



Environment, Transport & Development Overview & Scrutiny Panel

Date: **Tuesday 11 March 2014**
Time: **10.30 am**
Venue: **Edwards Room, County Hall, Norwich**

Persons attending the meeting are requested to turn off mobile phones.

Membership

Mr B Spratt (Chairman)

Mr T Adams	Mr J Law
Mr M Baker	Mr B Long
Mr A Boswell (Vice-Chairman)	Mr J Perkins
Mr B Bremner	Mr N Shaw
Mr R Coke	Mr J Ward
Mrs M Dewsbury	Mr A White
Mr T East	Mr M Wilby
Mr P Hacon	
Vacancy	

Non Voting Cabinet Member

Mr D Harrison, Cabinet Member for Environment, Transport, Development & Waste
Mrs C Walker, Cabinet Member for Economic Development

**For further details and general enquiries about this Agenda
please contact the Committee Administrator:**

Julie Mortimer on 01603 223055
or email committees@norfolk.gov.uk

A g e n d a

1 To receive apologies and details of any substitute members attending

2 Minutes of the meeting held on 14 January 2014

To confirm the minutes of the Environment Transport and Development Overview & Scrutiny Panel meeting held on 14 January 2014.

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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:

- your well being or financial position
- that of your family or close friends
- that of a club or society in which you have a management role
- that of another public body of which you are a member to a greater extent than others in your ward.

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

4 To receive any items of business which the Chairman decides should be considered as a matter of urgency

5 Public Question Time

15 minutes for questions from members of the public of which due notice has been given.

Please submit your question(s) to the person named on the front of this agenda by **5pm on Thursday 6 March 2014**. For guidance on submitting public questions, please refer to the Council Constitution Appendix 10, Council Procedure Rules or [Norfolk County Council - Overview and Scrutiny Panel Public Question Time and How to attend Meetings](#)

6 Local Member Issues/Member Questions

15 minutes for local members to raise issues of concern of which due notice has been given.

Please submit your question(s) to the person named on the front of this agenda by **5pm on Thursday 6 March 2014.**

- 7 Cabinet Member feedback on previous Overview and Scrutiny Panel comments** (Page **18**)
- 8 Better Broadband for Norfolk** (Page **20**)
Report by the Interim Director of Environment, Transport and Development.
- 9 The Council's position on hydraulic fracturing ('fracking') – Progress report** (Page **27**)
Report of the Chairman of the Working Group.
- 10 Environment, Transport and Development Department Finance Monitoring Report 2013/14** (Page **35**)
Report by the Interim Director of Environment, Transport and Development.
- 11 Environment, Transport and Development Department Performance and Risk Monitoring Report 2013/14** (Page **49**)
Report by the Interim Director of Environment, Transport and Development.
- 12 Protecting Consumers – Safeguarding Business Trading Standards Service Plan 2014-15** (Page **92**)
Report by the Interim Director of Environment, Transport and Development

Group Meetings

Conservative Group	Colman Room
UKIP	Room 504
Labour Group	Room 513
Liberal Democrat Group	Room 530

Chris Walton
Head of Democratic Services
County Hall
Martineau Lane
Norwich NR1 2DH

Date Agenda Published: Monday 3 March 2014



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Environment, Transport and Development Overview and Scrutiny Panel

**Minutes of the Meeting held on Tuesday 14 January 2014 at 10am at
County Hall.**

Present:

Mr B Spratt (Chairman)

Mr M Baker	Mr J Law
Dr A Boswell (Vice-Chairman)	Mr I Monson
Mr B Bremner	Mr J Perkins
Mr R Coke	Mr N Shaw
Mrs M Dewsbury	Mr J Ward
Mr T East	Mr A White
Ms A Kemp	Mr M Wilby

Also present:

Mrs C Walker	Cabinet Member for Economic Development
Mr D Harrison	Cabinet Member for Environment, Transport, development and Waste.

1 The feasibility of supporting local businesses through changes to the current business rates regime.

- 1.1 The Chairman welcomed everyone and set out the itinerary for the meeting. Attendees included portfolio holders and officers from local District Councils, representatives from the Federation of Small Businesses, Valuation Office; New Anglia Local Enterprise Partnership; Norwich Business Improvement District; Norfolk Chamber of Commerce; NPS Norwich Ltd; NPS Property Consultants Ltd; Twinkle Tots Nursery, King's Lynn; Athena Games; Little Bunnies Day Nursery, King's Lynn; Tribal Riders Snow and Water Ltd and officers from the Economic Development Team at Norfolk County Council.
- 1.2 The Panel received a report providing the basis for discussion between members of the Panel and representatives of key stakeholder organisations, with a view to exploring the scope for supporting local businesses through changes to business rates. The Panel were asked to note the contents of the report and, following discussion with the stakeholders, to agree any recommendations they considered appropriate.
- 1.3 The following points were noted during the discussion:

- Most businesses said they expected to pay business rates, although they stressed that these should be set at a reasonable level. One way which small businesses could be helped was to have an option of paying their business rates through a graduated payment structure for the first few years of trading.
- Cases were cited about people who had contacted the Valuation Office for assistance with information as to how their rates bill had been determined, but they had been told that the best way of obtaining that information was to instruct a private rates review.
- A case was cited about large businesses who classified their premises as a workshop and that this was not checked by the Valuation Office with the result that some large businesses were paying much less business rates than smaller businesses. This penalised businesses such as children's day nurseries which faced statutory requirements under Ofsted rules to provide a certain amount of space per child.
- The meeting was informed that the valuation date of 1 April 2008 used for determining business rates was statutory and would not be reviewed until after the next election. There was a process for appealing against the business rates, although the appeal process was very slow. It was considered that this may be one area that Government could be asked to review.
- A general recommendation was made that anyone who was considering setting up a small business should approach a professional rates adviser for assistance to ensure their business rates were set correctly at the outset.
- The Panel **agreed** to send a letter to Brandon Lewis MP, Parliamentary Under-Secretary of State at the Department for Communities and Local Government, asking him to consider how the current system of business rates was operated and requesting his support in addressing some of the issues identified.
- There were two issues that the meeting felt could be raised in the letter. Firstly, an urgent reform was needed of the system of business rates and the way it was administered. In particular the need to address the major disparities that prevailed. Secondly the fact that the current system had not adapted to changes in consumer spending associated with internet shopping and out-of-town retail centres. The effects of this on some businesses was compounded by massive tax avoidance by certain online retailers and high street chains which led to a deep sense of injustice and threatened the level and sustainability of funding for many councils.
- A new procedure had been adopted for dealing with valuation appeals which had caused a backlog of rates reviews at a national level. The number of outstanding appeals relating to Norfolk was not known.

- Studies had been carried out over the last 20 years to ascertain the benefits of Enterprise Zones in the UK. The most recent in 2006 by Cambridge Econometrics. They had consistently shown that although businesses renting premises in an Enterprise Zone would benefit from a rate-free period, the effects were gradually swallowed up by a disproportionate increase in rent by the end of the rate-free period so any advantages had been lost.
- Most of the representatives at the meeting felt that the current business rates system did not offer a clear and consistent method of levying a local business tax and was therefore considered unfair.
- District Councils confirmed that their mandatory and discretionary relief policies worked well, offering discretionary relief to certain rural businesses, including pubs, petrol stations, post offices. However, it was noted that any discretionary relief offered needed to be funded by the Billing Authority.
- Further information about valuation appeals could be found on the Valuation Office website at www.voa.gov.uk

- 1.4 **RESOLVED** to write to Brandon Lewis MP asking for an urgent reform of the current system of business rates and the way in which it was administered, in particular how major changes in consumer spending associated with online shopping and out of town retail centres had not been adapted to. Information to be included about how the current regime penalises business such as children's day nurseries which faced statutory requirements to provide minimum space per user, and information about 'self reporting' by some businesses was leading to the VOA classifying their premises as 'workshops'.

The meeting adjourned at 11.45am and re-convened at 2pm in the Edwards Room, County Hall.

2 Apologies

Apologies were received from Brian Long (Ian Monson substituted), Pat Hacon and Daniel Roper, Cabinet Member for Public Protection.

3 Minutes of the meeting held on 26 November 2013

- 3.1 The minutes of the meeting held on 26 September 2013 were agreed as an accurate record and signed by the Chairman.

4 Declarations of Interest

No declarations of interest were received.

5 Items of Urgent Business

There were no items of urgent business.

6 Public Question Time

The public questions received and their responses are attached to these minutes at Appendix A.

7 Local Member Issues/Member Questions

No Local Member issues or Member questions were received.

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

8.1 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.

8.2 The Interim Director for ETD updated the Panel on the current position with regard to the Northern Distributor Road (NDR) during which the following points were noted:

- The planning application by Norfolk County Council for the Northern Distributor Road had been submitted and was with the Planning Inspector who had 30 days to validate it. Once the application had been validated, a date would be set in late spring/ early summer for the public inquiry. The Planning Inspector would then hold the inquiry, produce a report after which it would be forwarded to the Secretary of State who would make the final judgement.
- The orders for the Postwick junction site had now been confirmed and if there were no legal appeals work would commence at the site in summer 2014.

8.3 **RESOLVED** to note the report.

9 Forward Work Programme: Scrutiny

9.1 The annexed report by the Interim Director of Environment, Transport and Development was received by the Panel. The report set out the forward work programme for scrutiny.

9.2 The following points were noted during the presentation by the Scrutiny Support Manager:

9.2.1 Fracking

The next meeting of the Fracking Working Group would be held on 15 January with an update brought to the Panel meeting in March.

9.2.2 Mobile Phone Coverage and Digital Radio and Broadband Coverage.

The Vice-Chairman of the O&S Panel read out a statement from Dr Marie Strong with a suggestion to have a six-monthly progress report at future meetings once the new system of governance had been agreed. A copy of the statement is included below:

Dear Chairman and Members

I would ask you to strongly recommend that Scrutiny items 1 and 4 continue when the Committee system of Governance commences.

The original Working Group carried out extremely useful work regarding the establishment of Better Broadband for Norfolk. As the task of bringing about BB across the County continues I feel the item should remain with the more recently formed Working Group to provide Member input until the task is completed.

The Working Group also proved very useful as we moved from analogue to digital television but we need to keep digital radio on the agenda.

And of vital importance is the task of ensuring adequate mobile 'phone coverage throughout our rural divisions. Whilst many of us have previously provided considerable evidence of the problem I would add that at the height of the 5 December flood mobile 'phone signals were lost in places and at times which hampered vital work. The current situation should not continue.

I ask that you recommend these items of scrutiny continue under the new system of Governance in order for Members to support the important work of our Officers.

County Councillor Dr Marie Strong

Member of the current Working Group – and sole remaining Member of the original Working Group.

The Panel **agreed** to recommend that scrutiny of Mobile Phone and Digital Radio coverage in rural Norfolk and Broadband Coverage for rural and urban areas of Norfolk, continue under the new Norfolk County Council System of Governance.

9.2.3 Regeneration of former RAF Coltishall Site.

A request had been received from Cllr Nigel Dixon to add this topic to the forward work programme for the Panel to consider in March 2014.

Following discussion on the options available to the Panel, it was noted that a report on the Norfolk Infrastructure Fund – Annual Report (NIF) would be brought to the March meeting of Cabinet, where some of the issues raised by Mr Dixon may be addressed.

9.3 **RESOLVED** to note the report.

10 Recommendations from the Snettisham Access Working Group

10.1 The annexed report of the Snettisham Access Member Working Group was received by the Panel. The report outlined the work the working group had carried out in responding to the original Councillor Call for Action (CCfA) and recommended a way forward for the Environment, Transport and Development Overview and Scrutiny Panel.

- 10.2 The Chairman welcomed John Dobson to the meeting, who said that this was the first Councillor Call for Action (CCfA) brought to this level at Norfolk County Council and he was very grateful to members of staff and Members of the Panel for their input. He believed that the working group had achieved the right outcome, and that this outcome would be welcomed locally. He said it would also give an equitable solution to the issue. He said that the Police had also expressed their satisfaction with the proposed outcome from the working group.
- 10.3 The Panel thanked the working group and the officers for the work that had been done and

RESOLVED to:

- i) Note the progress made by the Working Group.
- ii) Consider the Working Group's suggestion that officers be asked to contact the owner of the signs and request that they be removed pending the outcome of the Definitive Map Modification Order (DMMO), at which time Officers will seek to erect new definitive signs, and
- iii) Recommend the agreed course of action to Cabinet.

11 Highways Capital Programme 2014/15/16 and Transport Asset Management Plan.

- 11.1 The Panel received the annexed report by the Interim Director of Environment, Transport and Development, summarising the Local Transport Plan (LTP) Settlement for 2014/15. The report detailed the main sources of funding and budget allocations and described how these were allocated between the main types of scheme.
- 11.2 During the presentation of the report it was noted that although £2m had been re-allocated to structural maintenance from the integrated transport funding, the total allocation (£25.379m) was well below what was actually needed to maintain the existing condition of roads in Norfolk (£36m).
- 11.3 Panel expressed the view that Parish Council contributions to schemes under the Parish Partnership Fund should remain at 25%.
- 11.4 Following a question about how the "pink pedalway" would be identified, it was noted that the term "pink pedalway" referred purely to the mapping route. To assist users, markers would be applied at intervals along the route.
- 11.5 **RESOLVED to**
- i) note the contents of the report, in particular the reallocation of integrated transport funding to structural maintenance to partially address the deterioration in highway condition, and recommend it to Cabinet for approval;
 - ii) note the proposed changes to the Transport Asset Management Plan for 2013/14 to 2017/18 and recommend it to Cabinet for approval;
 - iii) recommend to Cabinet the use of Chief Officer delegated powers, in consultation with the Cabinet Member for Environment, Transport, Development and Waste, to manage the two year programme, including the

possible increase in the Integrated Transport programme to £2.5m to deal with any major scheme cost pressures if they arose.

12 Putting People First – Findings from the public consultation and the outcome of the Equality Impact Assessments for the proposals affecting Environment, Transport, Development and Waste.

12.1 The Panel received and noted the annexed report setting out the proposals for Environment, Transport, Development and Waste. The Panel also received a presentation by the Cabinet Member for Environment, Transport, Development and Waste a copy of which is attached to these minutes at Appendix B.

13 Putting People First – Findings from the public consultation and the outcome of the Equality Impact Assessments for the proposals affecting Public Protection – Trading Standards.

13.1 The Panel received and noted the annexed report setting out the proposals for Trading Standards and noted the presentation by the Director of Environment, Transport and Development given on behalf of the Cabinet Member for Public Protection.

14 Putting people First – Service and Budget Planning 2014/17

14.1 The Panel received the annexed report by the Interim Director of Environment, Transport and Development setting out the latest information on the Government's Local Government Finance Settlement and specific information on the financial and planning context for Environment, Transport and Development for the next three years. It also set out any changes to the budget planning proposals for Environment, Transport and Development and the proposed cash limit revenue budget for the service based on all current proposals and identified pressures and the proposed capital programme.

14.2 The points below were noted following questions from the Panel:

- The standard for treating potholes within 72 hours of receiving notification had not changed under the proposed cuts. The proposal within the consultation was to reduce the highways maintenance budget for one year by £1.0m which would not have an impact on the way potholes were currently treated.
- Proposal 62 – Charge £2 per visit for customers to visit recycling centres. Members were reassured that significant costs of clearing fly-tipped rubbish were unlikely to be passed on to the Environment Agency or district council. Previously, when recycling centres had reduced their opening hours, there had been some instances of fly-tipping for a short period of time, but the overall trend in Norfolk was showing a downward turn.

It was important to note that fly-tipping was a criminal offence. If fly-tipping occurred on private land it was the responsibility of the land-owner to pay for the disposal the rubbish. If fly-tipping occurred on publicly accessible land it was the responsibility of the Local Authority to clear the rubbish.

- Proposal 61 – Stop routine disposal of paint at recycling centres. It was hoped that using the annual amnesty for the public to dispose of unwanted paint would encourage people to keep their unwanted paint until the amnesty period and then recycle it through a repaint scheme. Members felt that this recycling initiative should receive additional publicity so the public were aware that such a scheme existed.
- Proposal 53 – Reduce subsidy for the Coasthopper bus service. The Coasthopper service was acknowledged as a highly valued service and a lifeline for the communities living in north Norfolk, although it was recognised that there was also 142 other highly valued services across Norfolk who also provided a valuable lifeline for users. The Assistant Director Travel and Transport explained that the Coasthopper service should offer a good frequency in winter service with the proposed reduction in the level of subsidy it received. Negotiations were ongoing and the summer service was secured.

In response to a question from the Cabinet Member for Economic Development, it was confirmed that the cuts proposed in the report did not include the additional £11m of savings which had now been identified and further consultation would be required to make additional cuts.

- Proposal 47 – Scale back Trading Standards advice to focus on the things we have to do by law. A broad range of activities was being carried out to try to prevent people from becoming victims of scams, and other targeted crimes and the value of helping and supporting people was well recognised. Trading Standards would not be able to do as much work in this area in the future but would continue to try to find solutions and provide support and educational help using all available assets.
- In the past a Regional Advice Centre had provided general first tier advice with Trading Standards delivering a more specialist consumer support service alongside its statutory duties in enforcing laws. The Government had now introduced a first tier advice service, with funding provided to Citizens Advice, which fielded calls for residents in England and Wales. This filter fielded first tier calls to a citizens advice service and other calls referred to Trading Standards, including issues which may be of a criminal nature. Trading Standards would continue to respond to the most detrimental cases, but the levels of proactive and reactive/investigative work would inevitably reduce.
- Proposal 5 – Reduce the cost of waste. The increase in cost for the Landfill Tax are set at £8 per tonne, with extra costs due to the increase in tonnage to landfill. Norfolk County Council had experienced an increase in the amount of waste sent to landfill recently and although a two year fall in landfill waste had been predicted, the true picture was that the reduction in waste had fallen in the first year, then plateaued out. It was very difficult to predict the amount of waste which may be generated in the future. The figures within the report included the food waste schemes operated by King's Lynn and West Norfolk Borough Council, Norwich City Council and Broadland District Council.

- Cost Neutral Adjustments
The extra funding for Public Rights of Way (listed under cost neutral adjustments) was not money that could be used for maintenance costs and mainly comprised of the external funding granted for the city cycling scheme.
- Additional Costs for Concessionary Fares Travel Scheme.
£8.7m had been allocated to Norfolk County Council through the revenue grant support scheme to cover the concessionary fares travel scheme, although the cost of the scheme to Norfolk County Council to cover its mandatory duty was estimated at £11m.
- Proposal 59 – Cut the Cost of Providing School Transport
The reduction in the cost of providing school transport would mainly be made up from revoking bus passes from those pupils who were not entitled to receive a pass as they lived within the statutory travelling distances, or from those who were no longer entitled to receive a pass.
- There were 40 potential areas where school routes could be improved and introduced and once the feasibility studies had been completed the Assistant Director of Travel and Transport would ensure Members were made aware of proposed changes.

