Reference 3.03.00)** provides a full description of the Proposed Scheme and is accompanied by the **General Arrangement Plans ([Insert Document Reference])**.
- 7.16.2 An existing roundabout on the A1270 Broadland Northway will be upgraded and form the northern extent of the Proposed Scheme. In addition, approximately 340m of the A1067 Fakenham Road will be upgraded to dual carriageway standard and a new roundabout junction constructed on the A1067 from which the start of the new dual carriageway standard road. A shared pedestrian and cycle route is proposed alongside the A1067, between the A1270 roundabout and Attlebridge Restricted Byway 4 to the west.

- 7.16.3 Moving south from the A1067, the Proposed Scheme will be a dual carriageway standard of new road that will cross the River Wensum and its flood plain by means of a viaduct. The viaduct will span the River Wensum, a Special Area of Conservation with the piers will be at least 9m from the top of the River Wensum riverbank. The design of the viaduct structure would be a ten-span single-deck bridge with a reinforced concrete deck slab. The viaduct is approximately 490m in length and varies in height from approximately 6-13m from existing ground level to the underside of the deck. The viaduct will be constructed using a temporary works platform in the construction phase.
- 7.16.4 A maintenance access track runs adjacent to the viaduct in the floodplain, to allow maintenance access to the viaduct structure once the Proposed Scheme is operational. A floodplain ditch will be culverted under the maintenance access track. The maintenance access track continues south in parallel to the new carriageway and joins Ringland Lane. The maintenance access track north of the river is accessed from the Proposed Scheme/A1067 roundabout for maintenance vehicles only.
- 7.16.5 In the floodplain to the west of the viaduct there will be environmental mitigation and enhancement measures such as ditch improvement for water vole and includes improvement to the floodplain ditch network and River Wensum as part of meeting the Council's obligations under the Water Framework Directive (WFD).
- 7.16.6 South of the viaduct, the north and southbound carriageways pass through the northern woodland (the northern woodlands are a complex of woodland areas that will be severed by the road) with a slight separation of the carriageways in this section. The carriageway will be in cutting at this location with a retaining wall in proximity to the Primrose Grove Ancient Woodland. An overbridge (the Nursery Woodland green bridge) will span the Proposed Scheme as it passes through the northern woodland to maintain wildlife connectivity between the woodland, this is aligned to existing bat flightlines.
- 7.16.7 The existing single lane width side road Ringland Lane crosses below the Proposed Scheme via an underpass. This allows continued use during operation and provides an underpass feature for bats, tying into landscape planting.

- 7.16.8 There will be a second green bridge between Ringland Lane and Church Hill Lane (known locally as Weston Road). The Morton green bridge includes Public Right of Way (PRoW) (a new Bridleway) and landowner vehicular access provision across the Proposed Scheme. Weston Road is to be severed at the point at which it is crossed by the Proposed Scheme, with turning heads provided to accommodate U-turns. Vehicular access will be maintained for existing properties, businesses, and agricultural land, with access restrictions at either end. Non-Motorised Users (NMUs) would be diverted across the Morton green bridge.
- 7.16.9 Moving south along the route the Proposed Scheme crosses Breck Road (Breck Lane) and The Broadway. The Broadway and Breck Road will be closed to through traffic and NMUs will be diverted to a new green bridge (the Broadway green bridge) carrying a public bridleway crossing over the Proposed Scheme between Weston Road and Ringland Lane and providing vehicular access for adjacent landowners only.
- 7.16.10 Further south the Proposed Scheme passes through Foxburrow Plantation where the fourth overbridge spans the Proposed Scheme (the Foxburrow Plantation green bridge). Adjacent to this, the Foxburrow stream (a tributary of the River Tud) will pass under the Proposed Scheme via a culvert. The Tributary of the Tud Culvert also serves as a bat underpass. The Proposed Scheme then connects to the new junction of the A47 dualling scheme being delivered by National Highways. The Proposed Scheme includes construction to the spur from the A47 roundabout and improvements to parts of the circulatory carriageway to enable the Proposed Scheme to 'tie-in' to the new roundabout being delivered by National Highways.
- 7.16.11 The key components of the Scheme are outlined in **Table 7-1** below.

Table 7-1 Key Components of the Proposed Scheme

Key Component	Details
A1067 Fakenham Road/A1270 Broadland Northway Roundabout	Upgrade of the existing 4-arm roundabout that joins the A1067 and the A1270 to increase capacity. One arm will include an access track to a proposed drainage basin for maintenance.
A1067 Fakenham Road / NWL Roundabout	Construction of a new roundabout which connects the Proposed Scheme to the A1067. This is a 4-arm roundabout with one arm for a maintenance access only track.
Viaduct across the River Wensum floodplain	<p>The design of the viaduct structure comprises a ten-span single-deck with a reinforced concrete deck slab. The viaduct is approximately 490m in length and approximately 6-13m from ground level to the underside of the deck.</p> <p>At each of the nine pier locations, are three piled piers made of reinforced concrete with bearing connections to the deck structure, see Structure Drawings (Document Reference 2.06.01).</p> <p>An Environmental Barrier, designed for acoustic performance will be 1.2m in height and run the length of the viaduct on the outermost edge of the parapets.</p> <p>A maintenance access track will be built for the viaduct as illustrated on the General Arrangement Drawings (Document Reference 2.03.00). This access track will cross a wet ditch in the floodplain via a culvert.</p>
Nursery Woodland overbridge	<p>The Nursery Woodland green bridge will be approximately 30m wide and be positioned on existing bat flight lines to maintain habitat connectivity. The structure has been designed to allow for landscape planting, to include as a minimum, hedgerow planting across the entire length of the structure and connections to retained vegetation either side of the structure.</p> <p>There will be no public access across this bridge with access limited to maintenance on foot only.</p>
Ringland Lane underbridge (Chainage 1700 – 1800)	The Ringland Lane will be kept open to traffic as part of the Proposed Scheme; the existing road will pass below the Proposed Scheme alignment through an underbridge. The structure is designed to facilitate bat passage through the underbridge and includes connective planting either side.

Key Component	Details
Morton green bridge	<p>The Morton green bridge will be a minimum 14.5m width and be positioned on existing bat flight lines to maintain habitat connectivity. The structures have been designed to allow for landscape planting, to include as a minimum, hedgerow planting across the entire length of the structure and connects to retained vegetation either side of the structure.</p> <p>NMU access for users of Church Hill Lane and Blackbreck Lane will be diverted over this bridge when the Proposed Scheme opens.</p>
The Broadway green bridge	<p>The Broadway Greenbridge will be a minimum 14.5m width and be positioned on existing bat flight lines to maintain habitat connectivity. The structures have been designed to allow for landscape planting, to include as a minimum, hedgerow planting across the entire length of the structure that connects to retained vegetation either side of the structure.</p> <p>NMU access for users of the Broadway and Breck Lane will be diverted over this bridge when the Proposed Scheme opens. Broadway will be closed to general traffic, though vehicular access will be required for the adjacent landowner.</p>
Foxburrow Plantation green bridge	<p>There will be no access across this overbridge except for maintenance and landowner access.</p> <p>The Foxburrow green bridge will be a minimum 14.5m width and be positioned on existing bat flight lines to maintain habitat connectivity. The structures have been designed to allow for landscape planting, to include as a minimum, hedgerow planting across the entire length of the structure and connects to retained vegetation either side of the structure.</p>
Tud tributary culvert / Bat underpass	<p>The culvert is approximately 70m in length and internal dimensions of 4m wide and 4.5m high (headroom of 4m above the bed level). The culvert has reinforced concrete wingwalls at both ends and scour protection and is aligned to the current alignment of the watercourse.</p>
A47 Roundabout	<p>This roundabout forms part of the National Highways A47 North Tuddenham to Easton DCO scheme. The Proposed Scheme will connect to this roundabout. This will be a conversion of the existing 4-arm roundabout to a 5-arm roundabout with the addition of an entry and exit to/from the Proposed Scheme and any necessary tie-in works.</p>

7.16.12 Illustrative images of the viaduct and typical overbridge green bridge design are included in **Figure 7-2** and **Figure 7-3** below.

Figure 7-2 Typical Viaduct Cross Section



DRK

Figure 7-3 Typical Greenbridge Design Cross Section (Where NMU access is provided)



DK

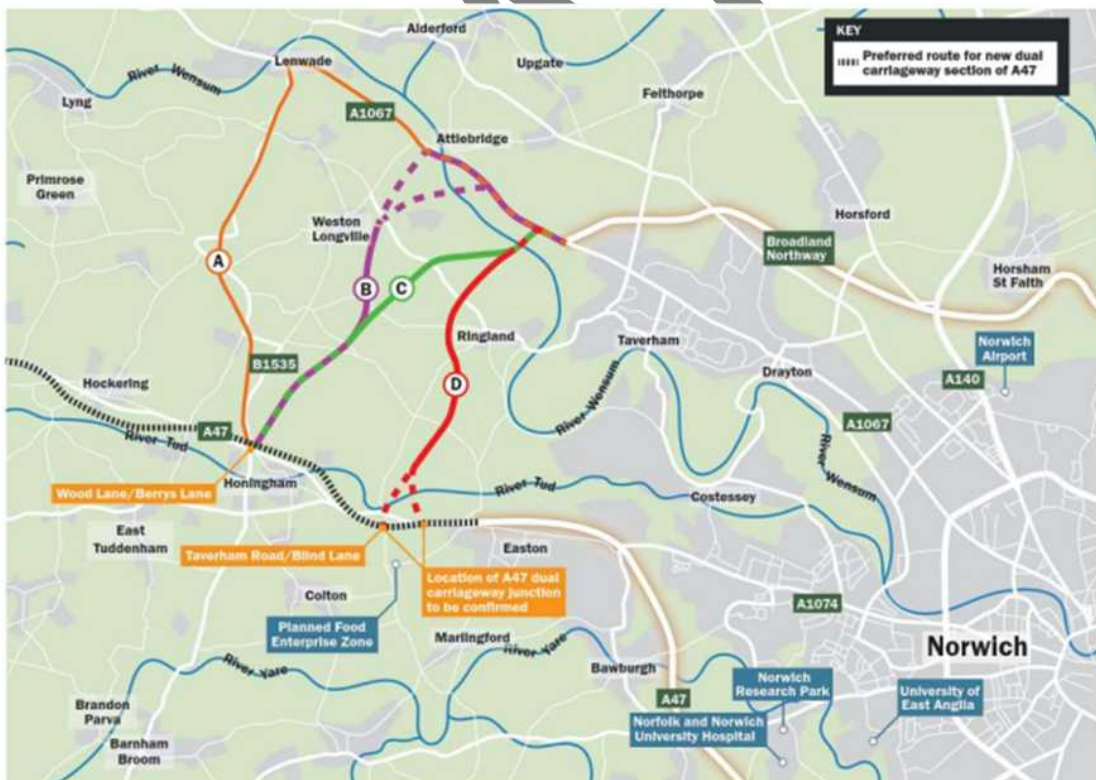
8 Consideration of Alternatives

8.1 Route Options and Alternatives

- 8.1.1 The Council carried out an initial scoping exercise in 2014, which looked at a range of different routes in the corridor between the A47 and the A1067 and considered public transport only options. In 2016 the Council further developed the options considered in the 2014 assessment. It also examined public transport options as alternatives to a new road but concluded that a bus-only option would not reduce strategic traffic using local roads in the corridor.
- 8.1.2 In 2017 the Council published a technical report, which considered a long list of 13 'in principle' engineering solutions to cross the River Wensum. These included different types of bridge and a tunnel option.
- 8.1.3 The Norwich Western Link Option Assessment Report was first published in 2018 and was updated in 2019 and considered a wide range of differing routes for the road together with consideration of three different engineering options for a tunnel option. The report concluded that given the difficulties and potential environmental effects, a tunnel option should be ruled out at this stage.
- 8.1.4 In terms of route options above ground, a long list of 82 options was generated to cover a wide range of possible routes, transport modes and geography. The 82 options were assessed using government guidance which evaluates the options against criteria reflecting the strategic, economic, managerial, financial and commercial aspects of each option. Due to the environmental sensitivity of the options being considered the assessment was expanded to also cover an environmental topic. The environmental topic assessed the options against their effects on air quality, noise, greenhouse gases, landscape/townscape, biodiversity, cultural heritage and the water environment.
- 8.1.5 In Stage 1 of the process the 82 options were sifted and assessed against the scheme objectives and a series of environmental criteria. Any option assessed as performing worse than the 'do nothing' scenario was then discounted. At this stage all remaining single carriageway new road options were also discounted. This was because dual carriageway options would produce a more precautionary assessment in terms of the land required, costs and environmental impacts, and because dual carriageways in general terms provide more benefits in terms of increased road capacity, resilience and economic benefits.

- 8.1.6 The initial sifting process left a total of 26 options to take forward to the second round of appraisal and in Stage 2, a methodology consistent with the DfT WebTAG assessment methodology was used to produce a shortlist of options comprising 3 new highway link options, one existing link upgrade and 10 non-highways options.
- 8.1.7 The 10 non-highways options in general scored lower against the specific objectives when compared with the highway options, suggesting that individually they would be less likely to achieve the specific objectives unless part of a wider package alongside highways measures. While these non-highway options were not taken forward as options for the scheme itself, they were taken forward to inform the measures that are included in the Proposed Scheme's Sustainable Transport Strategy.
- 8.1.8 The routes taken forward are shown in **Figure 8-1** below and consisted of one existing link upgrade option (Option A) and the 3 new highway link options (Options B, C and D). Options C and D had alternative junction locations with the A1067 and A47 respectively which created 6 overall routes options.

Figure 8-1 Shortlisted Route Options



- 8.1.9 Each option was assessed against strategic and local objectives using criteria such as engineering, cost, traffic and economic assessment, environment (including biodiversity) and feedback from public consultation.

- 8.1.10 Taking into account all the criteria above, the assessment concluded that on balance compared to the other options, Option C reflected a solution which offered good value for money, is publicly acceptable but less environmentally intrusive and would be easier to build, cheaper to install and lower risk to deliver through the planning process. Option C, which is shown in **Figure 8-2** below, was therefore taken forward as the preferred route.

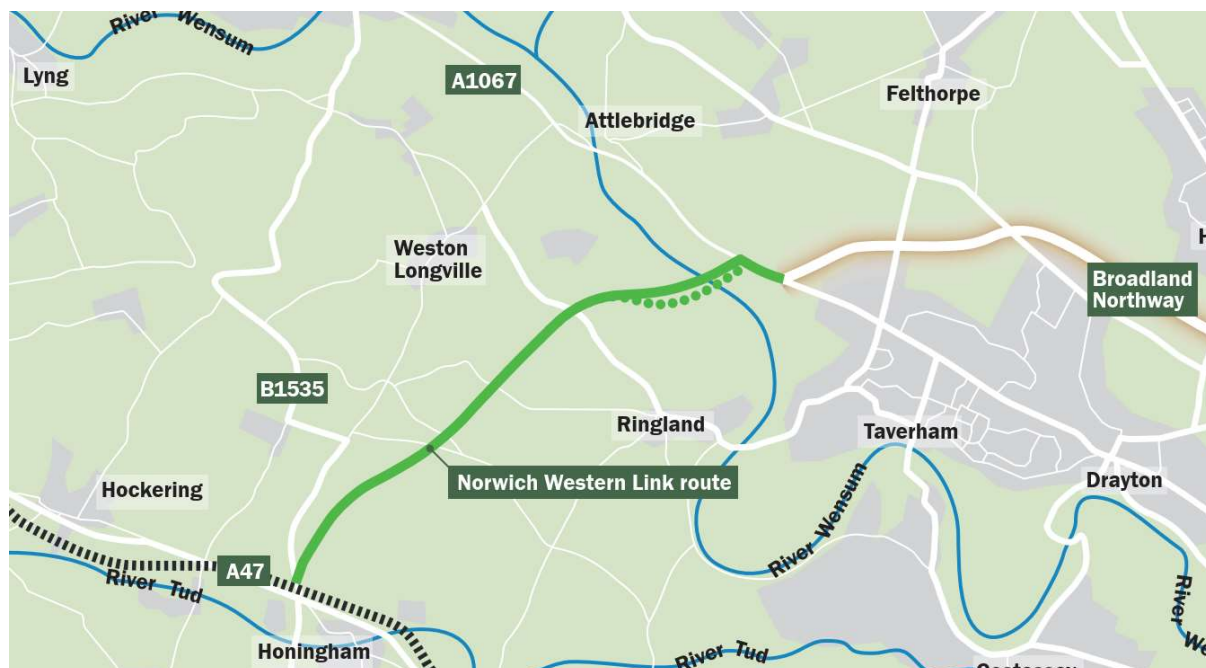
Figure 8-2 Plan of NWL Preferred Route (Option C)



- 8.1.11 After the selection of the preferred route, ecological surveys identified a barbastelle bat maternity roost associated with the Primrose Grove colony located within the site boundary at Rose Carr. Therefore, refinements to the route were considered to avoid impacts to this maternity roost. An alignment refinement exercise was undertaken in 2022 where seven alignment refinement options were identified and subject to an appraisal in line with the criteria applied in the Option Assessment Report 2019. All refinement options assessed achieved the outcome of avoiding direct impact on the barbastelle bat maternity roost within Rose Carr. The results of the assessments were used to determine the most suitable alignment refinement of the Preferred Route.

- 8.1.12 The assessment concluded that on balance, refinement Option 4 was selected as the most suitable alignment refinement of the preferred route. This is shown by the dotted green line on **Figure 8-3** below.

Figure 8-3 Chosen refinement of previous preferred route (refinement represented by dotted green line)



8.1.13 In light of the refinement of Option C as set out above, a reassessment of the options considered in 2019 was undertaken to establish if the 2019 conclusions remain the same in light of the refinements undertaken to Option C. This reassessment concluded that on balance, Option C Refined was still considered to present the better alignment option overall.

8.1.14 Chapter 5 of the Environmental Statement contains a more detailed description of the reasonable alternatives studied by the Council when developing the Proposed Scheme.

8.2 Local Access

8.2.1 The Local Access Consultation in July-September 2020, as described in sought feedback focussed on local access in the vicinity of the proposed link road. This consultation demonstrated support for the closure of side roads, and therefore informed the decision to remove their proposed structures from the design development at a subsequent stage.

8.2.2 A number of factors have influenced the design development of the local access proposals including feedback from local parish councils, current usage of the side roads and potential impacts on journeys across the wider transport network, local topography, environmental considerations, environmental mitigation requirements, and value for money.

8.3 Design Development

- 8.3.1 The early procurement of a Design and Build contractor has allowed close working between the design and environmental teams, which has included the consideration of environmental constraints and opportunities, engineering requirements, design standards and operation/maintenance requirements.
- 8.3.2 The viaduct design has been developed in order to minimise visual impact. The span arrangement and placement of piers are informed by the environmental constraints, providing an offset from the watercourses in the floodplain, and a suitable height above the river to minimise shading.
- 8.3.3 The minor rural roads that are crossed by the mainline of the Proposed Scheme, have been considered in the design development by being upgraded, stopped up or diverted. To maintain wildlife connectivity on either side of the road, green bridges have been developed in order to provide wildlife connections that can also be used by both non-motorised users such as cyclists, pedestrians and horse riders (at The Broadway Green Bridge and Morton Green Bridge) and as a private means of access (at Foxburrow Bridge).
- 8.3.4 The results of the local access consultation during the summer of 2020 had helped inform the decision to keep Ringland Lane open to all traffic via an underpass of the main carriageway.
- 8.3.5 Alternatives for the provision of a bat crossing at the Nursery Woodland have been considered. A green bridge solution was selected rather than the alternative of a landscape treatment. The landscape treatment option aimed to retain as much of the surrounding woodland as possible and promote continued bat movement along the woodland ride at safe heights above the carriageways was considered. However, further assessments identified that tree retention would not be possible for the majority of trees in the immediate vicinity of the alignment, therefore the green bridge solution was selected.

8.4 Environmental mitigation

- 8.4.1 In addition to the proposed landscape planting along the Proposed Scheme verges additional areas of habitat creation and compensation have been identified in vicinity to the Proposed Scheme. These areas include creation for BNG, protected species habitat, Water Framework Directive (WFD) mitigation and compensatory planting for trees removed along the proposed route. The habitat created includes the creation and enhancement of woodland, scrub, hedgerows, grassland, ditches and watercourses.

8.4.2 The land was identified through consideration of the required function of the areas being created. Examples of this include (but not limited to):

- features for protected species mitigation were located where they would connect known populations/commuting areas;
- Grassland creation/enhancement for barn owl were located away from the NWL as to not encourage the species near the road where there is risk of collision;
- Water Framework Directive related measures were located on watercourses in close proximity to the impact and in areas that would benefit from intervention and suitable for enhancement; and
- Areas were subjected to an ecological survey to ensure the locations were suitable.

8.4.3 The Council undertook a series of landowner meetings to understand the existing use of the land and develop measures aligned to landowner views and preferences.

8.5 Alternatives to compulsory purchase

8.5.1 The Council considers that compulsory purchase powers will be necessary to enable the assembly of the land required for the Proposed Scheme, thereby facilitating the Proposed Scheme within the requisite timescale.

8.5.2 Every effort will be made to acquire land and rights over land by agreement (save where the ownership of land cannot be ascertained, such that compulsory purchase is the only solution); however, the number of land parcels and the disparity of ownership which are inevitably associated with a long linear project such as the Proposed Scheme mean that compulsory purchase powers are likely to be necessary to ensure that all of the land required can be secured in a timely manner. This is recognised in the CPO Guidance, which acknowledges that “*given the amount of time required to complete the compulsory purchase process*” it may be necessary, “*as a contingency measure*” for “*the acquiring authority to plan a compulsory purchase timetable*” and “*initiate formal [CPO] procedures*” in parallel with negotiations to acquire land by agreement.

8.5.3 The nature of a linear scheme is such that opportunities to minimise the impacts of land take are necessarily constrained by the fact that certain land ownerships and land parcels will inevitably be crossed by the proposed highway alignment, once that has been selected through the options appraisal process (as outlined above). Ultimately, with a linear scheme, the majority of land parcels are required as a matter of necessity, as determined by the route of the scheme. This is indeed the case in relation to the Proposed Scheme.

8.5.4 Given the above, the Council has concluded that there is no feasible or available alternative way of delivering the Proposed Scheme without the need for the acquisition of land owned by third parties. The acquisition of third party land is fundamental to the successful delivery of the Proposed Scheme; as such there is no reasonable alternative to the acquisition of land, whether such acquisition is effected compulsorily or by agreement.

DRAFT

9 Consultation

9.1 The Council has consulted extensively during the course of its development of the Proposed Scheme.

9.2 Transport Issues Consultation – May to July 2018

9.2.1 An initial consultation on transport issues in the spring/summer of 2018 established the presence of transport issues to the west of Norwich, and which solutions the public wanted to be considered by the Council. A second options consultation in winter 2018/19 focused on selecting the preferred route for the NWL.

9.2.2 The results of the initial consultation in summer 2018, showed that the top three transport issues for people in the area to the west of Norwich were that the roads not suitable for level of traffic, rat running and slow journey times. The majority of people who took part in the consultation considered that a new road linking the A47 to Broadland Northway (previously the Northern Distributor Road) would help tackle transport issues in the area. This option was selected more than three times as much as the next most popular option, which was 'Improving existing roads'.

9.3 Shortlisted Options Consultation – November 2018 to January 2019

9.3.1 For the second consultation the County Council published a shortlist of four road options for a Norwich Western Link and carried out a consultation on these options between November 2018 and January 2019. The response to this consultation showed that there was still support for creating the link road and 77% of respondents either agreed or mostly agreed when asked to what extent they agreed there was a need for a Norwich Western Link. The responses to the consultation helped inform the development of the preferred route.

9.3.2 In May 2020, the Department for Transport (DfT) approved the Strategic Outline Business Case (SOBC), meaning the Proposed Scheme has conditional entry into DfT's 'Large Local Majors' funding programme and awarded Norfolk County Council more than £1 million of development funding in the 2020/21 financial year.

9.4 Local Access Consultation – July to September 2020

- 9.4.1 There was a third, local access consultation during the summer of 2020, which focused on people's views regarding how the Council could best support people to walk, cycle and use public transport in the area to the west of Norwich, and for opinions on proposals for local roads that cross the planned Norwich Western Link, as well as for Public Rights of Way in the vicinity of the new road.
- 9.4.2 In general, the responses received showed that more people agreed with the proposals for the local roads and Public Rights of Way than disagreed. The exception to this was the responses to the two options presented for Ringland Lane, which were fairly evenly split between keeping the road open to all traffic and restricting it to non-motorised traffic only, with slightly more support for the option which severed the route for motorised traffic.
- 9.4.3 The results of this consultation help developed the local access proposals that would support the Proposed Scheme, which included the proposal to keep Ringland Lane open to all traffic via an underpass of the main carriageway.

9.5 Pre-planning Application Consultation – August to October 2022

- 9.5.1 The pre-planning application consultation ran for 8 weeks between 15 August 2022 and 9 October 2022. This consultation period aimed to allow those taking holidays during the school summer break a chance to respond to the consultation. It provided information regarding the following key elements of the project:
- The design of the road and its structures, including the viaduct;
 - Environmental mitigation and enhancement measures;
 - Traffic mitigation measures.
- 9.5.2 Analysis of the responses received was used to inform the design development and finalisation of the Proposed Scheme. A large number of responses related to the traffic mitigation proposals that support the Proposed Scheme, and following further engagement with local communities, changes to the mitigation proposals were also made.

9.5.3 In addition, and in response to concerns raised during the pre-planning application consultation, that forecast traffic flows through Attlebridge were still high even with the proposed mitigation, a localised consultation on a revised proposal for the village was undertaken during December 2022 and January 2023. The responses received were used to develop a way forward to the specific traffic mitigation in the area of Attlebridge.

9.6 Conclusion

9.6.1 Extensive and iterative public consultation has supported and informed the development of the Proposed Scheme, with views being sought on the proposals at sufficiently early stages to allow consultees a real opportunity to influence the proposals.

9.6.2 Further information relating to the consultations can be found in the **Statement of Community Involvement (Document Reference 1:03:00)** and the **Pre-application Consultation Report (Document Reference 5:01:00)** and the dates of the four main consultations are summarised in the Table 9-1 below.

Table 9-1 Main Consultations

Consultation	Date
Public consultation on transport issues	May – July 2018
Public consultation on shortlisted options	November 2018 – January 2019
Public consultation on local access	July – September 2020
Pre-application Consultation	August – October 2022 (with a localised consultation in the area around Attlebridge undertaken in December 2022/January 2023)

10 Negotiations with landowners

10.1 Communications and Negotiations With Landowners

- 10.1.1 In preparing the Orders the Council has carried out diligent inquiry in order to identify all persons with an interest in the land that may be subject to compulsory acquisition.
- 10.1.2 The Council employed land referencing specialists to undertake diligent inquiry to identify affected landowners, those with an interest in land, and those with a potential compensation claim as a result of the Proposed Scheme. The categories of persons identified and the methods used to identify them are described below.
- 10.1.3 Persons with an interest in land were first identified using information from the Land Registry (registered freehold and leasehold titles). The titles contain details of the registered proprietors, as well as their mortgagees (if applicable). They also contain details of various rights and restrictions that burden the title - interrogation of them outlines further parties who may have rights, restrictions, and covenants or be a beneficiary of the land in question. Other equitable interests (such as Options to Purchase or Contracts for Sale) may also be found in the registered titles.
- 10.1.4 All parties were validated to confirm that their details are correct. For registered companies, this includes researching their details on Companies House to confirm their current registered details.
- 10.1.5 All parties with an interest in the Land were sent a Land Interest Questionnaire (LIQ), with a plan demonstrating the boundaries of their interest/potential interest. The questions included confirmation of the party's details, of the nature of their interest(s), and whether there are any other parties with an interest in the land or property. Respondents were asked to complete the questionnaires, amend the boundary plans where required, and return the completed documents to the land referencing team in pre-paid envelopes provided.
- 10.1.6 Where responses were not received from landowners in respect of their interests, or where further investigations were required to follow up or query information, landowners were contacted in order to confirm all interests in land.
- 10.1.7 Land referencing information was updated ahead of the making of the Orders, including by refreshing the Land Registry to ensure any changes had been identified, and following up with land interests to ensure the information held on record was current and accurate.

10.1.8 There is no prescriptive criteria/method for identifying persons likely to have a relevant claim (i.e. a claim for compensation under section 10 of the Compulsory Purchase Act 1965). All such legal rights and restrictive covenants registered in the Land Registry titles within the CPO Limits have been identified and will be included in Table 2 of the Schedule to the CPO. In addition, the LIQ also requested information from landowners regarding any known rights which exist over the land in which they have an interest. Any such rights will also be listed in Table 2 of the Schedule to the Order. Analysis has also been undertaken to identify any further informal (i.e. unregistered) private rights of access that may result in a section 10 claim, using aerial photography, assumed routes for landowner access and conducting site visits to land impacted by the CPO Limits. Any such informal rights were verified with landowners. From a review of those entries it is not anticipated that such claims are likely to arise given that the Proposed Scheme has sought to ensure or provide alternative access provision to any known impacted areas.

10.1.9 As detailed in the section above, the need for the Proposed Scheme and potential options for addressing the traffic issues to the west of Norwich have been the subject of a number of public consultations that have taken place over a number of years. A full **Statement of Community Involvement (Document Reference 1.03.00)** sets out details of these consultations.

10.1.10 These consultations included people identified as having a potential interest in the land, providing the opportunity to comment on proposals. Engagement and negotiations have also been ongoing with all landowners affected by the proposals. The conclusions of this consultation and engagement have been incorporated into the final Proposed Scheme design.

10.2 Steps Taken to Acquire Land by Agreement

10.2.1 The Council has sought to follow the requirement in paragraph 2 of the Guidance to take reasonable steps to acquire all of the land and rights included in the CPO by agreement.

- 10.2.2 At the same time, the Council notes that the Guidance recognises that although compulsory purchase is intended as a last resort to secure the assembly of all the land needed for the implementation of projects, if an acquiring authority waits for negotiations to break down before starting the compulsory purchase process, valuable time will be lost. Accordingly, the Guidance recognises at paragraph 2 that it may often be sensible for the acquiring authority to plan a compulsory purchase timetable as a contingency measure and initiate formal procedures (i.e. progress the making of an Order). The Guidance notes that this will help to make the seriousness of the authority's intentions clear from the outset, which in turn might encourage those whose land is affected to enter more readily into meaningful negotiations.
- 10.2.3 The Council has engaged with all landowners and occupiers with a view to acquiring their interests by agreement. This has involved sending LIQs and consultation letters, in relation to earlier wider project parameters, inviting them to consultation exhibitions and making direct contact with land interests to commence voluntary acquisition discussions. The Council aims to continue this process of engagement, with the aim of securing land by agreement where possible throughout the Orders process.
- 10.2.4 The Council has already acquired several parcels of land in this regard. Three properties have been acquired under blight notice procedures, being:
- Pump Farm, The Green, Weston Longville (Plots 2-25, 2-30, 2-31, 2-36, 2-38 and some land outside of the Order limits) a residential property and land which was purchased on 13 March 2020.
 - Woodstock, Fakenham Road, Attlebridge, (Plots 4-47, 4-52) which comprises of a residential property and commercially let light industrial units which was purchased on 22 September 2020.
 - Low Farm, The Street, Ringland, (Plot 4-06a, 4-06b) a residential property which was purchased on 14 August 2023.
- 10.2.5 In addition to the properties above, a parcel of amenity woodland; Land Lying to the North-East of Ringland Lane, Ringland, Norwich, NR8 6JG (Plot 4-16) was purchased on 25 November 2020.
- 10.2.6 The status of negotiations at the time of writing is set out in Appendix B to this Statement.

10.2.7 Whilst negotiations are ongoing, the Council is mindful that it is under a duty to acquire land at best value and that it is required to deliver the Proposed Scheme within a specified timescale. It has concluded that it may not be possible to acquire all land interests necessary to deliver the Proposed Scheme within this timescale. The Council has therefore concluded that the Proposed Scheme is unlikely to be capable of being delivered without advancing compulsory acquisition powers.

DRAFT

11 Special Considerations and Special Category Land

11.1 Protected Assets

- 11.1.1 There are no ancient monuments, other buildings which may be of a quality to be listed, buildings subject to building preservation notices, buildings within a conservation area, scheduled monuments, registered parks/gardens or historic battlefields within the CPO Land.
- 11.1.2 There is a single listed building which is owned by the Council; a Grade II listed barn at Low Farm. The property with which the listed barn is associated is included in the Proposed Scheme for temporary use during construction of the Proposed Scheme and it is already in the ownership of the Council. The Proposed Scheme does not give rise to any direct impacts to the fabric of the listed building and no demolition, alteration or extension to it is proposed. As such, listed building consent is not required or sought by the Council.

11.2 Ecclesiastical Property / Consecrated Land

- 11.2.1 There are no churches, graveyards, burial grounds or any other consecrated land within the CPO Land.
- 11.2.2 The Norwich Diocesan Board of Finance enjoys rights of access over plots 3-08, 3-26, 3-28, 3-29, 3-32, 3-33, 3-39, 3-40, 3-52, 3-52a, 3-52b, 3-53, 4-53, 4-60, 7-02, 7-09, 7-11, 7-16, 7-18, 7-25, 7-28, 7-29 and 7-32. The Council considers that the Norwich Diocesan Board of Finance's rights of access constitute "ecclesiastical property" in accordance with section 12(3) of the Acquisition of Land Act 1981. If the CPO were confirmed and fully implemented by the Council the Norwich Diocesan Board of Finance would be a person whom the Council considers would likely be entitled to make a relevant claim and entitled to receive notice of the making of the CPO in accordance with section 12(2A) of the Acquisition of Land Act 1981. Therefore, notice of the making of the CPO was served on the Norwich Diocesan Board of Finance in accordance with both sections 12(2A) and 12(3) of the Acquisition of Land Act 1981.

11.3 Special Kinds of Land

- 11.3.1 There are no plots of land in the CPO Limits which are held by the National Trust or which form part of a common, open space or fuel or field garden allotment.
- 11.3.2 The Council owns interest in land within the CPO Limits both in its capacity as the highway authority for the highways included within its limits, and in respect of land it has already acquired for the purposes of the Proposed Scheme.

11.4 Crown land

11.4.1 There is no Crown owned land or interest within the CPO Limits.

11.5 Statutory Undertakers and Statutory Bodies

11.5.1 A number of statutory undertakers or other statutory bodies own land or have interests in the CPO Land. The following sub-sections explain what these interests are and whether or how they will be affected by the Proposed Scheme.

Land

11.5.2 Anglian Water Services Limited – Plots 2-01 and 2-02 (both title plots). Plot 2-01 comprises unregistered public road and verge (the U57214 Telegraph Hill) in relation to which the Council presumes (under the *ad medium filum* principle) that Anglian Water Services Limited has an interest up to the half-width of the road. Its acquisition is required by the Council to carry out improvements to facilitate the change of Telegraph Hill from a road to a restricted byway, in accordance with the SRO.

11.5.3 Plot 2-02 comprises 141 square metres of woodland and hardstanding, its acquisition is required to carry out improvements to the U57214 Telegraph Hill, namely the provision of a turning head to enable errant drivers that would no longer be permitted to drive along the restricted byway that will replace part of the U57214 Telegraph Hill, to turnaround. Contact with the owner, Anglian Water, in their capacity as a landowner, is to commence regarding the purchase. The land required is outside their fenced operational facility and it is therefore considered that there will not be any detrimental impact to it.

Interests and Assets in Land

11.5.4 A number of statutory undertakers and telecoms providers have interests in the CPO Land in relation to apparatus these include; Amey Limited, Anglian Water Services Limited, Cadent Gas Limited, National Gas Transmission plc, National Grid plc, Openreach Limited, UK Power Networks (Operations) Limited and Virgin Media Limited.

11.5.5 In some cases, this apparatus will need to be relocated and in other instances can remain in-situ subject to protective measures being put in place.

11.5.6 All diversions will be contained within the proposed highway boundaries of the Proposed Scheme or the CPO Land and will require diversion agreements to be entered into (which will be completed prior to the construction of the Proposed Scheme).

11.5.7 The Environment Agency and Norfolk Rivers Internal Drainage Board have interests in the CPO Land. The Environment Agency is the regulatory authority over the River Wensum, and the Norfolk Rivers Internal Drainage Board are the regulatory authority over the watercourse known as MN 20.

11.5.8 In relation to National Highways and its A47 DCO, Orsted Hornsea Project Three (UK) Limited and the Hornsea Three Offshore Wind Farm Order 2020 and the proposed Sheringham Shoals and Dudgeon Offshore Wind Farm Extensions Order, the Council is at an advanced stage of negotiations of legal agreements to manage the interface between the Proposed Scheme and these projects. This is discussed in more detail at section 16.13 of this statement.

DRAFT

12 Compatibility with European Convention on Human Rights

12.1 Human Rights

12.1.1 The Human Rights Act 1998 incorporated into domestic law the provision of the European Convention on Human Rights ("ECHR"). The ECHR includes provisions in the form of Articles ("the Convention Rights"), the aim of which is to protect the rights of individuals and their possessions.

Relevant Articles

12.1.2 The following Convention Rights are relevant to the Council's making of the Orders and the Secretary of State for Transport's consideration of whether a compelling case in the public interest has been demonstrated, sufficient to support the case for the CPO to be confirmed:

- Article 6 entitles those affected by the powers sought in a Orders to a fair and public hearing by an independent and impartial tribunal, of any relevant objections such persons may have to the granting of those powers. This includes property rights and can include opportunities to be heard in the Orders decision-making process, such as a public local inquiry. compulsory powers to a fair and public hearing.
- Article 8 protects the right of individuals to respect for their private and family life, home and correspondence. A public authority cannot interfere with these interests unless such interference is in accordance with law and is necessary in the interests of, among other things, national security, public safety or the economic wellbeing of the country.
- Article 1 of The First Protocol protects the rights of everyone to peaceful enjoyment of possessions and provides that no one can be deprived of their possessions except in the public interest and subject to the relevant national and international laws and principles. As with Article 8, any interference with possessions must be proportionate and, in determining whether a particular measure is proportionate, a fair balance must be struck between the public benefit sought and the interference with the private rights in question.

Duties of Decision Makers

12.1.3 Both the Council in making the Orders and the Secretary of State for Transport in considering whether it should be confirmed is under a duty to consider whether the exercise of compulsory purchase powers would interfere with the rights protected by the Convention and if so, whether such interference is proportionate, justified and lawful.

Potential Infringement of Convention Rights

- 12.1.4 The Orders have the potential to infringe the Convention Rights of persons who hold interests in the CPO Land and who are affected by the stopping up of private means of access pursuant to the SRO. Under Article 1 of the First Protocol and under Article 8, such an infringement is authorised by law provided that:
- The statutory procedures for making the Orders are followed and there is a compelling case in the public interest for the making and confirmation of the CPO; and
 - The interference with the Convention Right is proportionate to the legitimate aim served.

Compliance with the Convention and Human Rights Act 1998

- 12.1.5 The Council considers that there would be a significant public benefit arising from the making and confirmation of the Orders, the need for which is set out in section 2 of this statement. For the reasons set out in sections 14 and 15 below, these substantial benefits may only be realised if the Orders are made and confirmed.
- 12.1.6 In relation to Article 6 of the Convention, which confers the right to a fair trial and public hearing by an independent and impartial tribunal, the Council notes that the procedures under the Highways Act 1980 and the Acquisition of Land Act 1981 are compliant with the Human Rights Act 1998 and in so far as the procedures under these Acts are properly observed by the Council, its duties under the Human Rights Act 1998 are discharged.
- 12.1.7 In the context of compliance with Article 6 of the Convention, the Council observes that those persons potentially affected by the Orders have had the opportunity to make representations to the Council as of the consultation process on the Proposed Scheme, as well as through the formal planning application process.
- 12.1.8 Furthermore, should a public inquiry be held, every remaining objector and any other person who sent a proof of evidence/outline statement or statement of case is entitled to appear at the inquiry and make representations orally. The Inspector may also permit any other person to appear and make representations at the inquiry (and such permission shall not be unreasonably withheld).
- 12.1.9 Should the Orders be confirmed, any person aggrieved by the CPO may challenge it in the High Court if they consider that the grounds for doing so are made out pursuant to section 23 of the Acquisition of Land Act 1981 and any person aggrieved by the SRO may challenge it in the High Court if they consider that the grounds for doing so are made out pursuant to paragraph 2 of Schedule 2 to the Highways Act 1980.

- 12.1.10 In making the CPO, the Council has considered the potential beneficiaries of rights overridden by the exercise of the compulsory purchase powers that would be capable of making claims under section 10 of the Compulsory Purchase Act 1965.
- 12.1.11 In relation to matters of compensation for land to be acquired, affected persons have the right to apply to the Upper Tribunal (Lands Chamber), which is an independent judicial body, to determine the compensation payable.
- 12.1.12 The Council confirms that, on considering the potential exercise of compulsory purchase powers, it has also had regard to Article 8 of the Convention and Article 1 of the First Protocol to the Convention. The Council understands that in determining whether interference with these Convention Rights is proportionate, a fair balance must be struck between the public benefit sought and the interference with affected private rights.
- 12.1.13 In striking that balance, the Council has had regard to both:
- the need for the Proposed Scheme and the public benefits it would bring (see section 2 of this statement); and
 - the nature of the Proposed Scheme's interference with private rights.
- 12.1.14 Having had regard to the above, the Council does not consider that any single affected interest is of such importance as to outweigh the important public benefits which the Proposed Scheme is forecast to deliver, in the event that the Orders are confirmed by the Secretary of State and implemented by the Council.
- 12.1.15 Furthermore, the Council does not consider that the cumulative private loss (arising on a scheme-wide basis) would be of such magnitude or severity as to outweigh the importance of the public benefits which the Proposed Scheme would deliver.
- 12.1.16 The Council continues to discuss the impacts of the Proposed Scheme with the persons affected by those impacts, with the dual aim of:
- minimising as far as reasonably possible the loss suffered by those persons; and
 - ensuring that any loss suffered is properly and fairly compensated.
- 12.1.17 As confirmed in section 5 above, the Council has the resources to pay such compensation.

12.1.18 For the reasons set out above, the Council is of the view that, on balance, the significant public benefits to which the Proposed Scheme would give rise would outweigh the negative effects upon, and the private losses of:

- those persons who own land or have an interest in land which is required for the Proposed Scheme and
- those persons who would be affected by the stopping up of private means of access pursuant to the SRO.

12.1.19 The Council also notes that such private losses would be mitigated by the fact that landowners, and those with the benefit of interests in land affected by the implementation of the CPO, would be entitled to compensation payable in accordance with the statutory compensation code. Further, those persons with a private means of access stopped up in pursuance of the Proposed Scheme would be provided, through the SRO, with a replacement means of access, where such replacement means of access was necessary.

Conclusion

12.1.20 The Council therefore considers that the compulsory purchase of land and rights over land is:

- legitimate – in that if authorised by a confirmed CPO, the acquisition would be lawful;
- necessary – in that there is a need for the Proposed Scheme and land in the CPO is required to be acquired to enable that scheme to come forward in the form provided for in the SRO; and
- proportionate – in the context of the balancing exercise described above.

12.1.21 For the reasons set out above, any infringement of the Convention Rights of those whose interests are affected by the Orders is considered by the Council to be proportionate and legitimate and in accordance with domestic law and the Convention.

12.1.22 Accordingly, the Council considers that there is a compelling case in the public interest for the Orders to be made and confirmed, the Council considers that it would, therefore, be appropriate, proportionate and legitimate for the Secretary of State for Transport to confirm the Orders.

13 Equality Duty

13.1 The Equality Act came into force on 1st October 2010 and provides a legal framework to protect the rights of individuals and advance equality of opportunity for all. Section 149 of the Act sets out the public sector equality duty (“**PSED**”) and states that a public authority must, in the exercise of its functions, have due regard to the need to:

- eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by or under the Equality Act 2010;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

13.1.1 The relevant protected characteristics for the purposes of the PSED are listed in section 149(7) of the Equality Act 2010:

- age;
- disability;
- gender reassignment;
- pregnancy and maternity;
- race;
- religion or belief;
- sex;
- sexual orientation.

13.1.2 The Equality Act 2010 explains that having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves:

- removing or minimising disadvantages suffered by people due to their protected characteristics;
- taking steps to meet the needs of people from protected groups where these are different from the needs of other people; and
- encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

- 13.1.3 During the development of the Proposed Scheme and the preparation of the Orders, the Council has had regard to the PSED and, having regard to its statutory duties under the Equality Act 2010, has carried out an Equalities Impact Assessment (“EqIA”). In addition to the protected characteristics protected by the Equality Act 2010, the EqIA also considered deprivation.
- 13.1.4 The first stage of the EqIA process comprised a screening exercise which sought to establish, by reference to baseline information:
- whether there is evidence to suggest that any of the protected characteristics have particular sensitivities or needs in relation to the Proposed Scheme;
 - whether there are existing inequalities or access barriers to services or developments which need to be considered; and
 - whether are particular community groups or stakeholders representing protected characteristics who have expressed interest or concerns about the Proposed Scheme.
- 13.1.5 The screening considered the aspects of the Proposed Scheme, including the compulsory acquisition of land, that could disproportionately affect protected characteristics groups taking into account the baseline information gathered. The screening concluded that older and younger people, people with disabilities and both men and women would have the potential to be adversely impacted by the Proposed Scheme during construction but also could benefit from improved access during the operation of the Proposed Scheme.
- 13.1.6 The second stage took forward the age, disability, gender (including pregnancy and maternity) protected characteristics, as well as deprivation, forward for more detailed assessment. This assessment concluded that low level, likely reversible negative impacts are anticipated in the short-term during construction of the Proposed Scheme during construction on three protected characteristic groups; age, disability and sex/gender (including pregnancy and maternity), as well as deprivation. In the main, these impacts arise as a result of the potential for disruption to road and public rights of way networks arising during the construction of the Proposed Scheme. A range of mitigation measures, including further engagement and communications, are recommended during the detailed design and construction phase. The assessment also concluded that there is potential for low level positive impacts in the long-term on two protected characteristic groups; age and gender, as well as deprivation, arising from improved connectivity once the Proposed Scheme is in place.

13.1.7 In formulating and promoting the Orders, the Council has had full regard to its statutory duties and obligations under the Equality Act 2010 and in particular, to its obligations in sections 149 and 150 of that Act, in taking into account the differential impact the Orders will have on persons with protected characteristics. While it is recognised that the Proposed Scheme will have impacts it was found that any impacts it might have on protected characteristic groups could be addressed through mitigation, monitoring and communications, which will be undertaken during the detailed design and construction stage of the Proposed Scheme.

DRAFT

14 Need and Justification for the Compulsory Purchase Order (CPO)

14.1 Authority to make the CPO

- 14.1.1 On [Insert Date] the Council resolved to make the CPO for the Proposed Scheme. On [Insert Date] the CPO was made by the Council in accordance with such authorisation.

14.2 CPO Enabling Powers

- 14.2.1 The CPO was made under the following powers of the Highways Act 1980:

- Section 239 – to construct new highways and improve existing highways, to improve frontages to a highway;
- Section 240 – to carry out works authorised by an order made under section 14 (i.e. side roads to classified roads, new means of access to premises); to create new means of access to premises under section 129; to use land in connection with the construction and improvement of highways the carrying out of works authorised by an order under section 14 (i.e. the SRO) (such as for working space and provision of access to a working site); and the diversion of a non-navigable watercourse;
- Section 246 – to mitigate the adverse effects of the existence and use of the highways proposed to be constructed or improved on their surroundings;
- Section 249 – application of the distance limits for compulsory acquisition;
- Section 250 – to create and compulsorily acquire new rights; and
- Section 260 – to override the effects of restrictive covenants and other third party rights over land.

Incorporation of the Mining Code

- 14.2.2 In addition to the specific powers cited above, the CPO incorporates the provisions contained in Parts 2 and 3 of Schedule 2 to the Acquisition of Land Act 1981 (often referred to as the 'Mining Code'). The incorporation of Parts 2 and 3 does not of itself prevent the working of minerals within a specified distance of the Land, but it does enable the Council to serve a counter-notice stopping the working of minerals, subject to the payment of compensation. Paragraph 201 of the Guidance advises acquiring authorities to consider the matter carefully before including the Mining Code in a compulsory purchase order and to omit it where existing statutory rights to compensation or repair of damage might be expected to provide an adequate remedy in the event of damage to land, buildings or works occasioned by mining subsidence.
- 14.2.3 The Council has considered the issue carefully and has decided that in the case of the Proposed Scheme it would be appropriate to incorporate the Mining Code. It reaches this conclusion on the basis that the Proposed Scheme crosses land safeguarded for sand and gravel extraction, that subsidence caused by such extraction could prejudice the safe and efficient operation of the Proposed Scheme and that, given the longevity of the Proposed Scheme, the prospect of future proposed extraction cannot be ruled out. In view of those circumstances the Council considers it to be appropriate to incorporate the Mining Code to balance the interests of those pursuing future extraction of minerals with the Council's ability to safely and efficiently operate and maintain the Proposed Scheme.
- 14.2.4 In relation to paragraph 202 of the Guidance, the Order Land is not within an area of coal working notified to the local planning authority by the Coal Authority under article 16 of, and paragraph (o), Schedule 4 to, the Town and Country Planning (Development Management Procedure) (England) Order 2015 and so the Council is not required to notify the Coal Authority of its incorporation of the Mining Code in the CPO.
- 14.2.5 The CPO Guidance sets out a number of 'tests' which an acquiring authority must satisfy if compulsory purchase powers are to be authorised and implemented. Those tests, and the Council's ability to satisfy them, are considered in the following paragraphs of this chapter.

14.3 Compelling Case in the Public Interest

"Acquiring authorities should use compulsory purchase powers where it is expedient to do so. However, a compulsory purchase order should only be made where there is a compelling case in the public interest." (paragraph 2 of the Guidance, and reiterated in paragraph 12 thereof)

14.3.1 The CPO includes a large number of land interests and rights that are necessary to construct, operate and maintain the Proposed Scheme.

14.3.2 As set out in Section 2 of this statement, the Proposed Scheme is required to deliver the following high level and specific objectives:

High-level objectives

- Support sustainable economic growth;
- Improve the quality of life for local communities;
- Promote an improved environment; and,
- Improve strategic connectivity with the national road network.

Strategic objectives

- Improve connectivity and journey times on key routes in Greater Norwich;
- Reduce the impacts of traffic on people and places within the western area of Greater Norwich;
- Encourage and support walking, cycling and public transport use;
- Improve safety on and near the road network, especially for pedestrians and cyclists;
- Protect the natural and built environment, including the integrity of the River Wensum Special Area of Conservation; and,
- Improve accessibility to key sites in Greater Norwich.

14.3.3 In achieving these objectives, the Council considers that the Proposed Scheme would make a significant contribution towards the social, economic and environmental wellbeing of the residents of the Greater Norwich area and wider Norfolk sub-region.

14.3.4 As set out in section 6 of this Statement, the Proposed Scheme is programmed to start advanced works in late 2025, with the main works programmed to start in summer 2026 and the Proposed Scheme opening for public use in 2029. This programme is important to the delivery of the Proposed Scheme's benefits.

- 14.3.5 A significant amount of work and expense (including scheme design development, the carrying out of an Environmental Impact assessment, the preparation of the Orders, the appointment of the Principal Contractor and environmental consultants) has been undertaken and incurred to date (and continues to be undertaken and incurred) on the basis of these timings. It is important that the Orders are confirmed in a timely promptly to ensure that this programme can be met.
- 14.3.6 Furthermore, the Proposed Scheme needs to be delivered fully in order that it can achieve its objectives. Piecemeal development would not deliver the desired outcomes. Only delivering the full Proposed Scheme will allow its purposes to be fully realised. Without the confirmation of the CPO, the Proposed Scheme would be unlikely to go ahead as there would be limited scope to deliver an alternative solution in a timely manner.
- 14.3.7 In addition, and importantly, the CPO is required to assemble various plots of land in unknown ownership or where ownership is currently only presumed based on the results of diligent inquiries. In particular, much of the proposed “downgrading” of existing local roads to public rights of way would not be deliverable without the CPO and for which there is no other realistic option than compulsory acquisition.
- 14.3.8 As explained in section 12 above, the Council has considered the negative effects that its pursuance of compulsory purchase powers would have upon those with interests in the land required for the Proposed Scheme, and has weighed those private losses against the benefits that the Proposed Scheme would bring.
- 14.3.9 Having carried out that balancing exercise, the Council believes that the public benefits would outweigh the private losses and that, on that basis, there is a clear and compelling case in the public interest which would justify the use of compulsory purchase powers. As such, the Council considers that the tests in paragraphs 2 and 12 of the Guidance – which state that a compulsory purchase order should only be made where there is a compelling case in the public interest – are met.

14.4 How the Council intends to use the CPO Land

“If an acquiring authority does not:

- have a clear idea of how it intends to use the land which *it is proposed to acquire*;

it will be difficult to show conclusively that the compulsory acquisition of the land included in the order is justified in the public interest, at any rate at the time of its making.” (paragraph 13 of the Guidance)

14.4.1 The CPO includes both:

- land (shown shaded pink); and
- new rights (shown shaded blue) (e.g. for continuing access such as future maintenance and inspection).

14.4.2 The land and new rights would enable the construction and operation of the new road (including its related essential environment mitigation) as well as enabling the Council to undertake future maintenance of the road and its supporting structures.

14.4.3 Land has also been included in the CPO for the Principal Contractor to establish temporary site offices, compounds, welfare facilities and storage areas for plant and materials at various location.

14.4.4 A number of plots are only required on a temporary basis e.g. for working space, or for construction-related purposes; however, where this is the case, the land has been included in the CPO (with the effect being that it would be acquired). This approach is a contingency measure, to be deployed in the event that temporary use of the land cannot be secured by agreement, and noting that, although such land is not required by the Council in perpetuity there are currently no statutory powers which would enable the Council to take only temporary possession of land for the purposes of constructing the Proposed Scheme.

14.4.5 Following construction of the Proposed Scheme, if the Council disposes of any land which was acquired permanently but required only for the construction period, it will do so in accordance with the Criche Down Rules appended to the Guidance. At the time of writing the Council fully intends to dispose of all land that it does not require on a permanent basis.

14.4.6 The Council also has a clear idea of it intends to use all the land included in the CPO. This is set out on a plot by plot basis in **Appendix 2** to this Statement.

14.4.7 As such, the Council considers that the tests in paragraph 13 of the Guidance – which require an acquiring authority to have a clear idea of how it intends to use the land which it is proposing to acquire – are met.

14.5 Planning Policy Support

“Any programme of land assembly needs to be set within a clear strategic framework... The planning framework providing the justification for an order should be as detailed as possible in order to demonstrate that there are no planning or other impediments to the implementation of the scheme.”
(paragraph 104 of the Guidance)

- 14.5.1 As set out in section 3 of this Statement, the Proposed Scheme is consistent with the applicable planning policy frameworks. The proposed development is both supported directly through policy, being a named priority infrastructure scheme for Norfolk County Council, and indirectly as it supports the delivery of ancillary policies relating to the provision of quality transport options, environmental protection, and fostering economic growth.
- 14.5.2 Based on the current layout and design and taking account of the proposed mitigation measures to be implemented, the Council does not consider there to be planning or other impediments to the implementation of the Proposed Scheme.
- 14.5.3 The Council has had regard to the tests in paragraph 104 of the Guidance. These tests are considered to be relevant to the CPO (notwithstanding its being made under the Highways Act 1980) in that they require an acquiring authority’s land assembly programme to be set within a clear strategic planning framework, founded on an appropriate evidence base and to have been subject to consultation processes. The Council considers that, in the case of the Proposed Scheme, these tests are met.

14.6 Alternatives

“This may include considering the appropriateness of any alternative proposals put forward by the owners of the land, or any other persons, for its reuse. It may also involve examining the suitability of any alternative locations for the purpose for which the land is being acquired.” (paragraph 106 of the Guidance)

- 14.6.1 As set out in section 8 of this statement, numerous intervention options and then alternative routes for the Proposed Scheme were considered during an iterative options appraisal process.
- 14.6.2 The selection of the preferred route was completed following significant development and assessment work, supported by stakeholder engagement and public consultations.

- 14.6.3 Refinements to the alignment of the preferred route after its selection were carefully appraised to ensure that the preferred route, as refined, still reflected the better alignment option overall.
- 14.6.4 The Council consulted on its proposals for the side roads crossed by the Proposed Scheme and this consultation informed the development of the proposals contained in the Side Roads Order.
- 14.6.5 As such, the Council considers that the test in paragraph 106 of the Guidance – which requires an acquiring authority to consider the appropriateness of alternatives – is met.

14.7 Funding and Viability

“In preparing its justification, the acquiring authority should address:

a) sources of funding... [and]

b) timing of that funding...

Evidence should also be provided to show that sufficient funding could be made available immediately to cope with any acquisition resulting from a blight notice.” (paragraph 14 of the Guidance)

- 14.7.1 As set out in Section 5 of this Statement, the Proposed Scheme is expected to cost £273.9m which includes the estimated cost of the compulsory acquisition of the land required (including blight) together with risk allowance (which accounts for inflation).
- 14.7.2 The approved Outline Business Case for Proposed Scheme, which was approved by the Department for Transport in October 2023 secured £213.4m funding for the cost of the Proposed Scheme, subject to conditions including securing planning permission and the necessary statutory orders. The remaining £60.5m would be met from the Council’s own funds. This funding was approved by the Council on [insert date].
- 14.7.3 The Council therefore has full confidence that all necessary funding will be available for the Proposed Scheme to proceed at the necessary time. As such the test in paragraph 14 of the Guidance is met.

14.8 Last Resort

“The confirming authority will expect the acquiring authority to demonstrate that they have taken reasonable steps to acquire all of the land and rights included in the Order by agreement... Compulsory purchase is intended as a last resort to secure the assembly of all the land needed for the implementation of projects. However, if an acquiring authority waits for negotiations to break down before starting the compulsory purchase process, valuable time will be lost. Therefore, depending on when the land is required, it may often be sensible, given the amount of time required to complete the compulsory purchase process, for the acquiring authority to:

- *plan a compulsory purchase timetable as a contingency measure; and*
- *initiate formal procedures*

This will also help to make the seriousness of the authority’s intentions clear from the outset, which in turn might encourage those whose land is affected to enter more readily into meaningful negotiations.” (paragraph 2 of the Guidance).

14.8.1 As set out in Section 10 of this statement, the Council is fully committed to purchasing the land and news contained in the CPO by agreement and to this end, four properties have already been acquired. Details of the discussions and negotiations that the Council has had with landowners to date are set out in **Appendix 1** to this statement.

14.8.2 However, given this Councils need to deliver the Proposed Scheme within a specified timescale and given the number of interests in the land required and the possibility of all of those interest by agreement may not be possible within the requisite timescale, the Council has concluded that it is high, unlikely that it will be able to deliver the Proposed Scheme within this timescale without a CPO. It is in this context that the Council contemplates the use of compulsory acquisition powers as a contingency measure, to ensure the delivery of the Proposed Scheme.

14.8.3 Furthermore, the CPO is required to assemble the various plots that are in unknown or presumed ownership for which there is no other reasonable option than compulsory purchase.

14.8.4 Notwithstanding this, all discussions and negotiations with landowners will continue wherever possible, thus hopefully limiting the number of interests over which compulsory purchase powers will ultimately need to be exercised.

14.9 Impediments to the Proposed Scheme going ahead

“The acquiring authority will also need to be able to show that the scheme is unlikely to be blocked by any physical or legal impediments to implementation. These include:

- the programming of any infrastructure accommodation works or remedial works which may be required; and
- any need for planning permission or other consent or licence.

Where planning permission will be required for the scheme, and permission has yet to be granted, the acquiring authority should demonstrate to the confirming minister that there are no obvious reasons why it might be withheld.” (paragraph 15 of the Guidance)

- 14.9.1 As set out in section 4 of this statement, a planning application for the Proposed Scheme was submitted to the Council in [Insert Date] with a decision expect to be made in [Insert Date]. As set out in section 16 of this statement, other consents, licences and orders will be sought or made at the appropriate time before they are needed to be in place. Through extensive engagement with the relevant consenting authorities, these are not considered to be impediments to the Proposed Scheme for the reasons set out in that section. Similarly, the Council is close to completing co-operation agreements with the two developers of offshore wind farms which would ensure that the respective projects and compulsory powers can co-exist.
- 14.9.2 As set out in section 16 of this statement, the Proposed Scheme is designed to connect with National Highways A47 North Tuddenham to Easton scheme, which was granted development consent by the Secretary of State on 12 August 2022. The legal challenge to that decision was dismissed on 7 July 2023, but permission to appeal has been granted. The Council considers that, notwithstanding the outcome of the legal challenge, the scheme is likely to go ahead albeit there may be some delay to implementation. Having carefully considered the respective programmes of the schemes, the Council consider that the unresolved legal challenge does not present an impediment to the delivery of the Proposed Scheme.
- 14.9.3 As set out in section 5, the Council has full confidence that all necessary funding will be available for the Proposed Scheme to proceed at the necessary time.
- 14.9.4 As set out in section 12, whilst the Order Land contains land and interests in land owned by statutory undertakers, negotiations for such land acquisitions and discussions for any necessary diversion agreements are being progressed.

- 14.9.5 Subject to confirmation of the Orders, the Council therefore remains confident that the Proposed Scheme will not be blocked by any legal or physical impediment to implementation.

14.10 Human rights and Equalities

“An acquiring authority should be sure that the purposes for which the compulsory purchase order is made justify interfering with the human rights of those with an interest in the land affected. Particular consideration should be given to the provisions of Article 1 of the First Protocol to the European Convention on Human Rights and, in the case of a dwelling, article 8 of the Convention.” (paragraph 12 of the Guidance)

- 14.10.1 The Council’s consideration of human rights and equalities is set out in sections 12 and 13 of this statement.

- 14.10.2 In summary, however, the Council has had regard to the human rights of those with an interest in the land that is required for the Proposed Scheme and considers that the interference with those rights, which would arise if the Proposed Scheme was taken forward, would be justified. The Council has reached this view by weighing the potential private losses, caused by the interference with the human rights of those affected, against the benefits (flowing from the achievement of the Proposed Scheme’s objectives as identified in section 2 above) which would be enjoyed by the wider public if the Proposed Scheme were to go ahead. Having carried out that balancing exercise, the Council concluded that the significant public benefits, which the Proposed Scheme would bring, would outweigh the private losses arising in consequence of the exercise of compulsory purchase powers.

- 14.10.3 As set out throughout this statement and more particularly in section 15, the SRO is required in order to permit works to other highways. However, the need for this is not considered an impediment given all statutory requirements and tests have either been complied with or departures justified. Furthermore, the Orders are being promoted alongside each other and it is anticipated that they would be considered together, at the same public inquiry.

- 14.10.4 In formulating and promoting the Orders, the Council has had full regard to its statutory duties and obligations under the Equality Act 2010 and in particular, to its obligations in sections 149 and 150 of that Act, in taking into account the differential impact the Orders will have on persons with protected characteristics. While it is recognised that the Proposed Scheme will have impacts it was found that any impacts it might have on protected characteristic groups could be addressed through mitigation, monitoring and communications, which will be undertaken during the detailed design and construction stage of the Proposed Scheme.

15 Need and Justification for the Side Roads Order (SRO)

15.1 Authority to make the SRO

- 15.1.1 [On **[Insert Date]** the Council resolved to make the SRO.]
- 15.1.2 [On **[Insert Date]** the SRO was made by the Council in accordance with such authorisation. The SRO was made and sealed prior to the making and sealing of the CPO.]

15.2 SRO Enabling Powers

- 15.2.1 The SRO, if confirmed by the Secretary of State for Transport, will provide for the stopping up and improvement of highways which connect with, or are affected by, the new classified road to be delivered as part of the Proposed Scheme, for the construction of new highways, the stopping up of private means of access to premises, the provision of new means of access to them, and other associated works, including alterations to Public Rights of Way (“**PRoW**”).
- 15.2.2 The SRO defines the classified road as “the highway which the Council proposes to construct from the existing roundabout junction of the A1270 Broadland Northway and the A1067 Fakenham in a south-westerly direction for a distance of approximately 6 kilometres and which is a proposed highway which is a classified road in accordance with section 12 of the Highways Act 1980”.
- 15.2.3 The SRO is made pursuant to the following provisions of the Highways Act 1980:
- Section 14 allows the Council, as highway authority, to carry out works authorised by an order relating to a classified road (i.e. the SRO):
 - to stop up, divert, improve, raise lower or otherwise alter a highway that crosses or enters the route of the classified road or is or will be otherwise affected by the construction or improvement of the road;
 - to construct a new highway for purposes concerned with any such alteration, or for any other purpose connected with the road or its construction, and to close after such period as may be specified in the order any new highway so constructed for temporary purposes; and
 - for any purpose incidental to the above purposes.

- Section 125 enables the Council to stop up any private means of access to premises adjoining or adjacent to land comprised in the route of a road, or forming the site of any works authorised by the Order, and to provide a new means of access to any such premises.

15.2.4 Where a SRO proposes to stop up a private means of access to premises, then the Secretary of State is unable to confirm the Order unless he is satisfied either (a) that no access to the premises is reasonably required (section 125(3)(a) of the Highways Act 1980), or (b) that another reasonably convenient means of access to the premises is available or will be provided under the SRO or otherwise (section 125(3)(b) of the Highways Act 1980). The Council has considered these tests against each of the private means of access that it intends to stop-up by making the SRO and the results of this consideration is set out in in section 5 of this Statement.

15.3 Need and Justification for the Side Roads Orders

15.3.1 Any failure to confirm the SRO would prevent the necessary changes being made to the local highway network to enable the implementation and delivery of the Proposed Scheme. The SRO, is therefore, integral to the ability to deliver the Proposed Scheme and to ensure the consequent benefits.

15.3.2 Sections 14(6) and 125(3) of the Highways Act 1980 set out two key tests against which the Secretary of State for Transport will assess the SRO and decided whether or not to confirm the SRO. These key tests are repeated in Circular 1/97 and are as follows.

Section 14(6) of the Highways Act 1980

15.3.3 Under this section no order authorising the stopping up of a highway is to be made or confirmed by the Minister unless the Minister is satisfied that another reasonably convenient route is available or will be provided before the highway is stopped.

15.3.4 There are three instances however, where highway is to be stopped up pursuant to the SRO where there is no reasonably convenient route already available and no replacement is proposed to be provided by the Proposed Scheme. In each of these instances, which are referenced below, the length of highway which is proposed to be stopped up will become redundant when the Proposed Scheme is in place. Explanations as to why that is the case are provided are below:

- The A47 North Tuddenham to Easton Development Consent Order 2022 (“**A47 DCO**”) includes provision for the formation of a new cycleway (shown on sheet 10 of the rights of way and access plans certified under that DCO by reference CF1 to CF2a (the “**A47 Cycleway**”) that would cross the alignment of the classified road comprised in the Proposed Scheme. Article 12(7) of the A47 DCO, the drafting of which was agreed between the Council and National Highways, confirms that the A47 Cycleway may only be constructed and opened for use with the approval of the Council. The A47 Cycleway is inconsistent with the Proposed Scheme and consequently the Council does not anticipate being in a position to grant its approval for the A47 Cycleway to be constructed and opened for public use. However, as a precaution, the SRO makes provision for it to be stopped up. If the A47 Cycleway were to be constructed and brought into use, the Council considers that it would be redundant and reasonably convenient alternative routes would exist once the Proposed Scheme is constructed.
- The length of the A1067 Fakenham Road that comprises the centre of the new roundabout that will be constructed to ‘tie-in’ the classified road with the A1067 Fakenham Road is proposed to be stopped up for a distance of 57 metres. This section of highway will not be replaced as it will be operational as part of the NWL/A1067 Fakenham Road roundabout when the Proposed Scheme is constructed and will form part of the classified road.
- The restricted byway Attlebridge RB3 from its junction with the A1270 Broadland Northway roundabout eastwards for a distance of 103 metres. This section of the restricted byway is proposed to be stopped up and not replaced as it will form part of the classified road, which makes an equivalent provision.

Section 125(3) of the Highways Act 1980

- 15.3.5 Under this section no order authorising the stopping up of a means of access to premises is to be made or confirmed by the Minister unless the Minister is satisfied that no access to the premises is reasonably required or that another reasonably convenient means of access to the premises is available or will be provided.
- 15.3.6 Where any private means of access is to be stopped up pursuant to the SRO, it is the case that either no replacement access to the premises is reasonably required, or, that another reasonably convenient route is already available or will be provided by the Proposed Scheme. This is explained on a case by case basis within the relevant paragraphs below. In all cases therefore the statutory test is met.

15.4 Details of the SRO

15.4.1 The SRO works are detailed in Schedules 1 to 6 of the SRO and are shown on the six SRO Site Plans numbered 1 to 6. Schedule 2 is represented on two Site Plans for clarity of presentation with, Site Plan 2A showing the stopping up of side roads and Site Plan 2B showing all other features. The following descriptions should be read in conjunction with the Schedules in the SRO and the SRO Site Plans.

15.4.2 The SRO, if confirmed by the Secretary of State for Transport, will authorise the Council to:

- Improve the lengths of highway named in the Schedules and shown on the corresponding Site Plan by cross hatching;
- Stop up each length of highway described in the Schedules and shown on the corresponding Site Plan by zebra hatching;
- Construct a new highway along each route whose centreline is shown by an unbroken black line surrounded by stipple;
- Stop up each private means of access to premises described in the Schedules and shown on the corresponding Site Plan by a solid black band; and
- Provide new private means of access to premises at each location shown on a site Plan by thin diagonal hatching.

15.4.3 The proposed arrangements are detailed below. In the following descriptions capital letters (e.g. 'A') refer to lengths of new highway, which will be a road unless the words "footpath", "bridleway" or "restricted byway" appear alongside its references in the Schedules to the SRO; numbers (e.g. '1') refer to new private means of access, and numbers preceded by a capital X (e.g. 'X1') refer to private means of access to be stopped up. Highways to be improved and highways to be stopped up do not have a reference but are described in the Schedules to the SRO.

15.4.4 Any improvements to the existing highway network may result in the loss, replacement, or renewal of, or additions to existing assets within the public highway; these are, but are not limited to, drainage, signage, kerb alignment (horizontal and vertical); paved areas including footways and cycleways, pavement, verge areas and soft landscaping. The changes required will be dependent on the detailed design requirements and layout at each section of highway. The area of improvement shown on the SRO Site Plans includes the full extent of the public highway, including verge areas where they form part of the highway, unless otherwise stated.

15.4.5 Where land is proposed to be acquired for the provision of highway drainage ponds, this will include the land required to enable the Council to access those ponds.

15.5 Site Plan 1

Improvements

15.5.1 Improvements are required along the new B road proposed to be constructed by National Highways under the A47 DCO shown as reference “AA” on Sheet 10 of the Classification of Roads plans to be certified under the A47 DCO and referred to in Part 2 of Schedule 3 to the A47 DCO as “new roundabout connector road” to be classified as a B road (the “**A47 New Roundabout Connector Road**”) and the B1535 Wood Lane. Works are to include:

- **A47 New Roundabout Connector Road** – the roundabout is to be altered to carry out works to ‘tie-in’ the classified road to this roundabout junction;
- **B1353 Wood Lane** – the improvements to Wood Lane are to accommodate the formation and ‘tie-in’ of the private means of access references 2, 2a, 2b and 2c.

New Highways

15.5.2 There are no new highways proposed to be located on Site Plan 1.

Highways to be stopped up and replaced

15.5.3 **The restricted byway Honingham RB1** from its junction with the B1525 Wood Lane south-eastwards for a distance of 1225 metres and the new cycleway proposed to be constructed by National Highways under the A47 DCO. The width of the stopping up of Honingham RB1 is sufficient to encompass both the alignment shown on the definitive map and the route ‘on the ground’ as there appears to be a minor misalignment of the two. These routes are proposed to be stopped up and replaced by a new restricted byway reference A (which continues onto Site Plan 2B) which is proposed to run parallel to the eastern side of the classified road. The replacement bridleway reference A connects the non-motorised user facilities proposed to be constructed by National Highways under the A47 DCO at the southern extent of the Proposed Scheme to the alignment of the existing U57216 The Broadway and the U57214 Telegraph Hill (which are themselves to be replaced by restricted byways references B, C and D – see Site Plan 2B). When considered together these routes would provide a reasonably convenient alternative by providing north/south connectivity parallel to the classified road to the east/west route that crosses the alignment of the classified road.

Highways to be stopped up and not replaced

- 15.5.4 The A47 DCO includes provision for the formation of the **A47 Cycleway** that would cross the alignment of the classified road comprised in the Proposed Scheme. Article 12(7) of the A47 DCO, the drafting of which was agreed between the Council and National Highways, confirms that the A47 Cycleway may only be constructed and opened for use with the approval of the Council. The A47 Cycleway is inconsistent with the Proposed Scheme and consequently the Council does not anticipate being in a position to grant its approval for the A47 Cycleway to be constructed and opened for public use. However, as a precaution, the SRO makes provision for it to be stopped up. If the A47 Cycleway were to be constructed and brought into use, the Council considers that it would be redundant and reasonably convenient alternative routes would exist once the Proposed Scheme is constructed.

Private means of access to be stopped up and replaced.

- 15.5.5 **Reference X1** – the existing access from the B1535 Wood Lane to a private field. The existing track is to be stopped up where it crosses the alignment of the classified road. It is to be replaced by a new access 2c from the B1535 Wood Lane which will in part be shared with accesses 2, 2a and 2b which are required for the Council to access the drainage ponds at this location.
- 15.5.6 Reference X3a (which continues on Site Plan 2) – the existing access from the U57216 The Broadway to Foxburrow Plantation and to a private field known as 'The Waterfence'. This is to be stopped up and replaced with a private means of access references 3a (which is continued on Site Plan 2) and 3b (shown on Site Plan 2). The replacement means of access provides for the crossing of the alignment of the classified road via the Foxburrow Plantation Green Bridge to provide access to land that would otherwise be severed and connect to the private means of vehicular access over the alignment of the U57216 The Broadway and U52714 Telegraph Hill which are proposed to be stopped up and replaced with a restricted byway (see Site Plan 2b).

Private means of access to be stopped up and not replaced.

- 15.5.7 There are no private means of access proposed to be stopped up and not replaced on Site Plan 1.

New private means of access

- 15.5.8 **References '2', '2a' and '2b'** – this new private means of access from the B1535 Wood Lane is required for the Council to access the highway drainage ponds at this location for maintenance.

15.6 Site Plan 2A and 2B

- 15.6.1 For clarity of presentation, the stopping up of highways is presented on Site Plan 2A and the improvements to highways, stopping up of private means of access and their replacement, together with new private means of access, are shown on Site Plan 2B.
- 15.6.2 In summary the classified road crosses three side roads on Site Plan 2:
- U57216 The Broadway;
 - U57214 Breck Road; and
 - U57217 Church Hill Lane.
- 15.6.3 In general terms the U57216 The Broadway and the U57214 Breck Road are proposed to be stopped up and replaced with lengths of restricted byway and bridleway and new restricted byway link provided to connect the two replacement routes so that they can cross the classified road via the proposed The Broadway Green Bridge. To preserve access for affected landowners, private means of access along the lengths of these U57216 The Broadway and the U57214 Breck Road affected by the replacement of these routes with public rights of way, are to be stopped up and replaced with private means of access that connect to these replacement highways, together with a private means of access over those highways.
- 15.6.4 In relation to the U57217 Church Hill Lane, the part of this route that lies to the west of the classified road is to be stopped up and replaced with a new bridleway, together with a new bridleway link that runs generally northwards parallel to the classified road until it crosses the classified road via Morton Green Bridge before and continues on replacement bridleway until it rejoins Weston Road (shown on Site Plan 3) to provide east/west connectivity. To preserve access for affected landowners, private means of access along the affected part of the existing U57217 are to be stopped up and replaced with private means of access that connect to those replacement highways, together with a private means of access over those highways. In relation to the part of the U57217 Church Hill Lane to the east of the classified road, this is stopped up and replaced with private means of access.
- 15.6.5 The remainder of this section explains each of the proposed interventions in more detail.

Improvements

15.6.6 Improvements are required along the B1535 Wood Lane, the C167 Paddys Lane, the U57216 The Broadway, the U57214 Breck Road, the U57214 Telegraph Hill, the U5217 Church Hill Lane, the U57217 Weston Road and the U57323 Blackbreck Lane. Works are to include:

- **B1535 Wood Lane, C167 Paddys Lane and U57216 The Broadway** – the improvements to Wood Lane Paddys Lane are to accommodate the formation and ‘tie-in’ at the junction of these three roads, of the new bridleway reference B and private means of access references 4, 4a, 4b, 4c, 4d, 5, 5a and 5b.
- **U57214 Breck Road** – the improvements to Breck Road are to accommodate the ‘tie-in’ of the new restricted byway reference F and private means of access references 6, 6a, 6b, 6c and 6d.
- **U57214 Telegraph Hill** – the improvements to Telegraph Hill are to accommodate the formation and ‘tie-in’ of the new restricted byways references D and G, and private means of access references 4, 4a, 4b, 4c, 4d, 5, 5a and 5b.
- **U57217 Church Hill Lane and U57217 Weston Road** – the improvements to Church Hill Lane and U57217 Weston Road are to accommodate the formation and ‘tie-in’ of new bridleway reference H and private means of access reference 11.
- **U57323 Blackbreck Lane, U57217 Church Hill Lane, U57217 Weston Road and Weston Longville FP9** – the improvements to Blackbreck Lane, Church Hill Lane, Weston Road and footpath Weston Longville FP9 are to accommodate the formation and ‘tie-in’ at the junction of these four highways, of new restricted byway reference K and private means of access reference 13 (both of which are shown on Site Plan 3).

New Highways

15.6.7 **Reference E** - this is a new length of restricted byway to provide a link between the new bridleway reference B and the new restricted byway reference C (both of which replace part of the U57216 The Broadway) and new restricted byway reference F (which replaces part of the U57214 Breck Road).

15.6.8 **Reference N** (continues on Site Plan 3) – this is a new length of bridleway to provide a link between the new bridleway reference H (which replaces part of the U57217 Church Hill Lane) and new right of way reference J (shown s on Site Plan 3).

Highways to be stopped up and replaced.

- 15.6.9 The **U57216 The Broadway** from a point 12 metres east of its junction with the centreline of the B1535 Wood Lane and C167 Paddys Lane, eastwards to its junction with the U57214 Telegraph Hill and the U57214 Breck Road, is proposed to be stopped up and replaced. The route from its junction with the B1535 Wood Lane and the C167 Paddys Lane to where it connects with new restricted byway E (providing a new link to the existing Breck Road) will be replaced with a new bridleway reference B. The remainder of the route to its junction with the U57214 Telegraph Hill and the U57214 Breck Road will be replaced with a new restricted byway reference C.
- 15.6.10 The **U57214 Telegraph Hill** from its junction with the U57216 The Broadway and the U57214 Breck Road, eastwards to a point 20 metres west of its junction with footpath Honingham FP5 is proposed to be stopped up and replaced with a new restricted byway reference D. This along with new rights of way references B and C will provide west/east connectivity across the classified road via the The Broadway green bridge.
- 15.6.11 The **U57214 Breck Road** from a point 155 metres south-east of its junction with the centreline of the C167 Weston Green Road, south-eastwards to its junction with the U57216 The Broadway and the U57214 Telegraph Hill, is proposed to be stopped up. The stopped-up length of the U57214 Breck Road on the west side of the classified road will be replaced with a new restricted byway reference F. Reference F, as it approaches the alignment of the classified road connects to new restricted byway E allowing onward journeys to cross the classified road via The Broadway Green Bridge along restricted byway reference C, preserving east/west connectivity that would otherwise be severed by the classified road..
- 15.6.12 **Footpaths Honingham FP5 and Weston Longville FP9** from a point 20 metres north-east of its junction with the centreline of the U57214 Telegraph Hill, north-eastwards to a point 75 metres south-west of its junction with the U57217 Church Hill Lane are proposed to be stopped up and replaced with a new restricted byway reference G.
- 15.6.13 The **U57217 Church Hill Lane** from a point 92 metres south-east of its junction with the centreline of the C167 Weston Road and the C167 Weston Green Road, south-eastwards to a point 68 metres west of its junction with the centreline of the U57323 Blackbreck Lane is proposed to be stopped up. The length of the stopped up U57217 Church Hill Lane to the west of the classified road is being replaced with a new bridleway reference H. Reference H will connect to new bridleway reference N (which is continued on Site Plan 3) and bridleway reference J (shown on Site Plan 3) to cross the alignment of the classified road via Morton Green Bridge, preserving east/west connectivity.

Highways to be stopped up and not replaced

15.6.14 There are no highways to be stopped up and not replaced on Site Plans 2A and 2B.

.Private means of access to be stopped up and replaced

15.6.15 **Reference X3b** – the existing access from the U57216 The Broadway to a private field known as 'Norwood', running along an existing private track. This is to be stopped up and replaced with a private means of access references 3a, 3b, and then along private means of access 4 and 5. The replacement means of access provides for the crossing of the alignment of the classified road via a green bridge to provide access to land that would otherwise be severed and connect to the private means of vehicular access over the alignment of the U57216 The Broadway and U52714 Telegraph Hill which are proposed to be stopped up and replaced with a bridleway and restricted byway respectively (see Site Plan 2b).

15.6.16 **Reference X4a** – the existing access from the U57216 The Broadway to a private field. The existing access is to be stopped up, as a consequence of the replacement of the U57216 The Broadway and U57214 Telegraph Hill with public rights of way (described above), and replaced with private means of access references 4a, 4 and 5. The replacement means of access provides access to the private field as well as connect to the private means of vehicular access over the alignment of the U57216 The Broadway and U52714 Telegraph Hill which are proposed to be stopped up and replaced with a bridleway and restricted byway respectively (see Site Plan 2b).

15.6.17 **Reference X4** - the existing access from the U57216 The Broadway to a private field. The existing access is to be stopped up, as consequence of the replacement of the U57216 The Broadway and the U57214 Telegraph Hill with public rights of way (described above), and replaced with private means of access references 4b, 4 and 5. The replacement means of access provides access to the private field as well as connect to the private means of vehicular access over the alignment of the U57216 The Broadway and U52714 Telegraph Hill which are proposed to be stopped up and replaced with a bridleway and restricted byway respectively (see Site Plan 2b).

15.6.18 **Reference X4c** – the existing access from the U57216 The Broadway to a private field. The existing access is to be stopped up, as consequence of the replacement of the U57216 The Broadway and the U57214 Telegraph Hill with public rights of way (described above), and replaced with private means of access references 4c, 4 and 5. The replacement means of access provides access to the private field as well as connect to the private means of vehicular access over the alignment of the U57216 The Broadway and U52714 Telegraph Hill which are proposed to be stopped up and replaced with a bridleway and restricted byway respectively (see Site Plan 2b).

- 15.6.19 **Reference X4d** – the existing access from the U57216 The Broadway to a private field. The existing access is to be stopped up, as consequence of the replacement of the U57216 The Broadway and the U57214 Telegraph Hill with public rights of way (described above), and replaced with private means of access references 4d, 4 and 5. The replacement means of access provides access to the private field as well as connect to the private means of vehicular access over the alignment of the U57216 The Broadway and U52714 Telegraph Hill which are proposed to be stopped up and replaced with a bridleway and restricted byway respectively (see Site Plan 2b).
- 15.6.20 **Reference X4e** – the existing access from the U57216 The Broadway to a private field. The existing access is to be stopped up, as consequence of the replacement of the U57216 The Broadway and the U57214 Telegraph Hill with public rights of way (described above), and replaced with private means of access references 4d, 4 and 5. The replacement means of access provides access to the private field as well as connect to the private means of vehicular access over the alignment of the U57216 The Broadway and U52714 Telegraph Hill which are proposed to be stopped up and replaced with a bridleway and restricted byway respectively (see Site Plan 2b).
- 15.6.21 **Reference X5a** – the existing access from the U57214 Breck Road to a private field. The existing access is to be stopped up, as consequence of the replacement of the U57216 The Broadway and the U57214 Telegraph Hill with public rights of way (described above), and is to be replaced with private means of access references 5a, 4 and 5. The replacement means of access provides access along the stretch of the U57214 Breck Road that is to be stopped up on the east side of the classified road, as well as connect to the private means of vehicular access over the alignment of the U57216 The Broadway and U52714 Telegraph Hill which are proposed to be stopped up and replaced with a bridleway and restricted byway respectively (see Site Plan 2b).
- 15.6.22 **Reference X5b** – the existing access from the north side of the U57214 Telegraph Hill to a private field. The existing access is to be stopped up, as a consequence of the highway improvements to the junction between the U57214 Telegraph Hill with the footpath Honingham FP5, and replaced by a new private means of access references 5b, 4 and 5. The replacement provides access to the private field as well as a private means of vehicular access over the alignment of the U57216 The Broadway and U52714 Telegraph Hill which are proposed to be stopped up and replaced with a bridleway and restricted byway respectively (see Site Plan 2b).

- 15.6.23 **Reference X6a** – the existing access from the U57214 Breck Road to a private field. This is to be stopped up, as a consequence of the replacement of the U57214 Breck Road with a restricted byway, and replaced with a private means of access references 6a and 6. The replacement provides access to the private field as well as a private means of access over the alignment of the U57214 Breck Road which is proposed to be stopped up and replaced with a restricted byway (see Site Plan 2b).
- 15.6.24 **Reference X6b** – the existing access from the north side of the U57214 Breck Road to a private field. This is to be stopped up, as a consequence of the replacement of the U57214 Breck Road with a restricted byway, and replaced with a private means of access references 6b and 6. The replacement means of access provides access to the private field as well as for a private means of vehicular access over the alignment of the U57214 Breck Road which is proposed to be stopped up and replaced with a restricted byway (see Site Plan 2b).
- 15.6.25 **Reference X6c** - the existing access from the south side of the U57214 Breck Road to a private field. This is to be stopped up, as a consequence of the replacement of the U57214 Breck Road with a restricted byway, and replaced with a private means of access references 6c and 6. The replacement means of access provides access to the private field as well as access over the alignment of the U57214 Breck Road which is proposed to be stopped up and replaced with a restricted byway (see Site Plan 2b).
- 15.6.26 **Reference X6d** – the existing access from the U57214 Breck Road to a private field. This is to be stopped up, as a consequence of the improvements to the U57214 Breck Road and replaced with a private means of access reference 6d.
- 15.6.27 **Reference X8a** – the existing access from U57217 Church Hill Lane to a private field. This is to be stopped up, as a consequence of the highway improvements to the U57217 Church Hill Lane and replaced with a private means of access reference 8a.
- 15.6.28 **Reference X9a** – the existing access from the north side of the U57217 Church Hill Lane to a private field and to an electricity substation. This is to be stopped up as consequence of the stopping up of the U57217 Church Hill Lane, and replaced by a new private means of access references 9a and 9. The replacement provides the same access from the north side of the U57217 Church Hill Lane to the private field and electricity substation, as well as a private means of vehicular access over the alignment of the U57217 Church Hill Lane which is proposed to be stopped up (see Site Plan 2b).

15.6.29 **Reference X9b** – the existing access from the south side of the U57217 Church Hill Lane to a private field. This is to be stopped up, as consequence of the stopping up of the U57217 Church Hill Lane and replaced by a new private means of access references 9b and 9. The replacement provides the same access from the south side of the U57217 Church Hill Lane to the private field as well as a private means of vehicular access over the alignment of the U57217 Church Hill Lane which is proposed to be stopped up (see Site Plan 2b).

15.6.30 **Reference X10** – the existing access from the U57217 Church Hill Lane to a private field (owned by the Council). This access is to be stopped up as the land associated with the access forms part of the alignment of the classified road and is to be replaced by a new private means of access references 9c and 9. The replacement provides access to land south of the alignment of the classified road that would otherwise be severed and connect to the private means of vehicular access over the alignment of the stopped up U57217 Church Hill Lane. Provision is made for the remainder of the potentially severed land to the north of the classified road as explained below (see Reference 'X11').

15.6.31 **Reference 'X11'** – the existing access from the U57217 Church Hill Lane to a private field (owned by the Council). This access is to be stopped up as a consequence of the highway improvements to the U57217 Church Hill Lane and replaced with a new private means of access reference 11. This replacement provides access to the otherwise severed land to the north of the classified road.

Private means of access to be stopped up and not replaced.

15.6.32 **Reference X7** – the existing access from the U57214 Breck Road to a private field, at a point 743 metres south-east of the junction of the U57214 Breck Road with the C167 Weston Green Road is proposed to be stopped up. No replacement access is proposed because reasonably convenient access to the premises will be provided by private means of access reference 5b.

15.6.33 **Reference X8** – the existing access from the U57217 Church Hill Lane to a private field, at a point 337 metres south-east of the junction of the U57217 Church Hill Lane with the C167 Weston Road and the C167 Weston Green Road is proposed to be stopped up as a consequence of the classified road. No replacement access is proposed because reasonably convenient access will exist from private means of access references 8a, 9a and 12.

New private means of access

15.6.34 **References 9d, 9c and 9** – this is a new private means of access to a private field that is east of the alignment of the classified road that would otherwise be severed and connects to the private means of vehicular access over the alignment of the U57217 Church Hill Lane.

15.7 Site Plan 3

Improvements

15.7.1 Improvements are required along the C172 Ringland Lane. Works are to include:

- **C172 Ringland Lane** – the road will be improved to facilitate its crossing of the classified road via the Ringland Lane Bridge BR2.

New Highways

15.7.2 **Reference J** – this is a new length of bridleway to provide a link across the classified road via the proposed Morton Green Bridge between the new right of way reference N and new right of way reference K.

15.7.3 **Reference L** – this is a new length of footpath to provide a link between the improved C172 Ringland Lane and the existing footpath Ringland FP1 (continues on Site Plan 4).

Highways to be stopped up and replaced

15.7.4 The **U57323 Blackbreck Lane** from a point 7 metres north of its junction with the centreline of the U57217 Church Hill Lane and the U57217 Weston Road, northwards to its junction with the centreline of the C172 Ringland Lane. This route is proposed to be stopped up and replaced by a new restricted byway reference K, which is proposed to follow the current alignment of the U57323 Blackbreck Lane from its junction with the U57217 Church Hill Lane and the U57217 Weston Road northwards until it meets the classified road boundary, at which point it then continues by running parallel alongside the eastern side of the classified road before connecting to the improved C172 Ringland Lane southeast of the Ringland Lane bridge.

Highways to be stopped up and not replaced

- There are no highways to be stopped up and not replaced on Site Plan 3.

Private means of access to be stopped up and replaced

15.7.5 **Reference 'X13a'** – the existing access from the U57323 Blackbreck Lane to a private field. This is to be stopped up as a consequence of the stopping up and re-alignment of the U57323 Blackbreck Lane, and replaced with a new private means of access references 13a and 13. This replacement provides for a private means of vehicular access over the alignment of U57323 Blackbreck Lane which is proposed to be stopped up and replaced by a restricted byway.

- 15.7.6 **Reference X13b** – the existing access from the U57323 Blackbreck Lane to a private field. This is to be stopped up, as a consequence of the stopping up and re-alignment of the U57323 Blackbreck Lane, and replaced with a new private means of access references 13b and 13. This replacement provides for a private means of vehicular access over the alignment of U57323 Blackbreck Lane which is proposed to be stopped up and replaced by a restricted byway.
- 15.7.7 **Reference X13c** - the existing access from the U57323 Blackbreck Lane to a private field. This is to be stopped up, as consequence of the stopping up and re-alignment of the U57323 Blackbreck Lane and replaced with a new private means of access references 13c and 13. This replacement provides for a private means of vehicular access over the alignment of U57323 Blackbreck Lane which is proposed to be stopped up and replaced by a restricted byway.
- 15.7.8 **Reference X13d** - the existing access from the U57323 Blackbreck Lane to a private field. This is to be stopped up, as a consequence of the stopping up and re-alignment of the U57323 Blackbreck Lane, and replaced with a new private means of access references 13d and 13. This replacement provides for a private means of vehicular access over the alignment of U57323 Blackbreck Lane which is proposed to be stopped up and replaced by a restricted byway.
- 15.7.9 **Reference X13e** - the existing access from the U57323 Blackbreck Lane to a private field. This is to be stopped up, as a consequence of the stopping up and re-alignment of the U57323 Blackbreck Lane, and replaced with a new private means of access references 13e and 13. This replacement provides for a private means of vehicular access over the alignment of U57323 Blackbreck Lane which is proposed to be stopped up and replaced by a restricted byway.
- 15.7.10 **Reference X13f** – the existing access from the U57323 Blackbreck Lane to a private field. This is to be stopped up, as a consequence of the stopping up and re-alignment of the U57323 Blackbreck Lane, and replaced with a new private means of access references 13f and 13. The land associated with the access to be stopped up forms part of the classified road alignment, therefore the new access is to be provided from the section of the realigned U57323 Blackbreck Lane that runs alongside the classified road. This replacement also provides for a private means of vehicular access over the alignment of U57323 Blackbreck Lane which is proposed to be stopped up and replaced by a restricted byway (see Site Plan 3).

15.7.11 Reference **X13g** – the existing access from the U57323 Blackbreck Lane to a private field. This is to be stopped up, as a consequence of the stopping up and re-alignment of the U57323 Blackbreck Lane and the proposed highway improvements to the C172 Ringland Lane. The replacement private means of access reference 13g will be provided from the south side of the C172 Ringland Lane to enable access to the remainder of the premises outside of the classified road boundary.

Private means of access to be stopped up and not replaced

15.7.12 Reference **X16** – the existing access from the C172 Ringland Lane to 'The Nursery' and 'Long Plantation', running along an existing private track is proposed to be stopped up from a point 410 metres north of its junction with the C172 Ringland Lane northwards for a distance of 167 metres where it is crossed by the classified road. No replacement access is proposed because reasonably convenient access to the premises exist from the remainder of the track that adjoins the C172 Ringland Lane that is not being stopped up south of the classified road, as will be provided from the new private means of access reference 15 to the north of the classified road.

New private means of access

15.7.13 References **12 and 13** – this is a new private means of access to a private field west of the alignment of the classified road, over the length of bridleway reference J and further connecting to the private means of access over the length of the U57323 Blackbreck Lane from where they join to its junction with the U57217 Church Hill Lane. This provides an alternative access to 8a to the privately owned field.

15.7.14 Reference **14** – this is a new private means of access from the north side of the improved C172 Ringland Lane to the east of the alignment of the classified road which is required for the Council to access the drainage pond at this location.

15.7.15 References **15 (continued on Site Plan 4) and 15a** – this is a new private means of access from the north side of the improved C172 Ringland Lane west of the alignment of the classified road which is required for the Council to access the drainage ponds at this location.

15.8 Site Plan 4

Improvements

15.8.1 Improvements are required along the A1067 Fakenham Road. Works are to include:

- **A1067 Fakenham Road** – the improvements to Fakenham Road are to carry out works to ‘tie-in’ A1067 Fakenham Road with the classified road. This includes improvements to the approach of the A1067 Fakenham Road to the existing A1270 Broadland Northway and A1067 Fakenham Road roundabout junction (which would form part of the classified road) and improvements on the approach of the A1067 Fakenham Road to the new A1067 Fakenham Road’s roundabout junction with the classified road.

DRAFT

New Highways

- 15.8.2 **Reference L** – this is the continuation of footpath reference L from Site Plan 3, which provides for a crossing under the alignment of the classified road as it is carried over the River Wensum by a viaduct.
- 15.8.3 **Reference M** – this is a new length of footpath to provide a link between the new footpath reference L and the existing footpath Ringland FP1.

Highways to be stopped up and replaced

- 15.8.4 There are no highways to be stopped up and replaced on Site Plan 4.

Highways to be stopped up and not replaced

- 15.8.5 The length of the **A1067 Fakenham Road** that comprises the centre of the new roundabout that will be constructed to 'tie-in' the classified road with the A1067 Fakenham Road is proposed to be stopped up for a distance of 57 metres. This section of highway will not be replaced as it will be operational as part of the classified roads' roundabout junction with the A1067 Fakenham Road.
- 15.8.6 The restricted byway **Attlebridge RB3** from its junction with the A1270 Broadland Northway roundabout eastwards for a distance of 103 metres as it crosses into the bounds of the classified road. This section of the restricted byway is proposed to be stopped up and not replaced as it will form part of the classified road, which includes an equivalent provision.

Private means of access to be stopped up and replaced

- 15.8.7 **Reference X18** – the existing access from the C172 Ringland Lane to the 'Northern Woodlands', running along an existing private track. The existing track is to be stopped up where it crosses the alignment of classified road. It is to be replaced by a new access reference 15 from the C172 Ringland Lane which will in part be shared with accesses 15a and 15 which are required for the Council to access the two drainage ponds on the north side of the C172 Ringland Lane as well as maintenance access for the viaduct.
- 15.8.8 **Reference X21** – the existing access from the A1067 Fakenham Road to 'Woodstock' and the existing private access track, from the junction of the private access track with the A1067 Fakenham Road (land owned by the Council). This is to be stopped up and replaced with a private means of access references 21 and 21a. The replacement reference 21 will provide access from the A1067 Fakenham Road for the Council to carry out maintenance works for the classified road. The replacement reference 21a will serve access to the property 'Woodstock'.

15.8.9 **Reference X22** – the existing access from the A1067 Fakenham Road to agricultural land opposite the access to 'Woodstock'. The existing access is to be stopped up, as a consequence of the highway improvement works to the A1067 Fakenham Road, and is to be replaced by a private means of access reference 22. The replacement means of access is located from the point the track on which restricted byway Attlebridge RB4 is situated adjoins the A1067 Fakenham Road, providing access to the land which is to be acquired by the Council for highway improvement works and environmental works including landscaping and planting.

15.8.10 **Reference X23** – the existing access from the A1067 Fakenham Road to 'Old Hall Cottages' and 'Old Hall Farm'. The existing access is to be stopped up, as a consequence of the highway improvement works to the A1067 Fakenham Road and replaced with a private means of access reference 23.

15.8.11 **Reference X25** – the existing access along the highway that adjoins the north side of the A1270 Broadland Northway roundabout eastwards for a distance of 103 metres. The existing access is to be stopped up, as a consequence of its route entering into the bounds of the classified road and replaced with a new private means of access reference 25. This replacement maintains the access to land outside of the Order Limits for the owners of the premises 'Deighton Hills' and the 'Mid Norfolk Shooting Ground'.

Private means of access to be stopped up and not replaced

15.8.12 **Reference X22a** – the existing access from restricted byway Attlebridge RB4 to agricultural land opposite the access to 'Old Hall Farm' at a point 3 metres north-eastwards of the centreline of the junction of the A1067 Fakenham Road with the restricted byway Attlebridge RB4 is proposed to be stopped up as a consequence of the highway improvement works to the A1067 Fakenham Road. No replacement access is proposed because no access to the premises is reasonably required because the premises in question are proposed to be acquired for the purposes of the Proposed Scheme.

New private means of access

15.8.13 **Reference 19** – this is a new private means of access that provides maintenance access to the viaduct (comprised in the classified road) on the south side of the River Wensum. It is connected with private means of access reference 15 (which is continued on Site Plan 3) to provide connectivity to provide access from the improved C172 Ringland Lane.

15.8.14 **Reference 20** – this is a new private means of access from the south side of the improved A1067 Fakenham Road to enable the Council to access and carry out maintenance of the viaduct on the north side of the River Wensum. This new private means of access will also provide access to statutory undertaker utility apparatus within the highway verge, as well as providing private means of access to the adjacent premises on the north side of River Wensum floodplain.

15.8.15 **Reference 24** – this is a new private means of access from restricted byway Attlebridge RB4 to land opposite the access to ‘Old Hall Farm’. This new private means of access is required for the Council to access the drainage pond at this location.

15.9 Site Plan 5

Improvements

15.9.1 Improvements are required along the C167 Marl Hill Road, the C172 Ringland Lane and the A1067 Fakenham Road at its junction with the C167 Marl Hill Road. Works are to include:

- C167 Marl Hill Road – there will be the provision of a new off carriageway non-motorised user link adjacent to the existing carriageway and landscaping and planting works along Marl Hill Road.
- C172 Ringland Lane – there will be improvements including landscaping and planting works along Ringland Lane.
- A1067 Fakenham Road – there will be landscaping and planting works and works associated with the provision of the new off-carriageway non-motorised user route along the C167 Marl Hill Road, at the junction of the A1067 Fakenham Road and the C167 Marl Hill Road.

New Highways

- There are no new highways to be constructed on Site Plan 5.

Highways to be stopped up and replaced

- There are no highways to be stopped up and replaced on Site Plan 5.

Highways to be stopped up and not replaced

- There are no highways to be stopped up and not replaced on Site Plan 5.

Private means of access to be stopped up and replaced

- There are no private means of access proposed to be stopped up and replaced on Site Plan 5.

Private means of access to be stopped up and not replaced

- There are no private means of access proposed to be stopped up and not replaced on Site Plan 5.

New private means of access

There are no new private means of access on Site Plan 5.

15.10 Site Plan 6

Improvements

15.10.1 Improvements are required along the C167 Honingham Lane. The Transport Assessment for the Proposed Scheme recommends traffic mitigation measures be provided along the C167 Honingham Lane in future operational years to minimise the potential for the adverse effects associated with inappropriate traffic 'rat running' along this route. The Council envisages that this mitigation would take the form of a traffic regulation order prohibited vehicular use, save for access to adjacent land. The improvements required at this location are works associated with ensuring that such access can be provided safely.

New Highways

- There are no new highways to be constructed on Site Plan 6.

Highways to be stopped up and replaced

- There are no highways to be stopped up and replaced on Site Plan 6.

Highways to be stopped up and not replaced

- There are no highways to be stopped up and not replaced on Site Plan 6.

Private means of access to be stopped up and replaced

- There are no private means of access proposed to be stopped up and replaced on Site Plan 6.

Private means of access to be stopped up and not replaced

- There are no private means of access proposed to be stopped up and not replaced on Site Plan 6.

New private means of access

- There are no new private means of access on Site Plan 6.

15.11 Conclusion

15.11.1 The Council has made the SRO pursuant to sections 14 and 125 of the Highways Act 1980 to authorise the required changes to the side roads and private means of access to premises, involving the existing side roads and means of access, improvements to existing side roads and to create new side roads and private means of access to premises.

15.11.2 In all cases the tests of section 125(3) of the Highways Act 1980 and the associated requirements of Circular 1/97 have been met.

15.11.3 In all cases the tests of section 14(6) of the Highways Act and the associated requirements of Circular 1/97 have been met.

DRAFT

16 Other Consents, Licences and Orders

16.1 Certain additional consents, licences and orders are required for the Proposed Scheme. A list of consents, licences and orders required is provided below (and referred to in this section of the Statement of Reasons as the “**Consents**”):

- Protected Species Licence(s) under the Wildlife and Countryside Act 1981, the Conservation of Habitats and Species Regulations 2017 and other legislation;
- Environmental Permits under the Environmental Permitting (England and Wales) Regulations 2016, for flood risk activities, discharge and temporary abstraction of groundwater during construction;
- Consents under the Land Drainage Act 1991 and related byelaws for works affecting ordinary watercourses;
- Traffic Regulation Orders made under the Road Traffic Regulation Act 1984 to manage traffic during construction and operation of the Proposed Scheme; and
- Section 61 consents under the Control of Pollution Act 1974 for works outside of hours specified or which exceed the permitted noise thresholds.

Protected Species Licence(s)

16.2 The Proposed Scheme has incorporated mitigation for protected species known to be present. This includes Water Voles, Badgers and Barn Owls which are detailed within a Ecological Mitigation Strategy within the planning application. Draft licence submissions to Natural England has been made with respect to Badgers and Water Voles. Natural England have supplied Letters of No Impediment (LoNI) for both species which include details of further information required within a licence submission. These licences applications will be made to Natural England before any regulated activity takes place.

16.3 Mitigation licences may be required if protected species not previously identified during surveys carried out to date are found to be present during pre-construction surveys.

16.4 In relation to protected bat species the Proposed Scheme has been carefully designed to embed within it a wide range of mitigation measures including but not limited to careful landscape design, the provision of green bridges and other measures to provide multi-functional connections across the Proposed Scheme. The efficacy of these measures would be carefully monitored following implementation. The planning application includes an Outline Bat Mitigation Strategy and Outline Bat Monitoring Strategy which sets out the relevant measures. In parallel, consultation with Natural England regarding bat mitigation has been undertaken throughout the Scheme's development. This culminated in the submission of a draft licence early in 2023. Discussions with Natural England are ongoing and have led to a scheduled resubmission of the draft licence proposed for December 2023. The resubmission will include sign posts to information requested by Natural England and a clarification of the 'roost resource' approach taken.

16.5 It is anticipated that both outline documents including in the planning application, together with the details of mitigation required during construction, would be finalised as part of a European protected species licence to be submitted to Natural England before any regulated activity takes place.

16.6 Once granted protected species licences the implementation would be overseen named ecologist under the relevant protected species licencing regime(s).

Environmental Permits

16.7 Environmental Permits under the Environmental Permitting (England and Wales) Regulations 2016 may be required in relation to the temporary abstraction during construction of groundwater from excavations that exceed the exempt threshold. Flood risk activity permits may also be required in relation to construction works in the vicinity of the River Wensum which is a main river.

