

Planning, Transportation, the Environment and Waste Overview and Scrutiny Panel

Minutes of the Meeting held on 9 September 2009

Present:

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| Mr A D Adams | Mr T East |
| Mr R A Bearman | Mr J M Joyce |
| Mr S W Bett | Mr M C Langwade |
| Mr A P Boswell | Mr B W C Long |
| Mr J S Bremner | Ms A Steward |
| Mr P G Cook | Mr A M White |
| Mr N D Dixon | |

Substitute Members:

Mrs D Irving substituted for Mr A Byrne

Cabinet Members Present:

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| Mr A Gunson | Planning and Transportation |
| Mr I Monson | Environment and Waste |

Deputy Cabinet Member Present:

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| Mr B H A Spratt | Planning and Transportation |
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1. Apologies

- 1.1 Apologies were received from Mr A J Byrne, Mrs M Chapman-Allen, Mr J M Ward and Mr R J Wright.

2. Minutes

- 2.1 The minutes of the meeting that took place on 8 July 2009 were signed as a correct record by the Chairman.

3. Declarations of Interest

Dr Strong declared a personal interest in Item 9 – being an unpaid volunteer flood warden for the North Norfolk coast.

4. Matters of Urgent Business

- 4.1 There were no matters of urgent business.

5. Public Question Time

- 5.1 Mr Moore (Tibenham Parish Council) had presented a petition to the Chairman, relating to the 50mph speed limit on Diss Road, Tibenham. He explained that there was no footpath along the stretch of road and that a lower speed limit was needed to prevent accidents from happening.

Response from the Chairman

The Chairman confirmed that the petition would be passed to officers to deal with under the Planning and Transportation department's petitions procedure.

- 5.2 The Chairman reported that another two questions had been received and that as the member of the public was not present a written response would be provided.

6. Local Member Issues

- 6.1 Beverley Spratt, Local Member for West Depwade, spoke in support of Mr Moore's petition.

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

- 7.1 The Panel noted the annexed joint report from the Cabinet Member for Planning and Transportation and Cabinet Member for the Environment and Waste, which provided some feedback on Cabinet discussion of the Panel's comments.

8. Forward Work Programme: Scrutiny

- 8.1 The Panel noted the annexed report from the Director of Environment, Transport and Development, which asked Members to review and develop the scrutiny forward work programme.

9. Hunstanton to Kelling Shoreline Management Plan – Consultation Response Programme

- 9.1 The Panel considered the annexed report from the Director of Environment, Transport and Development, which recommended that the principles underpinning the SMP and the overall approach to its delivery and review should be supported.
- 9.2 The Panel welcomed the following representatives from the Environment Agency, who explained the detail of the Hunstanton to Kelling Shoreline Management Plan (SMP) and the Wash SMP:
- Steve Hayman, Area Coastal Advisor - Norfolk
 - Gary Watson Area Coastal Engineer - Norfolk & Suffolk
 - Mike Dugher, Northern Area Coastal Manager

* It was agreed that this minute be amended and was corrected at the committee meeting on 4 November 2009. Please view the minutes of that meeting in order to note the correction made.

A copy of the presentation slides are attached to the minutes at Appendices A and B.

- 9.3 During the presentations, the following additional points were made:
- The Environment Agency (EA) was the operating authority for flood risk management on the north Norfolk coast.
 - SMPs were not driven by flood management costs but locally important values such as tourism, habitat and communities.
 - The EA looked to the SMPs to direct its management of resources and planning.
 - The client steering groups for each SMP included representatives from all partner organisations involved in the area. The stakeholder group and elected Member forum set the key principles for each SMP, which ensured there was the right amount of local input.
 - Epoch 1 was up to 2025, Epoch 2 was 2025 to 2055 and Epoch 3 2055 to 2105.
 - Appendix 3 to the SMP consultation document explained the coastal processes in detail and could be made available to Members if requested.
 - Defra had instructed that the current round of SMPs should be completed in 2010.
 - The consultation for the Kelling to Lowestoft SMP had been completed in 2005. A lot of comments had been received, particularly relating to cliff frontages and property in Happisburgh. More work was being done on that SMP to address the social implications of the inevitable change that was happening as a result of coastal processes. The SMP was due to be completed by March 2010.
 - The client steering group for the Wash SMP included a representative from the National Farmers Union.
 - A number of methodologies had been applied to establish what changes might take place to the saltmarsh area.

- 9.4* In response to Members' questions, the Panel was advised:
- The EA was not aiming to use the SMP process as a money-saving exercise. It set out to produce a long-term plan to manage the coastline in a sustainable way. Where, historically, sea walls had been built, the underlying erosion process continued and, in places, walls were being undermined.
 - Beach replenishment required dredging.
 - Offshore dredging was not dealt with in the SMP as it was governed by Government guidelines and there was a particular process to license dredging areas. Part of this process was the requirement to ensure that proposals did not impact beaches.
 - SMPs were based on Department for Environment, Food and Rural Affairs (Defra) guidance. The Intergovernmental Panel on Climate Change (IPCC) 2009 report had been published since but the EA had been advised that Defra figures were robust.