14.3 The comments made by the Panel at its previous meeting and included in the report within section 6, were discussed with a view to proposing the removal of these items from the proposed list of cuts. Some members expressed their disagreement with removing the items from the list in the light of the savings required within Adult Social Services personal budgets, Safeguarding and 16-19 transport, as well as the reductions required in other departments. It was reiterated that there was no choice to the County Council in making these savings with the cuts forced on it by the Government and that if the Panel proposed removing items from the list, then additional savings would need to be found by other departments if alternative options for savings could not be proposed for consideration.

14.4 It was proposed and seconded to **recommend to Cabinet** the following proposals from the savings list and these items were individually voted on as follows:

- Remove the reduction in the refilling of grit bins, as the Panel felt this could be a danger, especially if prolonged wintery conditions were experienced this winter. With 10 votes for, 2 against and 2 abstentions it was agreed this item would be removed.
- Remove the proposed £2 recycling charge as the Panel felt this could result in more instances of fly-tipping which could cost the Council additional money to clean up. With 10 votes in favour, it was agreed that this item would be removed.
- Parish Council contributions to schemes under the Parish Partnership Fund remain at 25%. With 7 votes for, 4 votes against and 4 abstentions this was agreed.
- Delete the £1m saving from the maintenance budget as this was only for one year and maintenance on some roads was urgently required. With 8 votes for, 3

votes against and 3 abstentions, it was agreed this item would be removed.

14.5 **RESOLVED** to:

- Note the provisional finance settlement for 2014-15 and the latest planning position for Norfolk County Council.
- Note the updated information on spending pressures and savings for Environment, Transport and Development and the cash limited budget for 2014-15 in context with the feedback from the consultation report.
- Note the proposed list of new and amended capital schemes and the proposed capital programme for Environment, Transport and Development, **recommending to Cabinet the following**, although no alternative proposals were offered to replace those which were removed:
 - Remove the reduction in the refilling of grit bins, as the Panel felt this could be a danger, especially if prolonged wintery conditions were experienced this winter.
 - Remove the proposed £2 recycling charge as the Panel felt this could result in more instances of fly-tipping which could cost the Council additional money to clean up.
 - Parish Council contributions to schemes under the Parish Partnership Fund remain at 25%.
 - Delete the £1m saving from the maintenance budget as this was only for one year and maintenance on some roads was urgently required.

(The meeting closed at 3.35pm)

Chairman



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Environment Transport & Development O&S Panel
14 January 2014
QUESTIONS

Public Question Time

6.1 Question 1 from Mr Ian Bevan

Norfolk has just had 75mph gusts, I have had 5 fence panels shattered. Replaced them today at a cost of £100.00 , Contacted NCC re disposal of broken fence panels. I live in Diss, nearest WDS is 17 miles away in Thetford, Told I can only take 1 fence panel per week, ie 5 journeys over 5 weeks, 5 x 34 mile trips, 170 miles total....not going to happen!! Then I read in the paper about the problem of Fly Tipping around Diss. How stupid are Norfolk County Council? I will not fly tip because I'm not that kind of person but how many would?

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

It is not clear from your question if you did visit the Thetford recycling centre with your fence panels or contacted the County Council for information beforehand. The advice that you should have received was that one fence panel could have been left "free of charge" and that the remaining four panels could also have been left, but on payment of a small charge under of Pay as You Throw service for DIY waste. This system has operated for a number of years now and I am sorry if you were not given the correct information. You would have therefore been able to dispose of all five panels during one visit, preventing the need for any repeat journeys.

Under current government legislation items such as fence panels, as well as other DIY type items, are not something that the County Council has to accept at its recycling centres nor do the district councils have to provide a collection service for. However we do recognise that householders may wish to dispose of their DIY waste and therefore, as a concession, a small amount can be disposed of "free of charge" each week, with additional amounts accepted at our larger recycling centres and subject to a small charge. Were we to accept unlimited amounts "free of charge" the impact for Norfolk's Council Tax payers would be significant and not something that could be met.

I appreciate your concerns regarding the potential for fly-tipping, but figures indicate that only a small percentage (around 5%) of waste fly-tipped in Norfolk is construction and demolition waste and the majority of this is more likely to result from commercial activities rather than DIY waste from householders.

6.2 Question 1 from Mr John Pennell

Could the new discretionary powers to alleviate business rates be used to give the same rate reliefs for Village Halls, Community Centres and Sports Halls run by Town and Parish Councils, which are of course, precepting authorities, as are extended to exactly similar facilities run by charities or community organisations in many other parishes.

Response by the Cabinet Member for Economic Development

The discretionary power to alleviate business rates lies with the district councils in Norfolk, and not the County Council. My understanding is charities already qualify to receive rate relief.

We do recognise that there are opportunities to improve support for local businesses, including those that you mention, through changes to the business rates regime. That is why this Panel set up a Working Group to look in detail at this issue, which met this morning with a number of stakeholders, including representatives from district councils

6.3 Question 2 from Mr John Pennell

NorfolkALC which represents Town and Parish Councils in Norfolk of which I am the representative on the National Association, is aware that our member town and parish councils have a role to play in the business development in their area but are excluded from discussions on the localisation of business rates. Their members are also excluded from a share of these rates when often they have a considerable input to local business development – particularly high street businesses. What steps can be taken to involve these most local of councils in the process and to give the more pro-active councils a say in how the increased revenues are spent?

Response by the Cabinet Member for Economic Development

The Business Rates Retention Scheme was implemented in April 2013 as a new funding system for local government, replacing the previous Formula Grant. However, localisation of business rates does not equate to an increase in resources or local control of all business rates collected. Business rates are still subject to a national funding system and a system of tariff and tops ups is in place to reallocate resources in line with the Government's assessment of baseline funding. Business Rates Retention Scheme funding is received through a mix of revenue support grant, retained rates and for some councils a top-up grant and is used to fund council's core services. For Norfolk County Council retained rates are provisionally expected to account for £25.5m of our funding in 2014-15 - approximately 4% of the council's core funding from Government's funding settlement and council tax. Councils are able to retain a proportion of the growth in business rates, which needs to be above inflation to keep pace with cost of living increases.

The use of business rates retention scheme funding, along with other funding sources available to the Council, is consulted on as part of the annual budget setting process.

Cabinet Member feedback on previous Overview and Scrutiny Panel comments

A joint note by the Cabinet Members for Planning and Transportation, Economic Development, Environment and Waste, and Community Protection

The purpose of this note is to provide feedback on items discussed at Cabinet which had previously been discussed at an ETD Overview and Scrutiny Panel meeting.

Environment, transport, development and waste issues

Report/issue	Great Yarmouth Borough Surface Water Management Plan
Date considered by O&S Panel:	26 November 2013
O&S Panel comments:	Resolved to note the report and recommend its adoption by Cabinet.
Date considered by Cabinet:	6 January 2014
Cabinet feedback:	Resolved that the Great Yarmouth Borough Surface Water Management plan be adopted.

Economic development issues

No items discussed at Cabinet.

Public protection issues

No items discussed at Cabinet.

Joint Environment, transport, development and waste, economic development and public protection issues

Report/issue	Putting People First – Service and Budget Planning 2014/17
Date considered by O&S Panel:	14 January 2014
O&S Panel comments:	Resolved to: <ul style="list-style-type: none">• Note the provisional finance settlement for 2014-15 and the latest planning position for Norfolk County Council.

- Note the updated information on spending pressures and savings for Environment, Transport and Development and the cash limited budget for 2014-15 in context with the feedback from the consultation report.
- Note the proposed list of new and amended capital schemes and the proposed capital programme for Environment, Transport and Development, recommending to Cabinet the following, although no alternative proposals were offered to replace those which were removed:
 - Remove the reduction in the refilling of grit bins, as the Panel felt this could be a danger, especially if prolonged wintery conditions were experienced this winter.
 - Remove the proposed £2 recycling charge as the Panel felt this could result in more instances of fly-tipping which could cost the Council additional money to clean up.
 - Parish Council contributions to schemes under the Parish Partnership Fund remain at 25%.
 - Delete the £1m saving from the maintenance budget as this was only for one year and maintenance on some roads was urgently required.

Date considered by Cabinet: 27 January 2014

Cabinet feedback: Resolved that:-

- The findings from the Putting People First consultation be noted.
- The Equality Impact Assessment for the budget proposals, as set out at Appendix A of the Cabinet report, including the mitigating actions in relation to various individual assessments, be noted.

Officer Contact

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

Name	Telephone Number	Email address
Sarah Rhoden	01603 222867	sarah.rhoden@norfolk.gov.uk



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Better Broadband for Norfolk

Report by the Director of Environment, Transport and Development

Summary

This report is one of a series of regular six monthly updates for members covering both broadband and mobile coverage.

Better Broadband for Norfolk

As a result of the Better Broadband for Norfolk Programme, at the end of December 2013 over 20,000 Norfolk premises had received access to Superfast broadband (24 Mbps+), Delivery is on schedule against plan and has met all contractual commitments to date.

Member Working Group

A Member Working group has been overseeing the Government's Mobile Infrastructure. Norfolk is in Phase 2 of this project.

The Government's Digital Switchover Project has been overseen but requires no further action.

Action Required

That Panel consider and comment on:

- (i) the activities described in section 2 of this report
- (ii) the Member Working Group recommends that the appropriate committee under the new governance arrangements makes provision for taking this work forward

1. Background

- 1.1. County Councillors have identified that the lack of broadband and mobile infrastructure disadvantages large parts of Norfolk both economically and socially. These are identified in the Council's Economic Growth Strategy as key infrastructure to support economic development.
- 1.2. Better Broadband for Norfolk is a Norfolk County Council, Government and BT funded programme to implementation improved broadband infrastructure by the end of 2015.

- 1.3. The Mobile Infrastructure Project is a UK wide Government project to address mobile coverage 'Not-Spots'.

2. **Better Broadband for Norfolk progress**

- 2.1. To achieve the greatest coverage possible, for the investment available, the Council has not identified specific locations for upgrade as this would have created technical constraints on BT and lead to less coverage and speed uplift; instead, the Council specified the following objectives for the programme:

- To seek the highest possible levels of Superfast Broadband (24 Megabits per second +);
- Where Superfast Broadband is not achievable, Basic Broadband (a minimum of 2 Mbps) for all remaining Norfolk premises.

This means BT created a design for Norfolk based on a balance between the public subsidy required and the level of speed increase achieved.

Implementation is taking place in the most efficient technical order to deliver the maximum possible coverage for the available investment.

There are eight implementation phases for fibre infrastructure with a final Phase 9 to implement alternative technologies to ensure access to a minimum 2 Mbps for any premises where, for technical or financial reasons, a fibre solution is not possible.

- 2.2. At the end of December 2013, 22,335 premises had access to fibre broadband infrastructure via the Better Broadband for Norfolk rollout. The contracted target by this date was 19,745.

- 2.3. To achieve access for these premises required the implementation of:

- A new Head-end Exchange at Attleborough, expansion to four existing Head-ends Exchanges that BT had built as part of its commercial rollout and use of five commercial Head-ends (using existing capacity already funded by BT)
- Six new fibre 'spines' were installed totalling 111 kilometres. Three existing fibre spines that BT had deployed as part of its commercial deployment were extended by 14 kilometres
- 89 cabinets were installed, requiring a further 40 kilometres of fibre to connect these cabinets to the nearest fibre spine.

- 2.4. During Phase 2 (January – June 2014) it is planned to implement

- Two new Head-end Exchanges at Downham Market and North Walsham.
Expansion of three existing BT commercial Head-ends

- Eight new fibre 'spines' and expansion of two existing BT commercial fibre spines
- 94 new fibre cabinets

2.5. Based on the 83% Superfast coverage that is expected to be achieved by end 2015, there are areas where properties will only have access to speeds between 2 Mbps – 24 Mbps, characteristics of these properties are:

- Locations where the cost of implementation is extremely high, for instance very high power connection costs, where no upgrade will take place
- Locations with small numbers of premises which mean the cost per property would be very high, where no upgrade will take place
- Locations with current good higher mid-range speeds 8 – 24 Mbps where the level of speed increase would be limited, where no upgrade will take place
- Properties that are connected to a fibre enabled cabinet but due to distance from that cabinet will not receive Superfast (24 Mbps+) speeds. This equates to 6% of all Norfolk premises

The programme will ensure access to a minimum 2 Mbps for all properties in Norfolk, although this may be via alternative technologies delivered as part of Phase 9.

2.6. As the programme involves public subsidy a range of financial and reporting requirements apply. This leads to a series of assurance activities which test both the validity of the technical aspects of the programme and that, costs are appropriate and eligible:

Technical Assurance Processes, these activities allow the overall infrastructure design and build to be validated:

- Each quarter BT provides information derived from detailed survey and design work. This creates the design for an implementation phase. This overall phase design is analysed, with sample detailed evidence such as survey packs reviewed. This confirms that the intended design is effective/efficient and that it will lead to the delivery of access for sufficient numbers of premises to meet contractual commitments
- During the 'Build' stage, physical inspection work takes place to ensure that the previously agreed design has been built and that the relevant assets are present and have undergone appropriate commissioning tests
- Finally, once infrastructure is commissioned, details of the number of premises that have access are examined, including the number of premises that have access to different speed ranges.

Financial Assurance Processes, these activities allow costs to be tested to ensure

that they are appropriate and eligible. Tests include:

- Inspection of third party invoices
- Inspection of staff costs and activities
- Correlation of costs against assets
- Checks for errors, such as duplicate costs
- Review of levels of 'Take-up'. This is important because for seven years following implementation the Council will receive State Aid 'Claw Back' protection. Excess profits will be recovered and re-invested for further fibre infrastructure rollout. A Unit Margin is defined in the contract, and will be clawed back for every property over a pre-defined number that takes Superfast broadband services from any Internet Service Provider.

The assurance processes used to validate BT activity and costs up to 2012/13 Q3 has been subject to review by Norfolk Audit Services and an acceptable result received.

3. Mobile Infrastructure Project

- 3.1. A Member Working Group has been considering the issue of mobile coverage in Norfolk, including overseeing engagement with the Government's Mobile Infrastructure Project (MIP).

MIP will invest £150 million across the UK to provide mast infrastructure in Mobile Not Spot clusters and ten specified trunk roads, which includes the A143 between Great Yarmouth and Haverhill. The project will be delivered in five phases; Norfolk and Suffolk are in Phase 2.

A Not Spot is defined as any 200 metre square where no mobile emergency signal exists. These squares are grouped into 'clusters'.

MIP has identified 12 Not Spot clusters in Norfolk and that information has been shared under a Non-Disclosure Agreement. The Better Broadband for Norfolk Highway Network Coordinator has assessed each of the proposed locations, considering the following environmental aspects as well as accessibility to sites:

- National Nature Reserves
- Local Nature Reserves
- Roadside Nature Reserves
- Special Areas of Consideration
- Special Areas of Conservation
- Special Protection Areas
- Sites of Special Scientific Interest (SSSIs)
- Veteran Trees
- Norfolk Heritage Coast

- Scheduled Ancient Monuments
- Listed Building Points
- Areas of Outstanding Natural Beauty
- Broads Authority Boundary
- Conservation Areas
- County Wildlife Sites
- National Nature Reserves
- Local Nature Reserves
- Roadside Nature Reserves
- Special Areas of Consideration
- Special Areas of Conservation
- Special Protection Areas
- Sites of Special Scientific Interest (SSSIs)
- Veteran Trees

A report was submitted to the Government's contractor to provide the results of this assessment. A meeting has been scheduled for the 19 February with relevant District Planners to agree next steps.

- 3.2. This Government's Radio Digital Switchover programme has also been overseen by the Member Working Group however this programme does not require any further action at this time.

4. **Mobile Infrastructure Project**

- 4.1. **Finance:** The Broadband project is being supported by £15.44m from the Government's BDUK fund and a £15m contribution from Norfolk County Council. To date the County Council has received £2.5 million from the BDUK fund in accordance with the contract and expenditure incurred.

The Government's recent Spending Review allocated a further £250 million to achieve 95% superfast broadband coverage across the UK by the end of 2017.

An announcement is expected in late February indicating how the funding allocation/bid process may work. Department Culture, Media and Sport have already stated that match funding will be required.

- 4.2. **Staff:** None
- 4.3. **Property:** None
- 4.4. **IT :** None

5. **Other Implications**

- 5.1. **Legal Implications:** None
- 5.2. **Human Rights:** None report for information only the requirements of the Human Rights Act 1998 must be considered in relation to Planning Regulatory committee reports. For advice you may wish to contact nplaw.
- 5.3. **Equality Impact Assessment (EqIA):** None report for information only
- 5.4. **Communications:** None report for information only
- 5.5. **Health and Safety Implications:** The Framework contract includes Health and Safety obligations that BT must adhere to.
- 5.6. **Environmental Implications:** The environmental impact of BT's proposals and, specifically, what steps BT will take to minimize the environmental impact of the programme were assessed as part of Norfolk's procurement process.
- 5.7. **Any other implications:** Officers have considered all the implications which members should be aware of. Apart from those listed in the report (above), there are no other implications to take into account.

6. Section 17 – Crime and Disorder Act

- 6.1. The project has no implications in relation to Section 17, Crime & Disorder Act.

7. Risk Implications/Assessment

- 7.1. Risks have been identified and managed using the Corporate Risk Management Framework. The BBfN Steering Group has regularly reviewed programme risks and proposed mitigations.

Action Required

That Panel consider and comment on:

- (i) the activities described in section 2 of this report
- (ii) the Member Working Group recommends that the appropriate committee under the new governance arrangements makes provision for taking this work forward

Background Papers

Local Broadband Plan

Officer Contact

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

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

Report by the Chairman of the Member Working Group

Summary

This report provides the Panel with an outline of progress to date by the working group set up to scrutinise this topic.

Action required

The Panel is asked to:

- Note and comment on the contents of the report.
- Recommend that the working group continues its inquiry and reports as appropriate under the new governance arrangements that will succeed the Overview and Scrutiny Panel.

1. Introduction

- 1.1 In November 2013, this Panel agreed the terms of reference for a Member working group to scrutinise this topic (see Appendix A). Membership of the working group comprises:

Andrew Boswell (Chairman)
Michael Baker
Bert Bremner
Tim East
Tony White

- 1.2 The working group has met on three occasions to date and the purpose of this report is to inform the Panel of the areas we have looked into and give members the opportunity to ask questions or comment on our progress. At this stage, we are not making any recommendations other than that the working group should continue its work and develop a coherent set of conclusions and recommendations after receiving all the relevant evidence.
- 1.3 It should be noted that our inquiry concerns onshore exploration only. Off-shore exploration involves a totally different licensing process.

