

# Scrutiny Committee

Date: **Thursday 25 January 2024**

Time: **10 am**

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

## Membership:

Cllr Steve Morpew (Chair)	Cllr Mark Kiddle-Morris
Cllr Daniel Elmer (Vice-Chair)	Cllr Brian Long
Cllr Carl Annison	Cllr Ed Maxfield
Cllr Lesley Bambridge	Cllr Jamie Osborn
Cllr Phillip Duigan	Cllr Brian Watkins
Cllr John Fisher	
Cllr Tom FitzPatrick	
Cllr Keith Kiddie	

## Parent Governor Representatives      Church Representatives

Vacancy	Helen Bates
Vacancy	Paul Dunning

## 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](mailto: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.

## Agenda

### 1 To receive apologies and details of any substitute members attending

### 2 Minutes

(To follow)

To confirm the minutes of the meetings held on 13 and 20 December 2023

### 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 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](mailto:committees@norfolk.gov.uk)) by **5pm on Friday 19 January 2024**. For guidance on submitting a

public question, please visit <https://www.norfolk.gov.uk/what-we-do-and-how-we-work/councillors-meetings-decisions-and-elections/committees-agendas-and-recent-decisions/ask-a-question-to-a-committee>

## **5 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](mailto:committees@norfolk.gov.uk)) by **5pm on Friday 19 January 2024**.

## **6 To note that the deadline for calling-in matters, from the Cabinet meeting held on Wednesday 10 January 2023 was 4pm on Thursday 18 January 2024.**

## **7 Access to the Norfolk Museums Service (Page 4)** Report from the Interim Executive Director of Community and Environmental Services

## **8 Norwich Western Link Update (Page 19)** Report from the Interim Executive Director of Community and Environmental Services

## **9 Update on Provisional Local Government Finance Settlement (Page 58)** Report from the Director of Strategic Finance

## **10 Scrutiny Committee Forward Work Programme (Page 63)**

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

Date Agenda Published: 17 January 2024



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# Scrutiny Committee

Item No: 7

**Report Title: Access to Norfolk Museums Service**

**Date of Meeting: 25 January 2024**

**Responsible Cabinet Member: Cllr Margaret Dewsbury (Cabinet Member for Communities & Partnerships)**

**Responsible Director: Steve Miller, Director of Culture & Heritage**

## Executive Summary

This report was requested by Scrutiny Committee members as part of the annual work programming process. Members are asked to consider the information presented around access to the Norfolk Museums Service and provide feedback and recommendations.

Norfolk Museums Service (NMS) is the joint museums service of Norfolk, led by Norfolk County Council and supported by the City and District Councils of Norfolk. It is also an Arts Council England National Portfolio Organisation (NPO), receiving more than £1.4m per annum towards its programmes and learning activities including award-winning schools' programme. NMS is also the largest county museums service in Britain.

NMS also runs in partnership with Brighton & Hove Museums the Museum Development programme for the South East of England. This programme supports museums of all sizes in Norfolk and is entirely funded by Arts Council England.

The majority of NMS's funding comes from external/non local authority sources, including ticket income and grant-giving trusts and foundations. Whilst most of NMS's 10 museums charge an admission fee, all NMS museums offer many free admission options including schools, refugee groups, carers, Armed Forces families, Foster Families and various targeted groups. The Museums Service also offers affordable 'Pop In' tickets, and free entry for all its museums, at least four times a year. The Museums Service also offers a great value season ticket – the Museum Pass – offering unlimited entry to all 10 museums.

In terms of Equality, Diversity & Inclusion, NMS is rated by Arts Council England as 'Strong' through its official assessment process, the 'Creative Case for Diversity'.

## Recommendations:

Members are asked to consider the information presented in the report, providing scrutiny and recommendations. This could include specific feedback on the below areas:

1. Potential opportunities for NMS to work with other partners to help mitigate barriers to access
2. Ideas and connections to ensure maximum benefit arises from the Norwich Castle: Royal Palace Reborn project
3. Support for the Time and Tide new development project '*Changing Tides - Shaping Our Great Yarmouth*'

### 1.1 Diversity

Norfolk Museums Service recognises that it exists to serve all our communities and our programmes, exhibitions and events reflect the diversity of Norfolk and its population.

Recent examples of our programming include the 'Slaves of Fashion' exhibition at Norwich Castle, curated by the Singh Twins, the *Migration, Heritage and Belonging* project in Great Yarmouth, and the annual *Festival of Norfolk and the Punjab*, focused on Ancient House Museum, Thetford, and co-curated with the Essex Cultural Diversity Project (ECDP).



Festival of Norfolk and the Punjab, Thetford

### 1.2 Learning programmes including School Visits

Norfolk Museums Service's learning team delivers award-winning programmes for schools and all ages in ten museums across Norfolk and is one of the most visited

Museums Services in the UK outside of London with around 50,000 school visits per annum.

NMS's schools programmes have won multiple Sandford Awards for excellence in heritage education, an independent assessment of the quality of the Service's learning programmes for young people of all ages. For further details, visit <https://www.bgu.ac.uk/about-bgu/sandford-award>

The following broad learning offers are made across the Service, with c.80-85% of all Norfolk schools making use of our facilities every year.

#### *Our schools programme*

- High quality curriculum-based sessions
- Engaging living history events and engaging object-handling sessions
- Inspiring and safe learning environments
- Museums in all corners of Norfolk, and with strong local roots
- Free entry for all Norfolk school children
- Free entry for home educated children

#### *For teachers*

- CPD and out of hours learning sessions
- Resources to support teachers before, during and after their visit
- Free planning visits

#### *Our other programmes*

- Imaginative and engaging Early Years' sessions
- Ground-breaking partnership programmes
- Talks, workshops, and courses for adults
- Youth engagement programmes for 11 to 25 years olds
- Work with vulnerable children and young people including Norfolk's Special Schools
- Support and resources for language schools
- Norfolk Museums' learning team also delivers fun and engaging family activities in our museums during school holidays and at other times.