Land Drainage Act 1991 and related consents

16.8 The Proposed Scheme includes works to ordinary watercourses, such as river Tud tributary, that will require the consent of the internal drainage board.

Traffic Regulation Orders

16.9 It is anticipated that traffic regulation orders, made under the Road Traffic Regulation Act 1984 will be required during the construction of the Proposed Scheme to ensure the safety of the workforce and road users. Such traffic regulation orders will be sought in advance of the corresponding construction works beginning.

- 16.10 Traffic regulation orders will also be required during operation of the Proposed Scheme to manage and mitigate traffic. These include 'no right turn' restrictions, speed limit reductions and a closure to vehicular traffic to deter traffic from using inappropriate local roads. The package of traffic regulation orders anticipated to be required during the operation of the Proposed Scheme is considered in the **Transport Assessment [Document Reference 4.01.00]** accompanying the planning application for the Proposed Scheme.
- 16.11 The Council, as the traffic authority for the highways concerned, does not foresee any issues that would prevent or hinder such TROs being made.

Section 61 of the Control of Pollution Act 1974

- 16.12 Section 61 of the Control of Pollution Act 1974 enables persons intending to carry out construction works to apply for prior approval from a local authority to carry out such works. The Outline Construction Environmental Management Plan accompanying the planning application for the Proposed Scheme sets out a range of best practicable means that would be adopted during construction to minimise noise, the detail of which would be developed prior to construction beginning.

16.13 Other projects

- 16.13.1 The Proposed Scheme will interact with three other projects that are at various stages of progress through the process of obtaining and implementing development consent sought or granted under the Planning Act 2008.

The A47 North Tuddenham to Easton Development Consent Order 2022 (A47 DCO)

- 16.13.2 The Proposed Scheme has been designed to connect the Council's strategic roads to the strategic road network by linking the A1270 Broadland Northway to the improved A47 being developed by National Highways under its A47 North Tuddenham to Easton scheme. The Council and National Highways have worked, and are continuing to work, collaboratively on the development of their respective schemes.
- 16.13.3 National Highways applied for development consent for that scheme on 15 March 2021. Following examination under the Planning Act 2008, the A47 DCO was granted by the Secretary of State for Transport on 12 August 2022. The Proposed Scheme, which will connect to the DCO scheme, has been carefully designed in consultation with National Highways, who are responsible for promoting and implementing the A47 DCO. The A47 scheme is included in the Department for Transport's Road Investment Strategy 2 which sets out the list of schemes that are to be developed by National Highways in the period 2020-2025.

16.13.4 The Secretary of State's decision to grant the DCO was subject to legal challenge on grounds related to the cumulative assessment of greenhouse gases. On 7 July 2023 the High Court dismissed the grounds of challenge and upheld the Secretary of State's decision. Permission to appeal to the Court of Appeal has been granted.

16.13.5 The decision of the Secretary of State to grant the A47 DCO demonstrates the acceptability of the principle of that scheme. If the appeal is successful and the A47 DCO is quashed by the Court of Appeal the Secretary of State would be required to redetermine National Highways' DCO in a manner that observed the court's findings.

16.13.6 Having carefully considered the programme implications of delay arising from the legal proceedings to the implementation of the A47 DCO, the Council consider that it is unlikely that it would reflect an impediment to the delivery of the Proposed Scheme.

The proposed Sheringham Shoal and Dudgeon Extensions Offshore Wind Farm Order

16.13.7 The developer submitted its application for development consent on 5 September 2022. The examination closed on 17 July 2023 and the Secretary of State's decision whether or not to grant development consent is required to have been made by 17 January 2024.

16.13.8 The proposed order seeks development consent under the Planning Act 2008 for the construction of offshore wind turbine electricity generating infrastructure and associated onshore electrical connection works. The proposed onshore electrical connection crosses the Proposed Scheme.

16.13.9 The Council is at an advanced stage of negotiating with the developer a co-operation agreement that would ensure the co-existence of both projects and related compulsory powers.

16.13.10 Consequently, the Council does not consider the proposed Sheringham Shoal and Dudgeon Extensions Offshore Wind Farm Order would present an impediment to the delivery of the Proposed Scheme.

Hornsea Three Offshore Wind Farm Order 2020

16.13.11 The Hornsea Three Offshore Wind Farm Order 2020 was granted on 31 December 2020 and authorises the construction of an offshore wind farm together with its electrical connection. The electrical connection crosses part of the Proposed Scheme.

16.13.12 The Council is at an advanced stage of negotiating with the developer a co-operation agreement that would ensure the co-existence of both projects and related compulsory powers.

16.13.13 Consequently, the Council does not consider the Hornsea Three Offshore Wind Farm Order 2020 would present an impediment to the delivery of the Proposed Scheme.

16.14 Conclusion

16.14.1 In the case of each of the Consents it is not practicable to seek their approval or grant at this stage in the development of the Proposed Scheme for a variety of reasons. In the majority of cases this is because the level of detailed information required to obtain the relevant consent, such as section 61 prior approval under the Control of Pollution Act 1974, will not be available until a later stage.

16.14.2 Despite these limitations, which are normal for a project such as the Proposed Scheme, discussions with relevant bodies have been established and liaison is ongoing to ensure the relevant consents, licences and orders are secured at the appropriate point in time for when those Consents are required to be in place such that the Proposed Scheme may proceed.

16.14.3 The Council is at an advanced stage of negotiating co-operation agreements with the offshore wind farm developers who have, or are seeking, powers under the Planning Act 2008 in relation to part of the land including in the CPO.

16.14.4 Consequently, the Council has concluded that any requirement to obtain the Consents would not represent an impediment to the delivery of the Proposed Scheme.

17 Other Information

17.1 Contact Information

17.1.1 For those wishing to discuss a sale of land or property, compensation or accommodation works or for those requiring further information or an update on the Proposed Scheme, contact can be made:

[Insert Website Address]

Name: [Insert Name]

Address: [Insert Address]

Email: [Insert Email]

Phone: [Insert Phone Number]

17.2 Public Inquiry

17.2.1 This Statement has been prepared in support of the making of the Orders for the Proposed Scheme in accordance with the Guidance. It is not intended to discharge the Council's requirement to produce, nor is it to be taken as, its 'Statement of Case' in the event that the Secretary of State should call a public inquiry to be held to consider any objections received to the Orders.

17.2.2 The Council reserves the right to expand or otherwise modify this Statement in the event of a public inquiry into the Orders being held and will produce its Statement of Case, as may be required, under the appropriate rules and at the appropriate time indicated under 'The Highways (Inquiries Procedure) Rules 1994 (S.I. 1994 No.3263) and 'The Compulsory Purchase (Inquiries Procedure) Rules 2007 (S.I. 2007 No.3617).

17.3 Inspection of Documents

17.3.1 Copies of the Orders, Maps and this Statement of Reasons are available for inspection at the following locations during the specified opening times:

Location	Opening Times
Archive Centre County Hall Martineau Lane Norwich NR1 2DQ	<ul style="list-style-type: none">• Tuesday 9.30am - 5pm• Wednesday 9.30am - 5pm• Thursday 9.30am - 5pm• Friday 10am - 4pm
Taverham Library	<ul style="list-style-type: none">• Monday 10.30am to 7pm

Sandy Lane
Taverham
Norwich
NR8 6JR

- Tuesday 12.30 to 7pm
- Thursday 10.30am to 7pm
- Friday 10.30am to 7pm
- Saturday 10am to 4pm

DRAFT

- 17.3.2 And may be inspected on the Council's website at:
<https://www.norfolk.gov.uk/roads-and-transport/major-projects-and-improvement-plans/norwich/norwich-western-link>

17.4 Compensation

17.4.1 Provision is made by statute to provide compensation for the compulsory purchase of land and depreciation in value of affected properties.

17.4.2 More information is given in the series of 'plain English' guides published by the Department for Levelling Up, Housing and Communities entitled 'Compulsory Purchase and Compensation' listed below:

- Guide 1 – Procedure (<https://www.gov.uk/guidance/compulsory-purchase-and-compensation-guide-1-procedure>);
- Guide 2 – Compensation to Business Owners and Occupiers (<https://www.gov.uk/guidance/compulsory-purchase-and-compensation-guide-2-compensation-to-business-owners-and-occupiers>)
- Guide 3 – Compensation to Agricultural Owners and Occupiers (<https://www.gov.uk/guidance/compulsory-purchase-and-compensation-guide-3-compensation-to-agricultural-owners-and-occupiers>)
- Guide 4 – Compensation to Residential Owners and Occupiers (<https://www.gov.uk/guidance/compulsory-purchase-and-compensation-guide-4-compensation-to-residential-owners-and-occupiers>)

17.5 Documents referred to in this Statement and to be relied on at Public Inquiry

17.5.1 Planning application documents

- (a) Chapter 3 of the Environmental Statement (Document Reference 3.03.00)
- (a) Chapter 4 of the Environmental Statement (Document Reference 3.04.00)
- (b) Consultation Report (Document Reference 5:01:00)
- (c) General Arrangement Plans (Document Reference 2.03.00)
- (d) Planning Statement (Document Reference 1.01.00)

- (e) Statement of Community Involvement (Document Reference 1.03.00)
- (f) Structure Drawings (Document Reference 2.06.01)
- (g) Transport Assessment (Document Reference 4.01.00)

17.5.2 Legislation

- (b) Acquisition of Land Act 1981
- (c) Compulsory Purchase Act 1965
- (d) Conservation of Habitats and Species Regulations 2017
- (e) Control of Pollution Act 1974
- (f) Environmental Permits under the Environmental Permitting (England and Wales) Regulations 2016
- (g) Equality Act 2010
- (h) Highways Act 1980
- (i) Land Drainage Act 1991
- (j) Planning Act 2008
- (k) Road Traffic Regulations Act 1984
- (l) The Human Rights Act 1998
- (m) Town and Country Planning (Development Management Procedure) (England) Order 2015
- (n) Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (the "EIA Regulations")
- (o) Wildlife and Countryside Act 1981

17.5.3 National Policy and Guidance

- (a) Department for Levelling Up, Housing and Communities' 'Guidance on Compulsory purchase process and The Criche Down Rules' ("the Guidance").
- (b) European Convention on Human Rights ("ECHR")
- (c) The National Planning Policy Framework (NPPF)
- (d) National Policy Statement for National Networks (2014) and Draft published March 2023.

17.5.4 Local Policy and Guidance

- (a) Connecting Norfolk, Norfolk Local Transport Plan (2011-2026)
- (b) Greater Norwich Development Partnership – Joint Core Strategy (2014)
- (c) Local Transport Plan (LTP) 4 Strategy
- (d) Norfolk County Council – Transport for Norwich Strategy (2021)
- (e) Norfolk County Council – Environmental Policy (2019)
- (f) Norfolk County Council – Local Transport Plan (2022)
- (g) Norfolk Strategic Infrastructure Delivery Plan 2023
- (h) Broadland District Council Development Plan

18 Conclusion

- 18.1 This Statement sets out why compulsory powers have been sought in the CPO and explains why the Council considers such powers to be necessary, proportionate, and justified.
- 18.2 In determining the extent of the compulsory acquisition powers proposed in the CPO, the Council has had regard to the requirements of the relevant legislation and to the advice in the Guidance. The Council is content that the scope of the powers sought and the extent of the interests in the Land to be acquired by compulsory acquisition are required for the Proposed Scheme and are the minimum necessary that will allow the Council to construct, operate and maintain the Proposed Scheme. The purpose for which each part of the Land is required is set out in Appendix A to this Statement.
- 18.3 The Council has consulted all persons affected by the compulsory acquisition powers and persons who may have a claim for compensation arising from the Proposed Scheme. The Council has sought to acquire interests in the Land by agreement wherever practicable and will continue to do so, as the CPO procedures progress. The status of negotiations with affected landowners and occupiers for the acquisition of their land interests is set out in Appendix B to this Statement.
- 18.4 The Council has considered the human rights of the persons affected by the compulsory acquisition powers. It is satisfied that there is a compelling public interest case for compulsory acquisition and that the public benefits arising from the Proposed Scheme will outweigh the harm to those individuals.
- 18.5 Without the grant of compulsory acquisition powers, the Council considers that it will not be possible to construct the Proposed Scheme, or realise the public benefits arising from it.
- 18.6 There is a compelling case in the public interest for the compulsory acquisition powers sought by the Council in the CPO. The exercise of the compulsory acquisition powers that are sought is shown throughout this Statement to be necessary and proportionate to the extent that interference with private land and rights is required.
- 18.7 As set out in section 15 of this statement, the Council has carefully considered the interventions in the local highway network, and to existing private means of access from it, that would be given effect by the SRO. The Council has considered the measures in the SRO against the relevant legal tests, including the key tests in sections 14(6) and 125(3) of the Highways Act 1980 and the advice contained in Department for Transport Circular 1/97 and has concluded that those tests are met and the provisions of the SRO are justified.

Appendix A – Purpose for which Compulsory Acquisition Powers are Sought

[Appendix To Be Inserted]

DRAFT

Appendix B – Status of Negotiations with Landowners

[Appendix To Be Inserted]

DRAFT

NWL Risk Register - Qualitative

Prepared by (Risk Register Owner)

Brett Rivett

Update by Risk Owner due by

27/10/2023 (A)

Update by Lead Officer due by

03/11/2023 (C)

Update by Risk Register Owner due by

07/11/2023 (F)

Finalised by

15/11/2023 (M)

Risk A Category	Risk B Category	QRA Ref	Date added	Risk Description (lack of, failure to...)	Impact of Risk	Current Status (Pd.06-24)			
						Likelihood	Impact	Risk Score	Risk Level
Strategic	A - Funding / Third parties	A04	18/06/2018	There may be a delay in the funding approval (OBC and/or FBC) from DfT due to a general election being called or other factors impacting the sign off of the business cases.	1. Delay to scheme development. 2. Programme delay.	5	2	10	MEDIUM
Strategic	A - Funding / Third parties	A05	18/06/2018	The project may receive a legal challenge based on the planning and environmental processes followed, or if environment factors are encountered during surveys.	1. Delay to programme and the associated costs of tackling a legal challenge 2. Prolonged public inquiry 3. Judicial review of the scheme	3	4	12	MEDIUM
Strategic	A - Funding / Third parties	A06	18/06/2018	The value of the land required for the project may increase above the anticipated costs (inflation or otherwise).	1. Cost increase. 2. Delays whilst land value negotiations take place.	3	2	6	MEDIUM
Strategic	A - Funding / Third parties	A08	18/07/2018	The project may fail to secure budget for scheme funding profile from NCC and DfT due to changes in policy, change in MP support, or change in local support.	Depending on the timing of the event, notice to proceed to Stage Two and Stage Three may not be issued or the contract between NCC and Ferrovial may need to be terminated.	3	1	3	LOW
Strategic	A - Funding / Third parties	A10	18/07/2018	Changes to UK relationship with the European Union affecting trading conditions.	1. Price increase in construction materials due to the value of the pound decreasing. 2. Increased tariffs and or boarder delays.	2	2	4	LOW
Operational	A - Funding / Third parties	A16	17/01/2020	Reinstatement of temporary land occupied to deliver the project is not acceptable to landowners, as reinstatement fails to meet the standard recorded prior to temporary occupation.	1. Additional cost to reinstate to original condition or to acquire land.	3	3	9	MEDIUM
Operational	A - Funding / Third parties	A17	28/01/2021	Addition of new Third Party Agreements or amendment to the existing Third Party Agreements included in the Scope introduces additional or varied constraints.	1. Additional costs and programme implications.	3	3	9	MEDIUM
Operational	A - Funding / Third parties	A18	06/05/2022	Revenue generated from re-sale of properties acquired may exceed that assumed in the land estimate.	Increased return to the project.	3	1	3	LOW
Strategic	B - Programme / Contract	B03	18/06/2018	Legal work may not completed on time.	1. Delays to statutory notifications required under planning consent requirements. 2. Reputational damage due to loss of confidence in NCC's capability to deliver	2	2	4	LOW
Strategic	B - Programme / Contract	B04	18/06/2018	The planning process may impose unexpected conditions on the project. Note: risk considers the introduction of condition made as part of the planning consent.	1. Costs to address the conditions to allow licences to be released. This could include design updates, more land purchase 2. Compression of the programme between the determination of planning and start of works	3	3	9	MEDIUM
Strategic	B - Programme / Contract	B05	18/06/2018	The A47 dualling construction programme may change.	1. Delays to construction programme 2. Cost impact to re-sequence work 3. NWL opening postponed until A47 junction complete. 4. Improved Wood Lane Junction not available for start of NWL construction	5	4	20	HIGH
Strategic	B - Programme / Contract	B06	18/06/2018	Landowners may object to the scheme or to selling their land.	1. Potential delays or difficulties negotiating during the CPO process. 2. Cost increase to agree a route and mitigation which impacts the BCR. 3. Reputational damage for NCC with local landowners 4. Change of landowner leads to disagreement on proposals	4	1	4	LOW
Strategic	B - Programme / Contract	B12	02/07/2018	NCC Decisions may not be made in a timely manner due to change of staff, loss of decision making personnel or absence of decision making personnel.	1. Delay to programme while decisions aren't made	2	2	4	LOW
Strategic	B - Programme / Contract	B18	12/06/2020	The programme for adoption of the GNLP and LTP are delayed	1. The NWL programme does not align with the plan making process 2. Reference to these policies would need to consider their stage in development	4	1	4	LOW
Operational	B - Programme / Contract	B22	16/09/2020	Inflationary factors impacted by: 1) Increased national infrastructure delivery programme, 2) Pandemic - virus strain known as severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) or the disease known as coronavirus disease 2019 (COVID-19) (including, in both instances any mutation or variant thereof) and 3) Brexit. 4) Invasion of Ukraine.	Inflation in excess of historic trends used for the purpose of the forecast, driven by: 1) Supply and demand 2) Increases in aggregate tax, fuel levies, road tax, landfill tax, etc.	4	3	12	MEDIUM
Strategic	B - Programme / Contract	B23	29/03/2021	The delivery of the Sustainable Transport Strategy is outside of the main D&B contract	1. Late changes to the D&B Contractors scope of work 2. Potential programme implications subject to STS delivery timescales	3	1	3	LOW
Strategic	B - Programme / Contract	B27	01/09/2022	Time risk allowances and terminal float allowances within the overarching project programme are insufficient.	Programme delays.	5	3	15	HIGH
Strategic	B - Programme / Contract	B28	09/02/2023	Planning documentation required to be formatted for accessibility. Note: Risk considers the adequacy of the programme and resource allowances to comply with requirements for accessibility.	Delay to planning application whilst documents are formatted.	2	2	4	LOW

Risk A Category	Risk B Category	QRA Ref	Date added	Risk Description (lack of, failure to...)	Impact of Risk	Current Status (Pd.06-24)			
						Likelihood	Impact	Risk Score	Risk Level
Strategic	C - Scope Change / Change	C01	18/06/2018	Early assumptions made for engineering design found to be insufficient following receipt of further information. Note: Risk considers the adequacy of the Tender Design where the engineering solution deviates from the Reference Design (accepted deviations).	1. Design changes required, 2. Cost increases during design due to increased design requirements (more concrete, greater level of excavation etc) 3. Reputational damage 4. Delivery delays	1	3	3	LOW
Strategic	C - Scope Change / Change	C03	18/06/2018	National Highways may change the A47 junction design, requiring an update to the NWL alignment.	1. Additional cost, in both design and construction 2. Delay to the design programme 3. Increased land take 4. Increased land costs 5. Significant change may require additional environmental surveys 6. Change in scheme design may have an increased environmental impact	3	2	6	MEDIUM
Strategic	C - Scope Change / Change	C05	18/06/2018	DfT standard departures may not be approved without changes or adjustments. Note: Risk considers the transition from NCC/Contractor design to HE design at interface with A47.	1. Redesign to meet the standards at the tie in point with the A47 (Contractor design at/to the tie will need HE approval (transition)). 2. Increased costs to overall scheme to meet acceptable standards. 3. Delays while negotiating the departures.	1	2	2	LOW
Strategic	C - Scope Change / Change	C06	18/06/2018	There may be a variation between actual site conditions and assumptions used in design, such as the GI and topographical survey. Note: Risk considers the adequacy of the revised Tender Design (Route Refinement) where the engineering solution deviates from the Tender Design.	1. Ground works costs increase 2. Land take may increase, 3. The drainage design may need revision	3	3	9	MEDIUM
Strategic	C - Scope Change / Change	C08	18/07/2018	Design departures subject to NCC approval may not be granted. Note: Risk considers the deviations accepted through dialogue and the acceptability as part of the planning process.	1. Approvals not achieved so scheme cannot proceed. 2. Designs require modification to address approval issues.	2	4	8	MEDIUM
Strategic	C - Scope Change / Change	C10	02/07/2018	The DfT may make updates which affect traffic modelling.	1. The cost of re-modelling or re-working of models based on new data 2. Programme delay whilst outputs are revised 3. Effect on scheme benefits	1	4	4	LOW
Strategic	C - Scope Change / Change	C13	08/05/2019	The scope of the works to introduce cycle and footway provision is yet to be fixed in relation to the preferred route.	1. Additional scope and costs to provide 2. Delays if stakeholder consultations lead to changes	2	2	4	LOW
Strategic	C - Scope Change / Change	C15	12/08/2020	Changes to technical standards and guidance on which the design/assessment of the scheme are based. Notes, excludes changes to standards dictating containment level (see risk E16).	1. Design changes lead to programme delay. 2. Cost increases for additional/improved provisions. 3. Challenge to funding application if compliance cannot be demonstrated.	2	2	4	LOW
Operational	C - Scope Change / Change	C16	25/01/2021	Reduction or increase in the permanent land requirements over that shown on the tender design drawings. Note: Contemplates changes from land requirements considered for the revised Tender Design (Alignment Refinement).	1. Cost associated with the requirement to take additional land or reduce the requirements. 2. Delays to scheme due to the requirement to survey and review the additional land. 3. Requirement for further consultation	2	1	2	LOW
Operational	C - Scope Change / Change	C17	25/01/2021	Reduction or increase in the temporary land requirements over that shown on the tender design drawings. Note: Contemplates changes from land requirements considered for the revised Tender Design (Alignment Refinement).	1. Cost associated with the requirement to take additional land or reduce the requirements. 2. Delays to scheme due to the requirement to survey and review the additional land. 3. Requirement for further consultation	5	1	5	LOW
Operational	C - Scope Change / Change	C19	25/01/2021	'Stopping Up' of Weston Road and Breck Road is opposed.	1. Construction of Weston Road and Breck Road Overbridges, including all design costs, construction costs and programme implications.	1	1	1	LOW
Operational	C - Scope Change / Change	C20	27/01/2021	Early access to land which has not been acquired to carry out ecological mitigation works is not possible. Note: Risk considers access to 'off-site' areas required for mitigation purposes.	1. Delay and disruption to the programme for Stage Two Work and Stage Three Work. 2. Increase in Contractors costs	1	4	4	LOW
Strategic	C - Scope Change / Change	C21	29/01/2021	Sustainable transport strategy - provisions. Development of the shortlisted wider measures (1, 3, 4, 5 and 7E).	1. Additional design, construction and programme implications.	3	2	6	MEDIUM
Strategic	C - Scope Change / Change	C22	19/02/2021	Sufficiency of the Contractor's Budget for Stage Two Work	Increases the difference between the Price of Work Done to Date and the total of the Prices for Stage Two, hence increasing the amount the Client pays. Programme effects, works not included in the Accepted Programme.	4	3	12	MEDIUM
Operational	C - Scope Change / Change	C23	19/02/2021	Value engineering opportunities.	1. Reduces the total of the Prices for Stage Two. 2. Programme effects, works included in the Accepted Programme omitted.	3	1	3	LOW
Operational	C - Scope Change / Change	C25	30/11/2021	Changes to the Scope instructed by the Project Manager (not covered by specific risks detailed herein), including any ambiguities or inconsistencies as previously noted under risk K05.	Ambiguity in requirements/site information, access issues, late issue of information, unforeseen ground conditions, STATS and traffic management issues may all give rise to disputes and claims	3	3	9	MEDIUM
Operational	C - Scope Change / Change	C27	04/05/2022	Additional Ground Investigation works required over that set out in the GISR.	Additional works attracting cost and time.	3	1	3	LOW

Risk A Category	Risk B Category	QRA Ref	Date added	Risk Description (lack of, failure to...)	Impact of Risk	Current Status (Pd.06-24)			
						Likelihood	Impact	Risk Score	Risk Level
Operational	C - Scope Change / Change	C28	04/05/2022	Failure to agree the assessment of events that can change the Budget for Stage Two Work (Clause X22.6 refers).	Escalation to the Senior representatives for resolution (X22.6(5)). Escalation to the Project Board Members for resolution (X22.6(6)). If the above steps do not resolve the matter, the notice to proceed to Stage Two and Stage Three cannot be issued (X22.5(3)). Procurement of Stage Two and Stage Three Work.	4	1	4	LOW
Operational	C - Scope Change / Change	C31	03/03/2023	Earthworks bunds height may need further changes to respond to local parishes concerns. This change would need to be implemented post Design Freeze 3.5 issued on 10/02/2023.	Planning application design delay and impact on the earthworks balance including potential need to import.	4	2	8	MEDIUM
Operational	D - Weather Events	D02	10/08/2020	Adverse weather conditions greater than 1 in 10 year event.	1. Delay and disruption to Stage One and Stage Two. 2. Client liability (compensation event) if the event is a consequence of rainfall, air temperature or snow. 3. Shared liability if the event is a consequence of other weather events such as wind. 4. Likelihood increased due to occurrence of more adverse weather patterns.	3	3	9	MEDIUM
Operational	D - Weather Events	D03	10/08/2020	Adverse weather conditions less than 1 in 10 year event.	1. Delay and disruption to Stage One and Stage Two. 2. Shared liability, regardless of the weather event. 3. Traditional construction methodology more susceptible to delay due to wind speeds.	4	3	12	MEDIUM
Strategic	E - Design Risk Products / Materials	E04	18/06/2018	Change in structure type, appearance and span arrangement - Viaducts.	1. Redesign works and possible delay 2. Increase in costs 3. May impact on land requirements	1	5	5	LOW
Strategic	E - Design Risk Products / Materials	E05	02/07/2018	RSA may require changes in the later design stages.	1. Late design changes impact on programme 2. The cost implication of reviewing and updating designs	3	2	6	MEDIUM
Strategic	E - Design Risk Products / Materials	E08	08/05/2019	The assumption that the wildlife overbridges will be a standard width may change. Note: Relates to GB1, GB2 and GB4.	Additional costs for design and construction will be incurred if it is established that wider or more complicated structures are required.	1	2	2	LOW
Strategic	E - Design Risk Products / Materials	E09	08/05/2019	The scope to address the supplementary measures to the NWL may increase following full investigation and local traffic issues.	1. Additional costs for design and construction to provide supplementary measures 2. Possible delays if further consultation is required.	3	1	3	LOW
Strategic	E - Design Risk Products / Materials	E11	29/11/2019	NMU and land access strategy may fail to gain support of LPA, PRoW and landowners.	1. Redesign work and possible programme delay 2. Additional structures required to cross NWL - cost and programme delay 3. Additional compensation to landowners 4. PRoW objection - planning and programme delay	3	2	6	MEDIUM
Strategic	E - Design Risk Products / Materials	E12	31/03/2020	Additional structures needed to cross the IDB drains to facilitate maintenance access track for viaduct inspection/maintenance and another structure to facilitate NMU route east of Tud Tributary culvert.	1. Additional scope and costs to design 2. Potential hydrological / ecological constraints 3. EA or NE objection poses risk to planning	2	2	4	LOW
Strategic	E - Design Risk Products / Materials	E13	21/05/2020	The highway and junction layouts indicated in the Reference Design are based on 2015 base year traffic survey data. More current traffic survey information is being obtained from 2019 surveys that will be used as basis for updating the traffic model in 2020. There is a risk that the difference in the data may result in geometric design changes. Note: Risk considers the sufficiency of the forecast allowance for design changes required to accommodate the revised forecast flows.	1. Late design changes impact on programme 2. The cost implication of reviewing and updating designs 3. Change to the Contractors Tender Price	3	2	6	MEDIUM
Operational	F - Environmental	F01	18/06/2018	During construction protected species not previously identified may be found to be present in location of project.	1. Make area safe for protected species 2. Relocate where applicable 3. Schedule relocation at suitable time 4. Delays to project and associated cost for rehoming and delays	2	2	4	LOW
Operational	F - Environmental	F02	18/06/2018	Contamination and/or fly tipping is discovered on the land during the site surveys or identified/occurs during Stage One and Stage Two.	1. Additional cost in the procurement process for testing, treating and removal of material. 2. Disposal of fly tipping and/or treatment of contaminated land.	3	1	3	LOW
Strategic	F - Environmental	F03	18/06/2018	Lack of access to undertake environmental surveys until CPO process completed (Stage Two access date).	1. Incomplete surveys and hence assessments may not be suitable for submission to the determining authority 2. Delay to programme while surveys are undertaken 3. A complete survey season of baseline information required to determine mitigation	2	2	4	LOW
Operational	F - Environmental	F04	18/06/2018	Invasive species may be found to be present in location of project.	1. Additional cost for testing and treating and removal prior to construction commencing	2	2	4	LOW
Operational	F - Environmental	F05	18/06/2018	Archaeological remains that require significant intrusive investigation may be found to be present.	1. Risk to pre-construction programme and cost from survey requirements pre-application 2. Re-route scheme to avoid known sites of archaeological value. 3. Will also result in increased costs and delays to activities/ programme	5	2	10	MEDIUM
Strategic	F - Environmental	F06	02/07/2018	Failure to reach agreement with relevant consultees with regard to significant environmental impacts and mitigation. E.g. SAC/SSSI. This could include NE not accepting the design e.g. of the viaduct and/or bat mitigation measures - underpasses/green bridges.	1. Potential objectors to the project that could jeopardise delivery	4	3	12	MEDIUM
Strategic	F - Environmental	F08	02/07/2018	Noise impacts are deemed to require mitigation.	1. Mitigation required such as acoustic fencing or false cutting; this could lead to additional land take or visual impacts. 2. Cost increases	3	2	6	MEDIUM

Risk A Category	Risk B Category	QRA Ref	Date added	Risk Description (lack of, failure to...)	Impact of Risk	Current Status (Pd.06-24)			
						Likelihood	Impact	Risk Score	Risk Level
Strategic	F - Environmental	F09	02/07/2018	Significant adverse environmental effects identified in the application.	1. This may be deemed unacceptable the determining authority compared to the scheme benefits 2. Increased mitigation costs 3. Programme delay to refine application	3	2	6	MEDIUM
Strategic	F - Environmental	F10	02/07/2018	Unconfirmed scope of mitigation required for environmental impacts. Note: Risk considers the sufficiency of the ecological mitigation plan (TN037) and any subsequent revisions.	1. Increase in land take 2. Increase in costs	3	2	6	MEDIUM
Strategic	F - Environmental	F13	02/07/2018	Aboriginal surveys identify ancient or veteran trees that requires mitigation.	1. Land take impacts 2. Design changes to retain ancient/veteran trees where possible, leading to programme delays	2	1	2	LOW
Strategic	F - Environmental	F14	18/06/2018	The project may require extra mitigation to avoid listed building effects.	1.Costs associated with the additional landscaping/ change the scheme to avoid impacts	4	1	4	LOW
Strategic	F - Environmental	F15	18/07/2018	The project may have inadequate pollution control solution and management and control of the volume of runoff during flood events designed into scheme.	Adverse effects on SAC/SSSI	1	2	2	LOW
Strategic	F - Environmental	F17	18/07/2018	The shadow analysis shows that the project impacts the integrity of the River W even at 12m high.	1. Increased scheme height mitigation/design change. 2. Worst case scenario additional compensation will be needed in the River Wensum to reduce the impact. 3. Impact to NCC's reputation in the area	2	2	4	LOW
Strategic	F - Environmental	F20	18/06/2018	Additional flood risk mitigation required.	1. More land take 2. Increased costs	4	2	8	MEDIUM
Strategic	F - Environmental	F24	18/06/2018	River Wensum SAC prevents crossing of R Wensum (Natura 2000 site).	1. Increased land take for mitigation - ponds outside extents of extreme flood with conveyance system. 2. The proposals will need to meet the tests as set out in the habitats directive. Should the tests not be met, then consent for the scheme would be in jeopardy	1	1	1	LOW
Strategic	F - Environmental	F26	18/12/2018	Adverse visual impacts created onto the Golf course and other sensitive receptors within view of the viaduct options may require mitigation.	1. Cost to implement greater than expected mitigation of the visual impacts from the viaduct and other sections of the scheme.	2	2	4	LOW
Strategic	F - Environmental	F31	29/01/2019	Long term groundwater monitoring may be requiring prior to construction.	1. Programme delay. 2. Cost implication.	3	1	3	LOW
Strategic	F - Environmental	F33	04/04/2019	The scheme may not pass the NPPF Sequential Test that requires development to first be directed to lower risk flood zones.	1. Application of Exception Test will be required to justify that location in flood zones provides wider sustainability benefit that outweighs flood risk and does not increase flood risk elsewhere. 2. Sustainability benefits of scheme to be confirmed by planning team. Impact on flood risk to be assessed in the FRA.	1	4	4	LOW
Strategic	F - Environmental	F34	06/08/2019	The project may incur costs due to the lack of a design freeze early enough in advance of work on the OBC, Scoping Report and the ES.	1. The risk could be a delay in programme and deliverables due to re-doing of environmental assessment work. 2. Abortive work if it changed halfway through the environmental assessment work for all stages, 3. Continuous request for changes to completed designs	4	3	12	MEDIUM
Strategic	F - Environmental	F35	06/08/2019	Additional wildlife structures become required further to the new or additional information becoming available from surveys (i.e. bats and wildlife underpasses, or additional species being identified that require additional wildlife structures).	1. The cost associated with designing and implementing the structures 2. Cost associated with addressing the highways alignment issues raised by the introduction of the new structures. Particularly the road profile which impacts on the land take.	1	3	3	LOW
Strategic	F - Environmental	F37	11/09/2019	The project red line boundary may increase due to ecology mitigation or the release of further requirements for constructability.	1. Programme delays to reach agreement with landowners/CPO additional land 2. Cost and programme implications of increasing the project red line.	1	2	2	LOW
Strategic	F - Environmental	F38	02/12/2019	Large amount of badger activity identified within northern woodlands (November 2019). Main sett location provided by NCC but no further details as access denied. Impacts to a main badger sett expected and therefore mitigation could involve creation of artificial sett. This will have to be located within the same territory as the existing sett, not within a neighbouring territory. Badger bait marking surveys therefore proposed.	1. Cost and programme and design implications.	2	1	2	LOW
Strategic	F - Environmental	F39	03/12/2019	The exact areas required for biodiversity net gain (BNG) delivery is unknown at this stage.	1. Sufficient off-site land not available or secured. 2. Increased land costs 3. Programme delay for land negotiations and challenge at inquiry	4	2	8	MEDIUM
Strategic	F - Environmental	F40	02/12/2019	The planning application is "called in" by the Secretary of State for a decision. This is done for particularly controversial or technically challenging planning applications, and is a possibility for NWL.	1. Programme delay and cost increase for scheme development	4	1	4	LOW
Strategic	F - Environmental	F42	02/12/2019	The planning application takes longer than 18 weeks to determine.	1. Programme delay	4	2	8	MEDIUM
Strategic	F - Environmental	F44	26/02/2020	Ecology and environment survey data becoming 'out of date' in relation to the planning application date. This is dependant upon the type of flora/fauna and associated habitat.	1. Cost implications of repeating surveys 2. Delay to planning application 3. Design changes as a result of further information	4	2	8	MEDIUM
Strategic	F - Environmental	F47	12/08/2020	Objectors disrupt environmental surveys (Protestor action, see risk P01). Note: Risk considers the impact on the Stage One Work which is reliant on the output from environmental surveys and other exploratory works.	1. Incomplete surveys and hence assessments may not be suitable for submission to the determining authority 2. Delay to programme while surveys are rescheduled 3. Increase in survey costs 4. Impact on staff physical and mental wellbeing	1	2	2	LOW

Risk A Category	Risk B Category	QRA Ref	Date added	Risk Description (lack of, failure to...)	Impact of Risk	Current Status (Pd.06-24)			
						Likelihood	Impact	Risk Score	Risk Level
Strategic	F - Environmental	F48	08/09/2020	A47 and NWL could have different results, assessment and conclusions from environmental surveys, e.g. ecology surveys. Different approaches may be taken for the required ecology mitigation e.g. for barbatselle bats	1. Implications for dialogue with statutory and non statutory consultees. Possible confusion over different results and approaches to the management of ecological features	3	1	3	LOW
Strategic	F - Environmental	F49	09/10/2020	Late receipt of data or feedback from stakeholders relating to EIA/ES.	1. Delay to submission of the planning application 2. Costs associated with updating assessments and planning documents 3. Challenge to submission based on new evidence	4	2	8	MEDIUM
Strategic	F - Environmental	F50	10/06/2021	Changes to existing tools, or development of new tools to calculate biodiversity net gain or environmental net gain	1. Changes to design required to comply with requirements, leading to programme delays and increased costs 2. Planning application rejected as not compliant with policy	2	1	2	LOW
Strategic	F - Environmental	F51	07/11/2022	Badger setts (abandoned or otherwise) found along the route post alignment refinement.	Construction activities re-sequenced.	5	1	5	LOW
Strategic	F - Environmental	F52	03/08/2023	Noncompliance with Norfolk County Council Climate Strategy agreed by Cabinet on 10 May 2023	Reputational damage, legal challenge.	1	1	1	LOW
Strategic	G - Third Parties / Statutory Undertakers	G01	18/06/18	Utility diversion cost/risk/timescale/access. Note, this risk considers the sufficiency of the allowances in the forecast (based on C3 Estimates), the programme effects and whether further constraints are placed on the statutory undertaker whilst diverting the services.	1. Increased costs as a result of change to design / construction works and Planned STATS maintenance work conflicts with the proposed scheme construction	5	2	10	MEDIUM
Strategic	G - Third Parties / Statutory Undertakers	G02	18/06/2018	Conflict of potential route with Orsted and Equinor cable routes.	1. Feasibility/safety issues leading to redesign of scheme - extra costs and delays	2	3	6	MEDIUM
Operational	G - Third Parties / Statutory Undertakers	G03	18/06/2018	Utility company diversions not given sufficient planning lead in-time. Note, this risk considers the sufficiency of operations to ensure the statutory undertaker is fully acquainted with the project, has received the required orders / confirmations / consents / etc and has the required resource to carry out the diversionary works in the required timescales.	Materials and resourcing scheduling compromised leading to design and/or build change/disruption.	1	2	2	LOW
Operational	G - Third Parties / Statutory Undertakers	G04	18/06/2018	Unknown buried services may be discovered on site above the levels assumed in the estimate. Note, this risk considers the sufficiency of the searches and identification of existing services that are effected by the project.	1. Increased cost 2. Delays to activities whilst services are diverted	4	2	8	MEDIUM
Operational	G - Third Parties / Statutory Undertakers	G07	11/09/2019	The HSE, LPA or National Grid may object to the project on grounds of works within proximity to a high pressure gas installation, and impose restrictions on the proposed land-use within the vicinity of the pipeline. Note, this risk considers any constraints that may be imposed due to the proximity of nationally important services and the potential safety implications.	1. Increased construction costs to manage requirements. 2. Design changes to address concerns 3. Diversion of gas main	3	2	6	MEDIUM
Operational	G - Third Parties / Statutory Undertakers	G08	11/09/2019	National Highways ... Contribution to junction up-grade on A47 (over and above what would be required in the absence of the NWL)	Increased Scope of work to be provided by the Contractor (Assumes instruction to incorporate into the contract due to delays impacting programme alignment etc.)	3	2	6	MEDIUM
Operational	H - Flooding	H01	18/06/2018	River or ground water levels may rise leading to flooding during construction (weather). Note, this risk considers the effect of flooding on construction activities and the liability for the associated costs should a flooding event occur.	1. Costs to the project for enhanced flood mitigation 2. Delays while mitigations are enacted 3. Cost and time delay if flooding occurs while in construction	3	2	6	MEDIUM
Strategic	H - Flooding	H02	18/06/2018	Flood level design to F22 assumptions may change once detailed flood modelling is carried out - this may change the extents of viaduct required.	1. This may change the extent of the required viaduct. 2. Increased design and construction costs, 3. Impact on Programme	2	4	8	MEDIUM
Strategic	H - Flooding	H03	25/01/2019	Infiltration and groundwater test results may indicate that discharge via infiltration is not viable.	1. There will be a change to design that requires discharge to watercourses, with subsequent pollution risks to Wensum. 2. It will change the design for the drainage basins	4	1	4	LOW
Strategic	H - Flooding	H04	25/01/2019	The EA and NE may raise concerns with the proposed discharge options of the project.	1. This will result in a change to design that requires additional treatment to be installed. 2. Potential requirement for additional land take may be required.	2	3	6	MEDIUM
Strategic	H - Flooding	H06	29/01/2019	Delays getting approval of the hydraulic model by the EA. The EA's hydraulic models may not be suitable to inform detailed assessment and the design of mitigation.	1. Cost associated with additional modelling required 2. Programme implication associated with further modelling 3. Gaining EA's approval for the updated model	2	2	4	LOW
Operational	H - Flooding	H07	29/01/2019	The EA may require additional modelling of the temporary works solutions around the watercourse crossing.	1. Cost impact of additional modelling 2. Programme impact of additional modelling	4	1	4	LOW
Strategic	H - Flooding	H11	08/07/2019	There are low points within cuttings along the alignment – this means that the infiltration lagoons need to be lower than the lowest point. Since the lagoons are lowered this is defined as 'deep infiltration' in the eyes of NCC LLFA and is not a preferred form of discharge (there may also be issues with groundwater at the deeper depths).	1. Solution will not be accepted by the LLFA requiring design changes 2. Increased costs/delivery programme of alternative solutions	3	1	3	LOW
Strategic	H - Flooding	H12	01/11/2019	Changes to the alignment and accommodation of ecology and side road structures may necessitate the need for pumped drainage. This will require a power supply to be procured from the nearest point of connection.	1. Increased Costs 2. Programme delay for power supply	2	1	2	LOW

Risk A Category	Risk B Category	QRA Ref	Date added	Risk Description (lack of, failure to...)	Impact of Risk	Current Status (Pd.06-24)			
						Likelihood	Impact	Risk Score	Risk Level
Strategic	H - Flooding	H13	09/01/2020	The amount of floodplain compensation required to compensate for the viaduct piers may extend the Scheme red line boundary and land requirements. This may arise following 1D-2D flood modelling and confirmation of the number and location of viaduct piers and within the flood plain.	1. Affect the extent of other assessments (e.g. ecology surveys) required, and subsequently the EIA and planning application programme. 2. Additional land required, increasing costs	3	1	3	LOW
Strategic	F - Environmental	H15	28/10/2020	The Environment Agency are undertaking restoration measures along the River Wensum. The scope and programme for this work is unclear.	1. Inaccurate baseline for flood modelling and geomorphology assessment. 2. Amendments to ES if further information becomes available at a later date, potential programme delays.	2	1	2	LOW
Strategic	F - Flooding	H16	03/03/2023	Previously agreed drainage discharge rate to existing NDR lagoon may not be acceptable to LLFA	Enlarged Basin 1 design change in Stage 1 and construction cost in Stage 2.	3	2	6	MEDIUM
Strategic	J - Resources	J01	18/06/2018	There may be a change to employer/ designer team members.	Lack of continuity of project knowledge within the NCC and WSP teams	5	2	10	MEDIUM
Strategic	J - Resources	J02	18/06/2018	There may be insufficient resource to maintain current programme. Note, Risk P16 considers the wider issue in respect of the Contractor's resources.	1. Potential to delay the project (increasing cost or damaging reputation) 2. Errors which impact quality of work and undermine the statutory processes.	2	3	6	MEDIUM
Strategic	J - Resources	J03	02/07/2018	The project may be impacted by the shortage of specialist labour skills.	Shortage of specialist subcontractor or labour skills will have an adverse affect on cost and programme	3	2	6	MEDIUM
Strategic	J - Resources	J04	27/01/2021	Completeness of tasks required for the successful delivery of the project in accordance with the master programme.	Additional tasks introduced, increasing cost and programme implications.	4	3	12	MEDIUM
Strategic	L - Approvals	L01	18/06/2018	There may be further changes in legislation or regulation which impact the project.	1. Increased costs to absorb changes during the design 2. Delays to schedule	2	2	4	LOW
Strategic	L - Approvals	L02	18/06/2018	Failing to address objections prior to submission.	The impact of the risk is additional resource requirements addressing and agreeing issues. Risk is also that programme for determination is extended and changes to the scheme may be needed or additional conditions imposed	3	4	12	MEDIUM
Strategic	L - Approvals	L04	02/07/2018	The project may not give sufficient consideration to planning policy or is unable to fully mitigate adverse environmental impacts (such as impacts and Veteran Trees and heritage assets).	The proposed scheme is not compliant with national networks / local planning policy resulting in it not being granted.	2	4	8	MEDIUM
Strategic	L - Approvals	L05	02/07/2018	The scheme submitted for consultation or examination may not be sufficiently developed in terms of design.	1. Greater support required at the examination as more questions will be asked by the examining authority 2. Additional mitigation/planning conditions /s106 agreements may be required 3. Increased exposure to a legal challenge (A05)	3	2	6	MEDIUM
Strategic	L - Approvals	L07	02/07/2018	Changes to designations (e.g. ecology within study area).	Resulting in an insufficient assessment and a subsequent challenge to the scheme.	2	4	8	MEDIUM
Strategic	L - Approvals	L09	02/07/2018	Land interests do not return requested information in time.	Vital interests are therefore excluded and not notified.	1	2	2	LOW
Strategic	L - Approvals	L11	04/05/2022	Natural England may not sign off a protected species licence due to failure to meet the Favourable Conservation Status (FCS) test and/or No Satisfactory Alternatives (NSA) and Purpose tests.	Cost and programme implications. Mitigation measures changed.	3	2	6	MEDIUM
Strategic	M - Planning / DCO	M03	02/07/2018	Local Plan for 2036 is emerging - key developments in study area not confirmed.	Future model forecast results may change - may affect scheme economics	3	2	6	MEDIUM
Strategic	M - Planning / DCO	M04	18/06/2018	DfT may not accept traffic modelling used for assessment, economic appraisal or are not forthcoming with technical reviews.	1. Inability to support the findings 2. Extra modelling work 3. Delay associated with additional modelling	3	2	6	MEDIUM
Strategic	M - Planning / DCO	M05	02/07/2018	The traffic modelling could show the scheme does not have sufficient benefits for a business case resulting from the updated traffic model, National Highways changes on the A47 or alternative developments emerge as part of the Local Plan 2036.	1. Insufficient BCR to progress scheme. Project costs (including mitigation) may outweigh benefits 2. Model forecasts change	3	2	6	MEDIUM
Strategic	M - Planning / DCO	M07	03/03/2021	NCC are unable to enter into sufficient land agreements for the off-site environmental mitigation.	1. Programme delays while agreements are finalised 2. Increases in costs if uptake is low 3. Increased risk of unsuccessful CPO if off-site land is included 4. Changes to the scheme boundary	3	1	3	LOW
Strategic	M - Planning / DCO	M08	10/06/2021	Traffic modelling undertaken for the Transport Assessment (TA) identifies issues on the wider road network as a result of the Scheme.	1. Changes required to the existing road network, leading to cost increases 2. Reputational damage to NCC 3. Increased objection to the planning application	4	3	12	MEDIUM
Strategic	M - Planning	M09	04/05/2022	Neutrient Neutrality impacts design ... local planning authorities have learned from Natural England that development in some catchments cannot proceed if it increases levels of nutrients.	Design changes required to ensure the project is nutrient neutral.	2	1	2	LOW
Operational	N - Procurement	N01	18/06/2018	The project may encounter unexploded ordnance while conducting surveys or construction.	1. Removal costs which include further investigations and specialist resource for the removal 2. Stand down while the site is investigated	3	2	6	MEDIUM
Strategic	N - Procurement	N02	18/06/2018	Potential effects on the Source Protection Zone (SPZ).	May require redesign of drainage solution	2	4	8	MEDIUM
Operational	N - Procurement	N04	29/01/2019	The project may encounter the presence of a layer of not previously identified soft and/or organic soil.	Necessity to carry out ground improvement and a need for strengthened construction platform results in cost escalation.	1	1	1	LOW

Risk A Category	Risk B Category	QRA Ref	Date added	Risk Description (lack of, failure to...)	Impact of Risk	Current Status (Pd.06-24)			
						Likelihood	Impact	Risk Score	Risk Level
Operational	N - Procurement	N05	29/01/2019	The project may encounter the presence of solution features in Chalk (e.g. sinkholes and geotech issues).	Necessity to carry out grouting of solution features results in cost escalation	3	1	3	LOW
Operational	N - Procurement	N06	29/11/2019	As a result of the alignment changes and access difficulties the GI may not cover the exact locations of the proposed structures and earthworks.	1. Delay to programme while addition GI is undertaken 2. Cost increase/programme increases if poorer ground conditions are encountered in areas that have not been assessed	5	1	5	LOW
Operational	P - Construction	P01	18/06/2018	Protestors to the project may physically stop work. Note: Risk considers the impact on the Stage Two Work.	1. Delays to project while the police remove protestors 2. The project needs to enhance site security	3	3	9	MEDIUM
Operational	P - Construction	P03	02/07/2018	Supplier may underperform.	1. Delays 2. Renegotiation 3. Increased cost to meet conditions	3	3	9	MEDIUM
Operational	P - Construction	P05	18/06/2018	The project may disrupt the river sediment during construction.	1. Objections from the EA 2. Project on hold or activities curtailed while mitigations and plans are put in place 3. Increased costs to address potential claims 4. Reputational impact to NCC	2	2	4	LOW
Operational	P - Construction	P08	18/06/2018	Noise nuisance, Dust and Vibration limits exceeded	Restrictions placed on planned work, increasing costs and programme	2	2	4	LOW
Operational	P - Construction	P10	02/07/2018	Poor management of temporary works / traffic management / diversions.	Adverse impact of temporary work on the local highway network.	3	2	6	MEDIUM
Operational	P - Construction	P11	02/07/2018	The project may not provide the agreed construction access routes and site compound for storage / assembly / site office.	1. Difficulties gaining access to sites/site compounds not arranged in time for construction. 2. Cost claims from contractors for extra planning, costs and project delays	1	1	1	LOW
Operational	P - Construction	P12	02/07/2018	Water and land pollution risk during piling works.	1. Pollution of river and ground water during piling works. 2. Mitigation and corrective work costs. 3. Reputational impact for NCC	2	2	4	LOW
Operational	P - Construction	P16	28/02/2019	Supply chain capacity. Note. This risk merely considers the risk associated with the Contractor's resource. Risk J02 considers the wider issue in respect of the Client's resource.	Other projects in the local area/the country increase demand for supply chain expertise, capacity and raw materials, pushing up costs and/or increasing lead times causing delay.	3	3	9	MEDIUM
Operational	P - Construction	P17	28/02/2019	Bespoke construction equipment required.	Bridge construction equipment such as incremental launching system, launching gantries, and large cranes may incur additional costs. Not standard/commodity products, so price could be difficult to estimate accurately. Five retaining walls are now included in the updated design and one of them is a tall structure.	2	2	4	LOW
Operational	P - Construction	P20	10/08/2020	Temporary works provision in the forecast is found to be insufficient for the Contractor's design and construction methodology, subject to obtaining further GI in Stage One.	Increased temporary works over and above that envisaged in the tender pricing and forecast.	3	4	12	MEDIUM
Strategic	Q - Stakeholders	Q01	02/07/2018	There may be a change in NCC's political landscape which affects support for the scheme.	Lack of support / political will reduce support for funding	2	3	6	MEDIUM
Strategic	Q - Stakeholders	Q02	02/07/2018	Lack of stakeholder support.	Scheme redesign resulting in additional cost / programme delays	2	1	2	LOW
Operational	Q - Stakeholders	Q03	02/07/2018	Poor data safety control.	Hard copies of returned land owners information lost or stolen. Reputational impact and commercially unfavourable.	2	1	2	LOW

Cabinet

Item No: 10

Report Title: West Winch Housing Access Road – Project update and funding

Date of Meeting: 4 December 2023

Responsible Cabinet Member: Cllr Graham Plant (Cabinet Member for Highways, Infrastructure & Transport) **and Cllr Andrew Jamieson** (Deputy Leader)

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

Is this a Key Decision? Yes

If this is a Key Decision, date added to the Forward Plan of Key Decisions: 02 November 2023

Executive Summary / Introduction from Cabinet Member

The South-East King's Lynn Strategic Growth Area (SEKLSGA) has been identified in the King's Lynn and West Norfolk Local Plan as the primary site for substantial housing development. This development comprises 4,000 new homes on land between the A10 and A47. The site has been selected as the only location available in the area for such levels of growth due to its close proximity and links to King's Lynn, and flooding constraints elsewhere.

There are significant capacity issues with the existing A10 as it approaches the Hardwick junction from the south through the village of West Winch. The scale of housing development cannot come forward without new highway infrastructure, supported by sustainable transport improvements that mitigate the impacts of the additional traffic demand.

The County Council is working in partnership with the Borough Council of King's Lynn and West Norfolk (BCKLWN) to expedite the required highway infrastructure in the West Winch area and coordinate this with the provision of the housing delivery. This includes the approach to funding the scheme, including working with the Borough Council to secure Homes England funding.

The scheme comprises the West Winch Housing Access Road (WWHAR), which includes improvements to the Hardwick Interchange, dualling of a section of the A47 and a new road between the A47, just east of Hardwick Interchange, and the A10, to the south of the village of West Winch.

The WWHAR is a significant and important project for King's Lynn and West Norfolk, one that supports the planned housing delivery that is important for future growth aspirations, and one that enables a solution to the long-standing concerns about traffic issues on the existing A10 through the village of West Winch.

A Strategic Outline Business Case (SOBC) was submitted to the Department for Transport (DfT) in March 2021 and was subsequently approved in July 2022. The Outline Business Case (OBC) was submitted in September 2023 following approval by Cabinet at its 4 September 2023 meeting.

If approved, the majority of the WWHAR project costs will be provided by DfT as part of their Major Road Network funding programme. There will also be a local contribution that is funded by the future housing developments, which will be forward funded by Homes England.

To assist with the forward funding of the local developer contribution element of the WWHAR in advance, the County Council and BCKLWN have worked with Homes England to deliver a business case proposition for a recoverable grant to support the infrastructure first approach to the delivery of WWHAR. Homes England approved their business case on 2 November 2023.

Smaller contributions to assist the scheme development stages have also previously been provided from the Pooled Business Rates fund, the County Council and BCKLWN.

The report to Cabinet in September 2023 provided an update on the project and reported details of the outcome of the public consultation and delegated approval of the submission of the OBC to DfT.

This latest report provides a further project update, outlines the next stages for the project, and seeks approvals to:

- Continue the delivery of the project taking into account the updated financial position for the project.
- Delegate authority to agree the finalised planning application, which will provide more detail on the design of the new road, including the sustainable transport measures and the environmental mitigation, and for this to be submitted as soon as possible.
- Delegate authority to agree the final procurement proposals for the project, noting the options set out in this report for the detailed design and construction works.

- Delegate authority for advanced agreements to be made with National Grid Gas to progress procurement, design and works that are required to divert two major high pressure gas mains.
- Agree the details of the Homes England grant and the deferment of the County Council's land receipts to support the initial phases of the scheme.
- Authorise and delegate authority to make a Side Roads Order, utilise s203 of the Housing and Planning Act 2016 and continue with voluntary acquisitions of land.

This report provides an update on the project funding and requests temporary forward funding is approved by Cabinet to progress the project through the planning process and procurement until the OBC is approved in Spring 2024.

Recommendations:

- 1. To note the details presented in this report and approve the continued delivery of the WWHAR project and confirm the financial update within the Capital Programme.**
- 2. Delegate to the Interim Executive Director of Community and Environmental Services (CES), in consultation with the Cabinet Member for Highways, Infrastructure & Transport, the authority to agree the finalised planning application and submit it to the Local Planning Authority.**
- 3. Delegate to the Interim Executive Director of Community and Environmental Services (CES), in consultation with the Cabinet Member for Highways, Infrastructure & Transport, the authority to agree and enter advanced agreements with National Grid Gas to divert two major high pressure gas mains.**
- 4. Delegate to the Director of Procurement & Sustainability authority to undertake the necessary procurement processes including the determination of the minimum standards and selection criteria; to shortlist bidders; to negotiate where the procurement procedure so permits; and to terminate award procedures if necessary. The Director of Procurement & Sustainability shall act in accordance with the Council's Contract Standing Orders and Public Contract Regulations 2015 and in consultation, as appropriate, with the Interim Executive Director of Community and Environmental Services and the responsible Cabinet Member. Note that a further report will be presented to Cabinet to seek delegated approval to award contracts.**
- 5. To approve the £84.47m scheme cost within the capital programme and note the funding sources (see section 6.3 for more details).**

6. To agree to a further temporary increase of the Council's contribution by £2.75m until this is reimbursed when DfT (and Homes England) funding is approved. It will be utilised to incur costs associated to the gas main diversion and design work (as set out in section 6.4).
7. Agree to enter the Homes England funding agreement (providing £14.65m towards the WWHAR local contribution) and for finalisation of the details to be delegated to the Director of Strategic Finance and the Director of Property.
8. Agreement to underwrite BCKLWN land purchase, as detailed in the confidential section and defer the County Council's capital receipt as part of the collaboration agreement (see section 2.10.6 for more details).
9. To authorise the making of a Side Roads Order ("SRO") under sections 14 and 125 of and in accordance with Schedule 1 of the Highways Act 1980 to enable the improvement and stopping up of existing highways, to construct new highways and to stop up and provide replacement private means of access where necessary which are essential for the construction of the WWHAR.
10. To delegate authority to the Interim Executive Director of Community and Environmental Services to consider and make decisions on activities listed in section 2.4.5.
11. To authorise the Interim Executive Director of Communities and Environmental Services to use the Council's powers under Section 203 of the Housing and Planning Act 2016 to override any existing rights and covenants on land that would be infringed by or impede the construction, operation or maintenance of the WWHAR.
12. To authorise the Interim Executive Director of Community and Environmental Services to continue to take all appropriate actions necessary for the purpose of negotiating the terms and conditions for the acquisition by agreement of the land and new rights over land which are needed to allow the construction, operation and ongoing maintenance of the WWHAR.

1. Background and Purpose

Background

- 1.1 As set out in the September 2023 Cabinet report, the West Winch Housing Access Road (WWHAR) is strategically important for Norfolk to enable 4,000 new homes and provide a much-needed alternative route for traffic using the A10, resolving long-standing issues for the existing community in West

Winch. The additional highway capacity will absorb the impact of the planned housing growth and reduce delays for the strategic through traffic on the A10.

- 1.2 The WWHAR will:
 - Enable up to 4,000 new homes to be built as set out in the Local Plan – this is not possible without the road
 - Bring new households to the area providing an expanded labour market
 - Provide relief for West Winch from strategic traffic movements including HGVs
 - Reduce existing congestion problems on the A10 and improve residential amenity for West Winch
 - Improve journey time reliability for all users including business trips into and around the King's Lynn area
 - Enable sustainable transport options to be developed to provide an improved choice of transport
- 1.3 The County Council has been working closely with BCKLWN to develop the WWHAR that is essential to support the planned delivery of the Growth Area. A master plan has been developed and a consultation on this was completed by BCKLWN during 2022.
- 1.4 The northern section of the planned Growth Area, known as Hardwick Green, has capacity for 1,100 new homes. A planning application has been submitted for this site, with the developer, Hopkins Homes, set to deliver the housing and provide a contribution to the required infrastructure to support the growth.
- 1.5 Assessments have indicated that without significant transport intervention only up to 300 homes can be developed on the Hardwick Green site with the provision of a new junction onto the existing A10. A further 800 homes on this northern site could come forward at a later stage, but a new access road would need to be constructed connecting the site to the A47 (including roundabouts for access/interchange). This is unlikely due to costs and implications for the development viability assessments, and the developer is therefore working with the County Council and BCKLWN to support the delivery of the WWHAR. To achieve delivery of all 4,000 homes within the planned growth area, the WWHAR scheme must be delivered.
- 1.6 The WWHAR scheme comprises a number of highway interventions within the vicinity of the development ensuring the growth area is connected and that the highway network can cope with the increase in demand. The main elements of the WWHAR scheme include:
 - A housing access road to the east of West Winch connecting the A47 with the existing A10. This will provide the additional road capacity necessary to accommodate traffic associated with new dwellings;

- A roundabout on the housing access road providing access to the Hardwick Green planned development;
- Two more roundabouts on the housing access road to serve proposed dwellings that are south of the planned Hardwick Green development;
- A roundabout on the housing access road, at its southern end, providing a connection to the existing A10, near Gravelhill Lane;
- Modifications to the existing Hardwick Interchange to accommodate additional housing traffic plus re-orientation of trips through the junction;
- Dualling of the existing A47 between Hardwick Interchange (Constitution Hill roundabout) and the new housing access road roundabout junction;
- Treatment of local roads severed by the housing access road, including proposals for a road bridge over Rectory Lane (to maintain connectivity between West Winch and North Runcton) and the closure of Chequers Lane with potential for a pedestrian & cycle crossing where the WWHAR crosses it.

1.7 The Local Plan (currently the subject of a review process by the planning inspectorate), Site Allocations and Development Management Policies (adopted in 2016), indicated a general alignment for the access road that formed part of the appropriate transport infrastructure to enable the planned housing growth. This alignment was on the basis of the scheme development and options appraisal work. Therefore, the location of the housing access road considered within the SOBC aligns to the general alignment set in policy. Figure 1-1 below shows the proposed WWHAR scheme.



- 1.8 In parallel to the development of the SOBC for the WVHAS, the Masterplan for the Growth Area has been developed by the BCKLWN. The Masterplan includes provision to ensure that future residents are able to walk and cycle safely and conveniently within the development itself and also to local destinations. Walking and cycle facilities within the development area will tie-in to the combined footway / cycleway that will be provided along the length of the WVHAS and also connect to existing facilities located in West Winch and on the A10.
- 1.9 The Masterplan has been designed to ensure that the development area can be served by bus services and that public transport is considered as a genuine alternative to car travel for future residents.
- 1.10 Within the wider area the Local Cycling and Walking Infrastructure Plan (LCWIP) is being developed that will consider how to connect the development site to key hubs including King's Lynn, further encouraging active travel. Delivery of the housing development and access road will support the realisation of these wider initiatives in the area, providing a

comprehensive package of measures that addresses the needs of the local community.

- 1.11 A Sustainable Transport Strategy (STS) has been developed to support the WWHAR project and is included as one of the documents within the planning application. The STS was also a document that was submitted alongside the OBC to the Department for Transport (DfT). The strategy aims to identify a complementary package of sustainable travel measures facilitated by the WWHAR.

Policy Context/Alignment

- 1.12 This Strategic Case within the OBC describes the County Council's strategic aims and responsibilities and sets out the policy context in which the scheme has been developed. It includes details relating to the relevant legislation, policy, plans and strategies at a national, regional and local level. Following the September 2023 Cabinet report, the OBC was submitted to DfT and is published on the County Council's website.

Project Objectives

- 1.13 A range of project objectives have been developed to align with the current strategic objectives presented in national, regional and local policy and associated guidance. The objectives reflect the issues and opportunities identified within the SOBC and engagement with local communities. The Outline Business Case (OBC) also sets out the aims and objectives of the WWHAR, which also form the basis of the planning application, and are to:
- Drive economic growth by supporting housing delivery, employment growth and Levelling Up in King's Lynn;
 - Enhance the A10's role as a strategic link supporting the wider King's Lynn economy;
 - Provide a more resilient road network to improve journey time reliability and safety for all users;
 - Improve the quality of life of residents of West Winch by reducing the volume of non-local journeys through the village;
 - Provide better conditions in West Winch and along the A10 for travel by non-motorised modes;
 - Increase active mode connectivity with the wider public transport network;
 - Improve local air quality by alleviating congestion.
- 1.14 The WWHAR is part of the response to the challenges in the Housing White Paper (2017): Fixing our broken housing market. A key objective of the scheme is enabling the delivery of about 4,000 new homes and associated community infrastructure. Without the WWHAR, very little of this can be delivered.

- 1.15 The WWHAR is not only key to the delivery of local housing targets. The reduction of HGVs and other through traffic will improve air quality within West Winch and reduce traffic noise on the existing A10. This will increase the attractiveness of the village for existing and new residents and supports the objective of planning for the right homes in the right places.
- 1.16 The September 2023 Cabinet report set out details of the pre-planning application public consultation completed for the WWHAR. It also provided information regarding Drainage, Biodiversity Net Gain, Red Line Boundary and Sustainable Transport Strategy. These details have not been repeated in this report.

2. Proposal

2.1 Programme

2.1.1 The consultation details set out the anticipated timescales for the delivery of the WWHAR project. The September 2023 Cabinet report provided updated key milestones, which are set out below and have not changed:

- Strategic Outline Case (SOC) submission (completed 2021)
- SOC approved by DfT (completed mid-2022)
- Public Consultation (completed late 2022/early 2023)
- Outline Business Case Submission – (completed September 2023)
- Planning Application Submission – planned to be by end of 2023
- DfT assessment of Outline Business Case – expected early 2024
- Undertake procurement of contractor – commencing 2024
- DfT Full Business Case (FBC) approval – expected by Spring 2025
- Construction Start – expected Spring/Summer 2025
- WWHAR Opening – expected in 2027

2.1.2 Assuming all necessary approvals are completed and the FBC submission is approved by DfT within the assumed minimum time period, the construction of the scheme is programmed to commence as soon as possible in the Spring/Summer of 2025, and be completed within around two years. There may be some initial works required related to environmental mitigation and site clearance, but the timing and funding of these works would be reported to future Cabinet meetings, when the statutory approvals for the project have been confirmed.

Work ongoing through this 2023/24 financial year

2.1.3 To progress with scheme development to achieve the programme (above) several workstreams are ongoing. The principal items of work are as follows:

- Submit the planning application to secure the necessary planning permission and other statutory Orders (below) by the end of 2024.

- Continue to make and seek confirmation of the necessary Side Roads Order(s) (SRO) to ensure the necessary statutory approvals are in place to make changes to the existing highway and private accesses can be delivered (further details are provided below).
- Secure land agreements to ensure land assembly (see details in section 7.2 below).
- Instruct necessary public utility advance diversionary works, in particular the advance design for the diversion of two high pressure gas mains (to be designed and delivered by National Grid Gas).
- Commence a procurement exercise in 2024 to seek to appoint the Contractor (and possibly the detailed design consultants) for main construction works (see procurement details below).

Work planned for next financial year (2024/25)

2.1.4 Under the assumption that the tasks identified within the current financial year (as set out above) have been successfully completed or are as far through their programmed durations as planned, the principal work items for next financial year will be as follows:

- Conclude planning consent and complete any pre-commencement conditions.
- Complete the SRO process, with approval confirmation by the Secretary of State (noting that this can only take place after grant of planning).
- Progress and complete procurement process and award the contract(s) (subject to member authority for award).
- Submit a Full Business Case (FBC) to DfT to draw down final funding for construction.
- National Grid Gas (NGG) diversion to be instructed and materials ordered to enable works by NGG to commence as soon as possible and minimise disruption to the main WWHAR construction works.

2.2 Progress since September 2023

2.2.1 Since the last update report to Cabinet in September 2023 key elements of work on the WWHAR scheme have included:

- Development of the WWHAR scheme proposals to a position that would form a planning application submission. Ecological, initial ground investigation, archaeological and utility surveys have been completed, with the information obtained used to inform the design proposals. These details are used to inform the Environmental Statement, which sets out the likely environmental effects of the project and any mitigation measures proposed.
- Development of the essential environmental/ecological mitigation and enhancement proposals for flora and fauna identified as part of the Environmental Impact Assessment undertaken for the

Environmental Statement. This has been achieved through discussion with key organisations. The work undertaken by the project team has identified areas for Biodiversity Net Gain (BNG).

- Development of the documents that would support a planning application. The key documents include a Planning Statement, Environmental Statement, Habitats Regulations Assessment, Transport Assessment, and a Design and Access Statement. Additionally, the planning application will be supported by a Sustainable Transport Strategy that sets out the sustainable transport measures that would be delivered directly by the WWHAR.
- Initial considerations for the development of a draft Side Roads Order (SRO) and moving forward with the land acquisition to support delivery of the WWHAR. This work includes developing the outline plans and schedules that will enable these statutory Orders to be made.

2.3 Planning Application

- 2.3.1 The planning application is due to be made through the Town and Country Planning Act 1990 process, for which the County Council would be the Local Authority. It will therefore be both made and decided by the County Council. In this context it is essential that there is clear separation of the Highway Authority, applicant role (“the Applicant”) and the Local Planning Authority role (“the Authority”).
- 2.3.2 The Town and Country Planning General Regulations 1992 sets out the requirements where a local authority applies to itself for planning permission. In applying these regulations, the County Council has produced a Handling Arrangements document that details the administrative arrangements that will ensure the separation of functions between the Applicant and the Authority in relation to the WWHAR, thereby safeguarding the independence and objectivity of decisions made by the Authority in connection with the planning application for the WWHAR. This Handling Arrangements document will be provided on County Council’s project webpage in the ‘your questions answered’ section.
- 2.3.3 On submission of the planning application documents to the County Planning Authority (CPA), it will need to determine whether the application is complete and contains all the necessary information. This is called validation of the application and once an application has been deemed valid and it is registered the determination process commences.
- 2.3.4 Once an application has been validated and registered, the CPA will then publicise it on its website and undertake a statutory consultation on it. Anyone can comment on the proposals and the CPA will assess the relevance of comments and consider them when determining the application. All details are provided in public on the CPA’s planning portal website.

2.3.5 The key documents that will form the application together with a summary of the information they are anticipated to provide is set out below. It should also be noted that the decision as to whether or not planning permission is to be granted is a decision for the Council acting as the planning authority following the relevant legal procedures under the Town and Country Planning Act 1990 regime; this is not a decision that Cabinet is being asked to make with this report.

2.3.6 **Consultation (Statement of Community Involvement):**

2.3.6.1 As set out above and in more detail in the September 2023 report to Cabinet, a pre-planning application consultation ran for 8 weeks between 14 November 2022 until 8 January 2023, consisting of an online survey and three in person drop-in events at West Winch Primary School and The Village Meeting Place in North Runcton. A total of 149 respondents provided feedback to the consultation. The County Council has engaged with local communities to ensure the proposed route meets the needs of local people and take advantage of local knowledge. Overall, local communities engaged positively and provided valuable feedback to help shape the development of the scheme. Details of the consultation were provided in Appendix A of the September 2023 Cabinet report. The Statement of Community Involvement will be included with the planning application documents and set out in more detail the consultation process and results.

2.3.7 **Planning Statement:**

2.3.7.1 The Planning Statement sets out the 'Needs' case for the Proposed Scheme, confirming the need for intervention in the context of the Outline Business Case (OBC) for the scheme which was submitted to Government in September 2023. The County Council has identified the need for the access road to reduce congestion and improve reliability and safety of travel within the A10 and A47(T) corridors, and this includes prioritising the delivery of a bypass for West Winch and junction improvements.

2.3.7.2 The Planning Statement also considers the principle of development at this location in the context of relevant planning policy, referring also to any material planning considerations and mitigation proposed to achieve compliance. The principle of the Proposed Scheme at this location is supported by the County Council through its recognition of the scheme as an enabling development for the sustainable urban expansion of the South-East King's Lynn Growth Area allocated in Policy CS03 and Policy CS09 of the Core Strategy (known as the West Winch Growth Area).

2.3.7.3 This has been demonstrated by the allocation of the Site ('E2') for strategic growth in the vicinity of West Winch in the Site Allocation Development Management Policies Plan (2016) and the support given in Core Strategy Policy CS11 for the delivery of required transport infrastructure. The principle of the Proposed Scheme has been reinforced through the identification of the WWHAR in the DfT's programme for the Major Road Network (MRN) for

government funding and its strategic importance to enhance resilience on the MRN is identified in the Norfolk Strategic Infrastructure Delivery Plan (2022).

2.3.7.4 The Planning Statement concludes with a statement of 'planning balance', providing a balanced justification for development, setting out the social, economic and environmental benefits of the proposal to demonstrate how these outweigh any negative impacts.

2.3.8 Environmental Statement:

2.3.8.1 The Environmental Statement (ES) reports the outcome of any likely significant effects arising from the proposed scheme for the WWHAR and its proposed environmental mitigation and enhancement measures.

2.3.8.2 The design of the proposed scheme includes landscape planting, habitat creation, habitat enhancement, and the incorporation of measures to allow wildlife movement. These design elements will contribute to the existing green infrastructure network, minimise habitat fragmentation, and provide replacement for habitat loss from the proposed scheme. Drainage systems have also been designed to intercept and divert run-off to on-site attenuation lagoons (to minimise impacts on surrounding watercourses).

2.3.9 Habitat Regulations Assessment:

2.3.9.1 This provides information on the identification and assessment of effects on internationally designated sites (the National Sites Network). These matters are assessed in the Habitat Regulations Assessment report.

2.3.9.2 The Habitat Regulations Assessment covers an initial screening assessment (Stage 1) followed by Appropriate Assessment (Stage 2), and also determines whether further assessment stages (Stage 3 and 4) need to be applied to achieve compliance with legislation.

2.3.9.3 'Stage 1 – Screening' for the Habitat Regulations Assessment was undertaken and identified that none of the internationally designated sites would suffer potential Likely Significant Effects from the identified potential impact of habitat loss, fragmentation and/or loss of functionally linked land, either in isolation or in combination with other plans or projects.

2.3.9.4 Given that no Likely Significant Effects were identified and/or screened out, the Proposed Scheme was not subject to 'Stage 2 - Appropriate Assessment'. There are therefore no anticipated impacts upon internationally designated sites during construction or operation of the Proposed Scheme.

2.3.10 Transport Assessment:

2.3.10.1 A Transport Assessment (TA) has been completed for the proposed WWHAR highway link, which considers the future transport situation in the scheme opening year and 10 years after opening. A comparison is drawn

between the future situation with and without the proposed highway scheme. A sensitivity test is also included with the proposed scale of future development totalling 4,000 dwellings in the West Winch Growth Area (WWGA) as envisaged within the July 2022 Masterplan published BCKLWN. The analysis within the TA has been informed by the Kings Lynn Transport Model and local junctions have been modelled in more detail using a Paramics model to understand their future performance with and without the scheme.

2.3.10.2 Earlier work set out within the evidence base for the BCKLWN Local Plan identified that only 300 additional dwellings at West Winch could be occupied in the WWGA prior to additional highway capacity intervention. The TA demonstrates that highway capacity on the A10 approach to the Hardwick interchange would become very constrained in the future assessment year prior to additional highway intervention, with a poor level of service at the junction with A47 and delays increasing on the A10 approach. The WWHAR scheme is shown to offer additional highway capacity which enables diversion of through traffic from the existing A10 and creates opportunities for local redistribution of traffic.

2.3.10.3 The proposed WWHAR scheme will also change the way that traffic uses the Hardwick Interchange and the removal of Constitution Hill roundabout will alter the turning movements through the main gyratory. However, the proposed dualling of a short section of A47 between the WWHAR roundabout and Hardwick Interchange would mitigate this and improve flows on the A47, with the existing satellite roundabout removed. The modelling results and sensitivity testing also indicate that changes to the signalisation system at the Hardwick Interchange and Scania Way junction with A149 Hardwick Road would also be needed to optimise performance of the junctions.

2.3.10.4 **Sustainable Transport Strategy:** The WWHAR scheme is supported by a Sustainable Transport Strategy (STS) which considers opportunities for enhancing active travel and public transport accessibility within West Winch. With the new road in place, there is an opportunity to re-purpose the existing A10 to become a secondary road with significantly lower traffic volumes and reduced severance between development east and west of the road. The STS was informed by stakeholder workshops and feedback gleaned via the 2022 public consultation. Active Travel England have also been consulted on the proposals and their feedback is currently being reviewed and addressed prior to submission of the planning application.

2.3.10.5 The STS includes new signalised crossing facilities on the A10 and revisions to existing bus stops, a new mobility hub between Rectory Lane and Chapel Lane, plus an active travel link along the west side of WWHAR highway alignment. The speed limit on A10 through West Winch is also proposed to be reduced to 30mph, with a localised 20mph. Bus service improvements towards Kings Lynn town centre and Hospital are also

expected to be provided in the longer term as the housing development is built out as bus viability will improve with an increased population catchment.

2.3.11 Design and Access Statement:

2.3.11.1 The Design and Access Statement (DAS) is required by Article 9 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, within which Article 9(3) states:

“A design and access statement must—

- (a) explain the design principles and concepts that have been applied to the development;
- (b) demonstrate the steps taken to appraise the context of the development and how the design of the development takes that context into account;
- (c) explain the policy adopted as to access, and how policies relating to access in relevant local development documents have been taken into account;
- (d) state what, if any, consultation has been undertaken on issues relating to access to the development and what account has been taken of the outcome of any such consultation; and
- (e) explain how any specific issues which might affect access to the development have been addressed.”

2.3.11.2 The DAS for WWHAR responds to the requirements above, presenting the various components of the design in layman’s terms for ease of understanding, including Hardwick Interchange, dualling of the A47, WWHAR: A47 to Metacre Roundabout, WWHAR: Metacre Roundabout to the A10, A10 tie in and works.

2.3.11.3 It describes the key factors that have informed that design of the highway, structures, drainage, landscape, and access arrangements of the Proposed Scheme for which planning consent is sought. The DAS gives an overview of the design evolution, whilst signposting to other documents and drawings within the planning application, where further detailed explanation is provided. A key feature plan showing the detail of the extent of the planning application (showing the General Arrangement and Red Line Boundary) are provided in Appendix C.

2.4 Side Roads Order

2.4.1 The WWHAR will impact on existing highway and private accesses that cross or enter the route the WWHAR will follow. The WWHAR will cross existing highway both vehicular (including the roads U23463 Rectory Lane, U22024 Chequers Lane) and other highway including footpaths. This will require stopping up, improvement and the construction of new highway for purposes connected with the alterations to the existing highway and the

stopping up and replacement (where necessary) of private accesses. This requires the making of a Side Roads Order (SRO).

- 2.4.2 In summary, along the length of the WWHAR the SRO will authorise the following to enable the WWHAR to connect to the existing road network:
- a) The improvement of existing highway including (but not limited to) A47 Constitution Hill, A10 Lynn Road
 - b) The stopping up of existing vehicular highway including (but not limited to) U22024 Chequers Lane
 - c) The creation of new junctions and new vehicular highway
 - d) The stopping up and creation of footpaths and cycle tracks
 - e) The stopping up and replacement of private accesses.
- 2.4.3 In an attempt to shorten the delivery programme for the WWHAR wherever possible, Cabinet are asked to approve the making of the SROs ahead of planning being granted. Whilst not necessary, it is often a more standard approach to wait until planning has been approved, as this enables a decision by the Secretary of State to confirm the orders following a successful SRO consultation process. While it is possible to submit the SRO before planning consent is granted, the SRO will not be confirmed by DfT until the planning application has been determined. There is also a risk with earlier submission that changes will need to be made to the SRO after final design is completed. Depending on the extent of the changes a modification to the SRO may be possible but it may also be determined that the changes are too significant meaning that re-making and re-advertising of the SRO is necessary.
- 2.4.4 By accelerating the SRO process, should a Public Inquiry be required (or a Public Hearing, which has shorter timescales), the decision to not wait until a grant of planning before commencing the SRO process will shorten the critical path associated to provision of the necessary statutory Orders. However, there are risks to this approach a set out in section 9 below.
- 2.4.5 Whilst these risks need to be taken into account, on balance it is considered prudent to progress with the SRO process at this time, ahead of planning being granted. This will include activities that:
- a. Determine the form and contents of the Schedules to the SRO and the associated plans which identify the highway to be improved, stopped up and constructed and the private accesses to be stopped up and where necessary replaced with a new access
 - b. Determine the form and contents of the Statement of Reasons accompanying the SRO and to finalise the same.
 - c. Take all necessary steps to secure the making, submission for confirmation to the DfT and implementation of the SRO including

(but not limited to) the publication and service of all statutory notices on relevant parties, the investigation of and response to objections (including the negotiation and completion of any necessary agreement and undertakings in order to secure removal of the objections to the SRO), the agreement of any necessary modifications to the SRO by DfT and the presentation of the Council's case at any public inquiry or via written representations

- d. Take all appropriate actions for making amendments, modifications and deletions to the SRO and plans including updates and corrections to the draft as necessary to finalise and secure the confirmation of the SRO.

2.5 **Construction Programme**

2.5.1 There are still uncertainties in timescales associated with the delivery programme (e.g. grant of planning and securing of SROs). Taking this into account and allowing reasonable timescales for risks to the project delivery as well as completion of the detailed design and a successful procurement process, a start of works is projected to be Spring/Summer 2025.

2.5.2 In terms of construction timescales, the current estimated construction period is approximately 24 months. This timescale will be affected by weather conditions as the ground is particularly susceptible to rainfall, making it more difficult to both manoeuvre and work upon when wet. Therefore, a start of the main construction works as early as possible in financial year 2025/26 is key to achieving as short a construction period as possible, due to capitalising on potentially the best ground and weather conditions available. In order to maintain this delivery programme, there is likely to be a need to mobilise for construction and complete seasonal environmental works ahead of the main construction starting.

2.6 **Procurement Strategy**

2.6.1 The WWHAR project team will work closely with the County Council's Procurement team. The collective experience of leading on other major projects will be invaluable within this process.

2.6.2 An officer group has been considering the contractual approach to delivering both the construction and professional services (i.e. design) requirements. Although the two elements are very different in their requirements, how they are delivered needs to be considered at the same time.

2.6.3 The procurement discussion will assess the following factors that need to be taken into account when deciding which of the main options to use for delivery: -

- How complex is the project and its design/delivery requirements?
- How important is early commencement and/or rapid completion?
- How important to the Client (County Council) is certainty of price?

- How clearly defined are the Client's requirements, the Scope and Site Information?
- What is the likelihood of change to those defined requirements?
- What views prevail on the allocation of risk and where can risk be best managed (i.e. the balance between Client and Contractor).

2.6.4 The options around whether to use a 'traditional' approach to tendering (i.e. tendering for construction of a fully designed scheme), or a Design and Build (D&B) approach remain. The design is already reasonably well progressed for the purposes of the planning application, but there is still the more detailed design for construction to complete. The scheme itself does not have the level of complexity or risk associated with it that many large value projects may have. However due to the dualling of a short section of live A47 and scheduling the major gas main diversions, the effect of having the Contractor leading the detailed design from a programming, works sequencing and traffic management perspective would potentially be beneficial.

2.6.5 Timescales for the project delivery will also be a key factor to consider. There are advantages of being able to progress with the detailed design using resources from our existing term contract, but these need to be balanced against the benefits of balancing the risk of design changes and transferring responsibility to the contractor. It is also clear from the construction sector that contractors consider they can add most value during the design stages.

2.7 **Commercial Viability**

2.7.1 It is also important that the tendering process attracts sufficient appropriate bidders. The scheme, although relatively straightforward, will still require a mixture of skills, and this will mean that each bidder may need a number of supply chain partners.

2.7.2 Formal industry engagement will be arranged at an early stage in the process to gauge interest from potential bidders and likely supply chain partners. As part of this process, it is hoped that the Council will be able to ascertain important delivery advice and information that will support the procurement process and maintain a high level of interest in the bidding from the construction sector. A Prior Information Notice will be issued to announce the market engagement process.

2.8 **Contracting Strategy**

2.8.1 In reviewing options, a focus on the need to manage risk and achieve excellent value for money, as well as applying industry best practice will be adopted.

- 2.8.2 The construction contract will be based on the NEC4 Engineering and Construction Contract which is the industry standard for highway infrastructure. The documentation will follow the format that has been developed for comparable projects such as the Long Stratton Bypass and the Herring Bridge. The infrastructure delivery and procurement teams have considerable experience in using these contracts.
- 2.8.3 External commercial support will be used as needed to support contract administration.
- 2.8.4 The construction contract will use either NEC Option A (priced contract) or NEC Option C (Target Cost).
- 2.8.5 The Long Stratton Bypass project went through a similar process of consideration of options. These were detailed in a report to Cabinet in September 2022 and a summary of those details are included in Appendix D. The full report can be viewed via this link [September 2022 Long Stratton Bypass Cabinet report](#). Section 2.5 of the LSB report provides details of the Contracting Strategy and section 2.6 covers 'Other Commercial Considerations'. All of these details will be considered by the officer working group prior to determining the best approach to procurement for the WWHAR project. It is recommended therefore that these considerations are made and Cabinet delegate the final approval of the procurement approach to the Director of Procurement & Sustainability, in consultation with the Interim Executive Director for Community & Environmental Services and the Cabinet Member for Highways, Infrastructure & Transport.
- 2.8.6 In addition to the above, the Long Stratton report also includes details regarding Social Value (included in Appendix D to this report) and, again, these will be considered and developed as part of the procurement and contract details for the WWHAR project.

2.9 Homes England Funding

- 2.9.1 The County Council and BCKLWN approached Homes England (HE) to assist with the issue of advance funding the local developer contribution towards the costs of providing the WWHAR in advance. The later delivery of developer funding through section 106 agreements was considered to be a barrier to delivery and the County Council and BCKLWN have worked with Homes England to deliver a business case proposition for a recoverable grant to support the infrastructure first approach to the delivery of WWHAR.
- 2.9.2 The business case was approved on 2 November 2023 by Homes England. A number of conditions are attached to the decision with one being that the County Council and BCKLWN enter into a back-to-back agreement to support the County Council in fulfilling their grant funding obligations and in particular in relation to the recovery strategy of the recoverable grant.

2.9.3 Details of the broad heads of terms for this funding are set out in Appendix B (Note this document is commercially confidential).

The terms of this agreement are standard and broadly set out:

- The Homes England funding is to be used to help acquire land for the road and the diversion of the gas main.
- That the County Council (and BCKLWN) will monitor outputs as required by Homes England (largely key project milestones and the delivery of housing)
- That the grant will be repaid by Section 106 (to be recovered locally by BCKLWN and passed to the County Council) as the development progresses.

2.9.4 Obligations that affect BCKLWN will be passed on through a ‘back-to-back’ agreement, which will mirror relevant clauses imposed on the County Council by Homes England. Final agreement of the detailed terms of this funding agreement are recommended to be delegated to the Director of Strategic Finance and the Director of Property.

2.10 Collaboration agreement

2.10.1 The details of a Collaboration Agreement to secure land that enables the delivery of the West Winch Growth Area and WWHAR are set out further below in section 7.2 of this report.

2.10.2 On the 1 August 2023, BCKLWN agreed to enter the collaboration agreement. By the entering the collaboration agreement, BCKLWN along with the County Council are committed to facilitating delivery of the growth area in both a strategic and landowning capacity and ensuring it can come forward in accordance with BCKLWN’s adopted Master plan (Cabinet January 2023). It also ensures that a significant proportion of land necessary to deliver the WWHAR can be secured and gives confidence to government to make significant investment decisions to ensure the road is delivered. Such commitment has future financial implications and risks for BCKLWN as the only landowner that is required to purchase land to enter the collaboration agreement.

2.10.3 To mitigate these risks BCKLWN requires financial cashflow support and commitment from the County Council. Details of this support are set out in the confidential Appendix A.

2.10.4 The BCKLWN joining the collaboration agreement is instrumental in supporting the delivery of the WWHAR for reasons to do with securing land for the road and in ensuring that the County Council can fulfil their grant funding obligations with Homes England. The BCKLWN is relying on this support from the County Council. The proposal is reasonable given the close partnership and success achieved over recent years in ensuring the WWHAR is delivered. It also cements BCKLWN involvement for the period

of the development thereby significantly reducing risks to the County Council as a landowner.

- 2.10.5 Without this commitment, BCKLWN cannot enter into the collaboration agreement and therefore secure the land for the road and support the County Council in meeting Homes England funding requirements to deliver the WWHAR. The decision of the BCKLWN's Cabinet to enter into the collaboration relies upon the support of the County Council which had been received in principle prior to its decision in August 2023.
- 2.10.6 As part of the collaboration agreement, as a landowner, the County Council will receive a capital receipt. To provide assurance to Homes England of its commitment to the development, it will defer the receipt and take the benefit of this in proportion to Homes England's scheme investment repayment over the next 20 years.

3 Impact of the Proposal

3.1 The WWHAR will:

- Enable up to 4,000 new homes to be built as set out in the Local Plan – this is not possible without the road.
- Bring new households to the area providing an expanded labour market.
- Provide relief for the existing West Winch community from strategic traffic movements, including HGVs.
- Reduce existing congestion problems on the A10 and improve residential amenity for West Winch.
- Improve journey time reliability for all users including business trips into and around the King's Lynn area.
- Provide a significant improvement for the A10 Major Road Network (MRN).
- Provide enhanced sustainable transport provision, enabling more active travel (walking, cycling & wheeling) and improved public transport services.

3.2 **Environment:** The effects of the WWHAR on the environment have been a key consideration throughout its development. The design and construction have been considered and inform the Environmental Impact Assessment (EIA) process. The findings of the EIA are reported in the Environmental Statement, that forms part of the planning application documents.

3.3 Mitigation and enhancement measures have been incorporated into the scheme design to minimise impacts and seek to make improvements to local biodiversity and habitats. This includes landscape planting, habitat creation, habitat enhancement, and the incorporation of measures to support wildlife movement. These design elements will contribute to the existing green infrastructure network, minimise habitat fragmentation, and provide replacement for habitat loss.

- 3.4 The design of the WWHAR, where possible, has included proposals to mitigate impacts on landscape and visual effects. This includes the creation of landscaped bunds to minimise the impact on visual amenity of nearby visual receptors and incorporating landscape mitigation planting to provide screening and visual amenity.
- 3.5 The Levelling Up and Regeneration Act 2023, which contains provisions requiring new development to demonstrate a 10% biodiversity net gain, was enacted on 23 October 2023. The Government has announced that the relevant biodiversity net gain provisions will come into force in January 2024 and are expected to apply to WWHAR planning application. In any event, both national policy and the County Council's own environmental policy encourages new development to demonstrate Biodiversity Net Gain (BNG). BNG involves leaving habitats in a measurably better state than before development took place. The national policy produced by Defra for biodiversity net gain seeks a 10% uplift in biodiversity after development and is based on the area of habitats directly and indirectly affected by a scheme.
- 3.6 A BNG assessment has been undertaken in accordance with best practice guidance and the report on this assessment will be set out in the Environmental Statement, which will form part of the planning application documents. The assessment takes account of the environmental mitigation and enhancement measures described above.
- 3.7 **Carbon Impact:** The net GHG emissions during the Operational Phase arising from land use change, end user traffic and replacement are estimated to be approximately 420 tCO₂e per annum (based on an average over a 60-year period).
- 3.8 The appointed contractor will be expected to implement measures to reduce carbon emissions during the construction of the WWHAR. The measures could include:
- Minimising energy consumption including fuel usage by, for example, minimising machinery use and idling;
 - Promoting the use of hydrotreated vegetable oil fuel by the supply chain;
 - Using sustainable concrete, low/cold application asphalts and recycled construction materials where practicable;
 - Re-using trees and vegetation removed during the site clearance as mulch or chippings and using in the landscaping where practicable;
 - Re-using bituminous materials within the permanent works where practicable and where they do not present a pollution hazard;
 - Encouraging the use of solar power and facilities to reduce water usage;
 - Procuring sustainable welfare cabins;

- Maximising the use of local waste management facilities, instead of transporting waste materials over longer distances;
 - Incentivising of carbon reduction practices within the supply chain.
- 3.9 The total estimated GHG emissions during the Construction Phase arising from the embodied carbon (manufacture and transport of raw materials to suppliers), transport of materials to site, transport of waste from site, construction plant use, and habitat loss is approximately 30,000 tCO₂e. This figure is indicative and would be expected to be reduced by the measures outlined above.

4 Evidence and Reasons for Decision

- 4.1 To deliver the large-scale growth in the West Winch area, as set out in the Local Plan for the King's Lynn and West Norfolk, the evidence shows that additional highway capacity is required to accommodate the traffic generated from the planned 4,000 new homes. The WWHAR will also provide a high-quality new route that will provide relief for West Winch village that can accommodate the longer distance strategic traffic movements which comprises a high proportion of Heavy Goods Vehicles (HGV).
- 4.2 The development of the procurement proposals will ensure that a robust process is delivered; one that finds the right balance in terms of managing project risks and remaining attractive to the construction market. It is important that the proposals developed ensure a positive engagement process to maximise benefits and opportunities, whilst ensuring sufficient confidence regarding the project programme and budget. The programme in particular will be a key consideration to enable construction to commence as soon as possible during 2025 (assuming statutory approvals are completed).
- 4.3 Submission of the proposed scheme and the associated documents for a planning application is a key milestone towards delivery of the WWHAR. The Cabinet meeting is therefore requested to delegate to the Interim Executive Director of Community and Environmental Services (CES), in consultation with the Cabinet Member for Highways, Infrastructure & Transport, the authority to agree the finalised planning application and submit it to the Local Planning Authority.

5 Alternative Options

- 5.1 The alignment of the WWHAR is largely dictated by the proposed growth area as set out in the local plan and already published/consulted masterplan. This includes the WWHAR to the east of the proposed new housing. With regard to alternative options, slight variations of the alignment to provide the best fit were investigated and these are reported in the Strategic Outline Business Case (SOBC) document.

- 5.2 There are no significant alternative highway solutions that would be effective in providing a value for money solution that enables the housing growth and provides the necessary relief to the existing A10 through the village of West Winch. There are also no non-highway transport schemes or policy options that could accommodate the transport impact of the planned growth in isolation. However, since the SOBC, work has been undertaken to develop a sustainable transport strategy (STS) that supports both the OBC submission and the planning application for the WWHAR. The STS has been submitted already in support of the OBC, and it will be included with the planning application submission.
- 5.3 Notwithstanding, alternative options for the WWHAR have been investigated and a preferred option selected. The options investigated include:
- 5 different alignments at the northern end of the new road between the A10 and A47
 - 2 different alignments at the southern end of the new road between the A10 and A47
 - A number of options for junction alterations at the Hardwick A10/A47/A149 junction

6 Financial Implications

- 6.1 As reported in the September 2023 Cabinet report, the OBC was submitted with a total project cost of £84.47m. Currently the DfT contribution is expected to be £66.37m with the local contribution of £18.10m. Of the latter, the developer contribution (forward funded by Homes England) is £14.65m, and £3.45m from the County Council, BCKLWN and Business Rates Pool.
- 6.2 At present, discussions are ongoing with DfT regarding any uplift to their existing funding contribution, following the Prime Minister's announcement on [Network North](#) on 4 October 2023. This would be subject to successful business case approval.
- 6.3 The breakdown of scheme costs and funding profile is shown below. All costs within the scheme of costs shown below have been rebased to Q2 2023 prices using the Building Cost Information Service (BCIS) Tender Price Index (TPI) rates.

Breakdown of Scheme Costs

Cost (£m)	To Mar-23	2023-24	2024-25	2025-26	2026-27	2027-28	Total
Construction			0.47	15.43	16.10	5.60	37.60
Professional fees	2.50	3.20	2.54				8.24
Utilities		0.93	4.89	0.26	1.37		7.45
Land		0.40	0.10	8.49	0.24		9.23
Risk		0.79	2.14	6.47	4.74	1.50	15.64
Inflation		0.13	0.43	2.00	2.79	0.95	6.30
Total	2.50	5.45	10.57	32.65	25.24	8.05	84.47

Funding Profile

Funding (£m)	To Mar-23	2023-24	2024-25	2025-26	2026-27	2027-28	Total
Local contribution	1.80	1.65					3.45
DfT OBC funding	0.70						0.70
NCC forward funding (land and utilities)		1.34	(1.34)				0.00
NCC forward funding (fees, construction, risk, inflation)		2.46	(2.46)				0.00
DfT MRN/LLM Fund			8.04	24.34	25.24	8.04	65.66
Developer contribution			6.34	8.31			14.65
Total	2.50	5.45	10.58	32.65	25.24	8.04	84.47

6.4 At the September 2023 Cabinet meeting, it was agreed to temporarily increase the Council's contribution by £1.05m until this can be reimbursed when DfT approve the OBC. This funding granted was to fund costs to the end of November 2023. In line with the OBC submission, the project is expected to have incurred costs of £7.95m by March 2024, with current available funding of £5.20m (including the £1.05m of temporary funding). Cabinet is asked to increase the current temporary funding by a further £2.75m which will provide funds to the end of the current financial year.

6.5 If for any reason the scheme does not proceed, the Council would be required to write-off Council funding that has been sourced from borrowing, based on the forecast expenditure (and funding sources) to the end of March 2024, this would be £4.95m. A report will be brought back to Cabinet if further temporary funding is required.

7 Resource Implications

7.1 Staff:

7.1.1 The project has a dedicated delivery team, overseen by the in-house Infrastructure Delivery team, with support from Greyfriars Project Management, design consultancy input from WSP (the CES Highways

service term consultants), specialist legal advisors (including nplaw), and contract administration and cost specialists.

7.2 Property:

- 7.2.1 The establishing of the preferred route through the master plan process and development of the design for the WWHAR has determined the required land assembly. Landowners and/or developers of land either on or adjacent to the WWHAR route corridor have been working with KLWNBC in bringing forward a collaboration agreement and necessary Section 106 agreements (under the Town & Country Planning Act 1990) that will enable the delivery of growth within West Winch, as well as the WWHAR. Three other landowners who are directly impacted by the WWHAR but are not included within the collaboration agreement or Section 106, have been approached separately and terms are being negotiated. Whilst it is not currently considered necessary, a Compulsory Purchase Order (CPO) may be pursued if ongoing negotiations with the three landowners fail. Should this be the case, the project team will be required to return to Cabinet to provide an update on the issues at that time and to seek approval to promote a CPO to ensure land assembly.
- 7.2.2 As set out above, the land required for delivery of the WWHAR is being progressed through three main routes. Firstly, through Framework Section 106 agreements covering various residential development sites; secondly via the proposed Collaboration Agreement involving Growth Area landowners; and thirdly by agreement with other affected landowners.
- 7.2.3 Should a CPO be required to deliver the land assembly; this will have an impact upon the scheme delivery timescales. There is also a risk of challenge associated with the making of the Order. It is worthy of note that the Council is expected to undertake a process of negotiation as part of the land assembly process in any case prior to pursuing a CPO and this is being undertaken now. At this time, in terms of risk mitigation, there is no reason to believe that the land necessary for the WWHAR will not be provided by the various landowners.

7.3 IT: None.

8 Other Implications

8.1 Legal Implications:

- 8.1.1 None directly. The project has been and will continue to be supported by the Council's procurement team and will seek advice from nplaw and such external legal advisers (including Counsel) as necessary.
- 8.1.2 A Side Roads Order (SRO), to be made by Norfolk County Council, under Sections 14 and 125 of the Highways Act 1980, will be required to make all

the necessary changes to existing highways and private means of access (PMA), as well as incorporating any new highway and PMA provision required to accommodate the WWHAR itself. The SRO will also include any changes to Public Rights of Way required as a consequence of delivering the project. In certain cases temporary highways may be created where it is not possible to establish the permanent highway replacement route before the current one is stopped up.

- 8.1.3 An Order under section 14 of the Highways Act 1980 authorises a Highway Authority to stop up, improve, raise, lower or otherwise alter a highway that crosses or enters the route of a classified road. It also provides for the construction of new highways for purposes concerned with any such alterations or related purposes. Section 125 of the Highways Act 1980 provides that an SRO may authorise the highway authority to stop up private means of access to premises and to provide new means of access to premises. In all instances where stopping up of either highway or private means of access is proposed, the DfT must be satisfied that either no access to premises is reasonably required or that other reasonably convenient means of access to the premises are available to the premises or will be provided. DfT must also be satisfied that provision will be made for the preservation of any rights of statutory undertakers in respect of their apparatus.
- 8.1.4 It is anticipated that the SRO will be made by the Council and submitted to the DfT in the spring of 2024 for confirmation by the Secretary of State for Transport (noting that confirmation cannot take place until there is grant of planning). If objections to the SRO are received, it is likely that the DfT, via the Planning Inspectorate, will recommend the holding of a public local inquiry (or public local hearing) into the Order before the DfT (Secretary of State) decides whether to refuse the Order or to confirm either with or without modifications.
- 8.1.5 A review of the land titles for the land required for the delivery of the WWHAR will be completed to identify the existence of any rights and covenants.
- 8.1.6 Under section 203(1) of the Housing and Planning Act 2016 a local authority can override rights and interests affecting land and breaching a restriction as to use of land arising by virtue of contract in order to 'carry out building or maintenance work' where such rights would impede the development or the subsequent use of the land as highway. Such work is defined in s.205(1) as meaning 'the erection, construction, carrying out or maintenance of any building or work'. The construction of a new highway is considered to fall within that wide definition. The effect of section 203 is to enable the development to proceed and authorises the interference with those rights

without the possibility of legal injunction. This provision does not apply to the rights of statutory undertakers and certain other protected rights.

8.1.7 There are statutory criteria that are required to be in place for the use of Section 203 as below: -

- Planning permission has been granted for the WWHAR.
- The land must be acquired or appropriated by a local authority for planning purposes (in this case the land is to be acquired rather than appropriated).
- A local authority could (if not already the owner) acquire the site compulsorily for the purposes of carrying out the works (including construction and maintenance works) or for the use of the land permitted by the planning consent.
- The work or use in question relates to the purposes for which the land was appropriated or acquired.

8.1.8 Use of Section 203 would be subject to the payment of compensation via Section 204 of the Housing and Planning Act 2016, should any party be able to demonstrate loss as a consequence of the implementation of the proposal. Section 204(2) confirms that compensation should be calculated on the same basis as compensation payable under section 7 and 10 of the Compulsory Purchase Act 1965. The amount of compensation payable is the diminution in the value of the affected interest. Any dispute about compensation payable may be referred or determined by the Upper Tribunal.

8.1.9 The decision to engage section 203 of the Housing and Planning Act 2016 should only be made where it is necessary, there is a compelling case in the public interest and the Council should be sure that the purposes for which the powers are being exercised justify interfering with the human rights of those whose interests will be affected.

8.2 Human Rights Implications:

8.2.1 The delivery of the scheme will by its nature have some implications for the human rights of those affected by it, for example via the SRO process and the use of S.203 Housing and Planning Act 2016 (if required). Where human rights will be impacted these impacts will only be justifiable if they are legitimate, proportionate and outweighed by the public benefits the scheme will provide. Further details on any proposed infringements of human rights, in connection with the scheme, will need to be considered in this context, and a balancing judgment made; the implications of this exercise would be provided in future relevant reports that are provided in respect of the processes involved in bringing forward the WWHAR project, in particular the SRO.

8.3 Equality Impact Assessment (EqIA):

8.3.1 It is recognised that there could be equalities implications arising from the construction and operation of the WWHAR scheme. These implications have been considered to address appropriate actions within the EqIA that has been developed for each stage of the project so far. This process will continue through the delivery of the scheme. It is anticipated that when the proposed scheme progresses through key delivery milestones (Detailed Design, Stage 2 Safety Audit, and during the production of a Construction Management Plan), the EqIA will be revisited to ensure that the proposals and assessment are still complementary. The Public Sector Equality Duty will continue to be considered at all stages in the process.

8.4 Data Protection Impact Assessments (DPIA):

8.4.1 An essential part of the Council's accountability obligations under the General Data Protection Regulation (GDPR) is to assess and demonstrate compliance with its data protection obligations.

8.4.2 In developing the WWHAR proposal, the County Council is following industry standard good practice for the development of a scheme of this significance; from initial feasibility studies, through to the development of the OBC and planning application and on through detailed design. This standard practice has involved identifying the need for an intervention, assessing potential options to address that need, and identifying the optimal intervention. This work includes consultations and communications with stakeholders, consultees and the wider environment.

8.4.3 Our use of data is governed by the various acts relating to local government and therefore the majority of data use is based on legal basis and complies with all relevant Council policies and procedures.

8.5 Health and Safety implications:

8.5.1 Implementation of the WWHAR will encourage a reassignment of traffic away from the existing A10 route, which suffers from areas of sub-standard alignment, congestion and unreliable journey times, onto the new high standard highway. It is expected that this would produce an overall reduction in accidents in the West Winch area and deliver a beneficial outcome.

8.5.2 The removal of the significant proportion of through traffic from the village also has the potential to realise further health benefits, through local improvements in air quality reduction in noise and greenhouse gases, as well as making active travel through cycling and walking more attractive due to reductions in vehicular movements and removal of severance caused by high traffic levels.

8.5.3 As proposals develop the health and safety implications will be a key factor in design to ensure risks are eliminated, or reduced as far as practicable, for

the construction and operation / maintenance of the scheme. Safety Audits will also be completed before and after construction of the project.