2. Background

- 2.1 Recent developments in the technique of Hydraulic Fracturing, often referred to as fracking, has led to renewed interests in unconventional hydrocarbon reserves, such as shale gas and oil. However, while hydraulic fracturing already accounts for significant levels of gas production in North America and is expected to account for up to 25% of the global energy mix by 2030 within the UK the use hydraulic fracturing to extract shale gas is still in the exploratory phase. The British Geological Society has estimated that there may be 23 to 65 trillion cubic metres of shale gas

resources in the north of England alone, although much less than this would be economically recoverable. To put this in context, annual consumption of gas in the UK is about 0.09 trillion cubic metres.

2.2 Fracking has very quickly become a topic for intense national debate, and even direct action, in the UK revolving around four main areas of opinion:

- That shale gas and oil are fossil fuels which, not only in themselves will contribute to global warming and climate change, but will divert investment away from sustainable sources of energy.
- That exploration and extraction of gas and oil using fracking poses unacceptable risks to the environment and human health.
- That the risks can be adequately mitigated by a rigorous regulatory framework and high standards of engineering.
- That fracking offers opportunities for economic growth and energy security that outweigh any of the arguments against it.

2.3 While much of the vast body of information that has already been published on this topic is based on experiences of fracking in the United States, there has recently been a steady stream of consultations and guidance documents emanating from the Department of Energy & Climate Change (DECC), Department for Communities & Local Government and Public Health England, and policy statements from a number of associated bodies such as the Royal Society and Royal Academy of Engineering.

2.4 At the meeting of full Council in January 2013, the following motion was proposed by members of the Green Group:

“This council notes that there remain many potential environmental and health-related concerns associated with the extraction of Shale Gas by the process of hydraulic fracturing, or ‘fracking’, including: contamination of local groundwater sources and air pollution from the use of carcinogenic and toxic chemicals; earth tremors; excessive and unsustainable levels of water usage and; safety risks and chemical spills from major well blowouts.

This council notes that the extraction of hard to reach fossil fuels threatens our ability to achieve the statutory UK carbon reduction targets and that the process of ‘fracking’ itself contributes to climate change from intensive energy use and the release of methane.

This council resolves to:

- ask the Leader to write to the Secretary of State for the Environment calling on him to: impose a moratorium on onshore and offshore exploration, development and production of Shale Gas by withdrawing UK licences for hydraulic fracturing (fracking) at least until the proposed study and resulting further research into the possible impacts of shale gas extraction on greenhouse gas emissions has been fully concluded and; not to exempt onshore gas projects from local planning procedures
- to set up a cross party working group to establish the Council’s position on ‘fracking’ with particular reference to: its potential impact on Norfolk’s environment and the county’s wider contribution to carbon emissions and; its possible implications for local planning policy”

Following debate, it was agreed to delete all of the wording of the proposal, with the exception of the second bullet point.

2.5 A member working group subsequently met in February 2013 but its work was disrupted by the local government elections in May and the current group met for the first time in October.

3. Risks and risk mitigation.

3.1 Opponents of fracking have made various claims as to environmental and health risks associated with the process. One of our main sources of evidence so far has been a meeting with Dr Mark Broomfield, a consultant working for Ricardo-AEA, who has been involved in a number of studies on this aspect of fracking, including a major report for the European Commission, providing an assessment of the risks involved and an analysis of industry and regulatory mitigation measures¹.

The study identifies a number of key risks that need to be taken into consideration, especially given cumulative impacts of drilling several wells on the same site. These include groundwater contamination, accidents/spillages, impact on water resources, air pollution, noise and traffic nuisance. Claims such as the risk of drinking water being contaminated with methane gas or 'seismic events' associated with the fracking process itself are not substantiated by this study.

3.2 Dr Broomfield concludes that environmental risks can be assessed and managed as long as the robust planning and pollution controls that are already in place in the UK are rigorously enforced, as they should be in a "crowded country". He concedes, however, that this probably means that the extraction of gas is likely to proceed slowly and not at a significantly cheaper cost than existing resources.

3.3 This view is supported by an engineering review published in June 2012². In a joint statement, it was concluded that:

"Hydraulic fracturing can be managed effectively in the UK as long as operational best practices are implemented and robustly enforced through regulation....

This is not to say hydraulic fracturing is completely risk free. Strong regulation and robust monitoring systems must be put in place and best practice strictly enforced if the Government is to give the go-ahead to further exploration. In particular, we emphasise the need for further development and support of the UK's regulatory system, together with Environmental Risk Assessments for all shale gas operations and more extensive inspections and testing to ensure the integrity of every well."

3.4 The Department for Energy and Climate Change published two key reports in December 2013. The first of these³ "identifies, describes and evaluates" the likely significant environmental effects of further onshore oil and gas licensing. This Strategic Environmental Assessment is a statutory requirement of a European Union Directive, the objective of which is:

'To provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to contributing to sustainable development.'

¹ Support to the identification of potential risks for the environment and human health arising from hydrocarbons operations involving hydraulic fracturing in Europe, Report for the European Commission DG Environment, AEA, August 2012.

² Royal Society and Royal Academy of Engineering Review, June 2012.

³ Strategic Environmental Assessment for Further Onshore Oil and Gas Licensing, AMEC Environment & Infrastructure UK Ltd. On Behalf of DECC, December 2013

The report outlines five 'Strategic Environmental Assessment (SEA)' areas covering currently licensed areas and areas under consideration for licensing for exploration and exploitation of hydrocarbons. It concludes that:

"...the industry is not expected to be at a substantial scale before the 2020's. This will allow time for any necessary new investments in infrastructure such as waste water treatment capacity.

The application and enforcement of existing regulatory requirements can be expected to ensure that effects at the project level will be identified, assessed and mitigated to an acceptable level."

- 3.5 The second publication to emerge from DECC in December⁴ is intended as a 'roadmap' for "anyone seeking to understand the permitting and permissions process for exploratory work in oil and gas development, onshore in the UK." It covers the exploration and appraisal phases of the exploitation of oil and gas resources, and not development, production and decommissioning. It is worth noting that both of these DECC publications are quite lengthy and technical, and we have not had the opportunity so far to give them detailed consideration.
- 3.6 Much of the opposition to fracking is based on alleged health risks, such as those posed by the use of over 700 'chemicals' in the process. Not surprisingly, given the stage of development that the industry is at in the UK, such assertions are exclusively based on studies in the USA. However, Public Health England has recently published a draft report on the potential public health impacts involved⁵. The review focused on the impact of direct releases of chemicals and radioactive material from shale gas extraction. The potential health impacts from other risks identified above were not addressed but the report concedes that "should commercial scale shale gas extraction be introduced, such issues will need careful evaluation on both a national and local scale." With this caveat in place, the review goes on to conclude that "the currently available evidence indicates that the potential risks to public health from exposure to the emissions associated with shale gas extraction are low if the operations are properly run and regulated."
- #### 4. The likelihood of fracking in Norfolk
- 4.1 The first part in the hydraulic fracturing process is the acquisition from DECC of a Petroleum Exploration and Development Licence (PEDL). A PEDL provides a company exclusive rights to pursue a range of exploration activities including development of unconventional gas, within a given area. Since 1964 there have been 13 rounds of licensing for onshore extraction, with the last one ending in 2008. There are currently around 176 licenses for onshore oil and gas in the UK and the government announced in May 2013 of its intent to commence a 14th round in 2014 with the potential for further rounds on an annual basis thereafter.
- 4.2 To date no licenses have been issued in respect of sites in Norfolk. However, it is of interest to Norfolk as previous licensing rounds have included options for areas in both North and West Norfolk. Improvements in recent years in the technology involved mean that some areas may be more of interest than in the past.

⁴ Onshore oil and gas exploration in the UK: regulation and best practice, DECC, December 2013.

⁵ Review of the Potential Public Health Impacts of Exposure to Chemical and Radioactive Pollutants as a Result of Shale Gas Extraction, Public Health England, October 2013.

4.3 In the DECC report mentioned in section 3.4 above, SEA Area 3 includes the areas mentioned in paragraph 4.2 above but nothing in addition. It is also worth noting that such inclusion will not necessarily lead to any applications for licences, and any such application would be subject to a rigorous consultation and approval process.

5. The Council's role as a Minerals Planning Authority

5.1 As the mineral planning authority, the County Council is responsible for both setting the relevant planning policy which fracking proposals should comply if they are to be approved, with the usual caveat of "unless material considerations indicate otherwise" and making the development management decisions to approve or refuse individual applications.

Before any planning application is put forward, the licensee is required by the Department for Energy and Climate Change to undertake an Environmental Risk Assessment to cover the full life-cycle of the potential operations, including any environmental risks and risks to human health.

A formal regulatory process is in place that has to be followed before any exploration or development of oil and gas can proceed.

There are three phases to the planning process;

- 1) exploration,
- 2) appraisal; and
- 3) production.

Planning permission for exploration/appraisal does not imply that long-term production will be permitted. In England, this regulatory process involves a number of different regulatory bodies. Before exploration can begin, the relevant Minerals Planning Authority (Norfolk County Council) must grant planning permission and the Environment Agency must grant relevant abstraction/discharge permits. The Health and Safety Executive must also be notified.

5.2 With regard to planning policy, the current position of central government is that a sufficient supply of minerals, including those for energy is essential for sustainable economic growth (NPPF142) and that in preparing minerals plans authorities should include policies for the extraction of minerals resources (NPPF143). It is also expected that when determining applications authorities should give great weight to the benefits of mineral extraction, in particular to the economy. (NPPF144).

5.3 It is a matter for the Council as the Minerals Planning Authority to decide whether or not it wants to include specific policies to address unconventional hydrocarbon extraction. The Council does not currently have such specific policies but existing policies could be used in respect of various aspects of an application. Any changes to the authority's current development plan must pass a test for "soundness" before they can be adopted. One key element of the test is that policies are consistent with national policy. In the circumstances, the expectation would be that any policies would, in principle, support the extraction of onshore oil and gas. Any departure from this position by the authority would need to be supported by clear and convincing reasoning sufficient to justify its position, firstly to the planning inspector and secondly to the Secretary of State.

Some Council's such as Somerset County Council have already started to consider making changes to updates of their mineral plans (see topic paper at:

<http://beta.somerset.gov.uk/EasysiteWeb/getresource.axd?AssetID=44674&type=full&servicetype=Attachment>) and have also worked in cooperation with some of their district councils on this. Such an approach could be considered for the next stage of the working party.

- 5.4 We have noted that it should be known by October 2014 whether any applications for licenses to explore in Norfolk have been granted. In the event of any application, the Council's first step would be to contact the licensee to clarify their intentions around planned timescales for action. A key point is that the licensing round is confidential until it is issued. However, the subsequent planning and permitting regimes will involve public consultation.

6. Central government policy

- 6.1 In January 2014, the Prime Minister issued the following statement:

“A key part of our long-term economic plan to secure Britain's future is to back businesses with better infrastructure. That's why we're going all out for shale. It will mean more jobs and opportunities for people, and economic security for our country.”

- 6.2 The direction of current government policy, both in general and planning specific, is therefore in support of extraction of unconventional hydrocarbons. Recent proposals and policy changes continue to emphasise this point. Examples include the reduction in consultation requirements for underground mineral extraction, tax incentives for developers and most recently the consideration of community benefits packages for areas that host hydraulic fracturing operations. The Chancellor's Autumn Statement 2013, for example, introduced the most competitive tax regime in Europe for shale gas extraction. New operators in the industry would have an effective tax rate that is lower than in the United States.

- 6.3 In January 2014, the government also announced that local authorities will be able to keep 100 per cent of the business rates they collect from shale gas sites, rather than giving 50 per cent to central government. These community benefits come on top of an announcement last year from the industry itself that local communities would receive £100,000 when a test well is fracked and a further one per cent of revenues if shale gas is discovered. It is claimed that this could be worth between five and ten million pounds for a typical producing site over its lifetime. The industry has more recently confirmed that it will consult on how this money can best be shared with local communities, with options including direct cash payments to people living near the site or the setting up of local funds managed directly by local communities. While welcoming these moves by government and the industry to remunerate those who will be most affected, the Local Government Association has called for the percentage of gross revenues to be distributed locally to be more in line with payments across the rest of the world, at between five and ten per cent, and for these community benefits to be enshrined in law.

- 6.4 The government has also proposed changes to secondary legislation to make the procedural requirements for oil and gas extraction less onerous. These proposals are to streamline the requirements to notify landowners of applications on their land and to introduce a standard application form for onshore oil and gas developments.

7. Next steps

- 7.1 We have already received a great deal of evidence and have started to form some conclusions. However, we feel that it would be best for us to complete our task and present a single set of recommendations to the appropriate committee under the new governance arrangements for the Council, rather than fragment our report.

8. Section 17 – Crime and Disorder Act

- 8.1 There are no implications for crime and disorder.

9. Equality Impact Assessment (EqIA)

- 9.1 This report is not making proposals that will have an impact on equality of access or outcomes for diverse groups.

10. Any other implications

- 10.1 Officers have considered all the implications which members should be aware of. Apart from those listed above, there are no other implications to take into account.

11. Action Required

The Panel is asked to:

- Note and comment on the contents of the report.
- Recommend that the working group continues its inquiry and reports as appropriate under the new governance arrangements that will succeed the Overview and Scrutiny Panel.

Officer Contacts

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

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Terms of reference for scrutiny of

The Council's position on hydraulic fracturing ('fracking')

Scrutiny by

A Member Working Group

Membership of Working Group

Beverly Spratt	- Conservative
Bert Bremner	- Labour
Tim East	- Liberal Democrat
Michael Baker	- UKIP
Andrew Boswell	- Green

Scrutiny and Officer Support

Keith Cogdell	- Scrutiny Support Manager
Nick Johnson	- Planning Services Manager
Other officers, as needed	

Reasons for scrutiny

Motion carried at full Council on 14 January 2013 to set up a cross party working group to establish the Council's position on this issue.

Purpose and objectives of scrutiny

To establish the Council's position on fracking with particular reference to: its potential impact on Norfolk's environment and the county's wider contribution to carbon emissions; and its possible implications for local planning policy.

Issues and questions to be addressed

- The likelihood of applications being made for shale gas exploration or extraction in Norfolk.
- The main arguments for and against fracking (including national political party policies), and the evidence base behind these.
- Implications for the County Council as a minerals planning authority, including offshore exploration.
- The planning process and local guidance etc.
- Current governance arrangements and Member involvement.
- The latest Government guidance on planning applications and its implications for the County Council and the Norfolk Minerals and Waste Plan.
- Any other implications for Norfolk and its residents.
- Should the County Council have a policy that specifically addresses this issue? If so, what should be the tenets that underpin such a policy?

Sources of evidence/ expert witnesses

- Government policy and guidance documents.
- Relevant local plans and policies.
- Dr Mark Broomfield – Consultant, Ricardo-AEA Technology plc

Environment, Transport and Development Department Finance Monitoring Report 2013/14

Report by Director of Environment, Transport and Development

Summary

This report gives details of the latest monitoring position for the 2013-14 ETD Revenue and capital budgets and forecast position on the Reserves held by ETD.

Action Required:

Members are asked to:-

- Note the forecast overspend on Revenue budget, and detailed management actions in section 2 and appendix A of the report.
- Note the forecast over spend on the Highways capital programme and the management actions to manage the overall programme and available funding.
- Note the forecast balances for Specific ETD reserves
- Members are invited to discuss the contents of this report and note progress and consider whether any aspects should be identified for further scrutiny

1. Background

- 1.1. This report updates the panel on the financial performance for the ETD Overview and Scrutiny Panel based on information available up to the end of December 2013.
- 1.2. The purpose of this report is to alert Members to areas of concern and highlight the management action within ETD to deliver a balanced budget.

2. Revenue Budget 2013/14

- 2.1. Revenue expenditure is forecast to overspend by £1.697m on a net budget of £117.619m. This is in line with the Month 9 report to the 27th January Cabinet.
- 2.2. The table below shows a summary of the budgets, actual spend to the end of December and forecast year end position for each of the services. Detailed explanations on the forecasts and movements are provided in Appendix A.
- 2.3. Chief Officers have responsibility for managing their budgets within the amounts approved by County Council. They have been charged with reviewing all of their cost centres to ensure that, where an over spend is identified, action is taken to ensure that a balanced budget is achieved for the year.
- 2.4. Given the services areas where we are currently forecasting overspends the department can do very little to reduce the services costs, so will look to manage savings elsewhere to help deliver a balanced budget.

Service	Current Budget £m	Forecast out-turn £m	Forecast Variance £m	%	Previously report £m
Highways	50.501	50.827	0.325	0.64	
Public Protection	3.006	3.106	0.100	3.32	
Economic Development and Strategy	2.027	2.027			
Travel and Transport Services	16.401	16.775	0.374	2.28	
Environment and Waste	39.277	40.369	1.092	2.78	
Business Development and support	4.709	4.516	(0.194)	(4.11)	
Total	115.922	117.619	1.697	1.46	

Highways

2.5. The Highways services is currently forecasting a net overspend of £0.325m mainly due to the under recovery of expected income, including the expected income from the Traffic Permitting scheme where the implementation of the scheme has been delayed due to government legislation. This has been offset by efficiency savings with in the highways services and the additional income elsewhere in the service.

Environment and Waste

2.6. The significant pressure within Environment and Waste relates to higher than budgeted waste tonnages. The original budget was based on previous planning assumptions of a continued reduction of residual waste tonnages. However we have seen a plateau of tonnages higher than expected leading to a forecast cost increase of £1.095m. This prediction is calculated using historic trend data based on the mid-point of our current waste data. There remains a risk that tonnages could continue at a higher level which could lead to an increase in the forecast overspend.

Travel and Transport Services

2.7. Travel and Transport service are forecasting a net overspend of £0.374m. This is primarily due to under provision of inflation for Transport Contracts and a hike in business rates at Park and Ride sites. The cost pressures are being partially offset by additional income from developer contributions.

3. Capital Programme

3.1. The ETD capital programme consists of three elements, Highways, Economic Development and strategy and Environment and Waste – other projects. Full details of the programmes are included in Appendix B.

Service	Approved programme 2013/14 £m	Forecast Out turn £m	Forecast Variance £m	%
Highways	49.819	49.929	0.111	0.23%
Economic Development and Support	6.096	6.096	0.000	
Environment and Waste – other projects	3.741	3.741	0.000	
Total	59.656	59.766	0.111	0.18%

3.2. The Highways programme for 2013/14 has been revised to £49.819m and is currently forecast to be over spent by £0.111m. The programme is actively managed

throughout the year to aim for full delivery within the allocated budget. Schemes are planned at the start of the year but may be delayed for a variety of reasons e.g. planning consent or public consultation. When it is identified that a scheme may be delayed then other schemes will be planned and progressed to ensure delivery of the programme and the original schemes will be included at a later date. Over / (under)spends and slippage will be carried forward to 2014/15

4. ETD Reserves.

4.1. ETD hold a number of reserve for specific purposes and the use of the reserves is constantly reviewed and where possible released to support other areas of service delivery.