A Key Stage 1 schools session in Norwich Castle

### **1.3 Kick the Dust – national heritage engagement programme for young people**

The first Kick the Dust project delivered by Norfolk Museums Service (NMS) was funded by the National Lottery Heritage Fund and ran from October 2018 to March 2023. This nationally significant project is a flagship project for the Museums Service in terms of access, especially for young people who would traditionally not use museum services.

The target audience for Kick the Dust activity is young people aged 11-25, with a particular focus on young people aged 16-25 who do not normally engage with the heritage or consider it relevant to their lives. Priority participants are young people facing multiple challenges and barriers, including YMCA clients and other young people engaging with NCC and partner organisations specialist support services. Key project partners include YMCA Norfolk, Creative Collisions (Great Yarmouth) and NCC Children's Services, Libraries and Public Health.

Kick the Dust provides a progression pathway for young people, enabling them to use heritage to develop their confidence, skills and routes into employment using the *Player, Shaper, Leader* model.

For this original project, total participation numbers from October 2018 to March 2023 were 13,905 interventions, involving 4,527 individual young people taking part in 7,039 hours of quality activity, taking us beyond the initial project target of 8,000 interventions. ,

In total 420 staff took part in training, with 151 having taken up opportunities in lockdown. In addition, 45 young volunteers took part in training. Kick the Dust has supported 7 young people on its bursary traineeship programme, the last cohort finishing in May 2022, all of whom have secured permanent employment within the heritage sector. A further 6 young people completed the pre-traineeship programme.

One Kick the Dust participant progressed onto the NMS Teaching Museum traineeship programme with 3 others applying for the role and being shortlisted. Two Young Ambassadors have progressed onto teacher training programmes. Our 7 Young Ambassadors have supported Institutional Change within NMS on the strategic Youth Board and Project Board. Staff from our Front of House (FOH) and Visitor Services teams have engaged in training such as mentoring and coaching, mental health first aid and creating autism friendly spaces which played a key role in supporting the new pre-traineeship pilot programme for YMCA clients and other vulnerable groups.

### *Current activity*

Following the successful conclusion of the National Lottery Heritage Fund funded Kick the Dust project, NMS has secured additional funding through an Arts Council England National Portfolio Funding (NPO) Uplift award for the period 2023-26. This will enable NMS to continue to support young people in the three Levelling up for Culture places of Great Yarmouth, King's Lynn and Thetford. This additional funding will enable young people to participate in high quality cultural and heritage activities that develop their creative and digital skills and potential, as well as prepare them for the workplace.

During 2023-24 NMS is also receiving funding from Norfolk County Council (NCC) Public Health to support Kick the Dust activities that focus on the mental health and wellbeing of Norfolk young people.

NMS is partnering with Norfolk Library & Information Service (NLIS) to deliver this exciting programme of activity enabling us to strengthen partnership working between museum and library staff and increase levels of cultural engagement by young people in a sustained way, employing the successful Kick the Dust approach to youth engagement that uses the three-stage progression model *Player-Shaper-Leader*. The programme will be aimed at those in the three priority places aged 16-25 years, with opportunities for 13–16-year-olds to engage as part of the progression framework.

At the end of the NLHF funded project in March 2023, 26% of young people identified as having a mental health issue. Up to 18/12/23 data shows that 47% of the individual young people who have taken part in the new programme of activity identify as having a mental health issue (although this is from a smaller number taking part) showing the need for this programme. Through a systematic approach to evaluation, in partnership with Libraries, the team will be able to demonstrate impact on mental health on those talking part and the young people will be able to monitor their progress through the programme in relation to skills, confidence and mental health. Narrative evaluation will further demonstrate impact.



NMS and NCC continue to work together through the 'Making Creative Futures' group, chaired by the Kick the Dust Project Coordinator, where members from across Children's Services identify ways to engage the hardest to reach and most vulnerable children and young people through a joint effort. The group continues to play a key part in the delivery of activity as part of the DfE funded Holiday Activities and Food (HAF) project through the Big Norfolk Fun programme ([Big Norfolk Holiday Fun - Active Norfolk](#)) and through our own contributions through our Kick the Dust offer. The focus is on mental health and wellbeing and has representation from the NCC Public Health team. This group acts as the vehicle to share best practice, ideas and resources and its membership continues to grow.

### *Impacts on mental health and wellbeing*

The new young people's feedback form includes the 78 positively worded items from the Warwick-Edinburgh Mental Well-being scale for assessing a populations' mental well-being. The Young Ambassadors worked alongside the Norfolk Public Health team to devise the questionnaire, and this will be used in addition to the other measures to show impact in this key area.

From the Young People feedback forms, following their involvement in Kick the Dust, 50% strongly agreed that this had had a positive impact on their mental health and wellbeing with a further 50% agreeing.

### *Summary*

The NLHF funded Kick the Dust project ended in March 2023 with evidence clearly demonstrating the impact on young people and staff engaging in activity. The programme is now moving into a new phase, with funding support from ACE and NCC.

Our aim as we move forward is to support more working age young people to progress into employment, training, or further learning and long-term volunteering. The strong partnerships that have been developed through Kick the Dust provide a strong base on which to build, bringing new young people into museum and library spaces.

Success comes in many guises and this month we have had one of our YMCA young people progress into independent living and gain a place on a Level 3 Access course, with the Kick the Dust programme and pre traineeship giving her the confidence to take these steps. She has also secured a role in the NMS Visitor Services team for Norwich Castle. Another participant is now a core member of staff on the NMS Visitor Services team at Gressenhall. Another young person has progressed from being a Young Ambassador to gaining a L4 Apprenticeship with Channel 4 in London and two others have secured places on the MA in Museum Studies in Norwich. One former Kick the Dust participant has secured an internship with the United Nations.