8.6 Sustainability implications:

- 8.6.1 In June 2023, Cabinet endorsed a Climate Strategy that outlines how the Council will reach net zero on its own estate by 2030, support clean growth across the county, and boost resilience to the changing climate. The WWHAR project team are ensuring the project contributes to the strategy's aims and that its delivery is taken account of as part of the council's wider work.
- 8.6.2 A Sustainable Transport Strategy (STS) has been developed alongside the main WWHAR proposals and presents proposals for a range of measures to support walking, cycling and public transport use. Further details about the STS is provided in Section 2.3.10.4 of this report.
- 8.6.3 Current national planning policy and the Council's own Environmental Policy encourages new or proposed development to demonstrate BNG, and, with its successful passage through parliament, the Environment Bill makes this mandatory. BNG involves leaving habitats in a measurably better state than before development took place. The national policy produced by Defra for biodiversity net gain seeks a 10% uplift in biodiversity after development and is based on the area of habitats directly and indirectly affected by a scheme.

8.7 Any Other Implications: None.

9 Risk Implications / Assessment

- 9.1 WWHAR has a Risk Register (RR) in place to monitor and mitigate risks that could impact upon delivery of the project. The RR is a live document that is kept up to date by members of the project team and 'High' risks are individually reported to Project Board on a monthly basis, as well as an overview of change contained within the RR. All risks have agreed mitigation measures which are being progressed through the scheme development process.
- 9.2 The most recent high risks reported to Project Board are shown below. They have been grouped together for ease and where there is a direct correlation between the risks under headings from the Risk Register.
- DfT Funding. OBC has been submitted but is subject to checks and confirmation. A Full business Case will be developed and submitted to DfT and require further approval.
 - Approvals by Statutory Bodies (Planning/Side Roads Order) The approval of planning and SRO are subject to legislative process which can result in additional work or legal challenge.

- Land Acquisition (and Compulsory Purchase Order if required). Land negotiation is ongoing however, CPO may be required should negotiations not be successful impacting programme.
- National Gas Diversion: Monthly liaison meetings with National Gas are ongoing, Gas mains diversion will be seasonal (in summer months) and will need to be factored into construction programme.
- Inflation uncertainty: The project will continue to be subject to inflation increases, the project budget includes for inflation in the construction phase which will be further developed through the detail design and contracting stage.

9.3 While it is hoped that the land assembly required for delivery of WWHAR will be delivered by a negotiated route, it is still important for the success of the project to understand when to intervene to secure project delivery timescales. Should land negotiations not prove to be successful, it may be necessary to utilise a Compulsory Purchase Order (CPO) under the Highways Act 1980 to secure the necessary land. It may also be necessary to utilise a CPO where negotiations are still ongoing and/or land acquisition is not sufficiently secured by voluntary agreement to ensure that project timescales can be met. Should this be the case, the project team will be required to return to Cabinet to provide an update on the issues at that time and to seek approval to promote a CPO to ensure land assembly. Should a CPO be required to deliver the land assembly this could have a detrimental impact upon the scheme delivery process due to the timescales associated to the process. There is also a risk of challenge associated to the making of the Order, as it can be challenged. However, should a CPO be made, the Council will continue to run further negotiations in parallel with the CPO process in an effort to reach voluntary agreement where possible.

9.4 The risks associated with submitting the Side Roads Order (SRO) before grant of planning include:

- a) While a joint inquiry may be held into the planning and the SRO unless the planning permission is decided relatively soon after the submission of the SRO it may not be possible to join any inquiry to any planning permission appeal. As such there would be the possibility of having to deal with more than one inquiry for this project which may increase the cost. In addition, it is possible that an absence of planning permission could affect the ability to argue the case at submission and at public inquiry.
- b) If there are any changes to the planning permission once it is granted and if amendments are consequently required to the SRO it is possible the Order would have to be re-made, the formal objection period run again and a further public inquiry held as necessary. Having to re-start the SRO process would depend on whether the required amendments to the Order would prejudice any

member of the public or statutory undertaker who has made or could have made an objection. If it is reasonable to conclude that the amendments would materially affect the SRO to the extent that additional objections are possible or they invalidate points already discussed at public inquiry then further consultation is likely to be considered necessary.

- c) It is possible that making the SRO before the grant of planning permission would increase the number of challenges. Certain queries or objections may be raised that could have been satisfied by the planning permission and the conditions attached to it. Without the certainty of the planning decision more queries might be raised than would have been had the planning decision been granted.

10 Select Committee Comments

10.1 None.

11 Recommendations

- 1 To note the details presented in this report and approve the continued delivery of the WWHAR project and confirm the financial update within the Capital Programme.**
- 2 Delegate to the Interim Executive Director of Community and Environmental Services (CES), in consultation with the Cabinet Member for Highways, Infrastructure & Transport, the authority to agree the finalised planning application and submit it to the Local Planning Authority.**
- 3 Delegate to the Interim Executive Director of Community and Environmental Services (CES), in consultation with the Cabinet Member for Highways, Infrastructure & Transport, the authority to agree and enter advanced agreements with National Grid Gas to divert two major high pressure gas mains.**
- 4 Delegate to the Director of Procurement & Sustainability authority to undertake the necessary procurement processes including the determination of the minimum standards and selection criteria; to shortlist bidders; to negotiate where the procurement procedure so permits; and to terminate award procedures if necessary. The Director of Procurement & Sustainability shall act in accordance with the Council's Contract Standing Orders and Public Contract Regulations 2015 and in consultation, as appropriate, with the Interim Executive Director of Community and Environmental Services and the**

responsible Cabinet Member. Note that a further report will be presented to Cabinet to seek delegated approval to award contracts.

- 5 To approve the £84.47m scheme cost within the capital programme and note the funding sources (see section 6.3 for more details).
- 6 To agree to a further temporary increase of the Council's contribution by £2.75m until this is reimbursed when DfT (and Homes England) funding is approved. It will be utilised to incur costs associated to the gas main diversion and design work (as set out in section 6.4).
- 7 Agree to enter the Homes England funding agreement (providing £14.65m towards the WWHAR local contribution) and for finalisation of the details to be delegated to the Director of Strategic Finance and the Director of Property.
- 8 Agreement to underwrite BCKLWN land purchase, as detailed in the confidential section and defer the County Council's capital receipt as part of the collaboration agreement (see section 2.10.6 for more details).
- 9 To authorise the making of a Side Roads Order ("SRO") under sections 14 and 125 of and in accordance with Schedule 1 of the Highways Act 1980 to enable the improvement and stopping up of existing highways, to construct new highways and to stop up and provide replacement private means of access where necessary which are essential for the construction of the WWHAR.
- 10 To delegate authority to the Interim Executive Director of Community and Environmental Services to consider and make decisions on activities listed in section 2.4.5.
- 11 To authorise the Interim Executive Director of Communities and Environmental Services to use the Council's powers under Section 203 of the Housing and Planning Act 2016 to override any existing rights and covenants on land that would be infringed by or impede the construction, operation or maintenance of the WWHAR.
- 12 To authorise the Interim Executive Director of Community and Environmental Services to continue to take all appropriate actions necessary for the purpose of negotiating the terms and conditions for the acquisition by agreement of the land and new rights over land which are needed to allow the construction, operation and ongoing maintenance of the WWHAR.

12 Background Papers

- Cabinet 4 September 2023 – Follow this [link](#)
- Cabinet 8 March 2021 – Follow this [link](#)

Officer Contact

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

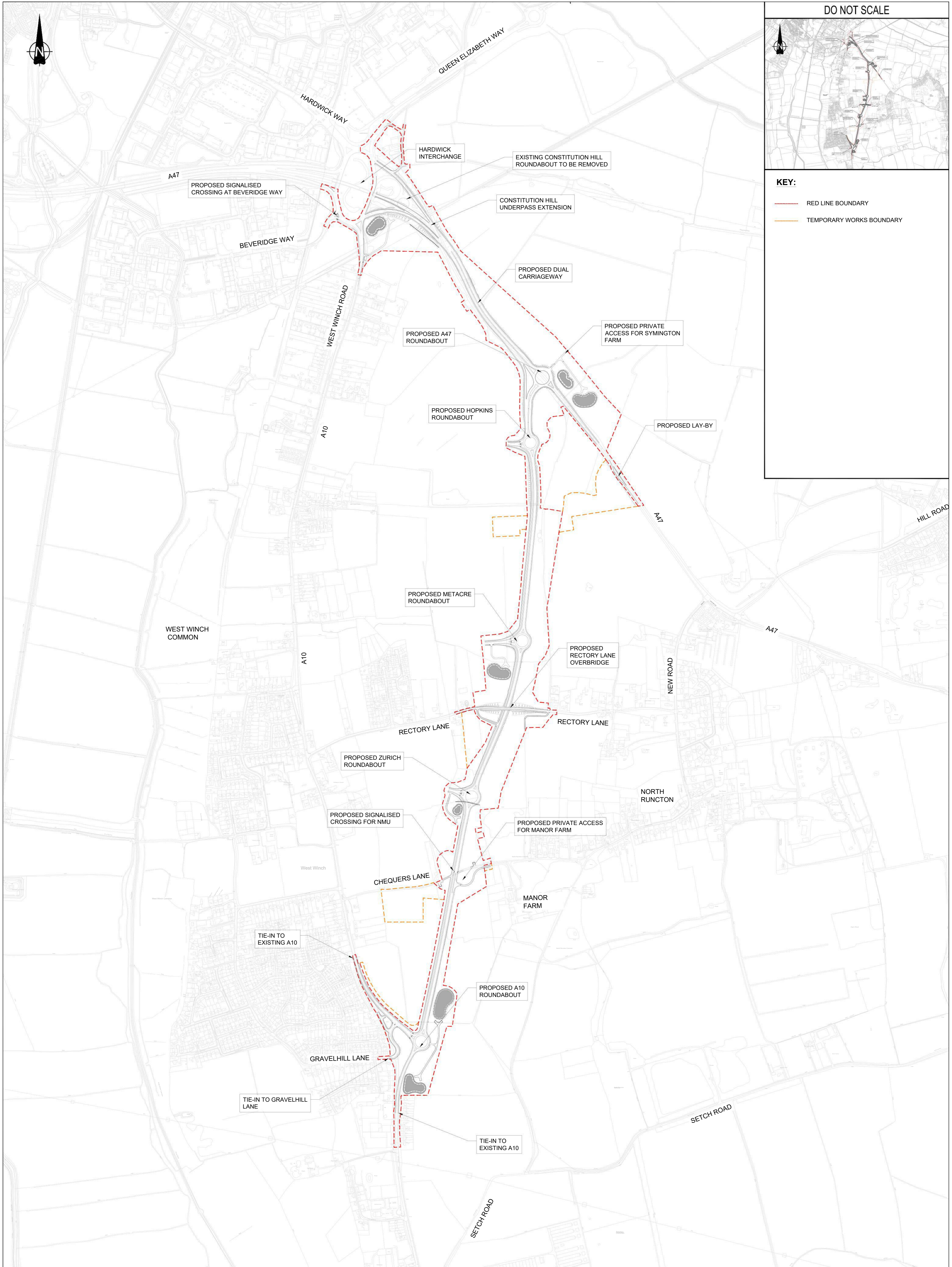
Officer name: David Allfrey / Mark Kemp

Telephone no.: 01603 223292 / 01603 306619

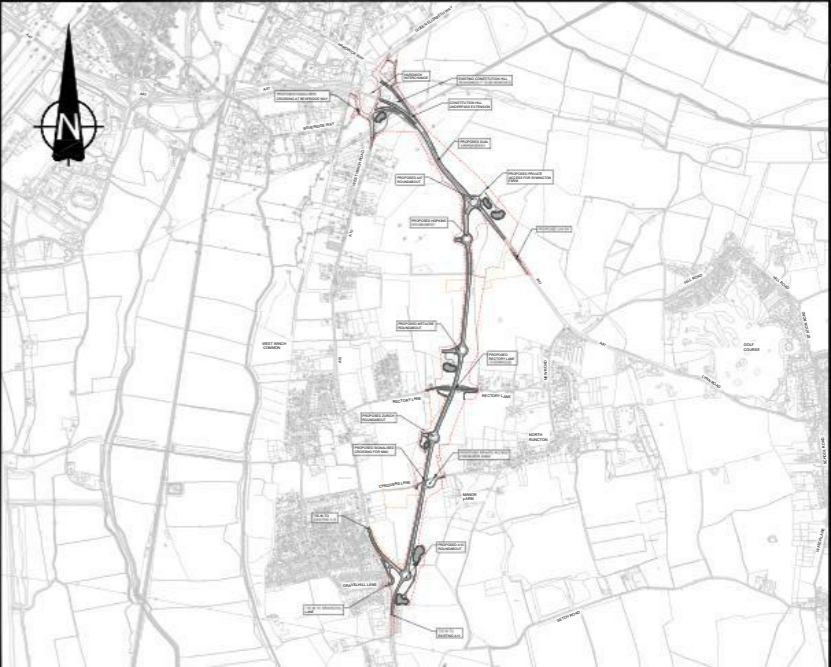
Email: david.allfrey@norfolk.gov.uk / mark.kemp@norfolk.gov.uk



If you need this report in large print, audio, braille, alternative format or in a different language please contact 0344 800 8020 or 0344 800 8011 (textphone) and we will do our best to help.



DO NOT SCALE



KEY:

- - - - RED LINE BOUNDARY
- - - - TEMPORARY WORKS BOUNDARY

PO1	08/11/2023	SK	FIRST ISSUE	BL	SP
REV	DATE	BY	DESCRIPTION	OK	AP
DRAWING STATUS: S2 - FOR INFORMATION					



 County Hall
 Martineau Ln
 Norwich
 NR1 2DH, UK
 wsp.com

CLIENT: NORFOLK COUNTY COUNCIL
 ARCHITECT:

PROJECT: WEST WINCH HOUSING ACCESS ROAD (WWHAR)
 TITLE: KEY FEATURE PLAN

SCALE @ A1:	NTS	CHECKED:	BL	APPROVED:	SP
PROJECT No:	70100518	DESIGNED:	SK	DATE:	NOVEMBER 23
DRAWING No:	70100518-WSP-GEN-WW-DR-CH-004			REV:	P01
© WSP UK Ltd					

Appendix D

Extract from Long Stratton Bypass Cabinet Report – September 2022

2.3 Contractor Procurement

2.3.1 The LSB project team will work closely with the NCC Procurement Team. The collective experience of leading on other major projects will be invaluable within this process.

2.3.2 An officer group has been considering the contractual approach to delivering both the construction and professional services (i.e. design) requirements for LSB. Although the two elements are very different in their requirements, how they are delivered needs to be considered at the same time.

2.3.3 The procurement discussions assessed the following factors that need to be taken into account when deciding which of the main options to use for delivery:-

- Which party is to be responsible for design and/or which party has the necessary design expertise?
- How complex is the project and its design/delivery requirements?
- How important is early commencement and/or rapid completion?
- How important to the Client (NCC) is certainty of price?
- How clearly defined are the Client's requirements, the Scope and Site Information?
- What is the likelihood of change to those defined requirements?
- What views prevail on the allocation of risk and where can risk be best managed.

2.3.4 The options around whether to use a 'single stage' approach to tendering (ie just for construction), or a Design and Build (D&B) 'two stage' approach also remain. The design is already reasonably well progressed, but there is still the detailed design to complete. The only slight exception to this, are the two bridge structures. The bypass scheme itself, although relatively large in financial terms, does not have the level of complexity or risk associated with it that many large value projects may have. Therefore, the benefit of having the Contractor leading the detailed design is reduced.

2.3.5 In terms of timescales, the current delivery programme has assumed a single stage approach through the NCC term consultancy contract provider (WSP). This approach has been adopted, as they have confirmed that they have the necessary resource and expertise available to support the delivery of the detailed design, and for reasons set out in the Professional Services section of this report further below (see 2.8).

2.3.6 Therefore, with the detailed design delivery provided by WSP, the single stage approach to procurement of the Contractor for the construction stage becomes the logical option. This is likely to be the quickest way to progress the project as it negates any need for a design procurement in the short term, allowing the project team to concentrate on developing the Contractor procurement whilst the detailed design is also developed.

2.4 **Commercial Viability**

2.4.1 It is important that the tendering process attracts sufficient appropriate bidders. The scheme, although relatively straightforward, will still require a mixture of skills, and this will mean that each bidder may need a number of supply chain partners.

2.4.2 An Industry Engagement Day will be arranged at an early stage in the process to gauge interest from potential bidders and likely supply chain partners. As part of this process, it is hoped that NCC will be able to ascertain important delivery advice/information that will support the procurement process and maintain a high level of interest in the procurement process from the construction sector.

2.4.3 As the detailed design becomes more advanced, it will be possible to issue a Prior Information Notice (PIN) to the market or to commence consultations with contractors under an appropriate framework. As the project team will have more confidence around timescales for remaining tasks, statutory Orders, funding position etc., NCC will be able to signal its intent to issue the construction works Contract.

2.5 **Contracting Strategy**

2.5.1 The contracting strategy sets out how the scheme will be procured, the form of contract and the approach to other significant commercial issues.

2.5.2 In arriving at the proposed approach, we have kept a sharp focus on the need to manage risk and achieve excellent value for money, as well as applying industry best practice.

2.5.3 A considerable amount of knowledge and experience has been gained by the Infrastructure Delivery team (which the project team sits within) following the successful implementation of Broadland Northway and excellent progress on construction of the Great Yarmouth Third River Crossing. Sharing of this knowledge, experience and good practice will be utilised in the delivery of LSB. Key learning points that will be utilised within LSB are the identification of risk, mitigation of risk wherever possible and transference of risk away from the Authority; and understanding how to structure the contract documentation to make best use of the 4th release of the New Engineering Contract (NEC4)

Engineering Construction Contract (ECC), to deliver the project within budget and programme; and understanding how the Contractor has priced and dealt with risk within their submission.

2.5.4 The LSB project will also utilise the skills of the Commercial Manager and their team during the detailed design, procurement and construction exercises. This commercial acumen and support has proven essential in the delivery of other major projects in the county and is considered key in providing the necessary contract administration.

2.5.5 The ECC has four main Option Clauses available (A through D) that could be suitable for delivery of LSB, and these are detailed below. Option E (Cost Reimbursable Contract) and Option F (Management Contract) are not considered suitable for delivery of LSB and are not discussed in this report:

- Option A – Priced Contract with Activity Schedule: Option A is a lump sum Contract, meaning the Contractor takes a significant proportion of the risk of the project, as defined within the Scope of the works, and prices accordingly. This is not a fixed price arrangement as any changes to the Scope would usually result in a price adjustment. It operates on the basis that if the identified risks occur then the Contractor is required to deal with them within the financial allowances they have made; however, if they do not occur, or are mitigated, then the price to the Client remains the same and the Contractor benefits. Option A is more traditionally aligned to a Contractor designed delivery process and payment is made via an activity schedule (a programme of works) rather than remeasuring the work completed and paying against a Bill of Quantities. Option A is a possibility for LSB as the level of construction risk associated with the project is considered to be relatively low, but there is a significant level of uncertainty around inflation and availability of materials and resource within the construction sector, which will impact upon risk levels. Contractors are likely to price for risk accordingly when submitting their tenders;
- Option B – Priced Contract with Bill of Quantities: Similar to Option A, Option B is a lump sum Contract but payment is made via a Bill of Quantities. Having a Bill of Quantities does provide flexibility in terms of change but does require the Client carry out more work in managing costs and preparation for the procurement exercise so is considered resource 'heavy' (this is a consideration for NCC should other major projects be active at the same time as LSB). The client will be proportionately more responsible for risk than Option A, but less so than the remaining Options below.
- Option C – Target Price Contract with Activity Schedule: Option C utilises a Target Price tendered by the Contractor based upon the contract documents as a starting point for the costs. As the scheme progresses, the Target may be adjusted up or down due to change encountered within the scheme and risks either occurring or not. Option C is seen as the most appropriate format for fostering a good relationship and a collaborative approach between Client

and Contractor, as there is a shared approach to the management of risk. The client holds more risk than either Options A or B, but it is likely that this will be reflected in a lower Target Price.

- Option D – Target Price Contract with Bill of Quantities: Option D also employs a Target Price as per Option C, but utilises a Bill of Quantities to provide a remeasure basis for paying the Contractor for completed works. As with Option B, this Contract will require more resource to operate and the Client will hold a similar level of risk to that of Option C.

2.5.6 For the following reasons, it is considered that Option C is the most appropriate Contract form to deliver LSB:-

- Given the volatility in inflation, Option C will mean that NCC will be able to manage potential increases in costs rather than pay the Contractor to take a risk that may not occur;
- Option C utilises pricing components from the market which is able to demonstrate a competitive element to agreeing a target cost, alongside the ability to incentivise delivery through the pain/gain ethos that is shared between the Contractor and NCC;
- Experience gained on previous major projects with the use of Option C has upskilled NCC resource and provided significant learning points for the management of this contract option. An expanded understanding for clarity around the responsibility for design, how change must be addressed and who owns that risk is key;
- As the design of the project will be carried out through the Council's Professional Services contract (see further below), this guides directly to a single stage approach to procurement and enables a collaborative approach with the Contractor who, whilst not involved in the development of the scheme, will have accepted the design and Scope of works at tender stage.

2.5.7

Issue	Approach	Rationale
Form of Contract	<p>NEC4 Engineering and Construction Contract (ECC)</p> <p><i>(The New Engineering Contract (NEC) is a formalised system created by the Institution of Civil Engineers that guides the drafting of documents on civil engineering and construction projects for the purpose of obtaining tenders, awarding and administering contracts.)</i></p>	<p>For the Great Yarmouth Third River Crossing we consulted the industry about use of the NEC contract suite versus other contract forms. There was overwhelming support for NEC because other forms of contract are not well understood in the industry.</p> <p>We similarly lack understanding of the other forms of contract, which would introduce risk. The NEC3 contract was</p>

		<p>introduced in 2005 and superseded by NEC4 in June 2017. NEC4 deals with a number of issues with the NEC3 contracts, which we would otherwise have to manage by introducing our own variant clauses. The introduction of variant clauses is likely to be riskier than using the new form of contract, which has undergone extensive expert review based on experience of NEC3. NEC4 also has the advantage that it eliminates the concept of a working area overhead which, based on experience on the Broadland Northway project, can lead to commercial issues associated with project costs.</p>
<p>NEC4 main Option for Construction.</p>	<p>We propose to use Option C (target contract with activity schedule).</p> <ul style="list-style-type: none"> • A standard procurement exercise will be carried out following a shortlisting process. • A target cost will be agreed with the successful Contractor based upon their submission. • Any 'pain' or 'gain' will be shared between the Council and Contractor, on a pre-agreed basis, to incentivise both parties. • A gain-share mechanism will be put in place to encourage the Contractor to work collaboratively to reduce the actual cost through the construction phase. 	<p>This approach provides for an incentivised arrangement that drives all involved in the project to reduce costs. Whilst this approach does not 'fix' the cost of the project, or avoid budget increases, a key part of the project analysis will include a detailed review of risk allocation as part of the target cost development, to which we will apply the lessons learned from the NDR and more recently the Great Yarmouth Third River Crossing. Independent commercial management consultants have been appointed to assess this as part of the project development. A fixed price contract would see a significant allocation of risk included in the upfront cost</p>

		of the project, which would be paid whether all those risks occurred or not.
Specification	Based on the DfT Specification for Highway Works.	The DfT specification is the industry standard and is an integrated system including the standards for the works and the approach to testing.

2.6 **Other Commercial Considerations**

2.6.1 Our approach to other significant commercial considerations are set out below:

Price adjustment for inflation	<p>We will agree how inflation costs are shared between the Client and Contractor, using indexation clauses, rather than them being owned solely by the Contractor.</p> <p>As the contracting strategy is to receive a competitive price from bidders ahead of awarding the contract, inflation implications should be better defined at that stage.</p>	This is a convenient way of calculating an assessment of what the inflation may be, but there are all sorts of ways that the actual inflation can vary from that assessment. However, the risks, or rewards, of those variations are shared between the parties through the share mechanism mentioned above. With uncertainty around inflation, this is considered the most appropriate way to protect the Authority's risk.
Changes in the law	We will incorporate the ability to react to changes in the law to deal with changes in costs.	Having flexibility within the contract to deal with changes in legislation, particularly if they affect delivery of the project, will allow us to agree change in line with NEC guidance.
Ultimate holding company guarantee	We will require an ultimate holding company guarantee unless the contractor is of sufficient financial standing.	An ultimate holding company guarantee protects against a contractor avoiding its liabilities by winding up the company that would otherwise be liable.
Delay damages	We will require delay damages to cover the cost of keeping our project team mobilised for any delay period, or any resulting land compensation costs.	A delay in completing the project does not have a direct monetary impact on the authority, other than the cost of its project team, or compensation payments to

		landowners for temporary compounds.
Performance bond	We will require a performance bond.	In view of the continuing risk of contractor insolvency in the construction industry we will require a performance bond.
Retention	We will not retain any part of the price [unless we use the EHA framework, where retentions are mandatory, in which case we will minimise the retention]	Retentions have a significant impact on cash flow and accordingly are of a size such that they are of limited effect. This means that the administrative burden outweighs their effectiveness.
Early Contractor Involvement	We will not be undertaking Early Contractor Involvement with the preferred Contractor.	As we are proposing to carry out a traditional tendering approach through the Find a Tender Service (formally OJEU), this will not allow for an ECI period. However, we intend to carry out buildability reviews/sense checks through progression of the design to ensure a robust set of contract documentation is available.

2.6.2 Delivery through a Framework Contract would also be a possibility to deliver LSB. In terms of Frameworks, there are many different options. NCC is already part of the Eastern Highway Alliance (EHA), a combined group of 10 local authorities in the eastern region who have already procured a Framework, led by Essex County Council (Eastern Highways Framework 3), which covers delivery of schemes up to a construction value of £30m (higher on EHA Board approval).

NCC's position within this Framework would allow quick access to the marketplace. Framework providers such as SCAPE and Procure Partnerships are all potential options (amongst many providers), with flexible offerings that can also provide good client support through the tendering process.

The use of a Framework provider remains an option, however there are concerns around the flexibility of Contract options, the available contractors, fee levels associated to usage and terms and conditions and Framework support. It is considered that a standalone approach to the market with bespoke Contract documentation developed by NCC may be a more robust delivery mechanism for LSB. Work will continue with the Director of Procurement to finalise the

approach to the market for the project, reflecting market conditions when the tender commences.

2.7 **Social Value**

2.7.1 This is a works procurement and as such is not subject to the Public Contracts (Social Value) Act 2012. Nevertheless, it is appropriate to consider how social value (the economic, social and environmental well-being of the area) might best be promoted via the scheme.

2.7.2 Social value in the form of economic and social benefits deriving from better connectivity – as set out in the high-level and scheme objectives - are intrinsic to the scheme.

2.7.3 From the point of view of the procurement, therefore, the challenge is to secure additional benefits from the way in which the scheme is delivered. These include:

- mitigating the environmental impact of construction and of the constructed scheme and achieving Biodiversity Net Gain (BNG);
- mitigating the impact of construction on local residents and businesses and on traffic;
- promoting local employment, apprenticeships, and supply; and
- engaging and supporting the local community;

These are discussed in more detail below:

2.7.4 **Environmental Considerations and Local Impacts**

Since submission of the initial planning application by the Developer in 2018, further work has been undertaken on the environmental mitigation measures which will form part of the LSB scheme and achieve BNG.

Ecological and environmental surveys have been, and continue to be, undertaken along the preferred route corridor. The scope of the ecological surveys has been agreed with both ecology specialists employed by the Developer and within NCC, to ensure a robust baseline is established.

Aspects of the scheme that deliver BNG will be included in the Specification or will be added later through change control where they cannot be specified precisely prior to detailed design.

Construction work has the potential for significant environmental impacts. High minimum standards will be set, and the Construction Environmental Management Plan (CEMP), to be produced by the Contractor, will specify industry good practice measures that will be implemented during the construction phase to ensure minimal impact on ecological and other

environmental features. This will be considered in the tender process as part of the evaluation of the construction methodology.

Bidders' proposals to minimise carbon emissions from construction and the impact of construction activity on local residents and businesses and on traffic will also be scored as part of tender evaluation.

2.7.5 Local employment and apprenticeships

We propose to open dialogue with potential Contractors on the appropriate level of apprenticeships to be delivered under the Contract.

We propose that the promotion of apprenticeships, local sub-contracting and utilisation of the local supply chain form part of the award criteria.

2.7.6 Engaging and supporting the local community

We propose to open dialogue with the Contractor on the provision of STEM educational events to local schools/colleges.

2.8 Professional Services

2.8.1 The design of the bypass is currently being undertaken through joint working between the NCC project team and WSP (the Council's professional services provider). Although the proposed scheme design has been utilised for a detailed planning application submission, in highway design terms (for procurement and construction purposes) it is still considered preliminary. The work to date has provided a robust proposal and identified constraints and risks associated to delivery of the project.

2.8.2 WSP are currently being briefed by the NCC project team to undertake parcels of 'enabling' works that will identify any potential gaps in the preliminary design. Once these tasks have been completed, it will be possible to draft a detailed design scope that can be utilised to instruct any designer undertaking that process.

2.8.3 NCC do not have sufficient 'in-house' resource to be able to develop the detailed design for the LSB proposal within the timescales required. There are also design specialisms required within the detailed design period that NCC do not have. Therefore, it will be necessary for NCC to acquire the necessary support required to deliver the detailed design service.

2.8.4 Experience of the delivery of previous major schemes has highlighted the importance of managing task duration and cost.

To manage these issues, the LSB team will be drafting a tight scope of works for the detailed designer to deliver to, as well as requesting a design programme and resource schedule that will allow the NCC Project Manager to monitor and manage delivery of tasks on time and to budget.

2.8.5 NCC have a long-standing Term Contract with WSP for Professional Services. WSP Professional Services expertise has been used to support delivery of many schemes across the County since 2014, and notably has been involved with the development of a range of major schemes and project programmes. This experience of supporting the delivery of major schemes within Norfolk has allowed WSP to understand the Authorities requirements.

2.8.6 The options available to NCC to acquire Professional Services support are threefold:

- Combine the Professional Services element of the project with the Construction element in the form of a Design and Build Contract;
- Prepare a procurement process for standalone Professional Services support;
- Utilise the existing NCC term contract arrangement with WSP.

2.8.7 As stated in the Contracting Strategy, the scheme is considered relatively straightforward in design and construction terms, so there is considered little benefit in bringing any potential Contractor's services to the fore early through a Design & Build (D&B) approach. However, not having a Contractor involved in the design process means the opportunity for Early Contractor Involvement (ECI) is limited. It is considered that not having a pure ECI process through development of the project shouldn't be a hindrance to the proposal, as it will be possible to operate a deliverability review/sense check within the detailed design process supported by a Contracting partner and Commercial Management Team. This type of process would provide confidence around the design to the Authority by applying the necessary level of independent rigour to the detailed design. The review process will also help to identify opportunities for Value Engineering and carbon reduction ahead of the construction procurement process. As part of the detailed design scope, we would also expect any potential Designer to develop a draft construction programme to assist with scheme programming. This task will also support the Contractor evaluation process by providing a baseline to assess activity schedules submitted by prospective candidates.

Having a Contractor involved in the detailed design process does allow the scheme Target Cost to be developed earlier so there is a higher level of confidence around costs earlier in the process. However, this does not necessarily mean that the outturn cost to deliver the proposal will be reflective of that target as there can still be change during the implementation stage.

Preparing procurement documentation for a D&B Contract will take a significant additional amount of time over purely a detailed design scenario. Since the drafting of the OBC, the delivery methodology for the detailed design has always been seen as separate to the construction activity, so this has currently not been allowed for within the delivery programme. To include construction activity within the scope at this stage and go to market to identify a preferred Contractor, would mean a significant hiatus to commencement of the detailed design activity. Therefore, as timescales associated to the DfT funding window for MRN funded schemes are limited, this is seen as restrictive in terms of an option.

2.8.8 Operating a procurement process to identify a preferred provider for the detailed design function only would allow NCC to test the market to ensure that we are achieving good value for money in the process, but there are significant timescales associated to delivery of this process. Currently, the project programme has no allowance for this task within it, so this type of procurement exercise will have a significant impact upon delivery timescales.

Although not a significantly detrimental issue, virtually any design organisation that is successful through a procurement exercise will be new to the project. Although the design of the project itself is not particularly difficult for a competent design service, the relationships associated to delivery are complex and prior knowledge and understanding of these issues would be a significant benefit.

2.8.9 Utilising the existing NCC Professional Services Contract (with WSP) offers many benefits over the D&B or standalone detailed design procurement exercise routes and for that reason is the officer recommendation.

The most important reason why the officer group is recommending the use of WSP is due to the existence of the NCC/WSP Term Contract that commenced in April 2014. The existing Contract is due to expire in March 2026, so there will be sufficient time remaining within the arrangement to support the detailed design requirement (as per the current delivery programme). The existing Contract arrangement also allows NCC enough scope in terms of the proposed lump sum payment arrangement that is recommended.

WSP are already providing technical support to the delivery of the bypass proposal and have been involved with both NCC and the Developer since 2018. WSP are extremely well briefed on the requirements of the scheme across their organisation, not just the highway design team. This depth of knowledge around the project gives a level of comfort to the council that they will be fully understanding of our requirements.

WSP have already identified all the necessary disciplines required for the detailed design requirement, to support the enabling packages of work which

are currently being undertaken. Although not formally secured yet within the WSP organisation, initial discussions between NCC and WSP management teams has identified that should Cabinet approve the recommendation within this report, then WSP will be able to move quickly to support the design requirement.

The scope of works required for the detailed design of LSB will be similar to that utilised for a range of other schemes that WSP have been involved in supporting. Therefore, WSP will be familiar with the details contained within the scope documentation and also local standards that NCC may require within the scheme. This working knowledge of how NCC operates will support the working arrangement alongside the contractual understanding.

As mentioned above, WSP not only have significant experience of supporting the delivery of major projects within Norfolk, but are also involved nationally with many major projects. This involvement at a national level helps to keep WSP abreast of the latest innovation and opportunities that could be utilised within the development of LSB.

Cabinet

Item No: 11

Report Title: NCC Apprenticeship Strategy 2023-2025

Date of Meeting: 04.12.2023

Responsible Cabinet Member: Cllr Fabian Eagle (Cabinet Member for Growing the Economy)

Responsible Director: Executive Director of Transformation and Strategy

Is this a Key Decision? No

Executive Summary / Introduction from Cllr Fabian Eagle

Norfolk County Council is pleased to present its Apprenticeship Strategy, revised for 2023-2025, which sets out a strategic vision, aims and objectives and an operational delivery plan for apprenticeships across all areas of Norfolk County Council [NCC], cohesively bringing together the three strategic priorities from three directorates; Children's Services, Growth & Investment and Human Resources.

Apprenticeships remain core to our goal of supporting people and businesses in Norfolk. We recognise that inclusive economic growth, increased social mobility, productivity, innovation and resilience – will be made possible through developing our people.

A well-educated, ambitious and flexible workforce trained to seize new opportunities is key to business success. Equally, our residents deserve to have the very best opportunities at all stages of their career, to raise their aspirations, gain the relevant skills and qualifications and to progress in challenging and rewarding work roles. Apprenticeships can create these opportunities; they provide a clear framework for businesses to grow, for individuals to progress and will equip Norfolk with the skills to harness the opportunities of the green economy.

This strategy (and associated operational delivery plan) outlines how we intend to meet our responsibilities to support the delivery of apprenticeships locally; both as an employer and as a strategic leader. Ongoing progress and impact will be measured and articulated in the live Operational Delivery Plan, which the three directorates will report quarterly to the NCC Apprenticeships Board.

As a result of the proposal there will be a clear mechanism to support the development and take up of apprenticeships in Norfolk. This will help achieve key outcomes for each directorate and will support key priorities for NCC:

- ☒ A vibrant and sustainable economy
- ☒ Better opportunities for children and young people
- ☒ A greener, more resilient future

The next two years are likely to see an increasingly changeable apprenticeship landscape; and we will need an agile approach in adapting to this. By working collaboratively with individuals, businesses and key stakeholders, we can best support sustainable economic growth for Norfolk.

Recommendations:

- 1. Endorse the proposed Norfolk County Council [NCC] Apprenticeship Strategy (and Operational Delivery Plan) – updated for 2023-2025.**

1. Background and Purpose

- 1.1 The 2018 LGA review ‘Realising Apprenticeship Opportunities at NCC’ identified an overall vision and strategy for the delivery of Apprenticeships in Norfolk, both internally and externally to NCC, reflecting individual strategic strands of activity across Growth & Investment, Children’s Services and Human Resources.
- 1.2 As a result, we established an Apprenticeship Board (chaired by Cabinet Member for Economic Growth, currently Cllr Fabian Eagle). Together we have developed an updated NCC Apprenticeship Strategy 2023-2025, with an Operational Delivery Plan. This builds on the previous NCC Apprenticeship Strategy 2020-2023 and guides our joint support for and delivery of apprenticeships across Norfolk.

2. Proposal

- 2.1 The proposed NCC Apprenticeships Strategy 2023-2025 has been written and developed collectively by officers within Children’s Services, Growth & Investment and Human Resources.
- 2.2 The supporting ‘Operational Delivery Plan’ [appendix D] is a live document and as such, progress will be updated on an ongoing basis, in line with the NCC Apprenticeship Board meeting schedule.

The key strategic aims/approach for each directorate include:

Childrens Service's - 'Pathways to Work'

Aim 1 | Establish apprenticeships within education settings as a key option route for 16-18 learners leading to an increase in the % of applications and starts.

Aim 2 | Promote apprenticeships as a key option route for 16 18-year-olds who face additional barriers to contribute to a more diverse workforce in Norfolk.

Aim 3 | Inspire and promote an increased awareness and understanding of apprenticeships and other work-based options with parents/carers and teachers, so that they can support their children and young people, with aspirational decision making.

Growth & Investment - 'Apprenticeships Norfolk'

Aim 1 | Increase opportunities to inspire, promote and champion apprenticeships, improving awareness and understanding of the benefits an apprenticeship can bring to individuals, businesses and the local economy and celebrating successes.

Aim 2 | Undertake primary research to better understand the barriers to taking up and completing apprenticeships, in order to develop innovative & evidence based interventions for service delivery.

Aim 3 | Support an increase in the number of apprenticeship starts in Norfolk (focussing on improving balance and opportunity based on age, level, sector, place, diversity, availability and approach – as appropriate).

Aim 4 | Support the system to increase the number of apprentices who complete and achieve their apprenticeships in Norfolk.

Aim 5 | Increase opportunities to influence improvement to the local apprenticeship landscape in Norfolk, through collaborative and innovative systems thinking, to maximise impact.

Human Resources – 'NCC Workforce Apprenticeships'

Aim 1 | Continue to support Workforce Apprenticeships at NCC and in schools, continuing to develop apprenticeship take-up, fully utilising levy, and achieving recognition as an employer of choice in terms of the quality and quantity of apprenticeships provided.

Aim 2 | Develop and establish an NCC Employer Early Careers development offer for 16-24 year olds in Norfolk, positioning NCC as an employer of choice for apprenticeships.

Aim 3 | Develop NCC workforce analytics capability to enable the use of the LGA workforce planning toolkit, embedding apprenticeships and other talent pipeline vehicles within corporate and directorate workforce plans and shaping a workforce that reflects the diversity and demographics of the Norfolk community.

- 2.3 During the development of the strategy, officers consulted with key local stakeholders including schools, training providers and District Council officers. Recent feedback from businesses and young people was also considered.

Council members invited to attend the NCC Apprenticeships Board and review/offer feedback for the NCC Apprenticeship Strategy papers, included Cllr Fabian Eagle (Chair and Cabinet Member for Economic Growth); Cllr Andy Grant (Member Champion for Apprenticeships) and Cllr Barry Stone (Chairman; as apprenticeships key area of focus for Chairman for 2023/24).

Prior to submission to Cabinet, the paper has been formally reviewed and considered by the NCC Apprenticeships Board; I&D Select Committee; Informal Cabinet and feedback provided.

3. Impact of the Proposal

- 3.1 Collectively, the three directorates will respond to series of strategic priorities including supporting both our own workforce and also broader economic growth. Through our work, we will support the growth of apprenticeship starts and completions (including increases in equality, diversity, inclusion and participation) – which will contribute the increased knowledge, skills and behaviours required to meet our local economic need; alongside a focus on preparing our future workforce (individuals and businesses) for working in the emerging Net Zero economy.
- 3.2 Ongoing progress and impact will be measured and articulated in the live Operational Delivery Plan, which the three directorates will report quarterly to the NCC Apprenticeships Board.

4. Evidence and Reasons for Decision

- 4.1 The NCC Apprenticeship Strategy is an evidence-based strategy which will continue to create a positive and dynamic focus towards the growth of apprenticeships and therefore broader workforce skills in Norfolk. It takes reference from national, local and district level strategic priorities alongside a wide range of national local evidence, as detailed in the PESTLE analysis in the appendices of the report.
- 4.2 The three directorates have successfully worked together collaboratively to deliver against the previous 2020-2023 version of the strategy; realising a number of achievements (articulated in the paper) which has increased impact for individuals, businesses across Norfolk, and delivering strong return on investment for the local economy.

5. Alternative Options

5.1 *Not Applicable*

6. Financial Implications

- 6.1 All three directorates (Children's Services, Growth & Investment and HR) will utilise existing resource within the team to deliver their objectives. The cost/expenditure falls within the parameters of the Annual Budget agreed by Council. There is no additional cost to NCC in respect of this proposal.
- 6.2 Growth & Investment continue to seek external funding opportunities to support ongoing Apprenticeship initiatives. To support peaks of activity for these additional projects, external funding bids include budgets to provide additional staffing.

7. Resource Implications

7.1 Staff:

All three directorates (Children's Services, Growth & Investment and HR) will utilise existing resource within the team to deliver their objectives. As noted in 6.1, additional resource could be expanded through securing additional external funding (Example: Growth & Investment have secured almost £2.4m of external funding since 2020 to deliver a range of initiatives, which included staffing resource).

7.2 Property:

Not Applicable

7.3 IT:

Not Applicable

8. Other Implications

8.1 Legal Implications:

Not Applicable

8.2 Human Rights Implications:

Not Applicable

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

Assessment undertaken with contributions from all three directorates within the report (Children's Services, Growth & Investment and HR). Based on the evidence available, this proposal is likely to have a **positive impact** on people

with protected characteristics/a particular group of people with protected characteristics.

8.4 Data Protection Impact Assessments (DPIA):

Not Applicable

8.5 Health and Safety implications (where appropriate):

Not Applicable

8.6 Sustainability implications (where appropriate):

Sustainability Assessment - Not Applicable

However the NCC Apprenticeship Strategy includes strategic priorities to increase the number and range of green skills and apprenticeships in Norfolk, preparing our future workforce (individuals and businesses) for working in the emerging Net Zero economy which will have a **positive impact**.

8.7 Any Other Implications:

Officers have considered all the implications which members should be aware of. Apart from those listed in the report (above), there are no other implications to take into account.

9. Risk Implications / Assessment

9.1 *Not Applicable*

10. Select Committee Comments

10.1 The I&D Select Committee thoroughly reviewed the proposed Norfolk County Council [NCC] Apprenticeship Strategy (and Operational Delivery Plan) – updated for 2023-2025.

10.2 Feedback from Scrutiny Committee agreed that the strategy is ambitious and committed to increasing the number and range of apprenticeships in Norfolk. Also, feedback and discussion recognised that;

- the strategy covers the whole county – supporting schools, businesses and individuals in Norfolk;
- the three directorates are sustainably funded;
- the apprenticeship levy is well utilised by NCC internally for its own apprenticeships - but also NCC are delivering a Levy Support Scheme which brokers levy transfers, keeping unspent levy in the Norfolk economy, for the benefits of businesses in Norfolk;
- support for disadvantaged groups is available from NCC, however there is an opportunity to increase the impact of information, advice and guidance provided to these cohorts of young people in Norfolk to ensure they don't get left behind;

- pre-apprenticeship provision is necessary to help encourage pathways into apprenticeships, for those that are not yet ready or do not hold relevant maths/English qualifications.
- there are complexities around completion and achievement rates however there are also some opportunities to support apprentices through the Working Well Norfolk project and through collaboration with local providers.
- there are numerous opportunities for NCC to drive forward the work around green apprenticeships in terms of inspiration, business demand and availability of provision locally.

11. Recommendations

1. Endorse the proposed Norfolk County Council [NCC] Apprenticeship Strategy (and Operational Delivery Plan) – updated for 2023-2025.

12. Background Papers

12.1 *Not Applicable*

Officer Contact

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

Officer name: Chris Starkie

Telephone no: 01603 224319

Email: c.starkie@norfolk.gov.uk



If you need this report in large print, audio, braille, alternative format or in a different language please contact 0344 800 8020 or 0344 800 8011 (textphone) and we will do our best to help.



 **Norfolk** County Council

Apprenticeship Strategy
2023 - 2025



Contents

Glossary	3
Foreword	4
Executive Summary	5
Why Apprenticeships?.....	8
Background.....	12
Strategic Drivers	13
National & Local Apprenticeship Context	16
Stakeholders	23
Progress from Apprenticeship Strategy 2020-2023	24
Resources to deliver the Strategy 2023-2025	27
1 Children’s Services: Pathways to Work.....	28
2 Growth & Investment: Apprenticeships Norfolk.....	30
3 Human Resources: NCC Workforce Apprenticeships	32
Appendices	34
Appendix A NCC Apprenticeships Board: Terms of Reference.....	35
Appendix B Apprenticeship Reforms	38
Appendix C PESTLE Analysis.....	39
Appendix D Operational Delivery Plan	55

Glossary

AN	Apprenticeships Norfolk [service]
APAR	Apprenticeship Provider and Assessment Register
ASK	Apprenticeship Support and Knowledge Programme
CEYP	Care Experienced Young People
CIPFA	Chartered Institute of Public Finance and Accountancy
CS	Children’s Services [Department at NCC]
DfE	Department for Education
EDI	Equality, Diversity and Inclusion
EHE	Electively Home Educated
EHCP	Education, Health and Care Plan
ERDF	European Regional Development Fund
ESF	European Social Fund
ESFA	Education and Skills Funding Agency
GAAP	Green Apprenticeship Advisory Panel
GJT	Green Jobs Taskforce
G&I	Growth & Investment [department at NCC]
HAS	Higher Aspirations Scheme
HR	Human Resources [department at NCC]
IAG	Information, Advice & Guidance
IfATE	Institute for Apprenticeships and Technical Education
KPI	Key Performance Indicator
LGA	Local Government Association
LSIP	Local Skills Improvement Plan
NCC	Norfolk County Council
NCC AL	Norfolk County Council Adult Learning [department at NCC]
NODA	Norfolk Office of Data Analytics
NEET	Not in Employment, Education or Training
ONS	Office for National Statistics
PTW	Pathways to Work [service]
SEND	Special Educational Needs and Disability
SME	Small to Medium-sized Enterprise
UK CRF	UK Community Renewal Fund
UK SPF	UK Shared Prosperity Fund
YJS	Youth Justice System

Foreword

“Norfolk County Council is pleased to present its Apprenticeship Strategy, revised for 2023-2025.

Apprenticeships remain core to our goal of supporting people and businesses in Norfolk. We recognise that inclusive economic growth, increased social mobility, productivity, innovation and resilience – will be made possible through developing our people.

A well-educated, ambitious and flexible workforce trained to seize new opportunities is key to business success. Equally, our residents deserve to have the very best opportunities at all stages of their career, to raise their aspirations, gain the relevant skills and qualifications and to progress in challenging and rewarding work roles. Apprenticeships can create these opportunities; they provide a clear framework for businesses to grow, for individuals to progress and will equip Norfolk with the skills to harness the opportunities of the green economy.

This strategy (and associated operational delivery plan) outlines how we intend to meet our responsibilities to support the delivery of apprenticeships locally; both as an employer and as a strategic leader.

The next two years are likely to see an increasingly changeable apprenticeship landscape; and we will need an agile approach in adapting to this. By working collaboratively with individuals, businesses and key stakeholders, we can best support sustainable economic growth for Norfolk”.

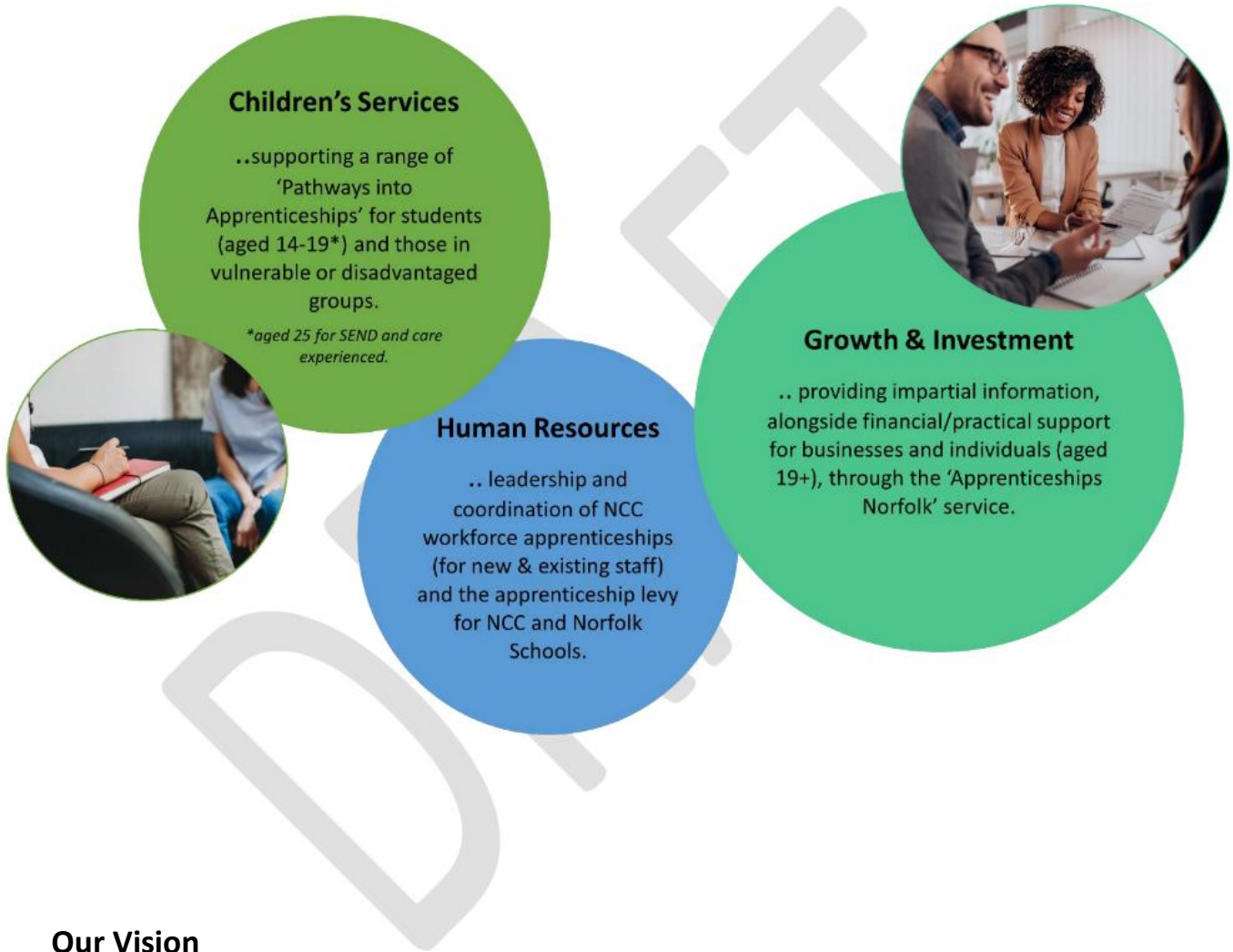


CLlr Fabian Eagle

Cabinet Member for Economic Growth and Chair of the NCC Apprenticeships Board

Executive Summary

This strategy sets out a strategic vision, aims and objectives and an operational delivery plan for apprenticeships across all areas of Norfolk County Council [NCC], cohesively bringing together the three strategic priorities from three directorates - as identified by the 2018 Local Government Association [LGA] review; **Children’s Services** [CS], **Growth & Investment** [G&I] and **Human Resources** [HR].



Our Vision

Apprenticeships will be an attractive offer that our young people and adults aspire to go into as a high quality and prestigious path to a successful career, and that employers (including NCC itself) value to develop their workforce and create a talent pipeline that supports our current and future skills needs.

NCC are committed to helping ensure Norfolk’s economic growth and will promote social mobility by helping people, of any age, to get the skills they need for 21st century employment – whether this be starting a career, developing a career or reskilling for a different career.

Action & Impact

Collectively, the three directorates or resource 'strands' which underpin the NCC Apprenticeships Strategy at NCC, will respond to a series of strategic priorities including supporting both our own workforce and also broader economic growth. Through our work, we will support the growth of apprenticeship starts *and* completions (including increases in equality, diversity, inclusion and participation) – which will contribute to the increased knowledge, skills and behaviours required to meet our local economic need; alongside a focus on preparing our future workforce (individuals and businesses) for working in the emerging Net Zero economy.

The cross cutting priorities will be delivered through our strategic aims:

Children's Services - 'Pathways to Work'

Aim 1 | Establish apprenticeships as a key option route for learners aged 16-18, leading to an increase in the % of applications and starts.

Aim 2 | Promote apprenticeships as a key option route, for those aged 16-18 who face additional barriers, contributing to a more diverse workforce in Norfolk.

Aim 3 | Inspire and promote an increased awareness and understanding of apprenticeships and other work-based options with parents/carers and teachers, so that they can support their children and young people, with aspirational decision making.

Growth & Investment - 'Apprenticeships Norfolk'

Aim 1 | Increase opportunities to inspire, promote and champion apprenticeships; improving awareness and understanding of the benefits an apprenticeship can bring to individuals, businesses and the local economy; and celebrating successes.

Aim 2 | Undertake primary research to better understand the barriers to taking up and completing apprenticeships, in order to develop innovative & evidence based interventions for service delivery.

Aim 3 | Support an increase in the number of apprenticeship starts in Norfolk (focussing on improving balance and opportunity based on age, level, sector, place, diversity, availability and approach – as appropriate).

Aim 4 | Support the system to increase the number of apprentices who complete and achieve their apprenticeships in Norfolk.

Aim 5 | Increase opportunities to influence improvement to the local apprenticeship landscape in Norfolk, through collaborative and innovative systems thinking, to maximise impact.

Human Resources – 'NCC Workforce Apprenticeships'

Aim 1 | Continue to support Workforce Apprenticeships at NCC and in schools, continuing to develop apprenticeship take-up, fully utilising levy, and achieving recognition as an employer of choice in terms of the quality and quantity of apprenticeships provided.

Aim 2 | Develop and establish an Early Careers development offer for 16-24 year olds in Norfolk, positioning NCC as an employer of choice for apprenticeships.

Aim 3 | Develop NCC workforce analytics capability to enable the use of the LGA workforce planning toolkit; embedding apprenticeships and other talent pipeline vehicles within corporate and directorate workforce plans - shaping a workforce that reflects the diversity and demographics of the Norfolk community.

These aims will provide the focus and approach for developing our Operational Delivery Plan (see Appendix D). Monitoring our progress, through quarterly performance updates reported to the Apprenticeship Board, will help us to provide an agile response to the ever-changing apprenticeship and economic landscape, to achieve successful outcomes for the people, businesses and economy of Norfolk.

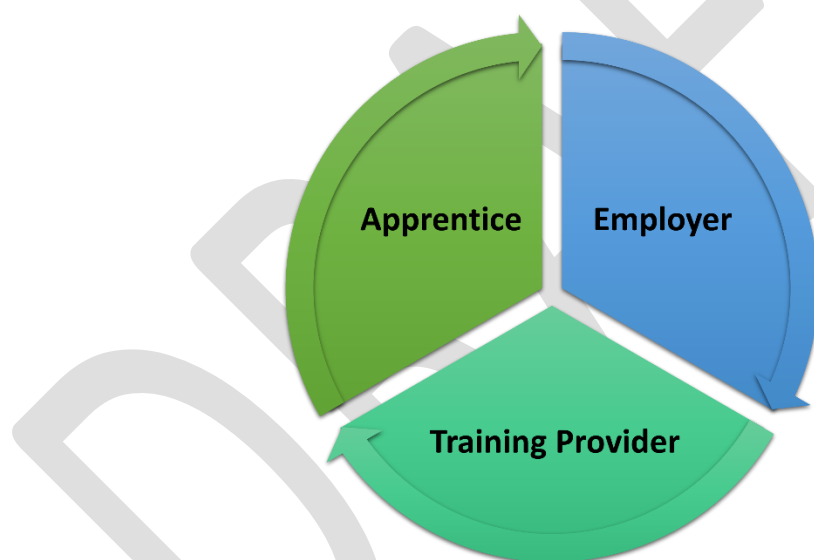
DRAFT

Why Apprenticeships?

An apprenticeship is a paid job where the employee learns and gains valuable experiences¹

Apprenticeships rely on a successful, interdependent, tripartite relationship between the **apprentice**, **employer** and **training provider**:

- the apprentice – must be ready to work and develop their knowledge, skills and behaviours;
- the employer – must be able to invest in the apprenticeship scheme (potentially through establishing a new job or upskilling existing staff) with appropriate scope (depth and breadth) of occupational opportunities; provision of a mentor; and funding - for wages which cover the hours invested in working and studying both on and off the job, and potentially a contribution towards the training provision.
- a registered training provider – must have the capacity/expertise to offer suitable, high quality provision to meet the learning needs of the apprentice, their occupational job role and the apprenticeship standard.



Apprenticeships are a key element of national skills policy and provide a vehicle for developing and increasing skills, knowledge and behaviours for those entering the labour market, workforce development and progression, and the development of higher-level skills. A key strength of the apprenticeship system in England is its 'broad occupational coverage, providing a route into work for all and a route for those already in work to continue to progress their careers'².

However, the interdependency is a crucial factor in determining successful strategies; there is a need to balance sufficient numbers of work-ready, motivated individuals (all age, all level) with steady employer demand, and a flexible supply of training provision.

¹ [HM Govt | What is an apprenticeship? \(2023\)](#)

² [Apprenticeship achievements: an update for the sector \(2023\)](#)

In its 2015 strategy 'Our 2020 Vision'³ the UK Government stated that 'a nation flourishes when it realises the full potential of all its people'. Further research^{4,5,6,7,8} suggests that apprenticeships deliver real benefits to individuals, businesses and the economy:

Benefits to **individuals**:

- ✓ Individual apprentices achieve higher levels of qualification and increase their own employment prospects, productivity and wages.
- ✓ Apprentices completing an apprenticeship at level 4 or above could earn £150,000 more, on average, over their lifetime.
- ✓ Apprentices who *achieve*, have higher earnings compared to those who do not.
- ✓ In 2021:
 - 25% of apprentices stated that their promotion was a direct result of their apprenticeship.
 - 27% of apprentices stated that they received a pay rise as a direct result of their apprenticeship.
 - 92% of apprentices stated knowledge, skills and behaviours learnt through their apprenticeship would equip them to succeed.
 - 91% of apprentices felt that their apprenticeship had prepared them well for their next steps.
 - 80% of apprentices stated that they felt empowered to have successful careers in their industry.

Benefits to **businesses**:

- ✓ 98% of businesses currently employing apprentices state they bring additional benefits - among the most cited benefits were 'addressing skills shortages' and 'providing value for money'.
- ✓ One third of employers say apprentices improve diversity within their business.
- ✓ As a key source of learning & development, apprenticeships support increased employee engagement, retention, wellbeing and mental health.
- ✓ Even during training, apprentices deliver a return of c£2,500 (in some cases significantly more).
- ✓ Many employers recoup the cost of training before the completion of the apprenticeship and others within a time frame as short as 1-2 years.
- ✓ Firms that invest in apprenticeship programmes also report other benefits; including reduced recruitment costs, enhanced job satisfaction among workplace supervisors and achievement of corporate social responsibility outcomes.

Benefits to local **economy**:

- ✓ Apprenticeship programmes can help to improve the general level of skills in the local economy and can boost overall economic growth and productivity.
- ✓ Apprenticeships provide opportunities to retain people in our county and encourage people into our county, which increases and developed our local skills and talent pipeline.

³ [HM Government | English Apprenticeships - Our 2020 Vision \(2015\)](#)

⁴ [OECD/ILO | Engaging Employers in Apprenticeship Opportunities \(2017\)](#)

⁵ [DfE | Apprenticeship achievements: an update for the sector \(2023\)](#)

⁶ [DfE | Apprenticeships evaluation 2021: Learners research report \(2021\)](#)

⁷ [Training Zone & Open University | L&D's role in employee wellbeing \(2023\)](#)

⁸ [SMG | The Real Costs & Benefits of Apprenticeships \(2021\)](#)

- ✓ Apprenticeships represent an excellent investment for both the Government and employers, delivering significant benefits for the taxpayer: Apprenticeships provide a typical return⁹ (depending on age/level) of between £12 to £25 for every £1 of government investment.

Our NCC values¹⁰ set out what's important about how we work, and these have been applied in developing the strategy;



Our Vision

Apprenticeships will be an attractive offer that our young people and adults aspire to go into as a high quality and prestigious path to a successful career, and that employers (including NCC itself) value to develop their workforce and create a talent pipeline that supports our current and future skills needs.

NCC are committed to helping ensure Norfolk’s economic growth and will promote social mobility by helping people, of any age, to get the skills they need for 21st century employment – whether this be starting a career, developing a career or reskilling for a different career.

⁹ [DfE | Measuring the Net Present Value of Further Education in England 2018-19 \(2018\)](#)

¹⁰ [NCC | Our Values \(2023\)](#)

What does Apprenticeship success look like for Norfolk?

- ✓ Every apprenticeship will be a high-quality opportunity that delivers the skills, knowledge and behaviours that employers are looking for, and increasingly the sustainable green skills required to support our emerging Net Zero priorities.
- ✓ A broad range of apprenticeships (including green apprenticeships) are available to meet local economic need, and at all levels, from intermediate/advanced through to higher/degree level.
- ✓ Apprenticeships will be a viable and aspirational pathway and route of progression for our young people and adults.
- ✓ Apprenticeships are increasingly inclusive and accessible to the communities of Norfolk that reflect our diversity, adequately representing groups such as care experienced, young people in the Youth Justice system, younger workers, returners to work, people with disabilities and special educational needs and people from ethnic minority groups.
- ✓ Apprenticeship starts and achievement rates will have increased (including green apprenticeships).
- ✓ NCC will be an exemplar employer of apprenticeships in Norfolk; apprenticeships will be a good quality pathway to successful careers at NCC - providing opportunities for new and existing employees to develop/reskill, helping the Council achieve its 'Caring for the County' vision and Net Zero priorities.

DRAFT

Background

The 2018 LGA review 'Realising Apprenticeship Opportunities at NCC' identified an overall vision and strategy for the delivery of Apprenticeships in Norfolk, both internally and externally to NCC, reflecting the three key resource strands delivering strategic activity across the organisation.

Together we have developed this Strategy to guide our collaborative support for and delivery of apprenticeships across Norfolk:



Governance is achieved through an established NCC Apprenticeship board (see Appendix A for Terms of Reference), chaired by the Cabinet Member for Economic Growth, which meets on a quarterly basis. Members of an 'Operational Working Group' from each of the resource strands; Children's Services, Growth & Investment and Human Resources deliver updates on progress against the Operational Delivery Plan (see Appendix D). Senior representation attends from each of these directorates, along with the Director of Community Information and Learning¹¹ and the lead for the NCC Net Zero Hub.

¹¹ NCC Adult Learning [NCCAL] is an education provider (regulated and funded as a Further Education Institution) and sits within the Community Information & Learning directorate. NCCAL provides delivery of apprenticeships across a number of apprenticeship standards and is one of a number of local training providers. Whilst NCC Adult Learning delivery is aligned

Strategic Drivers

The NCC Apprenticeship Strategy 2020-2023 identified a clear direction of travel, to enable the organisation to drive increased value for its own workforce and also for the people and businesses in Norfolk, through the apprenticeship scheme. At the time of writing in 2020, a focus on post-pandemic stability and growth was key – and now, in 2023 stability and growth remain important as economic uncertainty continues to dominate as we navigate the cost of living crisis¹².

The 2023-2025 updated strategy retains our long term vision, and we continue to prioritise economic growth, however it gives us the opportunity to respond in a dynamic way to emerging priorities (national policy and local need) - for example the inclusion of green apprenticeships and Net Zero.

A PESTLE analysis (see Appendix C for full, referenced analysis) provides an opportunity to draw insight and strategic direction from a range of external drivers; including political, economic, social, technological, legal and environmental priorities, both nationally and locally. Further, we utilised published data relating to starts/achievements¹³; the emerging Local Skills Improvement Plans [LSIPs]^{14,15} and also other forms of primary research – for example project evaluations¹⁶, research surveys and anecdotal feedback from our work with local stakeholders, businesses and individuals.

A summary below, articulates our approach.

Apprenticeship policy and funding decisions in England (including devolved authorities) are led by central Government^{17, 18, 19} and have continued to evolve with a number of strategic interventions since the significant apprenticeship reforms in 2017.

We seek to align our work clearly with **national strategic priorities**, including:

- improving the quality of apprenticeships²⁰;
- broadening careers advice for young people, supporting the Gatsby benchmarks^{21,22};
- inspiring and supporting more people to start and achieve apprenticeships^{23,24};
- prioritising the development of skills to address local skills gaps; support the fastest growing roles in future technology; and sustainability skills to help our people support green jobs and the green economy²⁵; and

with and supports the main aims set out by the above tripartite strategy, it does not contribute to it specifically - as the resources delivering the NCC strategy seek to retain an impartial approach.

¹² [FSB | Cost of living is holding back growth \(2023\)](#)

¹³ [DfE | Explore education statistics \(2023\)](#)

¹⁴ [HM Govt | Skills & Post-16 Education Act \(2022\)](#)

¹⁵ [Norfolk Chamber | LSIP – Draft Priorities for Norfolk \(2023\)](#)

¹⁶ [Apprenticeships Norfolk | Grants and Incentives](#)

¹⁷ [DfE | Progress report on the Apprenticeships Reform Programme \(2021\)](#)

¹⁸ [HM Government | English Apprenticeships - Our 2020 Vision \(2015\)](#)

¹⁹ [HM Government | Skills for Jobs \(2021\)](#)

²⁰ [DfE | Apprenticeship achievements: an update for the sector \(2023\)](#)

²¹ [DfE | Provider Access Legislation \(2023\)](#)

²² [Gatsby | Good Career Guidance \(2023\)](#)

²³ [HM Government | Skills for jobs: lifelong learning for opportunity and growth \(2021\)](#)

²⁴ [SMG | SME Apprenticeships & Skills Report \(2021\)](#)

²⁵ [HM Government | Skills for Jobs \(2021\)](#)

- supporting our businesses and our people to thrive - through levelling up resilience, productivity, pay and jobs in those places which benefit less from strong social mobility²⁶.

We are also guided by local context and insight drawn from **local strategic priorities, set at a countywide level in Norfolk**^{27,28,29,30} to:

- build a vibrant and sustainable workforce that is fit for the future;
- create of an inclusive and growing economy, with improved provision and attainment aligned to employer's needs;
- contribute to strong social value through collaboration.
- invest in creating new opportunities to increase skills, in particular enabling increased social mobility and the transition to a Net Zero economy; and
- provide a commitment to ensure young people, especially those in disadvantaged or vulnerable groups to develop skills to support educational achievement and ambition.

Finally, we will work closely to support and achieve **strategic priorities set at a district level in Norfolk**, to;

- support and empower our people to be the best they can be through wellbeing support, development, and training³¹
- create an inclusive economy which promotes skills and job opportunities for all. Ensuring the workforce have the right mix of skills to match business need and helping to prepare our young people to be successful in their working lives by ensuring there are the right career pathways in place, whether that be vocational or academic³².
- work with colleges/independent training providers, schools and businesses to match future business opportunities with the right skill provision, to boost the number of apprenticeships, encourage social mobility and ensure more local people can benefit from local job opportunities³³.
- help people of all ages improve their skills and qualifications, and help raise their aspirations. We want to help people become entrepreneurs and benefit from the growing economy. We want to be a place where skilled people want to live and work. There is a need to improve the local skills base to help drive up what is a relatively low-wage economy³⁴.
- promote inclusive growth which seeks to match the skills of the local workforce with the needs of local businesses, encouraging links between local education providers, apprentices and businesses³⁵.
- work with partners to support good jobs, skills and opportunities for Norwich, including making the city a Living Wage Place³⁶

²⁶ [HM Government | UK Shared Prosperity Fund: prospectus \(2022\)](#)

²⁷ [NCC | Together for Norfolk \(2019-2025\)](#)

²⁸ [NALEP | Norfolk & Suffolk Economic Strategy \(2022\)](#)

²⁹ [NCC | Climate change strategy sets out path to net zero \(2023\)](#)

³⁰ [NCC | Norfolk Investment Framework \(2022\)](#)

³¹ [Breckland | Corporate Plan \(2021-2025\)](#)

³² [SNBC | Strategic Plan \(2020-2024\)](#)

³³ [GYBC | The Plan \(2020-2025\)](#)

³⁴ [KLWN | Core Strategy document \(2011\)](#)

³⁵ [NNDC | Corporate Plan \(2019-2023\)](#)

³⁶ [NCC | Corporate Plan \(2022-2026\)](#)

We will look to utilise strategic opportunities such as the County Deal³⁷, UK Shared Prosperity Fund [UK SPF] and the Norfolk Investment Framework³⁸ to innovate new approaches/projects to invest in local skills, and increase our labour market dynamism.

Acknowledging our strategic drivers within the local context, will enable us to deliver collective value to our people, our businesses, our stakeholders and our own organisation, NCC – whilst contributing to a stronger local economy and a broader, national apprenticeship landscape also.

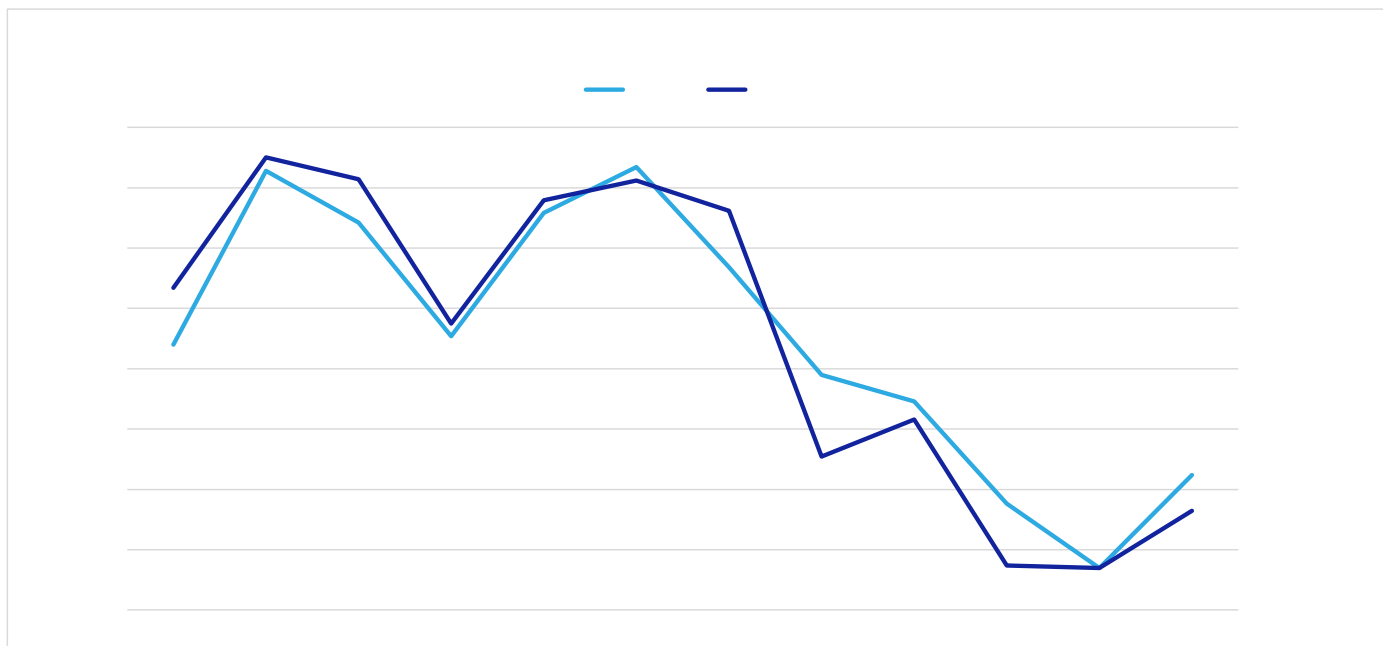
DRAFT

³⁷[DLUHC | Norfolk Devolution Deal \(2022\)](#)

³⁸[NCC | Norfolk Investment Framework \(2022\)](#)

National & Local Apprenticeship Context

Apprenticeship starts (England and Norfolk, 2010-2022)³⁹



There has been a significant decline in the number of apprenticeships in Norfolk and England since 2016/17, which aligns to the significant national apprenticeship reforms and the introduction of the apprenticeship levy (see Appendix B for details). In Norfolk, academic year 2016/17 saw a peak of over 7,000 new apprenticeship starts, through to the low point in 2020/21 when just 4,350 new apprenticeships started.

However, in 2021/22 we saw a change; the first increase of apprenticeship starts in over 5 years, arresting the decline. Growth appears to have been stimulated more broadly, by the availability of post-pandemic national incentives⁴⁰ - however as our local data bucked the national trend with a greater growth rate, it is likely that local⁴¹ incentives/interventions contributed to increased uptake in Norfolk.

Note: Growth figures are always derived through comparison to the same point of the previous academic year. Data is released each quarter, but as it lags, reviewing performance is always retrospective.

Department for Education [DfE] data from the last full academic year identified the following information about new apprenticeship starts in Norfolk in 2021/22:

- 5,118 new apprenticeship starts.
- The overall growth of these new 5,118 apprenticeship starts reached 18% (in real numbers, c771 more new apprenticeship starts than in 2020/21) - *double* the national figure of 9%

³⁹ [DfE | Explore education statistics \(2023\)](#)

⁴⁰ [DfE | Apprenticeship Funding in England \(Nov 2021\)](#)

⁴¹ [Apprenticeships Norfolk | Grants & Incentives](#)

- The 5,118 new apprenticeships which started in academic year 2021/22 was higher than the number which started in 2019/20 (c4,879) but was not as high as the numbers in 2018/19 (c5,734)
- In comparison to our statistical neighbours (as classified by Chartered Institute for Finance & Accountancy [CIPFA]⁴²) the 18% growth of new apprenticeship starts in Norfolk, outperformed Suffolk (4,726 starts, 13.6% growth), Lincolnshire (4,829 starts, 13.8% growth however Derbyshire saw a similar growth of 17.8% (5,902 starts).
- 1,141 new apprenticeship starts in Norfolk for those aged 16-18; this growth rate of 31% was significantly higher than the national figure of 19%.
- 1,279 new apprenticeships started at Intermediate (Level 2) and this growth of 18% in Norfolk was over double the national figure of 8.76%.
- In 2021/22, all districts across Norfolk saw growth of apprenticeship starts; with the most prominent increases in Broadland (23%), Norwich (23%) and South Norfolk (26%) – who also saw the largest increase in real numbers (180).
- Non-levy paying, small to medium-sized enterprises [SMEs] started more apprenticeships (1,841 new starts; growth from the previous two academic years (2020/21 and 2019/20)
- The training provider supporting the greatest number of apprenticeship starts (479) in Norfolk was City College Norwich.
- By sector, the largest number of new apprenticeship starts were in Engineering and Manufacturing Technologies (201 starts; 43% growth from previous year) and Health, Public Services and Care (175 starts; 13% growth from previous year).

At the time of writing, we are currently part way through academic year 2022/23. The most recent cumulative data up to Q3 (August 2022 to end of April 2023) from DfE identifies that despite a positive position throughout last year, the growth of new apprenticeship starts has not yet stabilised.

It is worth noting that comparisons are being made to 2021/22 which saw higher spikes of growth – so will impact on the effects of the comparative analysis in the current year.

DfE data from Q3 of academic year 2022/23 identified the following information about new apprenticeship starts in Norfolk:

- 3,964 new apprenticeships starts by end of Q3.
- The current in-year decline, compared to same point in the previous academic year is -5.89% (c248 less starts in real numbers) during the same Q3 cumulative period of 2021/22.
- 3,964 apprenticeship starts is higher than the amount of starts at Q3 of 2020/21 (3,473) however is 237 less than 2019/20 (4,201).
- In comparison to our statistical neighbours (as classified by CIPFA⁴³) the declining trend in new starts by the end of Q3 has also been noted; with Suffolk -5.2% (-200 starts, 3,646 overall), Lincolnshire -7.51% (-309 starts, 3,807 overall).

⁴² [CIPFA | Nearest Neighbour Model \(2014\)](#)

⁴³ [CIPFA | Nearest Neighbour Model \(2014\)](#)

Green apprenticeships: Apprenticeship starts (Norfolk):

The Institute for Apprenticeships and Technical Education [IfATE] established the Green Apprenticeship Advisory Panel [GAAP] in 2021. Working alongside the Green Jobs Taskforce [GJT], GAAP categorised apprenticeships as light, mid and dark green - to recognise the impact that the occupation itself has on helping the UK achieve net-carbon zero by 2050 - in terms of scale and influence. IfATE reviewed and amended their classifications in 2023, to align to the new Office for National Statistics [ONS] definition⁴⁴ of a green job, framings which will help provide distinct guidelines for the measurement of green jobs:

“Employment in an activity that contributes to protecting or restoring the environment, including those that mitigate or adapt to climate change”.

Further work is underway to develop a framework to underpin the definition which will identify jobs in green industries, green occupations and green firms. IfATE have also identified green apprenticeships within their occupational maps⁴⁵ (with a ‘green occupation’ filter) so employers and learners can see which apprenticeships support a green career.

- A *dark green* occupation, for example wind turbine engineer, which is embedded within the green occupational landscape and delivering sustainable outcomes.
- A *mid-green* occupation will remain the same in overall scope but there might be a need for new knowledge, skills and behaviours to be embedded to enable the use of new technologies and approaches.

For the purposes of identifying a starting point for benchmarking ‘green’ apprenticeships in Norfolk, we have identified the number of ‘dark and mid-green’ new apprenticeship starts in Norfolk (as classified by IfATE, at the time of writing⁴⁶) in the last full academic year 2021/22:

- Norfolk had 25 ‘dark green’ apprenticeship starts, over 9 apprenticeship standards (see PESTLE analysis in Appendix C for the full list of 31 ‘dark green’ standards).

Apprenticeship Standard (Dark Green)	Sum of starts
Agriculture or Horticulture Professional Adviser	2
Arborist	1
Community Energy Specialist	2
Countryside Ranger	4
Dual Fuel Smart Meter Installer	2
Environmental Health Practitioner (Integrated Degree)	6
Landscape Technician	1
Waste Resource Operative	4
Waste Environment Worker	3
Grand Total	25

⁴⁴ [ONS | Green Jobs Definition \(2023\)](#)

⁴⁵ [IfATE | Occupational Maps \(2023\)](#)

⁴⁶ [IfATE | Occupational Maps \(2023\)](#)

- Norfolk had 679 ‘mid-green’ apprenticeship starts, over 75 apprenticeship standards (out of c184 ‘mid-green’ standards).

Note: For the above ‘dark green’ apprenticeship standards, there is currently extremely limited availability of local apprenticeship provision in Norfolk. Provision does increase when mapping to mid-green apprenticeships.

Apprenticeship achievements (2021/22)⁴⁷

Government ambition⁴⁸ is to have at least two thirds of apprentices (67%) achieving their apprenticeship standard by 2025. Currently (nationally) for apprenticeship standards this is only 51.4%, having fallen from 51.8% in 2020/21.

Achievement rates are one of a number of measures within the Apprenticeship Accountability Framework⁴⁹ used by DfE to hold apprenticeship training providers to account. The achievement rate is the proportion of funded apprentices (excluding those that withdraw prior to the 42nd day of their course) that successfully pass the whole apprenticeship standard⁵⁰.

Whilst not losing sight of the importance of the ambition to increase achievements, it is appropriate to also acknowledge some of the challenges in measuring apprenticeship achievements⁵¹; if maths/English are required within an apprenticeship, passing these is not just a *funding* requirement but also an *exit* requirement – and critical to full achievement of the apprenticeship (which is not the case for A-Levels, T-Levels etc); apprenticeship standards are longer and more technical than their predecessor (frameworks), as well as inclusion of a robust, independent end point assessment. Additionally, the extremely tight current labour market conditions *could* result in a proportion of non-completions actually resulting in a positive outcome, for example an apprentice progressing to a better paid job with more responsibilities.

Comparing apprenticeship achievement outcomes to non-apprenticeship FE provision and/or previous apprenticeship frameworks must be undertaken with due consideration of these factors. It is recognised that non-achievement factors can be attributed to apprentices, employers and training providers, and that given the complex reasons for non-completion, low achievement rates are not necessarily an indication of poor training provision.

DfE chose not to publish the Qualification Achievement Rates⁵² [QAR] data in 2019/20 and 2020/21 due to the disruption caused by the Covid-19 pandemic. The data was published again in March 2023 for the academic year 2021/22:

Note: as this is the first release of achievement rates following the hiatus during/following the Covid-19 pandemic, the data should be treated with caution; it is likely to still be affected by residual impact following the pandemic (e.g. impact from bottlenecks in delivery; breaks in learning etc.).

⁴⁷ [DfE | Explore education statistics \(2023\)](#)

⁴⁸ [DfE | Apprenticeship achievements: an update for the sector \(2023\)](#)

⁴⁹ [DfE | ESFA Apprenticeship Accountability Framework \(2023\)](#)

⁵⁰ [DfE | Qualification Achievement Rates \(2023\)](#)

⁵¹ [FE News | How can we measure apprenticeship success and quality in a meaningful way?](#)

⁵² [DfE | Qualification Achievement Rates \(2023\)](#)

- Out of *all* providers in England;
 - 269 (25%) currently have an achievement rate above 67%;
 - 480 (45%) are between 50-67%
 - 309 (29%) are under 50%.
- Out of the ten providers (national and local) with the *greatest number* of apprenticeship starts in Norfolk (2021/22);
 - 2 (20%) currently have an achievement rate above 67%
 - 5 (50%) are between 50-67%
 - 3 (30%) are under 50%.
- Out of nine providers *based in* Norfolk:
 - 2 (22%) currently have an achievement rate above 67%
 - 5 (55%) are between 50-67%
 - 2 (22%) are under 50%.

These comparisons suggest that the achievement rates for Norfolk starts and providers (2021/22) is broadly on a par with the rest of England.

Local primary research – Young People: ‘How much do you know already’⁵³

In 2020, 2022 and 2023 the Apprenticeships Norfolk and Pathways to Work team ran a survey for young people aged 11-19, during the Norfolk Careers and Skills Festival. The responses provided insight to the knowledge, interests and engagement in Apprenticeships as a learning and career option.

- Over the three years, we have received 508 responses; increasing each year from 108 in 2020 to 214 in 2023. Of the 2023 responses, 49.5% were from female students, 47.8% from male students and 2.7% classed as other/didn't say. The majority of responses (331) were from those aged 14-15.
- In 2023, when asked if they would be more likely to complete a ‘green’ apprenticeship which positively impacts the environment/climate change, 96 students (52%) were unsure, and 63 (34%) said yes. Only 27 (14%) said no.
- Over the three years, by sector, the majority of students (109) stated they were interested in going into an Engineering role, followed by Health & Social Care (98).
- The future intention after leaving education question has seen a positive increase in responses stating the ‘apprenticeships’ option; from 27 in 2020, 51 in 2022 and 55 in 2023.

⁵³ Local Primary Research Survey – ‘How much do you know already’ (2020; 2022; 2023) - unpublished.

Local primary research – SME Businesses: ‘Overcoming Barriers to Apprenticeships’⁵⁴

In 2021, Apprenticeships Norfolk ran a business facing apprenticeship survey (in particular for SMEs). The responses provided insight to barriers faced by local businesses in engaging with apprenticeships, and potential solutions which may positively impact their decision.

- 246 businesses responded (215 small-medium sized and 33 large).
- Responses were received from all districts in Norfolk; however the largest proportion of responses were from Breckland (61) and Norwich (57)
- 135 (54%) of businesses had previously had apprentices within their organisation whereas 113 (46%) had not.
- 182 businesses (74%) were considering recruiting an apprentice in the next 12 months.
- The main reasons businesses chose to use an apprenticeship to upskill or recruit staff included: to help develop skills and address a skills shortage (95 responses); invest in new talent (87 responses) and expand or upskill the workforce (70 responses).
- The main barriers to apprenticeships cited by businesses included: cost of wages/equipment or contribution to training (74 responses); time consuming/complexities in system (46 responses); Lack of available staff in the organisation to support and mentor a new apprentice (44 responses).
- Support from Apprenticeships Norfolk, which might make a difference to the businesses’ decision to use an apprenticeship, included: financial grants/incentives to help with the costs (167 responses); free and impartial guidance (105 responses); the opportunity to recruit from a pre-apprenticeship programme, so candidates have increased work readiness and a better understanding of the sector/role (95 responses).

Summary Position

Since the previous iteration of the NCC Apprenticeship Strategy 2020-2023, the social turbulence and post-pandemic economic uncertainty following Covid19, has been directly followed by further instability, due to the cost of living crisis. Challenges around financial stability have not just been evident for businesses^{55,56} but the impact of stagnant apprenticeship funding on provision has also been well documented^{57, 58, 59} with calls for immediate support to increase funding and investment to stabilise the skills sector^{60, 61}.

The apprenticeship landscape is well known for continual policy developments and annual developments to (complex) funding rules. However, at the time of writing, as the UK approaches a

⁵⁴ Local Primary Research Survey – ‘Overcoming Barriers to Apprenticeships’ (2021/22) - unpublished.

⁵⁵ [Norfolk Chamber of Commerce | Quarterly Economic Survey \(2023\)](#)

⁵⁶ [FSB | Cost of living squeeze is holding back growth \(2023\)](#)

⁵⁷ [IfATE | Exceptional funding band reviews for apprenticeships \(2023\)](#)

⁵⁸ [FE Week | IfATE promises review of occupational standards \(2023\)](#)

⁵⁹ [FE Week | ‘No doubt’ underfunding is impacting on learners \(2023\)](#)

⁶⁰ [AELP | Calls for immediate action to save the skills system \(2023\)](#)

⁶¹ [Association of Colleges | Opportunity England \(2023\)](#)

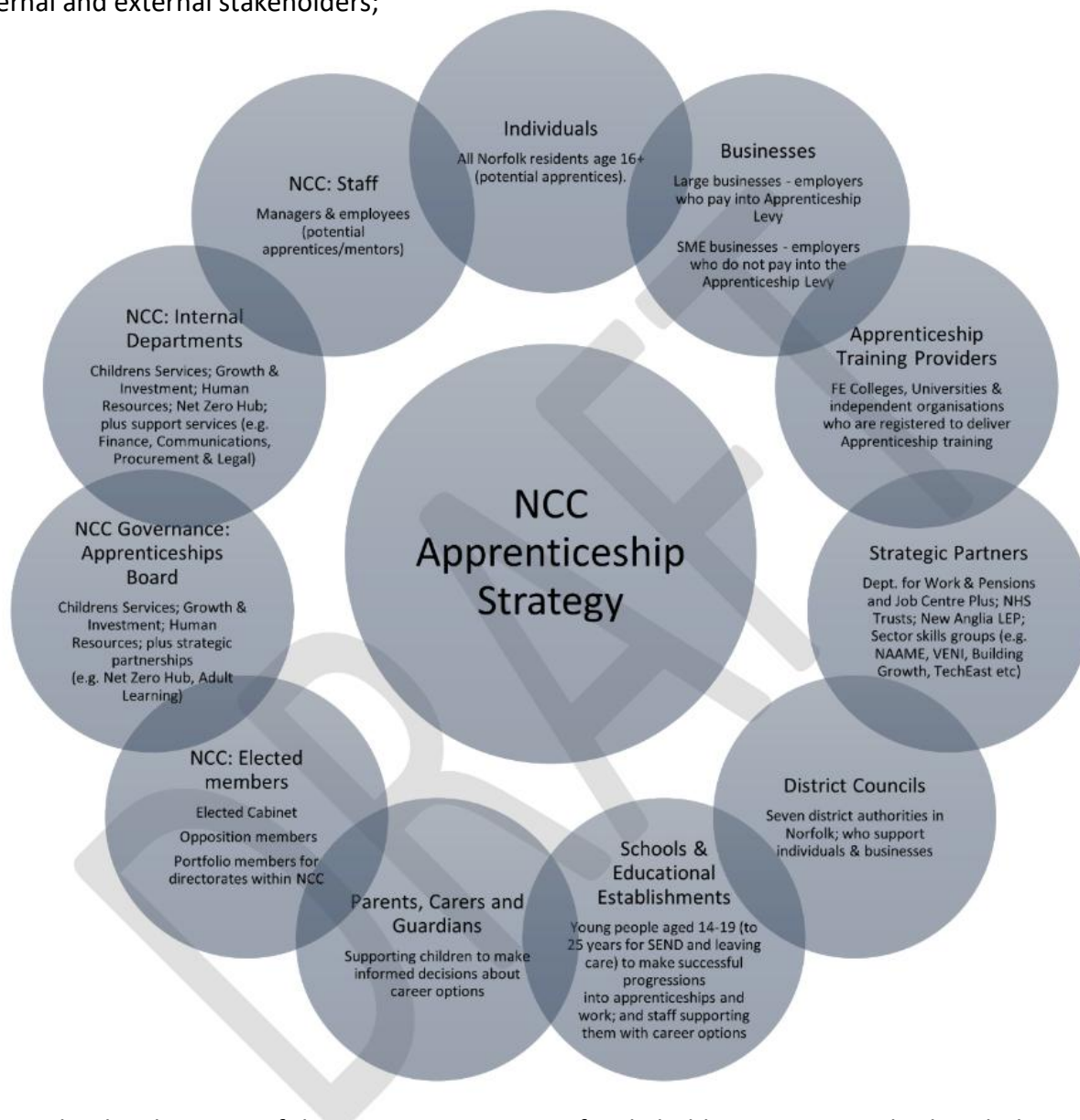
general election, there is an increasing volume of policy reports speculating recommendations for further reforms to the apprenticeship system, in particular the apprenticeship levy.

We should therefore note the prospect of a potentially volatile and increasingly changeable policy landscape during the next 2 years, including the likelihood of further reforms to the Apprenticeship Levy; and the need for our approach to be agile in adapting to these changes.

DRAFT

Stakeholders

Stakeholders are at the heart of any organisational strategy; and consideration of the responsibilities we have towards our various stakeholders, helps us to create value in reconciling our wider ambitions in the delivery of the NCC Apprenticeship Strategy. The diagram below identifies the wide range of our internal and external stakeholders;



During the development of this strategy, a variety of stakeholders were consulted, including representatives from local training providers⁶²; District Councils⁶³, local schools⁶⁴ and within NCC, the Net Zero hub and the Norfolk Virtual School. Consideration was also given to information collected from student-facing⁶⁵ and business-facing⁶⁶ local primary research. A draft paper⁶⁶ received internal scrutiny from the NCC Apprenticeship Board, with approval of the final paper provided prior to endorsement via Cabinet.

⁶² City College Norwich; College of West Anglia; East Coast College; Poultec Training; NCC Adult Learning

⁶³ North Norfolk District Council; South Norfolk & Broadland District Council; Great Yarmouth Borough Council

⁶⁴ The Virtual School for Norfolk; Short Stay School for Norfolk; Sidestrand Special School; Marshland High, Hethersett Academy, Old Buckenham High

⁶⁵ Local Primary Research Survey – ‘How much do you know already’ (2020; 2022; 2023) - unpublished.

⁶⁶ Local Primary Research Survey – ‘Overcoming Barriers to Apprenticeships’ (2021/22) - unpublished.

Progress from Apprenticeship Strategy 2020-2023

The three directorates at NCC have worked collaboratively to deliver an apprenticeship strategy to support young people, adults and businesses in Norfolk and NCC employees/schools.

A SWOT analysis enabled a review of the progress from the first NCC Apprenticeship Strategy (2020-2023) and identified opportunities from which the new Strategy 2023-2025 can build upon.

Areas of strength/achievements:

Collectively, there have been some significant areas of success; delivered through the NCC Apprenticeship Strategy 'Operational Delivery Plan' and are highlighted below;

Children's Services

- ✓ Increased the number of young people aged 16-18 accessing apprenticeships - currently 5.8%⁶⁷ (against 10% target) from 4.68% in 2021 and 5.61% in 2022, indicating a progressive upward trend.
- ✓ Pathways to Work service recruited to focus on working with young people aged 14-19 to increase take up of apprenticeships, as evidenced in the figures above.
- ✓ Successful in achieving DfE Apprenticeship Support and Knowledge [ASK] contract KPI's for 2021-22 and on track to achieve success for ASK contract 2022-23.
- ✓ Engagement with 44 out of 69 schools sixth forms and colleges in Norfolk including Special Educational Needs and Disabilities [SEND] schools for ASK contract 2022-23.
- ✓ Activities delivered with Year groups 9-13 and one to one support provided to young people with additional barriers; including contribution to the Project McKenzie for care experienced young people; sessions delivered to young people and parents in the Home Educated group and with young people excluded from mainstream education, based in the Short Stay School for Norfolk.
- ✓ Established social media presence through Apprenticeships Norfolk channels.
- ✓ Established working relationship with the Careers Hub and Enterprise Co-Ordinator network to facilitate delivery in education.

Growth & Investment

- ✓ In academic year 2021/22, Norfolk saw the growth of apprenticeship starts for the first time in five years, with 18% more starts than in the previous year, exceeding the national growth rate in England (9%).
- ✓ Successfully re-branded Apprenticeships Norfolk and significantly increased social media presence with increasing followers/engagement month on month since 2020.

⁶⁷ NCC Core+ data – extracted 31.05.2023.

- ✓ Developed new website (including a bespoke interactive provision matrix for Norfolk) – 45k visits since 2021.
- ✓ Delivered an award winning #MadeInNorfolk TV advertising campaign in 2021, and again in 2022 to raise awareness of the benefits an apprenticeship can bring to Norfolk SMEs.
- ✓ Increased information, advice and guidance [IAG] engagement with employers (rising from 40 in 2020 to 1000+ in 2022) and individuals (rising from less than 50 in 2020 to 1000+ in 2022) and increased attendance at Training Provider network meetings (rising from 30 in 2020 to 44 in 2022). A considerable proportion of this increased engagement with employers was connected to the external funding investment which resulted in delivery of three incentive/grant schemes (see below), which also enabled a significant increase in staffing resource.
- ✓ Successful delivery of:
 - Recruit | Retain | Reward incentive grant (£437k Norfolk Strategic Fund) - 437 x £1000 incentives for SMEs in Norfolk to recruit a new apprentice aged 16-24.
 - Access to Apprenticeships (£250k European Regional Development Fund [ERDF] funding) - 378 bursary grants for apprentices aged 16-24 to access financial support to buy tools/equipment, travel expenses and digital kit to enable them to start an apprenticeship in Norfolk.
 - Progression to Apprenticeships (£350k part funded by UK Community Renewal Fund [UK CRF]) - a pilot programme, supporting 42 SMEs in Norfolk to progress a Kickstart (aged 16-25) onto an apprenticeship.
 - Insight Apprentice project (£893k, part funded by European Social Fund [ESF]) – ongoing project offering support to SMEs in growth sectors in Norfolk, looking to start an apprenticeship scheme.
- ✓ Improved data insight and analysis and application of big data through a new Apprenticeships Norfolk PowerBI dashboard, developed with Norfolk Office of Data & Analytics [NODA] and a Data Analyst apprentice, part funded by the Insight Apprentice project.
- ✓ Apprenticeship Norfolk Awards: delivered virtually in 2021, 2022 and in-person for 2023 (with over triple the number of nominations in 2023)
- ✓ Various pieces of primary research completed – Covid19 (x3), Traineeships, Myth busting for Young People (3 years of data), Higher Apprenticeships and Overcoming Barriers to Apprenticeships for Businesses.

Human Resources

- ✓ NCC levy has been *consistently* used to full capacity.
- ✓ Increased schools engagement with levy, turning underspend into fully utilised in 2022.
- ✓ Policy that all grade A-I roles are first reviewed and considered as apprentice suitability.
- ✓ Strong ratio of existing/new staff (65:35)
- ✓ Strong procurement framework against existing apprenticeship standards offered at NCC.
- ✓ Workforce Strategy signed off for NCC that includes focus on apprenticeships development.

Areas for further development and future opportunity:

Whilst progress against the Strategy 2020-2023 has been evident, there are some areas of opportunity which are yet to be realised, or emerging priorities which will require increased strategic focus as we move into the period 2023-2025, with NCC leading by example:

- Increased engagement with young people in Norfolk schools and educational establishments, including with parents/carers and teaching/support staff.
- A specific offer for an increased level of support, for care experienced young people to access apprenticeships; and support for businesses to offer them.
- Increasing the low numbers of disadvantaged young people in Norfolk starting an apprenticeship; including specific support for disadvantaged groups to be able to access apprenticeships.
- Increasing the numbers of young people classed as 'participating' in education, employment and training in Norfolk, to choose apprenticeships as a pathway.
- A clear focus on supporting businesses and individuals towards Net Zero; through increased green apprenticeship opportunities and the embedding of green and sustainable skills more broadly.
- Longer-term support for employers (particularly SMEs), apprentices and training providers once new apprenticeships have begun, supporting an increase overall retention and achievement.
- An increased ethical emphasis; e.g. encouraging local businesses to offer apprentices a *living wage*; encouraging larger organisations (including NCC) in Norfolk to support local SMEs, for example through gifting apprenticeship levy-transfers.
- Further work to support an Equality, Diversity and Inclusion [EDI] strategy and enable apprenticeships at NCC to reflect Norfolk's communities.
- Establish NCC Local Government work experience programme for young people.
- Reduce duplication of externally facing apprenticeship services; to hide the wiring for external stakeholders.

Resources to deliver the Strategy 2023-2025

The following three directorates have committed to deliver the NCC Apprenticeship Strategy 2023-2025. We will set out the strategic and *individual approach* that each directorate will take; how they link and work *together*, to form an overall operational delivery plan (Appendix D).

1 | Children's Services

Supporting a range of 'Pathways into Apprenticeships' including delivery of the DfE ASK programme⁶⁸, for students aged 14-19* and for those in vulnerable or disadvantaged groups (such as SEND, Home Educated, Looked After Children, Care Experienced and those supervised by the Youth Offending Team).

**aged 25 for SEND and care experienced*

2 | Growth and Investment

Driving economic growth in Norfolk through removing barriers to apprenticeships; including delivery of the 'Apprenticeships Norfolk' service - providing free, impartial information and a range of initiatives offering financial and practical support for businesses and individuals (aged 19+) across the county.

3 | Human Resources

Management of the NCC Workforce Apprenticeships; including utilising the NCC and Norfolk school levy to promote and support apprenticeship opportunities at NCC to existing employees and new recruits to the organisation and Norfolk schools. Also, offering guidance and support to managers and employees; procuring and monitoring quality of training provision and progress of apprenticeship delivery.

Equality Impact Assessment Statement

NCC recognises its responsibility to lead by example; our commitment to work to address disadvantage and promote equality, is supported by our Workforce Strategy⁶⁹ which interlinks with the Apprenticeship Strategy.

Note: Objectives and actions detailing our work contributing to Net Zero will be embedded within all our strategic aims and detailed in the Operational Delivery Plan (Appendix D), rather than a standalone strategic aim.

⁶⁸ [DfE | ASK programme](#)

⁶⁹ Internal, unpublished document

1 | Children's Services: Pathways to Work

Introduction

The participation of 16-18-year-olds with education and training is paramount to young peoples' achievement, attainment, well-being and progression to economic independence and adulthood.

NCC Children's Services [CS], has a statutory duty⁷⁰ to 'encourage, enable and assist' young people aged 16-18 to participate in learning and to reduce those who are Not in Education, Employment and Training [NEET]. This duty is overseen by our Participation & Transitions Strategy Team [PTST]. In line with Norfolk's Corporate Parenting responsibilities⁷¹, no young person should be left behind and we are committed to promote aspirations and opportunities to help seek and secure best outcomes, and to enable NCC to fulfil its statutory role as the champion of children and corporate parent to Norfolk's most vulnerable young people.

Context & Strategic Approach

The Pathways to Work [PTW] service was created in May 2021, including contract funding from the DfE Apprenticeship Support and Knowledge (ASK) programme⁷² and are the operational delivery arm of the CS strand of the NCC Apprenticeship Strategy but also contributes to the wider CS programme, Local First Inclusion, and the Learning Strategy. The PTW service supports young people aged 14-19 in Norfolk.

Our aspiration is for 10% of young people aged 16-18 to progress into an apprenticeship pathway, a target set in line with CIBYL research⁷³ which cites that 10% of young people aspire to an apprenticeship in the East of England and that across England, broadly one in ten young people are planning to undertake an apprenticeship.

The CS strategic approach will also include a focus on work with the 'key influencers' on young people's post 16 choices; parents/carers and teachers - to ensure that they have a current working knowledge of the work based learning landscape, including apprenticeships. This aligns to the national DfE approach (via the ASK contract 2023/24) that aims to prioritise work with stakeholder groups who are instrumental in young people's choices, and to ensure that apprenticeships are seen as a viable and competitive alternative to Further/Higher Education or jobs without training.

Inclusion and supporting vulnerable young people:

CS is committed to promote the interests and provide a safety net for Norfolk's most vulnerable young people. The PTW service works alongside other professionals to support young people with information and advice with regards to accessing work and training. Bespoke work is undertaken with young people in the Short Stay School for Norfolk, who often face additional social mobility barriers and are more likely to become NEET. Each of the individual PTW advisers has a focus on one or more of the vulnerable cohorts, which enables closer partnerships with the professionals working with

⁷⁰ [DfE | Participation Statutory Guidance \(2016\)](#)

⁷¹ [NCC | NCC Corporate Parenting Strategy \(2019-22\)](#)

⁷² [DfE | ASK programme](#)

⁷³ [CIBYL | School Leaver Research \(2023\)](#)

these young people and to develop expertise. They represent the PTW team at multi-agency partnership groups relevant to their work with this group of young people.

The increase in apprenticeship participation, seen over the last 2 years, is not yet reflected amongst vulnerable groups of young people; those with Special Educational Needs and Disabilities [SEND], Care Experienced Young People [CEYP], those in the Youth Justice System [YJS] and those who are Electively Home Educated [EHE]. We know that these groups still face barriers to accessing mainstream apprenticeships, exacerbated by the lack of pre-apprenticeship provision, as a work-based learning pathway. Currently, a total of 1,060 apprentices in Norfolk (aged 16-17) present at least one of these characteristics: CEYP 0.19%; SEND 1.40%; SEN-Support 12.77%; YJS 0.32%; EHE 1.93%.

The Children and Young People's Strategic Alliance⁷⁴ reflects our shared commitment to Norfolk's children and young people and bringing us formally together as one system. The PTW team contributes to the FLOURISH vision through its commitment to meet the aspiration for 10% of young people aged 16–18 (25 for SEND and Care Experience) to progress into an apprenticeship pathway, including those in disadvantaged and vulnerable groups. The FLOURISH vision seeks to improve equality, diversity and inclusion of all young people engaging in education, employment and training, by providing additional support to those young people who may face additional barriers. The NCC Care Leaver Covenant for care experienced young people, provides support and promote opportunities for this group of young people.

By engaging young people with apprenticeships, the PTW service seeks to reverse the declining post 16 participation of 16–17-year-olds in Norfolk and to support the increased number of young people with SEND to access meaningful work-based opportunities.

Supporting our young people to understand and to identify green skills and green apprenticeships and the pathways into green jobs as meaningful progression routes, to ensure our future local workforce can contribute to Net Zero priorities, will become a prominent focus within our strategic aims.

'Pathways to Work' Action Plan – Aims/Approach

Aim 1 | Establish apprenticeships as a key option route for learners aged 16-18, leading to an increase in the % of applications and starts.

Aim 2 | Promote apprenticeships as a key option route, for those aged 16-18 who face additional barriers, contributing to a more diverse workforce in Norfolk.

Aim 3 | Inspire and promote an increased awareness and understanding of apprenticeships and other work-based options with parents/carers and teachers, so that they can support their children and young people, with aspirational decision making.

⁷⁴ [NCC | Flourish \(2021\)](#)

2 | Growth & Investment: Apprenticeships Norfolk

Introduction

NCC Growth & Investment [G&I] is committed to helping ensure Norfolk's economic growth and will promote social mobility by helping people, of any age, to get the skills they need for 21st century employment – whether this be starting a career, developing a career or reskilling for a different career; and championing Apprenticeships as a highly effective means for all businesses to build their pipeline of skilled future staff. Increasing the quality and quantity of apprenticeships plays a significant role in developing opportunities for improving skills and thereby helping to address Norfolk's skills shortages. This, in turn increases productivity and stimulates economic growth.

Local government play a critical role in developing a community wide vision; acting as “champions” of apprenticeship programmes and lead efforts to raise awareness of the benefits of participation and completion in a training programme, which is well linked to a quality job.