4.2. The balance of reserves as at 31 December is £32.119m, including £7.694m in respect of the Street Lighting PFI, £3.840m relating to Highways maintenance and £9.244m in relation to a statutory reserve for the provision for future maintenance of Closed Landfill sites.

4.3. Full details of all of the balances are shown in Appendix C

5. Resource implications

5.1. Finance: All financial implications are covered in the separate Finance monitoring report elsewhere on this agenda.

5.2. Staff: None

5.3. Property: None

5.4. IT: None

6. Other Implications

6.1. Officers have considered all the implications which members should be aware of. Apart from those listed in the report (above), there are no other implications to take into account.

7. Equality Impact Assessment (EqIA)

8. Section 17 – Crime and Disorder Act

8.1. None

9. Risk implications / assessment

9.1. Progress against the mitigation of risk is detailed where relevant within the report.

10. Conclusion

As at the end of December (period 9) the forecast revenue outturn position for 2013/14 is an overspend of £1.697m. Management action is in place to reduce costs where possible to achieve a balanced budget for the department.

11. Action required

Members are asked to:-

- Note the forecast overspend on Revenue budget, and detailed management actions in section 2 and appendix A of the report.
- Note the forecast over spend on the Highways capital programme and the management action in place to manage the overall programme and available funding.
- Note the forecast balances for Specific ETD reserves and their planned uses

Members are invited to discuss the contents of this report and note progress and consider whether any aspects should be identified for further scrutiny

Officer Contact

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

Name	Telephone Number	Email address
Andrew Skiggs	01603 223144	Andrew.skiggs@norfolk.gov.uk



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

Environment, Transport and Development Budget Monitoring Return
Summary for Period:

9

Appendix A

	Current Budget £m	Expenditure Year to Date £m	Full Year Outturn £m	Overspend / (Underspend) £m	%	Previously reported overspend /Underspend £m	Movement in Variance £m	Comments - a. details of budget movements b. changes in outturn forecast c. risks to outturn
Highways	50.501	26.886	50.827	0.325	0.64	0.125	0.325	Potential risk from delay in implementation of Traffic Permitting Scheme, together with final position of Initiatives
Public Protection	3.006	2.500	3.106	0.100	3.32	0.108	0.100	Planning Services costs could increase depending on the Willows enquiry, plus pressure from Legal costs
Economic Development and Strategy	2.027	8.573	2.027	0.000	0.01	0.000	0.000	
Travel and Transport Services	16.401	16.535	16.775	0.374	2.28	0.374	0.374	Pressure to achieve Park & Ride savings, offset by savings on Developer Services and Travel Network
Environment and Waste	39.277	38.625	40.369	1.092	2.78	1.122	1.092	Pressure to manage RPI increase on Recycling Centres, and Residual Waste tonnages to Landfill
Business Development and Support	4.709	2.530	4.516	(0.194)	(4.11)	(0.194)	(0.194)	Potential savings through management of vacancies and process review
Total ETD	115.922	95.650	117.619	1.697	1.46	1.535	1.697	Current expectation is ETD will manage to budget in 2013/14, although there is risk that savings targets will not be met

Appendix A

	Projected over Spend £m	Projected Under spend £m
Environment Transport & Development		
Highways Network	0.048	
Highways Major Projects		(0.091)
Transport Programmes	0.368	
Public Protection - Assistant Director and Admin		(0.020)
Business operations - Trading Standards		(0.082)
Consumer Operations - Trading Standards	0.122	
Planning Services	0.086	
Corporate Resilience		(0.006)
Travel & Transport Services - Assistant Director and Admin	0.062	
Client Services		(0.007)
Developer services		(0.123)
Passenger transport Operations	0.465	
Travel Network		(0.023)
Climate Change and Flood Water Management		(0.030)
Landscape and Biodiversity	0.041	
Environment Management		(0.005)
Access development		(0.025)
Residual Waste Services	1.095	
Strategic Waste	0.016	
Environment Transport and Development - Business support		(0.194)
Forecast out-turn for ETD	2.303	(0.606)
		1.697

Further Details for Environment Transport and Development are as follow:

Highways

The Highways services is currently forecasting a net overspend of £0.325m mainly due to the under recovery of expected income, including the expected income from the Traffic Permitting scheme where the implementation of the scheme has been delayed due to government legislation. This has been offset by additional income elsewhere in the service.

Public Protection

Public Protection are currently forecasting a net overspend of £0.100m due to forecast additional costs with in Consumer Operations – trading standards, due to additional staff and legal costs for pending cases and additional costs within planning services due to additional work required for the Willow planning enquiry.

Travel and Transport Services

Travel and Transport service are forecasting a net overspend of £0.374m. This is primarily due to under provision of inflation for Transport Contracts and a hike in business rates at Park and Ride sites. The cost pressures are being partially offset by additional income from developer contributions.

Environment and Waste

The significant pressure within Environment and Waste relates to higher than budgeted waste tonnages. The original budget was based on previous planning assumptions of a continued reduction of residual waste tonnages. However we have seen a plateau of tonnages higher than expected leading to a forecast cost increase of £1.1m. This prediction is calculated using historic trend data based on the mid-point of our current waste data. There remains a risk that tonnages could continue at a higher level which could lead to an increase in the forecast overspend.

Business development and support

The forecast underspend within Business Development Support is due to the management of vacancies and the control of overheads relating to the department.

Summary

Scheme Name	Project	Spend Project to date (prior years)	2013/14 Original Programme	2013/14 Revised Programme	2013/14 Out - turn	2013/14 Variance	Spend to date - current year	2013/14 Carry Forward	Over/ (Under) Spend	2014/15 Out- turn	2015/16 Out- turn	Total Spend to date for project
Bridge Strengthening	PM8		1,400,000	1,400,000	1,588,766	188,766	1,529,355		188,766	1,400,000		2,988,766
Bus Infrastructure Schemes	PB			437,130	491,273	54,143	194,130		54,143			491,273
Bus Priority Schemes	PA			229,717	231,422	1,705	208,845		1,705	661,668		893,090
Cycling	PE		1,993,254	1,675,388	1,746,021	70,633	67,439		70,633	1,099,319		2,845,340
Local Road Schemes	PK			8,043,541	8,043,654	113	6,821,343		113	1,629,648		9,673,302
Local Safety	PG1		4,506,000	328,500	346,022	17,522	160,380		17,522	700,000		1,046,022
Other Schemes	PM9		163,000	1,579,195	1,670,524	91,329	479,176		91,329	115,000		1,785,524
Park & Ride	PD			87,000	63,557	(23,443)	59,577		(23,443)			63,557
Public Transport Schemes	PC		4,552,000	801,567	785,618	(15,949)	250,700		(15,949)	2,860,000		3,645,618
Road Crossings	PH			460,407	428,712	(31,695)	84,302		(31,695)			428,712
Safer & Healthier Journeys to School	PG0		58,684	70,000	71,434	1,434	27,720		1,434			71,434
Structural Maintenance	PM1		25,932,551	25,493,849	25,408,650	(85,199)	19,724,093		(85,199)	25,360,000		50,768,650
Traffic Management & Calming	PJ			983,092	950,220	(32,872)	344,143		(32,872)			950,220
Walking Schemes	PF			538,341	412,620	(125,721)	156,255		(125,721)			412,620
Major Schemes	MAJOR		12,195,000									
Great Yarmouth Third River Crossing	PK1001			15,000	15,000		19,740					15,000
Northern Distributor Road	PK1000			3,550,000	3,550,000		3,435,279					3,550,000
Norwich - A47 Postwick Hub	PK5072			4,065,045	4,065,045		1,276,435			27,550,000		31,615,045
Development of Civil Parking Provision	PJ2889			46,000	46,000		57,870					46,000
LPSA reward grant	LPSA		565,000							565,000		565,000
Town and Parish Council Schemes	PARISH		1,000,000									
Communities and Business Schemes	COMMUNITY		1,000,000									
IT - Exor upgrade	PZ			14,850	14,850		14,850					14,850
TOTAL			53,365,489	49,818,622	49,929,388	110,766	34,911,632		110,766	61,940,635		111,870,023

Summary

Scheme Name	Project	Spend Project to date (prior years)	2013/14 Programme	2013/14 Out - turn	2013/14 Variance	Spend to date - current year	2013/14 Carry Forward	Over/ (Under) Spend	2014/15 Out- turn	2015/16 Out- turn	Total Spend to date for project
NORA	PU2907		249,854	249,854		313,734	(63,880)	63,880			249,854
Hethel Engineering Centre -Phase 3	PU2914		3,770,000	3,770,000							3,770,000
Beach Coach Station	PU2912		2,076,000	2,076,000							2,076,000
Thetford Riverside Regeneration	PU2913										
TOTAL			6,095,854	6,095,854		313,734	(63,880)	63,880			6,095,854

PU2907 credit expected from KLWNBC to reduce spend to date down to budget

Summary

Scheme Name	Project	Spend Project to date (prior years)	2013/14 Programme	2013/14 Out - turn	2013/14 Variance	Spend to date - current year	2013/14 Carry Forward	Over/ (Under) Spend	2014/15 Out- turn	2015/16 Out- turn	Total Spend to date for project
Closed Landfill Sites-Capping & Restor	CLS000		460,000	460,000		22,008			70,037		530,037
Drainage Improvements	DRIMPS		500,000	500,000		125,283			1,756,338		2,256,338
Investment Fund for Norfolk ESCO	PQ2500		3,000	3,000		2,896			4,147,000	3,600,000	7,750,000
Sparham Footpath number 2	PQ0043		6,378	6,378		8,103					6,378
Saddlebow Caravan Park CCTV	PQ2012		4,436	4,436		195					4,436
New Thetford Recycling Centre	PQ3033		23,072	23,072							23,072
RAF Coltishall	PQ4500		827,270	827,270		367,308			449,880		1,277,150
Hardley Flood Bridge Improvements	PQ0041		20,000	20,000		20,000					20,000
RAF Coltishall	PK5085										
RAF Coltishall	PK6050										
HWRC invest to save	PQ3034		1,850,000	1,850,000		1,693,166					1,850,000
RAF Coltishall Hgv Link Rd	PQ4501		10,000	10,000		13,200					10,000
RAF Coltishall Off Site Highways Work	PQ4502		10,000	10,000		5,127					10,000
CERF Kettingham	PQ1511		6,695	6,695		6,000					6,695
RAF Coltishall Officers Mess	PQ4508		20,000	20,000		19,935					20,000
TOTAL			3,740,851	3,740,851		2,283,221			6,423,255	3,600,000	13,764,106

Appendix C

Environment, Transport and Development - Reserves Monitoring Schedule 2013 / 14

Reserve	Opening Balance	Current Balance @ 31.12.13	Forecast Final Balance 31.3.14	Notes
	£m	£m	£m	
Travel and Transport services				
Park & Ride refurbishment	0.012	0.012	0.012	To be used as needed
De Registration of Bus services	0.082	0.082	0.082	Government changes to Bus fuel subsidies will now occur in 2013, so Reserve will be used as needed
Demand Responsive Transport	0.561	0.561	0.311	Estimate based on current activity
Developer Services	0.150	0.150	0.150	Funding to be used for projects as identified
Travel Network Reserve	0.150	0.150	0.122	Contribution to Park & Ride site funding
Better Bus Area	0.630	0.544	0.000	2013/14 is the final year of the programme, so the whole amount should be spend (subject to the works being completed on Withdrawals will be made as required
Community Transport	0.791	0.791	0.791	Withdrawals will be made as required
Commuted Sums Public Transport	0.016	0.016	0.016	Contribution from Developers made in Period 2. Withdrawal to cover staff costs and travel plan preparation
Commuted Sums Travel Plans	0.206	0.206	0.215	
	2.598	2.512	1.699	
Highways				
Commuted Sums Highways Main	2.497	2.497	2.265	£12k for Broome - Ellingham work. £380k to be transferred in. Other movements to and from the reserve still to be advised but estimated as £600k
Parking Receipts - Great Yarmouth	0.734	0.443	0.199	£140k needed to fund Vauxhall Bridge repairs in Great Yarmouth. £104k for other projects (including CPE)
Parking Receipts - Norwich	0.262	0.262	0.321	Expected contribution from 2012/13. Costs of work still being assessed

Reserve	Opening Balance	Current Balance @ 31.12.13	Forecast Final Balance 31.3.14	Notes
Highways Maintenance	0.688	0.638	0.000	Planned expenditure in 2013/14
Street Lighting PFI	7.789	7.694	6.695	Planned expenditure in 2013/14. £0.5m of expenditure for LEDs
Depot R & R	0.307	0.277	0.263	£50k in total for rationalisation of depots in 2013/14
Highways R & R Vehicles	1.714	0.105	0.105	Release to fund general Highways expenditure
Road Safety Reserve	0.197	0.197	0.000	Planned expenditure in 2013/14
Reprocurement - Strategic Partners	0.283	0.283	0.035	Planned expenditure in 2013/14. £35k estimate needed for final mobilisation costs in 2014/15
	14.471	12.396	9.883	
Environment and Waste				
Sustainability Invest to save	0.093	0.093	0.093	To cover the costs of the ESCo Business Plan
Sustainability Strategic Ambitions	0.011	0.011	0.011	To cover the costs of low carbon schemes
Environment & Waste Vehicle Repair & Replacement Reserve	0.142	0.142	0.142	Lease cost of replacement Environment vehicle likely to be incurred this year
Historic Building Reserve	0.229	0.199	0.178	Planned transfer to cover future projects, and release to cover costs incurred in 2013/14. This may increase if further opportunities to divest £579k to be contributed this year from Revenue to meet future demands. Reserve expected to be fully utilised to meet HWRC running and
Waste Partnership Fund	0.625	0.625	0.000	decommissioning costs £10k expected for improvements at Household Waste Recycling Centres to encourage recycling
Community Recycling Fund	0.100	0.100	0.090	

	Opening Balance	Current Balance @ 31.12.13	Forecast Final Balance 31.3.14	Notes
Reserve				
Closed Landfill	0.350	0.350	0.350	Current revenue forecast suggests Closed Landfill can be managed without support from Reserves
Closed Landfill Longterm Impairm	0.000	9.244	8.802	Reserve created to fund long term impairment costs arising from Closed Landfill sites, as per Government legislation and Audit Commission recommendation
TOTAL: Environment and Waste	1.550	10.764	9.666	
Economic Development and Strategy				
3rd River Crossing	0.029	0.029	0.029	To be used for Thetford
Thetford	0.030	0.000	0.000	MasterPlan exercise
Eco Town funding	0.007	0.007	0.007	
Apprenticeship Scheme	3.290	3.290	2.820	Expected release for 2013/14, although contribution to Childrens Services is still to be confirmed
Ec Dev - FJF	0.383	0.383	0.383	To be used for Infrastructure Growth project. £18k released in 2012/13
Enterprise Zone co-ordination	0.060	0.060	0.020	Expected to be used in 2013/14 & 2014/15
Europe Fund	0.070	0.070	0.070	PU6007 - held on behalf of NCC to cover costs of EU grant bids
Hethel	0.228	0.264	0.314	PU6068 - for use within HTP Project
Strategic Ambitions	0.542	0.542	0.364	PU6150 - £131k for use in Business Development Infrastructure project
Business Start Up Support	0.006	0.006	0.006	
Better Broadband for Norfolk	0.000	0.376	0.376	Previously held on KT9900
TOTAL: Economic Development	4.645	5.027	4.389	
Public Protection				

	Opening Balance	Current Balance @ 31.12.13	Forecast Final Balance 31.3.14	Notes
Reserve				
Trading Standards - ICT	0.082	0.082	0.082	Metrology database work won't now take place until 2013/14
Trading Standards - R&R	0.289	0.208	0.026	Plan to release £50k for Proceeds of Crime Act funded projects, and £132k to cover the Minerals & Waste Plan. Already removed £10k for Priory House improvements, £30k for Equipment purchases, £11k for Fixtures and Fittings and £30k to cover Legal fees
Civil Parking Reserve	0.155	0.155	0.155	
TOTAL: Public Protection	0.526	0.445	0.263	
Service Development and Support				
Accommodation R & R (general)	0.064	0.064	0.064	Office repairs/alterations as required
Planned IT projects	0.861	0.861	0.661	Department funds for projects - £200k expected to be released in 2013/14. £150k for Development Control e-planning and £168k for Smart Ticketing on Park and Ride going ahead in 2014/15
Total Service Development and Support	0.925	0.925	0.725	
Total in ETD Accounts	24.715	32.069	26.625	
Bad Debt Provision	0.050	0.050	0.050	Figure reduced due to reduced estimate for land charges provision against claims, an Out of Court settlement is probable with potentially low value (around
Grants				
ETD grants and contributions	0.000	0.000	0.000	
ETD grants and contributions	0.000	0.000	0.000	

	Opening Balance	Current Balance @ 31.12.13	Forecast Final Balance 31.3.14	Notes
Reserve	0.000	0.000	0.000	
TOTAL	24.765	32.119	26.675	Additions and withdrawals reflect the movements needed to return to a balanced revenue position for 2013/14

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

Report by the Interim Director of Environment, Transport and Development

Summary

The information included within this report is mainly based upon Q3 2013/14 for Environment, Transport and Development (ETD), along with an updated position on key projects where available. Any significant changes to the performance information between publishing this paper and presenting to Panel will be updated verbally. The report is structured around the ETD dashboard (Appendix A to this report). Also included is a definition 'guide' to the indicators (Appendix E to this report). A separate paper is included on this agenda updating Panel on the latest Financial position for the Department.

- **Dashboard:** The dashboard for ETD which forms the basis of this report is attached as Appendix A. The dashboard includes all measures of departmental significance as agreed by the management team and Panel members. Further detail as to why is included within the main body of this report and Appendix B contains definitions for all measures within the dashboard.
- **Economic Intelligence Report:** Appendix D is a report detailing economic intelligence information for Norfolk for the quarter 3 of 2013/14.
- **Risks:** Appendix C contains information on risks relevant to ETD and the services it delivers. At the time of reporting there were three risks deemed as having corporate significance relevant to ETD. At the time of reporting all three risks were rated as "Amber – some concerns".