Quotes from our Young Ambassadors regarding their engagement in Kick the Dust and their involvement in the 'Done and Dusted' celebration event, show the impact that the programme has had on them:

*'The most important thing that Kick the Dust did for me was increase my confidence through representing the voices of other young people, inspiring me to pursue a career in the museum sector by showing me that it's a place where I'm able to make positive institutional change.'* Emily, Young Ambassador

*'Kick the Dust has played such a key part in my life and helped me secure employment when most doors were closed to me, giving me the skills and confidence to move forward. It is like being part of a family.'* Jazz, Young Ambassador

*'Can I thank you again for the guide to the museum which details all the sensory issues and what to expect etc. We used the booklet before her last school trip in January. I wish more places had something like that.'* (Parent of an autistic child using the booklet prepared by Teenage History Club)

For more details, visit:

<https://www.museums.norfolk.gov.uk/join-and-support/kick-the-dust>

#### *New funding bid to the National Lottery Heritage Fund*

A successful National Lottery Heritage Fund Grants for Heritage Round 1 application was submitted to the NLHF for the Your Heritage Your Future project. The application was submitted by YMCA Leicester, with NMS as Lead Partner. This complex application was put together by a joint project team of staff from YMCA Leicester and NMS, who are now working on the Development Phase of this application, ahead of a Round 2 bid submission in May 2024. If the Round 2 bid is successful, project delivery would commence in later 2024.

#### **1.4 Teaching Museum**

Another strand of the Museums Service's work around access is the multi award-winning Teaching Museum: Trainee Programme, supported by Arts Council England. The Teaching Museum was developed by Norfolk Museums Service to address challenges around opening up vocational entry routes into the museum sector. Traineeships are 12-month, paid, real jobs supported by a development programme delivered by Norfolk Museum Service staff.

The programme includes on the job learning, one day a week at workshops with other trainees and mentoring. Workshops cover all aspects of museum work under the following themes: understanding museums (history and context), collections, learning and access, managing the museum and the museum as a business. Trainees keep a learning log and have regular opportunities to reflect on their learning. During the final three months they are supported to look and apply for their next job.

Trainees do not need museum qualifications or previous museum experience but are recruited for their positive attitude, commitment to learning and potential. All of their posts include work to increase access to collections for the public and this extra capacity has enabled the service to provide more opportunities to engage local communities and visitors.

Many trainees have gone on to work in prestigious roles in museums across the UK, including the British Museum, the Science Museum and Brighton & Hove Museums.



For further information, visit <https://www.museums.norfolk.gov.uk/join-and-support/teaching-museum>

### 1.5 Time and Tide Museum of Great Yarmouth Life

The *Changing Tides - Shaping Our Great Yarmouth* project Grants for Heritage Round One funding application was submitted to the National Lottery Heritage Fund on schedule in November 2023. A decision on this application is expected in the spring.

The proposed *Changing Tides* project consists of four key aspects:

- The installation of a glazed roof over the courtyard, creating a flexible, welcoming space increasing our capacity for museum activity, providing a venue for local community groups and protecting our unique fleet of historic fishing boats.

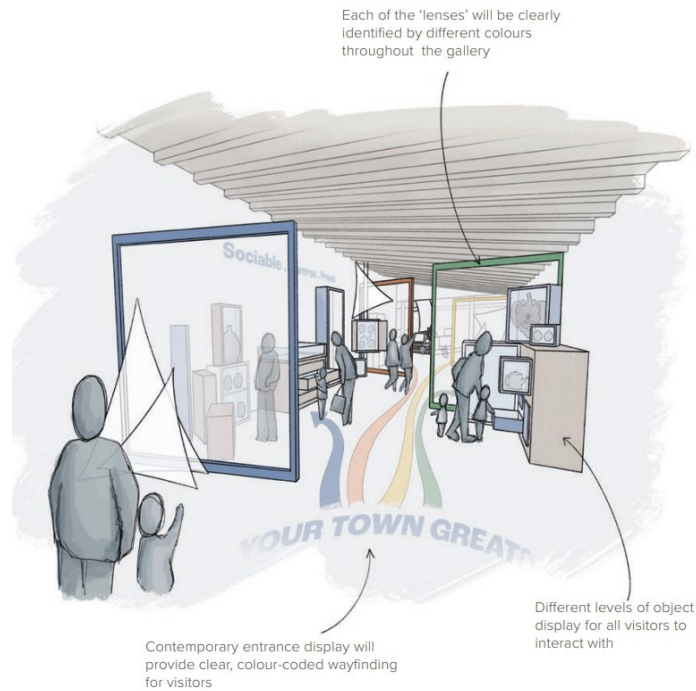


- Reconfiguration of the museum reception area to remove a lift, replacing it with a slope and installation of a Changing Places facility.
- Reinterpretation of upper floor galleries to better reflect the communities we serve, including a new partnership gallery with Royal Museums Greenwich.
- Decarbonisation of the building - removing fossil fuel boilers, replacing them with air source heat pumps, improving insulation and reducing energy use by switching to LED lighting.

Apart of this project, as well as new approaches to using digital interpretation, many of the galleries - especially those on the first floor - would be redisplayed in new and engaging ways giving us the opportunity to showcase different collections and explore new maritime themes.

Creative Core, a leading museum and heritage interpretation consultancy, have been supporting the museum team on developing a new interpretation strategy for the upper floor galleries to support this application. It is generally accepted that the maritime displays and story of the smoke house and herring industry are told well and sympathetically to the historic building, however, the upper floor 'early years' galleries which tell the story of the development of the town through archaeology and art displays, are interpreted in a slightly dated fashion with an object rather than person-centred interpretation approach.

The co-produced concept, based on hundreds of visitor survey responses and direct public consultation, is a new gallery called *Our Town – What Makes Great Yarmouth great* which explores the stories of people who have lived here over thousands of years, up to the present day. Existing key collections will be redisplayed and reinterpreted to create an immersive and tailored journey accessible for all.