Context & Strategic Approach

'Apprenticeships Norfolk', formed in 2014, offers a free brokerage service to businesses and individuals; offering impartial information and guidance in order to 'hand hold' and successfully navigate the complexities in the system. In 2020, we brought a fresh approach; relaunching the service with improved & updated branding, website and social media platforms; creating a clear, strong presence and visibility to all key stakeholders. The award winning #MadeInNorfolk⁷⁵ TV and digital campaign in 2021, and subsequent campaigns in 2022 and 2023 – continue to raise awareness of the benefits an apprenticeship can bring to Norfolk SMEs.

Furthermore, the service provides a partnership approach to influencing the strategic growth and achievement of apprenticeships in Norfolk, in line with national and local strategic drivers. We have developed strong working relationships with provider and stakeholder networks; and enquiries from employers and potential apprentices have increased significantly in the last three years.

Recognising the post-pandemic opportunity to stimulate economic growth, and the increasing need to support both young apprentices and SMEs to be able to access apprenticeship opportunities, since 2020 we have secured over £2m of external funding to deliver wraparound support⁷⁶, financial incentives and bursary grants⁷⁷. To date, these schemes have supported c750 apprentices and c670 businesses in Norfolk; based on DfE methodology⁷⁸, supporting this number of new apprenticeships to start has *contributed* an indicative £50m return on investment to the local economy.

We will continue to optimise external funding, broker partnerships and explore opportunities to influence and support improvements to the local apprenticeship landscape in Norfolk; through evidence-based, collaborative and innovative systems thinking. Integrating Net Zero priorities in our work will become a prominent focus within all of our strategic aims, to ensure we accelerate local action to boost green skills/apprenticeships for individuals and businesses in Norfolk.

⁷⁵ [Apprenticeships Norfolk | #MadeInNorfolk Campaign](#)

⁷⁶ [Apprenticeships Norfolk | Insight Apprentice](#)

⁷⁷ [Apprenticeships Norfolk | Grants and Incentives](#)

⁷⁸ [DfE | Measuring the Net Present Value of Further Education in England \(2018/19\)](#)

As an intermediary service, funded by an anchor local government institution - we recognise the value in representing our local apprenticeship landscape in national forums, to ensure we have the opportunity for proactive horizon scanning, to identify emerging opportunities to develop our service offer and also embrace opportunities that might arise to support/influence national policy development.

The focus for G&I is to promote the growth of apprenticeships across a breadth of indicators (such as level, sector, place, availability and approach) as appropriate. We want every apprenticeship to be a high-quality opportunity that delivers the skills, knowledge and behaviours that employers are looking for. Employers will recognise that investing in apprenticeships brings value, innovation and emerging talent into the heart of their business. People of all ages in Norfolk, considering starting, reskilling or changing career, will see apprenticeships as a viable opportunity. We recognise different opportunities to support the local apprenticeship landscape, including inspiration and development of increased pre-apprenticeship pathways; support to increase not only apprenticeship starts, but also retention and achievements; and finally celebration and promotion of real life stories to inspire further engagement from our people and our businesses in Norfolk.

We will continue to facilitate the established 'Apprenticeships Norfolk' service to deliver an effective and impartial brokerage service; working collaboratively to promote the profile, growth and achievement of Apprenticeships across the county and championing apprenticeships #MadeInNorfolk.

'Apprenticeships Norfolk' Action Plan – Aims/Approach

Aim 1 | Increase opportunities to inspire, promote and champion apprenticeships; improving awareness and understanding of the benefits an apprenticeship can bring to individuals, businesses and the local economy; and celebrating successes.

Aim 2 | Undertake primary research to better understand the barriers to taking up and completing apprenticeships, in order to develop innovative & evidence based interventions for service delivery.

Aim 3 | Support an increase in the number of apprenticeship starts in Norfolk (focussing on improving balance and opportunity based on age, level, sector, place, diversity, availability and approach – as appropriate).

Aim 4 | Support the system to increase the number of apprentices who complete and achieve their apprenticeships in Norfolk.

Aim 5 | Increase opportunities to influence improvement to the local apprenticeship landscape in Norfolk, through collaborative and innovative systems thinking, to maximise impact.

3 | Human Resources: NCC Workforce Apprenticeships

Introduction

NCC is one of the largest employers in the area, with the ambition to lead the way as an employer in championing, shaping and deploying apprenticeships to help solve strategic challenges within its own 7,500 person workforce, thereby improving the quality of services offered to the people of Norfolk.

Our Apprenticeship Strategy to date has successfully raised the profile of apprenticeships meaning that we use all the NCC levy; and have supported 1086 apprenticeships in total⁷⁹, across NCC since 2017. Since the apprenticeship levy was introduced in 2017, we've seen year on year growth both in terms of the number of apprentices (16 in 2017 to 274 in 2022), and the number of apprenticeship courses we offer (4 in 2017 to 50 in 2022). We have developed relationships across Norfolk Schools to ensure that their levy is now also fully utilised, supporting 213 apprenticeships⁸⁰. We will continue to focus on NCC and schools workforce challenges to ensure that we deploy apprenticeships to best effect.

Context & Strategic Approach

We will continue to build on our existing successful strategic approach which has been to use apprenticeships as a vehicle to address systemic or long-term workforce difficulties (e.g. Social Care, Planners) along with identified hard to recruit posts. Apprenticeships will continue to support workforce skills gaps and building skills and knowledge capacity across NCC and School's Workforces.

We will focus on supporting strategic priorities to deliver the 'Together for Norfolk'⁸¹ plan through to 2025, exploring opportunities to integrate Net Zero opportunities into the Apprenticeship programme. We will, as part of the Workforce Development Strategy, further develop early career offers, linking NCC apprenticeships to support Children's Services objectives for care experienced young people - along with further development of internships, graduate schemes, traineeships and work experience.

Apprenticeships support social mobility by widening the options to enter professional careers. By supporting and delivering a successful NCC apprenticeship programme, we are contributing to broader EDI objectives and developing a workforce that reflects the demographics of society in Norfolk.

NCC's current workforce demographic profile has lower numbers of employees in the early-career age range (16-24) where we want to encourage apprenticeship pathways. This in turn will support longer term workforce succession planning and our future employee value proposition development activity. Our workforce reflects national trends where we have five generations of people in the workforce and people working for longer over their lifetime; our average workforce age is 44. Digital upskilling will be a key route to enabling NCC to be able to support the post covid hybrid working model and this directly impacts on how we provide support and guidance to existing and future cohorts and their NCC Managers.

⁷⁹ Internal, unpublished data – extracted 31.10.2023.

⁸⁰ Internal, unpublished data – extracted 31.10.2023.

⁸¹ [NCC | Together for Norfolk \(2019-2025\)](#)

Our mission is to use the NCC levy strategically to provide apprenticeships that support the Council to attract, retain and develop a skilled and diverse workforce that meets our county's needs now and, in the future; positively impacting NCC service delivery and opportunities for the community of Norfolk. Embedding apprenticeships into our services' workforce plans and creating recruitment/outreach campaigns will ensure our offers are targeted for maximum return and supports our visibility as a local employer of choice.

Our aim by the end of 2025 is:

1. Apprenticeships form an integral part of each service / directorate strategic workforce plan, which is based on evidence, focused on current/future areas of strategic need for skills.
2. We are recognised as an employer of choice in terms of quality and quantity of apprenticeships provided. We should also recognise that we offer fair pay for apprenticeships, with apprentices being paid one grade less than the substantive grade for the role while studying, and increasing to the full grade for the role once the apprenticeship has been completed.
3. Through the medium of apprenticeships and other learning vehicles, the NCC workforce reflects more accurately the diversity and demographical make-up of the Norfolk communities we serve. We have established a baseline and appropriate methods to measure progress in these areas and we have some success stories we are able to share.
4. Joint vision with Children's Services: Schools continue to fully utilise all their levy and we see schools apprenticeships have become embedded into Norfolk Schools workforce landscape.

HR Workforce Apprenticeships' Action Plan – Aims/Approach

Aim 1 | Continue to support Workforce Apprenticeships at NCC and in schools, continuing to develop apprenticeship take-up, fully utilising levy, and achieving recognition as an employer of choice in terms of the quality and quantity of apprenticeships provided.

Aim 2 | Develop and establish an Early Careers development offer for 16-24 year olds in Norfolk, positioning NCC as an employer of choice for apprenticeships.

Aim 3 | Develop NCC workforce analytics capability to enable the use of the LGA workforce planning toolkit; embedding apprenticeships and other talent pipeline vehicles within corporate and directorate workforce plans - shaping a workforce that reflects the diversity and demographics of the Norfolk community.

Appendices

DRAFT

Appendix A | NCC Apprenticeships Board: Terms of Reference

Role/Purpose

The Norfolk County Council (NCC) Apprenticeship Board was established by the Corporate Board in accordance with the recommendations of the LGA Apprenticeship Review *'Realising Apprenticeship Opportunities at NCC'*.

The Apprenticeship Board will provide collective leadership and a strategic steer for apprenticeship activity across NCC (Children's Services, Growth and Investment and Human Resources) driving commitment to the programme by:

- Developing and agreeing the overall vision and strategy for the delivery of apprenticeships both internally and externally to NCC
- Agreeing an overall apprenticeships Operational Delivery Plan that brings together the service area plans for each discrete area of work.
- Developing, monitoring and providing challenge on targets and KPI's
- Agreeing areas of collaboration (e.g. literature & information, engagement & events) within NCC to maximise the impact of apprenticeships both internally and externally, (including budgetary responsibility)
- Agreeing proposals for the transfer of the NCC apprenticeship levy
- Identifying and agreeing papers to come to the Apprenticeship Board
- Providing half yearly reports to the Corporate Board on progress against targets

Responsibilities

- Each discrete function i.e. Children's Services, Growth & Investment and Human Resources will bring its operational delivery plans to the Board for agreement at the first meeting and will provide an update report at each subsequent meeting on progress, proposing additions/changes as necessary.
- Each function will have budgetary responsibility for its own area of work.
- Each function will have responsibility for leading and co-ordinating any sub-groups relevant to the function and for providing reports to the Board as appropriate.

Term

These Terms of Reference are effective from (date of first meeting) and will be ongoing until amended or terminated by agreement between the parties.

Membership*

The NCC Apprenticeship Board will comprise:

- Cabinet Member for Growing the Economy (Chair)
- Assistant Director – Children's Services
- Director – Growth & Investment
- Assistant Director – Human Resources

- Director – Community, Information & Learning
- Delivery Manager – NCC Net Zero Hub

Members may appoint an alternate to represent them. Each member may be accompanied by an officer to support with detailed knowledge.

** Correct at time of writing, will be updated to reflect membership if roles subsequently change*

Roles and Responsibilities

The members of the Board will commit to:

- Reading papers in advance of meetings, to ensure effective contributions to board meetings.
- Attending all scheduled Board meetings, nominating a proxy if necessary.
- Wholeheartedly championing the Board within and of work areas.
- Sharing relevant communication and information across all Board members.
- Making timely decisions and acting to facilitate the work of the Board.
- Notifying members of the Board as soon as practical, if any matter arises which may be deemed to affect the development/progress/work of the Board.

Members of the Board will expect:

- That each member will be provided with complete, accurate and meaningful information in a timely fashion.
- To be given reasonable time to make key decisions.
- To be alerted to potential risks and issues that could impact on the delivery of apprenticeships in Norfolk.

Meetings

All meetings will be chaired by the Cabinet Member for Growing the Economy

Members with any personal, business or financial interest in a matter being discussed must declare that interest and will not be entitled to take part in discussion/decision making. Any declared interests will be maintained on the meeting notes.

Decisions will be made by consensus (i.e. members are satisfied with the decision even though it may not be their first choice). If not possible, the chair of the Board will make the final decision.

Growth & Investment, will act as the secretariat to the Board, including:

- Coordination of NCC Apprenticeship Strategy & Operational Delivery Plan
- Preparing agendas
- Preparing meeting notes and actions and following up on progress
- Coordination of any sub-groups

Agendas and papers will be circulated at least 5 working days in advance of meetings. Meetings will be held quarterly for 1.5 hours and will take place remotely via MS Teams. *(Note: If significant decisions are required, meetings could be held at County Hall.)*

Sub-Groups

The Board may establish such sub-groups as it sees fit in order to support the implementation of the NCC Apprenticeship Strategy. The Board will be responsible for developing and agreeing the Terms of Reference of any sub-group and deciding on a chair. Any sub-group will be required to establish an operational delivery plan to achieve the task set by the Board and will report to each quarterly meeting of the Board.

Amendment, modification or variation

These Terms of Reference may be amended, varied or modified in writing after consultation and agreement at a Board meeting.

DRAFT

Appendix B | Apprenticeship Reforms

In 2016/17 the UK Government led radical reforms to the English apprenticeship system. The ‘Apprenticeships Reform Programme’ was established in May 2015, with quality at its heart, and scheduled to be delivered by the end of the financial year 2020/21. The Government committed to several fundamental reforms, prompted by the Richard Review 2012.⁸²

Apprenticeship Standards	A major transition from Apprenticeship ‘Frameworks’ to Apprenticeship ‘Standards’ which are occupation rather than qualification led, with their scheme design led by groups of trailblazer employers (putting employers “in the driving seat”). A Standard contains a list of the skills, knowledge, and behaviours an Apprentice will need at the end of their Apprenticeship.
Higher & Degree Apprenticeships	A major expansion of the availability and take-up of higher Apprenticeships across all sectors.
20% off the job training requirement	Introduction of 20% off the job training evidence requirement - to demonstrate 20% of time spent learning is away from the day-to-day job role (previously, off the job training was less defined). <i>*Note: terminology has since changed to remove the 20% calculation and simply indicates 6 hours</i>
End Point Assessment	Inclusion of a rigorous, graded End Point Assessment (EPA) to confirm the apprentice is fully competent and their capabilities appropriately stretched. This aims to increase quality and consistency of achievements.
Apprenticeship Levy	Changes to funding and the introduction of the Apprenticeship levy in 2017 – 0.5% for those businesses with annual UK pay bill in excess of £3m.
Digital Accounts	All employers required to administer their Apprenticeship funding via a digital account (started with levy paying and most recently transitioned to include all non-levy employers too).
Apprenticeship Levy Transfer	Levy transfer – Employers who pay the apprenticeship levy and have unused apprenticeship funds can find employers who want to receive a transfer. From April 2019, levy-paying employers can transfer a maximum amount of 25% of their annual funds. They can make transfers from their apprenticeship account to as many employers as they choose.
Apprenticeship Funding Bands	Funding Bands – the reforms introduced a new scale of maximum funding bands, originally set at £1,500 to £27,000.

⁸² [DfE | Progress report on the Apprenticeships Reform Programme \(2021\)](#)

Appendix C | PESTLE Analysis

This PESTLE analysis is not exhaustive, but an indication of the global, national and local strategic priorities which have helped us to shape our direction of travel.

Political

Government policy changes in the skills and apprenticeships landscape have been ongoing since the apprenticeship reforms⁸³ (2017 onwards) following the Richard Review (2015):

National – strategic priorities:

English Apprenticeships: Our 2020 Vision⁸⁴ (2015)

Changes to the Apprenticeship system, including the move from Apprenticeship frameworks to the new employer-led standards.

- Introduction of 20% off the job training evidence requirement – increasing quality, additionally with a rigorous, graded End Point Assessment (EPA) to confirm the apprentice is fully competent and their capabilities appropriately stretched.
- Changes to funding and the introduction of the Apprenticeship levy in 2017 – 0.5% for those businesses with annual UK pay bill in excess of £3m.
- Levy transfer – Employers who pay the apprenticeship levy and have unused apprenticeship funds can find employers who want to receive a transfer.
- From April 2019, levy-paying employers can transfer a maximum amount of 25% of their annual funds.
- Removal of non-levy funding cap in 2023 – increasing access to uncapped apprenticeship starts for SMEs.

‘Skills for Jobs’ white paper⁸⁵ (2021)

Sets out planned reforms to the further education and technical training system, with a focus on three key areas:

- To support more people to start apprenticeships, helping employers to recover from the coronavirus pandemic with the skilled employees they need to grow.
- To continue to respond to feedback from employers to improve the programme, including by making more use of apprenticeship funding, making it easier for levy-paying employers to transfer funds and making apprenticeships work in more sectors.
- To raise quality, ensuring that every apprentice has the best experience and reaches their potential.

Skills and Post-16 Education Act⁸⁶ (2022)

- Prioritising local needs and local people: Local Skills Improvement Plans (LSIPs)
- Supporting flexible study options
- Boosting the quality of education and training on offer
- Broadening careers advice for pupils
- Prioritise green skills.

⁸³ [DfE | Progress report on the Apprenticeships Reform Programme \(2021\)](#)

⁸⁴ [HM Government | English Apprenticeships - Our 2020 Vision \(2015\)](#)

⁸⁵ [HM Government | Skills for Jobs \(2021\)](#)

⁸⁶ [HM Government | Skills & Post-16 Education Act \(2022\)](#)

Levelling Up – Shared Prosperity Fund Prospectus⁸⁷ (2022)

- UKSPF will boost productivity, pay, jobs and living standards by growing the private sector, especially in those places where they are lagging. ‘Supporting local businesses’ and ‘People & Skills’ are two of three investment priorities for UKSPF.

Devolution⁸⁸ (2022)

County Deal for Norfolk would bring guaranteed £20 million per year investment fund for the next 30 years. Finalising a Deal would mean that, from 2024 onwards, we can:

- Target funding and resources to Norfolk’s own growth and infrastructure priorities
- Attract and retain new and key businesses and sectors.
- Invest in the skills we know we need.
- Raise our profile nationally, enabling our voice to be heard by Government and help shape future policies.

Provider Access Legislation⁸⁹ (2023)

- Places a requirement for all schools to include information about work based learning and apprenticeships to those young people in Years 7-11

Apprenticeship Achievements⁹⁰ (2023)

- Government ambition is to have at least two thirds of apprentices (67%) achieving their apprenticeship standard by 2025.

Local – strategic priorities:

NCC Together for Norfolk⁹¹ (2019-2025)

- Create more new apprenticeships by working with local businesses and the education sector.
- Continue to grow Apprenticeships to improve employment opportunities for young people in our care, those not in employment, education or training, and those leaving education.
- We know we’re successful when Apprenticeships start increasing.

New Anglia LEP Norfolk & Suffolk Economic Strategy (2022)

- Build a workforce fit for the future and excited about purposeful jobs. Improve attainment levels and align provision to employers needs and inward investment opportunities particularly STEM, enabling the transition to a zero carbon economy.
- Provide a range of opportunities that enable all residents to upskill, reskill and access employment throughout their lives.
- Close the skills and labour gaps, aligning provision to current and future employer needs and clean growth opportunities, especially in digital and technical skills.
- Improve aspirations and continue to develop employability and work readiness among young people.

⁸⁷ [HM Government | UK Shared Prosperity Fund: prospectus \(2022\)](#)

⁸⁸ [HM Government | Norfolk Devolution Deal \(2022\)](#)

⁸⁹ [HM Government | Provider Access Legislation \(2023\)](#)

⁹⁰ [DfE | Apprenticeship achievements: an update for the sector \(2023\)](#)

⁹¹ [NCC | Together for Norfolk \(2019-2025\)](#)

NCC Norfolk Investment Framework⁹² (2022)

An urgent priority is to ensure residents across all areas of the county have the means and tools to participate in Norfolk's evolving economy in ways that are best for them. We seek innovative approaches and projects for investment that support Norfolk's residents to increase skills.

- Grand challenge 1 – Create new opportunities by increasing skills and labour market dynamism.
- Grand challenge 4 – Protect Norfolk's economic and natural assets from climate change.

Local Skills Improvement Plan – draft priorities⁹³ (2023)

- 33% of respondents (c230 in Norfolk) to the LSIP survey preferred to use Apprenticeships.
- 52% of businesses were keen to seek additional support for training development.
- There needs to be greater openness by employers to consider newer forms training.
- Prioritise bringing through the next generation of green skilled workers & incentivise innovative models of training.

District Council – strategic priorities:

Breckland Council⁹⁴:

- Continue to drive investment to unlock the significant potential and opportunities in our district and will support and empower our people to be the best they can be through wellbeing support, development, and training.

Broadland & South Norfolk Council⁹⁵

- Create an inclusive economy which promotes skills and job opportunities for all. Ensuring the workforce have the right mix of skills to match business need and helping to prepare our young people to be successful in their working lives by ensuring there are the right career pathways in place, whether that be vocational or academic.

Great Yarmouth Borough Council⁹⁶

- Work with colleges, schools and businesses to match future business opportunities with the right skill provision, to boost the number of apprenticeships, encourage social mobility and ensure more local people can benefit from local job opportunities.

Kings Lynn & West Norfolk Borough Council⁹⁷

- Help people of all ages improve their skills and qualifications, and help raise their aspirations. We want to help people become entrepreneurs and benefit from the growing economy. We want to be a place where skilled people want to live and work.
- There is a need to improve the local skills base to help drive up a relatively low wage economy.

North Norfolk District Council⁹⁸

- Promoting inclusive growth which seeks to match the skills of the local workforce with the needs of local businesses, encouraging links between local education providers, apprentices and businesses.

⁹² [NCC | Norfolk Investment Framework \(2022\)](#)

⁹³ [Norfolk Chambers of Commerce | LSIP – Draft Priorities for Norfolk \(2023\)](#)

⁹⁴ [Breckland | Corporate Plan \(2021-2025\)](#)

⁹⁵ [SNBC | Strategic Plan \(2020-2024\)](#)

⁹⁶ [GYBC | The Plan \(2020-2025\)](#)

⁹⁷ [KLWN | Core Strategy document \(2011\)](#)

⁹⁸ [NNDCC | Corporate Plan \(2019-2023\)](#)

Norwich City Council⁹⁹

- Work with partners to support good jobs, skills and opportunities for Norwich, including making the city a Living Wage Place

Economic

Global:

United Nations ‘Sustainable Development Goals’ [SDGs]¹⁰⁰

- Provides an ‘action plan for people, planet and prosperity’ and reflects 17 areas of critical importance, presenting an urgent call to action requiring global partnership.
- Goal 8 – Decent work and economic growth

National:

HM Treasury – Plan for Jobs¹⁰¹ (2020)

- ‘Plan for Jobs’ summer statement announced a vast variety of new policy decisions to support the economy following Covid-19 – including; Job Retention bonuses, funding for Kickstart, Traineeship and Apprenticeships - seeing incentives for employers taking on new or redundant apprentices, which focused on employment and skills.

Winter Economy Plan¹⁰² (2020)

- Announced further and extensive measures, including £127m of “new investment in training and apprenticeships” extending Apprenticeship incentives for employers and suggested further flex in the levy system so employers can ‘pledge’ unspent levy to SMEs.

Spring Budget¹⁰³ (2023)

- £2.7bn funding invested by Government by 2024/25 – referenced as ‘Returnerships’ which is an umbrella term for Sector-based Work Academy Programme [SWAPs], Skills Bootcamps and promotion of accelerated apprenticeships using recognised prior learning [RPL].

Apprenticeship Levy – returned to HM Treasury¹⁰⁴ (2022)

- Over £2.2bn of apprenticeship funding has been returned to the Treasury since the launch of the levy. An emerging mismatch has been reported¹⁰⁵, between the cash the apprenticeship levy raises compared to what is being allocated for public spending; Treasury figures show that £3.580bn was raised by the levy in the 2022-23 financial year, but just £2.554bn was handed to the DfE to spend in England, with £608m estimated to cover the devolved nations. This means that £418m of apprenticeship funding went unallocated.

Measuring the Net Present Value [NPV] of FE in England¹⁰⁶ (2018/19)

- Apprenticeships deliver strong economic returns; the NPV is higher for younger learners due to higher wage premia and a longer time left in the workforce. Level 2 Apprenticeships provide

⁹⁹ [NCC | Corporate Plan \(2022-2026\)](#)

¹⁰⁰ [UN | THE 17 GOALS - Sustainable Development \(2023\)](#)

¹⁰¹ [HM Government | A Plan for Jobs \(2020\)](#)

¹⁰² [HM Government | Winter Economy Plan \(2020\)](#)

¹⁰³ [HM Government | Spring Budget \(2023\)](#)

¹⁰⁴ [FE Week | DfE reveal amount of apprenticeship funding returned to Treasury \(2022\)](#)

¹⁰⁵ [FE Week | Apprenticeship levy mismatch \(2023\)](#)

¹⁰⁶ [DfE | Measuring the Net Present Value of Further Education in England \(2018/19\)](#)

between £16-17 economic return on every £1 of government funding invested, between £14-16 for a Level 3 apprenticeship and £25 for a Level 4/5 apprenticeship.

IfATE funding band uplifts^{107,108} (2023)

- Only 20 high-volume apprenticeships in skills shortage occupations and priority sectors are being targeted by the IfATE exceptional funding band reviews (Jan 2023) – chosen by DfE following consultation with provider representative bodies, and taking account of available evidence on the impact of cost inflation on apprenticeships delivery.
- DfE announced (May 2023) that providers and employers will be able to apply for temporary funding uplifts for apprenticeships where costs have ‘substantially’ increased from the end of this month, providing a short-term boost to apprenticeship standards in the hardest hit sectors full funding reviews take place.

Calls to increase funding in FE/Apprenticeships (2023)

- Challenges around financial stability have been evident for businesses^{109,110}
- The impact of stagnant apprenticeship funding on provision has also been well documented^{111, 112}
- Calls for immediate support to increase funding and investment to stabilise the skills sector^{113, 114.}

Local:

Norfolk & Suffolk Economic Strategy¹¹⁵ (2022)

- 75.9% employment levels, that’s higher than the 74.4% UK average
- 63,460 independent enterprises
- £28,452 median gross wage (England £31,777)
- Working age population 978,000 (58.4% vs 62.3% for England)

NCC Together for Norfolk¹¹⁶ (2019-2025)

- ‘A vibrant and sustainable economy’ is a key strategic priority; with specific reference to creating more new traineeships/apprenticeships by working with local businesses and the education sector.
- We will collaborate with partners, local communities and employers to develop and continuously improve an innovative and responsive lifelong learning that meets the needs of green, high-value and transformational businesses.

Devolution¹¹⁷ (2022)

County Deal for Norfolk would bring guaranteed £20 million per year investment fund for the next 30 years. Finalising a Deal would mean that, from 2024 onwards, we can:

- Target funding and resources to Norfolk’s own growth and infrastructure priorities
- Attract and retain new and key businesses and sectors.
- Invest in the skills we know we need.

¹⁰⁷ [IfATE | Exceptional funding band reviews for apprenticeships \(2023\)](#)

¹⁰⁸ [FE Week | Temporary apprenticeship funding band uplifts planned by DfE \(2023\)](#)

¹⁰⁹ [Norfolk Chamber of Commerce | Quarterly Economic Survey \(2023\)](#)

¹¹⁰ [FSB | Cost of living squeeze is holding back growth \(2023\)](#)

¹¹¹ [FE Week | IfATE promises review of occupational standards \(2023\)](#)

¹¹² [FE Week | 'No doubt' underfunding is impacting on learners \(2023\)](#)

¹¹³ [AELP | Calls for immediate action to save the skills system \(2023\)](#)

¹¹⁴ [Association of Colleges | Opportunity England \(2023\)](#)

¹¹⁵ [NALEP | Norfolk & Suffolk Economic Strategy \(2022\)](#)

¹¹⁶ [NCC | Together for Norfolk \(2019-2025\)](#)

¹¹⁷ [HM Government | Norfolk Devolution Deal \(2022\)](#)

- Raise our profile nationally, enabling our voice to be heard by Government and help shape future policies.

Apprenticeship Data – Norfolk¹¹⁸ (2023)

- Norfolk has experienced a five-year declining trend of new Apprenticeship starts from 2017, exacerbated by the Covid-19 pandemic.
- In academic year 2021/22, Norfolk saw the first year of growth of new Apprenticeship starts; at 17.74% this was double the national growth rate of 9%

Local investment in Apprenticeships (2023)^{119, 120}

- Since 2020, Apprenticeships Norfolk have secured over £2m of funding to offer SMEs in Norfolk both financial and wraparound support (Insight, RRR, A2A, P2A, Levy Support Scheme).

Social

Global:

United Nations ‘Sustainable Development Goals’ [SDGs]¹²¹

- Provides an ‘action plan for people, planet and prosperity’ and reflects 17 areas of critical importance, presenting an urgent call to action requiring global partnership.
- Goal 4 – Quality Education
- Goal 5 – Gender Equality

National:

Corporate Responsibility¹²² (2008)

- Corporate Social Responsibility [CSR] acts as a powerful investment for long-term sustainability; collaborating with stakeholders to improve opportunities for businesses and people.
- Recognises the strategic advantage of Corporate Responsibility and take voluntary action to raise their standards of behaviour above minimum legal requirements.

Local Government – fostering CSR¹²³

- Local authorities have a significant leadership role to play in helping the business community to be more socially and environmentally responsible; recognising (and showcasing) well-conceived CSR local strategies can lead to improved relationships.

National Themes, Outcomes & Measurements [TOMs] Framework¹²⁴ (2019)

- The aim of the National TOMs Framework is to provide a minimum reporting standard for measuring social value; to embed social value into procurement and management processes, it provides an easy to use solution that is immediately available, and may be applied to any project.
- One of the themes includes: Promoting Skills and Employment: To promote growth and development opportunities for all within a community and ensure that they have access to opportunities to develop new skills and gain meaningful employment.

¹¹⁸ [DfE | Explore education statistics \(2023\)](#)

¹¹⁹ [Apprenticeships Norfolk | Grants and Incentives](#)

¹²⁰ [Apprenticeships Norfolk | Insight Apprentice](#)

¹²¹ [UN | THE 17 GOALS - Sustainable Development \(2023\)](#)

¹²² [HM Government: Corporate Responsibility Report \(2008\)](#)

¹²³ [Centre for Urban Research | Local Government Guide to Fostering Corporate Responsibility \(2016\)](#)

¹²⁴ [National Social Value Taskforce | TOMs Guidance \(2019\)](#)

'Skills for Jobs' white paper¹²⁵ (2021)

- Announced increased funding to enable more employers to take on apprentices, citing 'smaller employers are important because they help increase opportunities, particularly for young people, to embark on apprenticeships across the country'.

SME engagement with Apprenticeships¹²⁶ (2021)

- There are many barriers to SMEs engaging with apprenticeships or other skills programmes; we need to replicate the support provided to apprentices in larger organisations for those working in SMEs; it's not just apprentices who need support, their SME employer needs it too; we need to improve communication and services to SMEs and we need to find better ways to engage with those who aren't currently using the system.

UK Community Renewal Fund¹²⁷ (2021)

- Based on the 2021 UK Economic Resilience Index (which is based on measures for productivity, skills, unemployment rate, population density and household income), four out of seven Districts in Norfolk were rated in the top 100 'priority' places in the UK.
- This identified the places most in need of support for levelling up economic resilience through pilot growth interventions, funded by the UK Community Renewal Fund, which in turn will help inform the future UK Shared Prosperity Funding.

Living Wage Foundation¹²⁸

- The National Living Wage is based on the cost of living and is voluntarily paid by over 11,000 UK employers who believe we all need a wage that meets our everyday needs.

Improving the Journey to becoming an Apprentice¹²⁹ (2021)

- The word 'prestigious' was associated with university degrees by 76% of those polled compared to just 4% for apprenticeships.
- We know teachers and advisers are working hard to inform students about their options. But despite their best efforts our research found that the clause is not being implemented consistently across all schools and colleges

Social Mobility Index¹³⁰ (2023)

- Norfolk was rated as a social mobility cold spot (bottom 20%) in the 2016 Social Mobility Index, which identifies that 'Many of these areas perform badly on both educational measures and adulthood outcomes, giving young people from less advantaged backgrounds limited opportunities to get on.'

What influences the choices of would-be apprentices?¹³¹ (2023)

- 40% of students (430,000) interested in undergraduate options are also interested in apprenticeships.
- 70% of respondents also report having a positive initial perception of apprenticeships.

¹²⁵ [HM Government | Skills for jobs: lifelong learning for opportunity and growth \(2020\)](#)

¹²⁶ [SMG | SME Apprenticeships & Skills Report \(2021\)](#)

¹²⁷ [HM Government | UK Community Renewal Fund: prioritisation of places methodology \(2021\)](#)

¹²⁸ [Living Wage | Living Wage Foundation \(2023\)](#)

¹²⁹ [UCAS | Improving the journey to becoming an apprentice \(2021\)](#)

¹³⁰ [HM Government | Social Mobility Index \(2023\)](#)

¹³¹ [UCAS & Sutton Trust | What influences the choices of would be apprentices \(2023\)](#)

- 41% of student respondents indicated that they had received the same or more information about apprenticeships than they did university options, with those from lower socioeconomic backgrounds more likely to report hearing more about apprenticeships than those from higher socioeconomic backgrounds.
- Currently, there are disparities in support for students – with 1 in 3 apprentices from a lower socioeconomic background receiving no support with their application.
- While for some, pay can act as a key attraction to becoming an apprentice, for others this can also be a barrier - a quarter (24%) of former applicants said that one of the top three reasons why they did not pursue an apprenticeship was because they felt they could not afford to do so.
- A common reason for students not entering an apprenticeship was due to availability.
- Overall, apprentices were positive about their experience, and 63% were likely to recommend this route to family or friends.

School Leaver Research¹³² (2023)

- Broadly, 1 in 10 students plan to do an apprenticeship after school.
- Interest in East of England sits at 10% (higher/lower in some other areas of England)
- Only 1 in 10 students say parents or school encouraged them to do an apprenticeship.
- Parents (39%) are the biggest influencer of student decisions. Teachers (19%) and role models (16%) also play a big part in student decisions.
- Teachers have the biggest impact on low socio-economic, LGBTQ+ and disabled students.

Local:

Norfolk & Suffolk Economic Strategy¹³³ (2022)

- Employment levels are higher than the UK average, yet we don't have enough people to fill current vacancies and some sectors face significant skills shortages – particularly with regards to science, technology, engineering and maths (STEM) related skills and capabilities.
- A young person is 86% less likely to be unemployed or not in education or training if they have had four or more encounters with an employer and can earn up to 22% more during their career.
- 90%+ of the UK workforce will need to be trained if workers are to realise the full benefits of reskilling over the next decade
- The Norfolk and Suffolk economy is skewed more towards occupations which require lower-level qualifications. Norfolk and Suffolk has above average proportions of the working population with NVQ Levels 1, 2 and 3 qualifications. However, this could largely be due to the low proportion of the workforce with Level 4+ qualifications. A contributing factor to the low percentage of the 16-64 population having Level 4+ qualifications could be due to there being fewer roles in Norfolk and Suffolk which have an estimated education level of Level 4+

NCC Together for Norfolk¹³⁴ (2019-2025)

- Key strategic priorities include; 'Strong, engaged and inclusive communities' and 'Better opportunities for children and young people'.
- We will support young people and adults, including those with learning or physical disabilities and mental health problems, or those in care, to be able to develop skills to support educational achievement and ambition.

¹³² [CIBYL | School Leaver Research \(2023\)](#)

¹³³ [NALEP | Norfolk & Suffolk Economic Strategy \(2022\)](#)

¹³⁴ [NCC | Together for Norfolk \(2019-2025\)](#)

Rising to the Challenge¹³⁵ (2021)

- The Covid-19 pandemic has had an immeasurable impact on all of us, but it has become apparent that children and young people will carry a heavy burden from the impact of the pandemic in terms of their mental and emotional wellbeing, education, training and employment pathways.
- We need to respond to the immediate challenges to children, young people and their families if we are to avoid long-term damage to their prospects. Placing young people at the heart of our plans to ‘build back better’ and help them to flourish.

NCC Corporate Parenting Strategy¹³⁶ (2019-22)

- Commitment to ensure children and young people in our county receive the very best care, support and outcomes. Care experienced young adults can expect care/support towards independence to age 25.
- It is important to join-up this Corporate Parenting strategy with the other key strategies and developments that affect our care experienced children and young people.

NCC Flourish Strategy¹³⁷ (2021-2025)

- The Children and Young People’s Strategic Alliance was established in April 2021, reflecting our shared commitment to Norfolk’s children and young people and bringing us formally together as one system.
- Young people have told us that what is most important to them is their family and friends, access to learning, opportunities to lead a good life, being understood, building resilience, respect for their individuality, feeling safe and being healthy.
- As a partnership, we have identified four key priorities – prevention and early help; mental health and emotional well-being; special educational needs and disabilities (SEND) and addressing gaps in learning. This builds on the work already happening before the pandemic as well as responding to needs that have emerged over the last 18 months.

The Future Of Work Depends On Supporting Gen Z¹³⁸ (2022)

- Gen Z’s entrance into the workforce is shifting old social contracts between employers and employees with distinct expectations about workplace environment, culture, and support. This emerging generation has higher expectations for the workplace than ever before. They prioritize flexible working arrangements, shared values, higher pay, and increased support for mental health.

Participation in Norfolk¹³⁹

- Participation - The proportion of Norfolk’s 16 and 17-year olds participating in education and training (88% in 2023) is lower than for the East of England region (91.6%) and nationally (92.4%). Further, Norfolk participation has reduced since 2020 (91.5%)
- The number of NEET young people in Norfolk is reducing, with current figures reporting 3.9% (c700 in real numbers) - a drop from 4.4% in 2021, of the cohort of young people aged 16-18. However, the number of young people in a job without training [JWT] has increased from 3.5% in 2021 to 5.9% in 2023 (c1065 in real numbers).

¹³⁵ [NCC | Rising to the Challenge](#)

¹³⁶ [NCC | Corporate Parenting Strategy \(2019-22\)](#)

¹³⁷ [NCC | Flourishing in Norfolk - A children and young people partnership strategy \(2021-2025\)](#)

¹³⁸ [Forbes | The Future Of Work Depends On Supporting Gen Z \(2022\)](#)

¹³⁹ CCIS data tables (March 2018-2023)

LSIP – draft priorities¹⁴⁰ (2023)

- It was apparent that soft-skills needs are a requirement for nearly all businesses for new employees and that there is a requirement for those skills to be a fundamental part of any training. Whilst we are aware that soft skills are embedded within many existing training course, it appears to be difficult for employers to access the required training and to navigate the local skills system effectively.

Apprenticeship Data – Norfolk¹⁴¹ (2023)

- Norfolk has experienced a five-year declining trend of new Apprenticeship starts from 2017, exacerbated by the Covid-19 pandemic.
- In academic year 2021/22, Norfolk saw the first year of growth of new Apprenticeship starts; at 18% this was double the national growth rate of 9%. Furthermore, the growth of apprenticeships at Level 2 reached 18% (also double the national growth rate of 9%) and for those aged 16-18, growth of 31% also exceed the national growth rate of 19%.

Technological

Global:

United Nations ‘Sustainable Development Goals’ [SDGs]¹⁴²

- Provides an ‘action plan for people, planet and prosperity’ and reflects 17 areas of critical importance, presenting an urgent call to action requiring global partnership.
- Goal 9 – Industry, Innovation and Infrastructure

National:

World Economic Forum: The Future of Jobs¹⁴³ (2023)

- The impact of most technologies on jobs is expected to be a net positive over the next five years. Big data analytics, climate change and environmental management technologies, and encryption and cybersecurity are expected to be the biggest drivers of job growth.
- The fastest-declining roles relative to their size today are driven by technology and digitalisation.
- The fastest-growing roles relative to their size today are driven by technology, digitalisation and sustainability. The majority of the fastest growing roles are technology-related roles. AI and Machine Learning Specialists top the list of fast-growing jobs, followed by Sustainability Specialists, Business Intelligence Analysts and Information Security Analysts

Digital Legacy¹⁴⁴ (2020)

- Lockdown may leave a lasting digital legacy. Covid-19 has radically changed the way we live, work and communicate online, with millions of people using online video services for the first time.

The Apprenticeships Service digital account

- The digital account is used to; access apprenticeship funding; find and save apprenticeships; find, save and manage training providers; recruit apprentices and add and manage apprenticeships.

¹⁴⁰ [Norfolk LSIP – Draft Priorities \(2023\)](#)

¹⁴¹ [DfE | Explore education statistics \(2023\)](#)

¹⁴² [UN | THE 17 GOALS - Sustainable Development \(2023\)](#)

¹⁴³ [WEF | Future of Jobs \(2023\)](#)

¹⁴⁴ [OFCOM - UK internet use surges \(2020\)](#)

- Supporting users of the apprenticeship service takes a lot of hard work. Like any government service with thousands of users, it requires maintenance and also customer support for when things don't run smoothly or unforeseen issues arise¹⁴⁵.

Local:

Norfolk & Suffolk Economic Strategy¹⁴⁶ (2022)

- Over £60m has been invested in recent years, bringing together collaborations between industry leaders and education institutes to ensure the training being offered meets the needs of local employers.

NCC Together for Norfolk¹⁴⁷ (2019-2025)

- With increased digital technology comes significant opportunities to transform and innovate our services.
- Investment in our workforce will mean people have the right skills for emerging jobs. Technology can automate repetitive and dangerous jobs and boost productivity, but learning new skills is key if people are to adapt. The education sector will need to work closely with business to provide skills of the future.

LSIP – draft priorities¹⁴⁸ (2023)

- Social Media for Marketing was the most commonly referenced selection, with 54.2% of respondents selecting this need, although Microsoft Applications was also popular choice – with 48.4% of respondents selecting this need. 21% of respondents cited Web Based Reports (i.e. Google analytics etc.). Only 11% cited Coding and Software Development as a pressing need.
- There needs to be greater openness by employers to consider newer forms training e.g. Apprenticeships, T Levels, Bootcamps. Current public funding too prescriptive to deliver timely digital skills interventions for the majority of employers.
- Our local skills system includes a range of highly regarded intermediaries although it is viewed by employers as 'patchwork' and difficult to navigate.

Legal

Employment law¹⁴⁹

- Informs the terms and conditions for UK apprenticeships.
- Apprentices are entitled to a contract of employment, a wage (at least the Apprenticeship National Minimum Wage¹⁵⁰ (£5.28 in April 2023) and also an 'Apprenticeship Training plan (formerly known as the commitment statement).

Health and Safety¹⁵¹

- For apprentices who are under 18, the employer has the same responsibilities as for other young workers and as such should receive a full induction from the employer which takes in account their lack of experience and potentially young age.

¹⁴⁵ [ESFA | How we transformed support in the apprenticeship service \(2022\)](#)

¹⁴⁶ [NALEP | Norfolk & Suffolk Economic Strategy \(2022\)](#)

¹⁴⁷ [NCC | Together for Norfolk \(2019-2025\)](#)

¹⁴⁸ [Norfolk Chambers of Commerce | Norfolk LSIP – Draft Priorities \(2023\)](#)

¹⁴⁹ [Hm Government | Employing People](#)

¹⁵⁰ [HM Government | Apprenticeship National Minimum Wage](#)

¹⁵¹ [HSE | Young people \(apprentices\) at work](#)

Training Provision

- All training providers must be registered on the Apprenticeship Provider and Assessment Register [APAR]¹⁵²
- The Accountability Framework¹⁵³ is the new specification DfE will use to review the quality of apprenticeship training from providers.
- ESFA funding rules¹⁵⁴
- Ofsted Education Inspection Framework [EIF]¹⁵⁵

Environmental

Global:

United Nations ‘Sustainable Development Goals’ [SDGs]¹⁵⁶

- Provides an ‘action plan for people, planet and prosperity’ and reflects 17 areas of critical importance, presenting an urgent call to action requiring global partnership.
- Goal 13 – Climate Action

National:

HM Government 10 point plan¹⁵⁷ (2020)

- The Green Jobs Taskforce [GJT], working in partnership with business, skills providers and unions, to help us develop plans for new long-term good quality, green jobs by 2030 and advise what support is needed for people in transitioning industries.
- We will help people train for these new green jobs through our Lifetime Skills Guarantee

Net Zero Strategy: Build Back Greener¹⁵⁸ (2021)

- Grow key post-16 training programmes (such as apprenticeships, Skills Bootcamps etc) in line with the needs of employers in the green economy, helping individuals get the training they need for a job in the green economy, either at the start of their careers or when retraining or upskilling once already in the workforce
- Build upon existing targeted provision including Sector-based Work Academy Programmes [SWAPs], traineeships, apprenticeships and other skills provision which are ensuring jobseekers can develop the right skills to move into green jobs.
- IfATE has convened a Green Apprenticeships Advisory Panel [GAAP] to work with employers to align apprenticeships to Net Zero objectives. Work is underway to map existing apprenticeship standards against green occupations and identify opportunities to create new standards. GAAP has endorsed existing apprenticeships which support green career pathways.
- Potential to develop and introduce other occupational traineeships, including in priority and green sectors to ensure that young people secure the jobs of the future.

¹⁵² [DfE | Apprenticeship Provider and Assessment Register \[APAR\] \(2023\)](#)

¹⁵³ [ESFA | Accountability Framework \(2023\)](#)

¹⁵⁴ [ESFA | Apprenticeship funding rules](#)

¹⁵⁵ [Ofsted - Education Inspection Framework](#)

¹⁵⁶ [UN | THE 17 GOALS - Sustainable Development \(2023\)](#)

¹⁵⁷ [HM Government | The Ten Point Plan for a Green Industrial Revolution \(2020\)](#)

¹⁵⁸ [BEIS | Net Zero Strategy \(2021\)](#)

IfATE - Green Apprenticeships (GAAP)^{159,160,161} (2023)

- Sustainability framework to deliver green skills through apprenticeships and technical education; approving occupational standards that support economic recovery and Government priorities such as Net Zero, to meet future skills needs of the country.
- GAAP: categorised apprenticeships as light, mid and dark green to recognise the impact that the occupation itself has on helping the UK achieve net-carbon zero by 2050 in terms of scale and influence.
- Green apprenticeships have been identified in occupational maps (with a 'green occupation' filter) so employers and learners can see which apprenticeships support a green career.
- Green skills are being defined and added into new occupational standards.
- A *dark green* occupation, for example wind turbine engineer, which is embedded within the green occupational landscape and delivering sustainable outcomes.
- A *mid-green* occupation will remain the same in overall scope but there might be a need for new knowledge, skills and behaviours to be embedded to enable the use of new technologies and approaches.

ONS – Green Jobs (definition)¹⁶² (2023)

- Building on work from Green Jobs Taskforce report in 2021 – work to develop a preference for 'occupation-framing for statistics'.
- Following substantial stakeholder engagement, the Office for National Statistics (ONS) defines a green job as: "Employment in an activity that contributes to protecting or restoring the environment, including those that mitigate or adapt to climate change".
- This definition is sufficiently broad to encompass a range of green jobs, including those related to decarbonisation and Net Zero, but also jobs in wider environmental activity.
- A framework is in development to underpin the definition which will identify jobs in green industries, green occupations and green firms.
- IfATE have confirmed they will use ONS to inform their dark, mid and light green apprenticeship classifications.
- These framings will help provide distinct guidelines for measuring green jobs.

The role of Local Authority - Green Jobs and Skills¹⁶³ (2022)

- There is a clear opportunity for local authorities to support the development of green skills in our communities and at the same time support levelling up by focusing on young people and those disadvantaged and economically vulnerable at the grass roots.

Local Government Association - Local green jobs - accelerating a sustainable economic recovery¹⁶⁴

- Role in supporting local businesses and the upskilling of the local workforce.
- In 2018 there were 185,000 full-time workers in England's low-carbon and renewable energy economy. In 2030 across England there could be as many as 694,000 direct jobs employed in the low-carbon and renewable energy economy, rising to over 1.18 million by 2050.

¹⁵⁹ [IfATE | Framework Document \(2023\)](#)

¹⁶⁰ [IfATE | Climate change and environmental skills strategy \(2023\)](#)

¹⁶¹ [IfATE | Occupational Maps \(2023\)](#)

¹⁶² [ONS | "Green jobs" update \(2023\)](#)

¹⁶³ [ADEPT | Green jobs and skills - what role for local authorities? \(2022\)](#)

¹⁶⁴ [LGA | Local green jobs - accelerating a sustainable economic recovery](#)

Road to Zero Carbon: Council Action on green jobs and skills¹⁶⁵(2022)

- Bringing together local employers, skills providers and other stakeholders to help residents to develop the skills they need to achieve their potential is a core priority.
- Opportunity to focus resources on creating pathways into green jobs and supporting those furthest from the job market. Young people as well as those from disadvantaged communities need to be supported to develop skills in high quality green jobs to level up the economy.

An emergency plan on green jobs for young people¹⁶⁶ (2021)

- Colleges and other training bodies will need to build up the requisite skills and teaching capacity to deliver large-scale Green Apprenticeship training.
- Support is required to be able to support students to identify green apprenticeships as meaningful progression routes.
- Promote high standards of job quality for apprentices and other workers delivering the green transition.
- Introduce stronger measures to promote diversity amongst local authority-employed workers and apprentices delivering the green transition.
- Collaborate closer with stakeholders to develop ambitious green transformation policies to boost the local economy, skills and environment.
- Make full use of government funding to accelerate local action on the climate/environmental priorities.

Local:

NCC Together for Norfolk¹⁶⁷ (2019-2025)

- 'A greener, more resilient future' is a key strategic priority.

Norfolk & Suffolk Economic Strategy¹⁶⁸ (2022)

- 25% higher salary in 'Green Jobs' than the economy average
- 27,000 new job opportunities will be generated by the clean energy sector between 2019-2030

NCC Climate Strategy¹⁶⁹ (2023)

- Across Norfolk, as elsewhere in the country, there is a significant green skills gap which can act as a barrier to our broader climate action agenda. It is vital that Norfolk grasps the opportunities for jobs and business growth that the transition to a green economy will offer.
- Our strategic priority here is to help Norfolk to get equipped with the skills to harness the opportunities of the green economy; such as creating apprenticeships to address the skills shortages in the region and provide the skills for future work.
- To enable the county to be resilient and mitigate the impacts of climate change there needs to be a major upskilling in the clean energy and Net Zero economy. This will need to include both adoption of new technologies as well as training and retraining those who currently do not have sufficient skills to meet the green goals of businesses across all sectors.
- It requires us to use our position to bring together the businesses, academic, public and community and voluntary sectors towards delivering the right changes for Norfolk.

¹⁶⁵ [Friends of the Earth | Road to Zero Carbon \(2022\)](#)

¹⁶⁶ [Friends of the Earth | Emergency Plan for Green Jobs \(2021\)](#)

¹⁶⁷ [NCC | Together for Norfolk \(2019-2025\)](#)

¹⁶⁸ [NALEP | Norfolk & Suffolk Economic Strategy \(2022\)](#)

¹⁶⁹ [NCC | Climate change strategy sets out path to net zero \(2023\)](#)

LSIP – draft priorities¹⁷⁰ (2023)

- Preliminary analysis suggests that in the gradual ramp up to Net Zero by 2030 scenario, a peak of around 95,000 FTE jobs will be needed in Norfolk.
- Priorities include; facilitating knowledge sharing between local authorities, green industries and training providers to share best practice and minimise duplication of effort and strengthen partnerships to promote creation of business led training, supporting the next generation of green skilled workers.

Apprenticeship Data – Norfolk¹⁷¹ (2023)

Based on the ‘dark green’ apprenticeship routes (as identified by IfATE *at the time of writing*)¹⁷², the following 31 apprenticeship standards are classed as ‘dark green’ with 29 approved for delivery:

- Agriculture or horticulture professional adviser – Level 6
- Arboriculturist – Level 4
- Arborist – Level 2
- Community Energy Specialist – Level 4
- Corporate Responsibility and Sustainability Practitioner – Level 4
- Countryside Ranger – Level 4
- Countryside Worker – Level 2
- Dual Fuel Smart Meter Installer (Electricity & Gas) – Level 2
- Ecologist (degree) – Level 7
- Environmental Health Practitioner (degree) – Level 6
- Environmental Practitioner – Level 6
- Forest Craftsperson – Level 3
- Horticulture and Landscape Technical Manager – Level 5
- Junior Energy Manager – Level 3
- Landscape or Horticulture Supervisor – Level 3
- Landscape Technician – Level 3
- Low Carbon Heating Technician – Level 3 (*approved August 2023*)
- Metal Recycling General Operative – Level 2
- Metal Recycling Technical Manager – Level 5
- Nuclear Health Physics Monitor – Level 2
- Nuclear Operative – Level 2
- Nuclear Reactor Desk Engineer – Level 6
- Nuclear Scientist and Nuclear Engineer – Level 6
- Nuclear Technician – Level 5
- Nuclear Welding Inspection Technician – Level 4
- Professional arboriculturist – Level 6
- Professional forester (degree) – Level 6
- *Soil Scientist – Level 7 (not yet approved for delivery)*
- Sustainability Business Specialist – Level 7
- Waste Resource Operative – Level 2
- Water Environment Worker – Level 3

Norfolk had 25 ‘dark green’ apprenticeship starts in 2021/22 academic year, over 9 of the above apprenticeship standards.

¹⁷⁰ [Norfolk Chambers of Commerce | Norfolk LSIP – Draft Priorities \(2023\)](#)

¹⁷¹ [DfE | Explore education statistics \(2023\)](#)

¹⁷² [IfATE | Occupational Maps \(2023\)](#)

Based on the 'mid-green' apprenticeship routes (as identified by IfATE, *at the time of writing*)¹⁷³, there are a further c184 apprenticeship standards are classed as 'mid-green'.

Norfolk had 679 'mid-green' apprenticeship starts in 2021/22 academic year, over 75 apprenticeship standards.

DRAFT

¹⁷³ [IfATE | Occupational Maps \(2023\)](#)

Appendix D | Operational Delivery Plan

NB: See separate document. Once Strategy is endorsed, a web link will be published/included – TBC.

DRAFT

NCC Apprenticeship Strategy 2023-2025 Operational Delivery Plan
Growth & Investment - Apprenticeships Norfolk

RAG: Not Started / Slow Progress
In development / Moderate Progress
On Track / Good Progress

Aim	Objective	Actions	Responsibility: Lead/Support	Timescale	Desired Outcome/Impact	Progress Achieved	RAG status
Deliver the NCC Apprenticeship Strategy 2023-2025	0.1 Design and develop NCC Apprenticeship strategy 2023-2025	0.1.1 Lead the design and development of NCC Apprenticeship strategy for Norfolk through an operational working group [OWG] (established with representatives from G&D, HR, CS) to ensure effective and efficient collaboration	KD / OWG	Endorsed by: NCC Apprenticeships Board - August 2023 I&D Select Committee - September 2023 Cabinet - December 2023	Increased cohesion, communication and collaboration between all directorates delivering Apprenticeship related activity for NCC, in order to strengthen the NCC approach for addressing Apprenticeships county-wide growth, pathways for 16-18s and workforce strategy for NCC employees.	> Strategy developed and endorsed by ELT, Informal Cabinet and I&D Select Committee - currently v0.5 > Due to be endorsed by Cabinet Dec 2023	
	0.2 Deliver against NCC Apprenticeship Strategy 2023-2025 Operational Delivery plan	0.2.1 Facilitate the secretariat of the NCC Apprenticeships Board and OWG	KD / CES Exec Support	4 times per year - February, April, August, December	Effective, organised governance for the NCC Apprenticeship Strategy - meeting four times per year - aligned to time after the ESFA national apprenticeship data is published.	> NCC Apprenticeship Board meetings rescheduled to align better with regular publishing of apprenticeship data by ESFA (January, March, July, November). > Briefings with Chair of Board in advance of board meetings and distribution of papers > Coordination of OWG > Secretarial support for minutes of board meeting	
		0.2.2 Deliver operational activity against the G&D strand of the NCC Apprenticeship Strategy, reporting progress on a quarterly basis to NCC Apprenticeships Board	KD / Apps Norfolk team	4 times per year - February, April, August, December	Progress of operational activity against the G&D strand of the NCC Apprenticeship Strategy is regularly reported in a timely manner.	> Regular attendance at NCC Apprenticeships Board to report progress against Operational Action Plan	
1. Increase opportunities to inspire, promote and champion apprenticeships; improving awareness and understanding of the benefits an apprenticeship can bring to individuals, businesses and the local economy; and celebrating successes.	1.1 Increase opportunities to inspire and promote apprenticeships to people and businesses in Norfolk, busting myths and increasing awareness - in particular around the uptake of green apprenticeships	1.1.1 Deliver marketing campaign(s) to increase awareness, including for green apprenticeships	KD / Apps Norfolk team	#MadeInNorfolk 2023 - June/July 2023, then 2024/2025 moving to 'always on' campaigns	Increased awareness amongst Norfolk SMEs of the benefits apprenticeships (including green apprenticeships) can bring to a business; call to action to contact Apprenticeships Norfolk (50% increase in referrals in 3 months post campaign)	> #MadeInNorfolk 2023 - TV advert aired on ITV-X (June/July 2023) and includes a green (horticulture) apprenticeship amongst the SMEs featured. > Planning for 2024 campaign	
		1.1.2 Facilitate the Apprenticeships Norfolk website, including dedicated content zone for green apprenticeships and support for cohorts such as care experienced individuals.		As required	Informative and accessible website, providing easy to understand information and guidance on accessing financial and practical support for starting apprenticeships - for both individuals and businesses in Norfolk, with a bespoke Apprenticeship Provision Matrix detailing apprenticeship training provision delivered in Norfolk. Dedicated information related to green apprenticeships to increase awareness and accessibility of information for all.	> Apprenticeships Norfolk website includes accurate content which is regularly maintained/developed. > Website has dedicated zone for Green Apprenticeships information; to be developed in line with continued updates and local availability of provision/opportunities. > Development of page dedicated to Care-Experienced YP and their employers was launched on 1st August to align to increased bursary from HM Govt.	
		1.1.3 Build Apprenticeships Norfolk social media presence/engagement, including regular content to support myth busting, green apprenticeships, higher apprenticeships and promotion of vacancies offering living wage		Ongoing - scheduled posts via Orlo (usually 3 per day minimum)	Increase followers, reach and engagement from active social media channels, providing a variety of information to individuals, businesses and training providers in Norfolk - to inspire, increase awareness and promote pre-apprenticeship and apprenticeship opportunities, support available (financial and practical), case studies, celebrations of success etc.	> Apprenticeships Norfolk social media includes regular, engaging content which covers broad variety of topics for all audiences (business, individuals, providers) > Current #MadeInNorfolk digital campaign includes green apprenticeship film > Social media assets/campaigns developed to promote additional focus on green/higher/living wage apprenticeship vacancies	
	1.2 Increase opportunities to celebrate successful apprenticeship outcomes of people and businesses in Norfolk, in particular around the uptake of green apprenticeships	1.2.1 Develop and publish real life stories of apprentices in Norfolk, including those who have had an additionally challenging journey, have completed green apprenticeships, are in a role not typical for gender etc		Monthly (one new case study per month)	Increased opportunity to champion individuals and businesses across Norfolk; including examples which highlight social mobility, apprentices with LLDD or from a vulnerable/disadvantaged cohort and those who have completed 'green' apprenticeships which contribute to Net Zero. Increased promotion of these real life stories will inspire individuals and businesses to engage.	> Case study format has been revised, to move away from static content - new format will use shorter, more impactful video-based content instead. > Old content has been removed in line with expiry dates > NEW case studies to be developed, one per month WEF 2024.	
		1.2.2 Deliver the Apprenticeships Norfolk Awards, including a specific award for a green apprenticeship ambassador		Each National Apprenticeship Week - usually early February	Celebration of the apprentices and businesses in Norfolk who have shown dedication, resilience and tenacity to achieve amazing results in an apprenticeship programme - providing recognition to our local community and promoting the benefits apprenticeships can bring. A specific 'green' award will enable the service to recognise the efforts in Norfolk to support green apprenticeships; those completing them or offering them!	> Apps Norfolk Awards 2024 planned for NAW24 > East of England Ambassador Network confirmed as headline sponsor and number of other organisations sponsoring award categories (new for 2024) > The Assembly Rooms, Wed 7th February > Nominations went live in October 2023	
		2.1 Conduct ongoing primary research, to identify, explore and draw local data insight and intelligence		2.1.1 Deliver research survey (collaborative with all construction apprenticeship providers in Norfolk) as part of Building Growth sector skills group	KD / Apps Norfolk team / Local FE providers	Autumn 2023	The survey focuses on current apprenticeship provision for construction standards. One survey will be distributed to sample from all training providers with a delivery footprint in Norfolk. Apprenticeships Norfolk will collate findings which we hope will identify both apprentice and employer feedback relating to the delivery models currently in place and potential improvements; this will help inform providers and might help to shape future curriculum development, specifically in regard to flexibility of delivery.

		2.1.2 Work with local providers to draw insight from local, unpublished data relating to withdrawals data (as part of the Working Well Norfolk (WWN) programme pilot activity)		Nov-23	The WWN programme gives Apprenticeships Norfolk the opportunity to support apprentices on programme, who might be at risk of withdrawing due to mental and physical health conditions. In order to identify the size of the cohort and potential proactive interventions, data research into local apprenticeship withdrawal trends will provide valuable insight, as this data is not published by DfE.	> In principle agreements and ISA gained from a range of local providers to provide unpublished withdrawals data to NODA for analysis. First draft of research is underway. > In discussions with No.10, AELP and The St. Martins Group to develop opportunities for comparative benchmarking to national data sets. > National provider engagement - Phase 2 TBC	
		2.1.3 Explore the current awareness/demand/barriers for Green Apprenticeships in Norfolk	KD / Apps Norfolk team	Autumn 2023	With an emerging focus on Net Zero priorities, there is a journey for businesses to undertake to understand how sustainability and environmental priorities will fit within their organisations. For green apprenticeships to increase in the next 2+ years, it would be useful to understand current awareness, demand and barriers to engagement.	> Primary research planned 2024/25	
3. Support an increase in the number of apprenticeship starts in Norfolk (focussing on improving balance and opportunity based on age, level, sector, place, diversity, availability and approach – as appropriate).	3.1 Coordinate a free, impartial IAG service with clear information for all stakeholders	3.1.1 Offer free and impartial IAG to increasing numbers of individuals, businesses and stakeholders in Norfolk - who are keen to start an apprenticeship scheme but are unsure how/where to start. Maintain focus on data to ensure opportunities reflect a balance of equality, diversity and inclusion as appropriate.	KD / Apps Norfolk team	Ongoing - core service KPIs to be reviewed/set - January 2024	Apprenticeships Norfolk is an intermediary brokerage service, offering free and impartial information, advice and guidance to individuals and businesses across Norfolk - the impact of the service is to remove the pain points of understanding complex policy and knowing where/how to start an apprenticeship.	> Established service; we continue to support increased numbers of enquiries: • by Oct 2023 we have supported c160 individuals with information, advice and guidance • by Oct 2023 we have supported c197 businesses with practical and financial support > We are currently reviewing the process for tracking enquiries with a view to setting new KPIs in January 2024, following closure of Insight Apprentice project	
		3.1.2 Deliver the Insight Apprentice project (part-funded by ESF) to completion in October 2023	KD / Insight Apprentice team	Project funded to 31st December 2023 KPIs - ESF contracted targets by 31st October 2023: SMEs supported - 31 Apprentices recruited - 26 Participants engaged - 125	Externally funded project to provide enhanced wraparound support to SMEs specifically working in the growth sectors of Norfolk; including Agritech, Digital and ICT, Clean & Green, Advanced Engineering & Manufacturing and VCSE sector - who have had a poor previous experience, who have not been engaged previously in apprenticeships (2yrs+) or are diversifying their offer. The project also seeks to pilot new approaches which may benefit the local apprenticeship landscape.	> Performance as at 31.10.2023 (closing date of project) exceeded ESF contracted targets: • No of SME referrals = 121 • No of SMEs supported = 56 • No of businesses who recruited apprentices = 29 • No of apprentices recruited = 46 • No of participants supported = 325 • No of mentors trained = 8	
	3.2 Deliver Levy Support Scheme [LSS], providing increased financial support to Norfolk businesses	3.2.1 Support matching service to connect businesses requesting a levy transfer with donating organisations in Norfolk - including continued engagement to create new opportunities for donations and requests	KD / Apps Norfolk team	Project funded to 31st March 2025 KPIs/Milestones: - £1m transfers by 31.03.25 (£350k in year 1, £650k in year 2) - First transfer completed/started apprenticeship by end of July - 5 pledges by end of July	Internally funded project to provide a brokerage service to facilitate relationships with organisations to enable unspent levy funds to be pledged for sharing with Norfolk businesses who require a transfer. This creates more opportunity to hire more staff or train their workforce without additional training costs, which will help the county's economy to thrive, with money that would otherwise be returned to HM Treasury.	> LSS project soft-launched 1st April, however pre-election period delayed full launch until 10th May > Performance to Dec 2023: • £1.45m of pledged levy, by 13 organisations (local and national) • £790k levy transfers matched/committed • Pipeline of c£115k of transfer requests in progress (utilising c£900k of levy pledged) • 122 apprentices supported, from Level 2 to Level 7	
	3.3 Work with local providers and stakeholders to develop effective pre-Apprenticeship provision, especially in relation to emerging green skills and/or apprenticeships, which meets the needs of people in Norfolk who are further away from being able to access Apprenticeships (e.g. those without Maths/English, those wishing to change career or re-skill).	3.3.1 Explore opportunities to develop new pre-apprenticeship provision in Norfolk	KD / Apps Norfolk team / Training Provider Network	Autumn 2023	Pre-apprenticeship provision supports improved social mobility and entry points for those who are not apprenticeship ready - an increasingly common challenge post pandemic. There is a need to increase the variety of pre-apprenticeship pathways in Norfolk - now that Kickstart is no longer available, Traineeship funding has changed and Skills Bootcamps only support those aged 19+	> Funding/Concept proposal in development > Consultations began in November 2023	
	3.3.2 Map apprenticeship provision in Norfolk, exploring opportunities for increased local provision, particularly for green apprenticeships (mid and dark) and those standards with limited provision e.g. construction - subject to evidence of need.	KD / Apps Norfolk team	Dec-23	Increased local provision will create increased opportunities for businesses and individuals in Norfolk to access apprenticeship provision, including green apprenticeships.	> Initial mapping of green apprenticeships has identified current provision availability (limited) > Apprenticeships Norfolk TP Network (June 23) completed activity to unpick the barriers in developing further provision and identified action to develop working group to 'green' existing apprenticeship standards as well as consider new delivery. > IfATE keen to join working group - date TBC > KD chairs BG Skills Supply & Demand working group - which through collaboration with training providers, identifies pipeline for construction related apprenticeships in Norfolk and Suffolk.		
	3.4 Work with local stakeholders to increase opportunities for Higher Apprenticeships in Norfolk	3.4.1 Explore the current awareness/demand/barriers for Higher Apprenticeships in Norfolk	KD / Apps Norfolk team	Spring 2024	With the emerging focus on LSIP priorities (higher level requirements for digital and leadership skills) in Norfolk, it would be useful to understand current awareness, demand and barriers to engagement with higher apprenticeships.	> Primary research planned 2024/25	

		3.4.2 Support promotion of UCAS apprenticeship vacancy listings and application service to businesses and individuals in Norfolk to help increase the parity and transparency of options for those wishing to undertake higher level apprenticeships in Norfolk.	KD / Apps Norfolk team	Autumn 2023 - UCAS Vacancy Listings launch Spring 2024 - UCAS Application service launch (TBC)	UCAS are working closely with DFE to increase parity between degree routes and apprenticeships (in particular higher apprenticeships) and their new platforms will help create increased visibility for higher apprenticeships alongside degree options; this could support businesses in Norfolk to recruit from outside the county, bringing in a fresh new talent pipeline.	> UCAS launched new vacancy search facility - AN beginning to support employers to advertise on this portal as well as FAA and other local options	
		3.6.3 Tailored advertising of higher apprenticeship opportunities on Apprenticeships Norfolk social media (spotlight vacancies)	KD / Apps Norfolk team	Autumn 2023	Highlighting specific higher apprenticeships when they are available will encourage individuals looking for those opportunities to apply. Increased promotion, increased applications should support increased higher apprenticeship starts.	> Social media vacancy template asset has been developed to highlight specifically higher/degree apprenticeship vacancies	
	3.5 Provide increased support (financial and practical) for care-experienced young people to become an apprentice and for the businesses who employ them	3.5.1 Develop a bespoke service offer to provide 'Norfolk Support Line' for any care-experienced apprentice and the non-levy (SME) business who employs them, in Norfolk	KD / Apps Norfolk team	Aug-23	The number of care experienced YP in Norfolk progressing into an apprenticeship is low; increased support for both the YP and their employers, especially SMEs who have less infrastructure, could help support more successful apprenticeship starts and more consistent, supported apprenticeship experiences, for both apprentice and employer.	> Funding secured to offer 'Norfolk Support Line' free of charge for new apprentices and their SME employers, for care experienced young people starting new apprenticeship > Promotion started 1st August 2023 - alongside the increased national bursary offer (£3k) from HM Govt.	
4. Support the system to increase the number of apprentices who complete and achieve their apprenticeships in Norfolk.	4.1 Explore & develop opportunities to support existing apprenticeships to completion and achievement, through external funding	4.1.1 Develop pilot activity for apprenticeship support to be offered as part of the Working Well Norfolk (WWNN) programme (IPSPC)	KD / Apps Norfolk team / Training Provider Network	October 2023 - launch Project funded to 31st March 2025	Apprenticeships Norfolk will host an Apprenticeship Project Officer [APO] within the WWNN project, funded by DWP and managed by NCC. The pilot will seek to support apprentices with a range of health (mental or physical) conditions, to ensure these do not present a barrier to remaining in work and on their apprenticeship programme. The APO post will develop and manage operational partnerships with a range of stakeholders, supporting a pilot intervention to increase the effectiveness of the Apprenticeship system in Norfolk, for apprentices aged 18+, to facilitate a reduction in the number of apprentices withdrawing from their programmes.	> Funding secured via NCC Working Well Norfolk programme - launched 1st October 2023 > Recruitment for 1FTE APO completed > Development work in progress > Co-design workshop with providers (Sept 2023) > Referral/Process in final stages of development with Seetec Plus	
5. Increase opportunities to influence improvement to the local apprenticeship landscape in Norfolk, through collaborative and innovative systems thinking, to maximise impact.	5.1 Further develop the Apprenticeships Norfolk Data Dashboard (NODA) to develop enhanced business intelligence and big data insight - including focus on proportionality based on demographic/population and business counts	5.1.1 Develop the dashboard to support new types of data to create new, effective data insight - in particular related to uptake of green apprenticeships	KD / Apps Norfolk team / NODA	Autumn 2023 - MVP December 2023 - enhanced following user feedback (v2)	Further developments to the Apprenticeships Norfolk dashboard will ensure that it continues to provide valuable business intelligence to the Apprenticeships Norfolk service, which will help to design new interventions as required to support the local apprenticeships landscape.	> The MVP is currently completed and has been used by the team for several months, as refinements are completed > Further development will be phased alongside user testing feedback from external stakeholders > Next phase to embed into AN website	
		5.1.2 Develop the dashboard for external stakeholder access, via Apprenticeships Norfolk website (and/or commissioning model for other hubs)	KD / Apps Norfolk team / NODA	Autumn 2023 - user feedback collated December 2023 - enhanced following user feedback (v2)	Publishing the dashboard onto the Apprenticeships Norfolk website will enable external stakeholders to benefit from the resource; providing similar insight to that provided on Norfolk Insight.	> The MVP is currently completed and has been used by the team internally for several months, as additions and refinements are completed. > External user testing completed summer 2023. > Work in progress with NODA to develop commissioned model for other hubs to consider.	
	5.2 Continue to develop and grow the Apprenticeships Norfolk Networks (apprentice, employer and training provider) to bring added value, through collaboration and opportunities to build relationships	5.2.1 Develop Apprenticeships Norfolk 'Apprentice' network, to encourage attendance of a pilot scheme, with a view to securing further funding/sponsorship to run regularly	KD / Apps Norfolk team	Autumn 2023	The first pilot event was successful and enabled apprentices to meet informally; which for those working in SMEs or in companies where they are the only apprentice, social networking removes the feelings of isolation and provides opportunity to make connections and receive support if/when required.	> Pilot event successfully completed in Summer 2023 > Christmas event planned for Dec 2023 - sponsored by East of England Ambassador Network (already operating a waiting list)	
		5.2.2 Develop Apprenticeships Norfolk 'Employer' network, to encourage increased attendance from new SME businesses, with a view to offer buddy-support from other local employers to share good practice.	KD / Apps Norfolk team	Ongoing - meeting take place on quarterly basis	Events in 2022 saw increasing numbers of employers attending, however increased attendance will ensure more businesses in Norfolk feel supported in their apprenticeship journeys. Businesses with established schemes support less experienced employers with their insight and shared practice, creating enhanced social value and business network support. Also, network events allow Apprenticeships Norfolk to promote new initiatives, IAG and convene topical guest speakers.	> Established network group which meets quarterly > Next meeting in Autumn 2023 > Plans to pilot additional locations (KL and GY) in 2024	
		5.2.1 Develop Apprenticeships Norfolk 'Training Provider' network, to encourage increased participation in collaborative activities which support the local apprenticeship landscape, in particular the opportunity to increase provision of green apprenticeships.	KD / Apps Norfolk team / Training Provider Network	Ongoing - meeting take place on quarterly basis	The Training Provider network meeting are open to any providers (local and national) who join the network (no cost attached, just delivery footprint in Norfolk). The meetings enable collaborative thinking and opportunity to host guest speakers (e.g. ESFA, Ofsted etc) and provide necessary updates and useful information on national policy updates and local (Apprenticeships Norfolk) initiatives, projects and opportunities.	> Established network/working group which meets quarterly > Apprenticeships Norfolk Training Provider Network (Oct 2023) discussed green apprenticeship provision in Norfolk - the network will develop actions to 'green' existing standards, starting with Team Leader L3 as this was most popular apprenticeship started in 2021/22 (volume of starts) > NCC funding IEMA Foundation Certificate in Environmental Management for several local TPs, creating 'green champions' in apprenticeship teams	
	5.3 Apprenticeship Strategy Manager to continue to support strategic steering groups, to influence the work of Apprenticeships Norfolk	5.3.1 Apprenticeship Strategy Manager to continue to co-chair 'National Apprenticeship Hub' network group, to share good practice and create new opportunities to work closely with other apprenticeship hubs in England.	KD / Jodi Fair (Solent LEP)	Ongoing - meeting take place on quarterly basis	As a co-chair, the role provides two-way value; supporting the network as a representative of NCC and Apprenticeships Norfolk; plus it brings opportunities to share practice from other hubs, which is relevant to the work Apprenticeships Norfolk do to support the broader national apprenticeship strategies and direction of travel.	> KD co-chairs the 'National Apprenticeship Hub Network' and acts as representative of NCC and Apprenticeships Norfolk > Collaborative SME survey currently underway between 18 hubs to facilitate roundtable with key policy makers (TBC, early 2024)	

	5.3.2 Apprenticeship Strategy Manager to continue to support (DfE) East of England Apprenticeship Ambassador Network	KD / EoEAAN	Ongoing - meeting take place on quarterly basis	As an ambassador, the role provides two-way value; supporting the network as a representative of NCC and Apprenticeships Norfolk; plus it brings opportunities to the work Apprenticeships Norfolk do to support the broader national apprenticeship strategies and direction of travel.	> KD continues to attend both 'DfE East of England Apprenticeship Ambassador Network' and 'DfE Intermediary Ambassador Network' meetings as representative of NCC and Apprenticeships Norfolk	
	5.3.3 Apprenticeship Strategy Manager to continue to support local and national steering groups to bring strategic and operational insight to the work Apprenticeships Norfolk undertake.	KD	Ongoing - meeting take place on quarterly basis	Membership of national strategic steering groups provides two-way value; supporting the organisations as a representative of NCC and Apprenticeships Norfolk; plus it brings opportunities to the work Apprenticeships Norfolk do to support the broader national apprenticeship strategies and direction of travel.	> KD continues to attend a variety of strategic/board meetings (including IfATE - Green Advisory Community; UCAS - Apprenticeship Stakeholder Group) as representative of NCC and Apprenticeships Norfolk. Local groups include variety of provider, area and sector-based strategic groups.	
5.4 Develop/submit new external funding proposals to increase, enhance and support all aspects of the local apprenticeship landscape	5.4.1 Develop further external funding proposals to increase, enhance and support all aspects of the local apprenticeship landscape.	KD / Apps Norfolk team / External Funding team	Ad hoc - as required when funding opportunities are available	External funding ensures the Apprenticeships Norfolk service can continue to innovate and bring new pilots and interventions to benefit the individuals and businesses in Norfolk, in engaging with apprenticeships. The service has successfully secured over £2m of funding since 2020 which has supported a variety of schemes, creating ROI to the Norfolk economy.	> Two proposals in development - details confidential at this stage	
5.5 Support HR with the development of Public Sector Apprenticeship working group	5.5.1 Develop collaborate working group that: - Supports the wider work to shape and drive public sector provision of apprenticeships in Norfolk. - Contributes to the identification of common core skills needs across the public sectors in Norfolk. - Reviews existing apprenticeship standards and identifies those that meet joint requirements. - Joins up to leverage the best provision from learning providers for working group organisations represented.	KD / WF / HR Team	December 2023 for established format	A working group has been established, with key stakeholders engaged from public sector organisations across Norfolk. A regular calendar of collaborative activity has been established, with defined outputs and responsibilities. Impact will be more effective collaborative working, and ability to be more proactive in terms of addressing future needs	> Work is underway, but on an adhoc basis, needs to be formalised and bought together to establish a more focused approach.	
5.6 Support broader strategic work to increase benefits to social value through apprenticeships, by influencing emerging procurement opportunities	5.6.1 Develop collaborative working to increase opportunities to advise, influence and support apprenticeship activity in contract procurement - at NCC and more broadly in Norfolk	KD/ NCC - various teams	Dec-23	Exploiting emerging opportunities to include apprenticeship/skills within contract procurement will increase social value in Norfolk and could not only support the longer term skills shortages in Norfolk, but also could support building capacity for the interconnected (long term) challenges around provision/tutor shortages, especially in relation to green skills and apprenticeships.	> Initial meeting planned with local stakeholder to provide guidance regarding apprenticeships for contract procurement	

Cabinet

Item No: 14

Report Title: Youth Justice Plan 2023/24

Date of Meeting: 4 December 2023

Responsible Cabinet Member: Cllr Penny Carpenter (Cabinet Member for Children's Services)

Responsible Director: Executive Director of Children's Services

Is this a Key Decision? Yes

If this is a Key Decision, date added to the Forward Plan of Key Decisions: 05 October 2023

Executive Summary / Introduction from Cabinet Member

Local Authorities have a statutory duty to submit an annual Youth Justice Plan relating to the provision of youth justice services, including how they will be funded, operate and what functions will be carried out. This plan is formulated and implemented after consultation with partner agencies.

The plan sets out how offending behaviour of children should be prevented and reduced. Annual plans are an opportunity to review performance and development over a single year period and plan for the next year through the identification of actions to be undertaken under key priorities. This allows for any changes that have taken place over the past year, such as legislative and demographic, to be taken into account.

Recommendations:

1. Cabinet is asked to:
 1. Endorse the Norfolk Youth Justice Plan 2023/24 and recommend to Full Council for inclusion on the policy framework.
 2. Approve a governance route for approval of the Norfolk Youth Justice Plan 2023/24 as set out in paragraph 2.3.

1. Background and Purpose

- 1.1** Youth Justice Plans are required to be submitted on the template provided by the national Youth Justice Board and payment of the Youth Justice Grant is dependent upon its timely submission. Norfolk Youth Justice Strategic Plan was signed off by Norfolk's Youth Justice Board on 26 June 2023. Key partner agencies and stakeholders are each represented on the board.

2. Proposal

- 2.1** The Norfolk Youth Justice Plan sets out how the Norfolk Youth Justice Service (NYJS) will fulfil its vision and 'sets out progress against the key aims of the youth justice service. The plan identifies priorities for the coming year. NYJS strategy and practice is guided by a 'child first' principle, which puts children at the forefront of all its work.

Key aims of the youth justice service are;

- Reduce the number of children in the youth justice system
- Reduce reoffending by children in the youth justice system
- Improve the safety and wellbeing of children in the youth justice system

- 2.2** The local priorities set out in the Norfolk Youth Justice Plan are:

- Addressing the Educational needs of children in the youth justice system
- Ensuring best practice in relation to the bail and remand of children
- Reducing disparity across identified areas of the youth justice system in Norfolk
- Reducing reoffending
- Meeting the health and well-being needs of children in the youth justice system
- Developing robust approaches to reducing serious youth violence and supporting children affected by serious youth violence
- Increasing the use of diversion activity to reduce first time entrants into the youth justice system
- Implementation of revised key performance indicators to track and analyse the performance of NYJS

- 2.3** According to the the Local Authorities (Functions and Responsibilities) Regulations 2000, schedule 3, the Norfolk Youth Justice Plan is a required component of Norfolk County Council's policy framework. Any refresh or revision to the strategy therefore requires full Council approval, as well as a pre-scrutiny process held in accordance with the procedures and guidance set

out in part 11b of the NCC constitution. Cabinet are therefore asked to approve a governance route for the Youth Justice Strategy as set out below:

Date	Meeting
Monday 4 th December	Cabinet – endorsement of proposed Youth Justice Strategy 2023/24, and referral to Full Council via the Scrutiny Committee
Wednesday 13 th December	Scrutiny Committee – scrutiny of proposed strategy.
Tuesday 30 th January	Full Council – the revised strategy to be put to Full Council for debate and approval. Full Council will also receive a report from the Scrutiny Committee detailing discussions and associated recommendations.

3. Impact of the Proposal

- 3.1 This proposal will primarily impact on the planning for young people who may come into contact with NYJS or related partners. It's approval also fulfils the statutory obligations of Norfolk County Council to have a Youth Justice Plan.

4. Evidence and Reasons for Decision

- 4.1 It is a statutory obligation for NYJS to develop and submit a Youth Justice Plan. The priorities set out in the plan are drawn from emerging themes, feedback, and data. Priorities are agreed by our multi- agency Youth Justice Board.

5. Alternative Options

- 5.1 Should the Youth Justice Plan not be agreed our eligibility for the Youth Justice Grant would be at risk and service delivery impacted. See financial implications below. It would also significantly impair the ability of Children's Services and partner agencies to act effectively in the best interests of children in Norfolk.

6. Financial Implications

- 6.1 The YJB grant allocation to Youth Justice Services is dependent upon the provision of the annual Youth Justice Plan. This year's grant allocation is £932,841, which represents 22.92% of the overall budget for the Norfolk Youth Justice Service (including in kind contributions). The Grant supports the front-line delivery of essential youth justice services for children. The effectiveness of YJS has been a critical enabler to the significant reductions in the use of custody, achieving significant benefits to the children of Norfolk, which will have

enabled financial benefits across the whole system. All activities should meet the principal aim to prevent children offending and re-offending.

7. Resource Implications

7.1 Staff: The Youth Justice Plan sets out how NYJS organises staff to deliver frontline intervention and support to children in the youth justice system. See above for financial implications which provide for employment of relevant staff.

7.2 Property: N/A

7.3 IT: N/A

8. Other Implications

8.1 Legal Implications: The Youth Justice Plan forms the key foundation to the statutory obligation to provide youth justice services in the local area. By virtue of the Local Authorities (Functions and Responsibilities) Regulations 2000, schedule 3, the Youth Justice Plan is required to be included on the Council's policy framework, necessitating it's recommendation to Full Council

8.2 Human Rights Implications: There are various human rights which are promoted via the provision of youth justice services.

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

Attached document

8.4 Data Protection Impact Assessments (DPIA): None

8.5 Health and Safety implications (where appropriate): None

8.6 Sustainability implications (where appropriate): None

8.7 Any Other Implications:

9. Risk Implications / Assessment

9.1 There is an obligation to provide a Youth Justice Plan to the national Youth Justice Board on an annual basis which forms part of the conditions of Youth Justice Grant. The plan sets out the key planning across the range of priorities

that Children's Services and partner agencies use to develop and implement effective practice.

10. Select Committee Comments

10.1

10.2

11. Recommendations

11.1 Cabinet is asked to:

Approve the Norfolk Youth Justice Plan 2023/24 and recommend to Full Council for inclusion on the policy framework.

12. Background Papers

12.1 Please see attached Youth Justice Plan 2023/24.

Officer Contact

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

Officer name: Lauren Downes

Telephone no.: 07809667001

Email: lauren.downes@norfolk.gov.uk



If you need this report in large print, audio, braille, alternative format or in a different language please contact 0344 800 8020 or 0344 800 8011 (textphone) and we will do our best to help.



Norfolk Youth Justice Service

Youth Justice Plan 2023/2024

Service Manager: Lauren Downes
Chair of YJS Board: Chris Robson

Contents

1.	Introduction, vision and strategy	4
	Local Context.....	5
2.	Child First	5
	See Children as Children	5
	Devise pro-social identity for positive child outcomes.....	6
	Collaboration with children.....	6
	Promote diversion.....	6
3.	Voice of the child	7
	Participation in practice.....	8
4.	Governance, leadership and partnership arrangements.....	9
5.	Board development.....	10
6.	Progress on previous plan	12
	Serious Youth Violence	12
	Reducing Reoffending	12
	Diversion.....	14
	Health and Wellbeing.....	14
	Data	15
	Disparity.....	15
	Community of Practice (Adolescents).....	17
	Enhanced Participation as a model for desistance	17
	Education, Exclusions, Elective Home Education and SEND.....	18
7.	Resources and services	19
8.	Performance	20
	National key performance indicators.....	20
	Additional key performances	22
9.	Priorities.....	29
	Children from groups which are over-represented.....	29
	Prevention	31
	Diversion.....	32
	Education.....	33
	Restorative approaches and victims	33
	Serious violence and exploitation	34
	Detention in police custody	35
	Remands	36
	Use of custody	37

	Constructive resettlement	38
10.	Standards for children in the justice system	38
11.	Workforce Development	39
12.	Evidence-based practice and innovation and Evaluation.....	39
13.	Service development plan	41
	Service development	41
	Challenges, risks and issues	46
14.	Sign off, submission and approval	47
15.	Appendixes	
	Appendix 1	49
	Appendix 2	50
	Appendix 3.....	51
	Appendix 4	52
	Appendix 5.....	54

1. Introduction, vision and strategy

Welcome and thank you for taking the time to read our Youth Justice Plan. This plan is incredibly important. It will set out how we are performing in our priority areas, highlight the challenges we face and some of the fantastic work we are doing. As the Chair of the Norfolk Youth Justice Board (NYJB), I am incredibly proud of the professionalism and dedication of our Youth Justice Service.

This plan has been developed in consultation with all agencies involved in Norfolk's Youth Justice System. The NYJB has contributed to it, offering multi-agency insight and ensuring oversight of this document. Each of the key areas and priorities within the plan are discussed at Board meetings offering an opportunity to challenge and support the Youth Justice Service delivery.

One of the primary functions of the NYJB is to ensure that the plan offers the opportunity to provide the best outcomes for children in every aspect of the youth justice system. We embrace the Youth Justice Board vision of 'A youth justice system that sees children as children, treats them fairly and helps them to build on their strengths so they can make a constructive contribution to society. This will prevent offending and create safer communities with fewer victims' and our guiding principle that 'All agencies should consider children involved in the youth justice system as a "child first"'. This plan helps us to deliver those outcomes.

It is important that we recognise and react to emerging threats within Norfolk without diminishing the work we do to achieve our existing aims around reduction of children in the youth justice system and re-offending. To this end you will see that we are doing work to address disparity that exists within the system, not only in terms of ethnicity but also gender. This work is being led by a sub-group of the Board that has been created and developed in response to evidence of disparity both nationally and locally.

As the Chair of the Board, I would like to take the opportunity to recognise and sincerely thank all of our staff who work so very hard to deliver this plan. I remain incredibly impressed by their commitment and professionalism; Norfolk is extremely fortunate to have these excellent individuals working for us.

I would like to remind you of something I said in my introduction to last year's plan. 'It is important when writing and reading this report that we do not lose sight of the children, young people and families who are impacted by youth offending. We deal with some of the most vulnerable young people in Norfolk both in terms of victims and offenders. The work we do can have a positive impact on outcomes at a key stage in many young people's lives. This is a strategic document but behind each priority, each aim, each principle, lies the ambition to 'help individuals to build on their strengths so they can make a constructive contribution to society. Prevent offending and create safer communities with fewer victims'. This remains my view.

I would like to thank everyone who has contributed to this plan, particularly those who have written the document. I would also like to thank everybody who continues to contribute and support our efforts in making Norfolk's Youth Justice Service the best it can possibly be.

Chris Robson, Independent Chair Norfolk Youth Justice Board

Local Context


- Norfolk is the 5th largest county in the Country and has one of the largest youth justice services.
- In response to the changing landscape in Youth Justice nationally, ie greater focus on diversion, Norfolk Youth Justice Service (Norfolk YJS) is now structured into pre and post court strands that work county wide.
- Norfolk YJS is hosted by Norfolk Childrens Services and is part of our Family Help & High Needs directorate.
- Norfolk YJS has created a successful diversion programme which now makes up approx. 60% of our new interventions.
- As at 7th June 2023 Norfolk YJS has 186 active interventions.
- Norfolk YJS has recently appointed a permanent Head of Service who also holds responsibility for the Targeted Youth Support Service (TYSS), who work to support children at risk of extra familial harm. TYSS will dovetail with the work of Norfolk YJS and enable greater opportunities for collaborative and creative inventions to support children.
- In response to increasing levels of serious youth violence, which is inextricably linked to exploitation, Norfolk has invested in developing specialist youth and social work services and a community of practice around adolescents.

2. Child First

Over the past 12 months we have continued to focus on the principles of being 'Child First' and following the 4 tenets.

See Children as Children

- Norfolk YJS continues to promote and embed trauma informed practice. Our current self assessment based on Lancashire Violence Reduction Network Toolkit, indicates Norfolk YJS is currently working as a trauma responsive service moving towards trauma informed. Norfolk YJS has expanded their health offer which focuses on children's health and neurodiversity. Relevant training includes adultification and mental health awareness. We continue to undertake case consultations and formulations informed by an understanding of developmental trauma experienced by children.
- Our diversity audit evidences that practitioners are confident to advocate for children who experience discrimination.



*My son was very lucky to have had H come and see him. He is a credit to the service. He listened to our concerns and delivered some very informative sessions to G.
(parent)*

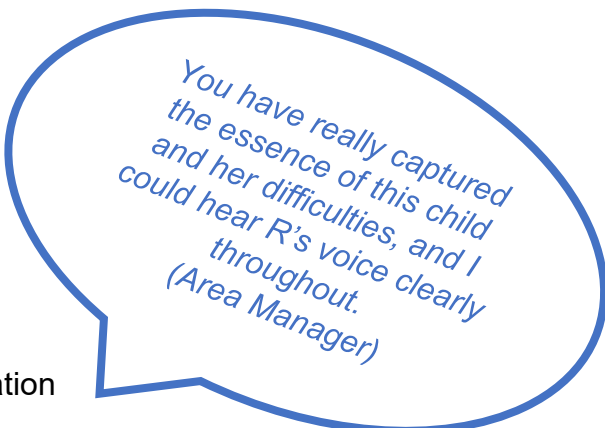
- We have built strong relationships with education teams which allows us to respond quickly to children's needs to support their right to good quality education.
- We are in the process of implementing the new case management guidance which will strengthen our Child First approach.

Devise pro-social identity for positive child outcomes

- Our Out of Court Disposal panel has improved joint decision making leading to less escalation and a higher number of diversionary outcomes for children
- We have begun to embed guided conversations to support children in exploring their identity and influencing service development

Collaboration with children

- Plans are developed jointly with children who lead on the sequencing of interventions.
- Children participate in all Norfolk YJS recruitment
- We are coproducing with children the participation strategy action plan
- We have held guided conversations with black boys to better understand their experience of the youth justice system and develop key messages to the wider partnership.



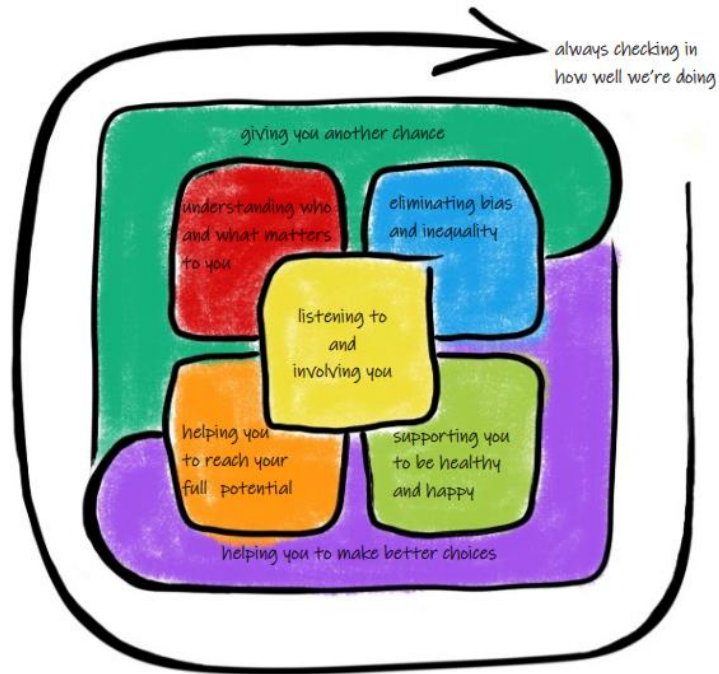
*You have really captured the essence of this child and her difficulties, and I could hear R's voice clearly throughout.
(Area Manager)*

Promote diversion

- We have expanded our diversion programme with the support of Turnaround funding. We are looking to extend the scheme to include offering the service to children who make no comment interviews thus enabling more children to receive the benefits of diversion and reduce disparity.
- Interventions are bespoke for each individual child
- In the last year our Out of Court Disposal steering group has worked hard to make best use of the wider system. Recognising the importance of relationship based practice with children we have been able to make better use of Outcome 20 for the delivery of diversionary intervention.

3. Voice of the child

Participation is at the heart of everything we do and starts with listening to what the children say. It is a dynamic whole service approach which constantly evolves.



Our children have given us a clear set of priorities describing what is important to them and their expectations of us:

I want you to listen to **me** and hear what I'm saying

Ask me about my life and get to know me

Find out how I feel

Ask about my views and opinions

Don't assume you know

Be honest and try not to keep secrets

Don't make decisions about me, make decisions with me

I want my options to be explained to me

Don't just change the rules. If things have to change, explain why

Take time to explain in a way I understand

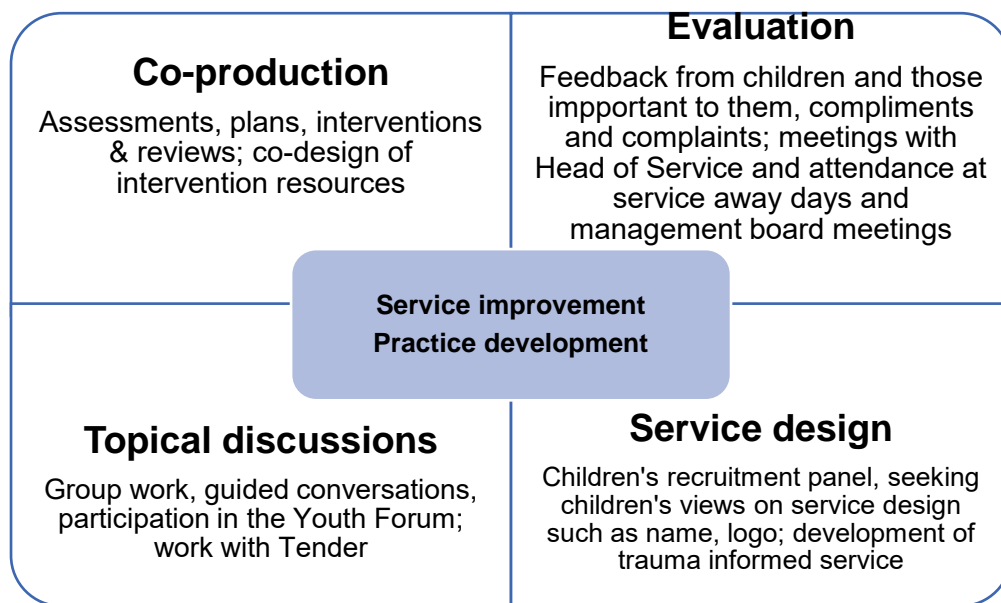
No surprises!

'Doing with' gets me to my future

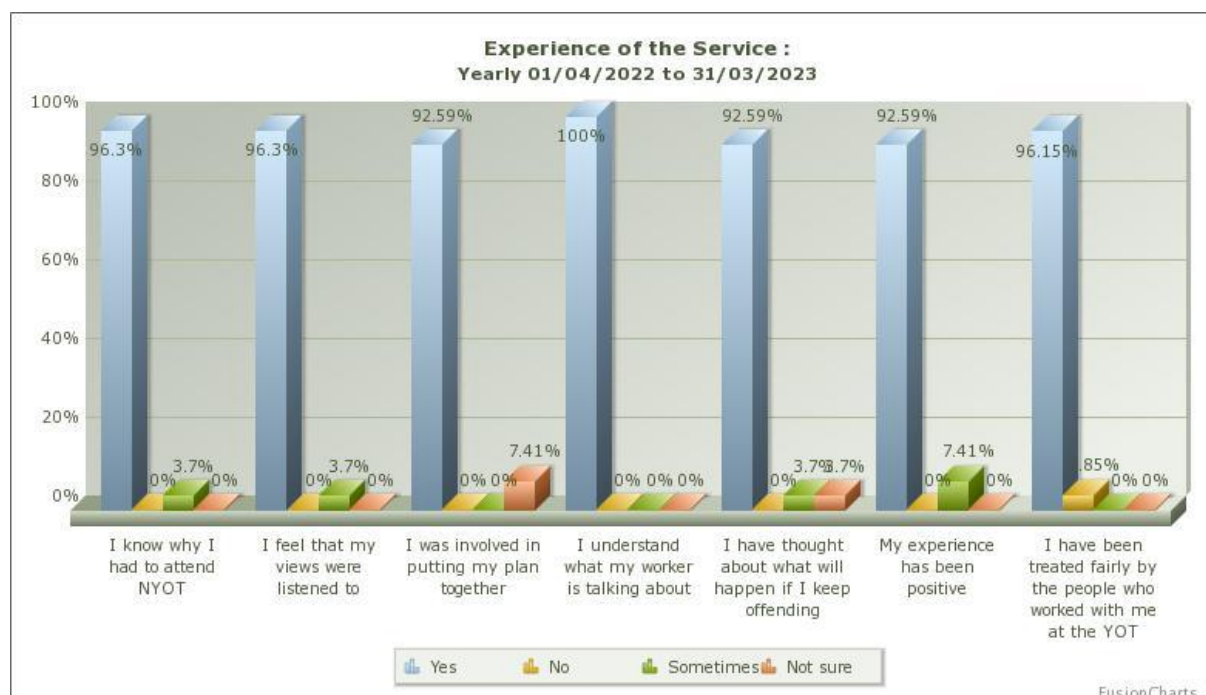
Participation in practice

When we say **participation**, we mean children being involved in a meaningful way that creates change. We see participation as a way of being rather than a way of doing, supported by the strength-based restorative practice of working **with** rather than *doing to*.

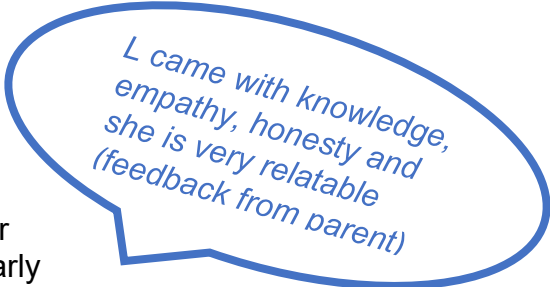
Co-production with children on an individual basis, topical discussions together with learning from children, children’s participation in our recruitment processes as well as feedback from all service users lead to continuous practice development and wider service improvement.



We gather feedback from children on completion of our interventions.



Feedback from children, families, victims and other stakeholders forms a crucial element of how we measure and monitor quality in Norfolk YJS, with a particular focus on considering the impact of work on individuals. This also includes compliments and complaints from those who we work with. Hearing from children directly provides immediate evidence of whether outcomes have been achieved. Feedback data is regularly shared with all staff to improve or amend practice where necessary. Feedback also informs the content of workforce development activity. Positive feedback provides confirmation that we are on the right track.



L came with knowledge, empathy, honesty and she is very relatable (feedback from parent)

These are some of the changes we have made as a result of feedback this year:-

- Reviewed our compliments and complaints process to be more child friendly, accessible and restorative
- Provided constructive feedback to partners when potential discrimination or unfair treatment have been raised
- Co-developed a resource aimed at professionals across the system working with black and ethnic minority children
- Shared good practice guidance to further education providers in relation to children's view of what works to engage them in education, employment and training opportunities (based on the experience of children)

It is our intention to produce a child friendly version of this plan.

4. Governance, leadership and partnership arrangements

Direct governance arrangements for Norfolk YJS are through the Norfolk Youth Justice Board (NYJB), which is chaired by an Independent Chair. As well as the statutory partners the Board includes additional representation from the Countywide Community Safety Partnership, Housing Services, Public Health, representatives from Norfolk's Borough, City and District Councils, His Majesty's Courts and Tribunals Service and the Magistracy.

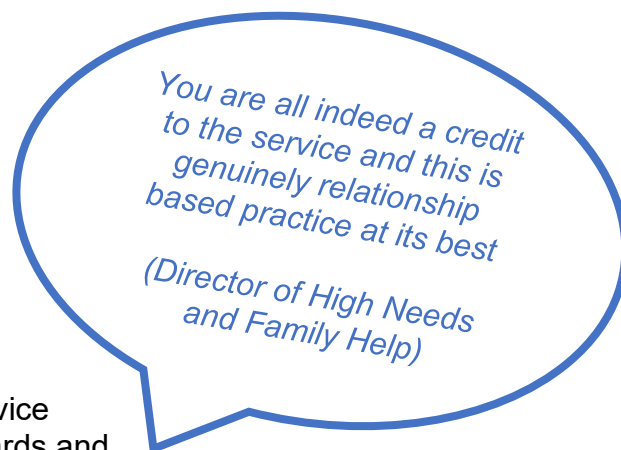
The statutory requirement according to legislation requires practitioners seconded from the Police, Health, NCC Children's Services and the Probation Service.

Our Health offer includes a Clinical Psychologist, Occupational Therapist and Assistant Practitioner.

Norfolk Youth Justice Service

- hosts 3 seconded police officers
- directly employs 3 Education Training and Employment Workers
- are currently unable to recruit social workers or Probation staff
- directly employs practitioners with skills in achieving positive change, reducing substance misuse, delivering restorative justice, including working with victims of youth crime, community reparation and working with parents.
- is currently supported by 25 volunteers and mentors.

Norfolk YJS sits within the directorate of Family Help and High Needs with line management of the Head of Service provided by an Assistant Director. The Youth Justice Service Head of Service also holds responsibility for the Targeted Youth Support Service effectively bringing these two services together under single leadership.



The Youth Justice Service is represented by the Head of Service or nominated Youth Justice Service strategic lead on a wide range of partnership boards and contributes to their action plans and strategic direction. These currently include:-

- Local Criminal Justice Board
- Norfolk County Community Safety Partnership
- OPCC's Reducing Reoffending Board
- Multi Agency Public Protection Arrangements (MAPPA) Strategic Management Board
- Vulnerable Adolescent Group
- Exploitation Oversight Forum
- Community of Practice around Adolescents
- Channel Panel
- Serious Violence Duty Group

The NYJB Chair is also chair of the Norfolk Safeguarding board.

5. Board development

All key partners are represented on the Norfolk Youth Justice Board. This ensures the Board is best placed to address any barriers to effective multi-agency working and can therefore make an effective contribution to delivering outcomes.

Over the past 12 months we have invested in Governance arrangements in terms of effectiveness and visibility. We held a Board workshop in September 2022 to assist with planning, engagement and visibility. Below are some of the changes we have implemented.