Recommendation / Action Required

Members are asked to:-

- Comment on the progress against ETD's service activity, risks and consider whether any aspects should be identified for further scrutiny.
- Consider and comment on the contents of the Economic Intelligence Report

1. Background

- 1.1. This report updates the ETD performance dashboard for Overview and Scrutiny Panel based mainly upon November / December 2013 information. The dashboard acts as an overview of departmental performance, identifying progress against four themes, Managing Change, Managing our Resources, Outcomes for Norfolk People and Service Performance.
- 1.2. The purpose of this report is to alert Members to areas of concern and highlight areas of improvement within the ETD dashboard and to general progress against performance for the services delivered by the Department. Where available this also includes benchmarking information to give Panel the wider context in which services are operating.

2. **Managing change**

2.1. The overall rating for the ETD transformation and efficiency programme remains Green showing that the department is largely on track to achieve improvements and savings.

2.2. **NCC Change Programme**

2.3. Work continues with the development of a single portfolio of change - bringing together all the activities currently underway, the budget savings proposals being taken forward (following confirmation at Full Council on 17 February 2013) and other planned activity, under a single prioritised NCC Change Programme. The governance arrangements are being refreshed and tracking and reporting processes to ensure the delivery of our strategic priorities.

3. **Managing our Resources**

3.1. **Sickness management**

3.2. The 2013/14 sickness absence target for NCC is 6.81 days per Full Time Equivalent (FTE). The departmental target for ETD is 5.5 days per FTE. The target has been kept the same as 2012/13 in recognition that the end of year position (5.8 days) didn't quite reach the target, although it was less than the overall NCC target of 6.6 days per FTE.

3.3. The refreshed data for Q1 this year show that absence levels were below that of 2012/13 but for Q2 absence levels were above the same period last year.

3.4. The initial outcome for Q3 shows a much lower return that would be expected across NCC and as a result the overall predicted outcome for sickness over 2013/14 can only be verified once Q4 data has been collated.

3.5. For 2012/13 the Chartered Institute of Personnel and Development (CIPD) Absence Management Survey showed that the national average sickness per employee was 7.6 days (all industry sectors). The private sector average per employee was 7.2 days.

3.6. **Reducing energy consumption**

3.7. The target for reducing the Council's operational carbon footprint is 25% by 31 March 2014, based on the 2008/2009 baseline (94,632 tonnes). This means that as an organisation we need to reduce the amount of carbon dioxide we emit by 23,658 tonnes by 31 March 2014.

3.8. ETD's contribution to this overall NCC target means that the department needs to reduce the amount of carbon emitted by the buildings it occupies by 197 tonnes from the 2008/2009 baseline.

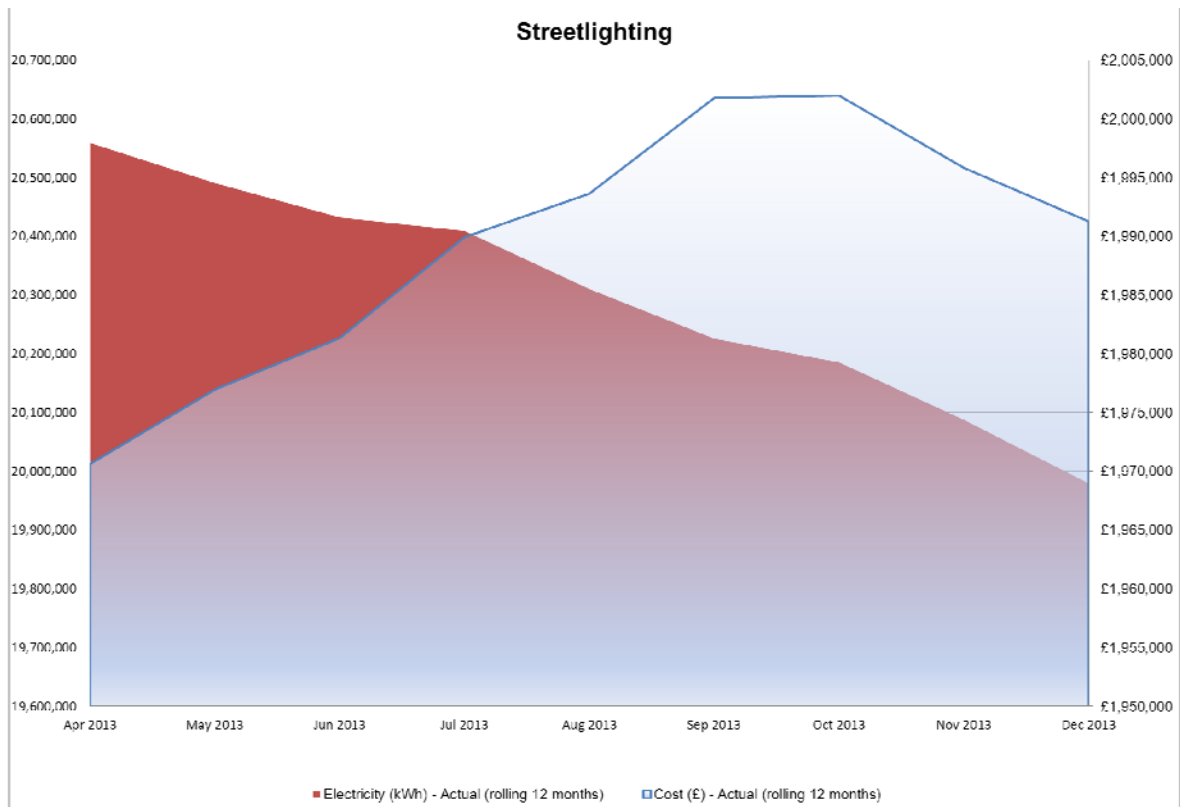
3.9. Energy consumption from buildings is a very small percentage of the overall energy used by the services delivered by the department. The table below shows that overall street lighting and traffic signals are a much larger percentage of the overall energy used.

3.10.

	2008/9 baseline	%
Buildings	788	6.0%
Street lighting	11,216	85.7%
Traffic signals	1,077	8.2%
	13,081	

3.11. The graph below shows that although energy usage for street lights declined between April and December 2013, the cost for the same period has risen up until September / October when it plateaued prior to a slight decrease.

3.12.



3.13. Prior to 2012/13, we had not made any significant savings against street lighting, even though it is a significant portion of the overall footprint. However investment in lighting improvements as well as ‘dimming’, ‘trimming’ and part night lighting programme are starting to produce some improvement as far as energy consumption is concerned, but limited improvement as far as cost.

3.14. The contract price for energy linked to street lighting is reviewed annually in October. In 2011 it resulted in a 12.67% increase followed by 10.48% in 2012 and 2.3% in 2013.

3.15. “Invest to save” trials incorporating LED technology and computer control are increasing the energy savings that we are delivering; it is also mitigating the cost increases. Further opportunities to reduce energy consumption continue to be assessed and considered.

3.16. **Risk Management**

3.17. The Environment, Transport and Development departmental risk register reflects those key business risks that need to be managed at the Leadership Team level and

which if not managed appropriately, could result in the Service failing to achieve one or more of its key objectives and/or suffer a financial loss or reputational damage. The risk register is a dynamic document that is regularly reviewed and updated in accordance with the Council's "Well Managed Risk – Management of Risk Framework".

3.18. A copy of the departmental risk register, reviewed as of January 2014 is attached as Appendix C, the current risks are those identified against the departmental objectives for 2013/14. The register currently contains fifteen risks. Three of these risks have a corporate significance and so appear on the Corporate Risk Register. These are risks that are either so significant that they would impact on corporate/strategic objectives, or are beyond the scope of individual departments to manage. This register is reviewed regularly by Chief Officers Group and reported to each Audit Committee meeting.

3.19. The three corporately significant risks for ETD are:

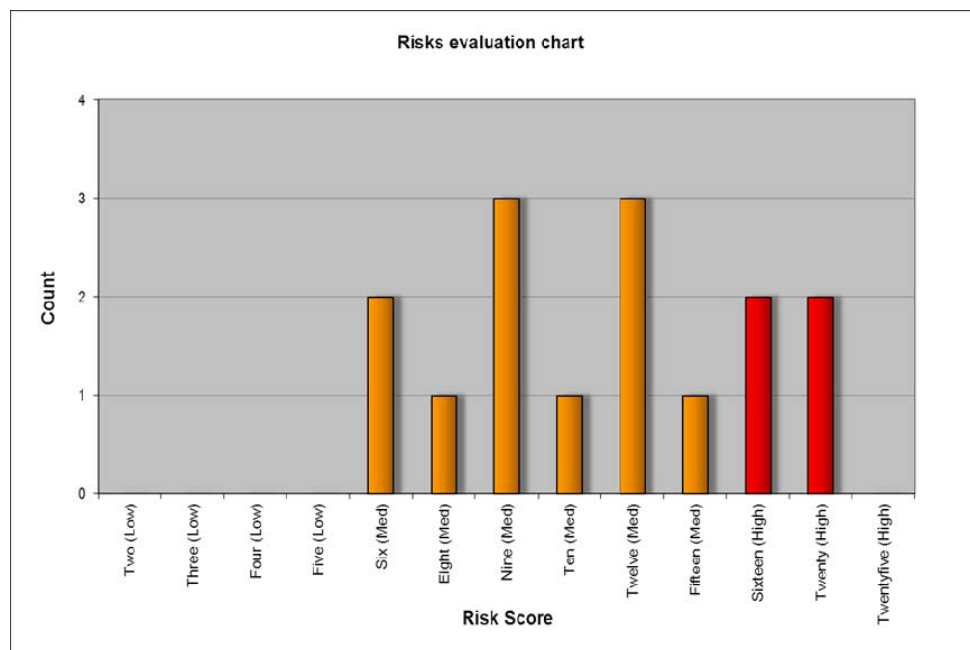
- Failure to deliver the Willows Power and Recycling Centre.
- Failure to implement Norwich Northern Distributor Route (NNDR) and the Postwick Hub junction improvement.
- Incident at key NCC premises or adjacent causing loss of access or service disruption.

3.20. The risk scores are colour coded for ease of reference as follows:

- Low 1-5 (Green) - risks analysed at this level can be regarded as negligible, or so small that no risk treatment is needed.
- Medium 6-15 (Amber) - risks analysed at this level require consideration of costs and benefits in order to determine what if any treatment is appropriate.
- High 16-25 (Red) - risks analysed at this level are so significant that risk treatment is mandatory.

3.21. The scores of the fifteen risks are illustrated within the following chart.

3.22.



- 3.23. Each risk is monitored against three risk scores as follows:
- Inherent risk score – this is the level of risk exposure before any action is taken to reduce the risk
 - Current risk score – this is the level of risk exposure at the time the risk is reviewed by the risk owner and takes into consideration the progress of the mitigation tasks at that point
 - Target risk score – this is the level of risk exposure that we are prepared to tolerate following completion of all the mitigation tasks, this is known as the ‘risk appetite’.
- 3.24. The prospect of meeting the target score by the target date is a reflection of how well mitigation tasks are controlling the risk. This can be seen as an early indication that there may be some concerns where the prospect is shown as Amber or Red. In these cases further investigation may be required to determine the factors that have caused the risk owner to consider that the target may not be met. It is also an early indication that additional resources may be required to ensure that the risk can be managed in order to meet the target score by the target date.
- 3.25. The position is visually displayed for ease in the “Prospects of meeting the target score by the target date” column on Appendix C as follows:
- Green – the mitigation tasks are on schedule and the risk owner considers that the target score is achievable by the target date.
 - Amber – one or more of the mitigation tasks are falling behind and there are some concerns that the target score may not be achievable by the target date unless action is taken.
 - Red – significant mitigation tasks are falling behind and there are serious concerns that the target score will not be achieved by the target date. Shortcomings must be addressed and/or new tasks introduced.
- 3.26. **Risk update**
- 3.27. Of the fifteen risks on the risk register, two risks have the prospects of meeting the target score by the target date assessed as Red – serious concerns that the targets will not be met, seven are showing Amber– some concerns that targets may not be met, and six have their prospects of meeting the target score by the target date assessed as Green - on schedule to meet their target.
- 3.28. **Failure in the delivery of the Willows Power and Recycling Plant** - remains on the register. At the time of reporting the outcome of this decision had been anticipated on 14 January 2014 but on 13 January 2014 the Department for Communities and Local Government announced that it would not be able to make a planning decision on the anticipated date and said “In these circumstances we do not set a new target, but please be assured that the decision will be issued as soon as we are in a position to do so.” The Waste Contingency planning paper approved by Cabinet on 4 November 2013 recommended the provision of a contingency fund relating to the potential planning failure compensation, of some £11m. Due to the delay in the decision by the Secretary of State Cabinet were asked on 27 January to approve an increase of the contingency fund.
- 3.29. **Failure to divert waste from landfill** - has had the prospects of meeting the target score by the target date raised from Amber to Red because there has been an

increase in the projected amount of waste being sent to landfill. The budget was based on a plateauing out of waste to landfill, the evidence is that this has occurred earlier than predicted, and in addition there is a slight increase on predicted figures resulting in an increase in the projected costs.

- 3.30. **Delays to achieving required Planning and Permitting associated with the Waste PFI project** - has had the prospects of meeting the target score by the target date raised from Amber to Red because of the continuing delay in the decision from the Secretary of State.
- 3.31. **Failure to implement Norwich Northern Distributor Route (NNDR) and the Postwick Hub junction improvement** - remains on target now that the funding from the DfT Development Pool has been released for the Postwick Hub. In addition the NNDR has been accepted by the Planning Inspectorate into the Nationally Significant Infrastructure Project (NSIP) development approval process.
- 3.32. **Shortfall in funding for the concessionary travel scheme for 2014/15** - has had the current risk score reduced from 9 (likelihood 3, impact 3) to 6 (likelihood 2, impact 3). This is as a result of the provisional agreement that has been reached with bus operators. Although the current score has now fallen to the target risk score the risk will remain on the register until the final confirmation is received.

4. **Service Performance**

4.1. The measures within this quadrant include a cross section of information that gives an overall view of performance for ETD. They are made up of service specific measures that were agreed by the management team to reflect the key priorities within the department. Within this section of the report we have also included some associated areas of activity from services which contribute towards overall departmental performance and which feature within 2013/14 ETD service plans. At the time of writing this report these measures were part of an ongoing review by the management team as part of an overall refresh of the dashboard.

4.2. **Highways**

4.3. Findings from the 2013 National Highways and Transport (NHT) survey show that overall Norfolk has maintained a top quartile position when compared to other participating County Councils for issues related to the Highway. Although this is positive the survey received limited response (over 53,000 respondents in total but only 753 from Norfolk). We would normally require over 1000 responses to ensure that results were statistically valid. The age profile of respondents to the survey also shows that the majority were aged over 60 years and therefore strongly represent the views of one section of society.

4.4. This is the sixth year that the survey has been running and is the third time that Norfolk County Council has taken part having also participated in 2010 and 2011.

4.5. Some highlights of the survey include:

- Improvements in public satisfaction with Public Transport.
- Improvements in public satisfaction with Tackling Congestion (resulting good performance against other authorities participating in the survey).
- Good results within most aspects of Road Safety with improving satisfaction particularly associated with Road Safety education.
- Top quartile benchmarking positions in both the Condition of the Highway and

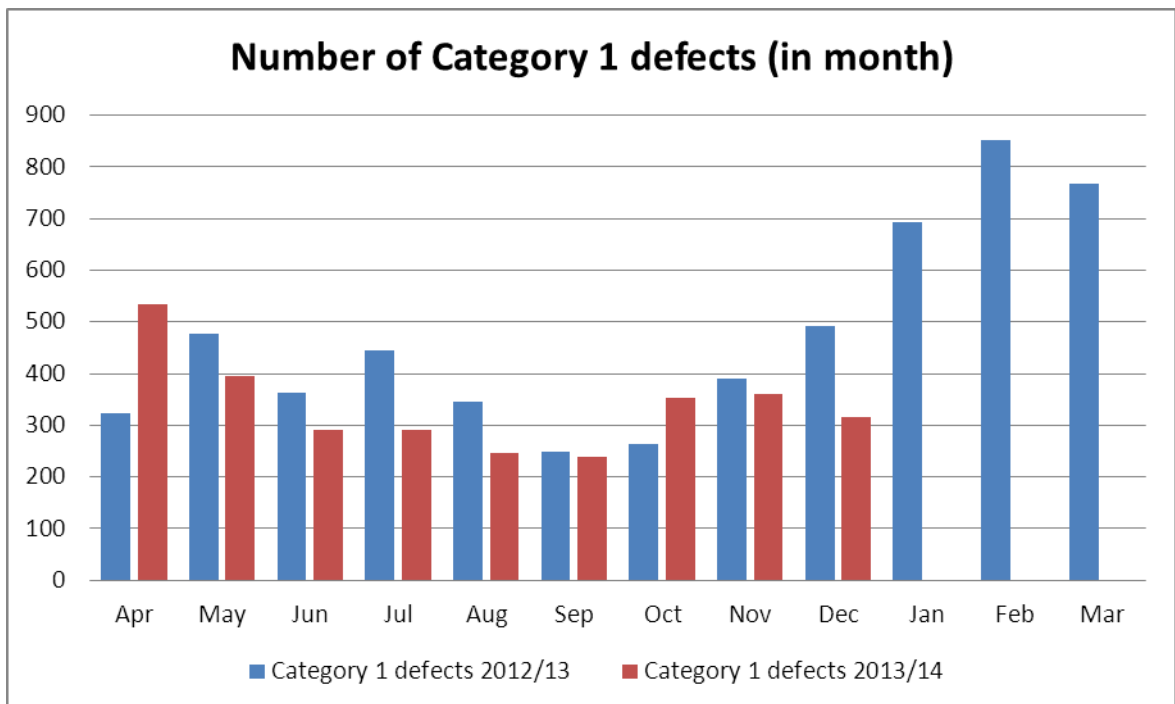
4.6. Highway Maintenance, which in the current economic climate is very positive. Areas where we have not performed as well include:

- Reduction in satisfaction across all areas associated with Walking/Cycling
- The most significant drops in public perception were - Cycle routes and facilities and Rights of way.
- Satisfaction with Street Lighting has reduced. The gap between Norfolk and the highest performer has widened and our benchmark position is now bottom quartile.
- The Councils benchmark position dropped to the bottom quartile in all areas associated with Accessibility (for more information on work associated with accessibility see section ** of this report).

4.7. **Highway Maintenance**

4.8. The graph below shows the number of category 1 defects (i.e. those that require prompt attention because they represent an immediate or imminent hazard or because there is a risk of short-term structural deterioration) in month for 2012/13 and available data from 2013/14. The graph shows that with the exception of April and October numbers in 2013/14 have remained below those of 2012/13. Response times for repairing category 1 defects have remained over 95% throughout 2012/13 and 2013/14.

4.9.



