

**Environment, Transport and Development
Overview and Scrutiny Panel**

**Minutes of the Meeting held on Tuesday 11 March 2014 at
10.30 am at County Hall.**

Present:

Mr B Spratt (Chairman)

Mr T Adams

Dr A Boswell (Vice-Chairman)

Mr B Bremner

Mr R Coke

Mrs M Dewsbury

Mr T East

Mr P Hacon

Mr J Law

Mr B Long

Mr J Perkins

Mr W Richmond

Mr N Shaw

Mr J Ward

Mr A White

Mr M Wilby

Also present:

Mr D Harrison Cabinet Member for Environment, Transport, Development and
Waste.

Mr D Roper Cabinet Member for Public Protection

1 Apologies

Apologies were received from Mr M Baker, Mrs C Walker Cabinet Member for Economic Development and Mr J Ward (Mr W Richmond substituted).

2 Minutes of the meeting held on 14 January 2014

- 2.1 The minutes of the meeting held on 14 January 2014 were agreed as an accurate record and signed by the Chairman.

3 Declarations of Interest

There were no declarations of interest.

4 Items of Urgent Business

- 4.1 Following a question about the Norfolk County Council share of the £174m government funding which had been announced for the repair of roads damaged by drought and frost, the Interim Director of Environment, Transport and Development advised that there had been no official confirmation of how much the Norfolk County Council share would be. He said it was hoped that between £3m and £4m would be allocated which would be spent on highway maintenance and once the details of the

funding was known, a proposal would be drawn up to get the works completed before the summer.

The Interim Director for Environment, Transport and Development also advised that the additional Government funding did not include an allocation for the Fen Roads. He said that Norfolk County Council, Lincolnshire County Council and Cambridgeshire County Council had been working in collaboration to gather additional evidence about the condition of the Fen Roads and would be resubmitting a funding bid to Government for maintaining them.

The Panel were advised that the depth gauges along the Welney Road had now been installed.

- 4.2** In an attempt to alleviate the uncertainty surrounding the Willows Energy from Waste Plant, the Leader of Norfolk County Council, the Deputy Leader and the Chairman of Environment Transport and Development Overview and Scrutiny Panel had sent a letter to the Secretary of State urging him to make a quick decision regarding planning permission.

Mr Adams proposed, seconded by Mr Wilby, that a meeting be sought with the Secretary of State to press upon him the urgency of the decision. The meeting should be attended by the Chairman and Vice-Chairman of the ETD Overview and Scrutiny Panel and would not provide an opportunity for lobbying the Secretary of State as to the pros and cons of the plant, but would purely be an attempt to try to gain a decision on the planning application. Members of the Panel stressed that if a meeting did take place, it was not to become a lobbying exercise as to whether Members were for or against the project, but should be used to request a quick decision by the Secretary of State.

Dr Boswell advised the Panel that he considered the letter was inappropriate and that he did not agree with the proposal to meet with Mr Pickles.

The Chairman apologised for signing the letter without consulting the Panel, but said that he had been approached by the Leader, who had asked him to sign the letter and the urgency had not allowed him to consult with the Panel beforehand.

The proposal by Mr Adams, seconded by Mr Wilby, was voted on by the Panel. With 8 votes in favour (1 vote being the Chairman's casting vote), 7 votes against and 1 abstention, the proposal was **CARRIED**.

5 Public Question Time

The public questions received and their responses can be seen at Appendix A of these minutes.

6 Local Member Issues/Member Questions

- 6.1 Following the fire which had destroyed the retained fire station and an appliance at Downham Market on 11 March 2014, the Cabinet Member for Public Protection advised that once the first priority to protect life and prevent the fire from spreading

had been covered, plans had been enacted to ensure adequate fire service cover was restored to Downham Market. The Cabinet Member confirmed that a contingency appliance had already been allocated to Downham Market and that a fully equipped appliance would be stationed at Downham Market Police Station. The Cabinet Member was pleased that the contingency plans had come into immediate effect. It was confirmed that the building had been insured so all costs incurred in the rebuilding of the fire station would be recovered.

The Cabinet Member advised that ideally, all fire service buildings would be fitted with a sprinkler system, but these were expensive to fit and when considering where to place sprinklers in existing buildings it had been agreed to concentrate on the fire stations that were manned rather than those which were unmanned.