All of our visitors learn differently so we hope to create a journey through the history of the town that will allow everyone to engage fully in our heritage in a way suitable for them. This will include placing more of our stored collections on display in new accessible ways, increasing interactive opportunities and displaying objects and cases at the height of children to allow them to engage fully with the heritage. Through the use of digital technology - something the existing displays are lacking in due to their age - we hope to keep the stories highlighted in the museum relevant to new generations of visitors.

The redisplay will also allow us to open up hidden heritage assets of the building, such as increasing the number of exposed original smokehouse doors currently hidden behind text panels, revealing Victorian ironwork currently hidden behind bulky display cases and using new lighting technology to reduce our carbon footprint and to also showcase the collections to the highest possible standard.

We have also been working on a partnership gallery concept with Royal Museums Greenwich to bring the collections of the National Maritime Museum – a long established NMS partner - to Great Yarmouth. A pilot project as part of this national partnership was installed in October, with the high-profile long-term loan of *The Wreck of the Gloucester off Yarmouth* by Johan Danckerts now on display in the maritime galleries. This highlights this important local and nationally significant story and ensures there is a Gloucester presence in Great Yarmouth for an interim period following the end of the successful Norwich Castle exhibition, which featured this artwork.



Time and Tide Museum's award-winning learning programmes

### **1.6 Norwich Castle: Royal Palace Reborn project**

The Museums Service is currently in the final stages of delivering a major capital redevelopment of its largest site, Norwich Castle Museum & Art Gallery. The project, primarily supported by Norfolk County Council and the National Lottery Heritage Fund, is one of the largest heritage projects currently live in the UK.

As well as recreating the royal palace of the Norman period, the project will establish a permanent presence in the East of England for the British Museum, with the creation of a British Museum partnership gallery of the medieval period.

For full details, please visit: <https://www.museums.norfolk.gov.uk/norwich-castle/castle-keep-transformation>

#### *Access for all*

The project is primarily driven by the goal of providing unparalleled access to the whole of the historic Norman Keep for the first time. The outcome will be that Norwich Castle will be the most accessible building of its kind in Europe. The project includes the provision of lift access for all visitors to all levels of the Keep, including the roof battlement level with its panoramic views across the City. This was previously only accessible via a spiral stair on a pre-booked tour.



Drone image of the construction site

Sectional completion of the first phase of the project took place on 11 August 2022, with the formal handover of the new WC block area, which includes accessible toilets, baby changing facilities, a new Changing Place and a 'pop-up' catering facility. The Changing Place is now fully operational and registered <https://www.changing-places.org/find?toilet=2026> .





New 'pop-up' café, visitor toilets and Changing Place

## **1. Background and Purpose**

- 1.1 To inform Scrutiny Committee of the Museum Service's commitment to access and current projects responding to this important agenda.

## **2. Proposal**

- 2.1 N/A

## **3. Impact of the Proposal**

- 3.1 N/A

## **4. Evidence and Reasons for Decision**

- 4.1 N/A

## **5. Alternative Options**

- 5.1 N/A

## **6. Financial Implications**

- 6.1 N/A

## **7. Resource Implications**

- 7.1 **Staff:** N/A

- 7.2 **Property:** N/A



7.3 IT: N/A

## **8. Other Implications**

8.1 Legal Implications:

N/A

8.2 Human Rights Implications:

N/A

8.3 Equality Impact Assessment (EqIA) (this must be included):

N/A

8.4 Data Protection Impact Assessments (DPIA):

N/A

8.5 Health and Safety implications (where appropriate):

N/A

8.6 Sustainability implications (where appropriate):

N/A

8.7 Any Other Implications:

N/A

## **9. Risk Implications / Assessment**

9.1 N/A

## **10. Select Committee Comments**

10.1 To follow.

## **11. Recommendations**

Members are asked to consider the information presented in the report, providing scrutiny and recommendations. This could include specific feedback on the below areas:

1. Potential opportunities for NMS to work with other partners to help mitigate barriers to access
2. Ideas and connections to ensure maximum benefit arises from the Norwich Castle: Royal Palace Reborn project

3. Support for the Time and Tide new development project '*Changing Tides - Shaping Our Great Yarmouth*'

## 12. Background Papers

- 12.1 NMS 5 Year Strategic Framework  
<https://www.museums.norfolk.gov.uk/about-us/5-year-strategic-framework-2019-2023>
- 12.2 Arts Council England's Let's Create <https://www.artscouncil.org.uk/lets-create>
- 12.3 National Heritage Lottery Fund Heritage 2033 – our 10-year strategy  
<https://www.heritagefund.org.uk/about/heritage-2033-our-10-year-strategy>
- 12.4 Arts Council England, Equality, Diversity & Inclusion report 2020-21  
<https://www.artscouncil.org.uk/equality-diversity-and-inclusion-data-report-2020-2021>

### Officer Contact

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

**Officer name:** Steve Miller, Director of Culture & Heritage, Head of Norfolk Museums Service

**Telephone no.:** 01603 493620

**Email:** [steve.miller@norfolk.gov.uk](mailto:steve.miller@norfolk.gov.uk)



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# Scrutiny Committee

Item No: 8

**Report Title: Norwich Western Link Update**

**Date of Meeting: 25 January 2024**

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

**Responsible Director: Grahame Bygrave, Interim Executive Director of Community and Environmental Services**

## Executive Summary

At the meeting held on the 20 December 2023, Scrutiny Committee members requested an update on the Norwich Western Link. The purpose of this report is to support the committee with continued scrutiny of the Norwich Western Link, allowing members to engage with the information presented to Cabinet on the 4 December 2023 and to provide challenge to officers and the Cabinet Member around the financial and environmental risks associated with the project.