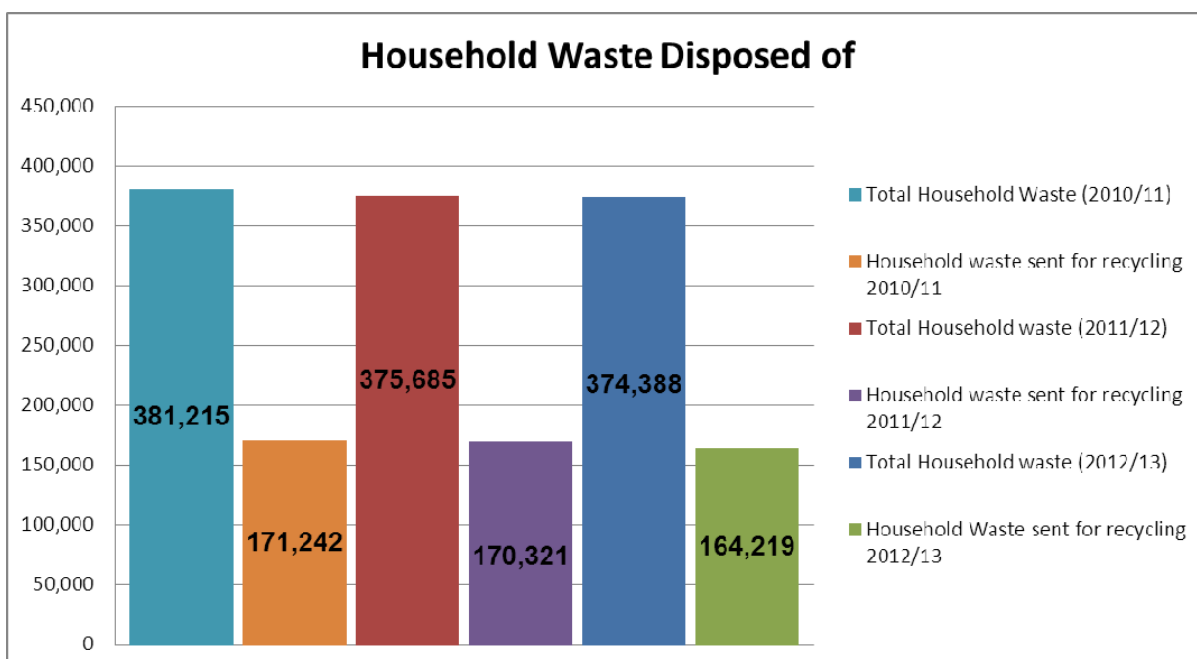
4.10. These figures appear to back up the public perception from the NHT survey that general road condition is better than in 2012/13.

4.11. **Waste**

4.12. Managing household waste produced in Norfolk involves a variety of organisations and different processes. The County Council provides Recycling Centres for householders and is responsible for dealing with the rubbish left over after waste reduction, recycling and composting initiatives. Although some of this left over rubbish is sent for treatment it is predominately sent to landfill.

- 4.13. The overall amount of waste collected in Norfolk by local authorities has been reasonably stable in recent years. However, in 2013/14 the amount of waste left after reuse, recycling and composting is expected to be higher than the previous year. The reason for this is partly down to the effect of winter flooding and the mild winter but the effects will not be fully known until after the end of the financial year when data has been validated.
- 4.14. The graph below shows the pattern of household waste being disposed of by Norfolk County Council between 2010/11 and 2012/13. Overall between 2011/12 and 2012/13 the total amount of waste has remained fairly stable but the gap between what is recycled and what goes in to landfill has been increasing. If, as predicted 2013/14 figures show a further increase this means that more household waste will be going to landfill than being recycled.

4.15.



4.16. **Alternative methods for disposal of waste**

4.17. In November 2013 Norfolk's Master Composters won a national golden Green Apple Award for helping to stop thousands of tonnes of waste from being landfilled in Norfolk. The Master Composters scheme trains volunteers to promote the benefits of home composting and give practical advice to fellow residents about composting.

4.18. Since it started in 2006, 190 Master Composters have been trained and together they have dedicated nearly 6,500 hours of their time to speak to 32,000 people at over 300 events across Norfolk.

4.19. The volunteers have also helped to support Norfolk County Council's long-running home composting campaign which has distributed more than 89,000 composting bins to Norfolk residents since it started in 2002. Master Composters have given advice and encouragement to home composters and together the campaigns are estimated to have stopped nearly 13,400 tonnes of waste being sent to landfill, saving hundreds of thousands of pounds.

4.20. **Funding for improving recycling**

4.21. Norfolk County Council has successfully bid for funding of £19,000 from the government's Waste and Resources Action Programme (WRAP) to fund and deliver

the following:

- Countywide communications campaign to promote the wide variety of textiles that can be reused or recycled with the aim of increasing textile recycling by 10%
 - Monitoring textile tonnages and composition through an analysis off site before and after the communications campaign along with public perceptions and behavioural changes through two rounds of surveying
 - A trial at Thetford and Dereham Main Recycling Centre Plus sites to introduce alternative textile containers to collect high grade quality textiles and low grade textiles separately.
- 4.22. Textiles make up approximately 3.7% of the residual waste stream amounting to 7,767 tonnes in Norfolk costing council tax payers £776,670 to dispose of annually. Currently 2,711 tonnes of textiles are collected annually for reuse and recycling which the project aims to increase by 10%.
- 4.23. The project is due to launch a local media communications campaign in March 2014 and will run until the end of August 2014 followed by an evaluation period to assess the viability of extending the project further.
- 4.24. In 2012 we received £13,600 funding from DEFRA as part of the Reward and Recognition Fund Project. This money was used to fund activity to increase WEEE (waste electrical and electronic equipment) recycling at Household Waste Recycling Centres (HWRC's) across Norfolk. Activities included prize draws for members of the public as well as a communications campaign involving HWRC's and district/boroughs to increase awareness of recycling electrical and electronic equipment.
- 4.25. However, despite 291 entries to the prize draw we did not reach our target for increasing WEEE recycling. Overall figures are continuing to drop with a comparison showing that although Norfolk has reduced the amount of WEEE disposed of via landfill by 10% Suffolk and Cambridgeshire have reduced it by 29.5% and 63% respectively.
- 4.26. Following on from the project a survey has been completed by 782 people, asking various questions regarding recycling including recycling of WEEE. Results will help us to learn more about how people wish to increase their recycling; either at HWRCs or Kerbside, how they obtain information on recycling and how they perceive current recycling provision. All results, outcomes and a final report have been sent to DEFRA.
- 4.27. In collaboration with Suffolk County Council we have successfully bid for funding of over £32,000 from the governments Waste and Resources Action Programme (WRAP) to fund a study into options for increasing reuse in both counties. The study, which is being conducted between November 2013 and March 2014 will include:
- Establishing a baseline of reuse by mapping out existing coverage of reuse organisations in Norfolk and Suffolk, as well as the tonnage of materials collected, re-used, repaired and those disposed of.
 - Assessing the potential for recovering re-usable items from the waste electrical and electronic equipment (WEEE) and bulky waste streams across

the two county areas.

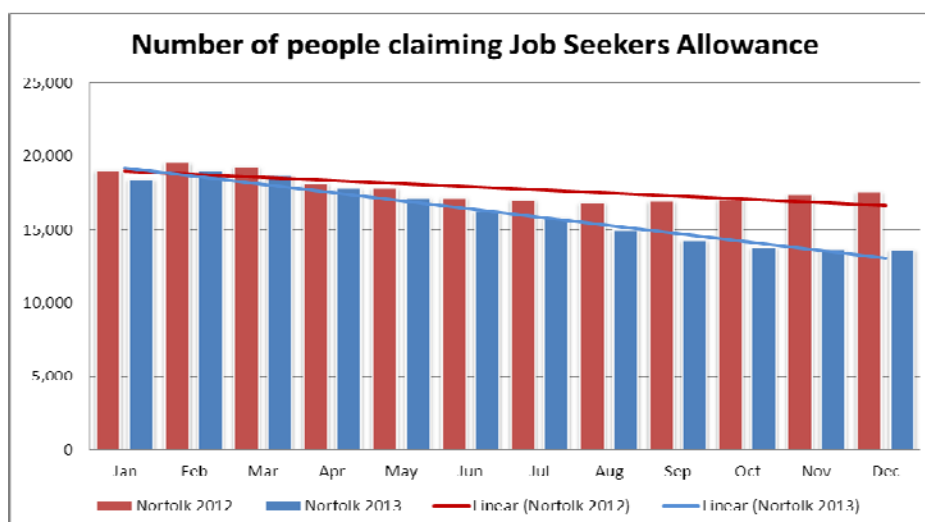
- Engaging with stakeholders to develop opportunities to capture more re-usable items.
- Identifying barriers and opportunities brought by demographic/geographic spread of the population
- Assessing the opportunities to improve re-use in the social and private housing sector by engaging with the housing associations and universities and landlords
- Exploring the potential for a reuse hub or hubs
- Communications planning to improve the donation of re-usable items and improve the demand for re-used items.

4.28. The Department for Environment, Food and Rural Affairs (DEFRA) published the Waste Prevention Programme for England at the end of 2013 (during the development of this study). This programme outlines the key role of Local Authorities in co-coordinating reuse between the private, public and third sectors, and is likely to include the requirement from DEFRA for Local Authorities to produce a waste prevention plan. Securing the funding for this study means that background research for this role will be in place to inform reuse strategies in both counties.

4.29. **Employment**

4.30. The graph shows the total number of people claiming Job Seekers Allowance in Norfolk in 2012 and 2013. It shows that overall numbers in 2013 have continued to reduce at a faster rate than in 2012. At the end of 2013 there were almost 4000 less people claiming JSA in Norfolk than in 2012.

4.31.



4.32. Statistics from the Office of National Statistics (ONS) show that wages in Norfolk have remained low compared to the rest of the East of England, and there is a gender disparity. In 2013 the gross weekly pay for full time workers in Norfolk was £471.50 compared to £542.70 in the East of England and £518.10 across Great Britain. This means that workers in Norfolk are paid the second lowest rate compared to other authorities in the region (Peterborough is the lowest at £452.50).

4.33. The graphs above show that female workers remain behind male workers. Comparing hourly pay, male workers can expect to receive £12.23 in Norfolk, compared to £10.27 for female workers.

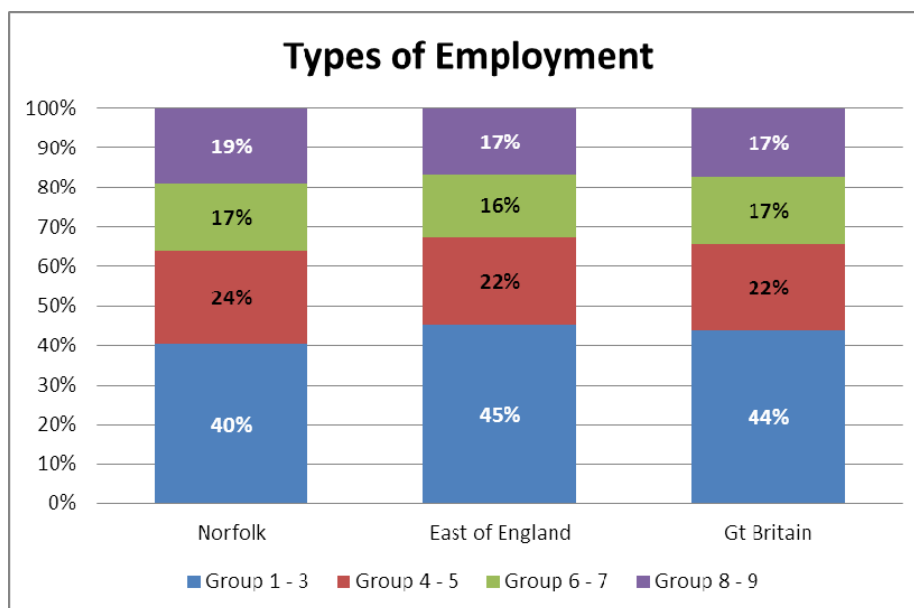
4.34.



4.35. Figures from ONS, which break down employment into 9 sectors, shows that the number of people in Norfolk working in higher paid sectors such as managers, directors and professional occupations is low in Norfolk. In comparison the number of workers in lower paid sectors like administrative, skilled trades and machine operatives is higher in the County.

4.36. The graph below shows that the number of people working in higher paid occupations such as managers and directors in Norfolk is slightly below the East of England and Gt Britain averages. The figures, produced by ONS, looks at the period between October 2012 and September 2013.

4.37.



Groups 1 – 3 = Managers, directors and senior officials. Professional Occupations. Associate professional & technical.

Groups 4 – 5 = Administrative & secretarial. Skilled trades occupations

Groups 6 – 7 = Caring, leisure and other service occupations. Sales and customer service occupations.

Groups 8 – 9 = Process plant & machine operatives. Elementary occupations.

4.38. More information on economic intelligence is available in appendix D to this report.

4.39. **Apprenticeships**

- 4.40. Apprenticeships Norfolk aims to help young people find their way into the job market through an apprenticeship. The project has been aligned to a variety of funding streams to maximise impact and plays an important part in delivering the Raising the Participation Age Strategy, which states that young people are required to stay in education and training to age 18 by 2015. At the end of October 2013 the programme had helped 284 young people to start an apprenticeship (against a target of 187), 207 of which were aged between 16 and 18 and 9 of whom were care leavers.
- 4.41. **Having the infrastructure to support economic growth**
- 4.42. **Postwick Hub**
- 4.43. On 8 January 2014 Government approved £19m funding for improvements to the A47 Postwick junction, at the eastern end of Norwich Southern Bypass. The improvements will help to unlock potential development in the area which has not previously been possible due to lack of capacity at the junction.
- 4.44. The Planning Inspectorate is currently reviewing the application for the Norwich Northern Distributor Road (NDR) application as part of the Nationally Significant Infrastructure Project (NSIP) development approval process. Whether the NDR goes ahead depends upon a Development Consent Order being granted which will be the subject of a public examination during 2014.
- 4.45. Previous to this in December 2013, the A47 Alliance launched its own website to help build support for major investment in the road, timed to coincide with Government publishing its 2013 National Infrastructure Plan.
- 4.46. **RAF Coltishall**
- 4.47. Following an eight-week consultation in the summer of 2013 a number of new development proposals for the former RAF Coltishall site were announced. These included:
- A feasibility study looking into a phased approach to installation of solar panels on an area of approximately 50 acres at the northern end of the site with a capacity of up to 10MW.
 - Local residents are being given the opportunity to see plans for developing the Officers' Mess.
 - People interested in becoming County Farm tenants are being asked to express their interest.
 - 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.
- 4.48. The County Council's focus is on the marketing and development of business and employment opportunities of the technical area which includes the four hangars. A number of enquiries have been received by the County Council from interested businesses.
- 4.49. **Better Broadband for Norfolk**
- 4.50. At the end of December 2013, 22,335 premises had access to broadband via the Better Broadband for Norfolk rollout (the contracted target by this date was 19,745). A report on progress for the last six months is contained elsewhere on this agenda.

5. **Outcomes for Norfolk People**

5.1. **Road Safety**

5.2. A recent study by Norfolk County Council on behalf of the Road Casualty Reduction Group has explored the context for and the reasons why people are having accidents on Norfolk's roads:

- The highest proportion of reported killed or seriously injured road casualties occur on a Friday and Saturday
- Slightly more road casualties were recorded on a Tuesday than any other week day, with the exception of Fridays
- Young, male drivers are more likely to be involved in an incident on a Saturday and also more likely to be involved in an incident if they come from the more deprived areas of the county
- The number of people killed or seriously injured who are described as being from 'vulnerable road user groups', which includes cyclists, older pedestrians, and older drivers, have increased over time
- Older drivers are more likely to be involved in a KSI during the daytime

5.3. The study also revealed that the most common reasons given for road accidents were 'failed to look properly' and 'loss of control', followed by 'failed to judge other persons path or speed'. Additionally although 'failed to look properly' was the most frequently reported factor for all casualties, 'loss of control' was the most frequently recorded contributory factor for road fatalities in Norfolk.

5.4. **Flooding**

5.5. In February, Norfolk like the rest of the Country saw local roads closed and warnings to local motorists to take extra care on the roads due to extreme weather conditions. Although not as badly effected as some parts of the country, the authority responded by inspecting known flooding trouble-spots and removing excess water by tanker where necessary. A number of motorists were also helped after misjudging the depth of flood water and becoming stranded.

5.6. The Flood and Water Management Act came in to force in 2010 and places various responsibilities on to Norfolk County Council as the Lead Local Flood Authority. In March 2013 we reported to Panel that the Flood Water Management Team had received 3477 flood reports between April 2012 and February 2013 as a result of the new duty.

5.7. The Norfolk Water Management Partnership are helping to build information on flooding within the County to form the basis of an Flood Incident Log. Risk Management Authority (RMA) investigations carried out in response to flooding incidents are also being logged on a RMA Flood Investigation Log and forwarded on to NCC to help improve our understanding of how Norfolk is affected by flooding. Flood Investigation Reports (FIR's) are then published within 3 months of the incident being investigated by NCC (there are cases where this timeframe will be extended (e.g. widespread flooding across the County). Ultimately this will help to influence future activity to reduce where possible the effects of flooding.

5.8. In November 2013 a summary of the process and findings of the Great Yarmouth Borough Surface Water Management Plan (SWMP) were taken to ETD O&S Panel. The SWMP was jointly funded by Norfolk County Council, Great Yarmouth Borough

Council and Anglian Water Services. These organisations formed the leadership of the project Steering Group that was actively supported by the Environment Agency and local Internal Drainage Boards (IDBs). A high level assessment of surface water flood risk was undertaken across the entire borough to identify areas where surface water flooding is likely to occur during an extreme rainfall event.