- 6.2 The Cabinet Member also advised that a report on collaborative opportunities about the ways in which Fire and Rescue, Police and Ambulance services could work together, would be received at the next Fire & Rescue Overview and Scrutiny Panel meeting on 2 April 2014.

7 Cabinet Member Feedback on Previous Overview & Scrutiny Panel Comments.

- 7.1 The Panel received a joint note by the Cabinet Members for Planning and Transportation, Economic Development, Environment and Waste and Community Protection, providing feedback on items discussed at Cabinet which had previously been discussed at an ETD Overview and Scrutiny Panel meeting.
- 7.2 Although there had been a reduced need for gritting Norfolk's roads during the mild winter, the Interim Director for Environment, Transport and Development advised the Panel that although less money had been spent on gritting costs, the highways department was expected to return a balanced budget, which was partly due to the extra work involved in clearing trees and other debris from the highway during the period of high winds experienced during December and January, and partly due to the delay in implementing the highway permitting scheme.
- 7.3 **RESOLVED** to note the report.

8 Better Broadband for Norfolk

- 8.1 The annexed report by the Interim Director of Environment, Transport and Development was received by the Panel. The report updated members on broadband and mobile phone coverage in Norfolk.
- 8.2 During the discussion, the following points were noted:
- The Government had offered Norfolk County Council an additional £5.6m to boost broadband services in Norfolk. This funding would become available in 2015 and carried a caveat that match-funding would be required in the area the allocation would be spent. Work was currently underway to ascertain how the match-funding could be secured and it was expected that further information may become available in April 2014.

- Members were advised that if the funding was secured, it may change the order of areas where superfast broadband could be connected.
- Following a suggestion that Cabinet could consider whether the match-funding could be raised by developing a scheme similar to the Parish Partnership Fund, the Programme Director, Better Broadband for Norfolk confirmed that conversations were taking place with District Councils and other organisations to see how they could contribute to the schemes.
- Although work had been completed around the possibility of Norfolk County Council becoming an ISP provider, the significant issues which had been identified such as people wanting bundle packages which provided television, broadband and telephone had not been deemed a viable option for the County Council as there were already several large organisations providing those services.
- European Union funding opportunities for providing broadband and mobile phone coverage had been explored but had not been deemed suitable in this project.
- In order that the progress of the project would not be delayed, it was expected that a new mini competition under the current framework contract for carrying out the installation works would be extended to cover the extra £11m investment. If the current contract was not extended, a further procurement exercise would need to be conducted which may lead to delays in the completion of the works.
- Any unused money from the Highways budget could not be used on the Broadband project.
- A member of staff within Environment, Transport and Development department held responsibility for coordinating the project works with other utility providers to ensure highways and paths were not excavated within short timescales by different providers. This role also included responsibility for carrying out an inspection regime to ensure reinstatement work was carried out to the required standard. The contractor was responsible for putting right any defects in the reinstatement work at its own expense.
- It was anticipated that 83 per cent of premises would receive superfast broadband coverage by the end of 2015.
- An alternative technology would be deployed to provide access to a basic broadband minimum of 2 mbps where fibre based technology was not possible for either technical or financial reasons.
- Mr Long proposed, seconded by Mr East, that the Panel ask Cabinet to explore opportunities of match-funding the additional government funding of £5.5m via a scheme equivalent to the Parish Partnership funding scheme, including approaching private businesses, parish councils and district councils. Following

a vote, this proposal was unanimously **agreed**.

8.3 RESOLVED to

- note the report.
- Recommend that the appropriate committee under the new governance arrangements makes provision for taking this work forward.

9 The Council's position on hydraulic fracturing ('fracking') – Progress report.

9.1 The annexed report by the Chairman of the Member Working Group was received by the Panel. The report provided the Panel with an outline of progress to date on the scrutiny of this topic by the working group.

9.2 The Chairman of the Working Group advised that any applications for licences to explore onshore gas or oil needed to be submitted to the Department of Energy and Climate Change by October 2014. He said that in the meantime the Working Group would continue their work considering the County Council's role as a Minerals Planning Authority and would decide any future course of action once the deadline for submission of applications had passed.