## Recommendations

The committee is asked to:

- 1. Consider the update presented to Cabinet on the 4<sup>th</sup> December 2023. Providing Scrutiny around development of the Western Link project and associated environmental and financial risks.**
- 2. Discuss the potential for further scrutiny at future meetings of the committee, and specific areas where additional scrutiny would be valuable.**

## 3. Background and Purpose

1.1 Cabinet received an update on the Norwich Western Link Project at the meeting held on the 4<sup>th</sup> December 2023. Here, Cabinet Members discussed progress with the project, and agreed the following 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.

The full Cabinet report is appended to this paper (Appendix A) and is available online [here](#). The report appendices can be accessed by following the links below:

- [Combined general arrangement plans](#)
- [Red line boundary key plan](#)
- [Essential environmental mitigation plans](#)
- [Draft combined statement of reasons](#)
- [Norwich Western Link – risk register](#)

- 1.2 Notification was received on Friday 8 December that Cllr Jamie Osborn, supported by Cllrs Catherine Rowett, Ben Price and Paul Neale wished to call the decision in. The call in was considered by the Scrutiny Committee on Wednesday 20 December. The papers and minutes for this meeting, along with the reasons for the call-in, can be found [here](#).
- 1.3 Following discussion, members of the Scrutiny Committee agreed to note the call-in, but take no further action.

1.4 Prior to the meeting in December 2023, over the last three years, the Scrutiny Committee has provided challenge to the western link project on a number of occasions. These have included:

- [23 March 2022](#) – Call in of multiple decisions associated with the Norwich Western Link.
- [20 October 2021](#) – General project update.
- [23 June 2021](#) – Call-in: Norwich Western Link

1.5 The timeline for the Norwich Western Link project, as well as an archive of historical documents can be found [here](#). This includes previous Cabinet reports, ecology survey reports, the outline business case submitted in June 2021, and other key information.

1.6 Members are asked to discuss the information set out in the Cabinet report, appendices and additional information set out above, providing scrutiny around the financial and environmental risks associated with the Norwich Western Link Project.

#### **4. Recommendations**

The committee is asked to:

- 5. Consider the update presented to Cabinet on the 4<sup>th</sup> December 2023. Providing Scrutiny around development of the Western Link project and associated environmental and financial risks.**
- 6. Discuss the potential for further scrutiny at future meetings of the committee, and specific areas where additional scrutiny would be valuable.**

#### **7. Background Papers**

3.1 Appendix A: Norwich Western Link Update – 4<sup>th</sup> December Cabinet Paper

##### **Officer Contact**

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

**Officer name: Peter Randall, Democratic Support and Scrutiny Manager**

**Telephone no.: 01603 307570**

**Email: [peter.randall@norfolk.gov.uk](mailto:peter.randall@norfolk.gov.uk)**



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## Cabinet

**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**

<b>Milestone</b>	<b>Date</b>
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 tCO<sub>2</sub>e to +1,917 tCO<sub>2</sub>e, 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 CO<sub>2</sub> 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 tCO<sub>2</sub>e. 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
<b>Total Cost (excluding risk)</b>	<b>1,403</b>	<b>4,960</b>	<b>5,187</b>	<b>9,686</b>	<b>13,616</b>	<b>14,702</b>	<b>10,769</b>	<b>24,066</b>	<b>45,425</b>	<b>48,558</b>	<b>26,189</b>	<b>313</b>	<b>204,874</b>
Risk						2,623	2,598	2,026	7,126	7,672	4,276		26,321

<b>Total Cost at 2020: Q3 Prices</b>	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
<b>Scheme Cost (outturn prices)</b>	<b>1,403</b>	<b>4,960</b>	<b>5,187</b>	<b>9,686</b>	<b>13,616</b>	<b>18,132</b>	<b>14,577</b>	<b>30,061</b>	<b>65,456</b>	<b>71,378</b>	<b>39,094</b>	<b>364</b>	<b>273,914</b>

**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
<b>Total</b>	<b>1,403</b>	<b>4,960</b>	<b>5,187</b>	<b>9,686</b>	<b>13,616</b>	<b>18,132</b>	<b>14,577</b>	<b>30,061</b>	<b>65,456</b>	<b>71,378</b>	<b>39,094</b>	<b>364</b>	<b>273,914</b>

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
<b>Total</b>	<b>1,403</b>	<b>4,960</b>	<b>5,187</b>	<b>9,686</b>	<b>13,616</b>	<b>18,132</b>	<b>14,577</b>	<b>30,061</b>	<b>65,456</b>	<b>71,378</b>	<b>39,094</b>	<b>364</b>	<b>273,914</b>

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

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

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

<b>Inflation rates:</b>	<b>2024-25</b>	<b>2025-26</b>	<b>2026-27</b>	<b>2027-28</b>	<b>2028-29</b>	<b>2029-30</b>
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
<b>Expenditure excluding risk</b>	<b>£45,449,319</b>	<b>£47,820,059</b>	<b>£63,382,721</b>
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:

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# Scrutiny Committee

Item No: 9

**Report Title: Provisional Local Government Finance Settlement 2024-25**

**Date of Meeting: 25 January 2024**

**Responsible Cabinet Member: Cllr Andrew Jamieson (Deputy Leader and Cabinet Member for Finance)**

**Responsible Director: Harvey Bullen, Director of Strategic Finance**

## Executive Summary

This is an annual item to support Committee members with regards to scrutinising the annual budget setting process.