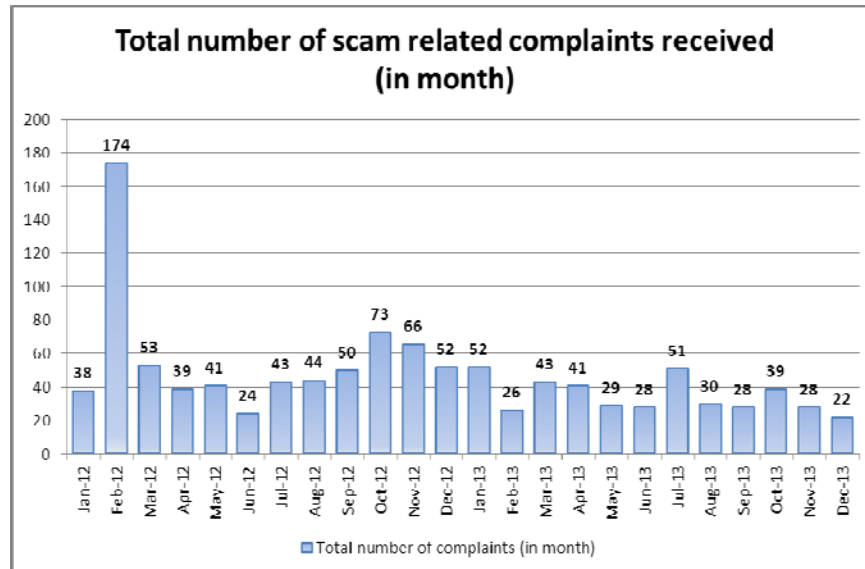
- 5.9. The predicted consequences of flooding to property, businesses and infrastructure were then analysed and those areas identified to be at more significant risk were identified as Critical Drainage Areas (CDAs). Detailed surface water modelling has been undertaken in six of these CDAs in order to better understand the mechanisms and consequences of flooding and the effects of potential mitigation measures.
- 5.10. The SWMP action plan identifies 31 actions including changes to planning policy, improved maintenance of drainage systems, installation of rain and water flow gauges. Funding bids have been submitted to the Environment Agency Flood Defence Grant in Aid process, but gaining external partnership funding will be required to allow further work in the identified CDAs and move towards delivering flood risk mitigation measures.
- 5.11. As a response to the recent flooding across the Country funding available through the *Bellwin scheme has been increased. The fund was set up by Government to help local authorities recover costs in relation to responding to incidents in which bad weather has caused threats to life and property beyond all previous local experience and where an undue financial burden would otherwise fall on the local authority.
- 5.12. The Resilience Team and the Norfolk Resilience Forum are currently in the final stages of completing the debriefing into the Norfolk response to the East Coast Tidal Surge event of the 5 December 2013. Once completed a report will be brought to a member panel.
- 5.13. There are strict rules on the types of expenditure that are eligible for reimbursement but in February 2014 Government responded to the national flooding crisis by agreeing to pay 100% of the costs incurred above the threshold*, rather than the usual 85%, the first time that thresholds have been reduced in 30 years. Upper tier authorities with responsibility for fire were also allowed to claim on a comparable basis to standalone fire authorities for fire-related costs. Local authorities also have until the end of May to incur eligible spending.

*Before being eligible for grant an individual authority is required to have spent 0.2% of its annual budget on works that have been reported to the DCLG as eligible for grant. This amount is the authority's 'threshold' and applies to the whole financial year, not to each incident. Bellwin relief, when activated, funds 85% of emergency expenditure above this threshold (the 15% contribution is intended to ensure that the local authority has a financial incentive to restrain additional costs).

5.14. **Helping the victims of scams**

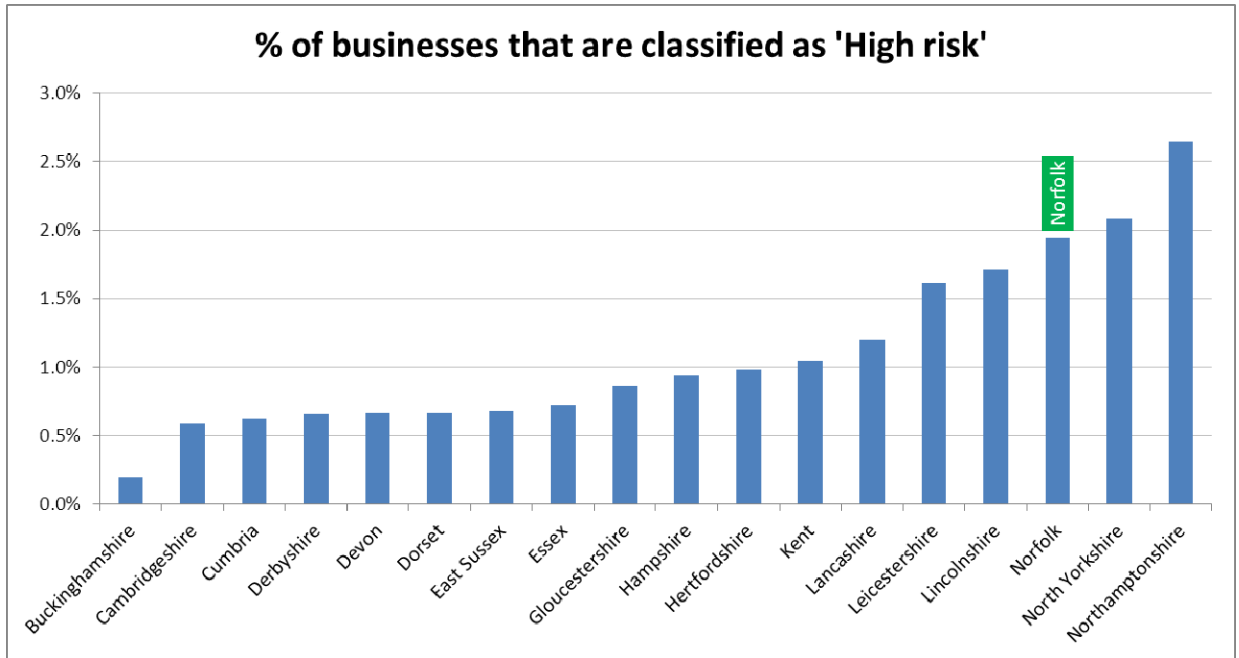
- 5.15. National statistics show that more than three million adults, one in 15 people, have fallen victim to a scam, losing a total of £3.5 billion every year. In Norfolk this equates to residents losing £50million every year to scams. As an illustration the graph below shows the number of scam related complaints received by Norfolk Trading Standards over the course of 2012 and 2013.

5.16.



- 5.17. There is a common perception, particularly in the media, that older people are more likely to be the victim of a fraud. However, research by the National Fraud Authority shows that it is important to distinguish between who the fraudsters are targeting, who succumb and the actual number of victims across different demographic groups. If a fraudster is solely targeting older age groups then they are of course likely to form the greater number of victims. Lifestyle factors such as an active social life and working are much more important when it comes to potential risk of fraud, as they exposed individuals to greater risk of fraudulent transactions. However, compared to other crimes, consumer fraud is a much higher risk for the elderly: 2.2 times more frequent than assault, 2.4 more times than theft and 13 times more than robbery.
- 5.18. An Office of Fair Trading study of mass marketing fraud found that over half the scam victims studied had changed their purchasing and payment behaviour. Although some of these changes could be seen as positive in terms of reducing the individual's risk of fraud, they may impact on legitimate business as consumers in general become less likely to buy goods.
- 5.19. **Helping local businesses**
- 5.20. The local economy is reliant upon ensuring that businesses are not only profitable but also work within the law. Trading Standards work with local businesses to provide advice and support to help them address issues and hopefully avoid taking more formal enforcement action. The graph below shows benchmarked information gathered by CIPFA on the percentage of businesses classified as 'high risk' within the County. The graph shows that returns submitted for 2012/13 put Norfolk 3rd highest as far as overall percentage. A business can be identified as 'high risk' for a number of reasons including past trading behaviour or by the nature of their business (for example a business which presents a high risk to the food chain).

5.21.



5.22. In December 2013 out of the 1361 businesses visited by Trading Standards officers between April and end of September 2013 1320 (97%) were brought in to broad compliance. This means that through advice and support the businesses were able to correct their practices in order to trade fairly and safely with their customers.

5.23. **Accessibility**

5.24. Funding for bus services was cut by almost £2m during 2011/2013. Whilst we managed to mitigate the impact of this and protect large parts of the bus network, there has been a reduction in overall accessibility in the County despite running retaining over 95% of services.

5.25. This is mainly the impact of “trimming” the network which has led to populations having to rely upon sparse commercial services or a limited supported service, reductions of evening and weekend services and subsequent reduced travel options for rural parishes and towns.

5.26. Analysis of data for Norfolk suggests that:

- A 3% reduction in budget for bus services leads to a 2% reduction in accessibility at peak.
- This means an extra 50,000 people could be without peak access – many unable to access jobs, shops and public services like schools or hospitals.
- The potential consequence of these service reductions could mean a loss of economic spend for around 50,000 trips, estimated at (conservatively) over £0.95m p.a., as well as increased unemployed of about 200 people with fewer young people staying on in further education.

5.27. Rural services tend to be the most expensive (in terms of cost per trip) and the least used (in terms of overall patronage), but are also the most heavily relied on by passengers. Almost half of passengers using rural bus services have no alternative means of transport.

5.28. There is evidence that many shire counties, including Norfolk have taken steps to protect rural services. Often by shifting the focus away from traditional scheduled,

fixed route services towards demand responsive (DRT) or community transport (CT). In England CT services provide 15 million passenger journeys a year, but this still represents only 0.3% of total bus journeys. In Norfolk CT and DRT journeys account for about 6% of the passenger journeys undertaken.

6. **Resource Implications**

6.1. **Finance** : All financial implications are covered in the separate Finance monitoring report elsewhere on this agenda.

6.2. **Staff** : None

6.3. **Property** : None

6.4. **IT** : None

7. **Other Implications**

7.1. Officers have considered all the implications which members should be aware of. Apart from those listed in the report (above), there are no other implications to take into account.

7.2. **Equality Impact Assessment (EqIA)**: This report provides summary performance information on a wide range of activities monitored by Environment, Transport and Development Overview & Scrutiny Panel. Many of these activities have a potential impact on residents or staff from one or more protected groups. Where this is the case, an equality assessment has been undertaken as part of the project planning process to identify any issues relevant to service planning or commissioning. This enables the Council to pay due regard to the need to eliminate unlawful discrimination, promote equality of opportunity and foster good relations. Details of equality assessments are available from the project lead for the relevant area of work, or alternatively, please contact the Planning, Performance & Partnerships team.

8. **Section 17 – Crime and Disorder Act**

8.1. None

9. **Risk Implications/Assessment**

9.1. Progress against the mitigation of risk is detailed where relevant within the report.

10. **Alternative Options**

10.1. Not applicable

Action Required

- (i) Comment on the progress against ETD's service plan actions, risks and budget and consider whether any aspects should be identified for further scrutiny.
- (ii) Consider and comment on the contents of the Economic Intelligence Report

Background Papers

None

Officer Contact

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

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

Managing change			
Overall assessment of Transformation & Efficiency Programme	Date	DoT	
Environment, Transport & Development	Aug 13	→	★

Managing our resources				
Managing the budget	Value	Date	DoT	
Projected budget spend against revenue budget	1.46	Dec 13	n/a	▲
Projected spend against profiled capital budget	0.19	Dec 13	n/a	▲
ETD efficiency savings	5,087,000	Dec 13	→	★
Strategic partnership (Financial savings - projection of year-end)	1,749,027	Dec 13	✓	★
[A] Premises related costs per FTE (ETD)	4,293.21	Mar 13	✓	!
Sustainability				
% CO2 emissions from automatically metered buildings compared to respective 2008/9 baseline	61.85	Dec 13	✓	
% CO2 emissions from street lighting & traffic signals compared to respective 2008/9 baseline	101.09	Dec 13	✓	
Organisational Productivity				
Sickness absence - projection of year-end (ETD)	5.60	Nov 13	✓	●
Staff Resourcing (composite measure)	Green	Sep 12	?	★
[Q] Reportable H&S Incidents (per 1000 FTE) (year-to-date)	4.33	Sep 13	✗	!
[Q] Non-Reportable H&S Incidents (per 1000 FTE) (year-to-date)	50.54	Sep 13	✗	!
Risk No	Corporate Level Risks (progress against mitigation)	DoT	Prospects	
#RM14113	RMCP ETD E&W Failure in the delivery of the Willows Power and Recycling Centre	→	Amber - Some Concerns	
#RM0201	RMCP Failure to implement Norwich Northern Distributor Route (NDR) and the Postwick Hub junction imp	→	Amber - Some Concerns	
#RM14098	RMCP Incident at key NCC premises or adjacent causing loss of access or service disruption	→	Amber - Some Concerns	

Service Performance				
	Value	Date	DoT	
Percentage of County Council's own development determined within agreed timescales	95.83	Nov 13	✓	★
The number of journeys made using demand responsive transport/community transport as a proportion of all subsidised bus services	7.48	Dec 13	✓	★
Number of journeys shared between health and social care	16,425	Dec 13	✓	★
Highway Maintenance Indicator	5.75	Dec 13	✓	★
Strategic Partnership (Quality of Works)	89.03	Dec 13	✓	★
County Council's own highway works promoter performance - Section 74 'fine' comparison with other works promoters in Norfolk	1.01	Dec 13	→	★
Difference in Job Seeker Allowance claimants compared to East of England	0.37	Dec 13	✗	★
Residual waste landfilled	207,319	Dec 13	✓	●
Recycling Centre rates	66.57	Dec 13	✓	●
No. of people accessing & downloading online national trails info	18,545	Sep 13	✓	★

Outcomes for Norfolk people				
People's view on Council services	Value	Date	DoT	
[A] % Satisfaction with household waste recycling centres	86.00	Jan 13	→	!
[A] % Satisfaction with the condition of road surfaces	26.00	Jan 13	✖	!
[A] % Satisfaction with the local bus service	65.00	Jan 13	✓	!
Satisfaction with the way in which we handle customer complaints	Green	Sep 13	✓	★
Accessing the council including advice & signposting service				
Quality and effectiveness of customer access channels	Amber	Sep 13	✖	●
Services to improve outcomes				
Number of people killed or seriously injured on roads	390	Dec 13	✓	★
Percentage of businesses brought to broad compliance with trading standards	96.99	Dec 13	→	★
Percentage of disputes resolved through advice and intervention	88.50	Dec 13	✓	●
% of tracked bus services 'on time' at intermediate timing points	80.14	Dec 13	✖	★
[Q] % of planning apps determined in line with NCC advice	62.50	Dec 13	✖	▲
[Q] Net additional homes provided	620	Mar 13	✖	▲
[Q] Accessibility	74.51	Dec 13	✓	●
Equality				
[Q] Equality improvement plan progress		Dec 13	→	★
Surveillance measures				
[A] Proportion of pop. aged 16-64 qualified to Level 3 or higher	52.00	Dec 12	✓	
[A] Median earnings of employees in the area	471.50	Dec 13	✓	
[A] Proportion of new businesses to business stock	8.90	Dec 13	✖	
Progress in delivery of service plans				
Environment, Transport & Development (overall) (COG)		Dec 13	→	★
Economic Development and Strategy		Dec 13	→	★
Environment and Waste		Dec 13	→	★
Highways		Dec 13	→	★
Public Protection		Dec 13	→	★
Travel and Transport Services		Dec 13	→	★

Definitions of Measures within the ETD Dashboard

Significant changes to any of the following will be highlighted within the covering report.

Managing Change		
P'folio	Measure	Definition
All of the projects within Norfolk Forward were identified in order to assist in delivering budget savings identified through the Big Conversation in 2010. Some projects were also identified as part of ETD's Strategic Review which sought to establish more efficient ways of working and includes elements of service changes reflected in the Big Conversation.		
All	Environment, Transport and Development (over-arching transformation and efficiency programme)	The overall transformation and efficiency programme covering a number of individual projects.

Service Performance		
P'folio	Measure	Definition
Cllr Harrison	[A] PP Percentage of County Council's own development determined within agreed timescales	Measurement of whether determinations made for NCC's own planning applications are within the agreed timescale over the year.
Cllr Harrison	TTS % of transport made by demand responsive/community transport as a proportion of all subsidised bus services (COG)	Measure links to the 'Shared Transport' Norfolk Forward project. The measure seeks to define progress against moving towards the use of alternative transport provision such as demand responsive as an alternative method of service delivery. Relates to performance in month
Cllr Harrison	TTS Number of journeys shared between health and social care	Where possible transport required by health services and social care are combined to reduce the number of journeys. The number of occasions that this occurs is plotted monthly.
Cllr Harrison	H'Ways Highway Maintenance Indicator (COG)	This is the weighted variance against target for nine measures (8 at the time of writing as one is still to be reported out of EXOR): <ul style="list-style-type: none"> • A road condition • B and C road condition • Category 1 and 2 footway condition • Bridge condition index • Category 1 defect number • Category 1 defect response time • Rectification of street light faults • Public satisfaction • Inspections carried out on time
Cllr Harrison	H'Ways Strategic Partnership (Quality of	This is a measure of the number of quality audits of highway works where

P'folio	Measure	Definition
	Works)	identified actions are attributable to our partnership contractor.
Cllr Harrison	H'Ways County Council's own highway works promoter performance - Section 74 'fine' comparison with other works promoters in Norfolk	Comparison of the percentage of works on the highway completed on time by NCC and utilities. Monthly performance
Cllr Walker	EDS Difference in JSA claimants compared to East of England (COG)	Compares the number of Job Seeker Allowance claimants in Norfolk to the total in the East of England.
Cllr Harrison	E&W Residual waste landfilled	Tonnage of waste that was sent to landfill in each month.
Cllr Harrison	E&W Recycling Centre rates	Percentage of material recycled at the household waste recycling centres each month.
Cllr Harrison	E&W No. of people accessing & downloading online national trails info	Monthly count of people accessing online information relating to Norfolk national trails.

Managing our resources

P'folio	Measure	Definition
Managing the budget		
All	Projected budget spend against revenue budget	Projected amount of budget spend against ETD revenue budget as a variance each month
All	Projected spend against profiled capital budget	Projected amount of budget spend against ETD capital budget as a variance each month
All	ETD efficiency savings	Monthly efficiency savings generated. This includes a summary of budget savings achieved against Big Conversation proposals and two specific efficiency areas: <ul style="list-style-type: none"> • Use of residual LPSA reward grant funding to support public transport • Reallocation of Officer to LEP duties • This measure will capture any savings being recorded with the exception of procurement efficiency, income generation activity and asset / accommodation rationalisation.
All	Premises related costs per FTE	Annual measure of FTE actuals against actual spend for all costs coded to premises subjectives collated by the Central Finance Team
Cllr Harrison	H'Ways Strategic partnership (Financial savings – projection of year-end)	Financial savings for the renegotiated NSP contract. The monthly figure is a projection of the year-end result.
Sustainability		
All	% CO2 emissions from automatically metered buildings compared to respective 2008/09 baseline	Monthly measure relating to metered ETD property only. The measure includes Gas and Electricity usage.

P'folio	Measure	Definition
All	% CO2 emissions from street lighting and traffic signals compared to respective 2008/09 baseline	Monthly measure relating to street lighting and traffic signal compared to the baseline for electricity usage.
Organisational productivity		
All	Sickness absence	Sickness absence per employee FTE measured against an internal target.
All	Reportable Incidents	Number of reportable Health and Safety incidents per 1,000 employees per month.
All	Non-reportable Incidents	Number of non-reportable Health and Safety incidents per 1,000 employees per month.
All	Staff resourcing (composite indicator)	<p>This is a composite indicator made up of the following elements supplied centrally, the RAG is determined by the HR Business Partner as a reflection of progress against the relevant measures below:</p> <ul style="list-style-type: none"> • Recruitment activity/costs, • Redeployment activity, • Redundancy, • liP Accreditation, • HR Direct resolution rate, • Use of temporary & agency staff, • Management of Change, • Culture Change Shifts
All	Corporate level risks	Risks from the Corporate Risk Register that are relevant to ETD.