9.3 The Panel thanked the working group and the officers for the work that had been done to date.

9.4 RESOLVED to:

- i) Note the contents of the report.
- ii) Recommend that the working group continued its inquiry and reports as appropriate under the new governance arrangements that will succeed the Overview and Scrutiny Panel.

10 Environment, Transport and Development Department Finance monitoring Report 2013/14.

10.1 The Panel received the annexed report by the Interim Director of Environment, Transport and Development, giving details of the latest monitoring position for the 2013-14 ETD Revenue and capital budgets and the forecast position on the reserves held by the department.

10.2 During the presentation of the report it was noted that mitigation actions had been put in place which had significantly reduced the forecast overspend.

10.3 RESOLVED to

- i) note the forecast overspend on revenue budget and detailed management actions in section 2 and appendix A of the report;
- ii) Note the forecast overspend on the Highways capital programme and the management actions to manage the overall programme and available funding.
- iii) Note the forecast balances for specific ETD reserves.
- iv) Note the contents of the report and the progress to date.

11 Environment, Transport and Development Department Performance and Risk Monitoring Report 2013/14.

11.1 The Panel received the annexed report updating the Panel on the ETD performance dashboard, and alerting members to areas of concern and to highlight areas of improvement within the ETD dashboard and general progress against performance for services delivered by ETD.

11.2 The following points were noted in response to questions from the Panel:

- Evidence had shown that there had been a recent increase in the amount of waste which was being sent to landfill and this increase had led to the target score moving from amber to red. The projections had been based on a plateauing of waste to landfill which had occurred earlier than predicted together with a slight increase in the projected costs.
- The Panel suggested that, under the new Committee Governance system, a working group be established to ascertain all the methods available for recycling and reducing the amount of waste sent to landfill. District Councils could also be asked for their input on the work they are doing and once all the information had been gathered and collated, the best solution for recycling for the whole of Norfolk could be identified and implemented.
- The Interim Director of Environment, Transport and Development advised the Panel that he had asked a team of officers to draft a report on streetlighting and associated carbon emissions. This report would be brought to the new Committee for consideration. Officers had also been asked to consider whether developers of new housing estates should be working to Norfolk County Council prescribed standards of streetlighting when building new developments. It was confirmed that the part-night switch-off and the replacement of some streetlights with LED bulbs had resulted in reduced energy consumption as well as reduced costs, although it was noted that the energy supplier costs had increased which meant that the savings were not as high as had been anticipated.
- Before the trial of the part-night lighting scheme had come into effect, a consultation with the Police had taken place. Representatives from the Police had supported the scheme and were monitoring reported crime in the areas where street lights were switched off during the night. It was acknowledged however, that people's perception of crime was a separate issue to that of reported crime.
- The Norwich Northern Distributor Route had been accepted by the Planning Inspectorate into the Nationally Significant Infrastructure Project (NSIP) development approval process. It was anticipated that the public inquiry would take place in May with the decision expected early 2015.
- The Interim Director of Environment, Transport and Development advised that the Orders for the Postwick Hub junction improvement had now been approved by the Secretary of State. If there were no challenges to that Order it was hoped that work would commence late spring or early summer.

- The Highways Network Manager advised that there were a variety of different manoeuvres which resulted in collisions on Norfolk roads, and although there had been several incidents recently of drivers travelling the wrong way along a highway, this was not the sole cause of the increase in the number of casualties. He said that given the demographics of the county there was a particular need to engage with older drivers in order that they could be kept safe, and schemes such as the Gold driver scheme initiative were aimed at older drivers to keep them driving safely, for longer.
- The Highways Network Manager said that he was not aware of any schemes by any agencies aimed solely at supporting drivers from other countries driving in this country, although there were a number of well publicised driver/rider training programmes which were open to everyone.
- The Highways Network Manager agreed to forward the Joint Casualty Reduction Partnership reports which gave detailed information on the road casualty statistics.

11.3 **RESOLVED** to note the report and the Economic Intelligence Report.

12 **Protecting Consumers – Safeguarding Business. Trading Standards Service Plan 2014-15.**

12.1 The Panel received the annexed report by the Interim Director of Environment, Transport and Development outlining the proposed Trading standards priorities for 2014/15 through the service plan.