## Recommendations

The committee is asked to:

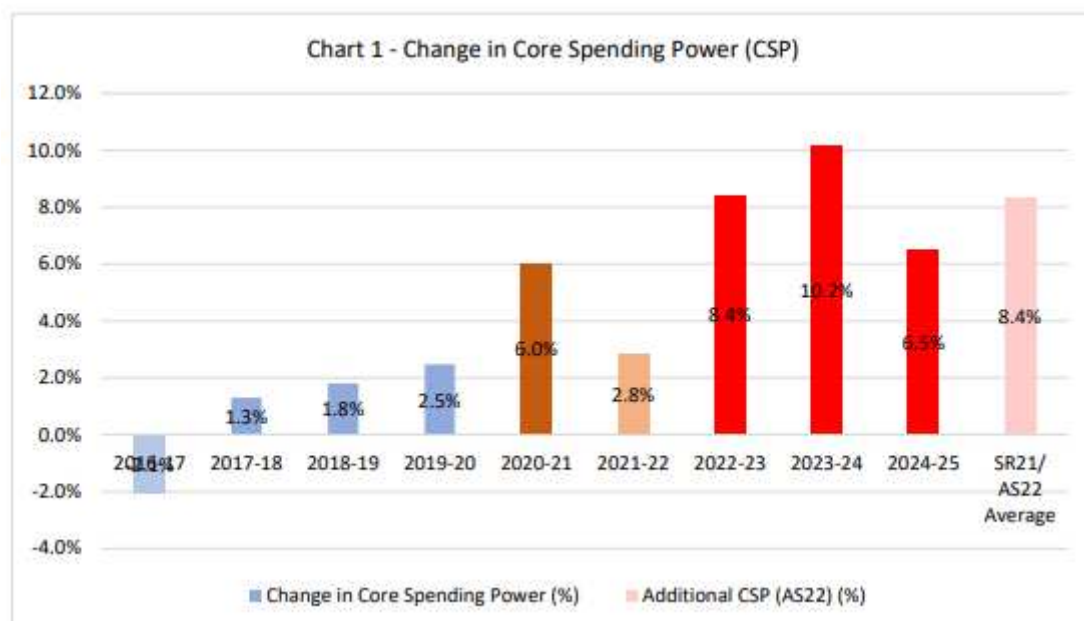
- 1. Consider the update provided by officers on the provisional local government finance settlement and the impact on the annual budget setting process.**

### 1. Summary

- 1.1. The Provisional Local Government Finance Settlement 2024-25 was published via a Written Ministerial Statement on 18 December 2023.
- 1.2. The Provisional Settlement has provided further details about the funding increases previously announced at the Autumn Statement 2022 and subsequently set out in the Department for Levelling Up, Housing and Communities (DLUHC) Policy Statements. This includes previously announced increases in the level of funding for social care. The Government assumes that upper-tier authorities will increase council tax by 5% for 2024-25. If this were the case, Core Spending Power (CSP) increases by an average of 6.5% between 2023-24 and 2024-25. This consists of £1.825bn of additional grant and £2.078bn in additional council tax (assuming all LAs levy the maximum precept allowed in 2024-25). The Provisional Settlement figures remain to be confirmed in the Final Settlement expected in late January or early February 2024.
- 1.3. Nationally, council tax will account for 59% of the increase in CSP in 2024-25 (45% in 2023-24). This is very different from the settlements before 2020-21 when local authorities were reliant on council tax increases to offset cuts in government grants. Recent settlements (including 2024-25) have redistributed funding to authorities with higher levels of deprivation. This has been possible because grant increases have been higher than council tax, and the ASC precept has been largely equalised within

the social care grants. However, 2024-25 is slightly different in that grant increases are lower than the council tax increase. As a result, the 2024-25 Settlement is less redistributive than its recent predecessors.

- 1.4. The Council faces significant inflationary and demand pressures, including additional costs from the level of the National Living Wage, which is set by Government. For local authorities, notional real-terms growth is not keeping pace with budget pressures. Demand-led pressures in social care, children's, homelessness, and high-needs schools budgets are easily outstripping the increases in funding. Nationally, Core Spending Power growth is lower than in 2022-23 and 2023-24, as shown below.



- 1.5. From 2025-26 onwards, CSP growth is likely to be substantially lower (possibly around 4%). There will be pressure on a future Government in the next spending review to manage expenditure within the context of low economic growth. Growth in CSP is likely to be driven largely by council tax increases rather than increases in SFA and social care grants.
- 1.6. The Written Ministerial Statement can be accessed here: <https://questions-statements.parliament.uk/written-statements/detail/2023-12-18/hcws148>
- 1.7. The Provisional Local Government Finance Settlement supporting documents can be accessed here: <https://www.gov.uk/government/collections/provisional-local-government-finance-settlement-england-2024-to-2025>
- 1.8. In overall terms, the Provisional Settlement figures are in line with the announcements made in the Local Government Finance Policy Statement published 05/12/2023, with the exception of the Services Grant which has reduced more than expected: <https://www.gov.uk/government/publications/local-government-finance-policy-statement-2024-to-2025/local-government-finance-policy-statement-2024-to-2025>
- 1.9. The accompanying [consultation](#) on the Provisional Settlement was launched, running for four weeks and closing 15/01/2024. The Council has submitted a response.

1.10. The Provisional Settlement is a one year settlement only providing detailed allocations for 2024-25. Neither the Policy Statement, nor the Provisional Settlement, provide any indications of funding levels for 2025-26.

## 2. Background – Autumn Statement 2023

2.1. The Chancellor announced the Autumn Statement 2023 on 22 November 2023. The details can be accessed here: <https://www.gov.uk/government/publications/autumn-statement-2023>. Key headlines from the Autumn Statement included:

- National Living Wage increase to £11.44 from April 2024. The rate will also apply to 21 and 22 year-olds for the first time. This represents an increase of 9.8% for over-23 year-olds from £10.42 in 2023-24, and an increase of 12.4% for workers aged 21 and 22.
- No change in the overall planned increase in Resource Departmental Expenditure (RDEL), increases of 1% in real terms. That means real-terms cuts for unprotected services, including most of local government.
- Furthermore, announcements by the Chancellor at the Autumn Statement are likely to put more pressure on the public sector, with a target of 0.5% annual productivity improvements.