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- A group was currently looking at how the IPCC report would affect the EA's policies. SMPs were reviewed every five years, so they could be revisited in light of the group's considerations.
- The EA based its views on the best science available, which currently showed no link between dredging and coastal erosion along the North Norfolk coastline.
- Companies tendering for dredging licenses had to pay for a robust environmental impact assessment and an additional coastal impact study.
- The Netherlands were the largest marine won aggregate producers in the European Union.
- There was a lot of misinformation about dredging – details of individual national activities could be found on the 'International Council for Exploration of the Seas' website.
- The EA received its funding from Defra, which was allocated for flood management and coastal erosion through a local bidding process.
- Due to its sparse population densities the North Norfolk coastline was unlikely to score high on the national priority list but the EA had a duty to protect the internationally protected habitat sites that existed in the area.
- The SMPs were currently drafts and would be amended as a result of comments received.
- The east embankment at Wells had been built 20 years previously. It was in good condition and the EA currently spent less than £1000 each year to maintain it. The proposal to re-align it was not a flood defence proposal and it would be very expensive.
- The Salthouse shingle bank was wide and low and could absorb storm impacts better than artificial defences. The EA would continue to monitor the area and would intervene to prevent it from becoming an estuary. In the event of a repeat of the 1953 storm, the shingle bank would be overwhelmed but Emergency Planning processes would come into play.
- Before any realignments took place the EA would undertake a full investigation of all implications, in order to understand the consequences of each and to ensure it had a true community view.
- The EA started by looking at coastal processes, then future scenarios to assess the impact and challenges. The examination of coastal processes included the impact of current coastal defences already in place.
- There were very few man made dunes and most of these needed intervention to stabilise them. It was not possible to have a 'hold the line' policy where there were dunes due to their natural variability.
- Some defences had been in place many years but still performed well.
- Following consultation an action plan would be produced setting out action the EA and other operating authorities would take as a result of the agreed SMP.

9.5 Dr Strong, Local Member for Wells Division, raised concerns that the dates of the SMP exhibitions for Parishes in her division would not leave much time for Parish Councils to consider the information before the 12 October Cabinet

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meeting. She also reported that Blakeney Parish Council had given her copies of a motion containing practical suggestions as the Plan based on local knowledge and that she would like to see that those comments had been considered before the Plan progressed. Wells Parish Council had also agreed it would like to see the technical details of the proposed alterations to the eastern defences and a closer examination made of the existing condition of the Holkham dunes.

In response, EA representatives stressed that they would take account of all responses. Parishes could respond direct to the EA and if they had difficulty meeting the current deadline, it would stretch the date to accommodate them. They also explained that the EA undertook a thorough coastal monitoring package, which included extensive wave and tidal monitoring in the north sea and the behaviour of the dunes using a number of methods including annual aerial photography. The EA also relied on local knowledge. They agreed to forward a copy of the report on north Norfolk coastal monitoring to Wells Parish Council for local people to consider.

9.6* The Panel concluded that it should wait until the consultation process had finished and local people had had a chance to consider the information before it agreed to support the overall approach taken in the SMP and the principles underpinning it.

10. Department for Transport “A safer way ahead” Consultation

10.1 The Panel noted the annexed report from the Director of Environment, Transport and Development, which provided Members with an opportunity to consider the issues raised within the consultation and the Cabinet Member’s response.

11. Residual Waste Treatment PFI Project – Shortlist of Bidders

11.1 The Panel considered the annexed report from the Director of Environment, Transport and Development, which explained the pre-qualification process, summarised responses to the pre-qualification questionnaire and recommended a shortlist.

11.2* During discussion the Panel was advised:

- The pre-qualification questionnaire process allowed possible participants to express an interest as an applicant and enabled the County Council to select those applicants who were capable of delivering the services required.
- The Norfolk Waste Partnership had signed up to the Local Authority agreement to increase the recycle levels to 46%, which was an ambitious goal.
- There was also the potential to create gas from waste and the County Council was working with Centrica to undertake robust studies for all applicants.
- Proposals for the framework contract would be brought to the Panel for consideration in November.

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- The County Council was undertaking a soft marketing testing to ensure the companies were able to provide the service identified.

12. Exclusion of the Public

- 12.1 The Project Manager (Residual Waste Treatment Contracts) presented the following reasoning for exclusion of the public and conclusion in respect of the public interest test:

“Financial and bid issues are outlined in detail for Members to consider.

The public interest in disclosing these issues is outweighed by the public interest in non-disclosure. Disclosing sensitive business and financial information may impact on the Authority attaining best value on future negotiations.”

RESOLVED:

That the public be excluded from the meeting under section 100A of the Local Government Act 1972 for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Act.

13. Procurement of Phase One of the Residual Waste Treatment Project – Contract A

- 13.1 The Panel considered the financial and bid issues that were considered to be exempt under Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972.

14. Return to Public Session

- 14.1 The Panel agreed that the following applicants should be shortlisted for the Waste PFI and invited to participate in dialogue:
1. Cory Environmental Management Ltd / Wheelabrator Technologies Inc.
 2. AmeyCespa (Amey UK plc / Cespa SA).
 3. MVV Umwelt GmbH.
 4. Resources from Waste (United Utilities plc / Laing O'Rourke plc / John Laing Investments Ltd).

(The meeting closed at 12:30 pm)

Chairman



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