- Board members leading and reporting on priority areas
- Board members to engage more with Youth Justice Service teams
- Managers representation at the Board
- Childrens Participation representative attending board
- Increased direct input from children at the board

The Board also came together in March 2023 to review the Youth Justice plan and outcomes. The next steps identified for board development include:-

- Increase diversity of the board
- Ensure balanced representation of partnership agencies to ensure children's needs are met
- Develop enhanced induction programme for board members
- Board chair to provide regular communication with staff regarding board actions
- Strengthen and improve communication cycles, children, staff, management board

6. Progress on previous plan

Serious Youth Violence

RAG	Summary of progress	Any barriers
Amber	<p>Serious Violence Duty strategic group attended by Youth Justice Service Head of Service meets regularly and strategic need assessment is underway.</p> <p>Crest Advisory readiness assessment completed.</p> <p>Operational staff focus groups underway to support strategic needs assessment research.</p> <p>Work underway to engage stakeholders in strategic needs assessment to include Children at risk of and experiencing serious youth violence.</p> <p>Youth Justice Service contributes relevant data for analysis information sharing agreement for the Serious Violence Duty currently being developed.</p> <p>Norfolk Youth Justice Service chair multi agency mapping meetings and attend community tensions meetings.</p>	<p>Access to police data on children released under investigation or police bail.</p> <p>Agreed definition of serious youth violence is outstanding.</p>

Reducing Reoffending

RAG	Summary of progress	Barriers
Green	<p>The number of first time entrants are below the National and regional average. This will be partly due to our robust diversion offer.</p> <p>Professional and children's plans reviewed, training delivered and changes implemented that include measurable outcomes.</p>	

	<p>Data sharing with managers and staff on re-offending rates to assist better targeting of resources and effectiveness.</p> <p>YJS and Police colleagues are developing a Young Person's Dashboard which will enhance our ability to intervene earlier and work more effectively at reducing re-offending across the County.</p> <p>Case consultations and case formulations have been embedded into practice to allow the professional network to respond to identified need in trauma informed way to prevent reoffending.</p>	
Red	Requested regular data on children released under investigation and bail.	<p>Police data on released under investigation not regularly received.</p> <p>Where safety and wellbeing concerns do not meet a threshold of significant harm, and parents withdraw consent for wider service support, YJS will often be required to address a number of safety and welfare issues that others are unable to</p>

Diversion

RAG	Summary of progress	Barriers
Green	<p>Our Out of Court Disposal is well established and continues to deliver positive outcomes for children and reduce first time entrants.</p> <p>Now have power BI dashboard allowing us to monitor data on triage and panel activity and disposals.</p>	
Amber	<p>There is an over representation of girls in our diversion scheme. We have focused some specialist intervention through the commission of TENDER. Two of our children received a national TENDER award.</p> <p>We have begun to expand our Out of Court Disposal scheme to include Outcome 22 for children who given no comment interview.</p>	Capacity to expand the scheme further.

Health and Wellbeing

RAG	Summary of progress	Barriers
Green	<p>Norfolk Youth Justice Service have transformed their health offer over the past two years from a largely physical health-based model to a psychologically informed approach.</p> <p>Secured funding for YJS specialist SALT provision. Further steps on commissioning/ recruitment of this service will be a priority for the coming months.</p>	
Amber	<p>Tier 1 substance misuse delivered by practitioners in the team.</p> <p>Specialist work is delivered by substance misuse workers.</p>	Split work arrangements sometimes result in statutory work being prioritised over specialist substance misuse. Options paper is being developed to address this issue

Data

RAG	Summary of progress	Barriers
Green	<p>Developed a logic model of determinant and outcome measures.</p> <p>New Key Performance Indicators will now be embedded into this model.</p>	

Disparity

RAG	Summary of progress	Barriers
Green	<p>In the last twelve months the work focused on the implementation of the disparity action plan. To date, the following work has been completed:</p> <p>Understanding of disparity</p> <ul style="list-style-type: none"> • Presentations delivered • Diversity conversations included in team meetings • Disparity section developed on Sharepoint (resources, data) • Power BI Disparity dashboard created <p>Workforce development</p> <ul style="list-style-type: none"> • Racism, discrimination & bias included as part of the assessment skills training • Development session with managers held • Volunteer training includes disparity • Stop & Search session delivered and an intervention tool created • Workforce development strategy includes mandatory training and induction process (i.e. cultural competence training) <p>Recording</p> <ul style="list-style-type: none"> • Data sharing with education in place to establish a more up to data comparator • Case management guidance updated to include relevant ethnicity recording 	<p>Need to increase engagement with courts and probation.</p> <p>Different categories of ethnicity used across the partnership which in turn impacts the quality of accuracy of analysis.</p>

	<p>Practice & Children voice</p> <ul style="list-style-type: none"> • Guided conversations started • Diversity audit carried out • Working with interpreters guide developed • Pre Sentence Report templates reviewed in line with trauma informed practice <p>Partners</p> <ul style="list-style-type: none"> • Multi-agency group established (courts, probation, housing, Norfolk Youth Justice Service, mental & physical health, Children's Services) • Data collated from partners and in-depth analysis underway to ensure holistic understanding of inequalities in Norfolk <p>Developed resources - stop and search pack</p> <p>Broad tranche of training across the service including volunteers ie Racism, Discrimination and Bias</p> <p>Data collated from partners and in-depth analysis carried out to ensure holistic understanding of inequalities in Norfolk</p> <p>Multi agency group established (courts, housing, children's services, probation, mental health & physical health) working on a joint protocol to reduce disparity</p>	
--	---	--

Community of Practice (Adolescents)

RAG	Summary of progress	Barriers
Amber	<p>There is a Joint Agency Group Supervision (JAGS) framework to support professionals in ensuring practice is collaborative, curious, reflective, and supportive of good quality decision-making in the best interests of children and young people.</p> <p>Out of Court Disposal multi agency panel ensures that a child's plan of intervention is not duplicated and agencies plans of work are complimentary.</p> <p>Invites have been extended to other agencies for high risk panels in order to share information and produce a robust risk management plan for the child.</p> <p>Relationship with probation and integrated offender management team has strengthened with regards to transitions.</p> <p>Joint approach to implementation of the new national transitions model.</p> <p>Focus on relationship based practice to support children transitioning from one service to another. Strengthened links with key partners eg education to promote positive transitions.</p>	<p>Further work is required to ensure that multi agency meetings are streamlined, outcome focused and reduce duplication to enable maximum practitioner time spent providing intervention with children.</p>

Enhanced Participation as a model for desistance

RAG	Summary of progress	Barriers
Green	<p>An effective participation and co-production strategy is in place.</p> <p>Utilising elements of the Youth Justice Board Peer Power resource pack.</p> <p>Co-produced the strategy and now developing an action plan with the children.</p>	

Education, Exclusions, Elective Home Education and SEND

RAG	Summary of progress	Barriers
Amber	<p>Norfolk YJS was awarded the Youth Justice Special Educational Needs & Disability Quality Mark in February 2023 for partnerships securing better outcomes for children and young people with special education needs in the youth justice system.</p> <p>Closer working relationships with Education teams which enables better understanding of children’s individual needs enhancing our ability to advocate for children and increasing the child’s positive outcome.</p> <p>We have regular data exchange between Education & Youth Justice Service on children with Special Educational Needs, home educated and exclusions, helping us to respond quickly to identified needs and to better understand the cohort of children in youth justice.</p> <p>Analysis regarding exclusions evidences that high exclusion rates are not specific to any particular educational setting as such we will need to work at a systemic level to address these issues rather than specific educational settings</p> <p>Norfolk YJS contributes to Norfolk wide attendance strategy to ensure school attendance is seen as a priority of all agencies working with children.</p> <p>Skill mill programme has been extended as it has proven to be successful in Norfolk.</p> <p>Resource has been developed for post 16 providers which will support the management of challenging behaviours.</p> <p>Closely monitoring numbers of children and working closely with the Electively Home Education team to ensure we advocate for children where required.</p>	<p>Childrens lack of readiness to engage in post 16 provision as a result of their interrupted education journey.</p> <p>Many children known to the Youth Justice Service need bespoke education packages to be made available and accessible.</p>

7. Resources and services

Norfolk YJS does not have a base budget, but each year seeks contributions from the four statutory partners. The Norfolk Youth Justice Board oversees the Pooled Partnership Budget quarterly, which is approximately £4,030,308 for 2023-24 (see Appendix 1).

This ensures service delivery is carried out effectively and efficiently, ensuring value for money. To be responsive of the demands and complexities required for statutory caseloads, alongside a continued increase of diversion and Out of Court Disposal interventions being delivered.

In 2022-23, the majority of the Youth Grant was spent on core staff salary and training, and this will continue for 2023-24 expenditure.

Additional project funding has been secured until March 2025 from several sources:

- Great Norwich Project ADDER
 - The Office for Health Improvement and Disparities
 - Police and Crime Commissioner for Norfolk
- Turnaround Programme
 - Ministry of Justice

Further to the monetary fund's our partners provide, Norfolk YJS also receives the following resources in the form of seconded staff:

- 4.00 fte social workers (of which 2.00 fte are substituted by Senior Practitioners)
- 3.00 fte education workers
- 1.30 fte probation officers (currently replaced by a Transitions Operations Manager)
- 0.45 fte probation service officer (currently replaced by a Youth Justice Worker)
- 3.00 fte police officers
- 3.00 fte health workers / clinical psychologist

The Norfolk YJS workforce has largely been stable for many years but in 2020-21 it saw an increase in the turnover of staff, which continues into 2023-24. Recruitment remains a challenge due to youth justice key skill shortages in the region.

A detailed breakdown of the budget is included at Appendix 1.

We use our grant, partner contributions and available resources to deliver these services and below are some examples of benefits:-

- A health offer that has been adapted to focus on children and mental health problems and neurodiversity in response to needs identified.
- Turnaround funding utilised to offset existing diversion programme that continues to be successful in reducing first time entrants

8. Performance

We are a strong performing youth justice service and our data shows that we perform well in relation to national and regional rates in terms of custody and first time entrants.

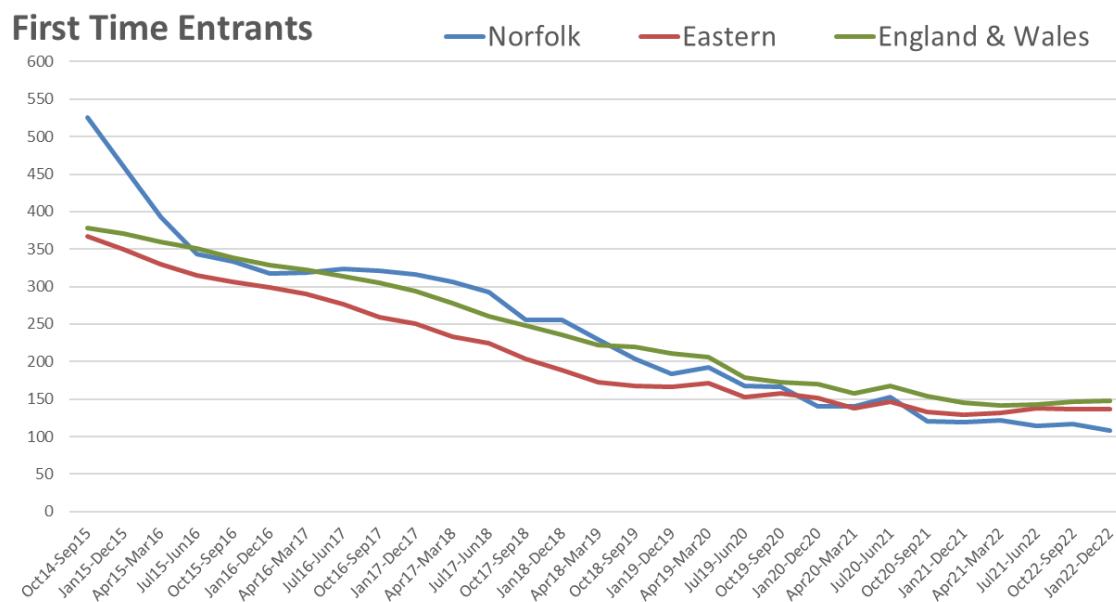
Improvement in our reoffending performance remains a key priority and we have undertaken analysis that will enable us to target improvement work over the coming year. We will also be seeking to reduce the numbers of children who are remanded but could have been managed safely in the community. We continue to work to reduce disparity (race, gender, disability and nationality) across all areas of the service, to monitor quantitative and qualitative data and lead a wider system response across our partners. We are working hard to ensure our systems and processes are ready to record, track and analyse the new key performance indicators.

National key performance indicators

First time Entrants

Over the past 12 months Norfolk has performed well seeing further reductions in First Time Entrants (FTE). (See fig 8.1). Norfolk's FTE rate compares favourably with both Regional and National figures. Norfolk attributes this success to its Diversion (Out of Court Disposal) Scheme. Our Challenge for Change programme is the key diversion intervention.

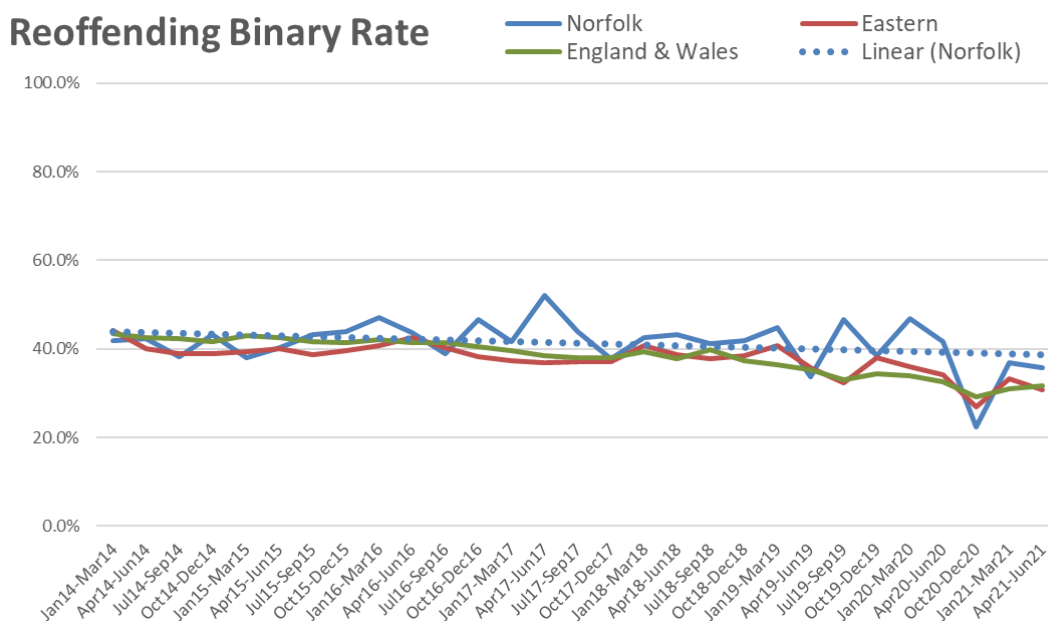
Fig 8.1



Re-offending

Re-offending rates (binary) dropped significantly during the first three quarters of this year's reporting (April 20 – Dec 20), in part this is attributable to the impact of COVID on re-offending rates and these reductions were also reflected across the region and nationally (see Fig 8.2). These reductions were not sustainable and as predicted we saw a rise in binary offending over the next quarter. The latest quarter is showing a small reduction. Overall, when looking at the linear average for Norfolk (blue dotted line) we are still below our traditional average.

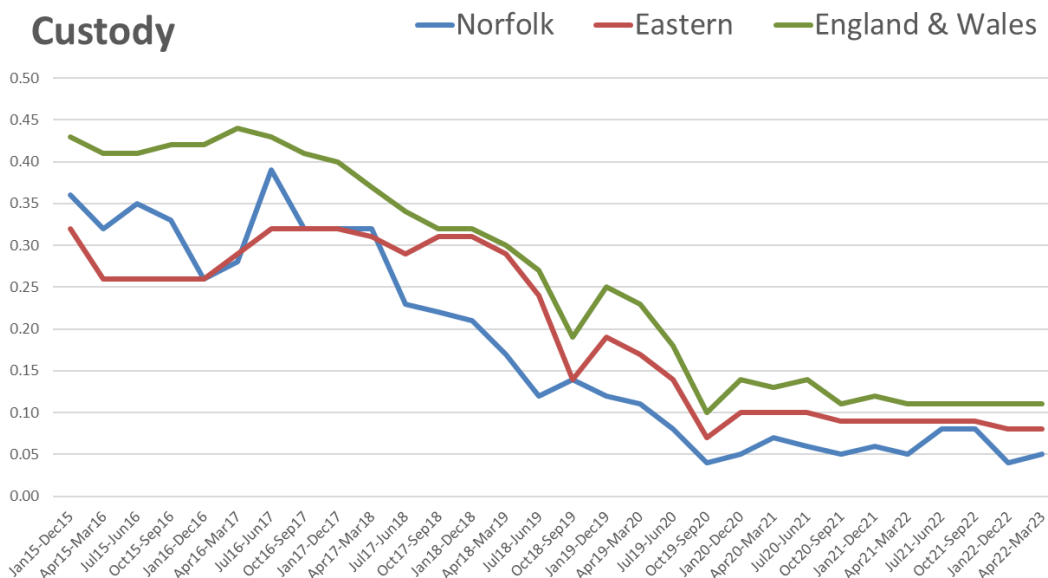
Fig 8.2



Custody

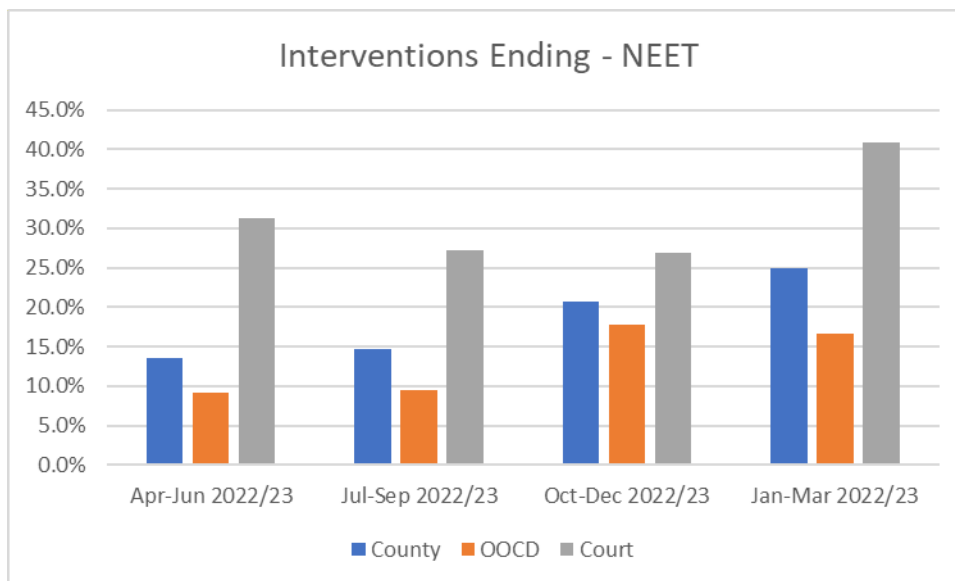
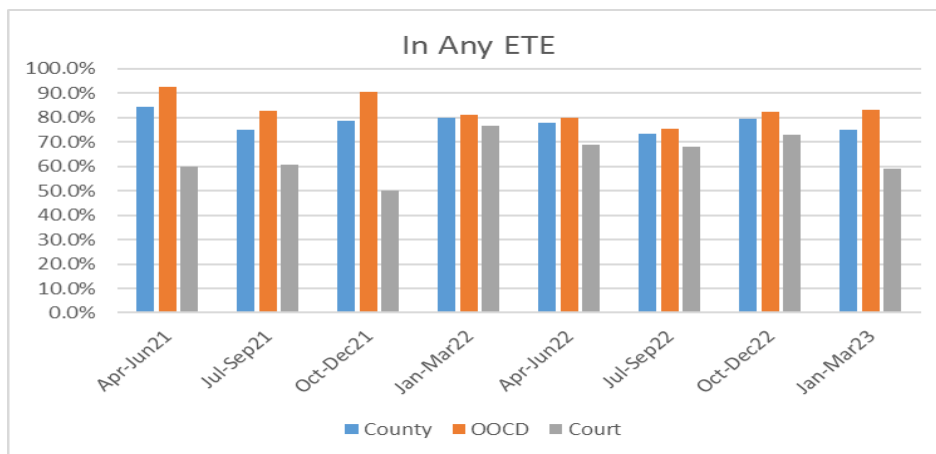
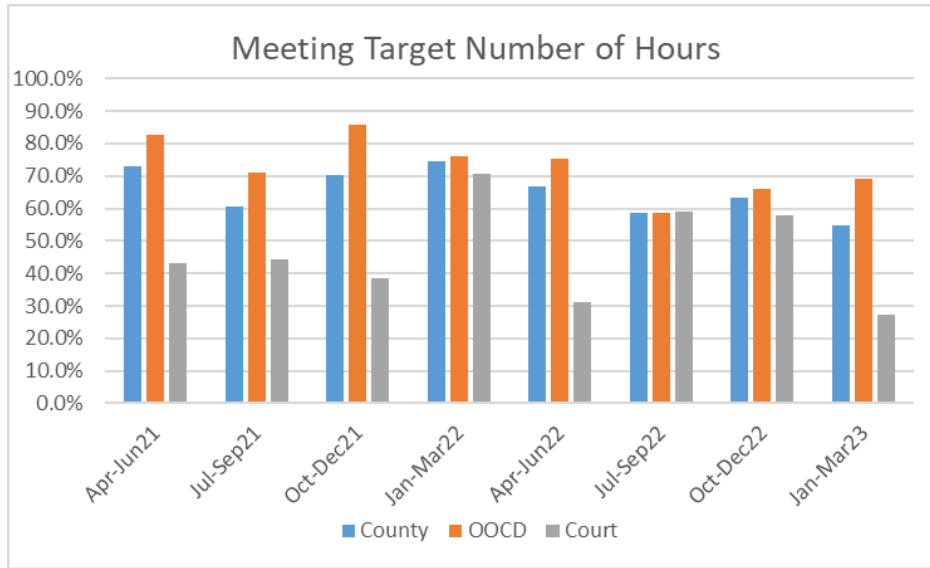
Norfolk has seen fluctuations in custody rates over the past 12 months (see Fig 8.3). Serious youth violence and drug offences account for such sentencing. Over the past 6 months we have seen fewer custodial sentences imposed in Norfolk and this tracks favourably both regionally and nationally. Our concordance rates from pre-sentence report proposal to sentence remain strong (84%) and this reflects the confidence the judiciary have in our reports. Such concordance rates enhance the prospect of children being sentenced in the community. Our numbers are better than regional and national and are very low, so we will go up and down very slightly occasionally

Fig 8.3



Additional key performances

Education



The percentage of young people 16-18 who are not in education, employment or training (NEET) in Norfolk has decreased over the three year period from 4.4% in 2021 to 3.8% in 2023. Although this is really positive and bucks the trend with

national, local and statistical neighbour comparators, all of whom saw a rise in NEET over this period. NEET in Norfolk is still approximately 1% higher than national and 0.5% higher than our statistical neighbours.

L has been amazing and has helped G immensely. She supported G and myself with the education side of things. (feedback from parent)

It is of concern that the percentage of young people in youth justice who are NEET has risen significantly from 37% in February 2022 to 50% in February 2023 in spite of the downward trend for the wider cohort.

Analysis shows that the largest contributory factor is a rise in mental health issues.

We are working closely with providers to ensure that there is a good understanding of the support needed to enable young people in the youth justice system to be successfully engaged and retained in post 16 programmes. There is a pilot to improve transitions between pre and post 16 settings which aims to share individual needs descriptors. This will allow providers to plan and deliver tailored support from the point of application.

Performance for ETE remains very consistent and is comparable to previous quarters and previous year's performance.

SEN Stage	Year R-11	%	YJS Q2	Q2 %	YJS Q3	Q3%	YJS Q4	Q4 %
EHC Plan	4433	4.1%	41	24.6%	56	30.3%	45	31.0%
SEN Support	14745	13.6%	11	6.6%	13	7.0%	6	4.1%
No Special Educational Need	89329	82.3%	115	68.9%	116	62.7%	94	64.8%
Totals	108507		167		185		145	

Ever Classified as Child Missing Education	YJS Q2	Q2 %	YJS Q3	Q3 %	YJS Q4	Q4 %
Unknown	3	1.7%	0	0.0%	0	0.0%
No	123	68.7%	133	67.9%	105	70.9%
Yes	53	29.6%	63	32.1%	43	29.1%
Total	179		196		148	

Ever Permanently Excluded	YJS Q2	Q2 %	YJS Q3	Q3 %	YJS Q4	Q4 %
Unkown	3	1.7%	0	0.0%	0	0.0%
No	101	56.4%	115	58.7%	93	62.8%
Yes	75	41.9%	81	41.3%	55	37.2%
Total	179		196		148	

Ever Fixed Term Excluded / Suspended	YJS Q2	Q2 %	YJS Q3	Q3 %	YJS Q4	Q4 %
Unknown	3	1.7%	0	0.0%	0	0.0%
No	32	17.9%	38	19.4%	41	27.7%
Yes	144	80.4%	158	80.6%	107	72.3%
Total	179		196		148	

We have worked together with partners to enhance our data collection relating to the education needs of children within Norfolk YJS. The information above supports the hypothesis that there is an over representative of children with Special Education Needs and interrupted education. As such education remains a key priority for the coming year.

Whole Cohort		
Ethnicity 5plus1	Count	%
Black or Black British	16	5.0%
Chinese or other ethnic group	1	0.3%
Mixed	13	4.1%
White	287	90.5%
Total of Cohort	317	

Either SEN/EHCP		
Ethnicity 5plus1	Count	%
Black or Black British	2	2.0%
Chinese or other ethnic group	0	
Mixed	5	5.1%
White	91	92.9%
Total with SEN/EHCP	98	

Whole Cohort		
Ever CLA	Count	%
No	262	82.6%
Yes	55	17.4%
Total of Cohort	317	

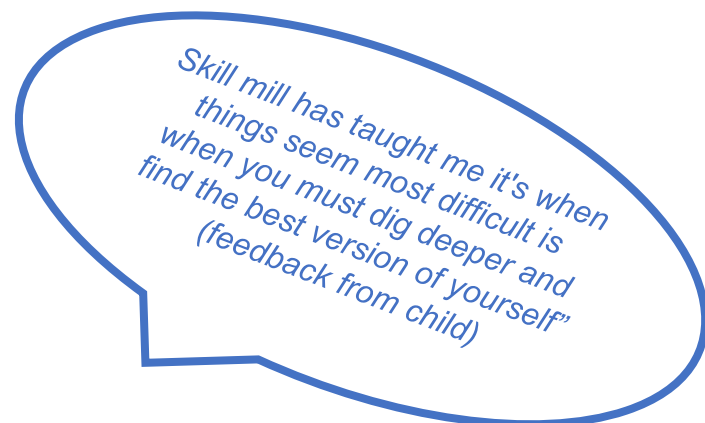
Either SEN/EHCP		
Ever CLA	Count	%
No	66	67.3%
Yes	32	32.7%
Total with SEN/EHCP	98	

The above tables show data for three quarters (Q2 to Q4).

The two tables on the left show the ethnicity profile and the Child Looked After profile.

The two tables to the right show where the child has Special Educational Needs/Education Health Care Plan (SEN/EHCP) and that cohort is broken down by Ethnicity and Child Looked After (CLA)

The ethnicity profile of the SEN/EHCP group is similar to the wider cohort profile. The same cannot be said for CLA combined with SEN/EHCP, the wider profile has 17.4% CLA, but when combined with SEN/EHCP, rises to 32.7%. For children with EHCP, the primary Special Educational Need is Autistic Spectrum Disorder, speech language and communication needs followed by social, emotional and mental health difficulties

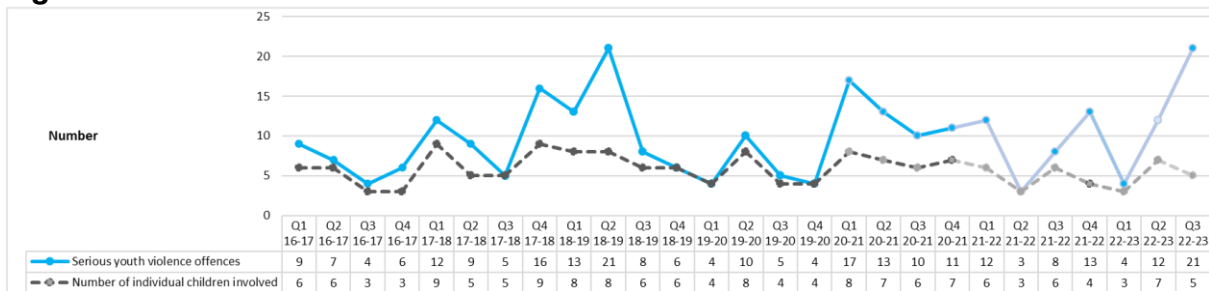


Serious Youth Violence

Norfolk YJS works closely with our local partners to reduce serious violence and exploitation. Over the last 12 months we have seen a rise in Serious Youth Violence across the county (see 8.4 and 8.5) mainly associated with gang and drug related matters.

The YJB determine a serious youth violence offence to be if the category of the offence is Drugs, Robbery or Violence Against the Person and the gravity of the offence is a 5 or higher (Offence gravity ranges from 1-8).

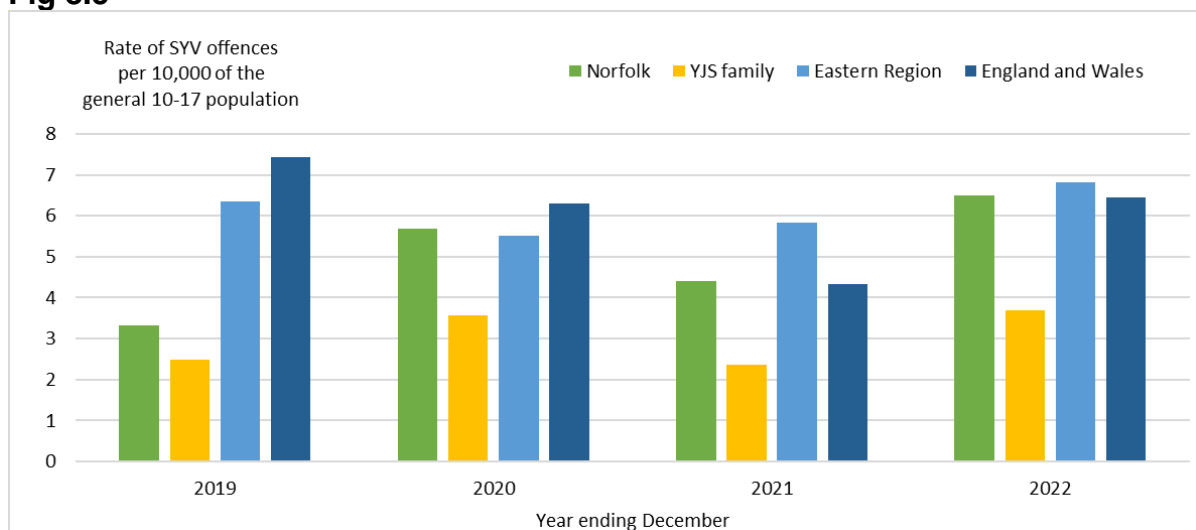
Fig 8.4:



The Norfolk County Community Safety Partnership (NCCSP) produces the Police, Crime and Community Safety Plan. The partnership brings together organisations from across Norfolk to tackle crime and disorder, and ensure the county remains a safe place for people to live, work and visit.

The latest assessment of crime and disorder also highlights serious violence and criminal exploitation as among the most harmful, prevalent or increasing threats in Norfolk.

Fig 8.5



The graph above shows the rate of serious youth violence offences. Norfolk has seen a rising trend in the last four years and is now placed higher than the national comparator.

Accommodation



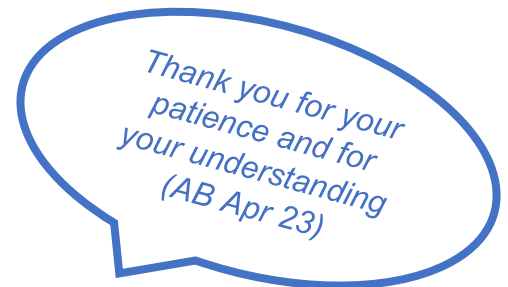
The graph above shows the majority of children are in suitable accommodation

Health

Since the 20th May 2022 the health team has received (on average) a referral every 2.5 days. In total the team has received 152 referrals of these referrals, 72% were actioned within twenty working days.

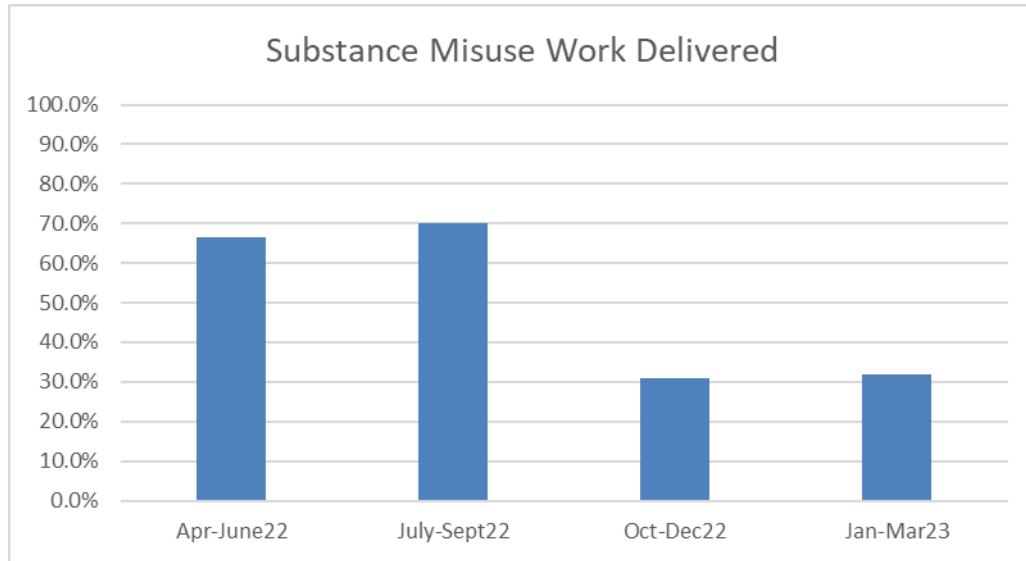
The health team has provided:

- 99 formulations (for pre-sentence reports, plans, stuck cases etc.)
- 64 health assessments
- 32 face-to-face clinical interventions (offering between 6-12 weekly sessions)
- 4 psychological assessments



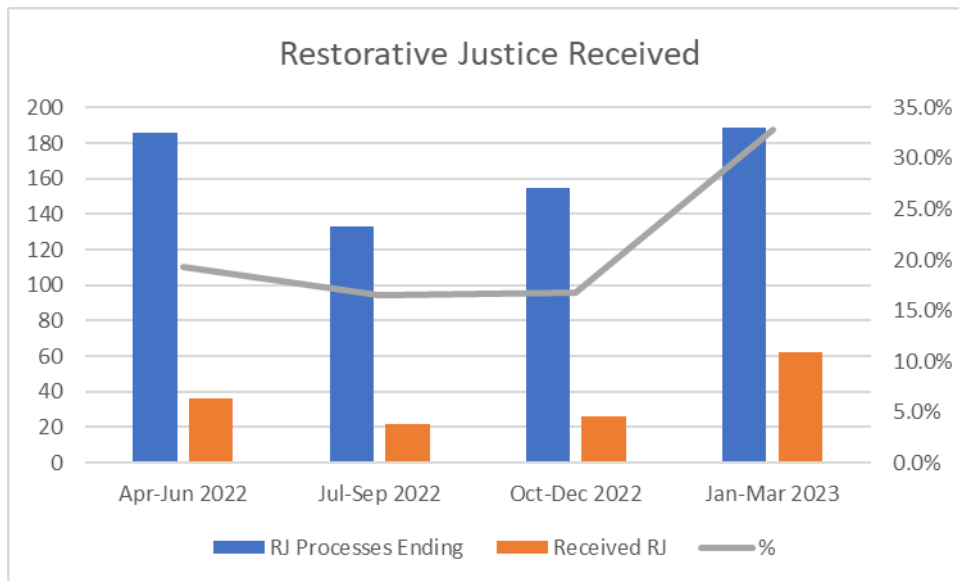
The team has also begun collation of quantitative specific outcome data using child and parent self-reported mental health routine outcome measures.

Substance misuse



The graph above shows the delivery of specialist substance misuse has dropped considerably. We are exploring whether this is attributed to recording or capacity issues.

Restorative Justice



NYJS Restorative Justice team contact 100% of victims to offer restorative justice services. However victim's engagement with restorative justice remains relatively low.

G is really pleased she spoke with you and she's now feeling happier in herself so thank you

Out of Court Disposals

Successful Completions (Compliance measure)	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22
C4Cs - Ending in period	9	7	13	12	19	23	10	16	15	13	18	18
C4Cs - Successfully completed	100.0%	85.7%	61.5%	66.7%	68.4%	78.3%	60.0%	68.8%	93.3%	84.6%	88.9%	77.8%
Youth Cautions - Ending in period	2	1	0	0	1	0	1	0	0	0	0	0
Youth Cautions - Successfully completed	100.0%	0.0%	N/A	N/A	100.0%	N/A	0.0%	N/A	N/A	N/A	N/A	N/A
Youth Conditional Cautions - Ending in period	2	1	2	3	3	0	2	3	1	1	2	1
Youth Conditional Cautions - Successfully completed	100.0%	100.0%	100.0%	66.7%	100.0%	N/A	50.0%	100.0%	100.0%	100.0%	50.0%	0.0%

The table above shows out of court disposals that ends successfully in each period. It is important to note that numbers of youth conditional cautions are extremely small and therefore there will be fluctuations in percentages. Overall success rate is good.

Wider Services

All Types of Interventions	Apr-Jun 2022	Jul-Sep 2022	Oct-Dec 2022	Jan-Mar 2023
Children Active in the Quarter	238	258	245	270
of Children Active, is a Child Looked After	35	41	44	48
of Children Active, is a Child in Need	51	60	49	60
of Children Active, has Child Protection Plan	22	28	30	34
of Children Active, has Early Help	9	14	15	10

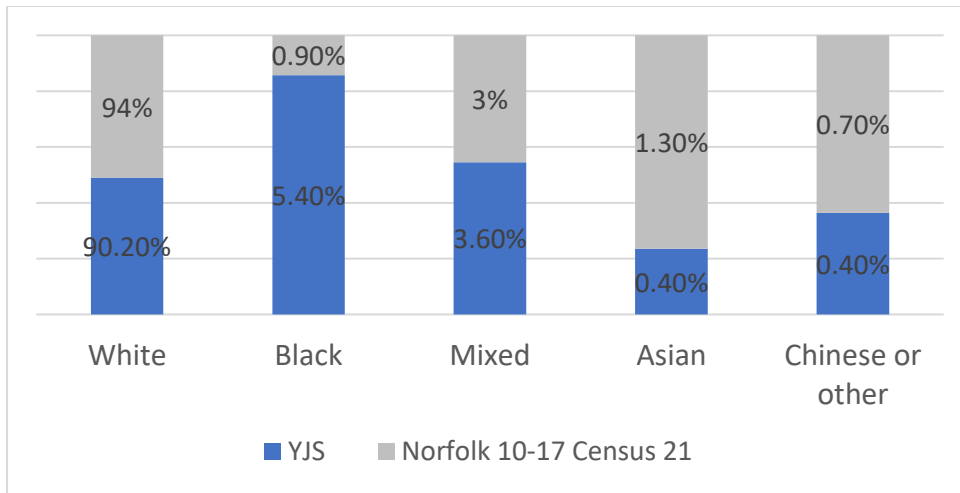
The above table shows the proportion of Norfolk YJS active case load who are also receiving support from social care partners. There is a strong focus over the last year to ensure a collaborative community of practice to support joined up planning and reduction of duplication.

*It is clear that multi agency working and communication has been really good, and feedback to me has been excellent.
(Head of Social Work)*

9. Priorities

Children from groups which are over-represented

Norfolk Youth Justice Service continues to focus on disparity within the youth justice system in Norfolk. The latest annual disparity audit shows disproportional outcomes for children in Norfolk based on their ethnicity.

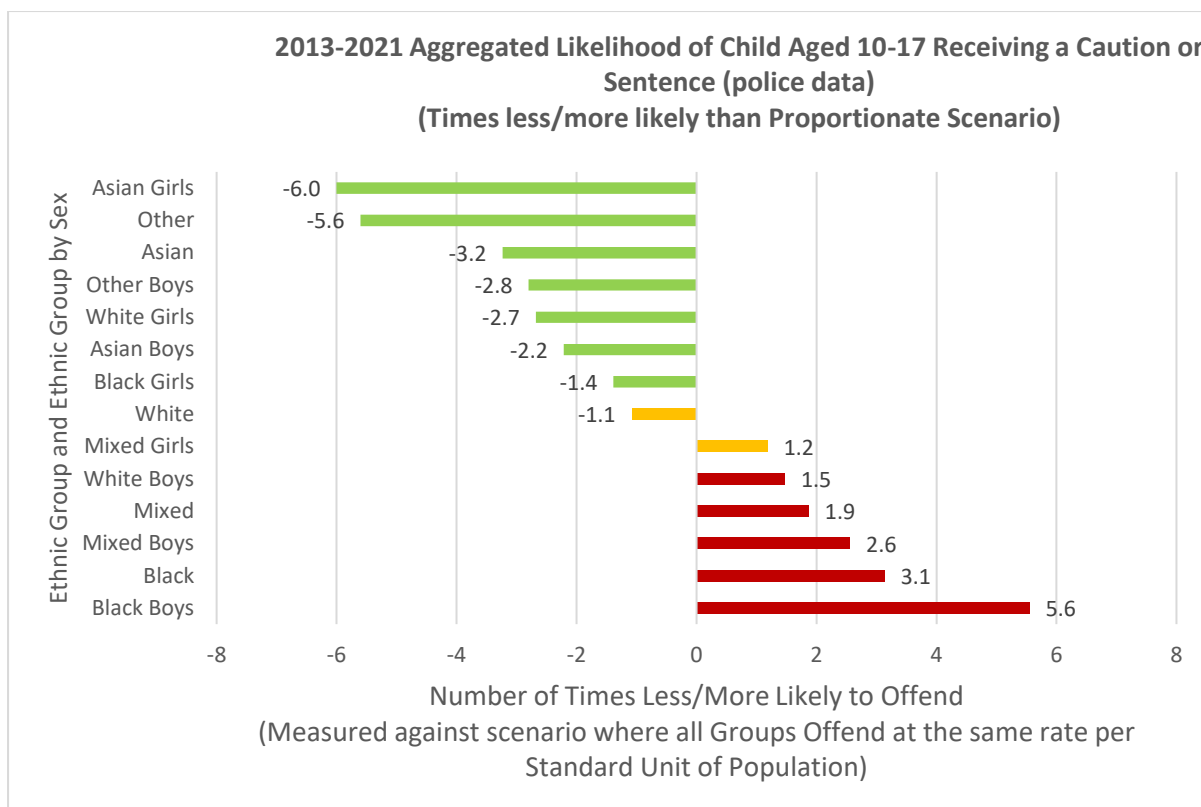


Black children remain overrepresented in the youth justice system in Norfolk. They are overrepresented on both Out of Court Disposals and Referral Orders. Last year black children were also the most likely group of children to be stopped and searched and arrested. In contrary, white children were more likely to be offered diversion prior to receiving a Referral Order.

Mixed heritage children were more likely than white children to be stopped and searched and arrested. They were overrepresented under the following categories: Out of Court Disposals, Referral Orders, Youth Rehabilitation Orders, remands, and custody. They were also more likely than their white counterparts to reoffend.

There was an overrepresentation of girls on the Norfolk YJS cohort in comparison to the national youth population female data (23.4%). The analysis shows a higher proportion of girls on non-statutory interventions. In response to current trends and identified local issues, we procured Tender to deliver a girls group programme in south of Norfolk.

The audit data also indicates that Eastern European children are significantly overrepresented under all intervention categories. Breach numbers were low, however, children from mixed heritage background and Eastern European children were more likely to be breached than any other white children.



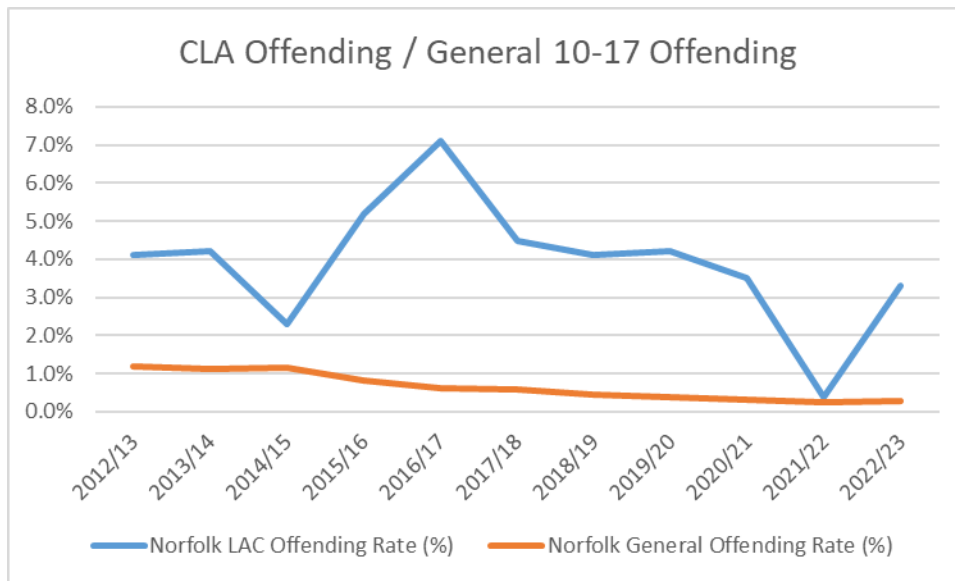
The chart above outlines the disproportionality outcomes, as indicated through sentencing and cautions awarded, of children by Ethnicity and Sex within Norfolk. The groups facing the most negative outcomes from inequality and most over-reflected in sentencing and cautions are:

- Black Boys** (5.6 times more likely than expected, based on the Norfolk Average)
- Mixed Boys** (2.6 times more likely than expected, based on the Norfolk Average)
- White Boys** (1.5 times more likely than expected, based on the Norfolk Average)
- Mixed Girls** (1.2 times more likely than expected, based on the Norfolk Average)

Norfolk YJS commissioned the Liminality Group to deliver Anti-Racism Training to practitioners and managers, with a particular focus on practice with children and parents from minoritised communities.

The thematic diversity audit carried out at the end of last year shows improvement of understanding of issues children from minoritised backgrounds face. Factors for and against desistance, including structural barriers are identified however improvements are needed in exploration of the impact on the child.

In a recent case whereby an Eastern European child who was sentenced to a Detention and Training Order and facing deportation, excellent advocacy work resulted in the child's original sentence being successfully appealed. The child received a community sentence in its place and is no longer at risk of deportation.



In the last 7 years, Norfolk has seen a steady reduction of children in care coming into the youth justice system. The most recent Norfolk YJS records show that out of 574 children looked after (CLA) for more than 12 months, 14 received a criminal conviction. With the exception of last year (with only three children receiving a criminal conviction), we are seeing a downward trend bringing Norfolk more in line with the national CLA offending rate.

Prevention

Prevention & Early Help is a key priority of the Norfolk's Children and Young People Strategic Alliance (CYP SA), which is a partnership of agencies that work with children and families in Norfolk. Their shared ambition is for Norfolk to be a county where children can flourish. Norfolk's Prevention & Early Help Strategy sets out our collective approach to prevention and early help in Norfolk to build resilient communities; improve early identification; strengthen whole family and whole system working; and build collaboration and capacity within our partnerships.

Our Community and Partnerships Service support partners and families to consider and identify the most appropriate early help response. The service contributes to the outcomes of the Youth Justice Service out of court disposal panel and to referrals made that do not require a statutory social care response. At any one time partner agencies support over 2000 children and young people through Early Help Assessment & Plan (EHAP). When children & young people have more complex needs a targeted early help offer is available through our Family Support Teams. Our Family Support Teams provide skilled interventions to prevent needs escalating, that without support may require statutory intervention.

As part of the ever continuing development to support children & families through effective prevention & early help, we have set ourselves ambitious priorities for the forthcoming year focused on:

- Developing our approach to Prevention & Early Help, moving resources upstream to achieve the priorities of the Prevention & Early Help Strategy 2021-2025.
- Commission a new Youth Early Support Service (YESS) that provides targeted prevention and early help to support young people aged 10-18 who are more vulnerable, addressing issues as soon as possible and preventing needs from escalating.
- Develop our supporting families data maturity to proactively identify children, young people and families that could benefit from early help. Including those at risk of offending.
- Create improved pathways to support and connection between agencies through the development of Family Hubs in Norfolk, bringing services together to holistically respond to children & young peoples needs at the earliest opportunity.
- Develop further our approach to proactive prevention through the development of 15 new school and community teams that assist schools to identify & respond to children, young people & families that would benefit from Early Help and effectively respond to SEND needs at the earliest opportunity.

Diversion

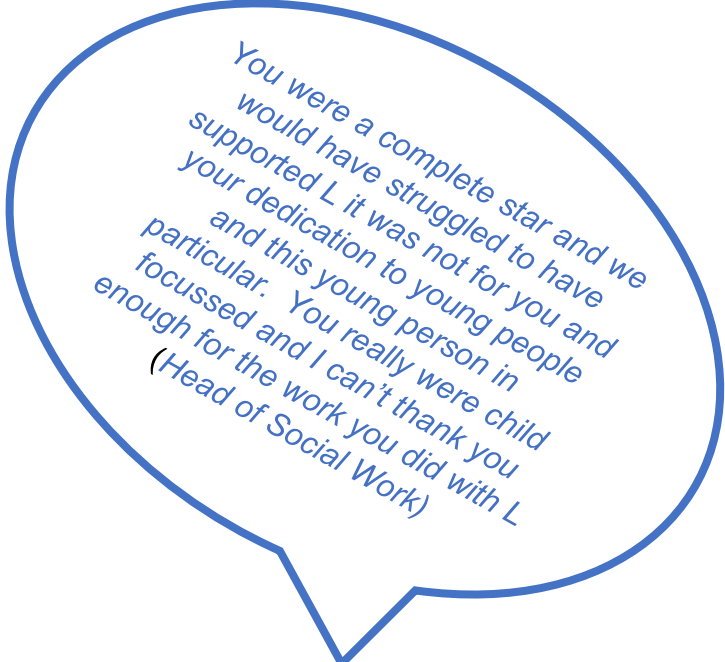
Our diversion scheme embraces a restorative culture of collaborative multiagency working and is based on a Child First approach. Our triage and assessment is needs-based and decisions are made holistically rather than taking a prescribed and inflexible approach where decision making is led by offence type. All work adheres to the Child Centred Policing Principles and Norfolk Protocol to Reduce Criminalisation of Children Looked After.

Our diversionary activity is currently open to children who make admissions and we are seeking an expansion to those who provide “no comment interviews” in recognition of national research in relation to disparity in the youth justice system.

Diversion criteria:

Before any Out of Court Disposal can be considered the Police must ensure that certain criteria are met (Appendix 3).

Norfolk YJS’s diversion scheme consists of police-led triage and a multi-agency, joint decision-making panel (Police, YJS, Social Care, Restorative Justice, Community and Partnerships). The most appropriate agency will work with the child taking account of existing trusted professional relationships (Outcome 20). The large



You were a complete star and we would have struggled to have supported L it was not for you and your dedication to young people and this young person in particular. You really were child focussed and I can't thank you enough for the work you did with L
(Head of Social Work)

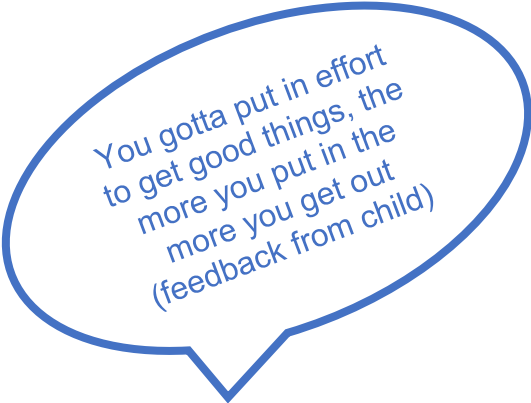
majority of diversionary interventions are delivered by Youth Justice Workers and this currently makes up approx. 60% of the total workload across the service.

All assessments undertaken are quality assured, regular joint audit activity is undertaken alongside the police and there is an effective escalation process in place. A joint agency steering group oversees the work of the diversion scheme and a joint protocol is in operation.

Multi agency panel decisions are regularly scrutinised by a regional multi agency scrutiny panel. Where learning is identified this is fed back to individual police officers.

Education

Norfolk YJS was awarded the Youth Justice SEND Quality Mark in February 2023 for partnerships securing better outcomes for children and young people with special education needs in the youth justice system.



You gotta put in effort to get good things, the more you put in the more you get out (feedback from child)

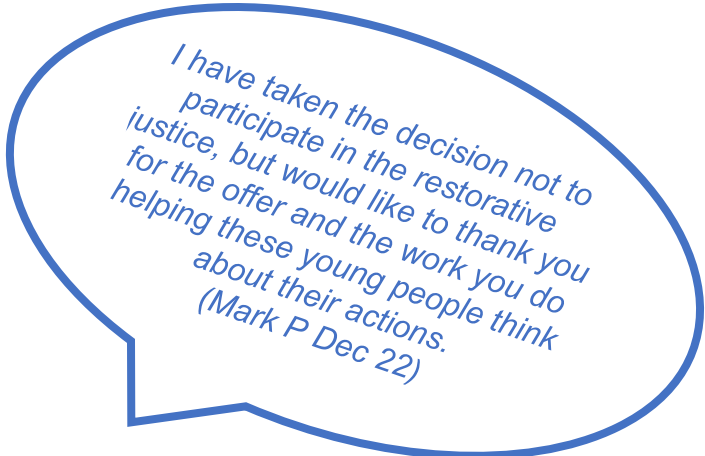
Education is represented at Norfolk Youth Justice Board by senior managers with responsibility for both pre and post 16 Education. There is a strategic plan in place led by these board representatives who are overseeing the implementation of an action plan with a particular focus on children in youth justice with SEND, children who are excluded and children who are home educated and not in employment, education or training. Achievement of literacy and numeracy level 1 is a key focus for the service. Analysis of our data highlights an increase in children with SEMH need age 16 and above. Our focus on mental health by our health team has supported us to address

these issues. Norfolk YJS recognise this is a complex systemic problem which will require ongoing commitment and prioritisation.

Restorative approaches and victims

There is a Norfolk restorative approaches strategy in place which aims to ensure a system wide consistent way of working with children and families. All staff in YJS are encouraged to work restoratively, with children and families, thus preparing them for potential restorative justice interventions.

Norfolk YJS employs two restorative justice officers who promote the needs and views of victims across all intervention types. The Restorative Justice Officers deliver bespoke and meaningful restorative interventions based on victims needs whilst upholding the entitlements of the victim code. They actively promote restorative practice across the service and seek to empower practitioners and children to increase engagement in restorative interventions. In addition our restorative justice team provides training to volunteers and coaching for staff.

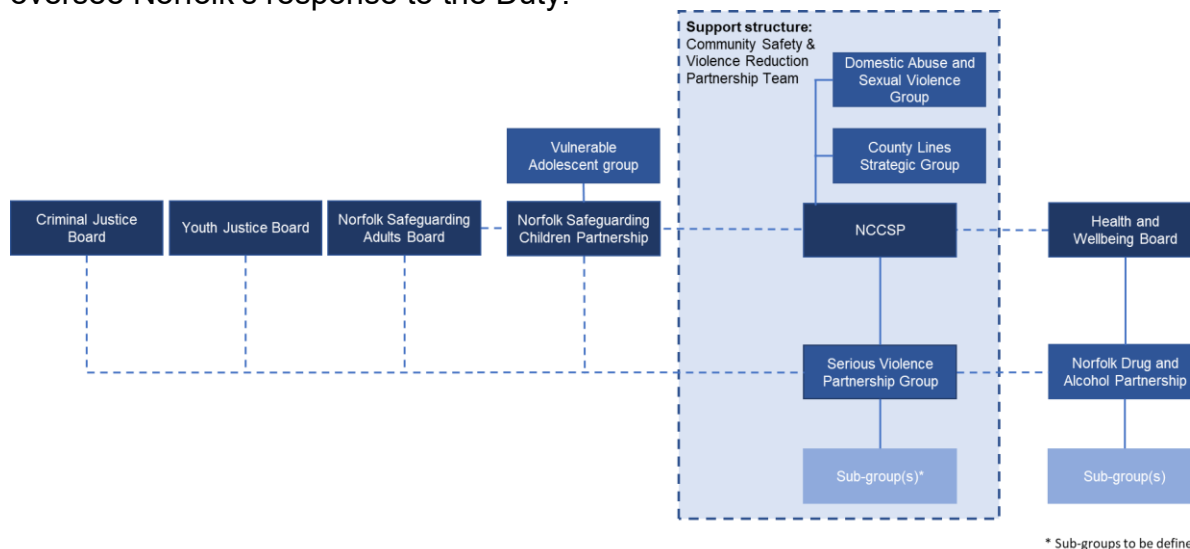


I have taken the decision not to participate in the restorative justice, but would like to thank you for the offer and the work you do helping these young people think about their actions. (Mark P Dec 22)

Serious violence and exploitation

Arrangements to manage the Serious Violence Duty in Norfolk were initiated during the review of the Norfolk County Community Safety Partnership (NCCSP) in 2020 and written in to the Safer Norfolk Plan (2021).

The Serious Violence Partnership Group (SVPG) (within the governance of the NCCSP) and attended by representatives from each of the specified authorities) will oversee Norfolk's response to the Duty.



The Youth Justice Service forms part of the Local Criminal Justice Board (LCJB). LCJBs bring together criminal justice organisations at police force area level to support joint working and improve services. The purpose and vision of the LCJB is to reduce crime, harm and risk by increasing the efficiency and credibility of the Criminal Justice System. By working in partnership, the board aims to improve services to the public with the minimum costs, supported by the best available evidence.

The Youth Justice Service is an active participant and ensures cross organisational issues such as violence and exploitation receive due attention.

Norfolk has well embedded arrangements for the identification and subsequent allocation of support to children who are at risk or experiencing exploitation and/or serious youth violence. Norfolk YJS are key contributors to Multi Agency Child Exploitation processes and forums which include screening, planning for individuals, contextual safeguarding mapping and regular community tensions meetings. Guidance is in place for responding to serious incidents.

These arrangements are governed by the exploitation oversight forum which consist of multi-agency senior operational managers who ensure procedures are effective and scrutinise data in order to target resource. Exploitation is a priority of the Norfolk Childrens Safeguarding Partnership which governs the vulnerable adolescent strategy. The Head of Service role for Norfolk Youth Justice Service and the Targeted Youth Support Service has now merged. The Targeted Youth Support Service provides intensive youth work intervention for adolescents screened through the multi-agency Child Exploitation (MACE) process. Greater integration of the two services will enable opportunities for creative approaches which will enhance our

offer to children in the youth justice system. All relevant Youth Justice Service staff are trained to support national referral mechanism referrals. We continue to experience delays in NRM decision making. Norfolk YJS contributes to Norfolk Channel Panel as an active member and there is an expectation that all staff receive regular PREVENT awareness training.

We are aware of high released under investigation (RUI) numbers and Norfolk YJS are in the process of obtaining data. This will be a priority looking forward. Children Services are made aware of all children arrested. The Children's Advice and Duty Service (CADS) exploitation desk will consider exploitation screening and referrals for further support where appropriate. Norfolk YJS and Targeted Youth Support Service receive 3 daily updates on all of the children held in police investigations across the county. This enables Norfolk YJS to be responsive in respect of planning and contextual safeguarding. It also ensures the ability for a multi-agency approach to maximise the preparation time for cohesive bail packages and planning to avoid remand.

A Critical Learning Review action plan has been implemented and internal practice related improvements have been made. A wider multi agency review of our practice and responses in relation to a serious violence related death is due to take place in the forthcoming months.

Detention in police custody

In Norfolk work is underway to increase Police and Criminal Evidence (PACE) bed use.

Across the region Norfolk and Suffolk hold a quarterly multi-agency Safeguarding Children in Police Custody meeting. This is chaired by both (alternating) Youth Justice Service Head of Services to ensure sufficient oversight is provided.

Over the last 12 months a revised protocol between Norfolk Children's Services and Norfolk Constabulary for the Transfer of Children to Local Authority Accommodation from Police Custody has been produced and implemented. This is based on the national model. This revised protocol has also been accompanied by specific activity to improve the care and well-being of children in detention, including:

- A review and reminder of processes within Police custody suites to ensure all partners are familiar with procedures.
- Police have agreed that the deployment of solicitors will be mandatory for children who are arrested.
- The police are working hard to ensure that cells are more child friendly with activity boxes / screens in them where it is decided that there is no option but for children to be kept in police custody. Norfolk YJS will be supporting children to participate in advising the constabulary for this project.
- Partners to consider how best to use the PACE bed and share learning.

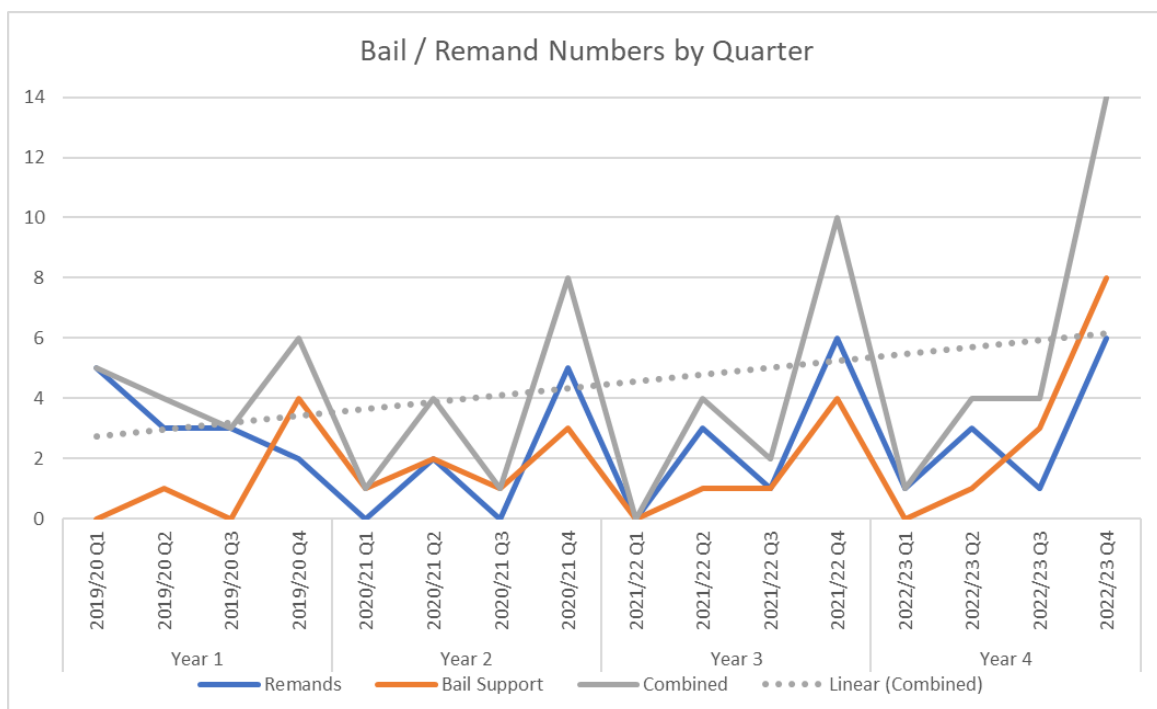
Norfolk YJS employs two Early Intervention Custody Workers who support children whilst they are detained in the busiest of the five Police Investigation Centres (PICs).

The Golden Hour approach seeks to improve information exchange and safeguarding responses when children are in Police custody. The Golden Hour enables critical information around a child being held in police custody to be shared in real time between Norfolk Constabulary and Children’s Advice and Duty Services (CADS)/Emergency Duty Team (EDT). Critical information regarding any safeguarding or welfare concerns which could impact on a child’s safe stay in custody or release plans will be shared (under Norfolk Multi- Agency Safeguarding Hub (MASH) Information Sharing Agreement).

Norfolk County Council holds a contract with Anglia Care Trust for the provision of an Appropriate Adults (AA) service. The service is funded by Adult Social Care; Norfolk Constabulary; the Norfolk Youth Justice Service and the NHS through the ICB.

Remands

Over recent years the use of remand to youth detention accommodation has increased. The majority of Norfolk children who are remanded subsequently receive community sentences and this is in line with national data. These periods of remand disrupt the positive aspects in children’s lives which would support their long term desistance. Placement sufficiency for children continues to be a challenge locally and nationally.



In order to identify and address systemic and practice issues Norfolk YJS reviews all remands at our scrutiny panel. This will soon be extended to include partner agencies including the courts.

Improvement recommendations include:

- Youth Justice Service need to ensure that we are clearer regarding the bail package proposed e.g as conditions/bail Intensive Supervision Surveillance(ISS)
- Further conversations with the Crown Court to build relationships and understanding of the service.
- Youth Justice Service and Family Help need to strengthen the joint planning particularly with regards to placement availability.
- For senior managers and the Board to discuss how we move forward with regards to placement availability for children where a remand is being considered.
- Youth Justice Service need to be recommending Secure Children's Homes for every child remanded or sentenced to Youth Detention Authority.
- Additional training for court duty officers needs to be delivered to identified staff
- Court needs to be scheduling 3 week review hearings for all cases where a longer adjournment is required.
- The process needs to be established so that children receive the Court remand decision making document (post PCSC Act 2022)

Use of custody

Norfolk broadly reflects the national trend where the number of children being sentenced to custody has decreased.

Norfolk YJS has completed analysis on children sentenced to custody in 2022. In this period three boys were sentenced to custody – profiles below.

- Child A mixed heritage – episodes of LA care, experienced neglect and exploitation, long history of offending which started at the age of 13, first remand at the age of 15
- Child B White British, first record of an offence at the age of 10, LAC, diagnosed with ADHD, learning difficulties, Education, Health Care Plan in place, family known to Children's Services since 2009. No prior remand received immediate custodial sentence
- Child C White, East European, escalated from a 6 month Referral Order to a 24 Month Detention & Training Order in a few months. Sentence appealed and child C received a community sentence

All of these children were linked to serious youth violence and child criminal exploitation and as such had significant vulnerabilities often emerging prior to exploitation.

Norfolk YJS is committed to further develop diversion practice and trauma informed approaches to counteract the impact of some of those vulnerabilities. As described

in serious youth violence section Norfolk YJS works collaboratively with the community of practice around these children to promote safety wellbeing and disruption

Constructive resettlement

Over the past 12 months Norfolk YJS have revised and updated the Constructive Resettlement policy to ensure we prioritise the needs of children during their time in custody. Norfolk Youth Justice Service have included constructive resettlement in the joint protocol between Youth Justice Service and Children's Services as the service recognises that positive joint working is essential to improve constructive resettlement. Our quarterly remand scrutiny panel includes constructive resettlement as part of the audit.

10. Standards for children in the justice system

Norfolk YJS will complete a self assessment of standards for children in the youth justice system in the coming year.

Our Quality Assurance Framework sets out how we drive continual improvement in our practice.

The success of the framework is built on the principle that everyone in the organisation has a responsibility for quality assurance. Quality assurance will be embedded in all aspects of NYJS's work from the assessment and planning stages through to delivery and will be based on several practice principles such as:

- Repair harm, fewer victims and victim safety
- Desistance Theory
- Restorative
- Trauma informed
- Safety and Wellbeing
- Public Protection
- Disproportionality/Equality
- Strengths focused
- Developing pro-social identity
- Supportive relationships
- Promoting a childhood removed from the criminal justice system
- Balancing between needs/goals/strengths and risk factors
- Active participation and involvement



I don't think that we would have got anywhere without A calming the child and getting his verbal agreement. T (Referral Order panel member)

Norfolk YJS Management Board provides strategic direction and is responsible for overseeing the performance of the whole youth justice system in Norfolk. All audit findings are regularly presented to the board for scrutiny.

We have taken the following actions to address gaps found in internal audits:-

- Comprehensive assessments skills training (analysis and bias, 5P case formulation etc)
- Developed new planning processes and delivery of related workshops
- Practice observations (assessment and planning)
- Developed a more robust induction package for staff
- Delivered presentations to staff on current disparity landscape
- Introduced a trauma informed child first practice in relation to development of pre sentence reports
- Workshops for court staff focusing on areas of improvement such as appropriate language and regard for relevant theories
- Adapted out of court disposal assessment form to include risk of reoffending
- Improved recording of defensible decision making at panel

11. Workforce Development

Norfolk YJS are committed to providing positive training and support opportunities for staff. All incoming staff participate in a robust induction programme to fit their role. Youth Justice practitioners are expected to obtain the effective practice certificate within their first year of service. All managers are offered Institute of Leadership and Management Level 5 training. Norfolk YJS also provide an opportunity for 1 practitioner per year to undertake a degree in youth justice.

Staff receive regular line management supervision. In addition to this, practitioners and managers receive clinical, reflective group supervision facilitated by our clinical psychologist. One to One clinical supervision is also offered to staff where necessary.

Our workforce development plan for 2023/24 is attached – appendix 4

12. Evidence-based practice and innovation and Evaluation

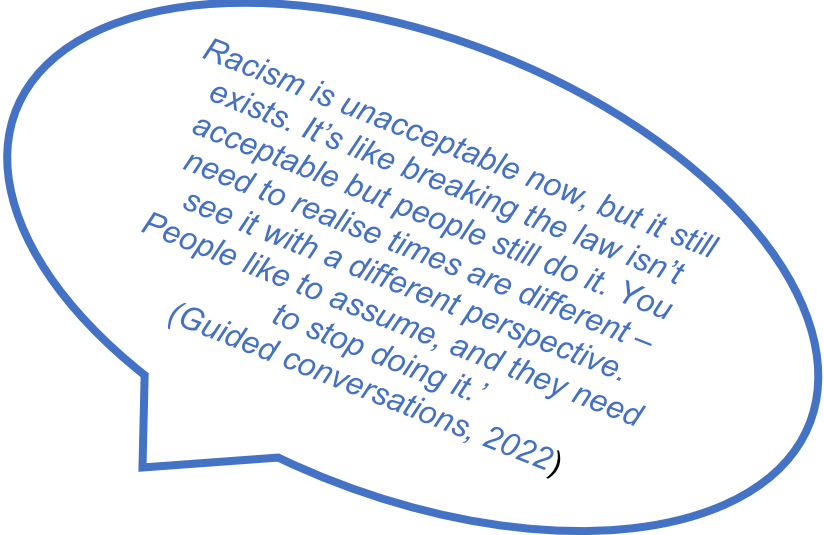
Children in Police Custody (Golden Hour)

Following on from the successful Pathfinder project, that included introduction of our Early Intervention Custody workers in May 2021, Norfolk YJS has supported the implementation of The Golden Hour approach. This seeks to improve information exchange and safeguarding responses when children are in Police custody. The Golden Hour enables critical information around a child being held in police custody to be shared in real time between Norfolk Constabulary and Children's Advice and Duty Services (CADS)/Emergency Duty Team (EDT). Critical information regarding any safeguarding or welfare concerns which could impact on a child's safe stay in custody or release plans will be shared (under Norfolk Multi- Agency Safeguarding Hub (MASH) Information Sharing Agreement).

Work to reduce Disparity

Norfolk YJS and the Targeted Youth Support Service has started to embed Guided Conversations based on the evidence based and research informed Manchester [Participatory Youth Practice \(PYP\)](#) framework.

Guided conversation is a method for engaging children designed to support exploration of a particular theme or issue. At the end of last year we piloted the approach to focus on the experience of black children in the criminal justice system. We have worked with the children to explore their identity, enable them to have their voices heard and to use what we have learnt from the conversations to influence practice and service development and challenge inequalities in the system.



Racism is unacceptable now, but it still exists. It's like breaking the law isn't acceptable but people still do it. You need to realise times are different – see it with a different perspective – People like to assume, and they need to stop doing it.'
(Guided conversations, 2022)

Following research and consultation with Norfolk Constabulary, a stop and search training session has been developed by Norfolk YJS for practitioners to raise their awareness of children's rights. In conjunction with the session, a resource pack has been developed which will enable practitioners to support children to understand their rights and upskill them in self advocacy.

13. Service development plan

Service development

Norfolk Youth Justice Board have agreed the following priorities for 23/24. Whilst these largely mirror last year's priorities Norfolk YJS are targeting specific areas of emerging themes.

We have recognised for all of the priorities to be delivered successfully both participation and community of practice needs to be central to how we operate and as such do not appear as separate priorities but rather form an integral part of each individual priority.

Serious Youth Violence

What will we do	How will we know
Ensure NYJS meets the requirements of the Serious Violence Duty	Strategic needs analysis in place
Deliver group work activities alongside TYSS that enhance safety for children in the community	Positive evaluation of group work activity including feedback from children
Continue contributing to mapping emerging risk in relation to extra familial harm to support the development of effective context assessment and plans	Clear measurable actions and outcomes from mapping
Expand membership to other relevant agencies	Staff report feeling competent, safer and contained
Work to develop and maintain an effective community of practice alongside specialist exploitation and serious violence teams	Suite of interventions is implemented
Review interventions and utilise evidence based toolkits	
Take action to explore how data relating to SYV can be utilised to strengthen prevention and understand the cohort	

Disparity

What will we do	How will we know
<p>Multi-agency joint protocol to reduce disparity to be developed</p> <p>Review multi-agency data and improve recording of ethnicity</p> <p>Ensure ethnic minority representation on the Norfolk Youth Justice Service Board</p> <p>Continue to develop the Guided Conversations model and expand to parents</p> <p>Girls-specific group work and feedback to inform future interventions</p> <p>Focus on recruitment to ensure more diverse workforce</p> <p>Continue to build links with local community groups</p> <p>Commission training on racism and anti-discriminatory practice with a particular focus on working with children from minoritised backgrounds</p> <p>Work jointly with the courts to develop a joint understanding of disparity in the Youth Justice System</p> <p>Address disproportionality in relation to criminalisation of looked after children)</p> <p>Address disparity in outcomes for children heard in Saturday/ bank holiday courts</p> <p>Work with partners to take a Child First approach to avoid unnecessary adultification of older children</p>	<p>Qualitative and quantitative data, including children’s feedback, will show a reduction in disparity across identified areas of the criminal justice system eg custody, stop and search, court</p>

Remand and Bail

What will we do	How will we know
<p>Further join-up between CS with YJS professionals to support the Valuing Care and Placement Risk Assessments in order aid placement searches and ensure risk is better managed</p> <p>The Head of Youth Justice Service to sit on the placement sufficiency board with a view to ensuring the needs of children in the youth justice system are paramount</p> <p>Focus our work to reduce disparity in relation to decision making in police custody and courts affording the same opportunities to all children regardless of their ethnicity and nationality</p> <p>Further develop the community of practice in order to ensure all key partners have a shared understanding of all statutory frameworks</p> <p>Identify all resources available across the system to create robust bespoke appropriate bail packages that instil confidence in courts and meets the needs of children in light of the new case management guidance</p> <p>Implementation of recommendations following HMIP thematic inspection as below:-</p> <ul style="list-style-type: none"> • Work with partners to understand reason for high numbers of community sentences following remands and take action to address • Develop board links with the secure estate • Ensure children subject to RUI have offences resolved as quickly as possible - some children are at risk of turning 18 prior to court, or being unable to access ROTL • Resolve proactive use of PACE beds. Develop police and EDT understanding regarding security thresholds and ensure sufficient availability 	<p>Data and audits will show appropriate use of custody and good practice in relation to provision for robust bail packages that support children in the community</p> <p>Sufficient appropriate placement opportunities supported by skilled foster and residential carers with an understanding of the youth justice cohort</p>

<ul style="list-style-type: none"> • Review the use of criminal behaviour orders. Undertake analysis of the effectiveness of CBOs • Ensure practitioners are confident and competent to move from relationship building to behaviour change interventions (Bail) • Undertake development work with court staff to ensure assessment includes sufficient analysis (particularly where children are not known to us) • Work with partners in social care to ensure early planning to ensure sufficient bail accommodation options are available to the courts. Develop understanding of custody as a last resort • Contribute to Criminal Justice Board action to raise and address court backlogs impacting on children. • Ensure children looked after receive appropriate care under the provisions of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LASPO) • Ensure Child First approach is taken by all partners when responding to children in youth justice regardless of their age 	
---	--

Reducing Reoffending

What will we do	How will we know
<p>Analyse the characteristics of the cohort more likely to reoffend</p> <p>Utilise youth crime dashboard developed by the police to enable early response and identification of emerging trend</p> <p>Utilise community of practice to ensure that the right children get the right help at the right time.</p> <p>Work jointly with partners to reduce the risk of children subject to Released Under Investigation/police bail reoffending during that period</p>	<p>More effective targeting of resource in response to data</p>

Data

What will we do	How will we know
Implement new Key Performance indicators	Required reporting system in place and we deliver quality data

Diversion

What will we do	How will we know
Review criteria for out of court disposals in light of outcome 22 and HSB offences and implement a pilot accordingly	We will have a diversion scheme in place that will balance capacity and demand of the system A continued positive trend in relation to the numbers of first time entrants in Norfolk YJS

Education

What will we do	How will we know
Support education provisions to confidently manage risk within settings in order to create an inclusive environment for all children Undertake case studies and in depth analysis of children with Literacy and Numeracy needs post 16 and engage with providers on how to best to support this cohort going forward Implement community of practice approaches YJS education training and employment workers and SEND advisers in order to enable positive transitions and better placement matching Norfolk YJS to support post 16 education providers to respond to needs of YJS cohort Undertake participation activity with children to understand enablers and barriers to access provision Implement positive activities for children to support first step engagement with ETE in response to local "what works" evaluation	Improved participation of YJS cohort in ETE Decrease in numbers of NEET in the YJS cohort Improved literacy and numeracy levels in children in the YJS cohort Needs of children with SEND are appropriately met

Children missing education- identify reachable moments to prevent children coming into the criminal justice system (including children with unassessed SEN)	
---	--

Health and Wellbeing

What will we do	How will we know
<p>Recruit a speech and language therapist to join the health team in Norfolk YJS</p> <p>Undertake activity to understand emerging increase in sexually harmful behaviour from children and develop a responsive action plan</p>	<p>All children in or at risk of entering the youth justice service in Norfolk to have their mental health, neurodevelopmental, communication and learning needs fully identified and addressed</p> <p>Increased capacity in Norfolk YJS to undertake harmful sexual behaviour assessments and Action plan targets will be met</p>


Challenges, risks and issues

Current Challenges	Actions taken
<p>Whilst our Out of Court Disposal figures are beginning to level out, the complexity of needs and changing landscape of offences have increased pressure on staff and systems</p> <p>A significant rise in statutory referral orders</p>	<p>Review the criteria for out of court disposals to take account of capacity and demand</p> <p>Problem solving alongside partners at Steering Group</p> <p>Positive vacancy management to ensure newly recruited case managers are placed in post court team</p>
<p>Lack of social workers and probation staff has impacted on high-risk practitioner quota</p>	<p>Working with Probation to promote YJS to newly qualified officers</p> <p>Recruitment of social workers is a wider problem for Norfolk and nationally. There are steps undertaken from the wider Childrens Services perspective to attract social workers</p> <p>Using the skills and talents of alternatively qualified staff where it is appropriate to do so</p> <p>Working with partners and stakeholders to ensure that the right work is managed by the youth justice service</p>
<p>Recruitment and retention of staff is problematic</p>	<p>A review of recruitment and retention processes is underway</p>

Rising costs of living and increase of poverty impacting on children and families will increase wider social issues and potentially criminality	Raise awareness with partners. Monitor data and profile of children. Work with partners and key stakeholders to mitigate risk of poverty and associated risks
Hybrid way of working creates additional time and workload pressures	Increased attendance at offices where possible

Potential Risks	Proposed action
Lack of social workers and probation staff dilutes the multiagency nature of YJS and limits a holistic response to children	Working with Probation to promote YJS to newly qualified officers Recruitment of social workers is a wider problem for Norfolk and nationally. There is a comprehensive strategy in wider Children's Services perspective to attract social workers
Complexity of out of court disposal cases may overwhelm the service	Consideration of tightening criteria to restrict numbers or ultimately suspension of service to ensure statutory delivery is not impacted Working with partner agencies to ensure that the right children receive the right service at the right time

14. Sign off, submission and approval

Chair of YJS Board – Name	Chris Robson
Signature	
Date	26/6/2023

15. Appendixes

Appendix 1: staffing structure


Appendix 2 Budget Costs and contributions

Appendix 3: Diversion Process

Appendix 4: Workforce development plan 23/24

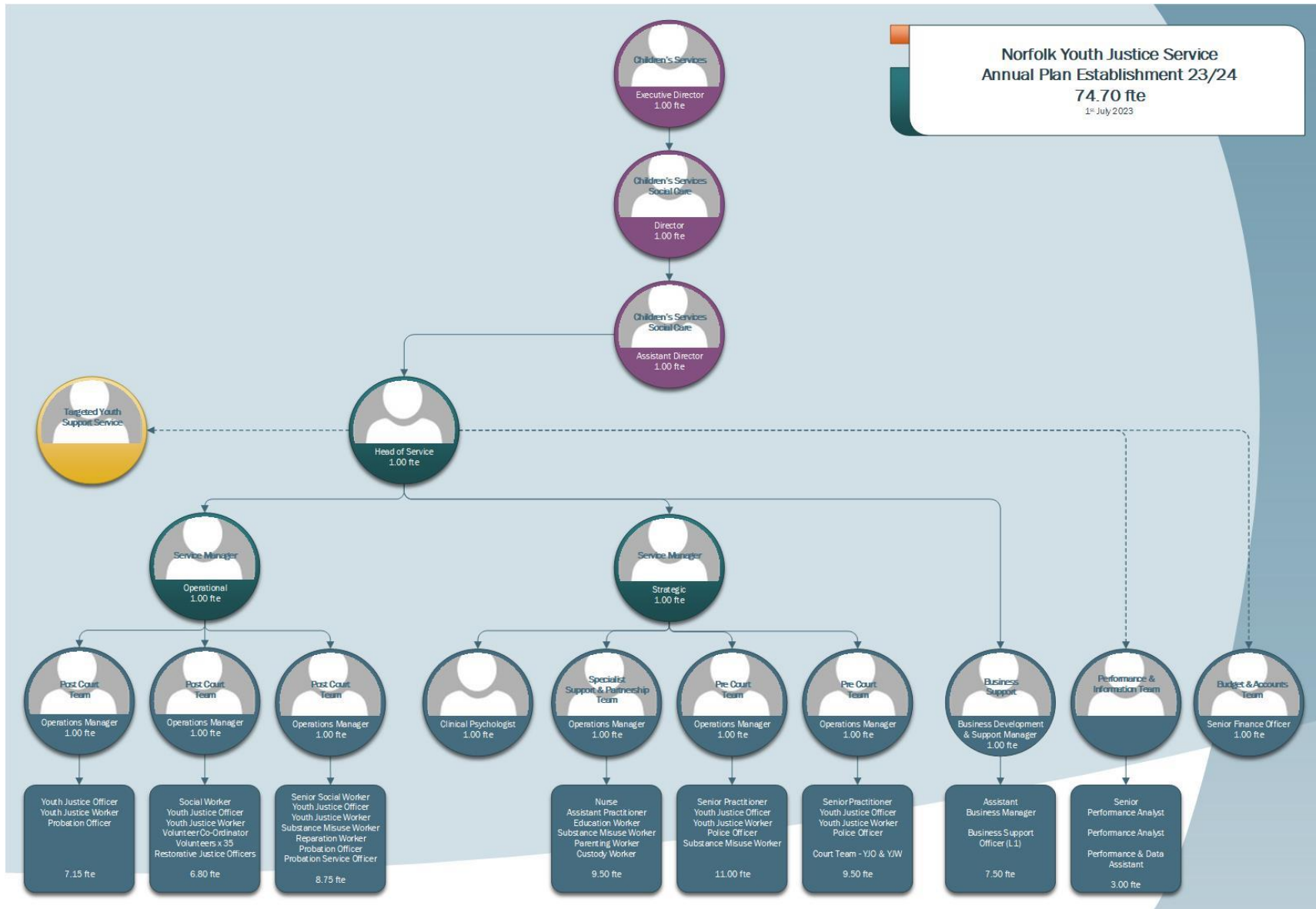
Appendix 5: Youth Justice Board membership and attendance

Appendix 1 - Norfolk Youth Justice Service Budget 2023 – 2024

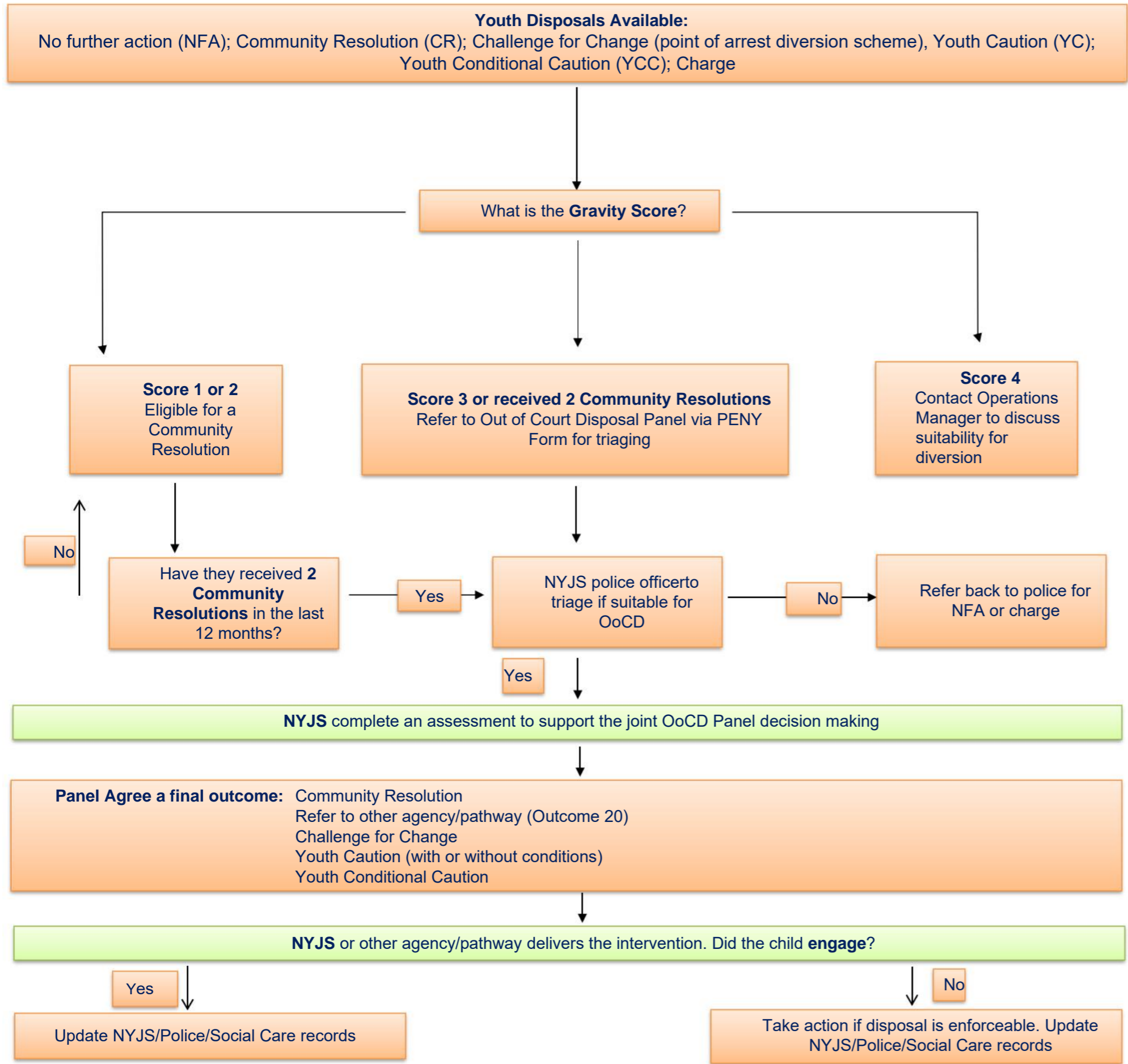
		NORFOLK YOUTH JUSTICE SERVICE 2023/24 (as at 31st May 2023)	
		£	£
PARTNERS CONTRIBUTIONS TO POOL BUDGET			
Norfolk County Council / Children's Services		628,238	
NHS Norfolk & Waveney Integrated Care Board		123,089	
Norfolk Constabulary		116,205	
Probation Service - Management Fees		10,000	
Probation Service - Staff	**	60,276	
Sub-total			937,807
YOUTH JUSTICE BOARD GRANTS			
Youth Justice Grant <i>including Junior Attendance Centres</i>	*	892,671	
Sub-total			892,671
OTHER GRANTS / PROJECTS			
Office for Health Improvement and Disparities		43,000	
Children's Services - Early Intervention Grant		325,000	
Project ADDER		98,720	
Ministry Of Justice - Turnaround Programme		298,866	
Sub-total			765,586
PARTNERS 'IN-KIND' CONTRIBUTION – SECONDED STAFF & OVERHEADS			
Children's Services - includes 3.0 fte Education Workers / 4.0 fte Social Workers		923,620	
Children's Services - Overheads		144,202	
NHS Norfolk & Waveney Integrated Care Board - 3.0 fte Health Workers		183,257	
Norfolk Constabulary - 3.0 fte Police Officers		183,165	
Probation Service - 1.3 fte Probation Officers / 0.45 Probation Service Officer	**	0	
Sub-total			1,434,244
TOTAL			4,030,308

** to be confirmed / ** cash in lieu*

Appendix 2 – staffing structure



Norfolk Triage and Diversion process



Diversion Criteria

All officers and Norfolk YJS should work to Child Centred Policing Principles 2021 and will be committed to reducing disparity in the diversion process. Before any OoCD can be considered the Police must ensure the following criteria are met:

- The child is between the ages of 10-17.
- There is evidence that the child has committed a substantive offence(s).
- The child has had access to appropriate legal advice and an appropriate adult.
- There is sufficient evidence to charge the child with the offence(s) relating to the incident.
- Have an admission that the child has committed the offence(s), (via interview, voluntary attendance, where applicable via PNB or body worn video).
- That the child and/ or their family have consented to work with the NYJS.
- If this a Looked After Child, other alternatives have been considered.
- The victims' views have been sought and

Appendix 4

Training plan for the year 2023-24

Learning/ Development Area	Where Training Need was Identified	Target Audience	Provider and Method	NYJS Person Responsible	Dates
Neurodevelopment and LD (incl. SEND process and how to identify SLT needs)	Staff skills audit	Practitioners	Rolling basis	Becca Bealey	March 2024
Planning	Audits (all)	Practitioners	Workshop	Aimee Allerton & Charlotte Squires	April 2023
Introduction to Mental Health	Staff skills audit	Practitioners & managers	Training (face to face)	Donna Moy	May 2023
New Staff induction programme	Recruitment	New practitioners	NYJS	Dan Wilson	July 2023
Speech and Language training	Local needs analysis, national research	Practitioners	Training (face to face)	NCC Speech and Language Therapist	July 2023
Anti-racism training	National; research & audits	Practitioners & managers	Liminality group 1.5 day training (face to face)	n/a	September 2023
Safeguarding refresher training	Internal	Practitioners & managers	Training (face to face)	Tom Christman	October 2023
AssetPlus	Internal	Selected staff	Training	TBC	October 2023
Working with Gypsy, Roma and Traveller children	Audits National	Practitioners & managers	NCC GRT team	n/a	September 2023

Case management guidance (with Child First, desistance & risk)	National	Practitioners & managers	NYJS training (face to face)	TBC	November 2023
Health assessments and AssetPlus	New health model	Practitioners	Training	Donna Moy	February 2024
HSB Workshop	Internal	Practitioners	Workshop (face to face)	Carla Hamilton	November 2023

Appendix 5

Norfolk Youth Justice Board Current Member Details (as of 31 March 2023)

Job Title	Representing	05/07/2022	26/09/2022	19/12/2022	27/03/2023	% attendance
Head of Community Safety	Office of the Police & Crime Commissioner	x	a	a	x	50%
Commissioning Manager – Children and Young People	Public Health	n/a	a	a	a	0%
Independent Chair of NYJ Board	Independent	x	x	x	x	100%
Effective Practice Advisor	Youth Justice Board	n/a	x	a	a	33%
Chief Inspector	Norfolk Constabulary	a	a	a	x	25%
Legal Advisor and Youth Court Lead	Her Majesty's Courts & Tribunal Services	a	a	a	a	0%
Assistant Director – Childrens Social Care	Norfolk County Council / Childrens Services	x	x	x	a	75%
Participation & Transition Strategy Manager	Norfolk County Council / Education	a	a	a	x	25%
Head of Norfolk Probation Service	National Probation Service	a	a	a	x	25%
Chair of the Youth Court Bench	Her Majesty's Courts and Tribunal Services	a	x	a	x	50%
Assistant Director of Individuals and Families	South Norfolk District Council / Broadland DC	a	x	x	x	75%
Assistant Chief Constable	Norfolk Constabulary	a	x	a	a	25%
Director of Housing	Great Yarmouth Borough Council/Housing	x	x	a	a	50%
Strategic Lead for Youth Participation	Childrens Services	a	x	a	x	50%
Director of Children's Social Care	Norfolk County Council / Childrens Services	x	x	a	x	75%
Associate Director of Children, Young People and Maternity for NHS Norfolk & Waveney Clinical Commissioning Group	NHS / Norfolk County Council/ Clinical Commissioning Groups	x	x	x	a	75%
Director of Commissioning, Partnerships and Resources	Norfolk County Council / Childrens Services	a	a	a	a	0%
T/Superintendent, Community Safety	Norfolk Constabulary	x	x	x	a	75%
Head of Education Quality Assurance & Intervention	Norfolk County Council/Education	a	x	x	x	75%



Norfolk County Council

[Youth Justice Service Plan 2023.]

Equality Impact Assessment – Findings and Recommendations

[01/10/2023]

[Lauren Downes – Head of Youth Justice and Targeted Youth Support Services]

Equality impact assessments enable decision-makers to consider the impact of proposals on people with protected characteristics.

You can update an assessment at any time to inform service planning and commissioning. For help or information please contact equalities@norfolk.gov.uk

1. The proposal

Youth Justice Plan 2023.

Summarise here the purpose and aims of your proposal

Agree to the contents of the Youth Justice Plan for Norfolk 2023.

This is to enable Norfolk County Council to fulfil its statutory duty to submit an annual Youth Justice Plan relating to the provision of youth justice services including how they will be funded, operate and what functions will be carried out. This plan is formulated and implemented after consultation with partner agencies.

The plan sets out how offending behaviour of children should be prevented and reduced. Annual plans are an opportunity to review performance and development over a single year period and plan for the next year through the identification of actions to be undertaken under key priorities. This allows for any changes that have taken place over the past year, such as legislative and demographic, to be taken into account.

1. Legal context

- 1.1 Public authorities are required by the Equality Act 2010 to give due regard to equality when exercising public functions¹. This is called the 'Public Sector Equality Duty'.
- 1.2 The purpose of an equality impact assessment is to consider the potential impact of a proposed change or issue on people with protected characteristics (see Annex 1 for information about the different protected characteristics).
- 1.3 If the assessment identifies any detrimental impact, this enables mitigating actions to be developed.
- 1.4 It is not always possible to adopt the course of action that will best promote the interests of people with protected characteristics. However, equality assessments enable informed decisions to be made that take every opportunity to minimise disadvantage.

2. Information about the people affected by the proposal

This proposal will primarily impact on the planning for young people who may come into contact with the Youth Justice Service or related partners as well as fulfilling the statutory obligations of Norfolk County Council.

3. Potential impact

- 3.1 Based on the evidence available, this proposal is likely to have a positive impact on young people who may come into contact with the Youth Justice Service, some of who will have protected characteristics, or related partners, as well as fulfilling Norfolk County Council's statutory duties to have this Plan.
- 3.2 This is because the plan sets out the duties applicable to those young people aforementioned; to support and promote their best interests whilst fulfilling duties to public protection. The plan also sets out particular planning regarding issues of diversity.

- 3.3 There is no legal impediment to going ahead with the proposal. It would be implemented in full accordance with due process, national guidance and policy. Similar proposals are implemented elsewhere in the UK.
- 3.4 It is possible to conclude that the proposal may have a positive impact on some people with protected characteristics, for the reasons set out in this assessment. It may also have some detrimental impacts, also set out in the assessment.
- 3.5 Decision-makers are therefore advised to take these impacts into account when deciding whether or not the proposal should go ahead, in addition to the mitigating actions recommended below.
- 3.6 Some of the actions will address the potential detrimental impacts identified in this assessment, but it is not possible to address all the potential impacts. Ultimately, the task for decision-makers is to balance these impacts alongside the need to manage reduced resources and continue to target support at those who need it most.

4. Recommended actions

If your assessment has identified any detrimental impacts, set out here any actions that will help to mitigate them.

Number	Action	Lead	Date
1.	N/A		
2.			
3.			


5. Evidence used to inform this assessment

I have particularly considered the

- [Equality, Diversity and Inclusion Policy](#)
- Demographic factors set out in [Norfolk's Story 2021](#)
- Norfolk County Council [Area Reports](#) on Norfolk's JSNA relating to protected characteristics
- Equality Act 2010 and Public Sector Equality Duty codes of practice

6. Further information

For further information about this equality impact assessment please contact **[insert job title and contact details of relevant member of staff]**

	<p>If you need this document in large print, audio, Braille, alternative format or in a different language please contact xxx on xxx or xxx (Text relay)</p>
---	---

Annex 1 – table of protected characteristics

The following table sets out details of each protected characteristic. Remember that people with multiple characteristics may face the most barriers:

Characteristic	Who this covers
Age	Adults and children etc, or specific/different age groups
Disability	<p>A person has a disability if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities.</p> <p>This may include but is not limited to:</p> <ul style="list-style-type: none"> • People with mobility issues (eg wheelchair or cane users, people of short stature, people who do not have mobility in a limb etc) • Blind and partially sighted people • People who are D/deaf or hearing impaired • People with learning disabilities • People who have mental health issues • People who identify as neurodiverse (this refers to neurological differences including, for example, dyspraxia, dyslexia, Attention Deficit Hyperactivity Disorder, the autistic spectrum and others) • People with some long-term health conditions which meet the criteria of a disability.
People with a long-term health condition	People with long-term health conditions which meet the criteria of a disability.
Gender reassignment	<p>People who identify as transgender (defined as someone who is proposing to undergo, is undergoing, or has undergone a process or part of a process to reassign their sex. It is not necessary for the person to be under medical supervision or undergoing surgery).</p> <p>You may want to consider the needs of people who identify as non-binary (a spectrum of gender identities that are not exclusively masculine or feminine).</p>
Marriage/civil partnerships	People who are married or in a civil partnership. They may be of the opposite or same sex.
Pregnancy and maternity	Maternity refers to the period after birth and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination

Characteristic	Who this covers
	is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.
Race	Race refers to a group of people defined by their race, colour, or nationality (including citizenship) ethnic or national origins. A racial group can be made up of two or more distinct racial groups, for example a person may identify as Black British, British Asian, British Sikh, British Jew, Romany Gypsy or Irish Traveller.
Religion/belief	Belief means any religious or philosophical belief or no belief. To be protected, a belief must satisfy various criteria, including that it is a weighty and substantial aspect of human life and behaviour. Denominations or sects within a religion can be considered a protected religion or religious belief.
Sex	This covers men and women. Also consider the needs of people who identify as intersex (people who have variations in sex characteristics) and non-binary (a spectrum of gender identities that are not exclusively masculine or feminine).
Sexual orientation	People who identify as straight/heterosexual, lesbian, gay or bisexual.

Document review

Reviewed and updated:	Reviewer
October and November 2016	Corporate Planning & Partnerships Manager
December 2017	Equality & Diversity Manager
October 2018	Equality & Diversity Manager
May and November 2019	Equality & Diversity Manager
May and November 2020	Equality & Diversity Manager
June and September 2021	Head of Equality, Diversity and Inclusion

¹ The Act states that public bodies must pay due regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- Advance equality of opportunity between people who share a relevant protected characteristic¹ and people who do not share it;
- Foster good relations between people who share a relevant protected characteristic and people who do not share it.

[The full Equality Act 2021 is available on legislation.gov.uk.](https://www.legislation.gov.uk)

Cabinet

Item No: 15

Report Title: CES Compliance and Enforcement Policy – Annual Review

Date of Meeting: 4 December 2023

Responsible Cabinet Member: Cllr Margaret Dewsbury (Cabinet Member for Communities & Partnerships), **Cllr Graham Plant** (Cabinet Member for Highways, Infrastructure and Transport) and **Cllr Eric Vardy** (Cabinet Member for Environment and Waste)

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

Is this a Key Decision? Yes

If this is a Key Decision, date added to the Forward Plan of Key Decisions: 22 December 2022

Introduction from Cabinet Member

The CES Compliance and Enforcement Policy (the Policy) provides a framework for a number of services within the CES directorate to ensure that we work in an equitable, practical, and consistent manner when undertaking regulatory activities and law enforcement. This is the annual review of the Policy.

Norfolk County Council is committed to the principles of better regulation, as set out in the Regulators' Code. Regulatory services within CES are committed to protecting and supporting Norfolk residents, visitors, businesses, and the environment whilst, at the same time, responding proportionately to address identified non-compliances; so as to reduce burdens on businesses and help them to grow.

This report also sets out new Environmental Protection Regulations that have come into effect, where there is a need to put in place relevant delegation arrangements to enable the associated enforcement activities to take place.

Executive Summary

The Community and Environmental Services (CES) directorate is responsible for a range of regulatory functions, including Trading Standards, Planning enforcement (mineral and waste sites), Flood and Water (land drainage), Norfolk Fire and Rescue (fire safety), Highways (networks, maintenance, and blue badge enforcement) and Safety of Sports Grounds. Each area of work uses different legislation to secure its

aims, and each has its own framework of regulations, codes of practice and guidance. The Policy and associated performance data are subject to annual review by Members.

The Policy has been reviewed and updated to reflect recent changes to legislation and guidance. A revised Policy (Appendix A) has been produced, with proposed changes highlighted, supported by explanatory notes.

The revised Policy, once adopted, will be published via the NCC web pages.

The Environmental Protection (Plastic Plates etc. and Polystyrene Containers etc.) (England) Regulations 2023 have recently come into force, with enforcement functions resting with the County Council. Delegation of these functions is required to enable associated enforcement activities to be actioned, as needed.

Recommendations:

- 1. To approve the revised CES Compliance and Enforcement Policy at Appendix A, including its annex documents.**
- 2. To agree to delegate the functions of the Executive for the purposes of the Environmental Protection (Plastic Plates etc. and Polystyrene Containers etc.) (England) Regulations 2023 to the Head of Trading Standards to be read in accordance with B(8) – specific delegations to the Executive Director of Community and Environmental Services, Norfolk County Council Constitution (page 205).**

1. Background and Purpose

- 1.1 The current Policy was first developed as a cross-departmental policy in 2013. The Policy covers the range of regulatory functions within CES, including Trading Standards, Planning enforcement (mineral and waste sites), Flood and Water (land drainage), Norfolk Fire and Rescue (fire safety), Highways (networks, maintenance, and blue badge enforcement) and Safety of Sports Grounds. It does not try to capture all the detailed, complex, and often changing background to enforcement, but instead seeks to summarise the overall approach to the use of enforcement powers, whether that is criminal prosecution at one end of the spectrum or informal warnings and advice at the other.
- 1.2 The policy is supported by detailed procedures for officers within each service area and, where necessary, additional protocols can be appended to the main policy. There are now six areas of work which appear as annex documents to the main policy; these relate to minerals and waste planning, flood and water management, the Norfolk Fire and Rescue Service, highways enforcement, Blue Badge enforcement and Safety of Sports Grounds.

2. Proposal

- 2.1 The current Compliance and Enforcement Policy has been reviewed by CES regulatory services and updated to reflect recent changes to legislation and guidance. There are also minor amendments this year for clarification. All proposed amendments are highlighted with explanatory notes.
- 2.2 Appendix C documents the stakeholders who have been consulted on and/or contributed to the CES Enforcement Policy since 2014.
- 2.3 The revised policy continues to ensure that the application of enforcement is:
- proportionate to the offence and risks, and mindful of previous transgressions
 - transparent - persons affected understand what is expected of them, what they should expect from the local authority and the reasons for the action
 - consistent in approach, and appropriate
 - consistent with the Equality Act 2010 and the Council's Equalities Policies.

The revised policy, once adopted, will be published via the NCC web pages.

- 1.3 In addition, new Environmental Protection Regulations have come into effect and there is a need to put relevant arrangements in place to ensure that associated enforcement activities that are the responsibility of the County Council can be actioned.

The Regulator for the purposes of the enforcement of offences under the Environmental Protection (Plastic Plates etc. and Polystyrene Containers etc.) (England) Regulations 2023 is the 'local authority', which for Norfolk is the County Council. Regulation 8 enables the regulator to authorise any person to exercise any of the powers specified in the regulations.

It is recommended that Cabinet delegates the functions of the Executive for the purposes of these Regulations to the Head of Trading Standards to be read in accordance with B(8) – specific delegations to the Executive Director of Community and Environmental Services, Norfolk County Council Constitution (page 205).

3. Impact of the Proposal

- 3.1 CES regulatory activities are aimed at protecting the economic wellbeing and safety of Norfolk's residents, visitors, and businesses, and protecting the environment, and the CES Compliance and Enforcement Policy provides a framework within which our regulatory activities are performed.
- 3.2 Experience in regulatory enforcement shows that, in most cases, businesses and individuals comply with the law. Failure to do so generally stems from

ignorance or carelessness, but sometimes from wilfulness or malice. Impact arising from non-compliance can therefore range from advice to prosecution.