## 3. Funding allocations and Core Spending Power

3.1. Norfolk County Council's funding allocations in the Provisional Settlement are shown in the following table.

	2023-24	2024-25	Change
	£m	£m	£m
Settlement Funding Assessment	205.875	216.926	11.052
Compensation for under-indexing the business rates multiplier	27.394	33.102	5.708
Council Tax Requirement excluding parish precepts	491.439	521.701	30.263
Improved Better Care Fund	39.619	39.619	0.000
New Homes Bonus	0.628	1.076	0.448
Rural Services Delivery Grant	4.670	4.670	0.000
Social Care Grant	66.525	78.800	12.276
ASC Market Sustainability and Improvement Fund	9.785	18.282	8.497
ASC Discharge Fund	5.554	9.257	3.703
Services Grant	6.270	0.987	-5.283
Grants rolled in	7.984	0.000	-7.984
<b>Core Spending Power</b>	<b>865.741</b>	<b>924.420</b>	<b>58.679</b>
Change %			6.8%

## 4. Services Grant

4.1. All the funding changes were as expected with the exception of Services Grant. Budget planning had assumed this grant would reduce by £1.038m, but the actual reduction is £5.283m, **resulting in funding which is £4.245m less than assumed in budget planning.**

- 4.2. Ministers have made significant cuts to the Service Grant. Nationally the grant has been reduced from £483m to £77m, a reduction of 84%. The Council's planning had been based on a (national) reduction to £403m in 2024-25, with £80m transferring to the Social Care Support Grant.
- 4.3. In the December 2022 Policy Statement, DLUHC said that the core grants would "continue as they are now" in 2024-25. By implication, this included the Services Grant. In the December 2023 Policy Statement, there were some indications of further reduction in Services Grant – but nothing was made explicit. DLUHC subsequently indicated that this grant has been used to uprate other grants within the settlement but has not provided full details. The actual cut in Services Grant is very substantial and has been made in a way that was not communicated to authorities in advance. The reduction in funding is difficult to effectively plan for and comes at a late stage in the budget-setting process. Norfolk County Council ranks 9<sup>th</sup> out of 349 authorities in terms of the total amount of Services Grant received.
- 4.4. The un-ringfenced Services Grant provides vital resources for local authority services and we will be making representations to Government to reverse and scale back the reduction in Services Grant in our consultation response.

## **5. Other elements of the Provisional Settlement**

### **5.1. Other announcements include:**

- The Government notes that whilst local authority reserves are falling, they remain significantly higher than prior to the pandemic. The Government continues to encourage local authorities to consider, where possible, the use of their reserves to maintain services in the face of budget pressures.
- The Government has extended the flexibility to use capital receipts to fund revenue costs on projects that reduce costs and improve efficiency to March 2030. The Government will also engage with the sector to explore additional capital flexibility options to enable invest-to-save and transformation initiatives.
- The Government believes that any attempt from a local authority to implement Part Time Work for Full Time Pay – for example, a 'four-day week' or equivalent arrangements – is contrary to the interests of local taxpayers and does not represent good value for taxpayers' money. Included in the consultation are proposals to use financial levers within the settlement to disincentivise councils from operating part time work for full time pay in future settlements.
- Adult Social Care Grant is still distributed using the Adult Social Care Relative Needs Formula.

## **6. Council tax referendum limits**

### **6.1. The Provisional Settlement sets out the proposed council tax referendum limits for 2024-25 as follows:**

- A core referendum principle of 3% for 2024/25.
- A 2% Adult Social Care precept for 2024/25.

### **6.2. These are in line with the previously announced limits in the Policy Statement.**

### **6.3. The Mayor of London has requested flexibility to levy an additional £20 on Band D bills to the Greater London Authority (GLA) precept to provide extra funding for Transport for London (TfL).**

- 6.4. The Exceptional Financial Support framework is available to provide support where a council has a specific and evidenced concern about its ability to set or maintain a balanced budget. As part of that process, the Government will consider representations from councils, including on council tax provision. Since the publication of the Provisional Settlement, a number of councils including Somerset and Birmingham have approached DLUHC for Exceptional Financial Support.
- 6.5. The Government view continues to be that councils in the most severe financial failure, that are seeking multi-year support from Government, should continue to take all reasonable local steps to support recovery including additional council tax increases. Therefore, for the 2024-25 settlement, in consideration of the significant financial failure of Thurrock Council, Slough Borough Council and Woking Borough Council, the Government has proposed that bespoke council tax referendum principles should apply. For Thurrock and Slough Borough Council, a core council tax referendum threshold of 8% (plus 2% for Adult Social Care); and for Woking Borough Council, a council tax referendum principle of 10%. Councils in significant financial failure can make use of any additional flexibilities provided to support their financial recovery and going forward the Government has indicated it will consider all reasonable steps to protect both national and local taxpayers and ensure councils are acting responsibly.

## 7. Business Rates Pooling

- 7.1. The Provisional Settlement confirms the continuation of the Norfolk Business Rates Pool for 2024-25.
- 7.2. Members of the Pool had until 15/01/2024 to confirm if they wished to withdraw. No member of the Pool have indicated that this is the case.

## 8. Summary and impact on Budget and MTFS position

- 8.1. In overall terms, initial analysis of the 2024-25 Provisional Settlement indicates that **the County Council is approximately £5m worse off than had previously been expected**. The Settlement provides no additional funding for social care, or to meet other budget pressures, over what was already assumed. Critically, Government has cut the Services Grant by much more than had previously been assumed in budget planning (and even in the Policy Statement at the start of December Government provided little indication that this would happen).
- 8.2. The full implications of the Provisional Settlement announcements will be incorporated in Budget planning for January Cabinet. It remains to be seen if Government has held back any contingency funding which may be released to local authorities in the Final Settlement. District forecasts for council tax and business rates also remain to be confirmed (final positions due 31/01/2024), although latest estimates have been incorporated in planning. Therefore there is the potential for some further change between the Provisional and Final Settlement.
- 8.3. The overall Budget position for 2024-25 remains extremely challenging and the Provisional Settlement has not alleviated this situation. The outlook for future years of the MTFS appears similarly difficult, with very little detail having been provided about funding available for 2025-26 onwards. The Provisional Settlement for 2024-25 is a one-year announcement and as such there is no certainty for planning for 2025-26 onwards.