12.2 Following an observation about the content of the report, the Assistant Director Public Protection advised that the report had been produced to Government requirements and needed to include information relating to the political make-up of Norfolk County Council. The Assistant Director agreed to review the wording prior to its submission to Cabinet.

12.3 **RESOLVED** to note the report and the appendices and recommend it to Cabinet and Council for approval.

In closing the last meeting of the Environment, Transport and Development overview and Scrutiny Panel meeting, the Chairman thanked all Members and Officers for their input.

(The meeting closed at 12.05pm)

Chairman



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PUBLIC QUESTIONS

5 Public Question Time

5.1 Question 1 from Mr Neil Thompson

To save much needed cash is it not possible to run police, fire and ambulance vehicles on red diesel?

Response by the Cabinet Member for Environment, Transport, Development & Waste.

The question relates to emergency vehicles, however as far as ETD is concerned, rebated fuel (red diesel) can only be used for specific operations as allowed by HM Revenue and Customs. For example, gritting of roads and clearance of snow is allowed (but dusting of roads and accident mopping up is not). All of our dedicated winter service bulkers use rebated fuel whereas other vehicles may only use DERV.

I understand from the Norfolk Fire and Rescue Service that they have approached HM Revenue and Customs and have been advised that red diesel can only be used in cranes and mobile pumps which do not carry their own water. This limited opportunity has not been taken up because the additional tanks or extra travel outweighs the potential savings

5.2 Question 1 from Miss Tanya Mikael

There is a development for a housing estate to bulldoze through the woods in Thorpe ST Andrew. If this plan goes ahead, when we have heavy rain fall, their will be no trees to soak it up. Thus the water will run to the rivers and many people in Norwich will have their home, business's and even lives lost.

I urge you to do everything possible to stop the destruction of the woods or you will end up struggling to sort out severe floods. I do not want the tax I pay to be used to chop down trees and put my life in danger.

Response by the Cabinet Member for Economic Development

This is a matter for the local planning authority, Broadland District Council, who are a Flood Risk Management Authority. They should consider a risk assessment as part of their decision making process, and have due regard to the County Council's Preliminary Flood Risk Assessments and Surface Water Management Plans where they exist.

5.3 Question 1 from Mrs Janette Windsor-Luck

There has been a lot of pressure for 20mph speed limits outside of schools. Would the committee consider a variable limit for example 20mph during the times that children are entering/exiting the premises and 30mph or whatever the existing limit is outside of these times and during school holidays.

Response by the Cabinet Member for Economic Development

The revised Norfolk Speed Management Strategy together with the views of this Panel and the Norwich Joint Highways Agency Committee were considered by Cabinet on 3 March 2014 . Cabinet agreed to change the strategy inline with the views of Panel and the Norwich committee, including widening the scope of benefits to be considered when setting 20mph speed limits, including outside schools. Cabinet agreed that it is the Council's aspiration to provide 20mph part-time advisory speed limits (i.e. 20mph at school drop-off and meet and great times) at all schools in Norfolk. Some funding was allocated during 2013-14 for additional speed limits outside some of the highest priority schools, and the Council will work towards delivering the aspiration to treat all schools on a prioritised basis as funding becomes available in the future.

5.4 Question 1 from Mr Alan Hall

Even if it is coming from council tax for second homes, in these times of financial austerity and budget cuts to services for those most in need, is this really the time to be 'investing' £7.75 million in Norfolk Energy Futures, a wholly owned NCC company, in only its second year, yet to make a profit and one that has focused on unpopular onshore wind turbines?

Response by the Cabinet Member for Environment, Transport, Development & Waste.

Norfolk Energy Futures Ltd has been established to generate a financial return to the County Council, by using its assets to generate energy, including wind turbines on County Farms that provide free electricity to tenant farmers. It has made a small loss in its first year and aims to break even/generate a small profit in its second year. The company is also looking at investing in solar electric panels and anaerobic generation.

5.5 Question 2 from Mr Alan Hall

Before replacing street lighting, seemingly done in an effort to reduce running costs, what was the overall cost/saving of these new lights in comparison to ones with a solar panel on top of each lamppost?

Response by the Cabinet Member for Environment, Transport, Development & Waste.

The County Council commenced a 25 year street lighting Private Finance Initiative contract with Amey on the 4th February 2008. This covered the annual maintenance of Norfolk's lighting, signage and bollards and any ancillary equipment for the duration of the contract.