4. Evidence and Reasons for Decision

- 4.1 The Policy provides a framework to ensure that we work in an equitable, practical, and consistent manner in the way we deliver regulatory activities and law enforcement. Norfolk County Council is committed to the principles of better regulation, reducing burdens on business with proportionate responses and ensuring we act to protect and support residents, visitors, businesses, and the environment. A range of enforcement approaches is available to the Council but there is a need to discharge these in a consistent, fair, and transparent way, as well as ensuring that the public or environment is adequately protected.
- 4.2 Appendix B provides enforcement performance information in relation to those regulatory functions covered by the Policy.

5. Alternative Options

- 5.1 A CES wide Compliance and Enforcement Policy is considered to be the most effective way to demonstrate how CES intends to fulfil its regulatory/legal responsibilities. An alternative option would be for each service area within CES to produce its own policy. However as described in section 4.1 above there is a need for consistency in overall approach. The format of the draft Policy provides for additional (detailed) protocols where necessary or appropriate.

6. Financial Implications

- 6.1 There are no direct financial implications arising from this report.

7. Resource Implications

- 7.1 There are no immediate resource implications as a result of this proposal, although there is the recognition in the policy that enforcement resources are not limitless and need to be targeted at areas where risk is highest. Higher performing, more compliant businesses require less resource, with regulators focusing their efforts on rogue and higher-risk businesses.

8. Other Implications

8.1 Legal Implications:

There is a legal context to the deployment of enforcement powers. In 2014 the Regulators' Code (the Code) was published and seeks to provide a clear, flexible, and principles-based framework to which regulators should work. It covers how we develop and implement items such as our service standards,

policies, and legal procedures, and sets out the type of information we must include in our enforcement policy. The Council has a legal obligation to have regard to the Code, including ensuring a consistent approach to enforcement. However, we are able to make changes to the policy, if these would better explain or clarify the requirements arising from the Code.

In certain instances, officers may conclude that a provision in the Code is either not relevant or is outweighed by another provision. Officers will ensure that any decision to depart from the Code is properly reasoned, based on material evidence, and documented. The Code requires the Council to publish its Enforcement Policy.

The Council must also have regard to The Code for Crown Prosecutors (CPS) guidance which requires extensive consideration of the evidence (for example is it admissible, substantial, and reliable) before a decision is made to institute legal proceedings; with any decision also considering whether it is in the public interest to prosecute. This Policy provides a clear framework and mitigates the risk of legal challenge regarding the delivery of the regulatory enforcement function within the directorate.

CES, through its public protection and regulatory functions, has an important role to play dealing with crime and disorder. This Policy will support the directorate in protecting the public and the environment in a consistent, fair, and transparent way, in line with both local and national priorities and the legal requirement arising from Section 17 of the Crime and Disorder Act 1998.

The Environmental Protection (Plastic Plates etc. and Polystyrene Containers etc.) (England) Regulations 2023 (the Regulations) have recently been introduced to support the reduction of plastic pollution in the oceans.

From 1 October 2023, the Regulations make it an offence for any person in the course of a business to sell, supply or offer for sale single-use plastic plates, bowls, trays, containers, cutlery, and balloon sticks. Furthermore, businesses commit an offence if they supply ready-to-consume food and drink in polystyrene containers to the end user.

The ban on these items includes:

- Online and over-the-counter sales and supply
- Items from new and existing stock
- All types of single-use plastic, including biodegradable, compostable and recycled
- Items wholly or partly made from plastic, including coatings or linings.

'Single-use' means the item is meant to be used only once for its original purpose.

Regulators are afforded specific powers of entry, examination, investigation, and sampling for analysis or testing to enable them to enforce the provisions of the Regulations, which mirror existing powers familiar to Trading Standards Officers.

Where offences are committed, regulators may impose monetary penalties or compliance notices, having previously issued notices of intent. Regulators may also issue stop notices or enforcement undertakings.

The regulator has to publish a report; specifying the cases in which a civil sanction has been imposed and where a monetary penalty or compliance notice has been accepted or an enforcement undertaking has been entered into.

The regulator also has to publish guidance about its use of civil sanctions under the Regulations. This can be achieved through guidance posted alongside the current CES Compliance and Enforcement Policy on the Trading Standards pages of the NCC website.

Given the powers and duties placed on the Council by the above legislation, the Trading Standards Service is best placed to execute those powers and fulfil those duties, given their familiarity with similar enforcement regimes. The Service also holds business data and collates intelligence pertinent to enforcement of the Regulations.

8.2 Human Rights Implications:

In carrying out its enforcement role, the directorate has regard to the Freedom of Information Act 2000, the Data Protection Act 2018, the Regulation of Investigatory Powers Act 2000, the Investigatory Powers Act 2016, and the Human Rights Act 1998, in terms of the right to a fair trial, right to respect for private and family life, prohibition of discrimination and protection of property.

8.3 Equality Impact Assessment (EqIA):

This Policy has been reviewed and updated in line with the requirements of the Equality Act 2010.

Having a clearly defined approach to enforcement action provides positive benefits to equality. In particular, enforcement in areas such as the misuse of blue badges helps to ensure an important and highly valued service is not abused and can continue to be available for those who need it. People with a disability frequently highlight the importance of effective blue badge enforcement.

An Equality Impact Assessment (EqIA) was produced for this Policy in 2020, in conjunction with the CES Equality and Accessibility Officer. The policy will continue to be reviewed periodically to ensure that it reflects changes to legislation and safeguards the interests and rights of all.

8.4 Data Protection Impact Assessments (DPIA):

Regulators routinely obtain, store, and share information to provide advice and guidance, conduct investigations and ensure compliance with relevant laws. Some of this information is personal data, and some of it is confidential or sensitive. The information is securely stored electronically, on the County Council's Network, and in other ways such as on secure databases and in secure paper files. The information is stored and processed in accordance with

the law (including the Data Protection Act 2018 and the Enterprise Act 2002) and with proper regard to The Council's privacy notices.

Previous discussions have taken place with the Information Governance Team who advise that a Data Protection Impact Assessment is not required, as there is no new processing and the relevant privacy notices relating to regulatory provision are in place and have been recently reviewed.

The NCC Appropriate Policy Document that reflects data protection obligations in relation to law enforcement functions carried out by NCC will be updated to reflect this new function.

8.5 Health and Safety implications:

Health, safety, and wellbeing risk assessments are in place for enforcement activity.

8.6 Sustainability implications:

There are no direct sustainability implications to consider as part of this report. However, the policy does provide for consideration of formal enforcement action where there is a significant risk to infrastructure or the environment. The policy also includes a specific enforcement protocol for Flood and Water Management, and for planning controls.

The new set of Environmental Protection Regulations set out in this report are focused on reducing environmental impacts of activities.

8.7 Any Other Implications:

None

9. Risk Implications / Assessment

- 9.1 This Policy provides a clear framework and mitigates the risk of legal challenge regarding the delivery of the regulatory enforcement functions within CES.

10. Select Committee Comments

- 10.1 The revised CES Compliance and Enforcement Policy and its annex documents were presented to the Infrastructure and Development Select Committee at their meeting on 15 November 2023, with an opportunity to review the policy and note the 2022/23 enforcement performance data and summary of stakeholder engagement.

Members sought further details in relation to flood and water management enforcement and enforcement of age restricted sales of e-cigarettes (vapes). The committee noted the revisions. The policy has been amended since the meeting, in response to a concern raised about the deletion of specific reference to the availability of English Sign Language translation during enforcement activities.

11. Recommendations

1. To approve the revised CES Compliance and Enforcement Policy at Appendix A, including its annex documents.
2. To agree to delegate the functions of the Executive for the purposes of the Environmental Protection (Plastic Plates etc. and Polystyrene Containers etc.) (England) Regulations 2023 to the Head of Trading Standards to be read in accordance with B(8) – specific delegations to the Executive Director of Community and Environmental Services, Norfolk County Council Constitution (page 205).

12. Background Papers

N/A

Officer Contact

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

Officer name: Sophie Leney

Telephone no.: 01603 224275

Email: sophie.leney@norfolk.gov.uk



If you need this report in large print, audio, braille, alternative format or in a different language please contact 0344 800 8020 or 0344 800 8011 (textphone) and we will do our best to help.



Norfolk County Council

Compliance and Enforcement Policy

Community and Environmental Services

November 2023



If you need this advice sheet in large print, audio, Braille, alternative format or in a different language please contact us on 0344 800 8020

Contents

Introduction.....	3
Principles of Inspection & Enforcement.....	4
Primary Authority Partnerships.....	7
Enforcement Actions.....	8
Complaints, Compliments and Comments.....	166
Conflict of Interest in Enforcement Matters.....	16
Where to get further information.....	16

Annexes

Annex 1.....	Local Monitoring and Enforcement Protocol
Annex 2.....	Flood and Water Management Enforcement Protocol
Annex 3.....	Fire and Rescue Service Enforcement Policy Statement
Annex 4.....	Highways Enforcement Protocol
Annex 5.....	Blue Badge Enforcement Protocol
Annex 6.....	Safety of Sports Grounds Enforcement Protocol

1 Introduction

- 1.1 This document applies to the enforcement activities carried out by the Community and Environmental Services (CES) Directorate of Norfolk County Council, including Trading Standards, Highways, Planning and the Norfolk Fire and Rescue Service (Fire Safety).
- 1.2 Where appropriate, additional enforcement protocols or policy may be developed to support this policy, for example where there are national requirements regarding a particular enforcement process. These will be appended to this policy as required. When read in conjunction with Annex 1 this policy constitutes the Local Enforcement Plan for Norfolk County Council Planning Services, as recommended by Paragraph 58 of the National Planning Policy Framework.
- 1.3 This Policy has been developed in conjunction with a range of stakeholders, including business representatives and is subject to annual review and approval.
- 1.4 The purpose of this Policy is to provide a framework to ensure that local authority enforcement is delivered in an equitable, practical, and consistent manner. This is in line with the principles of good enforcement, as set out in the Legislative and Regulatory Reform Act 2006, and regard has been given to the associated [Regulators' Code](#) (the Code) in the preparation of this policy. In certain instances, it may be concluded that a provision in the Code is either not relevant or is outweighed by another provision. Any decision to depart from the Code will be properly reasoned, based on material evidence, and documented.
- 1.5 Compliance with this Policy will ensure that we will strive to be fair, impartial, independent, and objective. We are committed to ensuring that the decisions we take and the services we deliver take proper account of equality issues.
- 1.6 Within the context of this Policy, 'enforcement' includes action carried out in the exercise of, or against the background of, statutory enforcement powers. This is not limited to formal enforcement action, such as prosecution or issue of notices, and so includes inspection to check compliance with legal or other requirements and the provision of advice to aid compliance.
- 1.7 For the purposes of this document 'formal action' includes: Prosecution, Simple Caution, Injunctive Action, Enforcement Order, Issue of Notices, Monetary Penalties, Seizure, Suspension, Withdrawal, Recall, Forfeiture, Revocation/Suspension of a licence ~~or permit~~, registration or approval, Disqualification of weighing or measuring equipment, Works in Default, Criminal Behaviour Orders, ~~Referral to another agency~~ or any other criminal or civil/injunctive proceedings or statutory sanctions, applied either separately or in any other combination.
- 1.8 Where appropriate we will seek to recover our enforcement costs, including making formal applications for costs through the Courts.

Commented [A1]: Added to clarify this also applies to permits

Commented [A2]: Removed as this is now generally considered at an earlier stage than formal action

2 Principles of Inspection & Enforcement

2.1 Proportionality

2.1.1 We are committed to avoiding the imposition of unnecessary regulatory burdens and will endeavour to minimise the cost of compliance by ensuring that any action taken, or advice offered, is proportionate to the seriousness of the breach, as well as the risk to people, businesses, other organisations, animals, property, the community, or the environment. In doing so we will choose approaches that are based on relevant factors including, for example, business size and capacity.

2.1.2 We will usually give notice of our intention to carry out routine inspection visits, unless we are otherwise required to visit unannounced, it is a reactive inspection visit, or we have a specific or legal reason for not giving prior notice. For example, this would include where the identity of the person or premises is unknown, or where it would defeat the objectives of the inspection visit to give such notice. Routine, or reactive inspections of the highway and blue badges are not normally subject to such notice.

2.1.3 We may carry out a revisit for those businesses assessed as requiring a priority intervention, depending upon the nature of the non-compliance(s) and the date of the next planned intervention. We may also bring forward the date of the priority intervention depending on the nature and/or scale of the non-compliances found. Revisits, or remote follow up activity, will also be carried out as appropriate at other business establishments that are not subject to priority intervention where non-compliances are identified, to ensure that issues have been addressed and no further action is required.

Commented [A3]: Clarifies the circumstances where a revisit may be necessary and the prioritisation of this depending on the nature/scale of any non-compliance found

2.1.4 As far as the law allows, we will take account of the circumstances of the case and attitude of the people involved when considering action. We will take particular care to work with businesses and individuals so that, where practicable, they can meet their legal obligations without unnecessary expense, to support and enable economic growth.

2.1.5 The most serious formal action, including prosecution, will be reserved for serious breaches of the law.

Commented [A4]: Removed as now provided for in more detail under section 2.1 (Proportionality) and section 4 (Enforcement)

2.2 Accountability

Commented [A5]: Numbering corrected in this section

2.2.1 We will actively work with businesses and individuals to advise and to assist with compliance and requests for help. Contact points and telephone numbers will be provided for business and public use.

2.2.2 We will aim to carry out visits and inspections at a reasonable time and where appropriate to do so. In most cases our staff will show their identification (and authority if requested) at the outset of every visit and explain the reason for the visit. However, so that we can see things from the point of view of a customer or ordinary member of the public, we may carry out informal visits or arrange to buy goods or services and not introduce ourselves. Where we must use a young person to carry out work on our behalf, such as in attempting to purchase age-restricted products, we will always have regard to the latest guidance and Codes of Practice. In order to undertake test purchases of age-restricted products online, the young person making the purchase on behalf of the Service

may use a false date of birth or tick a declaration requiring the person to be of legal age to buy the product.

Commented [A6]: Confirms the approach taken for online test purchases of age restricted products

2.2.3 Out-of-hours contact for some services will be provided where there is a need for an immediate response/risk to public health, safety or damage to property, infrastructure, or the environment.

Commented [A7]: Clarified this only applies to some services within the Directorate

2.2.4 The whole range of enforcement activities will be dealt with as promptly and efficiently as possible in order to minimise time delays.

2.2.5 Where appropriate, feedback questionnaires will be used to gather and act upon information about the services we provide. These may be sent out by post, or electronically (email or online).

Commented [A8]: Clarification on methods used for feedback questionnaires.

2.2.6 Where possible we will include information to highlight new legal requirements, via our social media platforms and/or website, with reports or letters provided after an inspection or visit; and/or by providing or signposting advice and information to help businesses and individuals keep up to date.

2.2.7 We will have regard to fairness and individuals' human rights in all of our enforcement work through conforming to the European Convention on Human Rights (as implemented by the Human Rights Act 1998).

2.3 Consistency

2.3.1 All officers are required to act in accordance with this Compliance and Enforcement Policy and our published service standards.

2.3.2 We will carry out our enforcement and advisory functions in an equitable, practical, and consistent manner. We will adopt and adhere to relevant policy and guidance and will ensure that our officers are suitably trained, qualified, and authorised to undertake their enforcement duties, and understand the principles of good regulation.

2.3.3 Where appropriate, we will publish clear service standards providing information on:

- a) How we communicate and how we can be contacted
- b) Our approach to providing information, guidance, and advice
- c) Our risk assessment methodology used to determine inspection activity, clearly setting out what can be expected from us at the time of visit
- d) Any applicable fees and charges; and
- e) How to comment or complain about the service provided and the routes to appeal.

2.4 Transparency

2.4.1 In most circumstances we will seek to ensure that people affected by formal action are informed of what is planned and allow for discussion and time to respond before the action is taken. We will also give them a named officer's contact details. These arrangements must have regard to legal constraints and requirements.

2.4.2 Unless otherwise required by law, when a notice is served it will say what needs to be done, why, and by when, and that in the officer's opinion a breach of the law has been committed and why the notice is necessary.

Commented [A9]: Clarifies that some notices may have a specific process/requirement

We will also make a clear distinction between legal requirements and recommended works.

2.4.3 As part of our commitment to equality we will communicate in a clear, accessible, concise, format using media appropriate to the target audience, in plain language. ~~We offer translation/interpretation services (language and British Sign Language) where English is not the first language. Where businesses or the public do not have English as a first language, we~~ We offer translation/interpretation services on request for both businesses and members of the public, where appropriate to do so (language and British Sign Language).

Commented [A10]: Simplification and clarification that this also applies to businesses as well as the general public, and further amended following a request at I&D Select Committee

2.4.4 This Compliance and Enforcement Policy is published via the Norfolk County Council website, and we may also publish further guidance about specific/technical areas, such as the use of civil sanctions.

2.4.5 The publicity generated by legal and other enforcement proceedings acts as a deterrent to others and reassures the general public that we take a serious view of illegal behaviour. We therefore routinely publish information on court proceedings and other enforcement actions such as undertakings, enforcement orders, and the administrative issue of penalties/fines; as part of this we include names and trading addresses, unless directed not to do so by the Courts.

~~The publicity generated by legal proceedings acts as a deterrent to others and reassures the general public that we take a serious view of illegal behaviour. We therefore publish the outcome of court proceedings and other enforcement actions such as undertakings; as part of this we include the name of the defendant(s), unless directed not to do so by the Courts.~~

~~We will routinely publish the names and trading addresses of traders subject to enforcement actions, including prosecutions, enforcement orders, undertakings, or the administrative issue of penalties/fines.~~

Commented [A11]: Simplification and consolidation

2.4.6 We may also publish the names and trading addresses of traders who act in ways that represent a significant risk to consumers or the interests of legitimate businesses, subject to the following conditions:

- There is no risk of prejudice to legal proceedings or other formal enforcement action, and
- The evidence of unfair or illegal trading is conclusive, and
- It is in the public interest to do so, taking into account the personal circumstances of the offender and community cohesion, and
- To do so does not breach Human Rights or Data Protection Law, or the Children and Young Persons Act 1933.

2.4.7 Examples of the current published enforcement action is via the [Norfolk Trading Standards web pages](#).

2.4.8 We obtain and process information in the course of our enforcement functions. Some of this information is personal data, and some of it is confidential or sensitive. We will process information in accordance with the law (including the Data Protection Act 2018 and the Enterprise Act 2002) and with proper regard to our [privacy notices](#).

2.5 Targeted (Intelligence and Risk Led) Enforcement

- 2.5.1 Enforcement will be primarily targeted towards those situations that give rise to the most serious risks, and against deliberate/organised crime. Other determining factors will include local priorities, Government targets and priorities, new legislation, national campaigns, and public concerns.
- 2.5.1 By having a coherent and risk-based intelligence system, effective strategies can be formed to enable and co-ordinate solutions to particular problems. This enables the identification of new, current, and emerging issues, allowing provision of strategic and tactical direction on how the issues can best be tackled. Subject to the provisions of Data Protection and Human Rights Law, we may also refer cases and/or share information, intelligence, and evidence with other law enforcement agencies.

Commented [A12]: Clarifies that evidence of offences committed may also be shared with other law enforcement agencies

2.6 Supporting the local economy

- 2.6.1 We recognise that a key element of our activity will be to facilitate and encourage economic progress against a background of protection.
- 2.6.2 Wherever possible, we will work in partnership with businesses and individuals, and with parish councils, voluntary and community organisations, to assist them with meeting their legal obligations without unnecessary expense.

2.7 Reducing enforcement burdens

- 2.7.1 If there is a shared enforcement role with other agencies, e.g., the Police, Environment Agency, or other local authorities, we will consider co-ordinating with these agencies to minimise unnecessary overlaps or time delays and to maximise our overall effectiveness. We will also liaise with the other regulators to ensure that any proceedings instituted are for the most appropriate offence.
- 2.7.2 We will follow the principle of “collect once, use many times” and, where legally permitted, share information that we collect with other local authority regulatory services to minimise business impact.
- 2.7.3 When conducting farm visits, we will have due regard to the [Farm Regulators’ Charter](#), which makes sure visits are carried out consistently across regulators. The charter covers all inspection types and visits of agricultural and aquaculture activities carried out by Farm Regulators.

3 Primary Authority Partnerships

- 3.1 Primary Authority is a statutory scheme established by the Regulatory Enforcement and Sanctions Act 2008. It allows an eligible business to form a legally recognised partnership with a single local authority in relation to the provision of tailored advice, guidance and assistance relating to regulatory compliance. The single local authority (known as the “Primary Authority”) is registered with the [Office for Product Safety & Standards](#) (OPSS), via the Primary Authority Register.

- 3.2 The Primary Authority then acts as the single point of contact between its partner business and the local authorities that regulate it. The Primary Authority can issue assured advice upon which the business can rely and can also, where appropriate, devise inspection plans for businesses. The inspection plan can place specific requirements on other local authorities and can require feedback on their checks to be given to the Primary Authority.
- 3.3 Where an enforcing local authority is considering enforcement action against a business that has a Primary Authority it is required to make a statutory notification to the Primary Authority. In most cases, this notification must be made before the action can be taken. However, in certain circumstances the notification can be retrospective, including where a compliance issue is identified that requires urgent action in order to avoid a significant risk of harm to human health, the environment, or the financial interests of consumers.
- 3.4 If another local authority proposes enforcement action which the Primary Authority deems to be inconsistent with the assured advice, the Primary Authority may seek to block the enforcement action. Where this is the case but is disputed, or there is a need for further considerations, the matter would be referred to the [Office for Product Safety & Standards](#) (OPSS) for their consideration/determination.

4 Enforcement Actions

- 4.1 Nothing in this policy shall be taken to compel us to take enforcement action. In certain instances, we may conclude that an enforcement response is not appropriate given the circumstances.
- 4.2 In deciding what enforcement action to take, we will have regard to the following aims:
- to change the behaviour of the offender
 - to eliminate financial gain or benefit from non-compliance
 - to be responsive and consider what is the most appropriate sanction for the particular offender and the regulatory issue concerned
 - to be proportionate to the nature of the offence and the harm/potential harm caused
 - to repair the harm caused to victims, where appropriate to do so
 - to deter future non-compliance.

4.3 The Key steps in seeking a staged approach to compliance are:

- Engage
- Explain
- Encourage
- Enforce

Commented [A13]: Clarifies that this is a staged approach

4.4 The prime objective is to obtain compliance by consent - it is anticipated that, in the vast majority of cases, businesses will comply with the legal requirements further to the provision of advice.

- 4.5 Any decision to undertake formal enforcement action will be taken in the context of operational priorities, this policy and the [Council Constitution and scheme of delegations](#). Such decisions will include the use of intelligence in determining the nature of any response, as well as being subject to ongoing monitoring and review.
- 4.6 Where a right of appeal against a formal action exists other than through the courts, advice on the appeal mechanism will be clearly set out in writing at the time the action is taken.
- 4.7 All investigations into alleged breaches of legislation will be conducted in compliance with statutory powers, time limits and other relevant legislation (and relevant Codes of Practice), including:
- Police and Criminal Evidence Act 1984 (PACE)
 - Criminal Procedure and Investigations Act 1996 (CPIA)
 - Regulation of Investigatory Powers Act 2000 (RIPA)
 - Investigatory Powers Act 2016 (IPA)
 - Criminal Justice and Police Act 2001 (CJPA)
 - Human Rights Act 1998 (HRA).
 - Consumer Rights Act 2015 (CRA)
- 4.8 As part of any criminal investigation process, persons suspected of having committed a criminal offence will, wherever possible,
- be formally interviewed in accordance with PACE
 - be given the opportunity to demonstrate a statutory defence
 - have the opportunity to give an explanation or make any additional comments about the alleged breach
 - be offered translation/interpretation services (language and British Sign Language) ~~English is not their first language where appropriate~~
- 4.9 As part of our enforcement function, we may exercise a wide variety of powers, including the power to enter premises and inspect goods, to require the production of documents or records and, when necessary, the power to seize and detain such material where we believe it may be required as evidence.
- 4.10 We may also take with us such other persons as may be necessary as part of our enforcement function. This may include Police Officers where there is the possibility of an arrest, or a breach of the peace situation. In certain cases, we may exercise an entry warrant issued by a Justice of The Peace to gain access to premises and may use police assistance to effect entry.
- 4.11 We may also use investigation equipment whilst undertaking our duties, including handheld and Body-Worn Video (BWV) cameras. BWV devices are capable of recording both visual and audio information and can provide a number of benefits to enforcement agencies, including a deterrent to aggressive, verbal, and physical abuse towards officers, and in providing additional evidence to support investigations. BWV will usually be deployed on an overt basis for a specific purpose, and where it is necessary and proportionate to do so. Any decision to deploy BWV or other investigation equipment on a covert basis will be made in

Commented [A14]: Amended following a request at I&D Select Committee

accordance with the Regulation of Investigatory Powers Act (RIPA), related legislation, Codes of Practice, and associated Council Policy.

4.12 Immediate Formal Action

4.12.1 Whilst recognising that most people want to comply with legal requirements, we also recognise that some will operate outside the law (both intentionally and unintentionally). Where possible, a staged approach to enforcement will be adopted, with advice and informal action explored to achieve compliance in the first instance. However, we will consider taking immediate formal action ~~for the most serious breaches~~ where appropriate, including in any of the following circumstances:

- Where the infringement causes or is likely to cause actual or emotional damage, or substantial loss or prejudice to people, businesses, or other organisations.
- Where there is a significant risk to public health, safety or wellbeing, or damage to property, infrastructure, or the environment.
- Fraud, aggressive or misleading practices/equipment, or practices seeking an unfair 'competitive advantage'.
- Illegal practices targeted at vulnerable people, including young people and the elderly.
- For matters where there has been recklessness or negligence, or a deliberate or persistent failure to comply with advice, warnings, or other enforcement action.
- Where food fails food safety requirements.
- Any act likely to affect animal health or welfare, disease prevention measures, or the integrity of the food chain.
- Disqualification of weighing or measuring equipment where, in the inspector's opinion, immediate disqualification is the most appropriate enforcement action
- Obstruction or assault (including verbal assault) of an officer in the execution of their duties.

Commented [A15]: The indicative circumstances listed identify where this course of action may apply

Commented [A16]: Clarification that equipment found to no longer meet legal requirements may be immediately disqualified

4.13 Advice, Guidance and Support

4.13.1 We are committed to using advice, guidance, and support as a first response to the majority of breaches of legislation, subject to any need to take immediate formal action for the most serious breaches (see paragraph 4.12 above).

4.13.2 Any initial requests for advice from individuals or businesses on non-compliance will not necessarily trigger enforcement action. In such cases we will seek to assist in rectifying such breaches as quickly and efficiently as possible, where there is a clear willingness to resolve the matter.

4.13.3 Any correspondence will clearly differentiate between legal requirements and good practice, and indicate the regulations contravened and the measures which will enable compliance.

4.13.4 Follow-up checks will be carried out on a risk and intelligence-led basis and where a similar breach is identified in the future, previous advice will be taken into account in considering the most appropriate enforcement action to take on that occasion.

4.13.5 Where more formal enforcement action has previously been taken, such as a simple caution or prosecution, we recognise that, in some cases,

there may be a need for additional compliance advice and support, to prevent further breaches.

4.14 **Verbal or written warning**

4.14.1 Compliance advice can be provided in the form of a verbal or written warning. In doing so we will clearly explain what should be done to rectify the problem, and how to prevent re-occurrence. Warnings cannot be cited in court as a previous conviction but may be presented in evidence. Failure to comply with warnings or advice could result in more serious enforcement action being taken.

4.15 **Statutory (Legal) Notices**

4.15.1 Statutory Notices are used as appropriate in accordance with relevant legislation. Such notices are legally binding. Failure to comply with a statutory notice can be a criminal offence and may lead to prosecution and/or, where appropriate, the carrying out of work in default.

4.15.2 A statutory notice will clearly set out actions which must be taken and the timescale within which they must be taken. It is likely to require that any breach is rectified and/or prevented from recurring. It may also prohibit specified activities until the breach has been rectified and/or safeguards have been put in place to prevent future breaches. Where a statutory notice is issued, an explanation of the appeals process for such notices will be provided to the recipient.

4.16 **Monetary penalties**

4.16.1 Fixed or variable monetary penalties, or penalty charge notices may be issued where there is a specific power or delegated authority to do so and under the following circumstances:

- To provide an effective and visible way to respond to less serious crimes without going to court
- As a response to particular issues or as part of a wider enforcement strategy.

4.16.2 Specific guidance for legislation, which includes the power to issue monetary penalties, may be produced to support this policy. Such guidance will be published via our website. Some examples of these can be found on the [Trading Standards Policies webpage](#).

4.16.3 Where the offender fails to discharge their liability resulting from any monetary penalty issued, alternative enforcement action will automatically be considered under this policy (including prosecution of the initial offence). Where prosecution is brought; an assessment will be made of other offences that may also have been committed in order that those charges may be considered at the same time.

Consideration will be given to the adoption of alternative remedies to the issue of a monetary penalty, such as those involving dedicated advice and training sessions, which aim to change the behaviour of the offender, whilst remaining proportionate to the nature of the offence and the harm/potential harm caused.

4.17 Licences, registrations, and approvals

4.17.1 Local authorities have a role to play in ensuring that appropriate standards are met in relation to licences, registrations, and approvals. We may refuse to grant, seek to review, temporarily remove, suspend, or revoke any licence, registration, or approval if we are made aware that actions have been carried out which undermine scheme objectives and/or would be unlawful. This includes those issued by other agencies.

4.18 Seizure and Destruction

4.18.1 Some legislation permits our Officers to seize items such as goods and documents that may be required as evidence. When we seize goods, we will give an appropriate receipt or other record of seizure to the person from whom they are taken. On some occasions we may also ask a person to voluntarily surrender and transfer ownership of illegal goods to us.

4.18.2 Where we seize food for failing food safety requirements, or animal feed for non-compliance with feed law, an application will be made to the Court for a condemnation order, for the illegal product to be destroyed. We will provide details of where and when this application will be made to allow interested parties to attend the hearing.

4.18.3 Where products are found to present a serious risk, we may seek to destroy or otherwise render them inoperable, where permitted by law.

4.18.4 We may seek to recover costs of destruction, including through the Courts as may be necessary.

4.19 Detention

4.19.1 Where food is suspected of failing food safety requirements, or where animal feed does not comply with specified feed law, it may be detained to allow further investigation.

4.19.2 When food or animal feed is detained, a notice of detention will be provided, detailing the detention arrangements, including the location where the product(s) will be detained.

4.20 Forfeiture or Deprivation

4.20.1 Where a person has not agreed to surrender infringing goods, we may apply to the court for forfeiture or deprivation of the goods whether or not we start a prosecution or bring other proceedings.

4.20.2 We may also seek to recover costs of these proceedings from the defendant(s).

4.21 Injunctive Actions, Enforcement Orders etc

We will consider formal civil enforcement action in pursuance of breaches of consumer law which have a detrimental impact on the collective interests of consumers or businesses.

4.21.1 Civil enforcement mechanisms, such as injunctions and enforcement orders, are available to address certain breaches of law. We will consider the use of these mechanisms where available.

- Before taking civil enforcement action, we will normally discuss the circumstances with anyone suspected or involved and, through consultation, aim to achieve compliance
- Where consultation does not lead to compliance or has no realistic prospect of compliance, we will use formal enforcement mechanisms, including applications for injunctions or court orders. When considering formal enforcement action, we will have regard to any undertakings given to us.
- We can in certain circumstances apply to the Court for additional remedies including compensation for complainants.
- Where a defendant subsequently breaches an injunction or enforcement order we will consider further proceedings for contempt of court.

4.21.2

~~4.21.3 When considering formal civil enforcement action, an Officer will, where appropriate, first discuss the circumstances with those suspected of a breach and, through consultation, attempt to resolve any issues. Alternatively, we will look to redress detrimental practices via a range of enforcement actions. These include the following:~~

- ~~• undertakings to us or the court~~
- ~~• interim and other court orders~~
- ~~• contempt proceedings.~~

~~We may ask the Court to consider other remedies as part of any proceedings, including compensation for victims.~~

Commented [A17]: Section 4.21 has been updated to clarify and simplify the explanation of the various civil enforcement mechanisms available

4.22 Other Sanctions or Interventions

4.22.1 We will consider other sanctions or interventions where legally available and appropriate to do so, including criminal behaviour orders under the ~~Anti Social Behaviour, Crime and Policing Act 2014~~ Sentencing Act 2020, injunctions under the Local Government Act 1972, restriction orders under the Children & Young Persons Act 1933, and/or equivalent orders to disrupt and/or prevent activities that may contribute to crime or disorder. This may also include arranging for the removal of websites where it is clear they are being used for illegal purposes.

Commented [A18]: Criminal Behaviour Orders are now made under the Sentencing Act 2020

4.23 Taking animals into possession/disqualification orders

4.23.1 Under the Animal Welfare Act 2006, if a veterinary surgeon certifies that 'protected animals' are suffering or are likely to suffer if their circumstances do not change, we will consider taking them into our possession and applying for Orders for reimbursement of expenses incurred and subsequent disposal. We may also look to other legislation where appropriate to ensure that similar standards of care and/or control of animals are properly maintained. In some circumstances we will also consider applying to the Court to deprive persons of the animals seized and/or disqualify them from keeping animals.

4.24 Simple Cautions

4.24.1 In certain cases, ~~and where available,~~ a simple caution may be offered as an alternative to a prosecution, for example for first time offending. The purpose of a simple caution is to deal quickly with less serious offences,

Commented [A19]: Have included 'where available' here as there are proposals by Govt to change the Cautions regime which could see these removed from local authority use in their current form. The legislation for this is however not in force at the time of writing.

to divert less serious offences away from the Courts, and to reduce the chances of repeat offences.

4.24.2 Officers will comply with the provisions of relevant Home Office Circulars. The following conditions must be fulfilled before a caution is administered:

- The offender has made a clear and reliable admission concerning all elements of the offence(s) in question
- There is a realistic prospect of conviction
- It is in the public interest to offer a simple caution; and
- The offender is 18 years old or older at the time that the caution is to be administered.

4.24.3 A simple caution may appear on the offender's criminal record. It is likely to influence how we and other enforcement agencies deal with any similar breaches in the future and may be cited in court if the offender is subsequently prosecuted for a similar offence. If a simple caution is issued to an individual (rather than a corporation) it may have consequences if that individual seeks certain types of employment or wishes to travel or move to certain countries. Simple cautions will be issued with regard to Ministry of Justice and Crown Prosecution Service guidance.

4.25 Prosecution

4.25.1 We may prosecute in respect of serious or recurrent breaches, or where other enforcement actions, such as statutory notices have failed to secure compliance. The Council recognises that the decision to prosecute is significant and could have far reaching consequences on the offender.

4.25.2 Before any decision is taken, the alleged offence(s) will be fully investigated, and a report will be compiled by the Investigating Officer/Officer in Charge of the case. The file will then be reviewed by a Senior Manager, who will consider whether the sufficiency of the evidence and the public interest falls within the guidelines as laid down by the Attorney General and Crown Prosecution Service [Code for Crown Prosecutors](#).

Commented [A20]: Amended in line with a review of the 'Threshold Test' in the Code for Crown Prosecutors

4.25.3 Any decision to prosecute will be taken:

- where it is expedient for the promotion or protection of the interests of the inhabitants of Norfolk to do so (Section 222 of the Local Government Act 1972), or
- where we have another express power to prosecute, and the use of that power is appropriate to the circumstances.

Before deciding whether or not to prosecute, consideration will also be given to:

- How well the prosecution supports our aims and priorities
- The factors contained in paragraphs 4.2 and 4.12 of this policy
- Action taken by other enforcement agencies for the same facts
- The nature and extent of any harm or loss, including potential harm and loss, and any offer of redress made by the offender to victims
- The willingness of the alleged offender to prevent a recurrence of the infringement

- The likelihood of the alleged offender being able to establish a statutory defence
- The calibre and reliability of witnesses
- The probable public benefit of a prosecution and the importance of the case, e.g., the possibility of establishing legal precedent
- Cost effectiveness of a prosecution
- The scope for alternative routes for redress for 'victims' and their likelihood of success
- The impact of the intervention on small businesses in particular, to ensure action is proportionate.

4.25.4 A conviction can result in a criminal record and the court may impose a fine and, for particularly serious breaches, a prison sentence. The court may order the forfeiture and disposal of non-compliant goods and/or the confiscation of assets. Prosecution may also lead, in some circumstances, to the disqualification of individuals from acting as company directors (see 4.28 below).

4.25.5 Norfolk County Council may also act as prosecuting authority for joint investigations with partner agencies, including those which are supported by National Trading Standards (NTS). NTS works in partnership with local Trading Standards authorities, regional investigation teams, and other enforcement agencies to maximise effectiveness. NTS funding supports major investigations that are detrimental to consumers or businesses that occur on a regional, cross boundary or national level, in areas such as doorstep crime, counterfeiting, and consumer and business fraud. NTS investigations are subject to the same best practice principles found in legislation and codes that are outlined within this Compliance and Enforcement Policy. Any decision to prosecute in such cases will be made in accordance with paragraph 4.26 of this Policy.

4.26 **Proceeds of Crime Actions**

4.26.1 Where appropriate, we will seek to recover the benefit that the offender has obtained from their criminal conduct through financial investigation.

4.26.2 Financial investigations will be undertaken in accordance with the Proceeds of Crime Act 2002. Such investigations may include applications to the Court requiring financial information to be provided (production orders) or in serious cases applications to freeze and/or confiscate criminal assets (restraint and confiscation orders). Where appropriate, consideration will also be given to seeking compensation for victims or recovery of financial investigation costs as part of this process. Any funds recovered as part of the Asset Recovery Incentivisation Scheme (ARIS) will be used to support further asset recovery work, or crime reduction and community projects.

4.27 **Directors**

4.27.1 On the conviction of a director connected with the management of a company the prosecutor will, in appropriate cases, draw to the Court's attention their powers to make a Disqualification Order under the Company Directors Disqualification Act 1986.

5 Complaints, Compliments and Comments

- 5.1 If you are unhappy with the service you have received, or we have failed to live up to our promises, managers are always willing to discuss with you the cause of your dissatisfaction and will try to find a solution.
- 5.2 If you wish to make a complaint or send us a compliment or comment about our service, please use our online procedure by going to:

www.norfolk.gov.uk/compliments_and_complaints

Complaints can also be submitted by telephone to 0344 800 8020 or in writing to:

**Compliments and Complaints Team, Norfolk County Council,
County Hall, Martineau Lane, Norwich, NR1 2DH.**

If you are still not satisfied, and feel you have been caused injustice, our complaints process explains how the matter will be escalated, including how to complain to the Local Government Ombudsman.

- 5.3 If you wish to appeal against enforcement action taken or have other comments, you should write to: The Executive Director, Community and Environmental Services, using the address in 5.2 above.

6 Conflict of Interest in Enforcement Matters

- 6.1 Where a breach is detected in which the enforcing authority is itself the responsible operator, the following protocol will be followed:

- Where a breach of law is sufficiently serious to warrant more than the provision of advice, information, assistance, or a written warning, or where the response to remedy the breach is considered insufficient, an additional authorised officer from another local authority will be requested to assist in the decision-making process. **Senior Managers** The Chief Executive of the Council will be informed without delay.
- The additional officer's role is to assist and challenge the decision-making process to ensure that appropriate, proportionate, and consistent action is taken to remedy the breach, prevent re-occurrence and to minimise the risk of 'conflict of interest' for the enforcing authority. An auditable record of the additional officer's involvement will also be kept.

Commented [A21]: Clarifies that this will be reported to the Chief Executives Office.

7 Where to get further information

- 7.1 Copies of this document and other information/advice are available by writing to the Trading Standards Service using the address in 5.2 above.
- 7.2 We will make this policy available on tape, in Braille, large type, or in another language on request.



Annex 1: Local Monitoring and Enforcement Protocols

For the Extraction and Processing of Minerals, Waste Management Facilities and for County Council Development under Regulation 3 of the Town and Country Planning General Regulations 1992

November 2023

Annex 1

Background.....3
General statement.....3
Monitoring inspections.....4
Investigation and enforcement.....5
The relevant enforcement authority.....6
General guidance.....7
Investigation priorities.....10
Prosecutions.....12
Monitoring of regulation 3 development.....12
Member protocol.....13

1.0 Background

- 1.1 This document provides supplemental guidance to the County Council's Compliance and Enforcement Policy (Community and Environmental Services) and is provided in the context of specific requirements arising from planning legislation and the National Planning Policy Framework (NPPF) and associated guidance contained in the Planning Practice Guidance.

Paragraph 59 of the National Planning Policy Framework, July 2021 (NPPF) states, 'Effective enforcement is important as a means of maintaining public confidence in the planning system. Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control. They should consider publishing a local enforcement plan to manage enforcement proactively, in a way that is appropriate to their area. This should set out how they will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development and take action where it is appropriate to do so.' In conjunction with the overarching CES Compliance and Enforcement Policy, this Annex represents Norfolk County Councils Local Enforcement Plan for planning.

- 1.2 Schedule 1 to The Town and Country Planning Act 1990 as amended sets down the responsibilities for Town Planning within a two-tier Planning Authority in England and Wales. Regulation 3 of The Town and Country Planning General Regulation 1992 authorises an authority to determine (subject to regulation 4), an application for planning permission by an interested planning authority to develop any land of that authority, or for development of any land by an interested planning authority or by an interested planning authority jointly with any other person, unless the application is referred to the Secretary of State under section 77 of the 1990 Act for determination by him.
- 1.3 The Development Plan for the County comprises the Norfolk Core Strategy and Minerals and Waste Development Management Policies Development Plan Document (DPD) 2010 -2026 (Adopted 2011), Norfolk Waste Site Specific Allocations DPD adopted 2013, Norfolk Minerals Site Specific Allocations DPD adopted in 2013 and updated in 2017. The adopted Borough and District wide Local Plans, including Development Plan Documents and Area Action Plans. Adopted Neighbourhood Plans which have been developed by local communities, also form part of the Development Plan. The County Council maintains an up-to-date list of local planning authority policy documents and Neighbourhood Plans.

2.0 General Statement

Section 19 of The Waste (England and Wales) Regulations 2011 makes it a duty that where a Planning Authority has planning functions in relation to establishments or undertakings carrying on disposal or recovery of waste, the Planning Authority must ensure that appropriate periodic inspections of those establishments or undertakings are made.

- 2.1 There are two elements within this plan. The first being periodic inspections (Section 3.0), the second being the investigation and enforcement of planning breaches (Sections 4-8).

- 2.2 Planning breaches are normally not criminal offences, and no sanction can usually be imposed. However, failure to comply with a formal notice is a criminal offence and the person committing the breach can be liable to prosecution.
- 2.3 Where a planning breach occurs a Local Planning Authority (LPA - 'the Authority') is required to consider the expediency of formal enforcement action. Formal enforcement notices may be issued, including a Breach of Condition Notice, Enforcement Notice, Temporary Stop Notice, Stop Notice, Injunction, or Direct Action (following failure to comply with an Enforcement Notice). Enforcement action may result from any of the above or a combination of the above.
- 2.4 The Service of a Planning Contravention Notice constitutes formal action but does not in itself constitute enforcement. Rather it is a request for information relating to interests in land and the nature of the alleged breach, although failure to comply with a notice may lead to formal enforcement action, as may the information contained in the response.
- 2.5 Similarly, the serving of a notice requesting information on land ownership and occupation under Section 16 of Local Government (Miscellaneous Provisions) Act 1976 is not considered to be enforcement.
- 2.6 The taking of formal enforcement action is discretionary. The Authority may choose to take no action but will need to justify any decision not to enforce, and equally, any decision to take proportionate enforcement action. Any decision will be taken in line with this document and the County Council's Communities and Environmental Services policy on enforcement.

3.0 Monitoring Inspections

- 3.1 To ensure confidence in the planning control system it is essential that the public and operators are conscious of a fair and effective system of monitoring all authorised and unauthorised development.
- 3.2 Monitoring of permitted sites is an essential tool of controlling development and preventing problems from developing. It is this 'pro-active' approach that often enables officers to anticipate likely breaches of planning control arising before they occur. It enables them to take immediate action to ensure that deterioration in the situation does not arise.

There are currently over 200 operational and active mineral and waste sites in Norfolk. As there are no reserves of hard rock in Norfolk, recycling of concrete and other rubble is a significant source of sub-base and fill material. The scale of an operation being undertaken at a site is not an accurate yardstick for allocating resources; experience will often show that small recycling and waste transfer sites can give rise to more complaints and the need for more officer time, in comparison with large sites.

- 3.3 Pro-Active monitoring will also vary over the lifetime of mineral extraction sites with greater emphasis taking place during the extraction and restoration phases. Once a site has been restored it will be inspected annually until the aftercare scheme has been successfully established. This is typically a five-year period, although longer periods can be specified depending on the restoration scheme. In some cases, a restoration scheme can be linked to permanent changes in the way the site used. Examples of this can be provision of public open space and recreation facilities. In these cases, proactive inspection will only continue for a limited period until the restoration scheme has been established. After this, inspections will be on a reactive basis, should we receive reports of suspected non-compliance.

Following an inspection of the site and relevant planning permissions, a report shall be prepared and copied to the operator/owner usually within two weeks of such inspection taking place. The report shall amongst other matters detail any breaches identified and specify timescales for compliance with conditions that have been breached.

Regulation 19 of the Waste (England and Wales) Regulations 2011 specifies that where a planning authority has planning functions, under regulation 17, in relation to establishments or undertakings carrying on disposal or recovery of waste, that planning authority must ensure that appropriate periodic inspections of those establishments or undertakings are made. In situations where a Local Planning Authority has assumed the planning function and issued a planning permission which has enabled a waste use to take place on a site, that Local Planning Authority should ensure that appropriate periodic inspections of those establishments or undertakings are made, and that any enforcement action is taken as appropriate. The County Planning Authority will not, as a matter of course, assume the planning function for the site.

Commented [A22]: Added to explain the process for inspection and planning functions arising from sites carrying on disposal or recovery of waste

The County Planning Authority may be identified as the relevant authority in development consent orders granted for Nationally Significant Infrastructure Projects (NSIP's) by the Secretary of State. In such events the authority will adopt an appropriate risk-based monitoring strategy. It will also seek to recover costs incurred through a planning performance agreement or a similar scheme.

Commented [A23]: Clarifies the process for Nationally Significant Infrastructure Projects

Monitoring Fees

- 3.4 The Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (England) Regulations 2006 as amended, enables Mineral and Waste Planning Authorities (MWPAs) to charge operators, where sites have planning permissions for mineral extraction and/or waste landfill, for the re-imbursment of the average costs calculated over all MWPAs providing a monitoring service.
- 3.5 The Authority has agreed a guidance note with minerals and waste operators on the charging regime for minerals and waste site inspections. The guidance note sets out the categories of sites and associated fees, the methodology for agreeing the number of site visits and the monitoring regime.

4.0 Investigation and Enforcement

- 4.1 In seeking to secure the highest possible level of compliance with

Annex 1

relevant legislation whilst conforming with The Human Rights Act 1998, The Police and Criminal Evidence Act 1984 (P.A.C.E.) the Enforcement Concordat, the Code for Crown Prosecutors the principal enforcement activities of the Authority are directed towards avoidance of infringements. It is nevertheless inevitable that breaches and offences will occur, and the purpose of this protocol is to ensure that they are resolved in a consistent, transparent, balanced, and fair manner.

- 4.2 Similarly, where an operator carries out development without complying with the conditions attached to a planning permission and this gives rise to problems leading to an unacceptable injury to amenity, the County Council's approach will be to seek to remedy the injury in the first instance by negotiation and persuasion.
- 4.3 All enforcement action, be it verbal warnings, the issue of written warnings, statutory notices, or prosecution, is primarily based upon assessment of risk to public health, public safety, harm to amenity, economic wellbeing, or the environment.
- 4.4 Where appropriate, this Authority will endeavour to recover money under the Proceeds of Crime Act 2002.
- 4.5 This Authority will ensure that all clients subject to any enforcement action are informed of what is expected and the procedures that will be followed. This is to aim to avoid any misunderstandings and ensure transparency of all enforcement action.
- 4.6 This Authority, in exercising its function of ensuring compliance with planning control will:
 - where there is serious harm caused to the amenity, take immediate action against a breach of planning control to stop further damage;
 - in all other instances, seek to resolve any problems within a reasonable timescale by discussion and negotiation without the need to resort to legal action;
 - only take enforcement action where it is necessary to do so to protect the public interest or to protect the environment, people and transport systems and the amenity of the area in accordance with the provisions of the local development framework;
 - ensure that action is always commensurate with the breach of planning control;
 - Give due regard to current legislation, policy framework, instructions, appeal decisions and relevant judicial authority;
 - where appropriate take into account comments made by the general public and consultees;
 - enable acceptable development to take place, even though it may initially have been unauthorised;
 - maintain the integrity of sites having interests of acknowledged importance;
 - where appropriate maintain liaison and contact with the general public, and mineral and waste operators.

5.0 The Relevant Enforcing Authority

- 5.1 There is often an overlap of enforcement of activities involving waste disposal and recycling between the Authority, the District and Borough Councils' Environmental Health Departments (EHO) and the Environment Agency (EA). Where the unauthorised activity results in, or has the potential to result in, pollution, the EA will normally be the lead Authority. Where the activities involve a statutory nuisance the District Council EHO may be better placed to take action. In all cases that potentially involve the above bodies, consultations and discussions will take place to see which Authority is in the better position to lead the investigation and if necessary, take action.
- 5.2 The Authority will have regard to the fact that unauthorised development and some breaches of planning conditions involving wastes may be a criminal offence under legislation enforced by the EA and the Authority will liaise with the EA accordingly. The EA may be in a stronger position to ultimately remedy harm to amenity by way of prosecution and enforcing cessation of the harmful activities. In cases where unauthorised development causes or has the potential for serious harm to human health the Authority will have regard to the fact that it may be more appropriate for the HSE to be the lead Authority and will liaise with them accordingly.
- 5.3 As authorities are unable to take formal enforcement action against themselves the County Planning Authority will, from time to time, act as enforcing authority for a local planning authority or agree terms for another authority to act as enforcing authority for itself. In most cases will be limited to legal agreements attached to planning consents, but can be extended to conditions if it is considered appropriate. Where responsibilities are delegated, it is expected that authorities carry out their roles in accordance with their adopted enforcement plans. Notwithstanding any agreements a local planning authority can under the Town and Country Planning Act, initiate enforcement action against a county council approved development subject to carrying out appropriate consultation, prior to initiating the action.
- 5.4 At the request of the Local Planning Authorities, the County Council will consider whether to enter into an agreement, to act as the Enforcing Authority for planning applications approved by the Local Planning Authority, in order to secure the compliance with planning conditions and other obligations associated with the planning permission. Unless specially agreed with the relevant district council, the County Council will not routinely monitor the compliance of the district council but will respond to notifications provided by the district planning authority that enforcement interventions are required.
- 5.5 In deciding whether to act as the Enforcing Authority, the County Council will have regard to:
- The Local Planning Authority's ownership of the site.
 - Whether the duration of the Enforcing Authority role being during such time as the Local Planning Authority has an interest in the site.
 - The purpose being to avoid any suggestion of a conflict of interest or other improper motive or conduct by the Local Planning Authority.

Commented [A24]: Added to clarify the process whereby the County Planning Authority will carry out enforcement on behalf of others, or appoint another such authority to do so on our behalf.

5.6 Norfolk County Council is a two-tier Authority with seven District, Borough and City Councils; King's Lynn and West Norfolk Borough Council, Breckland District Council; North Norfolk District Council; South Norfolk District Council; Broadland District Council; Norwich City Council and Great Yarmouth Borough Council. All of whom are also planning authorities. In addition to these councils the Broads authority also has planning responsibilities for the Norfolk and Suffolk Broads area.

5.7 It is the intention of the County Council to work closely with other regulatory bodies when investigating and remedying an alleged breach of planning control. The County Council in dealing with all complaints concerning an alleged breach of planning control will identify the authority responsible for taking action and redirect complaints to other regulating bodies where necessary.

6.0 General Guidance

6.1 Effective enforcement is important to maintain public confidence in the planning system. The County Council will have regard to the provisions of the development plan (see paragraph 1.4) and any other material considerations in the enforcement of planning control.

Commented [A25]: Emphasis on the importance of public confidence

6.2 A breach of planning control is defined in section 171A of the Town and Country Planning Act 1990 as:

- the carrying out of development without the required planning permission; or
- failing to comply with any condition or limitation subject to which planning permission has been granted.

Any contravention of the limitations on, or conditions belonging to, permitted development rights, under the [Town and Country Planning \(General Permitted Development\) \(England\) Order 2015](#), also constitutes a breach of planning control against which enforcement action may be taken.

Commented [A26]: Explains breach of planning control

6.3 This Authority remains committed to fostering business enterprise and prosperity, provided that the necessary development can take place without unacceptable harm to local amenity. Whilst enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control, this Authority has a general discretion to take enforcement action when they regard it expedient, it does not condone wilful breaches of planning-law control. Moreover, In some cases effective enforcement action is likely to be the only appropriate remedy where a breach is causing unacceptable harm. The Authority will be guided by the following considerations:

Commented [A27]: Clarifies that this section relates to planning control

- (i) The Commissioner for Local Administration (the local ombudsman) has held, in a number of investigated cases, that there is "maladministration" if an Authority fails to take effective enforcement action which was plainly necessary or where an Authority fails to consider whether to take formal

Annex 1

enforcement action or not and be able to show their reasoning for not initiating formal action, often resulting in an award of compensation payable to the complainant for the consequent injustice.

- (ii) The planning regulatory provisions are to ensure proper land use and to resolve breaches of planning control by removing unacceptable impacts on the environment and the amenity of the area. This ensures a 'level playing field' for legitimate businesses to develop and prosper.
- (iii) Enforcement action should always be commensurate with the breach of planning control to which it relates (for example, the Authority would usually consider it inappropriate to take formal enforcement action against a trivial or technical breach of control which causes no harm to amenity in the locality of the site); and
- (iv) Where the Authority's initial attempt to persuade the owner or occupier of the site voluntarily to remedy the harmful effects of unauthorised development fails, negotiations will not be allowed to hamper or delay whatever formal enforcement action may be required to make the development acceptable on planning grounds, or to compel it to stop.

Carrying Out Development Without the Required Planning Permission

- 6.4 It is not an offence to carry out development without first obtaining planning permission for it. If the Authority's initial assessment indicates it is likely that planning permission would be granted for development which has already taken place, the person responsible will be asked to submit a retrospective planning application. However, this initial assessment is not binding on the Authority's subsequent decision to grant or not grant planning permission.
- 6.5 While it is clearly unsatisfactory for anyone to carry out development without first obtaining the required planning permission, an enforcement notice will not normally be issued solely to "regularise" development which is acceptable on its planning merits, but for which permission has not been sought. This would only apply to development which would be granted without any planning conditions being attached to control the development.
- 6.6 The Authority will not normally invite an owner or operator to submit a planning application if the unauthorised development is contrary to development plan policies or if it appears that any actual or potential harm cannot be made acceptable by the imposition of planning conditions; however, we cannot prevent a landowner who is determined to apply for permission retrospectively.
- 6.7 If an operator or owner submits a planning application that the Authority has requested, the Authority will not normally consider formal enforcement action whilst the application is being considered. If

Commented [A28]: New heading & some re-numbering of paragraphs below

Annex 1

agreement can be reached between the operator and the Authority about the operation being reduced to an acceptable level (e.g., hours of operation, use of plant and equipment, routing of vehicles etc) during any period between a planning application being submitted and its determination, and the person concerned honours the agreement, formal enforcement action may be avoided.

- 6.8 Where the Authority considers that development has been carried out without the requisite planning permission, but the development could be made acceptable by the imposition of planning conditions the owner or occupier of the land will be invited to submit an application, and pay the appropriate application fee, voluntarily. However, if, after a formal invitation to do so, the owner or occupier of the land refuses or fails to submit a planning application in these circumstances within a reasonable timescale, the Authority will consider whether to take formal enforcement action.
- 6.9 Accordingly, where an owner or occupier of land refuses or fails to submit a planning application which would enable the LPA to grant conditional planning permission, the Authority will be justified in issuing an enforcement notice if, in their view, the unauthorised development has resulted in any harm, or has the potential to cause harm, which can only be satisfactorily removed or alleviated by imposing conditions on a grant of planning permission for the development.
- 6.10 If the location of the unauthorised development is unacceptable, but relocation is feasible, it is not the Authority's responsibility to seek out and suggest an alternative site to which the activity might be satisfactorily relocated. However, if an alternative site has been suggested, the Authority will make it clear to the owner or occupier of the site where unauthorised development has taken place that he is expected to relocate to the alternative site within a reasonable timescale. In such circumstances the Authority will usually agree a reasonable time-limit within which relocation should be completed.
- 6.11 What is reasonable will depend on the particular circumstances, including the nature and extent of the unauthorised development; the time needed to negotiate for, and secure an interest in, the alternative site; submit a planning application (if required) for the alternative site; consultation timescales; and the need to avoid unacceptable disruption during the relocation process. If the owner or operator fails to provide justification for a suggested timescale, the Authority will set a timescale it considers reasonable. If a timetable for relocation is ignored, or it is evident that appropriate steps are not being taken to progress the relocation, the Authority will consider formal enforcement action. In that event, the compliance period in the notice will specify what the Authority regard as a reasonable period to complete the relocation.
- 6.12 Nevertheless if the unauthorised development is causing unacceptable harm to the environment or amenity, the Authority will consider issuing an Enforcement Notice and/or Stop Notice even if an alternative site has been identified and steps have been made towards relocation. The Authority considers that any difficulty or delay with relocation will not

normally be a sufficient reason for delaying formal enforcement action to remedy unacceptable unauthorised development.

- 6.13 Where the Authority considers that unacceptable unauthorised development has been carried out, and there is no realistic prospect of its being relocated to a more suitable site, the owner or occupier of the land will be informed that the Authority is not prepared to allow the operation or activity to continue at its present level of activity, or (if this is the case) at all. If the development nevertheless provides valued local employment, the owner or occupier will be advised how long the Authority is prepared to allow before the operation or activity must stop or be reduced to an acceptable level of intensity. If agreement can be reached between the operator and the Authority about the period to be allowed for the operation or activity to cease, or be reduced to an acceptable level, and the person concerned honours the agreement, formal enforcement action may be avoided. However, the Authority will have regard to the possibility of intensification of the development after expiry of the statutory period for enforcement action. If no agreement can be reached, the issue of an enforcement notice will usually be justified, allowing a realistic compliance period for the unauthorised operation or activity to cease, or its scale to be acceptably reduced.

Failing To Comply with Any Condition or Limitation Subject to Which Planning Permission Has Been Granted

- 6.14 As set out in section 3 (Monitoring Inspections) monitoring of permitted sites is an essential tool of controlling development. Whilst the responsibility to adhere to planning permissions and comply with associated conditions lies with those undertaking the development, we recognise the importance of addressing harmful breaches of planning control. As a result, where possible, the council will use its resources and promote cross department liaison to identify breaches of planning control. Where it's found that operators are failing to comply with conditions paragraphs 6.4 to 6.13 above would apply. Nevertheless, if the unauthorised development is causing unacceptable harm to the environment or amenity, the Authority will consider issuing a breach of condition notice under section 187 A of the Town and Country Planning Act 1990 which provides for enforcement of a planning condition.

Commented [A29]: New heading and paragraph to clarify process for unauthorised development

7.0 Investigation Priorities

- 7.1 Investigating and remedying alleged breaches of control is labour intensive and the level of service provided is directly proportional to the resources available for regulating planning control. The demand for resources in this area naturally fluctuates over time and while the service will endeavour to match resources to demand, the level of service provided may vary over time.

Complaints

- 7.2 A complaint/incident is an event or matter that is either brought to the Authority's attention or that monitoring, and control officers may become aware of as part of their duty, and which may have a planning related impact. The type of complaints/incidents received by the Authority are split into 3 priorities:

Priority 1

Immediate or irreparable harm to the environment or immediate and substantial harm to amenity. Harm would be assessed in relation to impact on the environment. E.g., the impact of mineral, waste and Regulation 3 development would often be greater in an area close to residential amenities than it would be in the open countryside. The Authority will respond to the complainant within 24 hours and investigate the complaint within 3 working days. It should be noted that in cases giving rise to immediate and substantial harm there are often more appropriate regulatory regimes outside the planning system. Officers will work cooperatively with other agencies in such cases (see paragraphs (5.1 to 5.6)

Priority 2

On-going low-level harm to amenity or moderate and reparable impact on the environment. E.g., HGV's occasionally going in the wrong direction and causing the road verge to break up. The Authority will respond to the complainant within 3 working days and investigate the complaint within 1 working week.

Priority 3

Occasional harm to amenity or the raising of long-standing issues leading to low level impact on the environment e.g., concerns about the permitted type of material (sand or waste) stored on a site with permission, but in the wrong place or slightly higher than the agreed height. The Authority will respond to the complainant within 3 working days and investigate the complaint when the relevant officer is next in the area, but no later than one month of the receipt of complaint.

Investigation of Breaches

- 7.3 A response to an alleged breach will also require a record of the outcome of investigation. Where there is continued non-compliance, and this results in further visits and investigation then these should additionally be recorded. However, where the operator is taking known action to resolve the problem then this is classified as an ongoing event. It is not necessary to record this as a new breach.
- 7.4 Where separate members of the public report complaints/incidents about different issues relating to a site then these should be recorded as separate breaches. Where multiple residents complain about the same incident then this is recorded as a single breach.
- 7.5 As part of our regular monitoring of planning permissions there are matters identified by officers that if reported to us separately would have been dealt with and recorded as a breach. These will be recorded, and information captured. The same applies as above in that, where there is continued non-compliance then this will be reported as a single breach.
- 7.6 The Monitoring and Control Team will liaise with the Legal Services; Environment Agency; District Council or any other relevant Authority as necessary throughout the investigation.
- 7.7 When complaints about alleged breaches of planning control are

received, they will be properly recorded and investigated. If the Authority decides to exercise its discretion not to take formal enforcement action it should be prepared to explain its reasons to the complainant, including where complaints are attributable to repeated allegations from vexatious complainants, and they have been previously proved unsubstantiated.

- 7.8 The Authority will ensure that anyone who does complain about a breach of planning control is dealt with in a polite, efficient and responsive way. All complaints that are received will be recorded and stored on a complaints register, which is an electronic and paper based system. The complaints register will enable the receiving officer to detail both the nature of the complaint and the action the Authority has taken to resolve it. Keeping a record of complaints will enable the Authority to assess and improve its overall service.
- 7.9 It may not always be necessary to visit sites to satisfactorily resolve a complaint. However, in most cases it may be necessary to establish whether there has been a breach of planning control by visiting the site. Where, following the investigation of a complaint, the Authority decides not to take formal enforcement action to resolve a substantive issue, the matter being satisfactorily resolved by other methods, the reason for this decision will be explained to the complainant upon request. If, however, the Authority elects to instigate enforcement proceedings against the offender the complainant will be notified of the progress of that action.
- 7.10 The County Council in dealing with all complaints concerning an alleged breach of planning control within their responsibility will:
- treat them confidentially as far as practical.
 - ensure that they are acknowledged and actioned within the timescales prescribed in the priority rating.
 - deal with them expeditiously in a professional and efficient manner.
 - visit the site where necessary and establish whether there has been a breach of planning control.
 - notify the complainant upon request of the progress of any action taken to resolve substantive matters forming the basis of the complaint.
notify the complainant if the authority elects to commence enforcement action against the alleged breach of planning control and be prepared to explain the reason in the event formal enforcement action has not been taken.

8.0 Prosecutions

- 8.1 Subject to the Evidential and Public Interest tests Persons who fail to comply with formal notice will normally be prosecuted.

9.0 Monitoring of Regulation 3 Development

- 9.1 A procedure has been agreed between Norfolk County Council's Children's Services and the Monitoring and Control Team whereby Schools development which falls within Regulation 3 of The Town and Country Planning General Regulation 1992 can be monitored and a fee levied. Developments where planning permission was granted for

Annex 1

permanent external substantial building works is subject to this regime.

- 9.2 Prior to the inspection taking place, notification will be passed to the applicant informing them that an inspection will be scheduled for a given school. An initial list of developments has been agreed with Children's Services and notification of future inspections will be sent out to individual applicants.
- 9.3 Where a development has been permitted on an open school an appointment will be made prior to inspection. This generally ensures that the school will allow the officer onto the site without issue and, if required, allocate a member of staff to accompany the officer. This will also allow the inspecting officer to check that work has begun prior to going on site.
- 9.4 Where a planning permission is found not to have been implemented it will be removed from the list and an invoice will not be raised. It is generally agreed that a single chargeable inspection will be required for smaller developments such as extensions, although a second non-chargeable visit may be required after completion of the development.
- 9.5 For major developments, such as new schools, two chargeable visits per year for the life of the construction phase will be required. A final chargeable visit to check completion and landscape implementation will also be required.
- 9.6 Failure to comply with all planning conditions could result in further chargeable visits being undertaken until full compliance is achieved. There will be a maximum of two chargeable visits per school in any one financial year.
- 9.7 Once the report has been completed, it will be sent to the applicant along with a copy of the planning permission and an invoice for payment.

10. Member Protocol

- 10.1 Local Norfolk County Council members will be informed when an Enforcement Notice is served in their division.
- 10.2 Members of the Council will be presented on a regular basis of not less than once per year with a report detailing the decisions made under delegated authority, performance statistics and enforcement update for the work of the Monitoring and Control Team.



Norfolk County Council

Annex 2: Norfolk County Council Flood and Water Management Enforcement Protocol

November 2023

Contents

Introduction..... 2
Regulation of Ordinary Watercourses 3
Guiding Principles 4
Seeking resolution prior to serving notices 5
Serving notices under the Land Drainage Act 1991 6
Enforcement of notices..... 6
Completion of proceedings..... 7
No further action..... 7

1.0 Introduction

This document provides supplemental guidance to Norfolk County Council's Community and Environmental Services (CES) Compliance and Enforcement Policy and is provided in the context of specific requirements arising from the Flood and Water Management Act 2010 and the Land Drainage Act 1991.

Norfolk County Council (NCC) is the Lead Local Flood Authority (LLFA) for the county. This role is fulfilled by the Flood and Water Management team.

This Protocol and guidance note has been adapted from best practice identified within local authorities in England. It is intended for use as guidance by Risk Management Authorities, developers and landowners.

2.0 Regulation of Ordinary Watercourses

The Lead Local Flood Authority has powers under the Land Drainage Act 1991 to exercise its regulatory powers in relation to watercourses outside of Internal Drainage Board areas and where they are not Environment Agency designated main rivers.

The Lead Local Flood Authority will take a risk-based and proportionate approach to exercising its regulatory powers under the Land Drainage Act 1991, taking into account the location and nature of any nuisance caused by;

- the failure to repair or maintain watercourses, bridges or drainage works
- un-consented works
- impediments to the proper flow of water

This approach will take into account whether the contraventions have or are likely to increase flood risk and what the consequences of any increase in risk may be. Where works are un-consented the Lead Local Flood Authority would require the landowner, person and/or Risk Management Authority responsible for the works to prove that the un-consented works would not cause a nuisance or increase flood risk.

With regards to the causes of the nuisances described above, the Lead Local Flood Authority has powers under Sections 21, 24 and 25 of the Land Drainage Act 1991 to serve notice on individuals who have caused contraventions.

In issuing a notice the Lead Local Flood Authority may set out the works required to resolve the contravention to an acceptable standard and the date by which the works should be completed.

If the works are not completed by the date set out in the notice, the Lead Local Flood Authority may take action to remedy the effect of the

contravention or failure and seek to recover the costs incurred, as well as pursue any necessary prosecution.

3.0 Guiding Principles

Enforcement under the Land Drainage Act, 1991 will be carried out using the guiding principles as set out in the CES Compliance and Enforcement Policy.

4.0 Process

a) *Initial response*

Where the Lead Local Flood Authority receives a complaint in relation to an ordinary watercourse, we will carry out an initial assessment to establish whether the actual or potential flood risk meets our threshold for intervention. We aim to complete this assessment within 21 days. However, there will be occasions when it is necessary to extend the period of assessment for more complex matters and/or to accommodate exceptional circumstances e.g. weather, flood conditions, etc. At the outset the complainant will be informed of the case officer who will follow up the enquiry and of the outcome of the assessment.

b) *Initial assessment*

The threshold for intervention will be based on the Lead Local Flood Authority's [impact criteria](#).

To assess the potential impact the initial assessment will consider the on-site conditions, any available historical data and high-level indicators of potential risk, such as Environment Agency (EA) Flood risk maps for surface water flooding and flooding from rivers. It will also consider any other status of land e.g., conservation designations, common land etc.

To substantiate incidents of actual flooding as part of the initial assessment we will need to be provided with one or more of the following types of evidence:

- I. An insurance claim
- II. Records from Risk Management Authorities i.e., Anglian Water, District Councils
- III. Dated photos of the event
- IV. Written report from a Risk Management Authority

The evidence supplied will be determined in line with the guiding principles as set out in the CES Compliance and Enforcement Policy.

The Lead Local Flood Authority may close an enforcement case file, where there is a lack of physical evidence to corroborate the impact of a flood event. If further relevant evidence was to come forward, then the Lead Local Flood Authority may re-open the case file and undertake a further investigation.

c) Further Investigation

Where the initial assessment has identified an actual or potential risk of flooding that exceeds the adopted impact criteria, but where a site inspection has failed to identify the primary cause of the problem the authority may:

- consult with other organisations including other local authorities, Highway Authorities, Environment Agency, Natural England as appropriate.
- require or commission appropriate site surveys and inspections.

In deciding whether or not to carry out the above steps the LLFA will consider whether it is in the public interest to do so. Having regard to the actual and potential impacts of the flooding, the costs of carrying out the works and the likelihood of obtaining sufficient evidence to enable enforcement activity. Where the Lead Local Flood Authority is made aware of breaches of other legislation it will advise the appropriate authorities.

d) Outcome of initial assessment/Further Investigation

Once an initial assessment/further investigation has been carried out the complainant will be informed in writing as to the next course of action and this may include:

- I. Informing relevant party(s) of works that are required to be undertaken within the set timescale OR
- II. No further action by the LLFA and:
 - Providing advice to those affected on referral to the [First Tier Tribunal \(Property Chamber\), Agricultural Land and Drainage \(AL&D\)](#) or other relevant organisation, where appropriate
 - Informing relevant parties of their [riparian responsibilities](#)

Where it is considered that further action needs to be taken by the relevant landowner, person and/or Risk Management Authority responsible this will be explained within the letter that sets out the outcome of the initial assessment/further investigation. This will include the following:

- An explanation of the problem and the remedy required in accordance with the Land Drainage Act 1991.
- Depending on the nature of the problem we aim to ensure that remedial work is carried out within the timeframe specified in the letter (between 7 and 21 days of the date of the letter). However, there will be occasions when it is necessary to extend the period of compliance for more complex matters and/or to accommodate exceptional circumstances e.g. weather, flood conditions, etc. The time allowed will be reasonable in the circumstances. The extent of the work required will be proportionate to the scale of the problem.

- In certain circumstances practicalities may not allow for works to be done within the timeframe specified in the letter. The Lead Local Flood Authority will assess the circumstances with regards to enforcement and whether any works need to be deferred or amended to take into account the impacts of any works on wildlife. Examples where this may occur include:
 - Seasonal farming practices and Environmental Schemes can restrict access or time schedules to carry out works;
 - The nesting season for some birds occurs between the 1 March and 31 August and works might cause disruption if nests are present;
 - Presence of protected species will influence when it is most appropriate to carry out work.

Seeking resolution prior to serving notices

The Lead Local Flood Authority will seek to resolve the situation by means of negotiation with the person responsible and obtain compliance with a request to satisfactorily undertake the work required.

Serving notices under the Land Drainage Act 1991

If a positive response to the Lead Local Flood Authority's letter has not been received within the timescale specified and on inspection no work has been satisfactorily undertaken as required, a notice under the relevant section of the Land Drainage Act 1991 will be served. The notice will include the nature of the work to be carried out, the period within which it is to be carried out and any relevant right of appeal to a magistrates' court within 21 days of service of the notice (where applicable). A Notice under the Land Drainage Act 1991 is a legal document formally requiring specific work to be carried out within a set timescale.

A letter will accompany the notice and inform the responsible person that in the event of their failure to satisfactorily undertake the work, the Lead Local Flood Authority may carry out the work itself and recover from the person responsible the expenses reasonably incurred in doing so which will include recovering the costs of pursuing the case.

Enforcement of notices

Following service of the notice, one of four things will happen: -

- The responsible person will carry out the work to the satisfaction of the council.
- The responsible person may appeal the notice.
- The responsible person will fail to carry out the work to the satisfaction of the Lead Local Flood Authority and the Lead Local Flood Authority will seek to recover their expenses; and /or
- The Lead Local Flood Authority will, where appropriate, decide whether to take a prosecution against the responsible person, in

addition to carrying out the work and seeking to recover the costs of that work.

Completion of proceedings

If the responsible person complies with the notice and completes the work to the satisfaction of the Lead Local Flood Authority, the Lead Local Flood Authority will write to the responsible person confirming the closure of the case and the end of the action.

No further action

The Lead Local Flood Authority may take no action where:

- there is no actual or potential risk to properties or infrastructure; and/or
- that the matter complained of is not the cause of the drainage problem; and/or
- the matter is trivial in nature

If this is the case, the complainant will be advised accordingly, and a written communication will be sent to the complainant explaining the reason why no action is to be taken. The complainant will also be referred, where appropriate, to the [First Tier Tribunal \(Property Chamber\)](#), [Agricultural Land and Drainage \(AL&D\)](#) or other relevant organisation. The riparian owner will also be informed, as appropriate.

Examples of matters not requiring action may include minimal silting of the watercourse, slight vegetation overgrowth, the accumulation of a small quantity of debris etc

Advice

The Lead Local Flood Authority will provide basic information and advice to individuals of their riparian ownership responsibilities and of the route for appeal against other riparian owners where appropriate. The Lead Local Flood Authority may suggest that independent legal and/or technical advice is sought, where appropriate.

Data Protection

Information may be shared with [Risk Management Authorities](#) under Section 13 and 14 of the Flood and Water Management Act 2010 in order to exercise flood and coastal erosion risk management functions. This information will be held securely, and any processing will be performed in line with the requirements of the Data Protection Act 1998 and the General Data Protection Regulation from 25 May 2018. Norfolk County Council is registered as a Data Controller with the Information Commissioner's Office. Further details about how we process personal data can be found in our [Privacy Notice](#).

Further Information

Please consult the [Glossary of terms](#) document which supports this protocol.

Annex 3



Norfolk County Council

Annex 3: Norfolk Fire and Rescue Service Enforcement Policy Statement (England and Wales)

Fire Safety Policy Directive

November 2023

Introduction

We are approachable and want to engage with and hear from you. The following pages explain our enforcement policy. This document is supported by other documents required by the Regulators Code, namely our Service Standards and our Challenges, Appeals and Complaints procedure. This guidance has been produced in consultation with the Better Regulation Delivery Office (now Regulatory Delivery). This policy aims to explain our approach to our regulatory functions in relation to fire safety and public safety in our communities. It also explains the behaviours that business can expect receive from us and legal constraints and frameworks under which we operate.

Quick guide

1. Introduction

The Norfolk Fire and Rescue Service (and its officers) will exercise its regulatory functions in accordance with the principles of better regulation and will comply with all relevant laws. Business should have a mainly positive experience of being regulated by the Service.

2. Principles

The Service is tasked with seeing that people are safe in case of fire and believes that deaths and injuries caused by fire in regulated premises are preventable, if the right measures are taken. The Service and its officers will engage and work with business, in preference to enforcing fire safety standards.

3. Regulation

The purpose of enforcement action is to bring about improvements in safety and in attitudes to providing safety. While the Service has laid down procedures for its officers, we will take each case on its merits.

4. Helping Those We Regulate (Transparency)

The Service aspires to help regulated businesses and to work with them to resolve fire safety problems but will robustly enforce where the risk to people is highest and when those responsible refuse to help them.

5. Targeting

The regulatory policy of the Service focuses on risk in case of fire and in places where we will be most effective in saving life.

6. Accountability to Those We Regulate

The Service is accountable for its actions and is open to analysis and questioning of our regulatory work.

7. Principles of Enforcement Action

A range of relevant factors will be considered before any enforcement action is taken by the Service. When action must be taken to improve safety, the Service will be clear about what is required.

8. Our Enforcement Action

The Service would rather work with business to make places safe than enforce against them. When enforcement is needed; we will be clear about what must be done. Letters or notices may be sent to confirm what business needs to do to. All enforcement will be proportional to the risk.

9. After Enforcement Action

The Service encourages dialogue and open communication during and after the enforcement process. Requirements for safety and how to challenge what we are asking for will be made clear.

10. Failure to Comply with Requirements

When the Service makes an enforcement decision, there might be a route to appeal or challenge what we have said. How to do this (and how to complain about our behaviour) will be made clear. Business can talk to us.

11. Simple Cautions and Prosecution

If an offence has been committed, it means the law has been broken and the Service can take the matter to court. In addition to going to court, there are other actions that the Service can take.

12. Public Register

The Service must enter details of certain notices (called “relevant notices”) into a register to which the public have access. (In accordance with the Environment and Safety Information Act 1988). Further details are available on request or from the [Enforcement Register](#).

Commented [A30]: Revised link to external register

13. Other Duties of the Service

As well as ensuring that people are kept safe in case fire, the Service is also responsible for some other laws relating to public safety.

14. Data Protection

The Service will comply with data protection laws.

15. Freedom of Information

The Service is subject to the Freedom of Information Act, which provides a right of access to regulatory information held by the Service.

More on the Introduction

1.1 This statement sets out the service that business and others being regulated by the Norfolk Fire and Rescue Service can expect from its regulatory and enforcement function and its appointed inspectors. It goes some way to satisfying the Regulators' Code by committing the Service and appointed inspectors to the principles of good enforcement with the assistance of effective procedures and clear guidance, which can be viewed by businesses and members of the public.

[Policy](#)

1.2 This Enforcement Policy Statement has been prepared with regard to the following legislation and statutory guidance:

The Regulators Code

The Regulatory Enforcement and Sanctions Act 2008

The Legislative and Regulatory Reform Act 2006

The Legislative and Regulatory Reform (Regulatory Functions) Order 2007

The Environment and Safety Information Act 1988

The Regulatory Reform (Fire Safety) Order 2005

The Licensing Act 2003

The Explosive Regulations 2014

The Petroleum (Consolidation) Regulations 2014

The Building Safety Act 2022

The Fire Safety Act 2021

The Fire Safety (England) Regulations 2022

Commented [A31]: Addition of other applicable legislation

1.3 The primary function of the regulatory part of the Service is to achieve safety in case of fire (in premise to which fire safety law applies).

More on Our Principles

2.1 Fire safety regulation is founded on the principle that people should be kept safe in case of fire. We regulate to help secure this safety and through our regulation, we aim to provide a consistently high-quality service to those we regulate. Our regulatory activity generally extends to premises in which there is a trade, business, or other undertaking.

2.2 Non-compliance with fire safety law will mean that, in our view, people are at risk in case of fire. Where we identify people at risk in case of fire, we will respond proportionately to that risk, taking account of the likelihood and severity of the risk, in line with our service standards.

2.3 The Service believes in firm but fair enforcement of fire safety standards. We aim to achieve this by:

Annex 3

- proportionally applying the law to secure safety.
- being consistent in our approach to regulation.
- targeting our resources and enforcement action on the highest risk.
- being transparent about how we operate and regulate; and
- being accountable for our actions.

2.4 We will have regard to the Regulators Code when developing the policies and procedures that guide our regulatory activities. We will encourage and promote fire safety while minimising the associated costs of providing safety from fire.

2.5 We believe that by fostering good relationships with our business community and by working with them, we can improve public safety, business resilience, and can remove any unnecessary burdens of complying with fire safety law.

2.6 The Service will endeavour to engage with the business community, to seek their views about our policies and practices. (Details of engaging with us are available on request and on our website).

2.7 In the most serious cases of danger in case of fire, we will take immediate and decisive action to secure safety, for example by serving a prohibition notice that can stop people from using the premises.

For more information see [Fire regulations for businesses and organisations in Norfolk - Norfolk County Council](#)

Commented [A32]: Revised link to external information

More on the way we approach regulation

3.1 In accordance with the Regulators Code, the Service takes enforcement action (and imposes sanctions and penalties) to:

- (a) change the behaviour of the offender.
- (b) change societal attitudes to the risks from fire.
- (c) eliminate financial gain or benefit from putting people at risk in case of fire.
- (d) exercise a proportionate response to the nature of the offence and the harm caused.
- (e) restore safety to premises where fire safety risks were found; and
- (f) encourage fire safety to be secured in future.

Annex 3

- (g) impose an appropriate sanction for the particular offender, which can include punishment through the courts (and the public stigma that should be associated with a criminal conviction).

For further details please review [Information on the Regulators Code](#)

- 3.2 Avoiding fires is better than protecting people when fire occurs. Where fire is likely and / or the consequences of fire pose a hazard to people, it becomes necessary for us to take action (against the responsible person / duty holder) to reduce the risk. We have a wide range of enforcement action available to us. The actions we may take include:
- (a) no action.
 - (b) providing advice.
 - (c) informal action.
 - (d) formal action (including enforcement, alterations and prohibition notices);
 - (e) taking samples of dangerous materials or extracts of recorded information; and
 - (f) securing information to prepare for prosecutions.
- 3.4 The enforcement actions listed above are not written in an absolute order of escalation. Enforcement action taken by the Service is scalable and appropriate to the risk to people in case of fire.
- 3.5 When formal enforcement action is necessary, each case will be considered on its merits. All enforcement decisions will be fair, independent and objective. They will not be influenced by issues such as ethnicity or national origin, gender, religious beliefs, political views or the sexual orientation of the suspect, victim, witness or offender. Such decisions will not be affected by improper or undue pressure from any source.
- 3.6 All enforcement activities, including investigations and formal actions, will always be conducted in compliance with the statutory powers of the officer and all other relevant legislation, including but not limited to the Police and Criminal Evidence Act 1984, the Criminal Procedure and Investigations Act 1996, the Human Rights Act 1998, and the Regulation of Investigatory Powers Act 2000, and in accordance with any formal procedures and codes of practice made under this legislation so far as they relate to the regulatory activity of the Service.

More on helping those we regulate

- 4.1 We will help those responsible for delivering safety in case of fire (responsible persons and duty holders) to understand what is expected of them and what they should expect from the **Service**. Legal requirements will be clearly distinguished

Commented [A33]: For example the Building Safety Act 2022 section 156 was introduced as new legislation from 1st October 2023 which imposes new duties on businesses and building owners. This represents the next phase of the government's fire safety reform programme

Annex 3

from best practice or non-statutory fire safety advice. We will publish guidance in a clear, accessible, concise, format using media appropriate to the target audience, in plain language.

4.2 Details are available on request and on our website.

More on Targeting

5.1 Our policy on inspections will be to focus primarily on those whose premises and activities give rise to the most serious risk to life in case of fire. In making an assessment of risk, we will take into account the fire safety record of those we regulate and the current risks to people in case of fire.

5.2 We will maintain a strategy that will identify and evaluate risks in premises as well as to the wider community and allocate resources to carry out inspections accordingly. We want to see fire safety provided in buildings and may take action against those regarded as putting people at risk in case of fire.

5.3 Earned recognition may be awarded to businesses for assurance of safety, including for example external verification of safety systems / practices.

5.4 Our Service Standards and plans including details of our risk-based approach to risk and are available on request.

More on our Accountability

6.1 The Service is accountable to its community for its actions. This means we must have policies and standards against which we can be judged, and an effective and easily accessible mechanism for dealing with comments and for handling complaints.

6.2 Details are available on request and on our website [Complaint](#)

More on the Principles of Enforcement Action

7.1 In assessing necessary and proportionate enforcement action, consideration will be given to (amongst other things):

- the safety history at the premises,
- the history of operational attendances and false alarms at the premises,
- safety referrals to the premises from other authorities / interested parties,
- any Primary Authority relationship that might be in place with the business,
- the adequacy of fire safety arrangements at the premises,
- the attitude of the responsible person / duty holder to providing safety,
- statutory guidance,
- codes of practice, and

- legal advice.

7.2 Certain enforcement action, such as the decision to use a Simple Caution and / or the decision to investigate for prosecution, is further and specifically informed by those matters set out below at section 11.

7.3 In every case, when we require action to remedy unsafe conditions, we will explain the nature of the unsafe conditions to those responsible and will confirm the same in writing.

7.4 Because, subject to any letter or notice we give, work must be done to improve or secure the safety of people in case of fire; we will agree reasonable timescales within which the work must be completed that are agreed with those responsible.

More on Our Enforcement Action

8.1 The Service will offer duty holders information and advice both verbally and / or in writing. This will include an explanation of why any specified work is necessary and a time period within which the specified work should be completed.

Educating, informing and advising responsible persons and duty holders about their duties under fire safety legislation will form a fundamental element of our enforcement regime. The Service will fulfil its obligation under section 6(2) of the Fire and Rescue Services Act 2004 to give on request, advice on fire safety free of charge.

8.2 Where we find risks to safety, we may deal with them by informal means or (where appropriate) we may take formal action by serving alterations, enforcement and / or prohibition notices. We may also issue Simple Cautions, and (in the most serious cases) may prosecute. Before formal enforcement action is taken, inspectors will provide the person responsible with an opportunity to discuss the circumstances of the case and, if possible, resolve points of difference without recourse to formal enforcement action (unless immediate action is required to reduce the risk to life or to prevent evidence from being destroyed).

8.3 In certain circumstances, after evaluating the safety at premises, no action may be required. This will be the case when the safety of people in case of fire has been adequately secured.

8.4 If the likelihood of fire is high and the consequences in case of fire are low, advice may be given on how the likelihood can be reduced. Advice may also be given

where the consequences of fire might cause harm to people but can be simply avoided. Advice can also be given to point out good practice or to signpost business continuity advice or other business protections, for example protection from flooding.

- 8.5 Where the likelihood of fire is low / medium or the consequences of a fire are slight, informal action will be taken. Informal action will take the form of a letter, pointing out that people are at risk in case of fire, where in the building they are located and what has led to them being put at risk as well as what should be done to provide safety and how to prevent the same danger from recurring. Informal action may also be taken, if those responsible have displayed clear intentions to undertake corrective action. Failure to respond to informal action can result in escalation to formal enforcement action.
- 8.6 Formal action will take the form of serving a Notice (alterations, enforcement, and / or prohibition notices). Formal action will be taken when the consequences of fire are such that people are likely to be harmed, suffer serious injury or death. It can require specific action to be taken or certain activities to cease.
- 8.6.1 Where a reasonable known change to premises or to the use of premises could result in a significant increase in the risks to people on the premises, we may serve an Alterations Notice, which requires the responsible person / duty holder to notify us, before making that known change.
- 8.6.2 Enforcement Notices require improvements in safety and will point out: that people are at risk in case of fire; where in the building they are located; and what has led to them being put at risk, as well as what should be done to provide safety and how to prevent the same danger from recurring. Enforcement Notices include a reasonable period of time for safety to be put in place. Failure to respond to a formal Notice can result in escalation to an investigation for prosecution.
- 8.6.3 Where immediate action is considered necessary to keep people safe from fire, a Prohibition Notice, which can prohibit or restrict the use of premises, can be served. An explanation of why such action is required will be given at the time and confirmed in writing. Whereas a Prohibition Notice requires action to remove imminent and immediate risks in case of fire, an Enforcement Notice might also be served to deal with less imminent risks in case of fire.

8.7 Fire Safety law gives power to warranted inspectors to take samples of dangerous materials or extracts of recorded safety information and documents. When we take materials or documents we will provide an appropriate receipt.

8.8 In the most serious of cases we will gather information and conduct an investigation to prepare for a prosecution. The decision to prosecute a case will be taken by those with authority to do so in accordance with our Scheme of Delegations.

8.9 All our members of staff that make enforcement decisions will be required to follow the Regulators Code.

More about After Enforcement Action

9.1 When the Service takes enforcement action, we will discuss what is required to achieve safety for relevant persons with the responsible person / duty holder (taking into account the circumstances of the case if they have been explained to us).

9.2 The Service will clearly explain any advice, required actions or decisions taken at the time of our visit and will be willing to discuss such matters on any future occasion to ensure those responsible have clarity of what must be done.

9.3 Our letters and notices will provide details in writing of what must be done and how to appeal against any of our regulatory decisions. Our letters and notices will also explain what will happen next, especially if you do not undertake the work. Our web-site has details of how to complain about our conduct, if you should feel it necessary. [Complaint](#)

9.4 We encourage those responsible for providing safety in case of fire to contact us, especially if there are any questions or comments about our regulatory activity. We will also maintain regular communication (where required) until safety has been provided.

More on a Failure to Comply with Requirements

10.1 Rights of and routes to appeal will be clearly set out in writing and issued with our letters.

10.2 The failure to comply with an alterations, enforcement or prohibition notice constitutes an offence and may result in prosecution.

10.3 We can withdraw alterations, enforcement, and prohibition notices at any time, but they will generally be deemed to be in force until such time as the notice is complied with, withdrawn, or cancelled by the court.

More on Simple Cautions and Prosecution

11.1 There are a number of offences that can be committed under Fire Safety law.

Among the foremost of these are failure to comply with a formal notice and failing to provide safety in case of fire to such extent that one or more people are put at risk of death or serious injury in case of fire.

11.2 The Service can deal with offenders through prosecution and Simple Cautions.

These legal actions are important ways to bring to account those responsible for alleged legal offences. Where appropriate, we will use one of these measures in addition to issuing a formal notice.

11.3 A prosecution may be taken following full consideration of the many factors arising for the alleged breaches of the law. Penalties for offences are awarded by the courts and can include fines, imprisonment or both.

11.4 A Simple Caution will only be used where available and where a prosecution could be properly brought and there is a realistic prospect of conviction. A Simple Caution includes a written submission from the person responsible that an offence has been committed.

Commented [A34]: Have included 'where available' here as there are proposals by Govt to change the Cautions regime which could see these removed from local authority use in their current form. The legislation for this is however not in force at the time of writing.

11.5 A record of a Simple Caution will be kept on file for three years and if a conviction for a further offence is brought within that period, the written submission of the previous offence will be introduced to the court for consideration.

More about the Other Duties of the Service

13.1 In addition to Fire Safety law the Service is also responsible for the following regulations.

- Licensing authority for the Petroleum Consolidation Regulations 2014
- The Explosive Regulations 2014.

13.2 The Service can request a review of a premises licence under Section 51 of the Licensing Act 2003. The options available to the Licensing Committee are:

- i. Modification of the conditions of the Licence
- ii. Exclusion of Licensable activity from the scope of the Licence
- iii. Removal of the Designated Premises Supervisor

- iv. Suspension of the Licence for a period not exceeding three months
- v. Revocation of the Licence
- vi. Issue of a Warning Letter
- vii. No Action

13.3 The Service enforces the requirements of Explosive Regulations 2014 through application of the Health and Safety at Work (etc) Act 1974 and the serving of improvement notices and prohibitions orders.

More on Data Protection

14.1 The Service will comply with the principles of the Data Protection Act 1998 governing the use of personal data received or obtained and will respect the rights and freedoms of those individuals when processing their details. The following document Information Management Strategy lays out our strategic approach to meeting these legal requirements. (Details are available on request and on our website [Information Management Strategy](#))

More on Freedom of Information

15.1 Under the Freedom of Information Act 2000, individuals are given 'a general right of access to information held by public authorities in the course of carrying out their functions subject to certain conditions and exemptions'. Under Section 19 of that Act, public authorities are required to produce a publication scheme setting out details of the information routinely published or made available, how the information is made available (in hard copy and on-line), and whether it is available free of charge or on payment.

15.2 Details of The Service's publication scheme are available on request and on our website [Publication Scheme](#).

The Regulators Code

The Regulators Code is a statutory code of practice for regulators and makes six broad requirements:

- i. To carry out their activities in a way that supports those they regulate to comply and grow;
- ii. To provide simple and straightforward ways to engage with those they regulate and to hear their views;
- iii. To base their regulatory activity on risk;
- iv. To share information about compliance and risk;
- v. To ensure clear information, guidance and advice is available to help those they regulate meet their responsibilities to comply; and
- vi. To ensure their approach to regulatory activity is transparent.

The service has taken regard of the Regulators Code in producing this policy statement.

For the full version see the: [The Regulators Code](#)

The Regulatory Enforcement and Sanctions Act

The Regulatory Enforcement and Sanctions Act (The RES) established The Local Better Regulation Office (later renamed as the Better Regulation Delivery Office (BRDO)). It also imposed a duty on Regulators to: (a) have regard to any guidance issued by BRDO, (b) a duty to comply with guidance where the Regulator is directed to do so by BRDO, and (c) a duty to have regard to any list of enforcement priorities published by BRDO. As a listed Regulator, the Service is committed to these duties. For the full version click here: [The Regulatory Enforcement and Sanctions Act](#)

Legislative and Regulatory Reform Act

Part 2 of the Legislative and Regulatory Reform Act requires the Service to have regard to the Principles of Good Regulation. We recognise that our regulatory activities should be carried out in a way which is: (i) proportionate; (ii) accountable; (iii) consistent; (iv) transparent; and (v) targeted to situations which need action. When we exercise a regulatory function, which for the Service includes: the Regulatory Reform (Fire Safety) Order, [The Petroleum \(Consolidation\) Regulations 2014](#), [Explosives Regulations 2014](#) and the [Health and Safety at Work \(etc\) Act](#) we have regard to the Regulators Code.

For the full version see the [Legislative and Regulatory Reform Act](#)

The Legislative and Regulatory Reform (Regulatory Functions) Order 2007

The Legislative and Regulatory Reform (Regulatory Functions) Order imposes a duty on the Service to have regard to the Regulators' Code when determining general policies or principles. It requires that the regulatory activities of the Service are carried out in a way which is transparent, accountable, proportionate and consistent, as well as being targeted only at cases in which action is needed.

For the full version see the: [Legislative and Regulatory Reform \(Regulatory Functions\) Order](#)

The Environment and Safety Information Act

The Environment and Safety Information Act requires the Service to make a publicly accessible record of formal enforcement action that we have taken.

For the full version see [The Environment and Safety Information Act 1988](#)

The Regulatory Reform (Fire Safety) Order

The Regulatory Reform (Fire Safety) Order 2005 principally imposes a general duty on responsible persons and duty holders to take general fire precautions to keep

people safe in case of fire and establishes enforcing authorities to enforce the provisions of the Order. The Service is an enforcing authority under the Order and is empowered to inspect premises and serve notices to improve safety standards (among others).

For the full version see [The Regulatory Reform \(Fire Safety\) Order](#)

The Licensing Act 2003

The Licensing Act establishes the Service as a 'responsible authority' with whom the Licensing Authority must consult in connection with Licensable activities, including the sale or supply of alcohol or the provision of regulated entertainment or late night refreshment. The licensing objectives are to promote: the prevention of crime and disorder; public safety; the prevention of public nuisance; and the protection of children from harm.

For the full version see [The Licensing Act](#)

The Explosive Regulations 2014

The Service is the local authority for the purposes of dealing with applications for registration or for a licence to store explosives (under certain prescribed conditions).

For the full version see [The Explosive Regulations 2014](#)

The Petroleum (Consolidation) Regulations

The Service is the 'petroleum enforcement authority' and can grant 'storage certificates' for premises at which petrol is dispensed and enforces The Petroleum (Consolidation) Regulations in premises to which those regulations apply.

For the full version see [The Petroleum Consolidation Regulations](#)



Norfolk County Council

Annex 4: Norfolk County Council Highways Enforcement Protocol

November 2023

Annex 4

Contents

Introduction..... 3
Vehicles for sale on the Highway 3
Advertising Boards and Trailers on the Highway..... 3

1.0 Introduction

The Highways area teams receive a significant number of customer enquiries each year relating to enforcement matters. These range from trading on the highway, such as car sales on verges, caravans / motorhomes being parked on the highway, public roads and paths restricted for other highway users e.g., by overhanging trees, shrubs and hedges or blocked public footpaths and trailer or van mounted advertising hoardings.

Commented [A35]: Clarification on the range of enquiries received

The CES Compliance and Enforcement Policy is followed, although priority is given to highway safety matters. Increasingly, the teams work with District and Borough Councils and on a more local level with Town and Parish Councils to achieve successful outcomes.

In the majority of cases, the legal processes relating to enforcement are well established, such as dealing with public rights of way issues under various sections of the Highways Act. On occasion it is necessary to deal with Street works issues under applicable sections of the New Roads and Street Works Act 1991, Traffic Management Act 2004 and the Norfolk Permit Scheme.

Commented [A36]: Amended to confirm additional legislation that applies to street works

The following processes are less well established and have been the subject of recent Local Member interest.

2.0 Vehicles for sale on the Highway

When an enquiry is received or issue identified, the Highways Area team will notify the owner and ask them to remove it immediately. A phone call will suffice provided that a record is kept of the time and date.

The Highways Area team will re-inspect the site at least twice within the next calendar month, taking photos and noting the date and time of the inspections. If the problem persists after 4 weeks, the Highway Engineer and Area Manager will assess situation and identify a way forward.

3.0 Advertising Boards and Trailers on the Highway

At joint authority meeting, which included Nplaw, it was concluded that the most appropriate way forward in addressing the issue of illegal advertising boards and trailers was to use the Town & Country Planning Act 1990 rather than the Highways Act 1980, as this offered the best chance of a successful prosecution combined with deterrent fines. In these cases, District and Borough Councils would take be the Lead Authority.

However, where an enquiry is received and the issue identified is likely to cause a danger to other highway users, the Highways Area team will:

- Check whether route is subject to an advertising ban by-law (generally District/Borough Council imposed)
- Laminated notices can be attached to towable hoardings if they are found to be on Highway land, illegal and causing a safety issue for highway users.
- If the contact details for the trailer owner are known, they can be contacted direct to remove the trailer. This can be by either telephone or the use of letter.

Annex 4

- If letter is sent or contact details are unknown, a formal notice must be attached to the advertising hoarding. All fees charged should recover all costs incurred including Officer time, administration costs and hoarding collection costs.
- Officers can request the removal of unauthorised A Boards. Photographic records can be taken, and re-inspection may be required.
- Request for removal, by formal letter, should be made to the offending party, in their absence, immediate removal can be arranged, and cost recovered.
- If there is a significant problem with a particular shopping area, precinct, or high street it may be helpful for the Highways Engineer to arrange a meeting with the traders, town Councillors or Town Centre Managers to explain the procedure and our Duty of Care for all highway users.
- In exceptional cases Area Managers can consider whether offenders should be prosecuted in Magistrates Court.



Norfolk County Council

Annex 5: Blue Badge Enforcement Protocol

November 2023

Contents

Introduction.....	3
Identifying Offences.....	3
Investigation Process	4
Disposal	4

1.0 Introduction

In November 2011 Norfolk was designated as a Civil Enforcement Area and, following the commencement of the Disabled Persons' Parking Badges Act 2013, local authority enforcement officers are now able to inspect and retain a blue badge without police presence, if they have reasonable grounds for believing that an offence has occurred. Wrongful or misuse of a Blue Badge is a strict liability offence. The County Council employs a Blue Badge Investigator to carry out follow up investigations and prepare the evidence in support of enforcements – including giving written warning, or recommendations for formal prosecutions or simple cautions.

The Community and Environmental Services Compliance and Enforcement Policy is followed, and this protocol is to be read in conjunction with that document. The Blue Badge Investigations service forms part of the Sustainable Transport Section. There is a close working arrangement with Trading Standards, who process the legal disposals, and with the Customer Services Centre (CSC) who administer the Blue Badge Scheme.

Commented [A37]: Amended following the move of this Service to a new Section.

There is close liaison with District Councils who employ Civil Enforcement Officers (CEO), including guidance on the policy requirements for evidence-gathering and operational arrangements.

The misuse of the Blue Badge Scheme can have serious consequences for legitimate users by denying them access to essential services and facilities. Norfolk County Council are committed to reducing the level of misuse and increasing compliance with the scheme in pursuit of our traffic management duties and aims, and to support vulnerable people in Norfolk.

2.0 Identifying Offences

Blue Badge Offences are identified in 3 ways –

- Reports by members of the public via the online form or the CSC
- Badge Inspections and seizures by CEOs as part of normal patrol duties.
- Badge Inspections and seizures by the Blue Badge Investigator during specific patrols.

The County Council publicised the commencement of work by the Blue Badge Investigator and continues to publish on its website the results of enforcement action where a person is taken to court.

[See further information on Blue Badge Enforcement](#)

We have provided guidance to Civil Enforcement Officers who have the power to inspect and retain Blue Badges. This includes when and when not to inspect/retain badges, what offences are likely to have been committed. How they should interact with members of the public in what is a stressful situation and the type of questions to ask to gather evidence.

The Investigative process will also follow good practice guidance related to how those with hidden disabilities interact with the Criminal justice system.

3.0 Investigation Process

All investigations into alleged offences are conducted in accordance with statutory powers, relevant legislation, and codes of practice. Persons suspected of committing an offence will always where possible be formally interviewed in accordance with Police and Criminal Evidence Act 1984 (PACE). This is undertaken in 3 ways –

- Roadside interview by the Blue Badge Investigator
- Interview in person with the Blue Badge Investigator
- Postal Interview

The method chosen is dependent on how the alleged offence was identified. The opportunity to demonstrate a statutory defence and offer mitigating information is, where possible, always offered during the PACE interview. Unsolicited information may also be recorded and used as part of the decision making process. We will also give an additional opportunity to offer mitigation following a roadside interview by writing to the alleged person providing them with a copy of their responses.

4.0 Disposal

We are committed to giving advice, guidance, and support to all those persons suspected of committing an offence and will do so at all stages of an investigatory process. Mitigating information where supplied will be used during the decision-making process but, a formal disposal may still be the likely outcome. There are four methods of disposal available to use in relation to the misuse of a Blue Badge.

1. No further Action (NFA) – the alleged offence may fall outside our jurisdiction, there may be insufficient evidence or formal action not in the public interest.
2. Written warning – The alleged offence was within our jurisdiction but there is insufficient evidence or formal action would not be in the public interest.
3. Simple Caution – In certain cases a simple caution may be offered instead of prosecution. When offering a simple caution, we will comply with relevant Home Office Circulars and the offender will be made aware of the impact the simple caution may have on their life.
4. Prosecution - We may prosecute using different pieces of legislation depending on what offences are alleged. The legislation we use is:
 - Section 115/117 of the Road Traffic Regulation Act 1984
 - The Fraud Act 2006
 - Forgery and Counterfeiting Act 1981
 - The Theft Act 1968
 - Proceeds of Crime Act 2002
 - Sec 21 of the Chronically Sick and Disabled Persons Act 1970
 - Sec 44 Magistrates Court Act 1980

Annex 5

A person could also be issued with a penalty charge notice for any parking contravention that occurs. We also have the power to immobilise and remove vehicles in certain circumstances.

In cases where a badge holder lets a third party use a badge, the issuing local authority can withdraw the badge under regulation 9(2)(a) of the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 after a relevant conviction has been obtained.

In certain circumstances involving prolific offenders Courts are able to disqualify drivers for a period of time under section 163(2) of the Sentencing Act 2020.



Norfolk County Council

Annex 6: Safety at Sports Grounds Enforcement Protocol

November 2023

Contents

Introduction..... 3
Legislation and Guidance..... 3
Scope..... 3
Choices of Enforcement Action..... 4
Appeals..... 6
Penalties..... 6

Introduction

This Enforcement Protocol is supplementary to and published as part of the County Council's Compliance and Enforcement Policy (Community and Environmental Services). It sets out the arrangements that Norfolk County Council has put in place for enforcement action in relation to its statutory duties concerning safety at sports grounds.

Legislation and Guidance

This protocol should be read in conjunction with the following legislation and guidance that applies to the safety of those present at sports grounds:

- Safety of Sports Grounds Act 1975 (the 1975 Act)
- Fire Safety and Safety of Places of Sport Act 1987 (the 1987 Act)
- Safety of Sports Grounds Regulations 1987
- Safety of Places of Sport Regulations 1988
- Regulatory Reform (Fire Safety) Order 2005 (enforced by Norfolk Fire and Rescue Service)
- Health and Safety at Work etc. Act 1974 (enforced by Health and Safety Executive / District/Borough Councils)
- Licensing Act 2003 (enforced by District/Borough Councils)
- Home Office Circular 71/1987 – which provides guidance relating to the issuing of prohibition notices
- Further advice contained in "Guide to Safety Certification of Sports Grounds" (known as the Green Guide) published by the Sports Grounds Safety Authority.

Scope

The sports grounds currently covered by these arrangements are listed below:

Designated Sports grounds in Norfolk requiring a General Safety Certificate:

- Norwich City Football Club (Carrow Road)

Regulated Stands in Norfolk requiring a safety certificate:

- Fakenham Racecourse
- Great Yarmouth Greyhound Stadium
- Great Yarmouth Racecourse

- King's Lynn Town Football Club (The Walks)
- King's Lynn Speedway (Norfolk Arena)
- Wellesley Stadium

The 1975 Act defines a sports ground as a place where sports or other competitive activities take place in the open air, where accommodation has been provided for spectators, consisting of artificial structures or natural structures artificially modified for the purpose.