# Scrutiny Committee

Item No: 10

**Report Title:** Scrutiny Committee Forward Work Programme

**Date of Meeting:** 25 January 2024

## Executive Summary

This paper sets out the current forward work programme for the Scrutiny Committee, outlining committee dates and agreed items.

## Recommendations

Members of the committee are asked to:

1. Note the current Scrutiny Committee forward work programme and discuss potential further items for future consideration.

## 1. Background and Purpose

- 1.1 Members of the Scrutiny Committee took part in a work programming session held on the 22 April 2023, discussing proposed items for the Committee to consider through until May 2024.
- 1.2 The work programme attached is amended frequently to better reflect officer pressures and changes to the Cabinet forward plan of decisions.
- 1.3 All topics are subject to change, with the committee remaining flexible to ensure the ability to adapt to emerging and urgent topics for consideration.

## 2. Proposal

- 2.1 Members are asked to note the attached forward programme of work (**Appendix A**) and discuss potential further items for consideration.

## 3. Impact of the Proposal

- 3.1 Maintaining the proposed work programme will ensure that the Scrutiny Committee has a full schedule of work, and officers are well prepared to present to the committee.

## 4. Financial Implications

- 4.1 None

## **5. Resource Implications**

### **5.1 Staff:**

None

### **5.2 Property:**

None

### **5.3 IT:**

None

## **6. Other Implications**

### **6.1 Legal Implications:**

None

### **6.2 Human Rights Implications:**

None

### **6.3 Equality Impact Assessment (EqIA) (this must be included):**

None

### **6.4 Data Protection Impact Assessments (DPIA):**

None

### **6.5 Health and Safety implications (where appropriate):**

None

### **6.6 Sustainability implications (where appropriate):**

None

### **6.7 Any Other Implications:**

None

## **7. Risk Implications / Assessment**



7.1 None

## 8. Select Committee Comments

8.1 None

## 9. Recommendations

Members of the Scrutiny Committee are asked to:

1. Note the Scrutiny Committee forward work programme and discuss potential further items for future consideration.

## 10. Background Papers

10.1 **Appendix A** – Scrutiny Committee Forward Programme of Work

### Officer Contact

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

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## Scrutiny Committee Forward Work Programme

## Appendix A

Date	Report	Further notes/Comments	Better Together for Norfolk - Strategic Goal(s)*	Cabinet Member	Lead Officer
25/01/24	Update on Local Government Finance Settlement	Standard budget setting item	- A Vibrant and Sustainable Economy	Cllr Andrew Jamieson, Cabinet Member for Finance	Harvey Bullen, Director of Strategic Finance
	Access to Museums Service	Requested by Scrutiny Members	- Strong, Engaged and Inclusive Communities	Cllr Margaret Dewsbury, Cabinet Member for Communities and Partnerships	Grahame Bygrave, Executive Director of Community and Environmental Services
	Norwich Western Link - Update	Requested by Scrutiny Members	<ul style="list-style-type: none"> <li>- A Greener, More Resilient Future</li> <li>- A Vibrant and Sustainable Economy</li> </ul>	Cllr Graham Plant, Cabinet Member for Highways, Infrastructure and Transport	Grahame Bygrave, Interim Executive Director of Community and Environmental Services
14/02/24	Scrutiny Committee 2023-24 Budget scrutiny	Standard budget setting item	<ul style="list-style-type: none"> <li>- A Vibrant and Sustainable Economy</li> <li>- Better Opportunities for Children and Young People</li> </ul>	Cllr Andrew Jamieson, Cabinet Member for Finance	Harvey Bullen, Director of Strategic Finance

			<ul style="list-style-type: none"> <li>- Healthy, Fulfilling and Independent Lives</li> <li>- Strong, Engaged and Inclusive Communities</li> </ul> <p>A Greener, More Resilient Future</p>		
<b>20/03/24</b>	Combined Sewer/Storm Overflows – update from Anglian Water	Agreed by the Scrutiny Committee at the meeting held on 23 March 2023	<ul style="list-style-type: none"> <li>- A Greener, More Resilient Future</li> </ul>	Cllr Eric Vardy, Cabinet Member for Environment and Waste	Grahame Bygrave, Interim Executive Director of Community and Environmental Services
<b>24/04/24</b>	Performance Review Panels – Quarterly Update	Standard quarterly item	<ul style="list-style-type: none"> <li>- Better Opportunities for Children and Young People</li> <li>- Healthy, Fulfilling and Independent Lives</li> </ul>	Cllr Alison Thomas, Cabinet Member for Adult Social Care  &  Cllr Penny Carpenter, Cabinet Member for Children’s Services	Debbie Bartlett, Executive Director of Adult Social Care  &  Sarah Tough, Executive Director of Children’s Services
	NCC Economic Strategy/Update on LEP Integration	Requested at the meeting of the Scrutiny Committee held in October 2023	<ul style="list-style-type: none"> <li>- A Vibrant and Sustainable Economy</li> </ul>	Cllr Fabian Eagle, Cabinet Member for Economic Growth	Paul Cracknell, Executive Director of Strategy and Transformation

*\*The 'Better Together for Norfolk – County Council Strategy 2021-25' outlines five strategic priorities. These are:*

- A Vibrant and Sustainable Economy*
- Better Opportunities for Children and Young People*
- Healthy, Fulfilling and Independent Lives*
- Strong, Engaged and Inclusive Communities*
- A Greener, More Resilient Future*

*When scheduling items for the work programme the committee should consider, where applicable, the item contributes to the above strategic goals and overall delivery of the County Council's strategy for 2021-25.*