In addition to the maintenance, the first five years of the contract involves replacement of approximately 28,000 old columns, a number of which had structural design risks. With the lanterns being replaced at the same time to a white light source it has been possible in many cases to use less columns and lanterns and still achieve a far better standard of lighting. This being the case, there is a reduction in maintenance costs and some energy and CO2 savings. From year six to fifteen, the remainder of the lighting will be brought up to the same standard.

Solar powered street lighting is still not sufficiently developed to achieve the required lighting levels for most highway applications.

We have installed solar powered street lights only where the cost of obtaining a mains supply is excessively high (2 units on a new development in Scarning).

For example, it would be possible to light a detached footpath with solar lighting (BS5489 Standard S5) with a column installed every 14 metres at a cost of £1,400 per unit with no annual energy costs. The alternative mains powered street lights would achieve the standard with a unit every 34 metre at a cost of £1,800 with annual energy costs of £6. Using these parameters a 250 metre footpath would need 19 solar powered units at a total cost of £26,600 and 9 mains powered units a total cost of £16,200 + £54 a year for energy.

5.6 Question 1 from Mrs Christine Hall

NCC are intending Lafarge Tarmac to use part of the Coltishall runway as aggregate for use on the NDR. Given its former use there is very likely to be high levels of contamination in this material that may render this environmentally unusable.

If that is found to be the case, as owners, have NCC calculated the cost and made financial provision to then dispose of the toxic material or do they simply intend to use it regardless?

Response by the Cabinet Member for Environment, Transport, Development & Waste.

NCC has undertaken an extensive programme of core sampling in the runway areas. Laboratory analysis of these cores does not indicate any signs of contamination. We are satisfied that the recovered aggregate can be safely used and without financial risk.

5.7 Question 2 from Mrs Christine Hall

“A planning application for aggregate removal from both ends of the runway has been submitted. Initial aggregate removed will be used for the Postwick junction scheme east of Norwich.”

If part of the runway at Coltishall is dug up it effectively becomes demolition waste, is this expected to conform to the Quality Protocol and end of waste criteria acceptable for the production and use of recycled aggregates from inert waste?

Response by the Cabinet Member for Environment, Transport, Development & Waste.

The County Council has carried out a site trial which demonstrates that the excavated material directly produced will be a construction product, in this case an unbound sub-base. We can confirm that production of recycled Type 1 aggregate from Coltishall will be carried out in accordance with the Waste & Resources Action Programme (WRAP) Protocol. Lafarge Tarmac will have a Quality Plan in place and will take samples and test throughout the production to ensure that the recycled material meets appropriate specifications.

5.8 Question 1 from Mrs Jenny Perryman

Minutes of ETDOS Panel September 2012 report:

“The Director of ETD confirmed that contingency plans were in place in the event that the Energy from Waste Plant was not progressed.”

However, Members overlooked 'Existing residual waste disposal contracts continue until 2016' was simply a contingency plan for delay, rather than non progression.

Despite being asked last summer to come up with a proper Plan B alternative, the Leader and officials remain reluctant to do so.

Since West Norfolk has an alternative, why haven't NCC looked to resurrect the perfectly acceptable solution they shelved at Costessey, without taking the Forex risk that led to its downfall?

Response by the Cabinet Member for Environment, Transport, Development & Waste.

The ETD Overview and Scrutiny Panel 12 September 2012) minutes record that 'Existing residual waste disposal contracts continue until 2016.' It was a procurement referred to as 'Contract A' that led to different bidder's proposals for facilities at Costessey. This procurement was abandoned in 2009 as it was more expensive than landfill.

5.9 Question 2 from Mrs Jenny Perryman

A clause in the Waste PFI contract with Cory Wheelabrator, potentially donates £20.3M+ to the contractor if NCC were found to have taken bribes etc. Since other sections of the standard contract have been omitted as not applicable, one would equally assume there would have been no reason for its inclusion had there been no 'risk.'

Are we therefore to assume there are underlying motives for those at County Hall who appear very keen for this proposal to continue at any cost, that CW will benefit from in the event of exposure?

Response by the Cabinet Member for Environment, Transport, Development & Waste.

The clause you refer to is a standard one. No allegations have been made, and no assumptions can be made either.