Under the provisions of section 1 of the 1975 Act the Secretary of State for Culture, Media and Sport may designate as requiring a safety certificate any sports ground that has accommodation for more than 10,000 spectators, or 5,000 in the case of Premier League and Football League grounds in England and Wales. These sports grounds are referred to as designated grounds.

A Regulated Stand is defined in the 1987 Act as any covered stand at a sports ground with accommodation for 500 or more spectators, whether seating or standing.

Under the provisions of section 10 of the Safety of Sports Grounds Act 1975 the Council has the power to issue a prohibition notice to limit the capacity, or totally prohibit the admittance of spectators to any sports ground within the County of Norfolk.

Choices of Enforcement Action

There are several courses of action open to the council's enforcement officers depending on the different circumstances that may be encountered or apply to the situation. The choices of enforcement action are:

- Informal Warning
- Reduction in Capacity
- Simple Caution (where available)
- Prohibition Notice
- Prosecution

Commented [A38]: Have included 'where available' here as there are proposals by Govt to change the Cautions regime which could see these removed from local authority use in their current form. The legislation for this is however not in force at the time of writing.

Reduction in Capacity

Reducing the capacity of all, or part of, a sports ground is a formal action which would be appropriate in the following situations:

- if an incident suggests that the management of a sports ground is performing poorly; or

- if the Council's inspecting officers identify any deficiencies in the fabric, equipment, records, or management systems, which the authority has not already taken into account when accepting calculation of the permitted capacity

Any new capacity should be properly calculated having regard to the change in circumstances and the procedures to be followed will be the same as during the routine annual review of the safety certificate. Ground management should be invited to submit its proposed revised (P) or (S) factor, but the Council reserve the right to overrule this if appropriate.

When reducing a capacity, it is important that:

- officers act reasonably and in accordance with due process, not least because the certificate holder has a right of appeal against any reduction in capacity; and
- a formal amendment to the safety certificate is issued.

Once the remedial measures or improvements have been implemented consideration will be given to restoring the original capacity.

Commented [A39]: Confirmation of restoration to the original capacity where improvements have been implemented

Prohibition Notice

Unlike the other provisions of the 1975 and 1987 Acts, the power to issue a prohibition notice applies to all sports grounds, as defined in section 17 of the 1975 Act, including those that are neither designated nor contain a regulated stand.

Section 10 of the 1975 Act empowers the Council to issue a prohibition notice in respect of all or part of any sports ground if it considers that "the admission of spectators to a sports ground or any part of a sports ground involves or will involve a risk to them so serious, that, until steps have been taken to reduce it to a reasonable level, admission of spectators to the sports ground or that part of the sports ground ought to be prohibited or restricted".

A prohibition notice is therefore a measure of last resort and should only be used where an amendment of the safety certificate (where issued) is not considered an effective way of dealing with the risk(s).

When issuing a prohibition notice consideration should be given as to whether the risk to spectators is or may be imminent and if so, the notice should take effect as soon as it is served. In all other cases it should come into force at the end of the period specified in the notice.

A prohibition notice must specify:

- the nature of the risk to spectators; and
- the number of spectators that may be admitted to the sports ground, or any part of the sports ground, until appropriate steps have been taken to address those risks.

The notice may also include directions as to the steps which will have to be taken to reduce the risk to a reasonable level.

Appeals

Appeals against a reduction in capacity imposed by way of an amendment to a safety certificate or against a prohibition notice are to a Magistrates Court. Where an appeal is made against an amendment to a safety certificate the amendment cannot take effect until the appeal is heard. However, in the case of an appeal against a prohibition notice any reduction in capacity remains in place until the appeal is heard.

Penalties

It is an offence for any responsible person, not merely the certificate holder, to contravene the terms and conditions of a safety certificate or a prohibition notice. These offences and associated penalties, along with the defences of absence of consent and due diligence, are listed in section 12 of the Safety of Sports Grounds Act 1975 and section 36 of the Fire Safety and Safety of Places of Sport Act 1987.

Performance Data 2022/23

In response to a member request in 2018, this appendix provides compliance and enforcement performance information in relation to those regulatory functions covered by the CES Compliance and Enforcement Policy; Trading Standards, Planning enforcement (mineral and waste sites), Flood and Water (land drainage), Highways (networks, maintenance, and blue badge enforcement) and Norfolk Fire and Rescue Service.

Trading Standards

Outcomes of investigations and prosecutions

Number of defendants convicted	6
Number of offenders to whom simple cautions issued	2
Number of months imprisonment (immediate and suspended sentences)	52
Fines awarded	£700
Costs awarded from court cases	£6,000
Community Punishment Orders (hours)	400
Proceeds of Crime Act (POCA) benefit ordered to be paid in the year	£1
Proceeds of Crime Act (POCA) benefit paid in the year	£3,103

Redress obtained/detriment prevented by service actions

(£) not handed over to criminals (e.g., rapid response outcomes)	£12,490
Total number of Scam victims subject to interventions by the Service	267
Detriment (£) over the following 12 months prevented by service actions	£2,071,211

Business compliance

Percentage of businesses that were compliant when visited, brought into compliance at the time of the visit or brought into compliance during the period, subsequent to the visit	97%
Number of counterfeit items/products removed from or prevented from entering the supply chain and value	0 £0
Number of unsafe items/products removed from or prevented from entering the supply chain and value	29,998 £1,050,830
Number of businesses identified as supplying misdescribed food, or not correctly declaring allergens, or selling food containing toxic or illegal components, or involved in fraud involving food	98
Number of businesses found in breach of animal health and welfare legislation	91

Businesses tested for compliance with the law utilising underage volunteers or compliance with mandatory Challenge 21/25 conditions

Number of individual premises tested for Alcohol Failure rate (%)	0 0%
Number of individual premises tested for Tobacco Failure rate (%)	2 0%
Number of individual premises tested for Other Products Failure rate (%)	0 0%

Tackling the availability of illegal tobacco

Weight	34kg of illegal cigarettes and hand rolling tobacco seized.
Value	Illegal cigarettes seized amount to an approximate street value of £6396.25. If the cigarettes were legal this would amount to an approximate value of £19,324.20. The lost tax duty amounts to approximately £11,092. The illegal hand rolling tobacco seized amounts to an approximate street value of £1,370. If the tobacco was legal this would amount to an approximate value of £4,110.00.

Planning Services

The number of complaints received has remained stable with 23 new complaints reported; this is below the long-term level of complaints. During the reporting period 25 complaints were resolved (some were received in a previous reporting year).

The Monitoring and Control Team has continued to attempt, where appropriate, to resolve complaints through negotiation and exchange of correspondence rather than face-to-face site meetings. 49 inspections were undertaken as the result of complaint investigations; in addition, 163 other actions, including telephone calls, e-mails, letters and online meetings were undertaken in attempts to resolve complaints without the need for face-to-face site visits.

The chargeable site monitoring regime generated £21,834 of income during 2022/23.

One Enforcement Notice was served in relation to breaches of planning control at a site in Rackheath; that notice is the subject of an on-going appeal. One Breach of Condition Notice was served in relation to restoration at a site in Aldeby.

No prosecutions were undertaken during 2022/23.

Planning Services has agreed to act as the enforcing authority for planning matters in relation to housing developments promoted by the district / borough council(s). Two new housing developments have been added to the list of developments making seven in total to date.

Flood and Water team

No enforcement action, beyond advisory letters being sent, has been required due to a) matters being resolved or b) not meeting the required thresholds for action.

Norfolk Fire and Rescue Service*

707 Fire Safety Audits (FSA) were completed in 2022-23. Of these:

- 110 premises were issued with informal notices for deficiencies.
- 25 premises were issued with formal notices for deficiencies.
- 0 formal prosecutions were concluded.

*Norfolk Fire and Rescue Service is required to provide detailed operational statistics to the Home Office on an annual basis. Further information regarding this is available

from Robert Curtis, Group Manager – Fire Protection, Norfolk Fire and Rescue Service.

Highway obstructions

No enforcement action taken beyond advisory letters being sent, following which matters were resolved.

Highways development

Enforcement action covering development management is all undertaken by the District Council as part of their remit. Enforcement action for highway obstructions (highway boundaries) is undertaken by area.

Blue badge enforcement

Total investigations by disposals, reporting, location of incident and residency of badge-holder (latest 2 years):

Investigations of Blue Badge Infringements	2021-22	2022-23
Disposals:		
Formal prosecution including caution*	7	5
Advisory/warning letter or verbal advice from BBI	53	35
Details forwarded to parking team for CEO awareness	17	
No action required (including insufficient or incorrect information to pursue further)	14	51
Investigation in progress/pending	-	-
Reporting:		
Reports from others (incl. public)	36	50
Identified by CEO	64	35
Identified by BBI	1	12
Location of incident:		
Norfolk	94	91
Outside Norfolk	0	0
Insufficient information to determine	1	6
Residency of badge-holder:		
Norfolk resident badge-holder	73	64
Non-Norfolk resident badge-holder	12	23
Insufficient information to determine	11	6
Not BB related	5	4
Total investigations:	101	97
* A summary of all prosecutions is available to view on the NCC website under Blue Badges		

Summary of Stakeholder Engagement

Since 2014 the following have been consulted on and contributed to the development of the CES Enforcement Policy:

1. Norfolk County Councillors
2. Local businesses
3. Business organisations/forums
4. Members of the public
5. Charity or community organisations/groups
6. Suffolk County Council Trading Standards Service
7. Other Local Authorities
8. Enforcement partners such as the Police and HMRC
9. Planning Services (NCC)
10. Highways Maintenance (NCC)
11. Blue Badge Enforcement (NCC)
12. Norfolk Fire and Rescue Service
13. Trading Standards Service (NCC)
14. Flood and Water Management Team (NCC)
15. Economic Development (NCC and other local authorities)
16. Nplaw (Chief Legal Officer)
17. CES Equalities representative

Cabinet

Item No: 16

Report Title: Disposal, acquisition and exploitation of property

Date of Meeting: 04 December 2023

Responsible Cabinet Member: Councillor Jane James (Cabinet Member for Corporate Services and Innovation)

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

Is this a Key Decision? No

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

Executive Summary/Introduction from Cabinet Member

Proposals in this report are aimed at supporting Norfolk County Council priorities by exploiting properties surplus to operational requirements, pro-actively releasing property assets with latent value where the operational needs can be met from elsewhere and strategically acquiring property to drive economic growth and wellbeing in the County.

One of the key actions within the Strategic Property Asset Management Framework is a sharp focus on maximising income through adoption of a more commercial approach to property.

As part of corporate management of property and a systematic approach to reviewing the use and future needs of property assets for service delivery there is a continued emphasis on minimising the extent of the property estate retained for operational purpose. However, on occasion there will be the requirement to acquire or reuse an individual property to support a service to delivers its aims.

By adopting a “single estate” approach within the County Council and sharing property assets with public sector partners through the One Public Estate programme, the Council is aiming to reduce net annual property expenditure.

Consideration is also given to the suitability of surplus property assets for reuse or redevelopment to meet specific service needs that could improve the quality of services for users, address other policy areas and/or improve financial efficiency for the County Council, for example, facilitating the supply of assisted living accommodation and other housing solutions for people requiring care, or undertaking re-development to support jobs and growth.

This means that as well as continuing with the rationalisation of the operational property estate to reduce the number of buildings used by the County Council, a more commercial approach is being adopted over the sale or redeployment of surplus property assets.

Recommendations:

Cabinet is asked:

1. To formally declare Parish Council Allotments, Ashill (3001/100) surplus to Council requirements and:

- (i) Instruct the Director of Property to dispose of the property to the Parish Council, or**
- (ii) In the event of no satisfactory agreement instruct the Director of Property to dispose of the property on the open market.**

In the event of a disposal receipt exceeding delegated limits the Director of Property in consultation with the Director of Strategic Finance and Cabinet Member for Corporate Services and Innovation is authorised to accept the most advantageous offer.

2. To formally declare land and buildings at Ipswich Road Centre, Norwich (4105/017) surplus to Council requirements and instruct the Director of Property to dispose of the property on the best terms possible through a freehold disposal. In the event of a disposal receipt exceeding delegated limits the Director of Property in consultation with the Director of Strategic Finance and Cabinet Member for Corporate Services and Innovation is authorised to accept the most advantageous offer.

3. To formally declare Additional Land at St Peter's Farm, Marshland St James (2049/108) surplus to Council requirements and instruct the Director of Property to dispose of the property. In the event of a disposal receipt exceeding delegated limits the Director of Property in consultation with the Director of Strategic Finance and Cabinet Member for Corporate Services and Innovation is authorised to accept the most advantageous offer.

4. To approve the disposal of The Marl Pit Land at Wells Road Fakenham NR21 9HP (Former Fakenham High & Sixth Form Site) (1029/028A) (edged purple on plan) to Fakenham Sports Charity Ltd (company number 03151414 / charity number 1056908) and instruct the Director of Property to oversee the completion of the sale on the agreed terms.

1. Background and Purpose

- 1.1** Norfolk County Council (NCC) actively manages its property portfolio in accordance with the Strategic Property Asset Management Framework 2021/22-2026/27. Property is held principally to support direct service delivery, support policy objectives, held for administrative purposes or to generate

income. Property is acquired or disposed of as a reaction to changing service requirements, changing council policies or to improve the efficiency of the overall portfolio.

- 1.2 The County Council challenges the use of its property on an ongoing basis. In the event of a property asset becoming surplus to an individual service need there are internal officer led processes to ascertain whether other service areas have an unmet need that could be addressed by re-using the property asset for that service. This may lead to a change of use of individual properties, for example, an office building may be adapted and reused for operational service delivery. Any proposals for retention are only agreed if supported by a robust business case showing the benefits to the County Council and are funded from approved budgets. This assessment will also consider whether a property could be offered at best consideration to public sector or third sector partners.
- 1.3 The above assessments are carried out by the Corporate Property Officer (the Director of Property) in consultation with the Corporate Property Strategy Group (CPSG). Once it is confirmed there is no further County Council requirement, Cabinet is asked to formally declare property assets surplus or re-designate for alternative purposes.
- 1.4 The Corporate Property Officer reviews options for maximising income from surplus properties usually by open market sale to obtain the best consideration possible. These will range from selling immediately on the open market (to the bidder making the best offer overall), enhancing the value prior to sale, strategic retention for a longer-term benefit through to direct development of the land and buildings and selling/letting the completed assets, in the expectation of enhanced income for the Council. Most disposals will be by way of tender or auction. In respect of auctions the contract of sale will be formed at the fall of the hammer and where this approach is selected the Corporate Property Officer will determine a reserve below which the property will not be sold. Most disposals will include overage/clawback provisions to enable the council to collect future uplifts in value created by alternative uses.
- 1.5 For properties to be sold immediately there is sometimes a need to consider selling directly to a specific purchaser instead of going to the open market. This may be justified where the third party is in a special purchaser situation and is willing to offer more than the assessed market value. Conversely this might be to a purchaser who is in a unique position of control for the unlocking of the full latent value of the County Council owned site (ransom situation). A direct sale without going to market can also be justified if there are specific service benefits or a special partnership relationship which is of strategic value with service/community benefits.
- 1.6 In making recommendations for direct sale without going to market, or direct property development, the Corporate Property Officer will consider risks, opportunities, service objectives, financial requirements and community benefits.

1.7 The recommendations for all disposals, acquisitions and exploitation of NCC property in this report follow detailed assessment by officers of the range of options available. The recommendation for each property is based on existing policies and strategies and judged to provide the best return to the County Council in financial terms and, where appropriate, taking account of community and economic benefits.

2. Proposals

Ashill – Parish Council Allotments (3001/100)

2.1 This land edged red on plan, was originally acquired by NCC as part of the County Farm Estate. The site amounts to 6.6 hectares (16.31 acres) in area.

2.2 The site is leased to Ashill Parish Council.

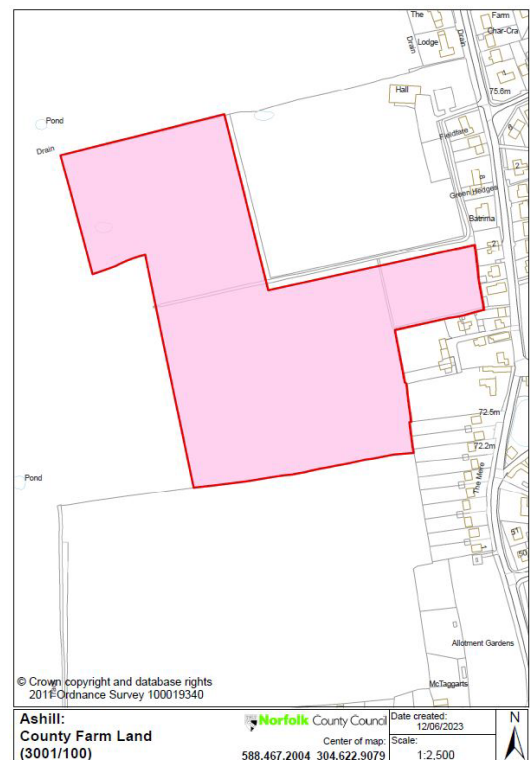
2.3 The Parish Council have expressed a wish to acquire the whole site on terms to be agreed.

2.4 It is anticipated the site would remain as allotments if sold to the Parish Council.

2.5 The County Farms Team have reviewed this land and determined it is not required for operational use.

2.6 The Director of Property has reviewed the site in consultation with CPSG and it has been confirmed that the land is not required for NCC service use.

2.7 Disposal of this will be direct to the Parish Council or in the event of no agreement by an open market sale through an auction or by tender.



The Divisional Member has been informed of this proposed disposal.

Norwich – land and buildings at Ipswich Road Centre (4105/017)

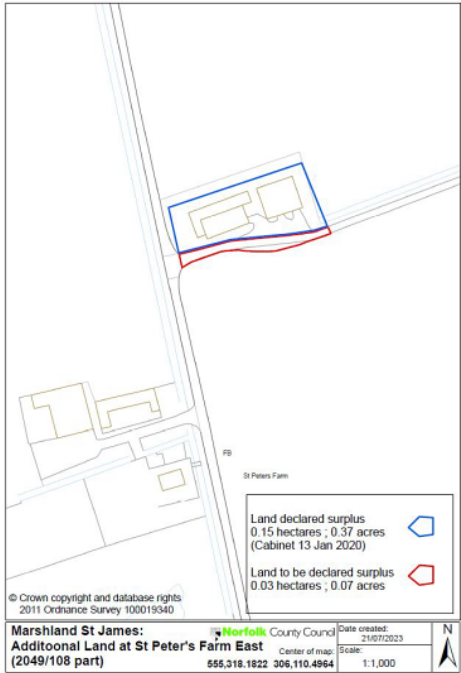
- 2.8 This land and buildings edged red on plan, was utilised by NCC as a Day Centre and Community Hub with the service being delivered by Independence Matters. The site amounts to 1.32 hectares (3.26 acres) in area.
- 2.9 The site was vacated in June 2023 following the opening up of a sinkhole.
- 2.10 The service and service users have relocated to other sites within Norwich.
- 2.11 The Director of Property has reviewed the site in consultation with CPSG and it has been confirmed that the land is not required for NCC service use.
- 2.12 Disposal of this will be an open market sale through an auction or by tender.



The Divisional Member has been informed of this proposed disposal.

Marshland St James – Additional Land at St Peter’s Farm (2049/108)

- 2.13 The land edged red on plan is in the freehold ownership of the Council and currently forms part of the County Farm Estate and totals 0.03 hectares (0.07 acres) in area.
- 2.14 The County Farms Team have reviewed this land and determined it is not required for operational use. Following a review by the Director of Property in consultation with CPSG it has been confirmed that the land is not required for NCC service use.
- 2.15 The adjacent area of land (coloured blue on plan) was declared surplus by Cabinet on 13 January 2020.
- 2.16 It is proposed to dispose of this property by open market sale through an auction or by tender.



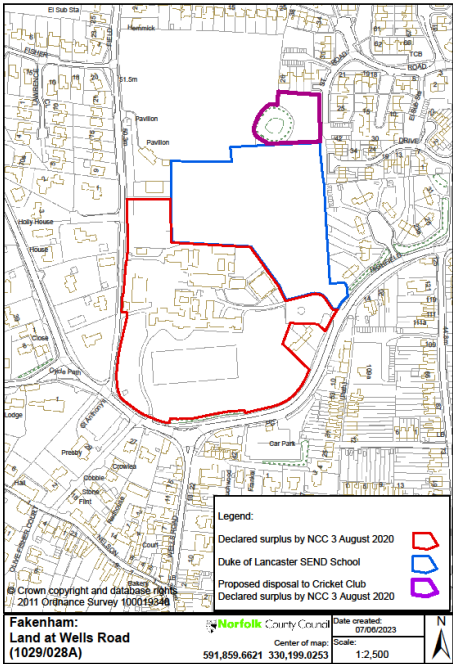
The Divisional Member has been informed of this proposed disposal.

**Fakenham – Land at Wells Road (Former Fakenham High & Sixth Form Site)
NR21 9HP (1029/028A)**

- 2.17 Cabinet at their meeting on 3 August 2020 declared the land edged red and edged purple on plan surplus to Norfolk County Council’s requirements and instructed the Director of Property to dispose of it.
- 2.18 Subsequently the County Council has explored disposal options for the site. In the interim consent to dispose of the site has been received from the Secretary of State for Education.
- 2.19 Part of the site, known as the Marl Pit, edged purple on plan, is disjoined from the rest of the Council’s surplus landholding and is landlocked with no access to the public highway. The Marl Pit land extends to 0.33 hectares (0.82 acres) in area and has limited utility and financial value with much of the site comprising a large and deep “pit” that constrains use of a significant portion of the site.
- 2.20 Following discussion with adjoining landowners, the most advantageous option for the County Council is to transfer the land to the adjacent owner, Fakenham Cricket Club for recreational and amenity use, which will enable them to further develop their offer for younger players. The Registered Housing provider that owns the adjacent housing site have confirmed they have no interest in acquiring the land. The transfer to the cricket club will release the County Council from all maintenance costs and property-holding liability, which is important given that the County Council cannot access the land.
- 2.21 By agreement with Fakenham Cricket Club, it is proposed to transfer the land for a nominal sum, with the use being restricted to recreation and amenity, and with clawback and overage clauses to allow the Council to jointly benefit from any future planning gain or profit on sale.

Given that the site is landlocked, should the Council not sell the site it would mean the Council would retain the long-term maintenance and legal liability notwithstanding it cannot access it without agreement from adjoining landowners.

- 2.22 The Director of Property considers that the proposed transfer to the cricket club represents the most pragmatic and best financial outcome for the Council as it will relieve the Council of future maintenance and legal liabilities for the site.
- 2.23 Fakenham Cricket Club proposes to acquire the land through Fakenham Sports Charity Ltd (company number 03151414 / charity number 1056908) which owns the sports grounds of the cricket and football clubs. Due diligence will be



completed to ensure the purchasing company meets the Council's expectations in terms of community and recreational use.

The Divisional Member has been informed of this proposed disposal.

Impact of the Proposal

2.24 Releasing surplus land holdings and buildings no longer required for service use will contribute to reducing costs and provides the potential for capital receipts. for the council to support the capital programme and hence service delivery. The County Council will apply the capital receipts to meet its priorities.

3. Evidence and Reasons for Decision

3.1 Declaring the sites and land holdings surplus to County Council use means that the Corporate Property Team can consider options for the disposal and exploitation of these sites.

4. Alternative Options

4.1 Declaring sites and land holdings surplus is a result of the sites no longer being required for service delivery. The alternative would be to retain resulting in incurring holding costs for an asset that is not contributing to service delivery.

5. Financial Implications

5.1 Disposals outlined in this report will provide the opportunity for capital receipts and savings in holding costs.

6. Resource Implications

6.1 **Staff:** Nil

6.2 **Property:** As described in the earlier parts of this report.

6.3 **IT:** Nil.

7. Other Implications

7.1 **Legal Implications:** For disposals in the usual way the legal implications are around the parties agreeing to the terms of the agreement for each disposal.

7.2 **Human Rights Implications:** No implications.

7.3 **Equality Impact Assessment (EqIA):** No specific EqIA has been undertaken in respect of the cases in this report.

- 7.4 **Data Protection Impact Assessments:** No data protection impact implications in respect of the cases in this report.
- 7.5 **Health and Safety implications:** No implications for the cases in this report.
- 7.6 **Sustainability implications:** Future possible redevelopment of disposed sites will require planning permission and therefore would be mindful of sustainability measures.

8. Risk Implications / Assessment

- 8.1 The risks around disposals are around the non-agreement of terms. This risk is mitigated using experienced expert consultants.

9. Recommendations

- 9.1 Cabinet is asked:

1. **To formally declare Parish Council Allotments, Ashill (3001/100) surplus to Council requirements and:**
 - (i) **Instruct the Director of Property to dispose of the property to the Parish Council, or**
 - (ii) **In the event of no satisfactory agreement instruct the Director of Property to dispose of the property on the open market.**

In the event of a disposal receipt exceeding delegated limits the Director of Property in consultation with the Director of Strategic Finance and Cabinet Member for Corporate Services and Innovation is authorised to accept the most advantageous offer.
2. **To formally declare Community Hub, Norwich (4105/017) surplus to Council requirements and instruct the Director of Property to dispose of the property on the best terms possible through a freehold disposal. In the event of a disposal receipt exceeding delegated limits the Director of Property in consultation with the Director of Strategic Finance and Cabinet Member for Corporate Services and Innovation is authorised to accept the most advantageous offer.**
3. **To formally declare Additional Land at St Peter's Farm, Marshland St James (3001/100) surplus to Council requirements and instruct the Director of Property to dispose of the property. In the event of a disposal receipt exceeding delegated limits the Director of Property in consultation with the Director of Strategic Finance and Cabinet Member for Corporate Services and Innovation is authorised to accept the most advantageous offer.**
4. **To approve the disposal of The Marl Pit Land at Wells Road Fakenham NR21 9HP (Former Fakenham High & Sixth Form Site) (1029/028A) (edged purple on plan) to Fakenham Sports Charity Ltd (company number 03151414 / charity number 1056908) and instruct the Director of Property to oversee the completion of the sale on the agreed terms.**

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

Officer name: Simon Hughes, Director of Property

Telephone no.: 01603 222043

Email: simon.hughes@norfolk.gov.uk



If you need this report in large print, audio, braille, alternative format or in a different language please contact 0344 800 8020 or 0344 800 8011 (textphone) and we will do our best to help.

Cabinet

Item No: 17

Decision making report title: Business Rates Pool – Annual Report 2022-23 and Pooling Decision 2024-25

Date of meeting: 04 December 2023

Responsible Cabinet Member: Cllr Andrew Jamieson (Cabinet Member for Finance)

Responsible Director: Harvey Bullen (Director of Strategic Finance)

Is this a key decision? Yes/No

If this is a key decision, date added to the Forward Plan of Key Decisions: 05 October 2023

Introduction from Cabinet Member

The Norfolk Business Rates Pool has allowed local authorities in Norfolk to retain the levy on business rates growth that would otherwise have been paid over to Central Government.

This report provides an overview of the 2022-23 Pool including the amount of funding retained by each pool authority, as well as providing an update on the potential for a 2024-25 Pool.

Executive Summary

The Norfolk Business Rates Pool Memorandum of Understanding (MOU) states that the Lead Pool Authority (Norfolk County Council) will produce an annual report. Accordingly, this report provides a summary of the financial benefits of the Business Rates Pool, and the decisions taken to date in respect of allocating the pool's resources in Norfolk.

The report also provides details of the work which has been undertaken in submitting an expression of interest to the Department for Levelling Up, Housing and Communities (DLUHC) for a Norfolk Business Rates Pool in 2024-25.

Recommendations:

- 1. Note the performance of the Norfolk Business Rates Pool and endorse the decisions taken by the Pool in respect of the allocation of 2022-23 Pool resources (section 2);**
- 2. Endorse the use of Norfolk County Council's share of the 2022-23 retained levy (as shown in Table 2 and section 3);**
- 3. To approve the use of Norfolk County Council's share of one-off Business Rates Pool funds in excess of the level originally budgeted (currently forecast as £1.210m) to address current year overspend pressures and make a contribution to the Go Digital funding programme (section 3.3); and**
- 4. Agree that the County Council participate in pooling for 2024-25 in line with the expression of interest submitted for the 2024-25 Norfolk Business Rates Pool (set out in section 4).**

1. Background

- 1.1. The Norfolk Business Rates Pool enables Norfolk Authorities to retain revenue from additional business rates growth by avoiding a levy on growth which would otherwise be payable to Central Government. The business rates outturn position as reported in NNDR3 returns to Government has demonstrated that Norfolk authorities have made appropriate decisions on Pool membership for 2014-15, 2015-16, 2016-17, 2017-18, 2018-19, 2019-20, 2020-21 and 2022-23. Growth in business rates has allowed the Pool to retain additional business rates in Norfolk of:
 - £2.146m for 2014-15;
 - £2.449m for 2015-16;
 - £3.810m for 2016-17;
 - £4.521m for 2017-18;
 - £7.475m for 2018-19;
 - £7.897m for 2019-20;
 - £6.747m for 2020-21; and
 - £8.752m for 2022-23.
- 1.2. Pooling was suspended for 2021-22 in view of the risks to business rates income linked to COVID-19.
- 1.3. The Pool MOU requires that the Pool holds a volatility fund to manage risks against business rates income and the natural volatility of business rates in future years. The remainder of the saved levy is distributed to pool members.

2. Distribution of 2022-23 Pool Funds

- 2.1. NNDR3 return figures show a 2022-23 saved levy and gain from pooling of £8.572m.

Table 1: Saved levy 2022-23 Pool

Local Authority	NNDR3 2022-23 Levy Outturn
	£m
Breckland District Council	1.755
Broadland District Council	1.473
Great Yarmouth Borough Council	-0.256
Borough Council of King's Lynn and West Norfolk	1.608
North Norfolk District Council	1.257
Norwich City Council	0.255
South Norfolk District Council	2.480
	8.572

- 2.2. The unaudited NNDR3 return figures show that pooling has continued to be financially beneficial to Norfolk with slightly improved retained growth compared to previous year outturns.
- 2.3. Six districts are in a levy position with Great Yarmouth Borough Council in a safety-net position of £0.256m.
- 2.4. The 2022-23 Pool MOU states that 'Each individual authority, will receive at least the same level of funding they would have received without the Pool. The remaining amount will be the "Net Retained Levy"'. The safety-net payment of £0.256m to Great Yarmouth Borough Council is therefore the first call on 2022-23 Pool funds.
- 2.5. This leaves a Net Retained Levy of £8.572m to be distributed on the following basis:
- One third (33.3%) of the net retained levy (gain) will be allocated to the Pool's top up authority – Norfolk County Council
 - One third (33.3%) of the net retained levy (gain) will be allocated to the Pool's remaining authorities in equal shares (1/7th per District)
 - The remaining one third (33.3%) gain will be further split one third to Norfolk County Council (this represents 11.1% of the total net retained levy) and two thirds (representing 22.2% of the total net retained levy) shared among the Pool's remaining authorities based on business rates growth. This will be achieved by splitting the remaining 22.2% of the total net retained levy in proportion to the actual levy payment of the councils, had they acted individually.

In overall terms this model delivers a 44.4% share to County, 55.6% to Districts (breakdown of the District share being 33.3% equally split, 22.2% shared based on growth).

2.6. Using the agreed distribution method the provisional NNDR3 outturn provides each authority the following amounts –

Table 2: Allocation of provisional NNDR3 2022-23 Pool funds

Local Authority	Pool Distribution
	£m
Breckland District Council	0.787
Broadland District Council	0.726
Great Yarmouth Borough Council	0.408
Borough Council of King's Lynn and West Norfolk	0.755
North Norfolk District Council	0.679
Norwich City Council	0.463
South Norfolk District Council	0.943
Norfolk County Council	3.810
	8.572

2.7. There remains the potential that the saved levy total could be adjusted as District Council accounts (and the associated NNDR3s) are audited.

2.8. The Pool Local Volatility Fund balance remains at £1.000m.

3. Use of 2022-23 Pool Funds by Norfolk County Council

3.1. Norfolk County Council's share of the 2022-23 pool funds amounts to £3.810m. There are no specific restrictions on each authority's use of pool funds, which are at the discretion of each individual pool authority.

3.2. Norfolk County Council agreed the following use of pool funds as part of setting its 2023-24 budget –

- £1.500m Application of Business Rates Pool funds to support Norfolk Investment Framework (NIF) expenditure
- £0.500m is being utilised to fund Transport for Norwich and Local Transport Plan activity, which would ordinarily have required a growth bid.
- £0.600m of 2022-23 Pool funds are being used to support the underlying revenue Budget position within Community and Environmental Services

3.3. The Council's financial position for 2023-24 is reported in the Financial Monitoring report elsewhere on the agenda, forecasting an overspend for the

year. In view of this position, it is proposed that the currently forecast additional £1.210m pool funds from the saved levy, which represent one-off resources over and above the budgeting assumptions, should be applied to the following –

- £1.110m to help to mitigate the current year overspend pressures within Children’s Services.
- £0.100m contribution to the Go Digital funding programme

It should be noted that this represents the Council’s additional share of the unaudited saved levy. This total may increase or decrease as District Council accounts and the associated NNDR3s are audited, although material movements are not anticipated at this stage. It is therefore proposed that Cabinet agree the principle of using any additional funds in the way described.

3.4. Norfolk Investment Framework Pilot Projects

In the 2023-24 budget £1.5m of business rates was used to fund a number of pilot growth projects through the Norfolk Infrastructure Framework.

The Norfolk Investment Framework (NIF) identifies the four most significant challenges that Norfolk, as a county, faces and provides thematic objectives to address those challenges. These include:

- **People & Skills:** To increase employment opportunities for Norfolk’s residents and improve supply, quality and access to skills that businesses need.
- **Public Services:** To provide public services in a more flexible and efficient way, with a focus on adopting new technologies.
- **Business & Innovation:** To future-proof Norfolk’s established business sectors against automation and machine learning, and support emerging sectors to grow and expand.
- **Climate change:** To protect Norfolk’s economic and natural assets, such as land, rivers and coastal habitats, from climate change.

With the Norfolk Investment Framework in place, business rates funding was allocated to generate a “pipeline” of proposals that could ultimately be funded through the County Deal. These pilot projects are all delivering well and will provide feasibility and evidence for further scale up. The projects all designed to be one off schemes with further funding sought from other sources. A summary of the 12 NIF pilot projects is as follows:

- **Seaweed in East Anglia, led by Hethel Innovation** - Aims to develop a sustainable and viable seaweed industry in the East of England.
- **Net Zero East RENEW, led by Net Zero East** - A feasibility study into the re-division of rainwater, surface and drainage water towards key stakeholders or storage locations across Norfolk.

- **Net Zero Norfolk Communities, led by Net Zero East** - Aims to create seven Net Zero Norfolk Communities within Norfolk's local authorities, by applying the Net Zero Leiston methodology to create a route map for chosen communities in Norfolk.
- **Clean Hydrogen Strategy, led by South Norfolk and Broadland Council** - Develop a detailed clean hydrogen strategy for the Cambridge Norwich Tech Corridor (CNTC) area. The strategy will drive forward the delivery of a clean hydrogen economy in the CNTC area and will therefore support Norfolk's wider progress towards net-zero.
- **Agri Food Industrial Decarbonisation, led by New Anglia LEP** - Developing a Norfolk-wide industry-led roadmap, establishing how best to support agri-food and land management to decarbonise by capitalising on local strategic opportunities.
- **Skills Workforce Initiative, led by Norfolk County Council** - Aims to address the significant recruitment and retention challenges for skilled vocational college tutor staff that exist nationally, and are amplified locally because of countywide lower skill levels and accessibility issues.
- **Wayland DCMC, led by Breckland District Council** - Develop a full business case, and proof of concept delivery, for the development of a mixed-use facility on Watton High Street, with a focus on the digital and creative media sector.
- **Norwich Solar System, led by Norwich BID** – Aims to turn the Norwich Business Improvement District area into the UK's largest urban solar farm and then form businesses into an energy consortium to use the energy generated.
- **Digital Access Skills & Attainment, led by Norfolk County Council** – Will provide digital access, skills and attainment connecting people with services. Driving down the need for the public sector whilst increasing social, economic and health benefits. Pilot being led in West Norfolk.
- **Rural EV Charging, led by Norfolk County Council** - The Rural EV charging project will be the first step in ensuring that residents and visitors to rural Norfolk have access to public EV charging points.
- **Fintech Cluster Development, led by Tech East** - Boost Norwich and Norfolk's profile as a fintech cluster, boosting its reputation and credibility, and providing a roadmap for growth.
- **County-wide Housing Retrofit Strategy, led by Norfolk County Council** – Aims to support Norfolk in meeting its net zero commitments and roll out a comprehensive housing retrofit programme.

For the 2024/25 budget, Norfolk County Council is not seeking to replicate the NIF programme in full but may seek to use some funding to extend the promising projects. In addition, consideration may be given to continuation of Go Digital project, which is currently oversubscribed, in addition to a number of skills and employment projects.

Further retained business rates have been allocated as follows in 2023-24:

Norfolk's Business Intellectual Property Centres (BIPC)

£0.226 of retained business rates were used to fund the continuation of Norfolk's Business Intellectual Property Centres (BIPC) in 2023/24, in partnership with Menta, to deliver a free county-wide support service, to Norfolk residents wishing to start-up a new business.

Norfolk's Business Intellectual Property Centres (BIPC) operate in Norfolk libraries, with the main centre in the Norfolk and Norwich Millennium Library. The offer to aspiring entrepreneurs, and more established SMEs, includes free and low-cost access to business intelligence; business publications - both in branch and online; workshops, networking events and Intellectual property (IP) support. The project has supported over 718 individuals. Feedback captured from those engaging with both the Menta and BIPC programme has been incredibly positive.

Go Digital

£0.100 was used to match fund Norfolk district councils' UKSPF contributions towards continuation of the successful Norfolk Go Digital project in 2023-24. A further £0.100 is recommended as a contribution to the Go Digital programme, to alleviate the business waiting list, for in year for support.

Go Digital provides cost effective digital skills training to Norfolk SMEs. Support includes 9 free hours with specialist digital advisor, who then produces a tailored audit and action plan for the business. There is then an opportunity to apply for a £500 voucher towards the cost of implementation of the action plan. The Go Digital project is popular and provides a service, that is critical for improving business productivity.

The project has supported over 1000 Norfolk businesses from many different sectors, over the last 3 years, through digital advice and grants. The team has received excellent feedback from participants, with many recommending Go Digital to other businesses. A waiting list is building for further funding.

Of those businesses surveyed earlier this year, who had received support through Go Digital:

- 98% were satisfied with the initial engagement and application process
- 97% with the quality of support
- 94% believed the support would help them grow their business in the next 3 years
- 84% felt less vulnerable to expected or unexpected events in the future
- 89% felt more able to adapt to a changing environment

- 95% felt the Go Digital support had significantly increased their understanding of digital ways of working

County Deal funding could provide an opportunity for longer term funding for economic support activity. Future income from the Business Rates Pool (BRP) would present a savings opportunity for Norfolk County Council. However, without BRP funding in 2024-25, the Growth and Investment service will be significantly depleted and programmes which have been identified to utilise the funding will not be available to Norfolk residents.

Further, were the County Deal not to go ahead, pooled business rates provide the only way of funding these critical services. This also includes future planned activity in 2024-25 such as skills and employment programmes and support services for the transfer of apprenticeship levy to SMEs.

4. 2024-25 Pool

- 4.1. All eight Norfolk local authorities are participating in the 2023-24 Norfolk business rates pool which retains the same MOU as the 2022-23 Pool.
- 4.2. On 5 September 2023, Department for Levelling Up, Housing and Communities (DLUHC) issued the invitation for expressions of interest with regards to pooling in 2024-25. All eight Norfolk local authorities submitted expression of interest returns to DLUHC by the 10 October 2023 deadline stating an intention to **retain the existing pool without changes**.
- 4.3. The pooling invitation was submitted following discussions undertaken with all Norfolk authorities at meetings of Norfolk s151 officers on 22 September 2023 and Norfolk Leaders on 29 September 2023. The current forecast shows a potential gain from pooling in 2024-25 of approximately £7.211m.
- 4.4. The Local Government Finance Act 1988 confirms that members of a pool have a period of 28 days from the date of publication of the provisional local government finance settlement to make a request to revoke a pool – in such an event the only option would be to dissolve the pool entirely, not alter membership.

5. Financial Implications

- 5.1. The formation of a Norfolk Business Rates Pool has proved worthwhile for Norfolk local authorities since 2014-15, retaining additional funds of £43.797m in Norfolk.
- 5.2. Pool Funds are held on a partnership cost centre by Norfolk County Council. Confirmation of the pool outturn figures facilitates use of the pool funds as set out in the 2023-24 budget (see section 3).
- 5.3. Budget implications for 2024-25 of continuing a Norfolk Business Rates Pool will be known following the Provisional Local Government Finance Settlement

in December 2023. Where appropriate, these will be reflected in the County Council's 2024-25 Budget and MTFS planning.

- 5.4. There is a risk 2024-25 forecasts for business rates income are not achieved. The Business Rates Pool also holds a volatility fund to mitigate against risks of rates income not being achieved.

6. Resource Implications

- 6.1. **Staff:** There are no direct implications arising from this report.
- 6.2. **Property:** There are no direct property implications arising from this report.
- 6.3. **IT:** There are no direct IT implications arising from this report.

7. Other Implications

- 7.1. **Legal Implications:** The existing governance agreement (Memorandum of Understanding) in respect of the 2022-23 pool has been agreed between Leaders and signed by S151 Officers of the pool members and submitted to DLUHC to be carried forward for proposed the 2024-25 Pool.
- 7.2. **Human Rights implications:** No specific human rights implications have been identified.
- 7.3. **Equality Impact Assessment (EqIA) (this must be included):** None.
- 7.4. **Data Protection Impact Assessments (DPIA):** None.
- 7.5. **Health and Safety implications (where appropriate):** None.
- 7.6. **Sustainability implications (where appropriate):** None.
- 7.7. **Any other implications:** Risks, assumptions and implications have been set out throughout the report.

8. Recommendations

- 8.1. Cabinet is recommended:
1. **Note the performance of the Norfolk Business Rates Pool and endorse the decisions taken by the Pool in respect of the allocation of 2022-23 Pool resources (section 2);**
 2. **Endorse the use of Norfolk County Council's share of the 2022-23 retained levy (as shown in Table 2 and section 3);**
 3. **To approve the use of Norfolk County Council's share of one-off Business Rates Pool funds in excess of the level originally budgeted**

(currently forecast as £1.210m) to address current year overspend pressures and make a contribution to the Go Digital funding programme (section 3.3); and

- 4. Agree that the County Council participate in pooling for 2024-25 in line with the expression of interest submitted for the 2024-25 Norfolk Business Rates Pool (set out in section 4).**

9. Background Papers

- 9.1. Background papers relevant to the Norfolk Business Rates Pool and Pilot are set out below.

[Norfolk Business Rates Pool Annual Report 2015-16, Policy and Resources Committee, 31 October 2016, Item 13](#)

[Norfolk Business Rates pool annual report 2016-17 and development of 2018-19 Business Rates pilot bid, Policy and Resources Committee, 30 October 2017, Item 11](#)

[Norfolk Business Rates pool annual report 2017-18 and 2019-20 Business Rates pilot bid, Policy and Resources Committee, 26 November 2018, Item 13](#)

[Business Rates Pool – Annual Report 2019-20 and Pooling Decision 2021-22, Cabinet, 7 December 2020, Item 8](#)

[Business Rates Pool – Annual Report 2020-21 and Pooling Decision 2022-23, Cabinet, 8 November 2021, Item 15](#)

Officer Contact

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

Officer name: Alex Cook

Tel no.: 01603 224310

Email address: alex.cook2@norfolk.gov.uk



If you need this report in large print, audio, braille, alternative format or in a different language please contact 0344 800 8020 or 0344 800 8011 (textphone) and we will do our best to help.

Report to Cabinet

Item No. 18

Report Title: Mid-Year Treasury Management Monitoring Report 2023-24

Date of Meeting: 4 December 2023

Responsible Cabinet Member: Cllr Andrew Jamieson (Deputy Leader and Cabinet Member for Finance)

Responsible Director: Harvey Bullen (Director of Strategic Finance)

Is this a Key Decision? No

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

Introduction from Cabinet Member

This report and the attached annex provide details of the 2023-24 treasury activities and highlights compliance with policy and strategy previously approved in relation to treasury management.

Executive Summary

In accordance with regulatory requirements, this report provides information on the Treasury Management activities of the County Council for the period 1 April 2023 to 30 September 2023.

Recommendations:

Cabinet is asked to endorse and recommend to County Council the Mid-Year Treasury Management Monitoring Report 2023-24.

1. Background and Purpose

- 1.1 This Treasury Management Report forms an important part of the overall management of the Council's financial affairs. The regulatory environment places responsibility on Members for the review and scrutiny of treasury management policy and activity.

2. Proposals

- 2.1 This report provides details of the 2023-24 treasury activities for the 6 months to September 2023 and highlights compliance with policy and strategy previously approved by Members in relation to treasury management.

3. Impact of the Proposal

- 3.1 The impact of this report is to demonstrate that between April and September 2023 the Council's treasury management operations have been carried out in accordance with best practice and in compliance with legislative and regulatory requirements.

4. Evidence and Reasons for Decision

- 4.1 One annex is attached to this report, giving details of treasury management activities and outcomes, including:
1. Investment activities
 2. Borrowing strategy and outcomes
 3. Capital Plan and non-treasury investments
 4. Prudential indicators

5. Alternative Options

- 5.1 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.

6. Financial Implications

- 6.1 At 30 September 2023, the Council's external debt was £828.111m. The Council's Treasury Strategy assumes as much as £65m may be borrowed in 2023-24.

The forecast cash flows assume that the full £65m and refinancing of the £11.25m repaid early in September 2023 will be borrowed in Q4 2023-24 resulting in a closing cash balance of approximately £256m.

At 30 September 2023, the Council's cash balances totalled £269.781m, split between UK bank deposits and money market funds. During this period the Bank of England base rate has increased from 4.25% to 5.25% progressively. The average interest generated on treasury cash investments was 4.69% compared to 1.23% in the equivalent period last year

- 6.2 The Council's treasury management operations have been carried out in accordance with the Council's Treasury Management Strategy, treasury best practice and in compliance with legislative and regulatory requirements

7. Resource Implications

- 7.1 None, apart from financial information set out in these papers.

8. Other Implications

8.1 Legal Implications

In order to fulfil obligations placed on chief finance officers by section 114 of the Local Government Finance Act 1988, the Director of Strategic Finance continually monitors financial forecasts and outcomes to ensure resources (including sums borrowed) are available to meet annual expenditure.

8.2 **Human Rights implications**

None identified.

8.3 **Equality Impact Assessment**

In setting the 2023-24 budget, the council has undertaken public consultation and produced equality and rural impact assessments in relation to the 2023-24 Budget. An overall summary Equality and rural impact assessment report is included on page 341 of the Tuesday 21 February 2023 Norfolk County Council agenda. [CMIS > Meetings](#)

The Council's net revenue budget is unchanged at this point in the financial year and there are no additional equality and diversity implications arising out of this report.

8.4 **Data Protection Impact Assessments (DPIA)**

DPIA is not required as the data reported in this paper does not drill down to the personal data level.

9. Risk Implications/Assessment

9.1 Corporate risks continue to be assessed and reported on a quarterly basis to both Cabinet and the Audit Committee. The Council's key financial based corporate risk (RM002 - The potential risk of failure to manage significant reductions in local and national income streams) has been reviewed and refreshed in February 2023 to incorporate the 2023/24 budget and Medium-Term Financial Strategy 2023 - 2027 being set. Key risk mitigations include amongst others regular (monthly) financial reporting to Cabinet, working to the Medium-Term Financial Strategy and setting robust budgets within available resources.

9.2 Unlike many other parts of the public sector such as the NHS, local authorities are required by law to set a balanced budget. As part of their duties, the Director of Strategic Finance has a responsibility to report to members if it appears to him that the authority will not have sufficient resources to finance its expenditure for the financial year. At this stage the Director of Strategic Finance considers that mitigating actions for the currently forecast overspend, over the remainder of the year, will enable a balanced budget to be achieved in 2023-24.

9.3 More specifically, the Council's Treasury Management Strategy sets parameters for the selection and placing of cash balances, taking into account counterparty risk and liquidity. The strategy also sets out how the Council manages interest rate risks.

10. Select Committee comments

10.1 None

11. Recommendation

11.1 Recommendations are set out in the introduction to this report.

12. Background Papers

12.1 Summary Equality and rural impact assessment [CMIS > Meetings](#) page 341

Officer Contact

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

Officer name: Joanne Fernandez **Tel No.:** 01603 306228
Graham

Email address: j.fernandezgraham@norfolk.gov.uk



If you need this report in large print, audio, braille, alternative format or in a different language please contact 0344 800 8020 or 0344 800 8011 (textphone) and we will do our best to help.

Norfolk County Council

Annex 1: Mid-Year Treasury Management Monitoring Report 2023-24

Report by the Director of Strategic Finance

1. Background

1.1 Capital Strategy

In December 2021, the Chartered Institute of Public Finance and Accountancy, (CIPFA), issued revised Prudential and Treasury Management Codes. These require all local authorities to prepare a Capital Strategy which is to provide the following: -

- a high-level overview of how capital expenditure, capital financing and treasury management activity contribute to the provision of services;
- an overview of how the associated risk is managed;
- the implications for future financial sustainability.

The 2023-24 Capital Strategy was approved at full Council as part of the capital programme papers in February 2023 - [Document.ashx \(cmis.uk.com\)](#).

1.2 Treasury management

The Council operates a balanced budget, which broadly means cash raised during the year will meet its cash expenditure. Part of the treasury management operations ensure this cash flow is adequately planned, with surplus monies being invested in low risk counterparties, providing adequate liquidity initially before considering optimising investment return.

The second main function of the treasury management service is the funding of the Council's capital plans. These capital plans provide a guide to the borrowing need of the Council, essentially the longer term cash flow planning to ensure the Council can meet its capital spending operations. This management of longer term cash may involve arranging long or short term loans, or using longer term cash flow surpluses, and on occasion any debt previously drawn may be restructured to meet Council risk or cost objectives.

Accordingly, treasury management is defined as:

“The management of the local authority's borrowing, investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks.”

The Council's Treasury Management Strategy for 2023-24 was approved by full Council on 21 February 2023. Since that time there has been one change to the strategy when the Treasury Management Counter Parties List was updated

and approved by full Council on 26 September 2023 - [Document.ashx \(cmis.uk.com\)](https://cmis.uk.com)

2. Introduction

This report has been written in accordance with the requirements of the Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management (revised 2021).

The primary requirements of the Code are as follows:

1. Creation and maintenance of a Treasury Management Policy Statement which sets out the policies and objectives of the Council's treasury management activities.
2. Creation and maintenance of Treasury Management Practices which set out the manner in which the Council will seek to achieve those policies and objectives.
3. Receipt by the full Council of an annual Treasury Management Strategy Statement - including the Annual Investment Strategy and Minimum Revenue Provision Policy - for the year ahead, a Mid-year Review Report and an Annual Report, (stewardship report), covering activities during the previous year.
4. Delegation by the Council of responsibilities for implementing and monitoring treasury management policies and practices and for the execution and administration of treasury management decisions.
5. Delegation by the Council of the role of scrutiny of treasury management strategy and policies to a specific named body. For this Council the delegated body is the Treasury Management Panel:

This mid-year report has been prepared in compliance with CIPFA's Code of Practice on Treasury Management, and covers the following:

6. An economic update for the first half of the 2023/24 financial year;
7. A review of the Treasury Management Strategy Statement and Annual Investment Strategy;
8. The Council's capital expenditure, as set out in the Capital Strategy, and prudential indicators;
9. A review of the Council's investment portfolio for 2023/24;
10. A review of the Council's borrowing strategy for 2023/24;
11. A review of any debt rescheduling undertaken during 2023/24;
12. A review of compliance with Treasury and Prudential Limits for 2023/24.

3. Economics and interest rates

3.1 Economics update

- The first half of 2023/24 saw:
 - Interest rates rise by a further 100bps, taking Bank Rate from 4.25% to 5.25% and, possibly, the peak in the tightening cycle.
 - Short, medium and long-dated gilts remain elevated as inflation continually surprised to the upside.
 - A 0.5% m/m decline in real GDP in July, mainly due to more strikes.
 - CPI inflation falling from 8.7% in April to 6.7% in August, its lowest rate since February 2022, but still the highest in the G7.
 - Core CPI inflation declining to 6.2% in August from 7.1% in April and May, a then 31 years high.
 - A cooling in labour market conditions, but no evidence yet that it has led to an easing in wage growth (as the 3myy growth of average earnings rose to 7.8% in August, excluding bonuses).
- The 0.5% m/m fall in GDP in July suggests that underlying growth has lost momentum since earlier in the year. Some of the weakness in July was due to there being almost twice as many working days lost to strikes in July (281,000) than in June (160,000). But with output falling in 10 out of the 17 sectors, there is an air of underlying weakness.
- The fall in the composite Purchasing Managers Index from 48.6 in August to 46.8 in September left it at its lowest level since COVID-19 lockdowns reduced activity in January 2021. At face value, it is consistent with the 0.2% q/q rise in real GDP in the period April to June, being followed by a contraction of up to 1% in the second half of 2023.
- The 0.4% m/m rebound in retail sales volumes in August is not as good as it looks as it partly reflected a pickup in sales after the unusually wet weather in July. Sales volumes in August were 0.2% below their level in May, suggesting much of the resilience in retail activity in the first half of the year has faded.
- As the growing drag from higher interest rates intensifies over the next six months, economists think the economy will continue to lose momentum and soon fall into a mild recession. Strong labour demand, fast wage growth and government handouts have all supported household incomes over the past year. And with CPI inflation past its peak and expected to decline further, the economy has got through the cost-of-living crisis without recession. But even though the worst of the falls in real household disposable incomes are behind us, the phasing out of financial support packages provided by the government during the energy crisis means real incomes are unlikely to grow strongly. Higher interest rates will soon bite harder too. We expect the Bank of England to keep interest rates at the probable peak of 5.25% until the second half of 2024. Mortgage rates are likely to stay above 5.0% for around a year.
- The tightness of the labour market continued to ease, with employment in the three months to July falling by 207,000. The further decline in the number of job vacancies from 1.017m in July to 0.989m in August suggests

that the labour market has loosened a bit further since July. That is the first time it has fallen below 1m since July 2021. At 3.0% in July, and likely to have fallen to 2.9% in August, the job vacancy rate is getting closer to 2.5%, which would be consistent with slower wage growth. Meanwhile, the 48,000 decline in the supply of workers in the three months to July offset some of the loosening in the tightness of the labour market. That was due to a 63,000 increase in inactivity in the three months to July as more people left the labour market due to long term sickness or to enter education. The supply of labour is still 0.3% below its pre-pandemic February 2020 level.

- But the cooling in labour market conditions still has not fed through to an easing in wage growth. While the monthly rate of earnings growth eased sharply from an upwardly revised +2.2% in June to -0.9% in July, a lot of that was due to the one-off bonus payments for NHS staff in June not being repeated in July. The headline 3myy rate rose from 8.4% (revised up from 8.2%) to 8.5%, which meant UK wage growth remains much faster than in the US and in the Euro-zone. Moreover, while the Bank of England's closely watched measure of regular private sector wage growth eased a touch in July, from 8.2% 3myy in June to 8.1% 3myy, it is still well above the Bank of England's prediction for it to fall to 6.9% in September.
- CPI inflation declined from 6.8% in July to 6.7% in August, the lowest rate since February 2022. The biggest positive surprise was the drop in core CPI inflation, which declined from 6.9% to 6.2%. That reverses all the rise since March and means the gap between the UK and elsewhere has shrunk (US core inflation is 4.4% and in the Euro-zone it is 5.3%). Core goods inflation fell from 5.9% to 5.2% and the further easing in core goods producer price inflation, from 2.2% in July to a 29-month low of 1.5% in August, suggests it will eventually fall close to zero. But the really positive development was the fall in services inflation from 7.4% to 6.8%. That also reverses most of the rise since March and takes it below the forecast of 7.2% the Bank of England published in early August.
- In its latest monetary policy meeting on 20 September, the Bank of England left interest rates unchanged at 5.25%. The weak August CPI inflation release, the recent loosening in the labour market and the downbeat activity surveys appear to have convinced the Bank of England that it has already raised rates far enough. The minutes show the decision was "finely balanced". Five MPC members (Bailey, Broadbent, Dhingra, Pill and Ramsden) voted for no change and the other four (Cunliffe, Greene, Haskel and Mann) voted for a 25bps hike.
- Like the US Fed, the Bank of England wants the markets to believe in the higher for longer narrative. The statement did not say that rates have peaked and once again said if there was evidence of more persistent inflation pressures "further tightening in policy would be required". Governor Bailey stated, "we'll be watching closely to see if further increases are needed". The Bank also retained the hawkish guidance that rates will stay "sufficiently restrictive for sufficiently long".
- This narrative makes sense as the Bank of England does not want the markets to decide that a peak in rates will be soon followed by rate cuts, which would loosen financial conditions and undermine its attempts to quash inflation. The language also gives the Bank of England the flexibility to respond to new developments. A rebound in services inflation, another surge in wage growth and/or a further leap in oil prices could conceivably

force it to raise rates at the next meeting on 2nd November, or even pause in November and raise rates in December.

- The yield on 10-year Gilts fell from a peak of 4.74% on 17th August to 4.44% on 29th September, mainly on the back of investors revising down their interest rate expectations. But even after their recent pullback, the rise in Gilt yields has exceeded the rise in most other Developed Market government yields since the start of the year. Looking forward, once inflation falls back, Gilt yields are set to reduce further. A (mild) recession over the next couple of quarters will support this outlook if it helps to loosen the labour market (higher unemployment/lower wage increases).
- The pound weakened from its cycle high of \$1.30 in the middle of July to \$1.21 in late September. In the first half of the year, the pound bounced back strongly from the Truss government last autumn. That rebound was in large part driven by the substantial shift up in UK interest rate expectations. However, over the past couple of months, interest rate expectations have dropped sharply as inflation started to come down, growth faltered, and the Bank of England called an end to its hiking cycle.
- The FTSE 100 has gained more than 2% since the end of August, from around 7,440 on 31st August to 7,608 on 29th September. The rebound has been primarily driven by higher energy prices which boosted the valuations of energy companies. The FTSE 100's relatively high concentration of energy companies helps to explain why UK equities outperformed both US and Euro-zone equities in September. Nonetheless, as recently as 21st April the FTSE 100 stood at 7,914.

3.2 Interest rate forecasts

The Council has appointed Link Group as its treasury advisors and part of their service is to assist the Council to formulate a view on interest rates. The PWLB rate forecasts below are based on the Certainty Rate (the standard rate minus 20 bps) which has been accessible to most authorities since 1st November 2012.

The latest forecast on 25th September sets out a view that short, medium and long-dated interest rates will be elevated for some little while, as the Bank of England seeks to squeeze inflation out of the economy.

Link's PWLB rate forecasts below are based on the Certainty Rate (the standard rate minus 20 bps, calculated as gilts plus 80bps) which has been accessible to most authorities since 1st November 2012.

Link Group Interest Rate View 25.09.23													
	Dec-23	Mar-24	Jun-24	Sep-24	Dec-24	Mar-25	Jun-25	Sep-25	Dec-25	Mar-26	Jun-26	Sep-26	Dec-26
BANK RATE	5.25	5.25	5.25	5.00	4.50	4.00	3.50	3.00	2.75	2.75	2.75	2.75	2.75
3 month ave earnings	5.30	5.30	5.30	5.00	4.50	4.00	3.50	3.00	2.80	2.80	2.80	2.80	2.80
6 month ave earnings	5.60	5.50	5.40	5.10	4.60	4.10	3.60	3.10	2.90	2.90	2.90	2.90	2.90
12 month ave earnings	5.80	5.70	5.50	5.20	4.70	4.20	3.70	3.20	3.00	3.00	3.00	3.00	3.00
5 yr PWLB	5.10	5.00	4.90	4.70	4.40	4.20	4.00	3.90	3.70	3.70	3.60	3.60	3.50
10 yr PWLB	5.00	4.90	4.80	4.60	4.40	4.20	4.00	3.80	3.70	3.60	3.60	3.50	3.50
25 yr PWLB	5.40	5.20	5.10	4.90	4.70	4.40	4.30	4.10	4.00	3.90	3.80	3.80	3.80
50 yr PWLB	5.20	5.00	4.90	4.70	4.50	4.20	4.10	3.90	3.80	3.70	3.60	3.60	3.60

4. Treasury Management Strategy Statement and Annual Investment Strategy Update

The Treasury Management Strategy Statement, (TMSS), for 2023/24 was approved by this Council on 21 February 2023. There are no policy changes to the TMSS; the details in this report update the position in the light of the updated economic position and budgetary changes already approved.

Prudential Indicator 2023/24	Original £m
Authorised Limit	1,082.735
Operational Boundary	1,029.268
Capital Financing Requirement	1,029.268

5. The Council’s Capital Position (Prudential Indicators)

This part of the report is structured to update:

- The Council’s capital expenditure plans;
- How these plans are being financed;
- The impact of the changes in the capital expenditure plans on the prudential indicators and the underlying need to borrow; and
- Compliance with the limits in place for borrowing activity.

5.1 Prudential Indicator for Capital Expenditure

The table below shows the revised estimates for capital expenditure and changes since the capital programme was agreed at the Budget.

Service	2023-24 Original Capital Budget	2023-24 latest Capital Budget	2023-24 Revised Forecast
	£m	£m	£m
Adult Social Care	12.473	19.947	16.901
Children's Services	118.296	38.578	21.210
CES Highways	107.926	162.623	147.029
Community & Environmental Services – Other	58.706	42.514	22.061
Finance	53.654	7.092	1.900
Strategy & Governance	0	27.603	23.171
Total	351.054	298.357	232.271

The forecast assumes that only 78% of the budget will be utilised in 2023-24 and that £66m will slip into 2024-25.

5.2 Changes to the Financing of the Capital Programme

5.2.1 The table below draws together the main strategy elements of the capital expenditure plans (above), highlighting the original supported and unsupported elements of the capital programme, and the expected financing arrangements of this capital expenditure. The borrowing element of the table increases the underlying indebtedness of the Council by way of the Capital Financing Requirement (CFR), although this will be reduced in part by revenue charges for the repayment of debt (the Minimum Revenue Provision). This direct borrowing need may also be supplemented by maturing debt and other treasury requirements.

Funding stream	2023-24 Programme	2023-24 Revised Forecast
	£m	£m
Prudential Borrowing	92.363	61.247
Use of Capital Receipts	22.250	22.250
Revenue & Reserves	1.251	1.251
<i>Grants and Contributions:</i>		
DfE	25.638	25.638
DfT	116.570	81.599
DoH	9.977	9.977
DLUHC	0.000	0.000
DCMS	0.000	0.000
DEFRA	0.139	0.139
Developer Contributions	10.631	10.631
Other Local Authorities	2.895	2.895
Local Enterprise Partnership	1.374	1.374
Community Infrastructure Levy	2.476	2.476
National Lottery	3.039	3.039
Academies	0.000	0.000
Commercial Contributions	0.000	0.000
Business rates pool fund	0.000	0.000
Other	9.754	9.754
Total capital programme	298.357	232.271

5.2.2 The forecast slippage of £66m in 2023-24 Capital Programme is largely attributable to projects funded by prudential borrowing. The impact of this slippage is already factored into the Treasury Management strategy for long-term borrowing as set out in note 6.6 below.

5.2.3 The capital programme is being kept under regular review due to the effects of inflation on cost of materials, labour and fuel prices. Our borrowing strategy will, therefore, also be regularly reviewed and then revised, if necessary, in order to achieve optimum value and risk exposure in the long-term.

5.3 Changes to the Prudential Indicators for the Capital Financing Requirement (CFR), External Debt and the Operational Boundary

The table below shows the CFR, which is the underlying external need to incur borrowing for a capital purpose. It also shows the expected debt position over the period, which is termed the Operational Boundary.

Prudential Indicator – Capital Financing Requirement

We are on target to achieve the original forecast Capital Financing Requirement.

Prudential Indicator – the Operational Boundary for external debt

	2023/24 Original Estimate £m	Current Position £m	2023/24 Revised Estimate £m
Prudential Indicator – Capital Financing Requirement			
CFR*	1,029.268	992.132	1,021.253
Net movement in CFR		(37.136)	(8.015)
Prudential Indicator – the Operational Boundary for external debt			
Borrowing	953.045	828.111	895.045
Other long term liabilities*	40.073	44.285	40.954
Total debt (year end position)	975.118	872.397	935.999
Under borrowing		119.736	85.255

* includes On balance sheet PFI schemes and finance leases etc.

5.3.1 The current CFR at 30 September 2023 reflects the slippage in the capital programme to date and the revised estimate takes into account the P6 Capital Programme forecast of £232.271m. It assumes that the Council will borrow the full £65m of planned borrowing and replace the £11.25m of borrowing repaid early in 2023-24.

5.3.2 The Council's level of total borrowing at 30 September 2023 is £102.721m lower than the original estimate because the Council has not acquired any new borrowing since 1 April 2023 and has repaid £23.055m to date. The revised estimate assumes that the Council will borrow an additional £76.25m over the second half of the financial year in line with the 2023-24 Treasury Management Strategy.

5.4 Limits to Borrowing Activity

5.4.1 The first key control over the treasury activity is a prudential indicator to ensure that over the medium term, net borrowing (borrowings less investments) will only be for a capital purpose*. Gross external borrowing should not, except in the short term, exceed the total of CFR in the preceding year plus the estimates of any additional CFR for 2023/24 and next two financial years. This allows some flexibility for limited early borrowing for future years. The Council has approved a policy for borrowing in advance of need which will be adhered to if this proves prudent.

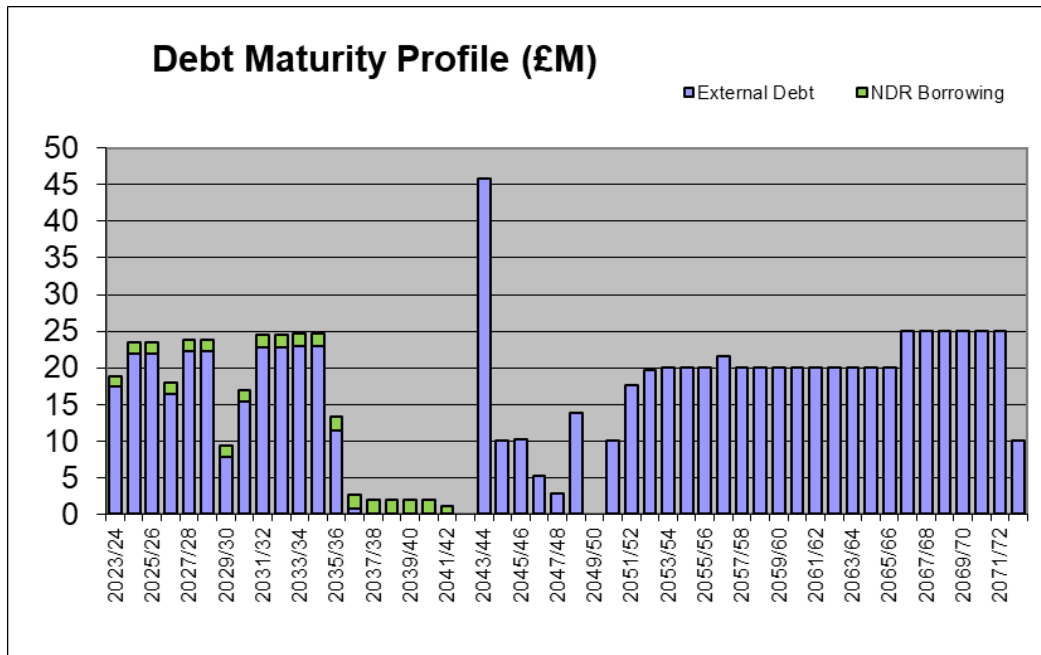
5.4.2 A further prudential indicator controls the overall level of borrowing. This is **the Authorised Limit** which represents the limit beyond which borrowing is prohibited and needs to be set and revised by Members. It reflects the level of borrowing which, while not desired, could be afforded in the short term, but is not sustainable in the longer term. It is the expected maximum borrowing need with some headroom for unexpected movements. This is the statutory limit determined under section 3 (1) of the Local Government Act 2003.

Authorised limit for external debt (£m)	2023/24 Original Indicator	Current Position	2023/24 Revised Indicator
Borrowing	1038.654	828.211	895.045
Other long term liabilities*	44.080	44.285	40.954
Total	1,082.735	872.397	935.999

The Prudential Code requires regular monitoring to be undertaken in-year against all key indicators. Monitoring is reported to Cabinet on an ‘exception basis’. Monitoring of the 2023-24 treasury indicators shows no deviation from expectations or breaches of limits as at 30 September 2023. Further details are shown in Appendix 4.

6. Borrowing

- 6.1 The Council’s revised estimate of capital financing requirement (CFR) for 2023/24 is £1021.253m. The CFR denotes the Council’s underlying need to borrow for capital purposes. If the CFR is positive the Council may borrow from the PWLB or the market (external borrowing), or from internal balances on a temporary basis (internal borrowing). The balance of external and internal borrowing is generally driven by market conditions. Table 5.4 shows the Council has borrowings of £828.211m and has utilised £44.285m of alternative debt in lieu of borrowing. This is a prudent and cost-effective approach in the current economic climate but will require ongoing monitoring in the event that any upside risk to gilt yields prevails.
- 6.2 Due to the overall financial position and the underlying need to borrow for capital purposes (the CFR), new external borrowing of £76.25m is planned for 2023-24. The capital programme is being kept under regular review due to the effects of inflationary pressures, shortages of materials and labour. Our borrowing strategy will, therefore, also be regularly reviewed and then revised, if necessary, in order to achieve optimum value and risk exposure in the long-term.
- 6.3 To minimise investment risk, the Council has reduced the overall debt liability by delaying the borrowing £76.25m of external debt. However, this policy will require ongoing monitoring in the event that upside risks to gilt yields prevail. It is anticipated that the £76.25m borrowing will undertaken towards the latter end of this financial year.
- 6.4 As at 30 September 2023, the Council’s external borrowing (debt outstanding) totalled £828.211m with a re-payment profile for debt as shown below.



6.5 Appendix 2 shows debt maturities during the last 2 years, including the amount of debt repaid, the rate of interest and interest savings.

6.6 The Council's original borrowing requirement (past capital expenditure for which the approved borrowing has not yet been drawn down) at the end of 2023-24 was £65m. However, due to the combination of slippage in capital schemes, additional capital grants and capital receipts received in the current year, the revised estimate of the borrowing requirement for 2023-24 is £56.3m. This assumes that the capital programme delivers to the current forecast of £232.271m. The Director of Strategic Finance, under delegated powers, will take the most appropriate form of borrowing depending on the prevailing interest rates at the time, taking into account the risks identified in the economic forecast (Section 2). This is a prudent and cost-effective approach in the current economic climate but will require ongoing monitoring in the event that any upside risk to gilt yields prevails.

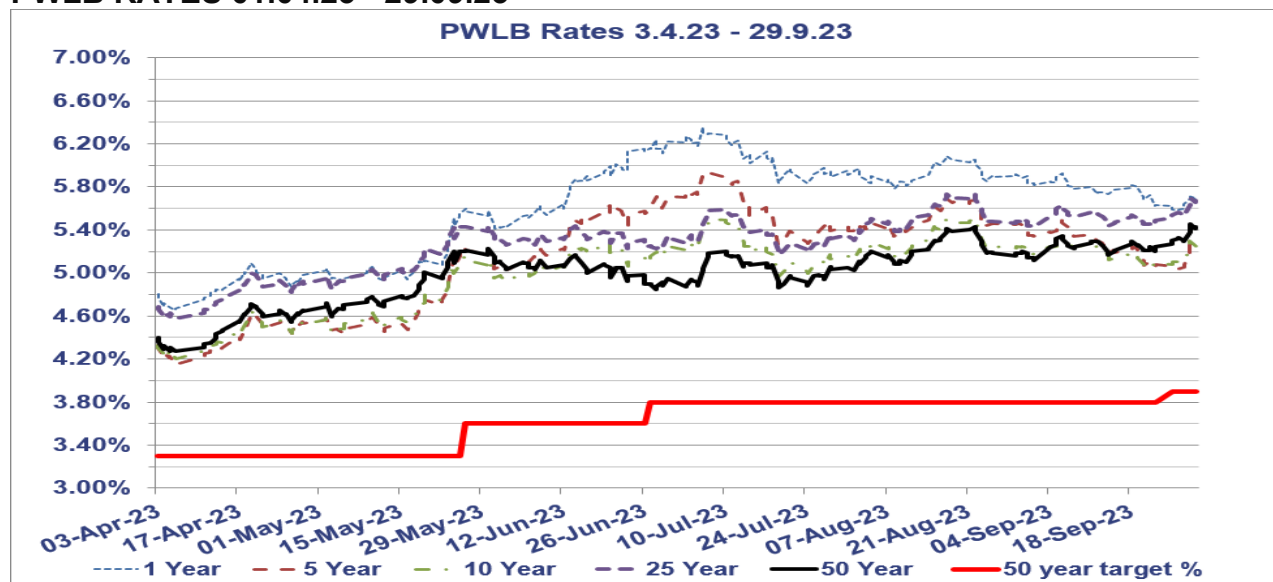
6.7 PWLB maturity certainty rates year to date to 29th September 2023

6.7.1 Gilt yields and PWLB certainty rates were on a generally rising trend throughout the first half of 2023/24. At the beginning of April, the 5-year rate was the cheapest part of the curve and touched 4.14% whilst the 25-year rate was relatively expensive at 4.58%.

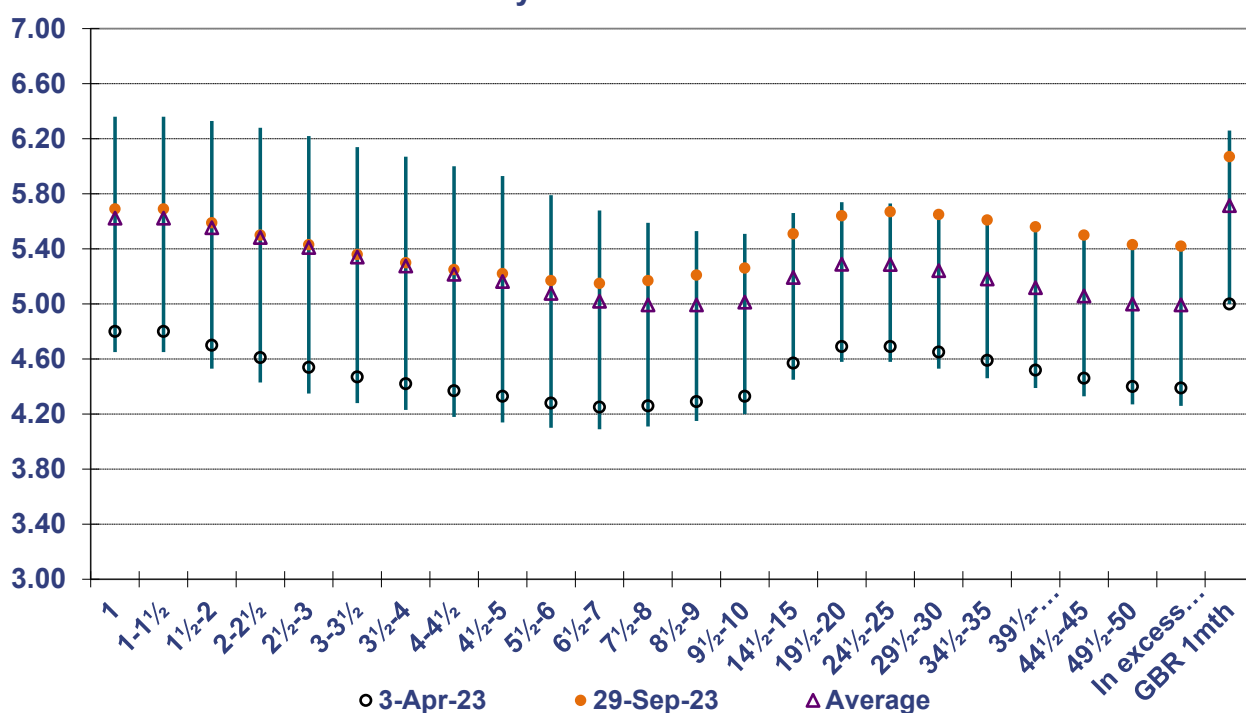
6.7.2 July saw short-dated rates peak at their most expensive. The 1-year rate spiked to 6.36% and the 5-year rate to 5.93%. Although, in due course, short-dated rate expectations fell, the medium dates shifted higher through August and the 10-year rate pushed higher to 5.51% and the 25-year rate to 5.73%. The 50-year rate was 4.27% on 5th April but rose to 5.45% on 28th September.

6.7.3 We forecast rates to fall back over the next two to three years as inflation dampens. The CPI measure of inflation is expected to fall below 2% in the second half of 2024, and we forecast 50-year rates to stand at 3.90% by the end of September 2025. However, there is considerable gilt issuance to be digested by the market over the next couple of years, as a minimum, so there is a high degree of uncertainty as to whether rates will fall that far.

PWLB RATES 01.04.23 - 29.09.23



PWLB Certainty Rate Variations 3.4.23 to 29.9.23



HIGH/LOW/AVERAGE PWLB RATES FOR 01.04.23 – 29.09.23

	1 Year	5 Year	10 Year	25 Year	50 Year
Low	4.65%	4.14%	4.20%	4.58%	4.27%
Date	06/04/2023	06/04/2023	06/04/2023	06/04/2023	05/04/2023
High	6.36%	5.93%	5.51%	5.73%	5.45%
Date	06/07/2023	07/07/2023	22/08/2023	17/08/2023	28/09/2023
Average	5.62%	5.16%	5.01%	5.29%	5.00%
Spread	1.71%	1.79%	1.31%	1.15%	1.18%

6.8 The current PWLB rates are set as margins over gilt yields as follows: -

- PWLB Standard Rate is gilt plus 100 basis points (G+100bps)
- PWLB Certainty Rate (GF) is gilt plus 80 basis points (G+80bps)
- PWLB Local Infrastructure Rate is gilt plus 60 basis points (G+60bps)
- PWLB Certainty Rate (HRA) is gilt plus 40bps (G+40bps)

6.9 The most likely sources of long- term borrowing are:

- PWLB
- The **UK Infrastructure Bank** will lend to local authorities that meet its scheme criteria at a rate currently set at gilt plus 40bps (G+40bps).
- The UK Municipal Bonds Agency

Other arrangements such as private placements may be considered subject to the availability and cost of borrowing from alternative sources, and advice from the Council's Treasury Advisors. Prior to any borrowing, the additional pressure on current and future revenue interest payables budgets, as well as any arrangement fees, will be taken into account.

6.10 The PWLB provides a facility to restructure debt, including early repayment of loans, albeit at a cost which reflects the difference between current and past interest rates. Rates are monitored on a regular basis in order to identify possible repayment opportunities.

13. Debt Rescheduling

7.1 Debt rescheduling opportunities have increased over the course of the past six months and will be considered if giving rise to long-term savings.

13.1 On 18/09/23 £11.250m Commercial Loans were repaid, the loan with Commerzbank was variable rate and gives the Lender the option to increase the interest rate at 6 monthly intervals, at this time the borrower has the option to repay the principal in full. Accepting the new rate would have increased this year's interest payable charge by £94k (and £175k a year for the next 18 years). Making the repayment now has saved £287k on interest payable this year. Obviously longer term

savings will depend on when the funds are borrowed and will also impact the interest receivable budget.

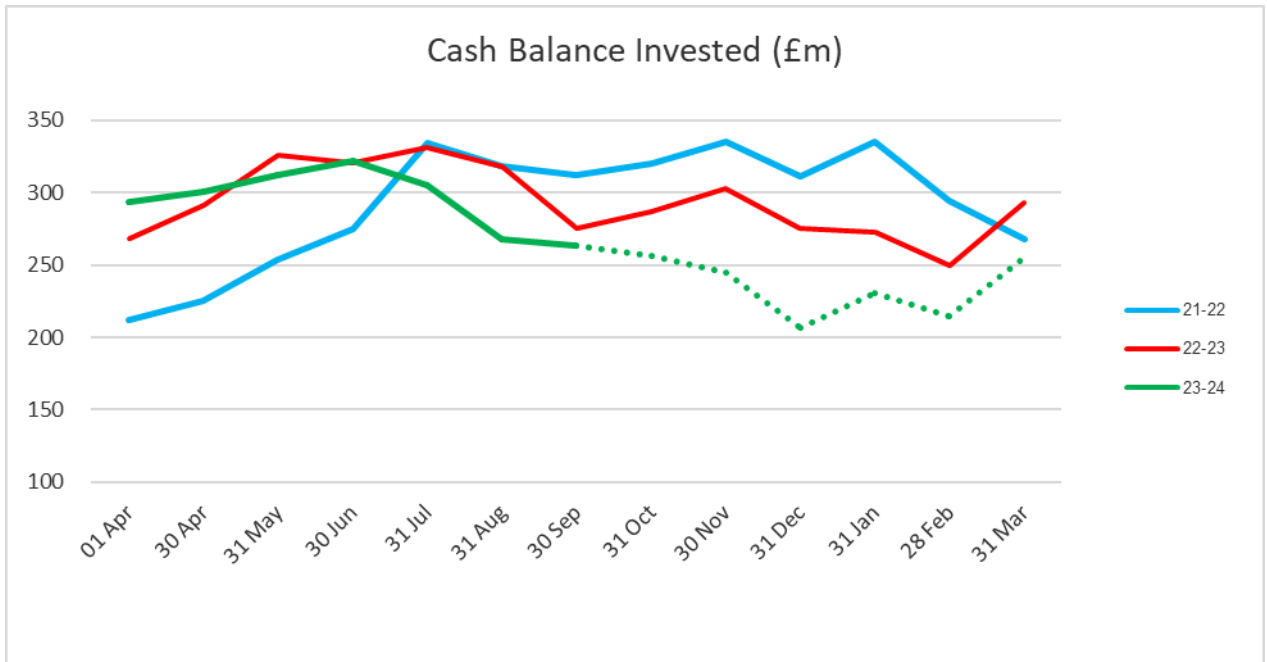
- 7.3 As the whole of the yield curve shifts higher there may be other opportunities in the future to reschedule the debt, although only prudent and affordable debt rescheduling will be considered.

14. Compliance with Treasury and Prudential Limits

- 8.1 It is a statutory duty for the Council to determine and keep under review the affordable borrowing limits. During the half year ended 30th September 2023, the Council has operated within the treasury and prudential indicators set out in the Council's Treasury Management Strategy Statement for 2023/24. The Director of Strategic Finance reports that no difficulties are envisaged for the current or future years in complying with these indicators.
- 8.2 All treasury management operations have also been conducted in full compliance with the Council's Treasury Management Practices.

9. Cash Balances and Cash Flow Management

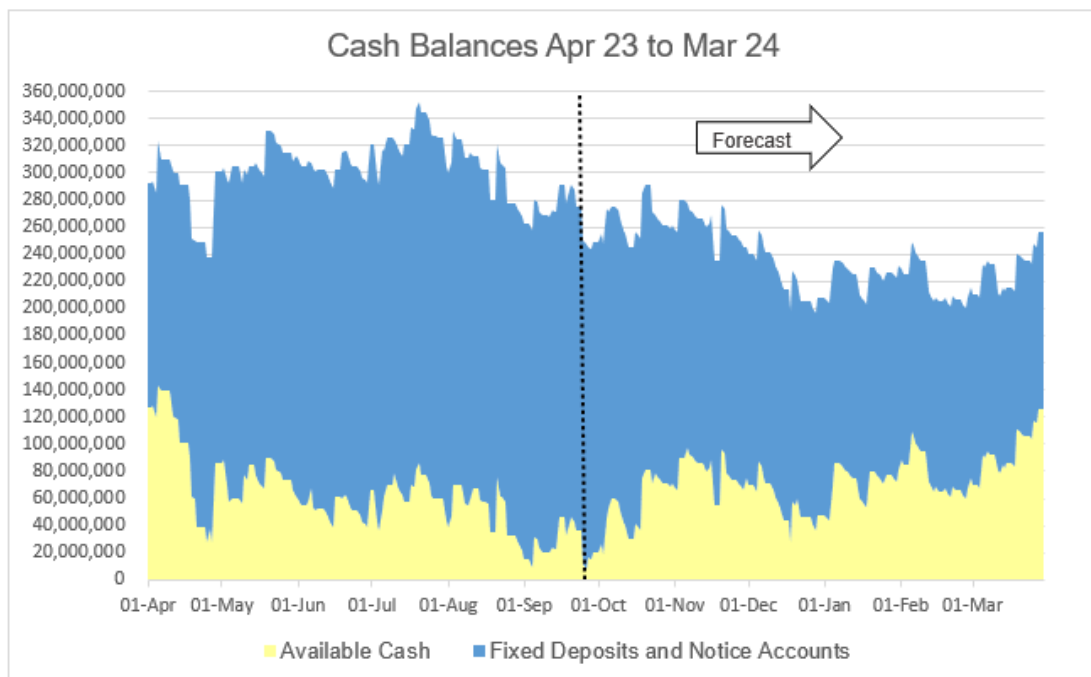
- 9.1 The Council's cash balances comprise of revenue and capital resources, such as general balances, provisions and earmarked reserves and the timing differences between the receipt and payment of monies required to meet the cost of County Council services and its capital programme. The average level of cash balances year to date totals £299m (equivalent last year £302m).
- 9.2 Cash balances are managed internally and have been invested in accordance with the Council's approved Authorised Lending List.
- 9.3 A key objective of cash flow management is to minimise balances held in the Council's bank accounts.
- 9.4 Of the 200 bank accounts administered by the County Council, only 3 are principal accounts (one for income collection, general expenditure and salary payments). The remaining bank accounts are service specific, for example schools locally managing their devolved budgets. The corporate treasury management function ensures the efficient management of cash balances across all bank accounts by aggregating and investing surplus cash balances on a daily basis.
- 9.5 Cash balances available for investment increased from £293m at 1 April 2023 to £348m at 19 July 2023 before starting to fall to £264m at 30 September 2023. The table below shows the level of cash balances over the last two and a half years with a forecast for the next 6 months to March 2024 (dashed green line), assuming a further £76.25m additional borrowing.



9.6 Longer term cash deposits (6 to 12 months) have increased to help secure a return on investments above the instant liquidity cash rates of approx.0.19%.

9.7 No long-term borrowing has been taken in the six months to September and the County Council has not had to borrow short term during that period.

9.8 Details of daily liquidity are provided in the graph below. The bottom yellow segment of the graph shows the actual daily liquidity (the amount of cash on instant access deposit) compared with cash invested for longer fixed periods (top blue segment of the graph). The forecast average daily liquidity level, assuming £76m additional long-term borrowing, is around £73m.



10. Annual investment strategy

10.1 The Treasury Management Strategy Statement (TMSS) for 2023/24, which includes the Annual Investment Strategy, was approved by the Council on 21 February 2023. In accordance with the CIPFA Treasury Management Code of Practice, it sets out the Council's investment priorities as being:

- Security of capital
- Liquidity
- Yield

10.2 The Council will aim to achieve the optimum return (yield) on its investments commensurate with proper levels of security and liquidity and with the Council's risk appetite. In the current economic climate, it is considered appropriate to keep investments short term to cover cash flow needs, but also to seek out value available in periods up to 12 months with high credit rated financial institutions, using the Link suggested creditworthiness approach, including a minimum sovereign credit rating and Credit Default Swap (CDS) overlay information.

10.3 Creditworthiness.

Following the Government's fiscal event on 23rd September 2022, both S&P and Fitch placed the UK sovereign debt rating on Negative Outlook, reflecting a downside bias to the current ratings in light of expectations of weaker finances and a challenging economic outlook. Nothing further has evolved in the first half of 2023/24.

10.4 Investment Counterparty criteria

The current investment counterparty criteria selection approved in the TMSS is meeting the requirement of the treasury management function.

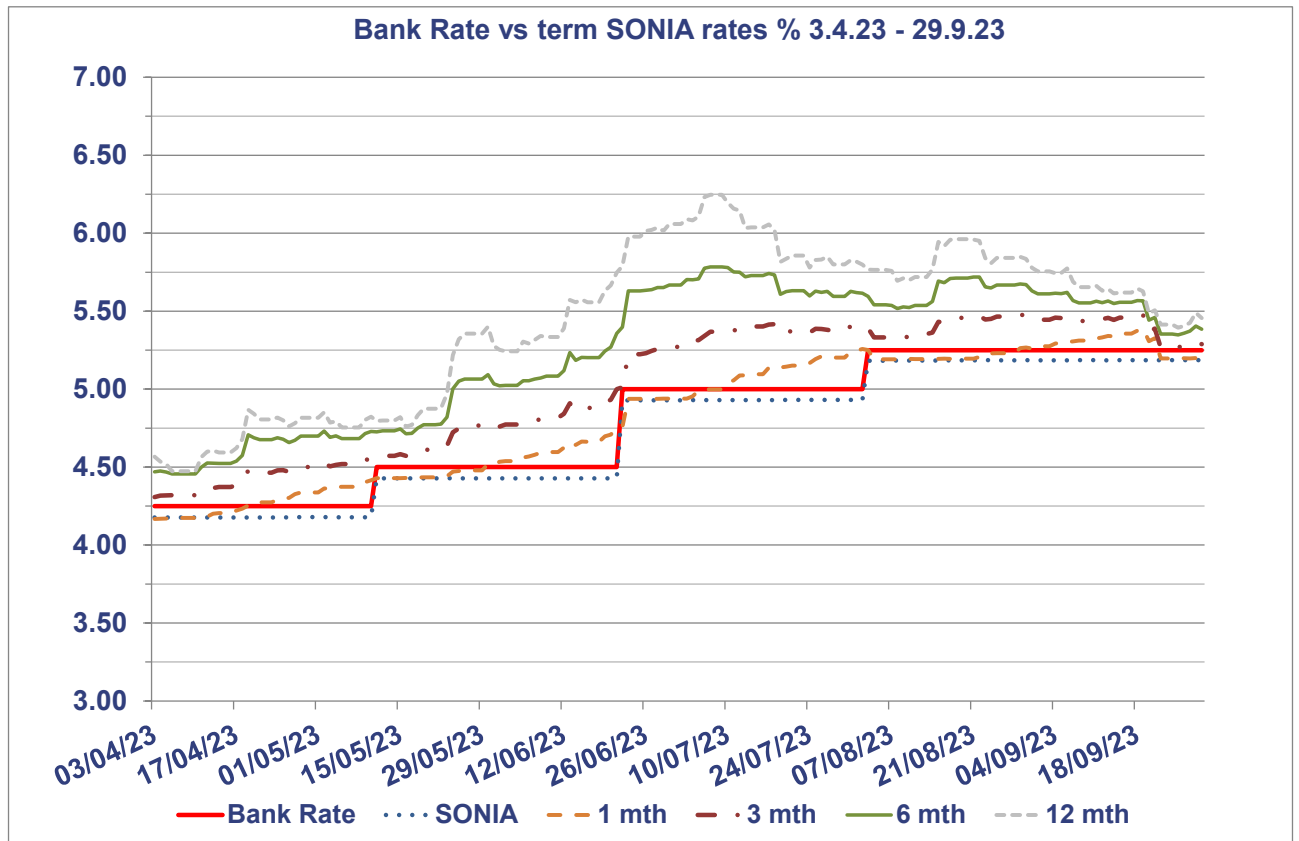
10.5 CDS prices

It is noted that sentiment in the current economic climate can easily shift, so it remains important to undertake continual monitoring of all aspects of risk and return in the current circumstances.

10.6 Investment balances

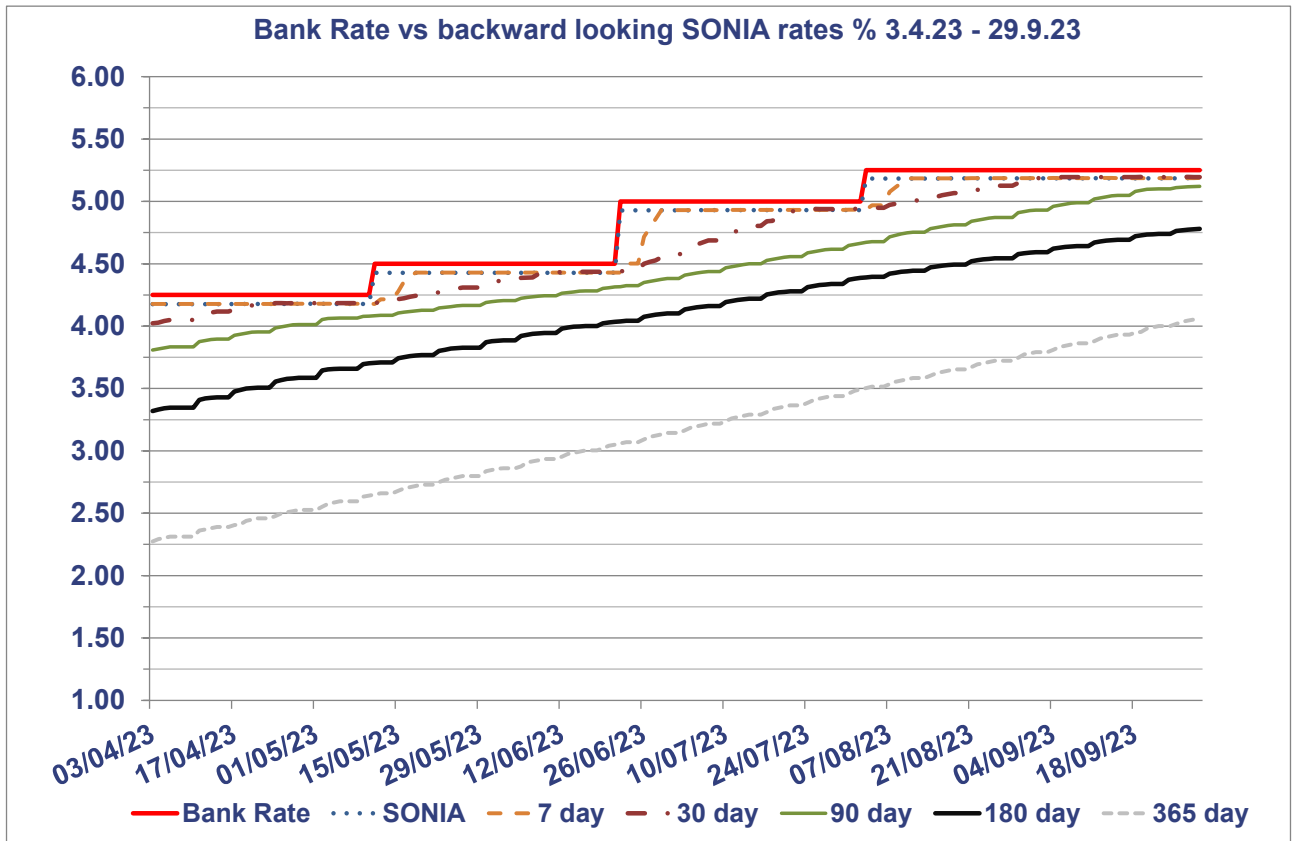
The average level of funds available for investment purposes during the first half of the financial year was £298.9m. These funds were available on a temporary basis, and the level of funds available was mainly dependent on the timing of precept payments, receipt of grants and progress on the capital programme.

10.6 Investment performance year to date as of 29th September 2023



	Bank Rate	SONIA	1 mth	3 mth	6 mth	12 mth
High	5.25	5.19	5.39	5.48	5.78	6.25
High Date	03/08/2023	29/09/2023	19/09/2023	30/08/2023	07/07/2023	07/07/2023
Low	4.25	4.18	4.17	4.31	4.46	4.47
Low Date	03/04/2023	04/04/2023	03/04/2023	03/04/2023	06/04/2023	06/04/2023
Average	4.81	4.74	4.83	5.03	5.26	5.45
Spread	1.00	1.01	1.22	1.17	1.33	1.77

The table above covers the first half of 2023/24.



	Bank Rate	SONIA	7 day	30 day	90 day	180 day	365 day
High	5.25	5.19	5.19	5.20	5.12	4.78	4.06
High Date	03/08/2023	29/09/2023	04/09/2023	27/09/2023	29/09/2023	29/09/2023	29/09/2023
Low	4.25	4.18	4.18	4.02	3.81	3.32	2.27
Low Date	03/04/2023	04/04/2023	11/04/2023	03/04/2023	03/04/2023	03/04/2023	03/04/2023
Average	4.81	4.74	4.71	4.64	4.44	4.10	3.16
Spread	1.00	1.01	1.01	1.17	1.31	1.46	1.79

The table above covers the first half of 2023/24.

Investment performance year to date as of 30th September 2023

2023/24	Interest Earned (%)	SONIA O/N (%)	Interest Earned Year to Date (%)	SONIA O/N Year to Date (%)	Investment Interest Earned
Apr 23	3.94	4.18	3.94	4.18	917,805
May 23	4.37	4.35	4.17	4.26	1,148,097
Jun 23	4.65	4.58	4.33	4.37	1,161,970
Jul 23	4.95	4.93	4.50	4.51	1,369,072
Aug 23	5.07	5.17	4.61	4.64	1,294,286
Sep 23	5.12	5.19	4.69	4.73	1,134,899

As illustrated, the Council is marginally below the benchmark by 0.04 bps, but this is still a relatively new benchmark and is affected by the unprecedented rising interest rate environment. The Council's net budgeted investment return for 2023/24 is £1.081m, and performance for the year to date has generated additional income of £2.8m. Movements on this forecast will form part of the monthly finance monitoring report to Cabinet.

11. Other

11.1 At 30 September 2023, the Council held £249.2m of investments. The profile of these investments is shown in the table below.

Institutional Sector	Liquid £M	Upto 3 Months £M	Upto 6 Months £M	Upto 9 Months £M	Upto 12 Months £M	Over 12 Months £M
UK Banks	5	35	0	60	0	0
Non-UK Banks	0	50	20	30	20	0
Building Societies	0	0	0	0	0	0
Money Market Funds	15.5	0	0	0	0	0
Other	0.23	13.5	0	0	0	0
Total	20.7	98.5	20	90	20	0

A more detailed investment profile is shown at Appendix 1.

11.2 The average interest rate earned year to date is 4.69% (comparative period in 2022 1.23%).

11.3 Gross interest earned for the period 1 April 2023 to 30 September 2023 is £7.026m (comparative period in 2022: £1.864m).

11.4 In addition, the County Council has undertaken daily treasury management activities on behalf of the Norfolk Pension Fund, the

Norse Group, and Independence Matters. Average cash balances managed on behalf of these other bodies totalled £22.5m, earning interest of £0.522m in the six months to 30 September 2023.

- 11.5 The Council's Annual Investment Strategy sets out a listing of counterparties with approved investment limits and durations. The original Norse Group Treasury Management Counter Party approved treasury investment limit was £15m. In Q2, the cashflow projections from Norse indicated a need to exceed the £15m limit; due to the refinancing of the Norse Energy Loan. This prompted a review of Norse Group's working capital requirements and led to the Council approving an uplift to the Norse Group's investment limit to £25m on 26 September 2023 - [Document.ashx \(cmis.uk.com\)](#)
- 11.6 As at 30 September 2023, all investment balances are within the revised approved limits of the Annual Investment Strategy. A summary of treasury prudential indicators and the position at 30 September 2023 is shown in Appendix 4.

12 Counterparty Maintenance

- 12.1 The Director of Strategic Finance is responsible for maintaining an Approved Counterparty List in accordance with the criteria as set out in the approved Annual Investment and Treasury Strategy 2023-24. Credit rating information is supplied by our treasury advisors on all active counterparties. Any rating changes, rating watches (notification of a likely change) and rating outlooks (notification of a possible longer-term change) are provided by our treasury advisors immediately as they occur. A wide range of market information such as Credit Default Swap prices and share price is also taken into account. The Approved Counterparty List is therefore actively managed on a day-to-day basis and when an institution no longer meets the Council approved counterparty criteria, it is immediately removed.
- 12.2 There have been no credit rating downgrades during the period 1 April 2023 to 30 September 2023 that have resulted in counterparties being removed from the approved counterparty list.

UK Banks 5 Year Senior Debt CDS Spreads as of 30th September 2023

This is an optional graph which shows the assessment of creditworthiness risk of key banks. The cost of insuring against default low in historic terms. (The chart below shows the cost in basis points of ensuring against the prospect of default on 5 year “paper” issued by major UK banks v the ITRAXX Senior Financials Index.)



13 Non-treasury investments

13.1 Following updates to Treasury Management reporting requirements from 2021-22 under the revised CIPFA Code, local authorities have to report more information on their non-treasury investments. Appendix 3 lists non-treasury investments made or held by the authority, with a short narrative and explanation of the objectives for each one.

Outstanding Deposit Profile @ 30th September 2023

Appendix 1

Counterparty Name	Deal Date	Maturity Date	Interest Rate %	Principal £M
Aberdeen				
Aberdeen Money Market Fund	Instant Liquidity		5.28*	15.453
				15.453
Australia New Zealand Bank				
Australia New Zealand Bank	19-Oct-22	19-Oct-23	4.95	10
Australia New Zealand Bank	21-Dec-22	21-Dec-23	4.66	10
Australia New Zealand Bank	06-Jan-23	06-Jan-24	4.72	10
				30
Barclays Bank				
Barclays Bank Call Account	Instant Liquidity		4.45*	5
				5
Close Brothers				
Close Brothers	05-Apr-23	05-Oct-23	4.80	5
				5
DBS Bank Ltd (Singapore)				
DBS	11-Apr-23	10-Apr-24	4.76	10
DBS	27-Apr-23	26-Apr-24	5.03	10
DBS	19-Jun-23	18-Jun-24	5.60	10
				30
DNB (Norway)				
DNB	05-Jul-23	04-Jul-24	6.57	10
DNB	11-Jul-23	10-Jul-24	6.62	10
				20
Goldman Sachs				
Goldman Sachs	05-Apr-23	05-Oct-23	4.70	10
Goldman Sachs	21-Apr-23	23-Oct-23	4.93	10
Goldman Sachs	04-May-23	06-Nov-23	4.94	10
				30
Hethel Innovation Limited				
Hethel Innovation Limited	Callable Deposit		7.85*	0.23
				0.23
Landesbank Baden-Wuerttemberg				
Landesbank Baden-Wuerttemberg	03-May-23	03-Nov-23	4.97	10
Landesbank Baden-Wuerttemberg	31-May-23	30-Nov-23	5.32	10
Landesbank Baden-Wuerttemberg	14-Jul-23	01-Feb-24	6.17	10
				30

National Westminster				
National Westminster Bank	14-Apr-23	12-Apr-24	4.71	10
National Westminster Bank	21-Apr-23	19-Apr-24	5.00	10
National Westminster Bank	05-May-23	03-May-24	4.90	10
National Westminster Bank	15-May-23	14-May-24	4.90	10
National Westminster Bank	19-May-23	17-May-24	4.95	10
National Westminster Bank	07-Jun-23	06-Jun-24	5.41	10
				60
Norse Group				
Norse Group	21-Dec-22	21-Dec-23	4.60	10
Norse Group	22-Sep-23	06-Oct-23	7.85	3.5
				13.5
Toronto-Dominion Bank				
Toronto-Dominion Bank	24-Oct-22	24-Oct-23	5.07	10
				10
Total Deposits				249.2

* Latest rates as at 30th September 2023

In addition deposits of £9.279m were held on behalf of other bodies:
Norfolk Pension Fund, Norse Group and Independence Matters.

Appendix 2

Debt Maturities 2022-23 to 2023-24			
Maturity Date	Amount Repaid	Rate	Full Year Interest Saving
15-Jun-22	£500,000	9.38%	£46,875
30-Sep-22	£2,500,000	4.50%	£112,500
30-Sep-22	£500,000	9.38%	£46,875
11-Oct-22	£2,500,000	4.63%	£115,625
11-Oct-22	£500,000	9.75%	£48,750
15-Dec-22	£1,750,000	4.50%	£78,750
15-Dec-22	£776,322	5.25%	£40,757
15-Dec-22	£723,678	5.25%	£37,993
15-Dec-22	£500,000	9.38%	£46,875
31-Mar-23	£500,000	9.75%	£48,750
31-Mar-23	£2,000,000	4.63%	£92,500
15-Jun-21	£697,191	2.02%	£14,083
01-Sep-22	£585,318	1.47%	£8,604
15-Dec-22	£704,228	2.02%	£14,225
01-Mar-23	£589,620	1.47%	£8,667
2022-23	£15,326,357		£761,830
11-Apr-23	£1,000,000	4.55%	£45,500
11-Apr-23	£2,000,000	4.50%	£90,000
15-Jun-23	£2,750,000	4.63%	£127,188
30-Sep-23	£2,500,000	5.50%	£137,500
11-Oct-23	£2,250,000	4.50%	£101,250
15-Dec-23	£3,000,000	6.38%	£191,250
31-Mar-24	£2,750,000	4.63%	£127,188
15-Jun-23	£152,182	1.79%	£2,724
15-Jun-23	£152,685	1.74%	£2,657
15-Jun-23	£203,092	2.22%	£4,509
15-Jun-23	£203,377	2.20%	£4,474
01-Sep-23	£593,954	1.47%	£8,731
15-Dec-23	£153,544	1.79%	£2,748
15-Dec-23	£154,014	1.74%	£2,680
15-Dec-23	£205,346	2.22%	£4,559
15-Dec-23	£205,614	2.20%	£4,524
01-Mar-24	£598,319	1.47%	£8,795
2023-24	£18,872,127		£866,277
Apr 22 to Mar 24	£34,198,484		£1,628,107

Non-treasury investments

Non-treasury investments - Capital loans and similar arrangements including objectives and context

Capital loans are not classed as a treasury management activity but have an impact on cash flows, and interest received, and are included as part of Treasury Management reporting as a result of recent revisions to the CIPFA Code. Current capital loans are as follows:

Capital loans	Balance 31 March 2023 £m	Forecast Balance 31 March 2024 £m	Authority / Objectives	Funding and other notes
Infrastructure related loans				
GNGB/CIL support for NDR ("Broadland Northway")	31.726	30.297	Formal arrangements between GNGB members, to allocated CIL receipts to support £40m costs of the NDR, was agreed 21 October 2015. Rather than a loan as such, the arrangement is long term loan repayment support.	Payments allocated from CIL receipts match the interest and repayments due on a £40m PWLB loan taken out by Norfolk County Council in 2016-17 to part fund construction of the NDR. The arrangement is treated as a long-term debt in the financial statements and has first call on CIL receipts.
NDR Radar Loan	2.289	2.194	NCC Cabinet 2 September 2013 agreed to part fund relocation of the Norwich International Airport radar as a compensatory element of the NDR project. A legal agreement for the funding of the radar was agreed with Norwich Airport Limited on 18 October 2013. Repayments will start 2023 when the previous radar would have been replaced.	The airport will contribute to the cost of the radar through financing arrangements from years 9 to 20 at an agreed commercial rate.

Local infrastructure Fund loans to developers	2.487	0.000	The GNGB area City Deal resulted in the establishment of a Local Infrastructure Fund to provide loans to developers for site specific help to enable development sites to be delivered quickly. The fund is now managed directly by Norfolk County Council, and is no longer open.	5 loans were made: St. George's Park, Loddon – Halsbury Home East Anglia Ltd, Thurlton, Horsford and Little Plumstead – Cripps Developments, and Rockland St. Mary – FW Properties. The first repayment was triggered in December 2017, since when regular repayments have been received, with further loans being made and interest accrued. 4 of the infrastructure loans have been fully repaid, with the remaining Loddon LIF loan due to be fully repaid during the current financial year.
---	-------	-------	--	--

Loans to Subsidiaries	Balance 31 March 2023	Forecast Balance 31 March 2024	Authority / Objectives	Funding and other Notes / status
Loans to Norse Group	£m	£m		
Norse Energy	0.000	0.00	As part of the Mid-Year Treasury Management Monitoring Report 2015-16 to Policy and Resources Committee and then County Council, members approved the extension of the existing Norse Group short-term loan arrangements by a further £15m for specific longer-term loans, with the loans being approved for inclusion within the County Council's capital programme. The first loan was for Norse Energy capital investment, and the second to fund replacement of Norse's existing asset portfolio.	Interest paid annually at a commercial variable rate. Repayment of principal is due on the 7th anniversary of loan in December 2022. This loan was repaid in December 2022 and a new working capital Treasury Fixed Deposit facility was set up with Norse Group for £10m
Norse Group	2.111	1.308		Loan agreement dated 14 February 2018, based on fixed commercial rate for 5 years, with option to increase the interest rate if LIBOR increases. Twice yearly repayments of principal and interest started August 2018, with increased principal repayments in 2024 and 2025. Loan will be fully repaid by February 2025.
Norse Group – Project One	0.00	5.000	On 26 September 2023 the Council approved a loan of £10m to the Norse Group to fund the replacement of their Finance and HR system – Project One. On 16 th October 2023, the Norse Group	Annuity Loan repayable in 10 equal instalments to December 2034. The Loan agreement based on a margin

			drew down the first instalment of this loan facility of £1.7m and it aims to draw down the full loan facility of £10m by December 2024.	over the PWLB borrowing rate was signed on 11 th October 2023.
NPS Aviation Academy	5.586	5.437	On 20 July 2015, Policy and Resources Committee authorised a loan of £6.25m to the Norse Group, to create a physical location for the Norwich International Aviation Skills Academy. Norse continues to occupy and use the property.	Annuity loan repayable in 29 equal annual instalments to August 2046.
NEWS	0.106	0.000	Loan agreement between Norfolk County Council and Norfolk Environmental Waste Services Limited dated 28 March 2001, for the construction of a materials recycling facility and the purchase of associated vehicles and equipment in Norfolk.	Twice yearly repayments of capital and interest, rate based on PWLB 20-25 year rate at time of agreement. Capital repaid in equal instalments. Original loan £2.44m, to be fully repaid March 2024.
NorseCare	2.517	2.345	Loan agreement dated 4 March 2019 between Norfolk County Council and Norse Care for the re-modelling, refurbishment and extension of the Mountfield residential home in Norwich.	Annuity loan repayable in 15 equal annual instalments to March 2034.
Other NCC wholly owned companies				
Hethel Innovations	6.813	6.816	On 23 May 2012 Cabinet agreed to approve 60% match funding estimated at £3.77m, via a loan to Hethel Innovation Limited, for the construction of an Advanced Manufacturing Facility at Hethel. The final revision of the loan agreement is dated May 2015 for £3.26m. In addition, the company borrowed £2.132m in 2018-19 to purchase the remainder of its site and buildings from NCC. Then on 31 March 2021 it borrowed a further £2.1m to purchase the adjacent land from Lotus	Six monthly equal repayments, capital and interest calculated on an annuity basis. Interest rates fixed based on PWLB rates at the date of the loans. The final instalment date for both loans is September 2049. On 26 th September 2023 the Council approved the request from Hethel Innovation to defer the first 3 instalments of the 2021 £2.1m loan to December 2026. The outstanding loan will now be repaid over 30 equal annual instalments (instead of 33 instalments) and will be fully repaid in December 2055
Repton	12.550	12.550	In 2020, Cabinet agreed to approve a £10m loan facility for Repton to drawdown as needed to develop surplus NCC land and other suitable land with the view to delivering high-quality housing in Norfolk. The loan facility has since been increased to £35m.	Twice yearly repayments of capital and interest, rate based on PWLB 20-25 year rate at time of agreement. Capital repaid in equal instalments.
Total capital loans	66.090	65.947		

During the financial year to date, interest and principal has been repaid in accordance with the individual loan agreements.

Financing

Financing for the Broadland Northway (formerly NDR) arrangement shown above has been provided through a £40m PWLB annuity loan.

The finance for all new capital loans is provided initially from Norfolk County Council surplus cash balances and ultimately PWLB loans or capital receipts.

Relevant powers

The local authority has the power to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any of their functions [a] (whether or not involving the expenditure, borrowing or lending of money or the acquisition or disposal of any property or right).

The local authority has a general power of competence just like individuals generally [b].

The local authority may borrow money for any purpose relevant to its function or for the purposes of the prudent management of its financial affairs

Where the local authority is running a purely commercial or trading activity then it must do it through a company [b][c].

Sources [a]: Local Government Act 1972 s 111(1); Egan v Basildon Borough Council 2011.

[b]: Localism Act 2011 s 1 and s4

[c]: Local Government Act 2003 s 1

Non-treasury investments – Investment properties as defined for statutory accounting purposes

For statutory accounting purposes, investment properties are assets which are used solely to earn rental income and/or capital appreciation, rather than in the production or supply of goods or services, for administrative purposes, or for sale in the ordinary course of operations. Four properties are classed as investment properties in the Council's statutory accounts, of which the following two make up the majority of the value:

Investment property	Norwich Airport Industrial Estate**			Agricultural and other land with development potential		
	2022-23	2021-22	2020-21	2022-23	2021-22	2020-21
Note	Owned jointly with Norwich City Council 60:40					
Reason for ownership:	Rental income			Capital appreciation		
Financial year	£m	£m	£m	£m	£m	£m
Net rental income £m	(0.453)	0.376	0.323	n/a		
Fair value £m	0**	21.021	12.702	15.175	14.635	10.752*

*Includes the reclassification of the Scottow Solar Farm as an investment property in 2020-21

**The councils sold the Norwich Airport Industrial Estate in August 2022 and the Council received a net capital receipt of £21.047m for its share of the sale proceeds.

Investment property is re-valued each year by NPS Property Consultants.

The apparent variations in rental income are due to the maturing of the outstanding capital maintenance loan from the City Council and other site expenditure resulting from the disposal of the site.

Non-treasury investment – Equity Instruments held at Fair Value

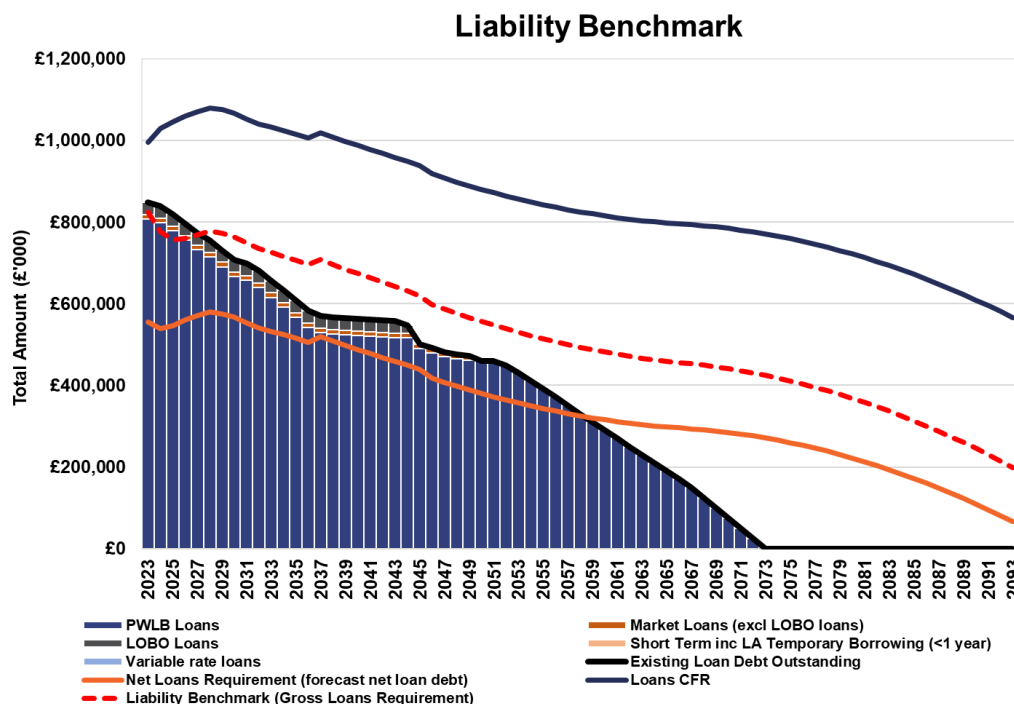
The Council holds shares in two other companies associated with the Norwich Airport (Legislator 1656 and Legislator 1657) which originated through a policy initiative with other authorities to promote economic generation and tourism. The investment is held as a longer-term policy initiative

Equity Instrument	Legislator 1656		
Reason for ownership:	Longer term policy initiative		
Financial year	2022-23	2020-21	2019-20
	£m	£m	£m
Fair value £m	5.095	4.684	3.235

Treasury Prudential Indicators

Indicator		Original Indicator £m or %		Actual Year to Date	Headroom: Actual - Indicator	Forecast to Year End	Notes
External Debt Limit (Authorised)		1,082.734		872.396	210.338	935.999	Debt for the purpose of this indicator includes notional lease and PFI liabilities
Operational Boundary Limit		1,029.268			156.872		
Upper Limits for Fixed & Variable Rate Maturity Structure	Under 12 months	0%	10%	2.6%	7.4%	2.6%	The Council's LOBO loans total value £20.00m are included under this indicator. The rates will become variable if interest rates exceed set percentages. This is not forecast to happen in the short or medium term.
	12 months to 2 years	0%	10%	2.8%	7.2%	2.6%	
	2 years to 5 years	0%	10%	7.9%	2.1%	7.3%	
	5 years to 10 years	0%	20%	12.1%	7.9%	11.2%	
	10 years to 20 years	0%	30%	12.3%	17.7%	14.0%	
	20 years to 30 years	10%	30%	12.7%	17.3%	14.5%	
	30 years to 40 years	10%	30%	24.2%	5.8%	22.5%	
40 years to 50 years	10%	40%	25.4%	14.6%	25.3%		
Total principal funds invested for greater than 365 days		100.000		0.000	100.000	0.000	
Total principal funds managed by third party		n/a		0	n/a	0	All investment decisions currently managed internally

This graph shows the comparison of borrowing parameters to actual external borrowing



The Loans CFR represented by the dark blue line shows the Council’s borrowing requirement to meet the Capital strategy.

The dashed red line represents the Liability Benchmark, which is the Loans CFR less the forecast cash held by the Council. The solid red line represent the net borrowing requirement after taking into account cash and short term cash equivalent assets.

The aim of the graph is to plot the current debt profile as represented by the vertical bars against the gross and net borrowing requirement to illustrate the relationship between current levels of borrowing and the planned borrowing need.

The graph shows that the current borrowing profile sits on or below the Liability Benchmark prudential indicator – so the Council has the appropriate level of borrowing for the current needs and has scope to borrow further for future need,

Report to Cabinet

Item No. 19

Report Title: Finance Monitoring Report 2023-24 P7: October 2023

Date of Meeting: 4 December 2023

Responsible Cabinet Member: Cllr Andrew Jamieson (Deputy Leader and Cabinet Member for Finance)

Responsible Director: Harvey Bullen (Director of Strategic Finance)

Is this a Key Decision? Yes

If this is a Key Decision, date added to the Forward Plan of Key Decisions: 02/03/2023

Introduction from Cabinet Member

This report gives a summary of the forecast financial position for the 2023-24 Revenue and Capital Budgets, General Balances, and the Council's Reserves at 31 March 2024, together with related financial information.

Executive Summary

Financial monitoring position

Subject to mitigating actions, on a net budget of £493.707m, the forecast revenue outturn for 2023-24 at the end of period 7 (October) is a **£3.052m overspend (0.62% of net budget)**.

General Balances are forecast to be **£25.410m** at 31 March 2024 following transfers of £1m planned contribution from the revenue budget at the end of 2023-24. Service reserves and provisions are forecast to total **£139.980m**.

All significant cost pressures are taken into account in the forecasts in this report. Details of these pressures and progress on achieving savings are addressed in detail in this report.

Recommendations:

1. To recommend to the Council the increase of **£126.541m** to the capital programme to address capital funding requirements funded mostly from various external sources as set out in detail in capital Appendix 3, paragraph 1.4 as follows:
 - £73.300m increase to the West Winch Bypass project, mainly funded through a £74.202m increase in Department of Transport and Homes England funding reflecting the OBC submission and a £1.05m reduction in NCC Borrowing required to fund this project. The latest forecast is disclosed in a paper elsewhere on the agenda
 - £22.882m increase in the Norwich Western Link project following the approval of the Outline Business Case and to reflect the latest forecast reported elsewhere on the agenda
 - £11.646m increase in the Long Stratton Bypass project mainly funded through an increase in the Department of Transport grant of £17.717m and a £4.979m reduction in the GNGB supported borrowing required for the project as reported to Cabinet on 6th November

- £18.483m increase in Department for Transport funding for Countywide BSIP schemes
 - £0.155m increase in external contributions to various Children’s Services schemes
 - £0.07m increase in NCC Borrowing to support the Planning and Advisory Scheme
 - £0.006m net increase in various other schemes
2. To note the revised current and future 2023-28 capital programme as set out in Appendix 3 including the significant reprofiling undertaken to date.
 3. To delegate to the Director of Procurement and the Director of Property to undertake the necessary procurement and tender processes to deliver this revised capital programme in accordance with the delegated authority awarded on 6 March 2023 in the Authority to enact Capital Programme paper - [Document.ashx \(cmis.uk.com\)](#).
 4. To recognise the period 7 general fund revenue forecast of a **£3.052m overspend (0.62% of net budget)**, noting also that Executive Directors will take measures to reduce or eliminate potential over-spends where these occur within services;
 5. To recognise the period 7 forecast of 97% savings delivery in 2023-24, noting also that Executive Directors will continue to take measures to mitigate potential savings shortfalls through alternative savings or underspends;
 6. To note the forecast General Balances at 31 March 2024 of **£25.410m**.
 7. To approve the appointment of directors to Norfolk County Council owned companies and joint ventures as set out in section 2.2, as required by the Council’s Financial Regulations.

1. Background and Purpose

- 1.1. This report and associated annexes summarise the forecast financial outturn position for 2023-24, to assist members to maintain an overview of the overall financial position of the Council.

2. Proposals

- 2.1. Having set revenue and capital budgets at the start of the financial year, the Council needs to ensure service delivery within allocated and available resources, which in turn underpins the financial stability of the Council. Consequently, progress is regularly monitored, and corrective action taken when required.

2.2. Appointments to Norfolk County Council owned companies and Joint Ventures

- 2.2.1. The delegation of authority to senior officers to act on behalf of the County Council requires the consent of the County Council before they can make certain decisions including the appointment of directors, and the County Council’s [Financial Regulations](#) confirm that (5.10(f)) “*The appointment and removal of directors to companies, trusts and charities in which the County Council has an interest must be made by Cabinet, having regard to the advice of the Director of Strategic Finance.*” Following consideration of vacancies in Norfolk County Council appointed directors, the Director of Strategic Finance has reviewed the appointment below and advises that they are suitable. The Director of Strategic

Finance therefore recommends the following appointment to Cabinet for approval, which will support to ensure the continued effective management and oversight of the limited companies owned by the County Council, and joint ventures in which it is a partner:

- To appoint Harriet Birchall, as a Director of Norfolk Safety CIC LTD (0934905) – replacing Steve Aspin.

3. Impact of the Proposal

- 3.1. The impact of this report is primarily to demonstrate where the Council is anticipating financial pressures not forecast at the time of budget setting, including the implications of the cost-of-living crisis, inflation and rising interest rates, together with a number of other key financial measures.
- 3.2. The additional proposals cover a range of financial matters which will support good governance and robust financial management.

4. Evidence and Reasons for Decision

- 4.1. Three appendices are attached to this report giving details of the forecast revenue and capital financial outturn positions and the background information concerning the other recommendations included in this report:

Appendix 1 summarises the revenue outturn position, including:

- Forecast over and under spends
- Changes to the approved budget
- Reserves
- Savings

Appendix 2 summarises the key working capital position, including:

- Treasury management
- Payment performance and debt recovery.

Appendix 3 summarises the capital outturn position, and includes:

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

- 4.2. Additional capital funds will enable services to invest in assets and infrastructure as described in Appendix 3 section 4.

5. Alternative Options

- 5.1. To deliver a balanced budget, no viable alternative options have been identified to the recommendations in this report. In terms of financing the proposed capital expenditure, no further grant or revenue funding has been identified to fund the expenditure, apart from the funding noted in Appendix 3.

6. Financial Implications

- 6.1. As stated above, the forecast revenue outturn for 2023-24 at the end of P7 is a £3.052m overspend linked to a forecast 97% savings delivery. Forecast outturn for service reserves and provisions is **£139.980m**, and the general balances forecast is **£25.410m**.
- 6.2. Where possible service pressures have been offset by underspends or the use of reserves. A narrative by service is given in Appendix 1.
- 6.3. The Council's capital programme is based on schemes approved by County Council in February 2023, including previously approved schemes brought forward and new schemes subsequently approved.
- 6.4. Other specific financial implications are set out throughout the report.

7. Resource Implications

- 7.1. None, apart from financial information set out in these papers.

8. Other Implications

8.1. Legal Implications

In order to fulfil obligations placed on chief finance officers by section 114 of the Local Government Finance Act 1988, the Director of Strategic Finance continually monitors financial forecasts and outcomes to ensure resources (including sums borrowed) are available to meet annual expenditure.

8.2. Human Rights implications

None identified.

8.3. Equality Impact Assessment

In setting the 2023-24 budget, the council has undertaken public consultation and produced equality and rural impact assessments in relation to the 2023-24 Budget. An overall summary Equality and rural impact assessment report is included on page 341 of the Tuesday 21 February 2023 Norfolk County Council agenda. [CMIS > Meetings](#)

The Council's net revenue budget is unchanged at this point in the financial year and there are no additional equality and diversity implications arising out of this report.

8.4. Data Protection Impact Assessments (DPIA)

DPIA is not required as the data reported in this paper does not drill down to the personal data level.

9. Risk Implications/Assessment

- 9.1. Corporate risks continue to be assessed and reported on a quarterly basis to both Cabinet and the Audit Committee. The Council's key financial based corporate risk (RM002 - The potential risk of failure to manage significant reductions in local and national income streams) has been reviewed and refreshed in February 2023 to incorporate the 2023/24 budget and Medium-Term Financial Strategy 2023 - 2027 being set. Key risk mitigations include amongst others regular (monthly)

financial reporting to Cabinet, working to the Medium-Term Financial Strategy and setting robust budgets within available resources.

- 9.2. Unlike many other parts of the public sector such as the NHS, local authorities are required by law to set a balanced budget. As part of their duties, the Director of Strategic Finance has a responsibility to report to members if it appears to him that the authority will not have sufficient resources to finance its expenditure for the financial year. At this stage the Director of Strategic Finance considers that mitigating actions for the currently forecast overspend, over the remainder of the year, will enable a balanced budget to be achieved in 2023-24.

10. Select Committee comments

- 10.1. None

11. Recommendation

- 11.1. Recommendations are set out in the introduction to this report.

12. Background Papers

- 12.1. Summary Equality and rural impact assessment [CMIS > Meetings](#) page 341

Officer Contact

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

Officer name: Joanne Fernandez Graham **Tel No.:** 01603 223330

Email address: j.fernandezgraham@norfolk.gov.uk



If you need this report in large print, audio, braille, alternative format or in a different language please contact 0344 800 8020 or 0344 800 8011 (textphone) and we will do our best to help.

Appendix 1: 2023-24 Revenue Finance Monitoring Report Month 7

Report by the Director of Strategic Finance

1 Introduction

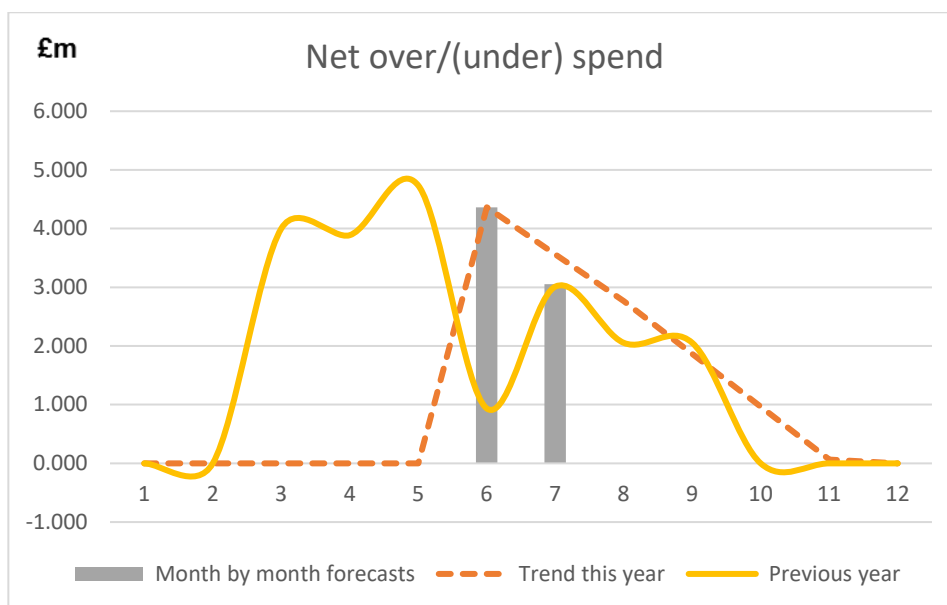
1.1 This report gives details of:

- the P7 monitoring position for the 2023-24 Revenue Budget
- additional financial information relating one-off funding, cost pressures and delivery of savings initiatives
- forecast General Balances and Reserves as at 31 March 2024 and
- other key information relating to the overall financial position of the Council.

2 Revenue outturn – over/(under)spends

2.1 **At the end of October 2023**, an overspend of £3.052m is forecast against a net budget of £493.707m.

Chart 1: forecast /actual revenue outturn 2023-24, month by month trend:



2.2 Executive Directors have responsibility for managing their budgets within the amounts approved by County Council. They have been charged with reviewing all their cost centres to ensure that, where an overspend is identified, action is taken to ensure that a balanced budget will be achieved over the course of the year.

2.3 Details of all under and overspends for each service are shown in detail in Revenue Annex 1 to this report, and are summarised in the following table:

Table 1: 2023-24 forecast (under)/overspends by service

Service	Revised Budget	Cost Pressures	(Under spends/ Savings)	Earmarked Reserves & Provisions Utilised	Net (under)/ overspend	%	RAG
	£m	£m	£m	£m	£m		
Adult Social Care	247.744	13.512	-7.589	-4.000	1.923	0.8%	A
Children's Services	232.038	9.800	0.000	-1.000	8.800	3.8%	R
Community and Environmental Services	189.578	3.175	-3.175	0.000	0.000	0.0%	G
Strategy and Transformation	26.693	3.980	-2.554	-1.426	0.000	0.0%	G
Chief Executive's Office	4.236	0.031	-0.300	0.269	0.000	0.0%	
Finance	-206.582	0.496	-8.167	0.000	(7.671)	3.7%	G
Total	493.707	30.994	-21.785	(6.157)	3.052	0.6%	A

Notes:

- 1) the RAG ratings are subjective and account for the risk and both the relative (%) and absolute (£m) impact of overspends.
- 2) Planned use of Earmarked reserves and provisions set aside in 2022-23 in order to meet and fund additional pressures in 2023-24 are built into the revised budget. The table above highlights the use of reserves over and above the plan.

2.4 **Children's Services:** The forecast outturn for period 7 (end of November) remains unchanged at £9.8m overspend, partially mitigated by (£1m) use of ear-marked reserves. Significant upward pressure continues to be experienced, particularly for social care placements and support, but mitigating action within the service is currently expected to manage the pressures within the previous period's forecast. This will continue to be kept under close review.

2.5 Since this position was reported, the department has seen further significant increases in these pressures and, in addition, the department has received the first full forecast of the year for Home to School Transport, following the start of the academic year. As a result of both factors, the forecast as at Period 6 (end of September 2023) is a £9.8m overspend, partially mitigated by (£1m) use of ear-marked reserves.

2.6 The forecast overspend for social care placements and support is c. £6m, primarily due to the significant increase in the average unit cost for external residential and external supported accommodation, the demand continuing to be high for social care services (as seen and reported nationally), additional costs of supporting a small number of children and young people with very complex needs, as well as a significant increase in the demand for community short-break provision.

2.7 The increase in the average cost of some placement types has gone significantly above the price when budget was set and beyond the amount anticipated through budgeted growth. For example, a 34% increase in the average cost of external residential care and an 8% increase in the cost of external supported accommodation. These, alone, have a full year impact of over £7m based upon the current volumes.

This increase in the average cost reflects a proportional increase in those placements exceeding £6k per week (for the most complex needs).

- 2.8 The number of children being looked after (excluding separated migrant children) has remained relatively stable since the start of this financial year, following a small increase in the latter quarter of last financial year that has only had a relatively small impact upon our placement costs. This is counter to the experience of many other local authorities and an outcome of the significant transformation in recent years from the front door and community & partnership teams, through family support and into social work teams. These overall numbers include that the number of children and young people placed in external residential care has seen a significant reduction since the budget was set, but there has been a corresponding increase in the number placed in external supported accommodation.
- 2.9 Our in-house residential services have been supporting some young people with very complex needs and additional costs have had to be incurred to meet these needs and to support staff to undertake their roles safely. Initially, some of these costs had been forecast to be for a time-limited period, but it is now anticipated that they will continue for the remainder of the year and the forecast has been adjusted accordingly.
- 2.10 The other key pressure is due to a significant increase in the demand for short breaks, c. £1m. The demand has grown for community short-breaks provision, particularly in recent years, and this increase appears to have escalated, potentially due to the cost-of-living pressures facing families as well as, potentially, carer burn-out following the pandemic and service disruption. In addition, the short breaks service supports some children and young people with highly complex needs and there has been an increase in demand for external residential short-break provision to enable families to remain together. Potentially, the alternative would be an increase in children looked after, which is not a good outcome for the child and family and would incur additional costs.
- 2.11 Norfolk is not alone in continuing to see cost pressures despite significant investment in the Children's Services budget in recent years. Nationally, many local authorities are reporting very significant overspends for their Children's Services, and it is due to the level of growth budget resources available to the department to meet pressures for 2023-24 that the overspend position has not materialised until this point in the year and at a lower level than many others are facing. Nationally, areas of cost pressures are the same as for Norfolk; key demand-led budgets for social care placements and support along with home to school transport. The longer-term impact of Covid-19 and lockdowns upon children and families, the cost-of-living crisis, high levels of inflation, and challenging market forces continue to exist outside of the control of local authorities, including Norfolk.
- 2.12 The Home to School Transport forecast for the year is a £4.8m overspend despite the additional budgeted resources provided for 2023-24. The persistent inflationary increases for fuel and the cost of vehicles, along with the rises in National Living Wage, has seen increases in the cost of tenders awarded for transport routes. The budget included assumptions regarded expected inflationary increases, but the current forecast indicates that these were under-estimated when the budget was set for 2023-24.
- 2.13 It is clear that the primary cause of the pressures are these supply-side factors, i.e. the inflationary pressures highlighted above leading to higher costs, alongside insufficient supply and competition. This is supported by the data available for the transport routes in place for the new academic year which shows that the total

numbers of children being transported has not materially increased, and the distances travelled have either plateaued (SEND and mainstream) or reduced (mainstream and SEND post 16). However, the average cost of transport per child has significantly increased, with this percentage increase being similar for both SEND and mainstream cohorts, and clear evidence of higher costs being charged by the market for existing routes. On the demand-side we can see some specific trends linked to areas of school admissions pressures.

- 2.14 Action is under way to positively impact both the demand-side and the supply-side factors. On the supply-side, there is a piece of focussed work underway in conjunction with officers from across the council to look at the transport provision market and any additional levers that could be developed to have a beneficial effect. Much demand-side activity is already delivering benefits and is continuing to be pursued and expanded, including a focus on supporting young people to be travel independent (such as the TITAN Travel Training programme) and the initial impacts of Local First Inclusion in reducing the distances that have to be travelled for those attending new provisions.
- 2.15 Children's Services continues to undertake a substantial transformation programme to both improve outcomes for children and young people as well as delivering financial savings. These aim to mitigate risks and pressures that emerge and accompanies management action within the department that continues to be taken to reduce these risks and cost pressures wherever possible.
- 2.16 **Adult Social Services:** The forecast outturn as at Period 7 (end of October 2023) is a £1.923m overspend. With Adult Social Care (ASC) being a demand led service, the budget to provide it always operates under a degree of uncertainty. The ASC service has a significant savings and transformation agenda it is seeking to deliver this financial year. In addition, within its recovery programme there is a significant emphasis on reducing the backlogs that had developed during the pandemic. We are pleased to have seen reductions in a number of these areas, with particular success in reducing our interim care list from 700 to 100 people in the last 12 months. A critical element of the financial position for the department will be the continued effective management of this work and the financial outcomes that ensue.
- 2.17 The service has operated under a degree of financial pressure for all of 23/24. This period we have seen demand rise to a position whereby we are currently forecasting not being able to contain our expenditure within our budget. As described in the following paragraph, our care market, especially in Learning Disabilities, has been under strain. This is having an adverse impact on pricing and is a key driver in our underlying overspend in that budget. In addition, as described within the savings section of this report, we have not been able to deliver our savings relating to Physical Disabilities. Both of these overspends were in previous months able to be offset by wider underspends within the department. However, the increase we have seen this period has meant this is now unlikely to be the case. The department is taking actions to mitigate the risk of overspend but at this stage these are not wholly compensating for the underlying overspend.
- 2.18 As over 70% of the ASC budget is spent with independent providers, it is only right to acknowledge the continued financial risk the current economic conditions place on these care markets. Whilst the Council was able to invest £30m into the market as part of its 2023/24 fee uplift, the continued economic uncertainty may well have a destabilising impact on individual providers. We are now experiencing upward pressure on price, in particular, those care packages supporting people with a

Learning Disability in Residential Care. We continue to work with our care providers and the Care Association to understand the steps required to provide sustainability and quality improvement, including our work on both the Market Position Statement and the Market Sustainability Plan. Our Operations and Commissioning teams, especially those supporting the Learning Disabilities market, are actively working with a number of providers to determine viability and future market intentions. Our ability to find alternative placements for those care providers exiting the market is becoming limited and therefore replacement services are coming at a price premium.

- 2.19 The department continues to work with its partners in the Integrated Care System (ICS) to manage system pressures around hospital discharge both from acute hospital and the wider Transforming Care Programme (TCP). Whilst supporting discharges under TCP is required, it does create an additional financial pressure for the Council with care packages in the community often exceeding £4,000 per person, per week. We work robustly with the ICB to ensure we collectively support these discharges into cost effective placements and only pay the fair share of our costs. The ICS itself continues to operate in a challenging financial environment, with the Integrated Care Board (ICB) itself having to undertake a significant reduction in operating costs.
- 2.20 Both internally to the department, and within the wider care sector, availability of staff continues to be a challenge. Internally we have had more success recently in recruiting and retaining certain types of roles. Equally, a number of vacancies have been removed via the Strategic Review and therefore it is unlikely that the department will see the level of staff underspends that it has had in previous years. However, there are certain qualified roles that remain hard to fill at scale and therefore it is important we deliver on our longer term workforce plan.
- 2.21 Whilst recognising the uncertainties described above, the level of ASC departmental reserves to manage the majority of these risks in the short term remain strong. In this period we have had to deploy additional reserves to bring down the underlying overspend. This additional deployment of reserves to mitigate the in year risks will have an impact on the department's ability to deliver on its 2024/25 reserve commitments. Any underlying deficit in 23/24 needs careful consideration on its impact for future year budgets. Longer term, the national landscape of Social Care remains uncertain with elements of its reform delayed until at least October 2025, a newly introduced inspection/assurance regime, and no long term funding settlement.
- 2.22 **CES:** The forecast outturn as at Period 7 (end of October 2023) is a balanced position.
- 2.23 There are pressures currently being faced within Corporate Property primarily related to utilities, the forecast overspend for the service stands at £1.480m. Whilst significant inflationary uplifts were applied to the budgets for 2023-24 these were insufficient given the sustained price increases in both electricity and gas.
- 2.24 Culture and Heritage are also forecasting an overspend position (£0.745m) driven by Norfolk Museums Service as early indications show that the main income streams are showing signs of improvement compared to last year, however, are still falling short of target given the sustained reduced offer at Norwich Castle whilst the renovations are completed.
- 2.25 These forecast overspends are being offset primarily by Highways and Waste. Waste volumes at Recycling Centres and kerbside collections have been highly volatile over

the last two years. The current forecast for Waste is a £1.656m underspend driven by residual waste with the latest available data on volumes and unit costs.

- 2.26 For Highways, the reported underspend position (£1.519m) at this stage is primarily driven by the reduced insurance premium, higher street works income and increased level of staff recharges.
- 2.27 The other services within CES continue to be challenged by the level of inflation which places greater risk on achieving the budget across all services but particularly utilities and maintenance costs. These services combined are reporting a net overspend of £0.950m. We will continue to monitor this closely throughout the year and report the impacts once they become clearer.
- 2.28 **Corporate services:** The Strategy and Transformation directorate is forecasting a balanced position making use of reserves. The Chief Executive Office is also reporting a balanced position, meeting extra costs of by-elections with extra income and vacancy management from within the service.
- 2.29 **Finance:** Finance forecast for P7 is an underspend of £7.671m. Forecast underspends are due to interest payable costs being £2.245m less than budgeted due to the timing of borrowing and sustained low interest rates on borrowing undertaken in 2022-23. The same higher interest rates and cash holdings has contributed to an increased interest receivable forecasted of £3.896m over budget for both treasury and non-treasury investments held. In addition, the Minimum Revenue Provision for 2023-24 is £0.926m lower planned due to Capital Programme slippage from 2022-23. There is also £1.1m accumulated surplus business rates returned to local authorities as part of the distribution of the 2022-23 Pool Funds (as noted elsewhere on the agenda). This is offset by £0.496m of miscellaneous cost pressures.
- 2.30 Further details are given in Appendix 1: Revenue Annex 1.

3 Approved budget, changes and variations

- 3.1 The 2023-24 budget was agreed by Council on 21 February 2023 and is summarised by service in the Council's Budget Book 2023-24 (page 19) as follows:

Table 2: 2023-24 original and revised net budget by service

Service	Approved net base budget	Revised budget P7
	£m	£m
Adult Social Care	249.526	247.744
Children's Services	232.593	232.038
Community and Environmental Services	191.754	189.578
Strategy and Transformation	22.941	26.693
Chief Executive's Office		4.236
Finance	(203.107)	(206.582)
Total	493.707	493.707

Note: this table may contain rounding differences.

- 3.2 The P7 Budget fully reflects the main elements of the Strategic Review restructure including the creation of the Chief Executive's Office which comprises the Governance (Legal Services) and Democratic and Regulatory Service.

- 3.3 It should be noted that there may be further small budget changes as a result of the continued implementation of the Strategic Review and these will be completed as in-year 2023-24 budget adjustments as the implementation progresses. These adjustments will not change the overall County Council Budget for 2023-24 of £493.707m.

4 General balances and reserves

General balances

- 4.1 At its meeting on 21 February 2023, the County Council agreed a minimum level of general balances of £25.340m in 2023-24. The balance at 1 April 2023 was **£24.410m** following transfers of £0.570m from a contribution to General Balances and Finance General underspends at the end of 2022-23. The forecast for 31 March 2024 is **£25.410m**, assuming the overspend reported is mitigated and a balanced budget is achieved in 2023-24 and a £1m contribution to general balances provided for in the 2023-24 budget.

Reserves and provisions 2023-24

- 4.2 The use of reserves anticipated at the time of budget setting was based on reserves balances anticipated in January 2023. Actual balances at the end of March 2023 were higher than planned, mainly as a result of grants being carried forward, including Safety Valve and COVID-19 grants and reserves use being deferred.
- 4.3 The 2023-24 budget was approved based on closing reserves and provisions (excluding DSG reserves) of £162.995m as at 31 March 2023. This, and the latest forecasts are as follows.

Table 3: Reserves budgets and forecast reserves and provisions (excluding LMS/DSG)

Reserves and provisions by service	Actual balances 1 April 2023	Increase in March 2023 balances after budget setting	2023-24 Budget book forecast 1 April 2023	Latest forecast balances 31 March 2024
	£m	£m	£m	£m
Adult Social Services	56.058	10.860	45.198	19.982
Children's Services (inc schools, excl LMS/DSG)	13.951	7.533	6.418	9.584
Community and Environmental Services	65.691	13.179	52.512	52.055
Strategy and Transformation	5.669	0.204	5.465	10.465
Chief Executive's Office				2.435
Finance	44.235	11.460	32.775	34.663
Schools LMS balances	16.078	-4.549	20.627	10.796
Reserves and Provisions including LMS	201.682	38.687	162.995	139.980
DSG Reserve (negative)	(45.877)	27.736	(73.613)	(66.361)

- 4.4 Covid grants and other grants and contributions brought forward at 31 March 2023 resulted in reserves and provisions being £38.687m higher than had been assumed at the time of budget setting. The majority of these reserves will be used to address planned service provision during 2023-24. The latest forecast net total for reserves and provisions at 31 March 2024 has decreased by £61.702m when compared with the opening balance at 1 April 2023, down to £139.980m. The bulk of the forecasted movement in reserves relates to the planned use of reserves to mitigate cost pressures in service areas. This forecast will adjust further through the year as services undertake mitigating actions and savings plans, bringing the forecast closer to the Budget Book forecast for 31 March 2024 of £119.518m.
- 4.5 **Dedicated Schools Grant (DSG):** The latest forecast DSG Reserve is based on the Dedicated Schools Grant (DSG) Recovery Plan combined with the latest information available. This includes amendments for the timing of opening of new provision as school organisation processes have progressed, along with revised costings as a result of teacher and support staff pay increases and inflationary pressures for HNB funded provision and increasing levels of support to enable mainstream schools to effectively meet need and to reduce escalation to specialist provision.
- 4.6 The forecast remains as an in-year deficit of c. £31.984m is forecast, which is £6.836m above the budgeted deficit of £25.149m, which is partially offset by contributions from NCC and DfE in line with the Safety Valve agreement of (£5.5m) and (£6m) respectively. This will increase the DSG Reserve to £66.361m by 31 March 2024, much of which is due to the invest to save element of the plan that will deliver significant savings (and subsequently a balanced in-year budget) in future years.
- 4.7 In recent years, the HNB has seen a significant increase in demand for support into mainstream schools to enable them to meet need; increasing the number of children and young people with SEND to be supported to remain in mainstream provision is a key part of Local First Inclusion and this funding is required to support this. A key intention of the strategic DSG recovery plan is to make additional resources and funding available to mainstream schools to help them meet needs without the need for a referral to specialist settings. As such, the model incorporates an additional strategic investment in funding for mainstream schools for this purpose. Schools are engaging well with this intention more quickly than anticipated when the model was developed and, as a result, we are adjusting the model to reflect greater deployment of this resource which supports positive outcomes for children and remains considerably more cost-effective than specialist provision. It is also promising from the viewpoint of mitigating needs from escalating in future years. The cost pressure in 2023-24 is c. £4.3m.
- 4.8 Specialist Resource Bases are fully funded HNB provision. Although these are run by mainstream schools, they require NCC to ensure that the resources required are funded so that there is no detrimental impact on their school budget. Recent years have seen increases in costs due to pay rises and inflationary pressures and the funding has been reviewed for some bases to ensure that they can continue to operate, resulting in an increase in costs leading to a projected overspend of £0.7m.
- 4.9 Compared to the budgeted deficit, there is a relatively small level of pressure within the independent school placements budget due to the unit cost of provision significantly increasing (in line with cost of living pressures and inflationary pressures seen across many services) along with some small amendments in terms of expected placement numbers compared to the recovery plan now that the timelines for new provision are moving from estimates through to the school organisation process.

- 4.10 Post-16 provision saw a significant increase in the number of pupils supported by the end of the 2022-23 academic year, exceeding that previously expected, leading to a projected overspend of £0.745m. As did provision for children and young people who are unable to access school provision for a variety of reasons including medical needs. This area has seen a significant increase since the covid-19 pandemic disruption to learning with many young people struggling to access mainstream provision as a result, with impacts being felt across the country. These areas bring in-year cost pressures that were not anticipated when the plan was finalised.
- 4.11 All elements of the DSG budget will continue to be kept under close review given the demand-led nature of these budgets. In addition, further work is underway to seek additional mitigations in year to minimise the additional pressures above the budgeted deficit.
- 4.12 Officers have also raised concerns about the imbalance in the market with representatives of the DfE and requested support regarding regulation, to better support the control of costs and improving the outcomes for children and young people within these placements. However, this is not an approach that the DfE wish to take at this stage.
- 4.13 Significant work continues to take place between NCC, Norfolk Schools Forum, groups of school leaders and the wider system to reshape the system in Norfolk to ensure that the right specialist provision is in the right place to meet needs (i.e. the capital investment), whilst also progressing work to transform how the whole system supports additional needs within mainstream provision.
- 4.14 NCC reports the forecast position each term to the Norfolk Schools Forum, in line with DfE expectations and feedback from the Forum continues to be sought. In addition, NCC will report tri-annually to the DfE in relation to progress with the Local First Inclusion programme, with the second report having been submitted in September 2023.
- 4.15 **Provisions included in the table above**

The table above includes forecast provisions of £29.725m comprising:

- £11.708m insurance provision,
- £12.818m landfill provision (this provision is not cash backed),
- £3.421m provisions for bad debts,
- £1.639m business rates appeals provision, and
- £0.139m - a small number of payroll related provisions.

5 New/Confirmed Funding

- 5.1 **Supported Accommodation Reforms:** On 28 April 2023 the government introduced new requirements for providers of supported accommodation for looked after children and care leavers aged 16 and 17. This new legislation will require all providers of supported accommodation to be registered and regulated by OFSTED from 28 October 2023. The Minister of State for Education announced an extra £14.550m funding to support local authorities in delivering these new requirements. Norfolk County Council's share of this funding is £0.787m, to be received in 4 quarterly instalments of £0.196m.

- 5.2 **Sustainability and Improvement Fund:** On 28 July 2023 the Minister of State for Care announced the [allocation for the Market Sustainability and Improvement Fund](#) which provides additional support to local authorities to make tangible improvements to Adult Social Care to increase the social care capacity and retention of workforce to reduce waiting times and increase fee rates paid to social care providers. Norfolk County Council's share of this funding is £6.355m. Additional funding is also anticipated for 2024-25 and will be reflected in the budget process.
- 5.3 **Disabled Facilities Grant (DFG):** On 7 September 2023, DLUHC announced £102m additional funding for the DFG split across 2023-24 (£50m) and 2024-25 (£52m). This capital funding is aimed at providing home adaptations to help eligible older and disabled people to live independently and as safely as possible in their homes. With the express agreements of the district councils, this funding can also be used for wider social care capital projects. In accordance with the Better Care Fund policy, Norfolk's share of this funding is £0.799m, and it will be passed on to the District Councils to deliver the small scale adaptations required.
- 5.4 **Wraparound Childcare Programme :** On 15 March 2023, the government announced an investment of £289m for a national wraparound programme to achieve their ambition of supporting all families who need to access wraparound childcare. The Department of Education (DfE) announced an allocation of £7.421m to Norfolk to build a self-sustaining programme and develop flexible ways of providing childcare. Further details of the plans to deploy this funding are available elsewhere in the individual cabinet member decision report.

6 Budget savings 2023-24 summary

- 6.1 In setting its 2023-24 Budget, the County Council agreed net savings of £59.703m. Details of all budgeted savings can be found in the 2023-24 Budget Book. A summary of the total savings forecast to be delivered is provided in this section.
- 6.2 The latest monitoring reflects total forecast savings delivery of £57.858m at year end.
- 6.3 The forecast savings delivery is anticipated as shown in the table below:

Table 4: Analysis of 2023-24 savings forecast

	Adult Social Services	Children's Services	Community and Environmental Services	Strategy and Transformation	Finance	Total
	£m	£m	£m	£m	£m	£m
Budget savings	28.040	12.517	10.904	2.542	5.700	59.703
Period 7 forecast savings	26.540	12.462	10.614	2.542	5.700	57.858
Savings shortfall (net)	1.500	0.055	0.290	0.000	0.000	1.845

Commentary on savings risk areas

- 6.4 The forecast savings for 2023-24 as at September 2023 is £57.858m against a budgeted savings target of £59.703m. A shortfall of £1.500m has been reported in Adult Social Services, £0.055m in Children’s Services and £0.290m in Community and Environmental Services. Some saving programmes have highlighted risk areas which will need to be kept under review. Any updates to the forecast delivery of savings will be included in future monitoring to Cabinet.

Adult Social Services

- 6.5 Adult Social Services has a significant £28.040m savings target in 2023/24 comprising additional benefits from existing savings initiatives such as the Connecting Communities Programme (ASS030), delivering market utilisation efficiencies through contract performance management (ASS031), continued implementation of the Learning Disabilities transformation programme (ASS032), ongoing benefits from use of Assistive Technology and substantial further use of reserves.
- 6.5 Our major departmental transformation Programme “Connecting Communities” continues to work at pace to embed the new ways of working across the service and to ensure that the benefits are sustainable.
- 6.7 As flagged in previous monitoring reports, it is now necessary to identify an element of forecast non delivery within the Adults Savings Programme relating to prior year savings targets. The non-delivery of these savings directly impacts the revenue forecast but is not included in Table 4.

Norse Care

Our Norse Care contract has had a multi-year savings target to deliver a wholesale transformation of the offer and ensure it is fit for the future types of demand we expect to face. Due to significant delay to the transformation programme it won’t be possible for recurrent savings to be achieved this year. The service is working towards one off partial mitigations but a £1m shortfall in savings delivery is now being forecast for 23/24 relating to a prior year savings target.

Physical Disability Service

It is also now very unlikely that the £1.5m savings associated with the Physical Disability service are to be achieved this year. This is in part due to the delay of the creation of an 18-65 operational service which would have provided increased resource in this area. At the same time, we have seen an adverse underlying movement in cost due to increased numbers of people requiring our support and increased unit costs of care packages. A recovery plan is being put in place in order to try to bring down the overspend as much as possible.

This £1.5m shortfall in savings is contributing towards the Adults overspend position of £1.923m reported at P7,

Children’s Services

- 6.10 It is currently anticipated that all 2023-24 budgeted savings within Children’s Services will be delivered in 2023-24 except for S2324CS035 Post 16 transport: remove option to pay a daily fare (currently only available on local buses which charge fares) £0.055m saving which will no longer be delivered.

- 6.11 Additionally, there is a saving that was partially delayed from 2022-23 (CHS014 £0.1m) that was expected to be delivered within 2023-24 but is now not expected to be delivered until 2024-25. This saving relates to the development of a joint initiative with Norfolk ICB and NSFT, including capital development, co-location of services and additional service offer for young people on the edge of Tier 4 mental health provision. Feasibility work is ongoing for the capital works, funded by NHS England, and the work is complex. All partners are committed to delivering the project and the work will continue.
- 6.12 The forecast assumes that remainder of the savings will be delivered during the remainder of the financial year; significant deviation from these plans could result in an overspend forecast. Therefore, expected delivery of savings will continue to be kept under close review.

Community and Environmental Services

- 6.13 At this stage it is anticipated, unless stated separately, all budgeted savings within Community and Environmental Services will be delivered in 2023-24. One of the savings (S2324FCS021) relates to further income from commercialisation of property assets including County Hall. Given the new tenants were not utilising the space from 1 April there will be an estimated shortfall against the saving in 2023-24 of £0.190m due to rent not being charged for the full year.
- 6.14 An increased income target had been applied to Adult Learning over the past two years linked to the development of a creative hub at the Wensum Lodge site. This project is not progressing as it is no longer viable, and as the service will also be withdrawing from the site, the 2023-24 saving of £0.100m is no longer achievable (S2021CES001).

2024-25 to 2026-27 savings

- 6.15 Budget setting in 2023-24 saw the approval of further investment in essential services through both the removal of previously planned savings and the recognition of cost pressures. As such, the savings plan assumes an increase in budget of £6.197m for 2024-25 followed by savings of £0.669m for 2025-26 and £2.285m savings in 2026-27. The deliverability of these savings, including any 2023-24 savings that are permanently undeliverable, will be considered as part of the budget setting process for 2024-28.

Revenue Annex 1

Forecast revenue outturn

Revenue outturn by service

The forecast net balanced budget is a result of a range of underlying forecast over and underspends which are listed below.

Revenue budget outturn by service – detail

	Revised Budget	Overspend	Under spend	Forecast net spend
		£m	£m	
Adult Social Services				
Purchase of Care		11.815		
Director of Commissioning		0.705		
Director of Community Health & Social Care		0.704		
Director of Community Social Work		0.288		
Director of Strategy & Transformation			(0.042)	
Public Health		0		
Management, Finance & HR			(7.547)	
Use of Reserves			(4.000)	
Net total	247.744	13.512	(11.589)	249.667
Children's Services				
Sufficiency, Planning & Education Strategy (including Home to School Transport)		4.800		
Family Help & High Needs (including Client Placements)		4.000		
Partnership, Inclusion & Practice		1.000		
Use of Reserves			(1.000)	
Net total	232.038	9.800	(1.000)	240.838
Community and Environmental Services				
Cultural and Heritage cost pressures		0.745		
Highways underspends and additional income			(1.519)	
Waste underspends and additional income			(1.656)	
Corporate Property Utilities inflation cost pressure		1.480		
Other CES cost pressures		0.950		
Net total	189.578	3.175	(3.175)	189.578
Strategy and Transformation				
I&A overspends		0.100		
Communications overspends		0.142		
HR cost pressures		0.180		
IMT Digital Services overspends		0.138		
Growth and Investment		0.866		
Use of reserves			(1.426)	
Net Total	26.693	1.426	(1.426)	26.693

Chief Executive's Office				
Elections			(0.269)	
Use of reserves		0.269		
Net Total	4.236	0.269	(0.269)	4.236
Finance				
Interest Payable – savings secured on borrowing undertaken in 22-23 at lower interest rates			(2.245)	
Minimum Revenue Provision – 22-23 capital slippage			(0.926)	
Interest Receivable			(3.896)	
Miscellaneous cost pressures and underspends		0.496		
Business Rates Pool refund			(1.100)	
Net total	(206.582)	0.496	(8.167)	(214.253)
TOTAL	493.707			496.759

Revenue Annex 2 – Dedicated Schools Grant Reserve

<i>Dedicated schools grant</i>	Reserve as at 31 Mar 23	Budgeted Reserve as at 31 Mar 23	Forecast Spend (B)	Forecast Reserve as at 31 Mar 24
High Needs Block			31.984	
DfE Safety Valve funding			-6.000	
NCC Safety Valve contribution			-5.500	
Increase in net deficit to be carried forward			20.484	
Forecast (over) / under spend				
Net deficit (DSG Reserve)*	(45.877)	(73.613)		(66.361)

*The Budget Reserve of (£73.613m) was set before the Safety Valve Agreement was confirmed and therefore does not include the £28m received from the Department for Education in March 2023.

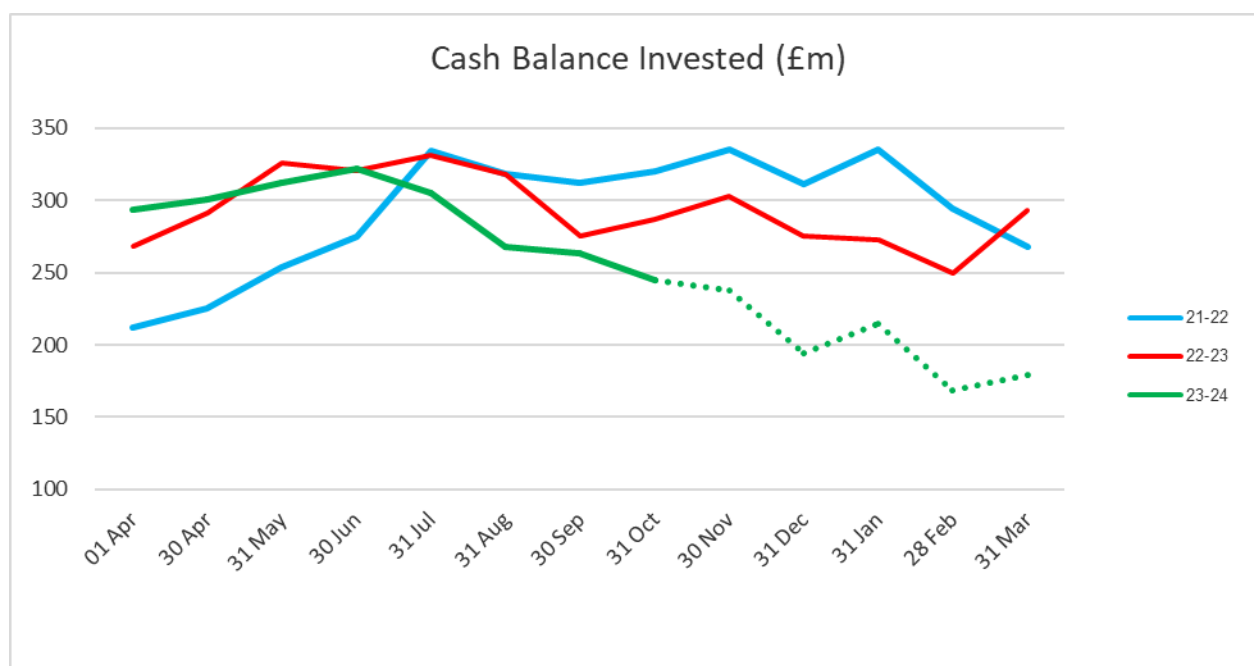
Appendix 2: 2023-24 Balance Sheet Finance Monitoring Report Month 7

Report by the Director of Strategic Finance

1 Treasury management summary

- 1.1 The corporate treasury management function ensures the efficient management of all the authority's cash balances. The graph below shows the level of cash balances over the last two financial years to 31st March, and projections to March 2024.

Chart 2: Treasury Cash Balances



- 1.2 The Council's Treasury Strategy assumes that £65m may be borrowed in 2023-24 to fund capital expenditure in year. The forecast cash flow above takes into account the current capital expenditure forecast, resulting in a closing cash balance of approximately £180m before any further borrowing is undertaken. If the opportunity arises to take up the £65m borrowing planned before 31 March 2024, then the projected year-end cash balances will be approximately £239.721m.
- 1.3 The Council has healthy cash balances for the immediate future with cash balances of £244.734m as at the end of October 2023. The P7 forecast of Interest receivable from treasury investments held by the Council is £4.500m; which is a £3.341m saving against the revenue budget. The interest receivable from non-treasury investments and capital loans is forecast at £2.355m which is a £0.554m saving.
- 1.4 PWLB and commercial borrowing for capital purposes was £828.472m at the end of October 2023. The associated annual interest payable on existing borrowing is £28.588m.
- 1.5 The forecast interest payable for 2023-24 for P7 is for a £2.245m saving against budget assuming the £65m planned borrowing takes place late in Q4 2023-24.

- 1.6 In accordance with the guidance set out in the Prudential Code 2021 (139) and the Treasury Management Code 2021(1.6), the Council sets out its current and full year forecast Prudential and Treasury Management Indicators in Table 1 below.

Table 1: CFR and Net Borrowing Indicators

Prudential and treasury indicators	31.10.23 Actual – YTD £m	2023/24 TM Strategy £m	31.3.24 Forecast £m
Capital expenditure	127.641	251.054	232.693
Capital Financing Requirement:	993.635	1,029.268	1,016.253
Gross borrowing	869.647	975.118	935.999
External debt	825.361	935.045	895.045
Investments	265.225	218.203	263.115
Net borrowing	604.422	756.915	672.884

- 1.7 To date the Council has not increased its PWLB borrowing and has repaid £23.055m of its external debt. As such the P7 Gross Borrowing and External Debt balances are below the 23-24 TM strategy estimates set out in Table 2:

TABLE 2

Prudential Indicator 2023/24	P7 2023-24 £m	2023-24 Strategy £m	Forecast 2023-24 £m
Authorised Limit		1082.735	
Maximum Gross Borrowing position during the year	889.548	934.618	910.343
Operational Boundary		1029.268	1,016.253
Average Gross Borrowing position	840.232	891.835	848.795
Financing Costs as a proportion of net revenue stream (£788.209)		9.12%	8.12%
Capital Financing Requirement		1,029.268	1,016.253

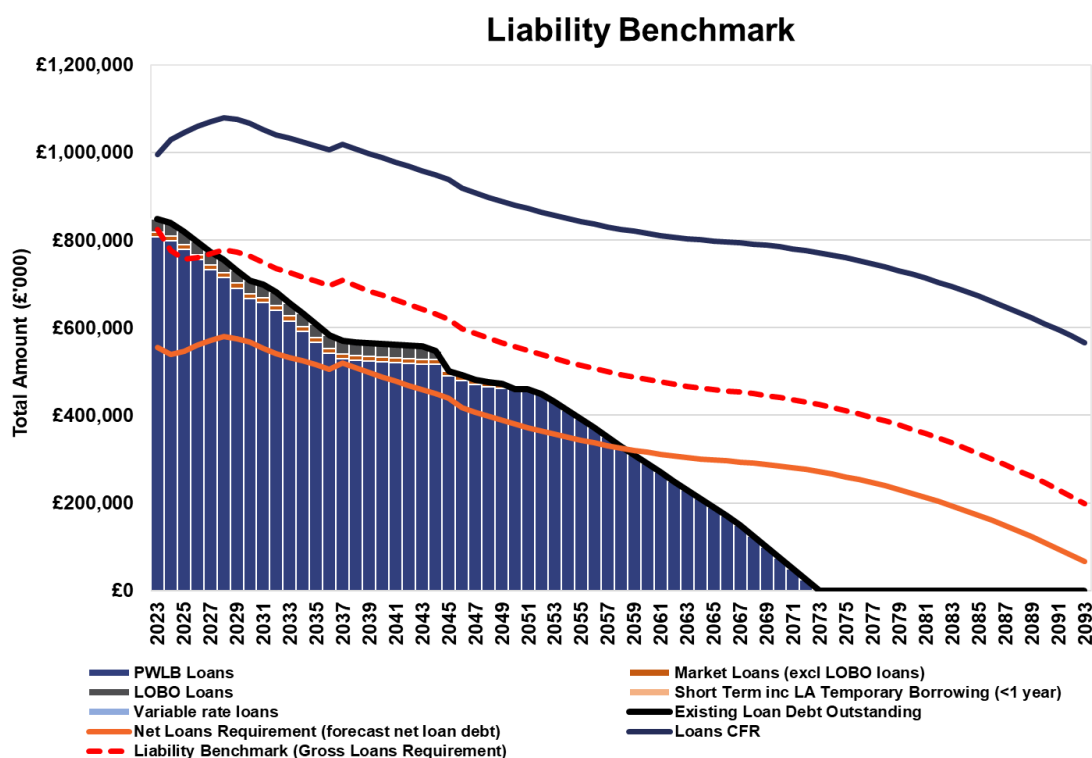
- 1.8 The forecast Prudential Indicators in Table 2 takes into account the P7 Capital Programme, the forecast assumes that reprofiling existing projects in line with historical Capital Programme trends will bring the borrowing requirement down to the £65m

borrowing limit set out in the Treasury Management Strategy. Service Managers are actively working on rephasing their capital projects out to the future years 2024-2028 to close this gap and stay within the Operational Boundary Limit of £1,029.268m.

1.9 The Liability Benchmark (LB) as set out in Chart 3 is a new prudential indicator for 2023/24. As noted in the Treasury Management Strategy for 2023-24, this prudential indicator will be reported to Cabinet at the end of each quarter.

1.10 The Authority is required to estimate and measure the LB for the forthcoming financial year and the following two financial years, as a minimum. The LB below remains consistent with the TM strategy as the Prudential Indicators Forecast in Table 2 remains below the TM limits.

Chart 3: Liability Benchmark



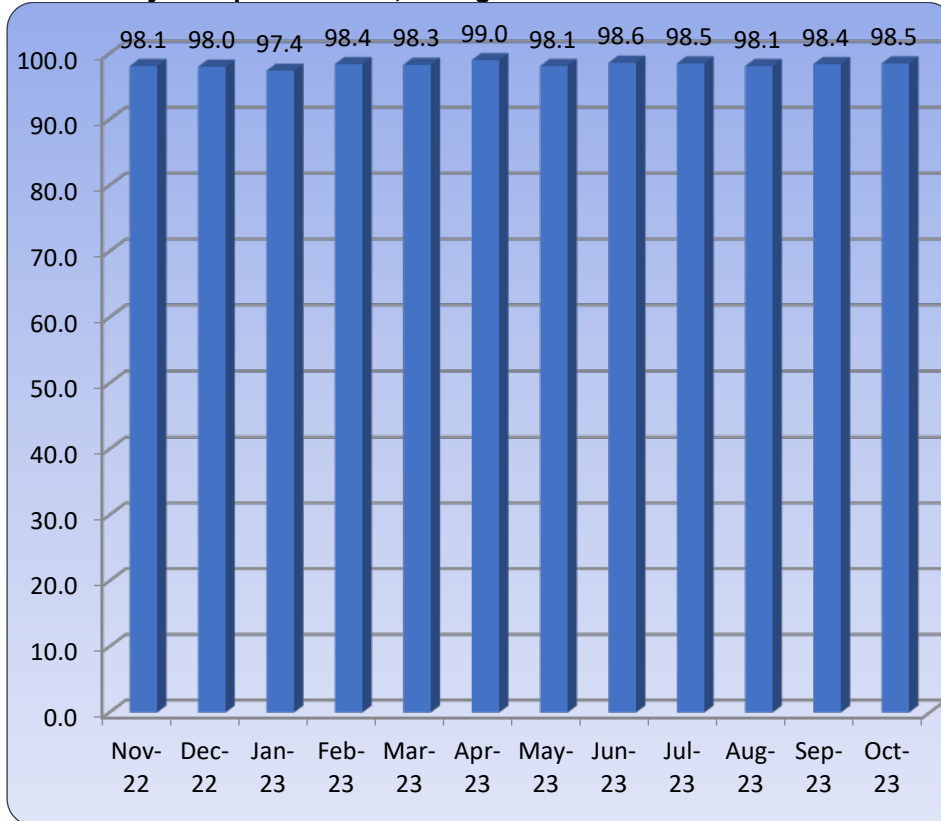
1.11 There are four components to the LB: -

- Existing loan debt outstanding: the Authority’s existing loans that are still outstanding in future years.
- Loans CFR: this is calculated in accordance with the loans CFR definition in the Prudential Code and projected into the future based on approved prudential borrowing and planned MRP.
- Net loans requirement: this will show the Authority’s gross loan debt less treasury management investments at the last financial year-end, projected into the future and based on its approved prudential borrowing, planned MRP and any other major cash flows forecast.
- Liability benchmark (or gross loans requirement): this equals net loans requirement plus short-term liquidity allowance.

2 Payment performance

2.1 This chart shows the percentage of invoices that were paid by the authority within 30 days of such invoices being received. Some 470,000 invoices are paid annually. 98.5% were paid on time in October 2023 against a target of 98%. The percentage has returned to above the target of 98% since February 2023.

Chart 4: Payment performance, rolling 12 months



Note: The figures include an allowance for disputes/exclusions.

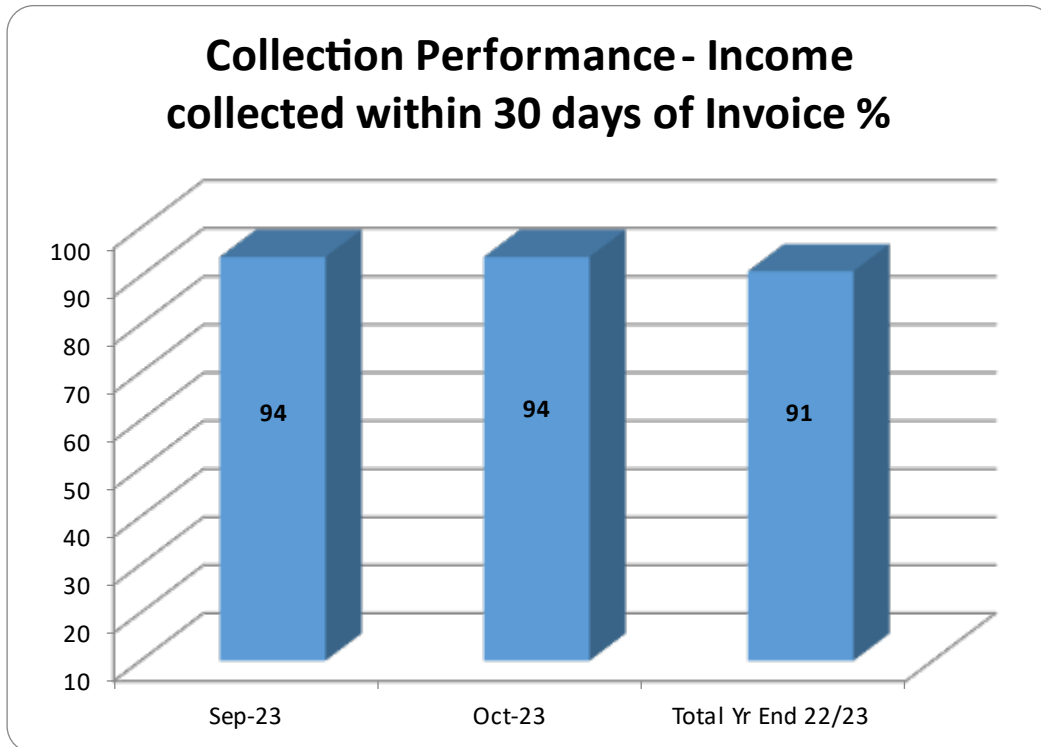
3 Debt recovery

3.1 **Introduction:** In 2022-23 the County Council raised over 126,935 invoices for statutory and non-statutory services. These invoices totalled in excess of £1.197bn. Through 2022-23 91.2% of all invoiced income was collected within 30 days of issuing an invoice, with 98% collected within 180 days.

Debt collection performance measures – latest available data

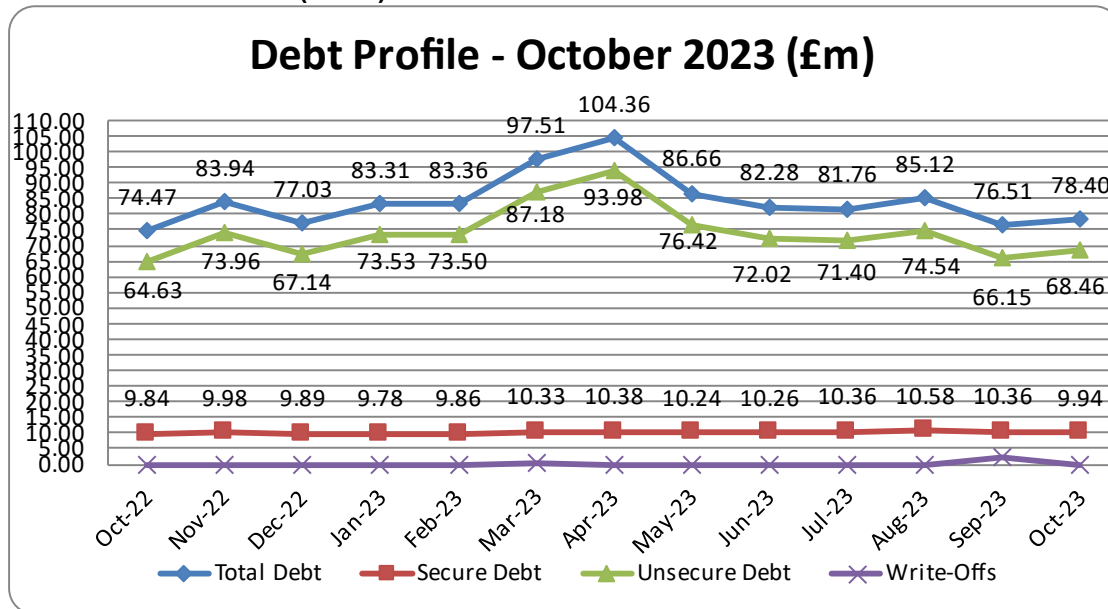
3.2 The proportion of invoiced income collected within 30 days for invoices raised in the previous month – measured by value – was 94% in October 23.

Chart 5 : Latest Collection Performance



3.3 The value of outstanding debt is continuously monitored, and recovery procedures are in place to ensure that action is taken to recover all money due to Norfolk County Council. The level of debt is shown in the following graph:

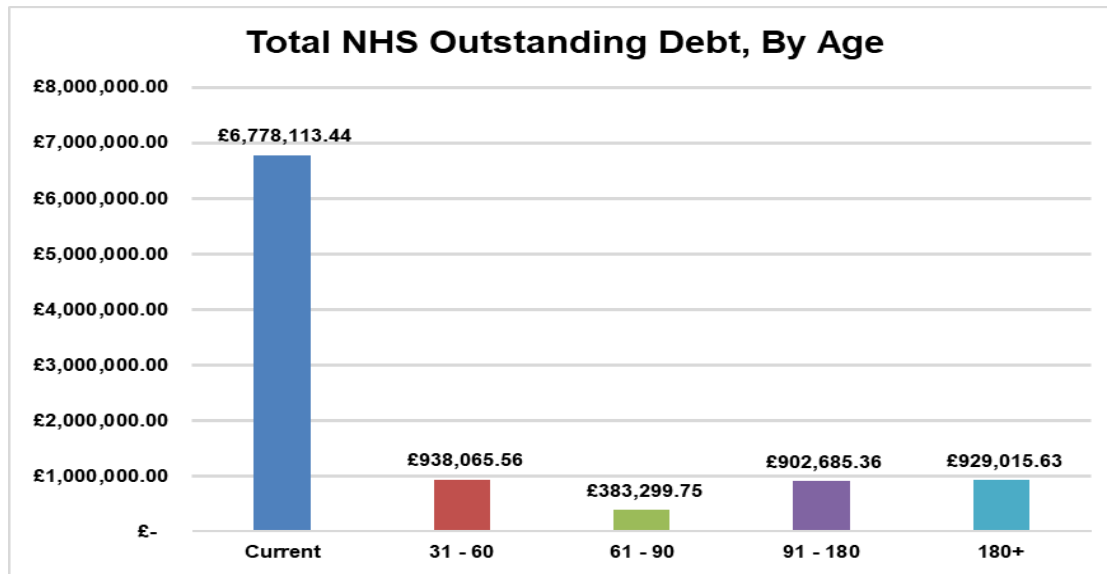
Chart 6: Debt Profile (Total)



- 3.4 Secured debts amount to £9.94m at 31 October 2023. Within this total £3.36m relates to estate finalisation where the client has died, and the estate is in the hands of the executors.
- 3.5 The overall level of unsecure debt increased by £2.31m in October 2023. Of the £68.46m unsecure debt at the end of October 23; £15.62m is under 30 days, £1.80m has been referred to NPLaw, £1.24m is being paid off by regular instalments and £12.84m is awaiting estate finalisation.
- 3.6 The largest area of unsecure debt relates to charges for social care, £51.71m, of which £9.01m is under 30 days and £9.93m is debt with the Norfolk and Waveney ICB (formerly Norfolk CCG's) for shared care, Better Care Pooled Fund, continuing care and free nursing care. The overall debt with the ICB has increased by £1.61m in October 2023 as ICB settled a significant proportion of its oldest debts as part of the debt resolution agreement with the Council.

3.7 Norfolk and Waveney ICB Debt

Chart 7 below shows the debt aging profile of the remaining ICB debt at 31 October 2023



The Council has received the ICB net payment of £4,826,974 relating to the Historic Payables and Receivables arrangement agreed at Cabinet in September 2023. Work is now progressing between the organisations to complete the wider elements included within the agreement. This includes:

- An end to end process review of both parties collective payments processes
- A focus on recovery of newer debt
- Formal written agreements for some key areas of transactions

3.8 **Debt write-offs:** In accordance with Financial Regulations and Financial Procedures, Cabinet is required to approve the write-off of debts over £10,000. The Director of Strategic Finance approves the write-off of all debts up to £10,000.

3.9 Service departments are responsible for funding their debt write-offs. Before writing off any debt all appropriate credit control procedures are followed.

3.10 For the period 1 April 2023 to 31st October 2023, 169 debts less than £10,000 were approved to be written off following approval from the Director of Strategic Finance. These debts totalled £12,673.94.

3.11 Following the agreement reached between Norfolk County Council and NHS Norfolk and Waveney ICB, Cabinet approved the write off for £2.4m.

Norfolk County Council Finance Monitoring Report 2023-24

Appendix 3: 2023-24 Capital Finance Monitoring Report

Report by the Director of Strategic Finance

1 Capital Programme 2023-27+

- 1.1 On 21 February 2023, the County Council agreed a 2023-24 capital programme of £351.054m with a further £605.917m allocated to future years', giving a total of £956.971m. This was based on a forecast outturn for 2022-23 of £283.583m
- 1.2 The Capital Programme was increased by £62.938m in March 2023 following the receipt of various sources of external funding. The bulk of this additional funding was reprofiled into 2023-24 leaving a Capital Outturn of £217.273m for 2022-23 as reported to Cabinet on 5 June 2023.
- 1.3 £125.940m was moved from 2022-23 into 2023-24 and future years resulting in an overall capital programme at 1 April 2023 of £1,085.104m. This prompted a review of the capital programme – Review Round 1, to address the viability of delivering a £462.690m capital programme in 2023-24. Further in-year adjustments have resulted in the capital programme shown below:

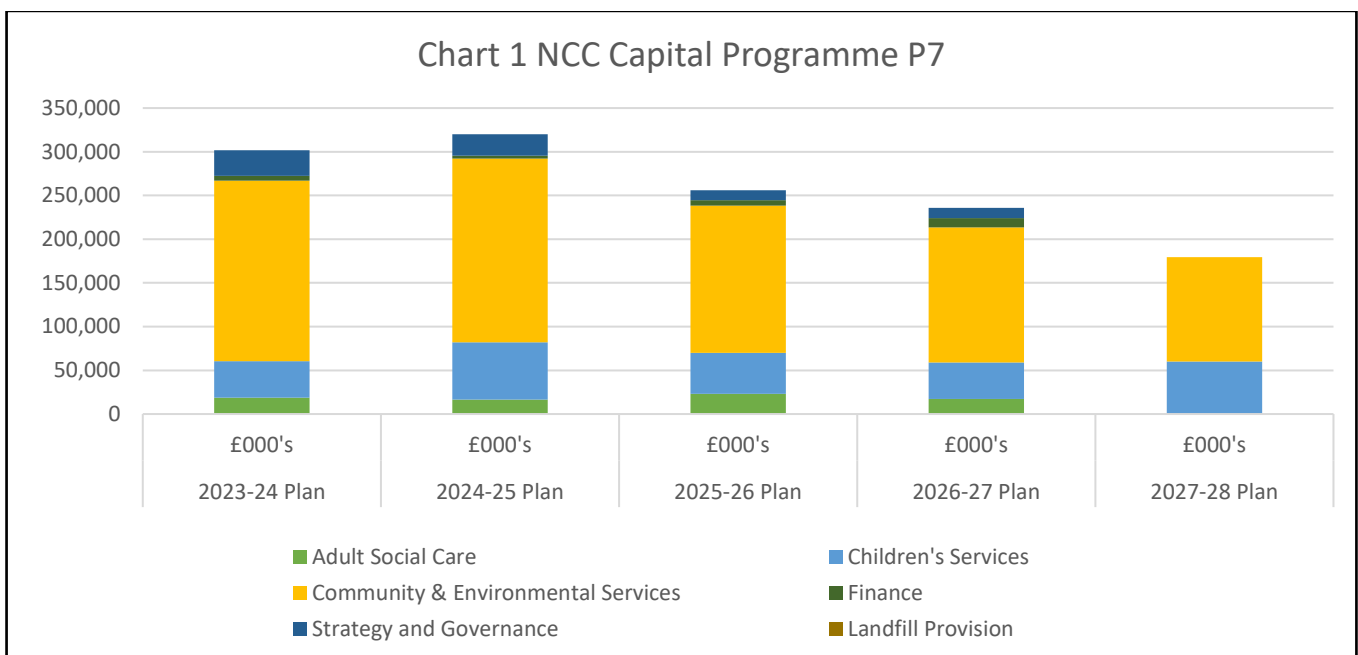
Table 1: Capital Programme budget

	2023-24 budget	Future years
	£m	£m
Uplifts to existing schemes approved in February 2023	1.219	4.548
New schemes approved in February 2023	13.685	20.737
Previously approved schemes brought forward	336.150	580.632
Totals in 2022-27+ Budget Book (total £956.971m)	351.054	605.917
Schemes re-profiled after budget setting (£125.940m)	109.443	16.497
New schemes approved after budget setting including new grants received	2.193	
Revised opening capital programme (total £1,085.104m)	462.690	622.414
Net Re-profiling since start of year	-185.694	185.694
Other movements including new grants and approved schemes	24.853	183.053
Total capital programme budgets (total £1,293.010m)	301.849	991.161

Note: this table and the tables below contain rounding differences

- 1.4 The P7 review of capital schemes takes into account the progress to date and as a result, a net £3.420m has been reprofiled back to the 2023-24 from the future years, resulting in a net reprofiling total from 2023-24 into future years of £185.694m. The review also adjusted for changes in NCC borrowing required and updates for grant funded projects resulting in a net increase of £126.542m, made up of the following changes:

- £73.300m increase to the West Winch Bypass project, mainly funded through a £74.202m increase in Department of Transport and Homes England funding reflecting the OBC submission and a £1.05m reduction in NCC Borrowing required to fund this project. The latest forecast is disclosed in a paper elsewhere on the agenda
- £22.882m increase in the Norwich Western Link project following the approval of the Outline Business Case and to reflect the latest forecast reported elsewhere on the agenda
- £11.646m increase in the Long Stratton Bypass project mainly funded through an increase in the Department of Transport grant of £17.717m and a £4.979m reduction in the GNGB supported borrowing required for the project as reported to Cabinet on 6th November
- £18.483m increase in Department for Transport funding for Countywide BSIP schemes
- £0.155m increase in external contributions to various Children’s Services schemes
- £0.07m increase in NCC Borrowing to support the Planning and Advisory Scheme
- £0.006m net increase in various other schemes

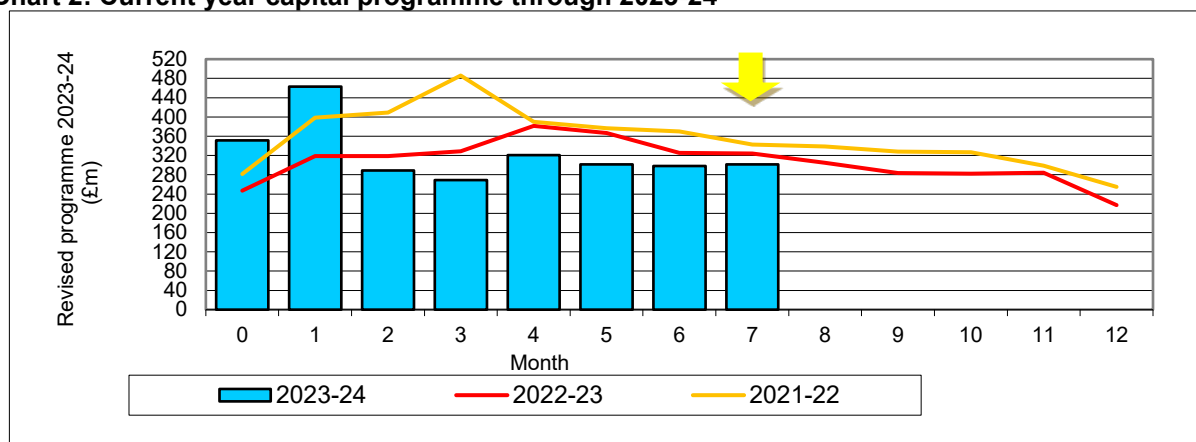


- 1.5 Chart 1 shows that continued reprofiling efforts have address the “spike” in 2024-25 budgets bringing it closer to the average run-rate of the Council’s annual capital programme. There is further reprofiling required to bring the 2023-24 and 2024-25 capital programmes down to a sustainable run rate of around £260m per annum. Further reductions and reprofiling of the budget will be reported in the P8 Finance Monitoring Report in January 2024.
- 1.6 The Capital Programme will also be updated for notifications of capital grant funding, including the £9m uplift in Department of Transport funding for the Highways Maintenance Block announced on 17 November 2023. The Council will adjust the profile of capital expenditure funded from NCC borrowing accordingly to accommodate the grant funded projects in the current year.
- 1.7 The full impact of Capital Review Board’s scrutiny of schemes in the capital programme will be reflected in Capital Monthly Reporting to cabinet in future months.

Changes to the Capital Programme

- 1.8 The following chart shows changes to the 2023-24 capital programme through the year. The current year capital programme is following the same trend of building up in the first half of the year as the Council receives notification of central government capital grants and then gradually settles down to a sustainable delivery level as projects are profiled and reprofiled as schemes develop.

Chart 2: Current year capital programme through 2023-24



- 1.9 Month “0” shows the 2023-24 capital programme at the time of budget approval, with schemes reprofiled from the prior year after budget setting shown in month 1, followed by the most up to date programme. The current year programme will change as additional funding is secured, and when schemes are re-profiled to future years as timing becomes more certain.
- 1.10 The P7 Capital Programme of £301.849m is approximately £50m higher than the capital programme delivered in the last two years (£217.0m – 22-23 and £254.87m – 21-22). Therefore, we can expect a similar trend of reprofiling to occur in 2023-24.
- 1.11 In P7 the Council departments continued their review to identify any reprofiling due and to release any budgets that are no longer deemed to be economically viable given the current climate of rising interest rates. This resulted in £3.420m being brought forward from future years into 2023-24 initially.
- 1.12 Following the Strategic Review restructure of services, the capital projects have been moved into their new service areas. The opening programme has been restated to reflect the new structure. The current year’s capital budget is as follows:

Table 2: Service capital budgets and movements 2023-24

Service	Previous reported Current Year Budget	Reprofiling since previous report	Other Changes since previous report	2023-24 latest Capital Budget
	£m	£m	£m	£m
Adult Social Care	19.947	(1.221)	0.000	18.725
Children's Services	38.578	3.029	0.156	41.763
Community & Environmental Services	205.137	1.612	(0.112)	206.637
Finance	5.373	0.000	0.028	5.401
Strategy & Transformation	29.322			29.322
Total	298.357	3.420	0.072	301.849

Note: this table may contain rounding differences.

1.13 The revised programme for future years (2023-24 to 2026-27) is as follows:

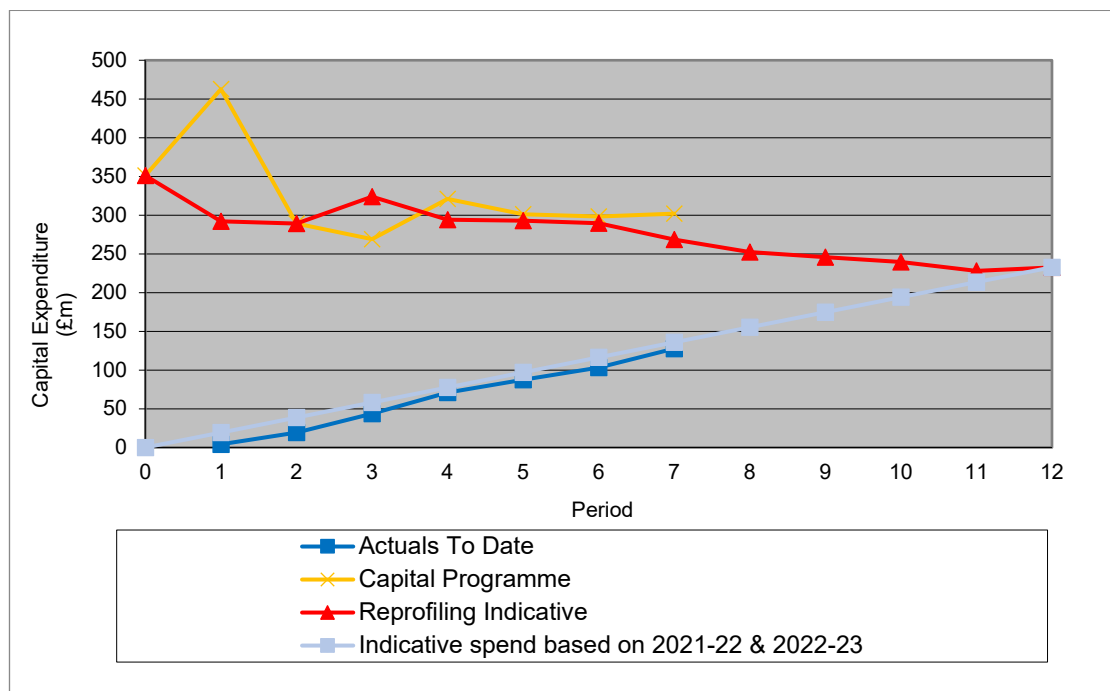
Table 3: Capital programme future years 2022+

Service	Previously reported future programme	Reprofiling since previous report	Other Changes since previous report	2022+ Future Capital Budget
	£m	£m	£m	£m
Adult Social Care	55.873	1.221	0.000	57.094
Children's Services	216.928	(3.029)	0.000	213.898
Community & Environmental Services	527.551	(1.612)	125.378	652.409
Finance	20.366	0.000	0.000	20.366
Strategy & Transformation	47.394			47.394
Total	868.111	(3.420)	125.378	991.161

Note: this table contains rounding differences

1.14 Chart 3 below shows the movement on the current year capital budget and year to date capital expenditure:

Chart 3: Actual Capital Expenditure to date



1.15 The graph shows that actual year to date capital spend is ahead of the opening forecast, which was based on the opening capital programme and an indicative calculation based on previous years' expenditure. It also shows that expected reprofiling of budgets to future years as the progress on projects becomes clearer. As a result, capital expenditure 23-24 forecast at P7 is £232.693m.

1.16 Whilst the forecast takes into account the historical tendencies for capital slippage, it does not fully reflect recent inflationary cost pressures in the costs of construction. We are also currently seeing high levels of inflation on the cost of construction schemes, particularly in the Castle Keep refurbishment project and the major Highways projects. The Council will continue to monitor this risk and review the potential pressures on the capital programme. The impact of cost pressures on the capital programme forecast will be picked up as part of the regular capital monitoring process.

2 Financing the capital programme

2.1 Funding for the capital programme comes primarily from grants and contributions provided by central government and prudential borrowing. These are supplemented by capital receipts, developer contributions, and contributions from revenue budgets and reserves.

Table 4: Financing of the capital programme

Funding stream	2023-24 Programme	Future Years Forecast
	£m	£m
NCC Prudential Borrowing	69.947	375.152
Supported Borrowing	14.209	31.540
Use of Capital Receipts (see note 2.2)	22.250	0.000
Revenue & Reserves	0.630	3.005
<i>Grants and Contributions:</i>		
DfE	26.330	72.067
DfT	125.827	456.449
DoH	9.977	0.190
DLUHC	0.000	0.000
DCMS	0.000	0.000
DEFRA	0.139	0.000
Developer Contributions	10.878	26.472
Other Local Authorities	2.991	0.688
Local Enterprise Partnership	1.374	0.000
Community Infrastructure Levy	2.476	1.654
National Lottery	3.039	0.000
Academies	0.000	0.000
Commercial Contributions	0.000	0.000
Business rates pool fund	0.000	0.000
Other	11.782	23.944
Total capital programme	301.849	991.161

Note: this table may contain rounding differences

- 2.3 For the purposes of the table above, it is assumed that capital receipts will be applied to short-life assets and through the flexible use of capital receipts as set out in section 3 below and will be applied in line with the Council's Minimum Revenue Provision Statement.
- 2.4 Developer contributions are funding held in relation to planning applications. Section 106 (Town and Country Planning Act 1990) contributions are held in relation to specific projects: primarily schools, with smaller amounts for libraries and highways. The majority of highways developer contributions are a result of section 278 agreements (Highways Act 1980).
- ### 3 Capital Receipts
- 3.1 The Council's property portfolio is constantly reviewed to ensure assets are only held where necessary so that capital receipts or rental income can be generated. This in turn reduces revenue costs of the operational property portfolio.
- 3.2 The capital programme, approved in February 2023, gave the best estimate at that time of the value of properties available for disposal in the four years to 2026-27, totalling £18.744m.

Table 5a: Disposals capital programme forecast

Financial Year	Property sales forecast £m
2023-24	3.678
2024-25	4.640
2025-26	6.641
2026-27	3.785
	18.744

The timing of future year sales is the most optimistic case and may slip into future years if sales completions are delayed.

3.3 The revised schedule for current year disposals is as follows:

Table 5b: Capital receipts and forecast use current financial year £m

Capital receipts 2023-24	£m
Capital receipts reserve brought forward	21.947
Loan repayments – subsidiaries forecast for year	2.856
Loan repayments – LIF loan repayments to date	1.131
Capital receipts to date	
Capital receipts in year	1.238
Capital Receipts forecasted for asset disposals subject to contract	2.853
Secured capital receipts to date	4.091
Potential current year farms sales	0.601
Potential current year non-farms sales	1.494
Potential development property sales	0.600
Potential capital receipts	2.695
Forecast available capital receipts	32.721
Forecast use of capital receipts	
Maximum flexible use of capital receipts to support transformation costs (ASC £2.25m)	3.000
Repayment of CIL supported borrowing and Capital Loans	3.987
To fund short-life assets – IT and VPE	20.000
Total Capital Receipts Utilisation	26.987
Capital Receipts Reserve to carry forward	5.733
Norwich Western Link Reserve	5.061
Remaining Capital Receipts Unutilised	0.672

3.4 As can be seen from this table, enough capital receipts have been secured to support the use of capital receipts to support transformation costs, short-life capital expenditure and the Norwich Western Link project, previously approved by County Council.

3.5 Further sales will contribute to the capital receipts reserve which can be used to reduce the external borrowing requirement, fund debt repayments, flexible use of capital receipts or to directly fund capital expenditure, thereby reducing the Capital Funding Requirement (CFR).

- 3.6 On 10 February 2021, the DLUHC announced that the flexibility granted to local authorities to utilise capital receipts to support transformation costs has been extended for a further 3 years. Table 5b includes £3m earmarked for this in 2023-24, of which £2.25m has been utilised within the Adult Social Care Transformation Programme

4 New capital budget in the pipeline

- 4.1 There are no new schemes for consideration this month.

ANNEX A: Movements in Capital Budgets – P7 October 2023

SR Department	SR SubCom	Funding Type	Project co	Project Description	Sum of 23-24 reduction	Sum of 23-24 increase	Sum of Reprofile 23-24	Sum of Reprofile FY	Sum of FY movement
Adult Social Services (Directorate)	Adult Social Care.	NCC Borrowing and Capital Receipts	SC8170	Supported Living Programme			78,520	- 78,520	
Adult Social Services (Directorate)	Adult Social Care.	NCC Borrowing and Capital Receipts	SC8200	SL Kettlewell, King's Lynn			- 1,300,000	1,300,000	
Adult Social Services (Directorate)	Adult Social Care.	NCC Borrowing and Capital Receipts Total					- 1,221,480	1,221,480	
Adult Social Services (Directorate) Total							- 1,221,480	1,221,480	
Children's Services (Directorate)	Children's Services	External Funding	EC3820	Harleston Developer cont			11,200	- 11,200	
Children's Services (Directorate)	Children's Services	External Funding	EC3827	Bradwell Developer contribution			- 10	10	
Children's Services (Directorate)	Children's Services	External Funding	EC3829	Brundall Developer cont			160,310	- 160,310	
Children's Services (Directorate)	Children's Services	External Funding	EC3865	Hopton Developer Contribution		27,500			
Children's Services (Directorate)	Children's Services	External Funding	EC4822	Condition Funding			221,860	- 221,860	
Children's Services (Directorate)	Children's Services	External Funding	EC4990	High Needs Provision Capital			350,000	- 350,000	
Children's Services (Directorate)	Children's Services	External Funding	EC4991	Norfolk Family Hub		119,400			
Children's Services (Directorate)	Children's Services	External Funding	ECAPDC	VA SCH BASED CAPITAL PROJ		870			
Children's Services (Directorate)	Children's Services	External Funding	ECAPFM	CAPITAL FORMULA		8,060			
Children's Services (Directorate)	Children's Services	External Funding Total				155,830	743,360	- 743,360	
Children's Services (Directorate)	Children's Services	NCC Borrowing and Capital Receipts	EC4822	Condition Funding			- 221,860	221,860	
Children's Services (Directorate)	Children's Services	NCC Borrowing and Capital Receipts	EC4958	Swaffham SEN Land			2,500,000	- 2,500,000	
Children's Services (Directorate)	Children's Services	NCC Borrowing and Capital Receipts	ECAPFM	CAPITAL FORMULA			7,970	- 7,970	
Children's Services (Directorate)	Children's Services	NCC Borrowing and Capital Receipts Total					2,286,110	- 2,286,110	
Children's Services (Directorate)	Children's Services	Revenue and Reserves	ECAPDC	VA SCH BASED CAPITAL PROJ	- 20				
Children's Services (Directorate)	Children's Services	Revenue and Reserves Total			- 20				
Children's Services (Directorate) Total					- 20	155,830	3,029,470	- 3,029,470	
Community & Environmental Services (Dir Environment)	Environment	NCC Borrowing and Capital Receipts	PQ7008	Norfolk Windmills Trust - Review			- 98,080	98,080	
Community & Environmental Services (Dir Environment)	Environment	NCC Borrowing and Capital Receipts	PQ7011	Planning and Advice		75,000			
Community & Environmental Services (Dir Environment)		NCC Borrowing and Capital Receipts Total				75,000	- 98,080	98,080	
Community & Environmental Services (Dir Environment) Total						75,000	- 98,080	98,080	

SR Department	SR SubCom	Funding Type	Project co	Project Description	Sum of 23-24 reduction	Sum of 23-24 increase	Sum of Reprofile 23-24	Sum of Reprofile FY	Sum of FY movement
Community & Environmental Services (Dir)	Highways	External Funding	PAA003	Norwich - Transforming Cities bid			- 4,047,530	4,047,530	- 1,285,220
Community & Environmental Services (Dir)	Highways	External Funding	PBA026	Countywide ZETC Business Case - Bus Infra Scheme		13,280			
Community & Environmental Services (Dir)	Highways	External Funding	PBA036	Countywide BSIP Programme Resources			- 298,180	298,180	18,483,090
Community & Environmental Services (Dir)	Highways	External Funding	PE0000	Cycling Schemes Budget & Forecast			- 4,350	4,350	
Community & Environmental Services (Dir)	Highways	External Funding	PEA061	Kings Lynn Reffley Ln -Cycle Barrier Review Scheme		4,000			
Community & Environmental Services (Dir)	Highways	External Funding	PFA052	Nch City Centre E-bound through-traffic reduction	- 80,000				
Community & Environmental Services (Dir)	Highways	External Funding	PJA123	BarnhmBroom NWLTrafficMitigatn SpeedReductMeasures		20,000			
Community & Environmental Services (Dir)	Highways	External Funding	PJA124	KmbrlyWyndhmCrletn NWLTrafficMitigatn SpeedReduct		20,000			
Community & Environmental Services (Dir)	Highways	External Funding	PJA126	Horsfrd/Felthorp NWL TrafficMitigation Nrth A1067		40,000			
Community & Environmental Services (Dir)	Highways	External Funding	PJA127	WestonLongville NWL TrafficMitigation SpeedReductn		30,000			
Community & Environmental Services (Dir)	Highways	External Funding	PJA128	Filby Pedestrian crossing survey		5,000			
Community & Environmental Services (Dir)	Highways	External Funding	PKA069	King's Lynn, Southgates Roundabout Study			64,910	- 64,910	
Community & Environmental Services (Dir)	Highways	External Funding	PKA117	Harleston and Redenhall, Town Centre Refurbishment		10,000			
Community & Environmental Services (Dir)	Highways	External Funding	PKA124	Countywide LCWIP (Local Cycling & Walking Plans)		10			
Community & Environmental Services (Dir)	Highways	External Funding	PKA024	Long Stration Bypass		1,092,610			16,624,330
Community & Environmental Services (Dir)	Highways	External Funding	PR3673	S278 HADBA NNUH R/about Colney - Bullen Dev		27,850			
Community & Environmental Services (Dir)	Highways	External Funding	PRA025	HADBA ACA Wymondham Signal Upgrade - Lovells		71,590			
Community & Environmental Services (Dir)	Highways	External Funding	PKA021	West Winch Bypass		93,150			74,201,840
Community & Environmental Services (Dir)	Highways	External Funding	PK1002	Ringland A47-A1067 Western Link Road		154,840	12,695,620	- 12,695,620	
Community & Environmental Services (Dir)	Highways	External Funding Total			- 80,000	1,582,330	8,410,470	- 8,410,470	108,024,040

SR Department	SR SubCom	Funding Type	Project Code	Project Description	Sum of 23-24 reduction	Sum of 23-24 increase	Sum of Reprofile 23-24	Sum of Reprofile FY	Sum of FY movement
Community & Environmental Services (Dir)	Highways	NCC Borrowing and Capital Receipts	PGA066	Countywide ANoC11 - Countywide LED replacement			15,810	- 15,810	
Community & Environmental Services (Dir)	Highways	NCC Borrowing and Capital Receipts	PLA941	West Winch Main Road - Ped Crossing			- 74,770	74,770	
Community & Environmental Services (Dir)	Highways	NCC Borrowing and Capital Receipts	PM9999	Other Highways Schemes Budget & Forecast			- 41,820	41,820	
Community & Environmental Services (Dir)	Highways	NCC Borrowing and Capital Receipts	PMA259	North Walsham - Market Town Drainage			1,830	- 1,830	
Community & Environmental Services (Dir)	Highways	NCC Borrowing and Capital Receipts	PMB383	Countywide - Ash Dieback			55,060	- 55,060	
Community & Environmental Services (Dir)	Highways	NCC Borrowing and Capital Receipts	PMB384	Countywide - Ash Diebeck (Works)					
Community & Environmental Services (Dir)	Highways	NCC Borrowing and Capital Receipts	PMB389	Additional Surface Dressing funding from extra 10m			88,920	- 88,920	
Community & Environmental Services (Dir)	Highways	NCC Borrowing and Capital Receipts	PN9999	Default Project code for CES schemes			4,000	- 4,000	
Community & Environmental Services (Dir)	Highways	NCC Borrowing and Capital Receipts	PKA024	Long Stration Bypass					- 6,071,230
Community & Environmental Services (Dir)	Highways	NCC Borrowing and Capital Receipts	PKA021	West Winch Bypass	-1049990		3,800,000	- 3,800,000	
Community & Environmental Services (Dir)	Highways	NCC Borrowing and Capital Receipts	PK1002	Ringland A47-A1067 Western Link Road			- 10,368,580	10,368,580	23,424,870
Community & Environmental Services (Dir)	Highways	NCC Borrowing and Capital Receipts Total			- 1,049,990	-	- 6,519,550	6,519,550	17,353,640
Community & Environmental Services (Dir)	Highways	Revenue and Reserves	PKA069	King's Lynn, Southgates Roundabout Study					
Community & Environmental Services (Dir)	Highways	Revenue and Reserves	PLA941	West Winch Main Road - Ped Crossing			55,250		
Community & Environmental Services (Dir)	Highways	Revenue and Reserves	PK1002	Ringland A47-A1067 Western Link Road	- 698,170				
Community & Environmental Services (Dir)	Highways	Revenue and Reserves Total			- 698,170	55,250	-	-	-
Community & Environmental Services (Dir)	Highways Total				- 1,828,160	1,637,580	1,890,920	- 1,890,920	125,377,680

SR Department	SR SubCom	Funding Type	Project co	Project Description	Sum of 23-24 reduction	Sum of 23-24 increase	Sum of Reprofile 23-24	Sum of Reprofile FY	Sum of FY movement	
Community & Environmental Services (Dir)	Libraries	External Funding	LL0737	S106 Former Gas Works, 115 Bury Rd, Thetford THE			- 2,600	2,600		
Community & Environmental Services (Dir)	Libraries	External Funding	LL0844	S106 Land adj. Lowestoft Rd, Hopton. GOR		3,180				
Community & Environmental Services (Dir Libraries		External Funding Total				3,180	- 2,600	2,600		
Community & Environmental Services (Dir)	Libraries	NCC Borrowing and Capital Receipts	LL1037	Library Book Stock			- 55,000	55,000		
Community & Environmental Services (Dir Libraries		NCC Borrowing and Capital Receipts Total					- 55,000	55,000		
Community & Environmental Services (Dir Libraries Total						3,180	- 57,600	57,600		
Community & Environmental Services (Dir)	Offices	NCC Borrowing and Capital Receipts	CA2262	Whitegates Relocation/Fire Station Remodelling			227,000	- 227,000		
Community & Environmental Services (Dir Offices		NCC Borrowing and Capital Receipts Total					227,000	- 227,000		
Community & Environmental Services (Dir Offices Total							227,000	- 227,000		
Community & Environmental Services (Dir)	Planning	NCC Borrowing and Capital Receipts	PQ7020	Planning Service Advice			- 350,000	350,000		
Community & Environmental Services (Dir Planning		NCC Borrowing and Capital Receipts Total					- 350,000	350,000		
Community & Environmental Services (Dir Planning Total							- 350,000	350,000		
Community & Environmental Services (Directorate) Total					-	1,828,160	1,715,760	1,612,240	- 1,612,240	125,377,680
Finance Directorate	Capital Programme Manage	Revenue and Reserves	KF0069	FES Direct Payments HR & Payroll Service		28,120				
Finance Directorate		Capital Programme Manage Revenue and Reserves Total				28,120				
Finance Directorate		Capital Programme Management Total				28,120				
Finance Directorate Total						28,120				
Strategy and Transformation	Growth & Investment	NCC Borrowing and Capital Receipts	PU2918	Great Yarmouth O&M Campus			- 1,500,000	1,500,000		
Strategy and Transformation	Growth & Investment	External Funding	PU2918	Great Yarmouth O&M Campus			1,500,000	- 1,500,000		
Strategy and Transformation		Growth & Investment				-	-	-	-	
Strategy and Transformation		Growth & Investment				-	-	-	-	
Strategy and Transformation						-	-	-	-	
Grand Total					-	1,828,180	1,899,710	3,420,230	- 3,420,230	125,377,680