Outcomes for Norfolk People

P'folio	Measure	Definition
People's view on Council services		
All	Satisfaction with services (through annual tracker survey)	Satisfaction levels from NCC Annual Tracker Survey split in to service areas relevant to ETD
All	Satisfaction with the way we handle customer complaints	Figure is a composite measure calculated centrally by the Customer Service and Communications Dept. team.
Accessing the council including advice and signposting services		
All	Quality and effectiveness of customer access channels	This is a composite measure supplied monthly by the central Customer Service and Communications Dept. The measure contains the ETD element of three main areas of customer contact – online, customer service centre and face to face.
Services to improve outcomes		
Cllr Roper	PP Percentage of businesses brought to broad	Measurement of businesses that Trading Standards work with to bring into

P'folio	Measure	Definition
	compliance with trading standards, focusing on those that are high-risk	broad compliance with relevant law.
Cllr Roper	PP Percentage of disputes resolved through advice and intervention	Measurement of Trading Standards dispute resolution service.
Cllr Harrison and Cllr Walker	[A] EDS Net additional homes provided	Measures house completions. The formal result will be updated annually, but not until Dec/Jan. A quarterly update will be provided based on the managed delivery target or trajectory for the district LDFs
Cllr Walker	[A] EDS Proportion of pop. aged 16-64 qualified to Level 3 or higher	Related to former National Indicator 164. People are counted as being qualified to level 3 or above if they have achieved either at least 2 A-levels grades A-E, 4 A/S levels graded A-E, or any equivalent (or higher) qualification in the Qualifications and Credit Framework.
Cllr Walker	[A] EDS Median earnings of employees in the area	Formerly National Indicator 166. Measurement of earnings allows local authorities to monitor a rough proxy for productivity.
Cllr Walker	[A] EDS Proportion of new businesses to business stock	Annual measure to determine creation of new businesses.
Cllr Harrison	TTS % of tracked bus services 'on time' at intermediate timing points	Former National Indicator 178. Monitors monthly bus punctuality by tracking vehicles against their schedule.
Cllr Harrison	[Q] TTS % of planning apps determined in line with NCC advice	Monitors planning determinations made by the district councils and whether the recommendation of NCC, as Highway Authority, was followed.
Cllr Harrison Cllr Walker	[Q] EDS Accessibility	This is based upon former National Indicator 175. This indicator monitors access to core services and facilities via public transport.
Cllr Harrison	H'ways Number of people killed or seriously injured on roads (COG)	This is a rolling twelve month total of those killed or seriously injured in traffic collisions.
All	[Q] Equality improvement plan progress	This is a quarterly assessment of progress against activities identified in the ETD equality improvement plan
All	All Progress in delivery of service plans	These provide a summation of progress against all the actions within each service area and an overall result for the ETD department.

Key:

Unless prefixed by either a **[Q]** or **[A]** (representing Quarterly or Annually respectively) each measure is monitored monthly.

H'ways = Highways **TTS** = Travel and Transport Services **EDS** = Economic Development and Strategy **PP** = Public Protection
E&W = Environment and Waste

Risk Register - Norfolk County Council																						
Risk Register Name:		Environment, Transport and Development												Red								
Prepared by:		Steve Rayner												High								
Date updated:		January 2014												Med								
Next update due:		February 2014												Low								
CDGSTP	Area	Risk Number	Risk Name	Risk Description	Date entered on risk register	Inherent Likelihood	Inherent Impact	Inherent Risk Score	Current Likelihood	Current Impact	Current Risk Score	Tasks to mitigate the risk	Progress update	Progress of Mitigation Tasks BC Risks only	Target Likelihood	Target Impact	Target Risk Score	Target Date	Prospects of meeting the Target Risk Score by the Target Date	Risk Owner	Reviewed and/or updated by	Date of review and/or update
D	E&W	RM12036	RM ETD E&W. Delays to achieving required Planning and Permitting associated with the Waste PFI project	Delays associated with planning and permitting for waste treatment site. Delays mean continued exposure to landfill costs. In the event that satisfactory planning permission is not obtained after contract award, alternative plans may have to be considered.	01/03/2010	4	5	20	4	5	20	Secure satisfactory planning permission. Secure environmental permit. Observe a six week challenge period. Contractor to participate in Public Inquiry.	Permit provided by the Environment Agency August 2012. The planning committee considered the application on 29 June 2012 and resolved to grant permission. The Secretary of State (SOS) for Department for Communities and Local Government used powers under the Town and County Planning Order (2010) to call in the application on 30 August 2012. A Pre-Inquiry Meeting was held 28 November 2012 and the Public Inquiry started 26 February 2013 and lasted until 17 May 2013. The Inspector's report was completed on 30 September 2013 and the SOS decision was expected by 14 January 2014 but has been delayed. This extended delay is leading to cost increases. A six week challenge period would follow any SOS decision. A Revised Project Plan was accepted by the County Council on 29 October 2013 to address the delays caused to date. In the light of the scale of impacts caused by delays or failures, the impact scoring has been brought into line with other risks. This amended target date of 01/05/2014 reflects developments around the Public Inquiry process.		1	5	5	01/05/2014	Red	Mark Allen	Joel Hull	29/01/2014
D	E&W	RM0199	RM ETD E&W. Failure to divert waste from landfill	Increases in the tonnage of residual waste to landfill above projected tonnages would lead to additional costs arising from landfill gate fees and the landfill tax which is currently increasing at £8 per tonne each year to 2015 when it reaches £80.	01/04/2007	3	5	15	4	4	16	Residual waste disposal contracts - procure available treatments. Support recycling initiatives. Support and incentivise Waste Collection Authority kitchen waste collection.	Residual waste tonnage levels have not dropped as predicted. There were 210,969 tonnes of residual waste in 2011/12 managed under County Council contracts, expected decreases linked to new arrangements being put in place to process street sweepings may be offset by higher levels of waste linked to the flooding in December and the effects of the mild winter. Levels have been reducing in previous years as recycling, reuse and minimization initiatives have been delivered but future prospects are uncertain. The budget is based on 200,000 tonnes, orders were placed for 207,000 tonnes and the latest prediction is 209,300 tonnes worst case, 203,000 tonne best case and 206,000 tonnes mid case to be managed under County Council contracts based on data for the first half of 2013/14, but when the effects of the mild winter and December flood are quantified it is expected to be more than this. To reduce the financial impact arrangements have been put in place mid-year to treat street sweepings that previously had to go to landfill (due to a change in regulations which meant the material was no longer suitable for		2	4	8	01/04/2014	Red	Mark Allen	Joel Hull	29/01/2014

C	E&W	RM14113	RMCP ETD E&W. Failure in the delivery of the Willows Power and Recycling Centre	Failure in the delivery of the Willows Power and Recycling Centre leading to a contract termination would result in a financial impact to the County Council through the likely need for payment of compensation to the contractor (latest estimate at up to around £25.9m), combined with the costs of securing and delivering alternative solutions and the loss of expected savings and potential for additional income.	24/05/2013	4	5	20	4	5	20	Monitor the Public Inquiry, Planning Inspectorate and Department for Communities and Local Government (DCLG) processes relating to the Call In Residual waste disposal contracts - keep existing extension options open and assess viable alternatives for medium term. Work effectively with contractor and monitor their performance. Work effectively with Defra. Retain suitable internal resources and external specialist advisors. Inspector's report on Inquiry, submitted to DCLG in September 2013. Secretary of State decision on planning, expected by 14 January 2014 but now delayed. Challenge period. Construction. Commissioning.	Contract awarded February 2012. Environmental permit approved July 2012. Resolution to grant planning permission given June 2012. Planning decision called in by Department of Communities and Local Government (DCLG) August 2012. Public Inquiry ended 17 May 2013 and Inspector's report submitted to DCLG 30 September 2013. Defra removed the Waste Infrastructure Grant on 18 October 2013 due to failure to secure planning in 24 months, i.e. by 10 June 2013. Revised Project Plan to accommodate delay accepted 29 October 2013. Waste - Contingency planning paper accepted by Cabinet 4 November 2013 which was called in by Cabinet Scrutiny Committee on 19 November 2013. Secretary of State Decision due by 14 January 2014 but now delayed.		2	3	6	01/04/2017	Amber	Tom McCabe	Joel Hull	29/01/2014
D	E&W	RM12031	RM ETD E&W. Failure by any contractor to provide contracted services for disposal or treatment of waste	Would result in higher costs for alternative disposal and possible disruption to Waste Disposal Authority's operation. The Waste Disposal Authority has contracts and Service Level Agreement arrangements with NEWS to provide acceptance, haulage disposal and/ or treatment functions. If any contractor is unable to provide a service for a significant period due to planning, permitting, fuel or weather related issues, the Authority may have to use alternative existing contracts which may cost more and require tipping away payments to be made to the Waste Collection Authorities where they are exposed to additional costs for transporting waste significantly out of their area.	01/03/2010	3	3	9	2	4	8	Liaison with all contractors and regulators and contingency planning.	Waste contracts include requirements for contingency plans. Contracted services include a mix of contractors.		1	4	4	01/04/2014	Green	Joel Hull	Joel Hull	29/01/2014
D	E&W	RM13969	RM ETD E&W. Failure to improve the energy efficiency of NCC operations or prepare for Carbon Reduction Commitment (CRC)	Failure to improve the energy efficiency of NCC operations or to prepare adequately for the Carbon Reduction Commitment (carbon trading) could lead to steeply rising energy bills, financial penalties under CRC. This would have a negative impact on Council's reputation for providing value for money and community leadership on climate change and carbon / energy reduction. Escalating energy costs and severe financial constraints will compound the impacts of not achieving efficiency targets.	31/07/2011	3	4	12	3	4	12	Commission detailed schedule of technical improvements to buildings from NPS and submit timely bid for capital funds, Carbon and Energy Reduction Fund (CERF). Help NPS build strategic capacity to manage carbon reduction in buildings and ensure their carbon management role is embedded in Service Level Agreement. Appoint a project manager and establish project task force to manage preparations for Carbon Reduction Commission (CRC) with detailed project plan produced and managed effectively. Engage Senior Managers and Cabinet. Removal or sale of surplus properties, or those which need not be owned by NCC from the Council's portfolio will be a high priority to achieve by end March 2013, to enable a full year of savings to be applied. Analyse scope, benefits and capability to set a new stretch target to 2020. Project Management delivered through CERF Team, meeting approx. every other month. 50% reduction target by end March 2020 (2008/9 baseline) agreed by Cabinet (Nov 2013) for all NCC excluding schools.	The tax liability for this footprint, at a current tax of £12 / Tonne equates to £678,102. The forecast cost was £675,000. Carbon and Energy Reduction Fund (CERF) Programme for 2013/14 must be condensed into early part of the year to ensure maximum benefit of the improvements towards the 2014 target. Overall on track to achieve 25% reduction targets - tracking of Automated Meter Readers (AMR) and 1/2 hrly metering is showing a sustained reduction in consumption (weather-corrected) and costs. 40% (by 2020) reduction target agreed in principle by Chief Officers Group - business case being proposed to Corporate Resources Overview and Scrutiny Panel (CROSP) (15/10/3). Protracted cold weather into 2013 and a relatively cold summer 2012 will challenge absolute energy targets for this year. 2012/13 assessment underway and on track. Carbon Reduction Commitment (CRC) audit review (internal) concluded. CRC Report submitted and Greenhouse Gas (GHG) report on target for completion. Annual report to CROSP (15/10/12) and Cabinet 04/11/12). NCC's CRC Footprint for 2012-13 was 56,499 Tonnes. Compared against the 2008-09 Baseline (94,632 Tonnes) the total carbon footprint sits at 10.6% below the starting point. To reach the 25% target, a further reduction of 13,673 tonnes is required. A range of actions across NCC services to maximise efficiencies throughout 2013/14 are in hand. Further report to COG, CROSP and Cabinet setting out a stretch target of 50% reductions by 2020 for non-schools services has been agreed (04/11/13).		2	3	6	01/04/2014	Amber	Phil Bennett-Lloyd	Phil Bennett-Lloyd	23/12/2013

D	E&W	RM14054	RM ETD E&W. Failure by any contractor to provide contracted Recycling Centre Services	If any contractor is unable to provide a part of whole service for a significant period then this would potentially result in higher costs for alternative disposal of materials and possible disruption to Waste Disposal Authority's operation.	25/05/2012	3	3	9	3	3	9	Liaison with all contractors and contingency planning.	Recycling Centre contracts include requirements for contingency plans. Review of contingency plans with contractor. Contingency plans for busy weekends requested from contractor. Contract currently being updated for new Recycling Service Level Agreement from April 2014. Group business continuity project underway to update plans. Contingency plans developed for cold weather. Working with May Gurney to put a continuity plan in place for contractor hand over at the end of the new contract.		1	2	2	01/04/2014	Green	Kate Murrell	Kate Murrell	23/12/2013
D	E&W	RM14114	RM ETD E&W. Failure to secure funding to deliver long term flood and coastal erosion risk management measures to areas affected in the long term by local and strategic flood and coastal erosion risk.	County Council has role to determine and disseminate local flood risk information to communities. There is a reputational risk in raising the profile of local flood risk, (as well as existing flood and coastal erosion risk), and not securing adequate long term mitigation through multiagency funding sources. The Local Government Association modelling, based on current demographic pressures and budgetary restraints, shows a projection that by 2030 local authorities will only have enough funding to provide Adults and Children's social care. Growing budget constraints within Environment Agency may also compound difficulties to manage flood risk effectively.	18/06/2013	4	4	16	4	4	16	Develop and coordinate effective partnership arrangements to ensure every opportunity is taken to bid for funds to deliver Flood and Coastal Erosion Risk Management (FCERM) mitigation measures. Work with all Risk Management Authorities (RMAs) in Norfolk to identify, deliver and monitor a programme of partnership mitigation projects. Represent Norfolk's priorities through the development of a Local Flood Risk Management Strategy and attendance of Cllrs at political forums e.g. Regional Flood and Coastal Committees (RFCC's) and the Norfolk Water Management Partnership Strategic Forum. Continue to manage the funding question and ensure that the issues and responsibilities are fully understood at a corporate level.	The Flood risk mitigation tasks are short to medium term measures in comparison to the long term risk. A number of the long term mitigation measures are outside the control of NCC such as climate change and Central Government spending policy. In the short term 4 bids have been submitted to Regional Flood and Coastal Committees (RFCC) Flood Defence Grant in Aid process and in support of Anglian Water Services Ltd Price Review 14 funding period. Work is currently underway to scope and support the development of a common works programme through the Local Flood Risk Management Strategy which will aim to report on and monitor investment in Flood and Coastal Erosion Risk Management (FCERM) from the next financial year (2014-15). 3x Flood Investigation Reports endorsed by ETD OSP. Local Flood Risk Management Strategy and Surface Water Management Plans (SWMP) on target. Service review nearing completion (reporting to Cabinet Scrutiny April 2014). Great Yarmouth SWMP endorsed by Cabinet 02/12/13. South Norfolk Phase 1 SWMP initiated.		1	2	2	31/03/2030	Green	Mark Allen	Phil Bennett-Lloyd	23/12/2013
D	E&W	RM14057	RM ETD E&W. Failure to establish Sustainable Drainage Systems (SuDS) service to fulfil statutory duties	Preferred Sustainable Drainage Systems (SuDS) service delivery option may not be able to be established in time to meet statutory duties by the required start date, currently April 2014. This would be a breach of council duties under Flood and Water Management Act, increased flood risk, lead to appeals from customers as failure to determine application within timescale triggers automatic refusals.	30/06/2012	4	5	20	3	5	15	Develop contingency solution integrating Sustainable Drainage System (SuDS) services within existing areas of ETD and through utilising strategic partnership arrangement where appropriate. Develop contingency of operating a risk based approach to the SuDS approval process.	Sustainable Drainage System (SuDS) Service Design is a corporate project on Norfolk Forward Programme. Cabinet approved all recommendations in Service Delivery Report to Cabinet on 3 September 2012. Minister recently (January 2013) highlighted planned commencement date of April 2014. Feedback from the Strategic forum on 19 March 2013 and Leaders meeting on the 26 March 2013 has indicated that 3 districts would like to deliver the SuDS service at Local Planning Authority Level with the rest of the Local Planning Authorities (LPA) hosting officers. NCC are awaiting formal confirmation. A Heads of terms and draft specification for the delivery of a SuDS service; is being drawn up in order to delegate a SuDS service to LPA's and deliver in-house service. Financial model to review service costs vs. income for different scenarios examined at project board. ETD Groups assessing resources and delivery mechanisms for each service area involved. Priority actions agreed by Project Board for the forthcoming period, taking into account what and when guidance from Defra will be published. No update or guidance from Defra published to date. Defra capacity building events held late Oct early Nov. Very little further information provided. Project Board held 04/11/2013. SuDS /Environmental Planning Officers posts advertised in the Planning Dev Con team.		2	5	10	01/10/2014	Amber	Mark Allen	Phil Bennett-Lloyd	23/12/2013

D	E&W	RM14058	RM ETD E&W. Failure to deliver flood and coastal erosion risk management measures to areas affected by local and strategic flood and coastal erosion risk.	County Council has a new role to determine and disseminate local flood risk information to communities. There is a reputational risk in raising the profile of local flood risk, (as well as existing flood and coastal erosion risk), and not securing adequate mitigation through multiagency funding sources. There are also wider impacts on communities such as the availability of insurance.	30/06/2012	2	3	6	2	3	6	Develop and coordinate effective partnership arrangements to ensure every opportunity is taken to bid for funds to deliver Flood and Coastal Erosion Risk Management (FCERM) mitigation measures. Work with all Risk Management Authorities (RMAs) in Norfolk to identify, deliver and monitor a programme of partnership mitigation projects. Represent Norfolk's priorities through the development of a Local Flood Risk Management Strategy and attendance of Cllrs at political forums e.g. Regional Flood and Coastal Committees (RFCC's)	Secured 20k through Flood Defence Grant in Aid (FDGiA) for 2013-14. Continue developing and supporting the Norfolk Water Management Partnership and its associated sub-groups. Strategic Political Forum established. New members to be appointed to Regional Flood and Coastal Committees. Develop a draft of Norfolk's Local Flood Risk Management Strategy (LFRMS) with partner organisations. Target date extended to take account of statutory processes. Member briefing completed 16/09/13. SEA scoping report consultation finished 25/10/13 and strategy revisions in hand in the light of this. 18/11/13 Govt published proposals for flood insurance, to include a "Flood Re" model for the industry to adopt, which has been broadly endorsed across stakeholders. Member briefings for Jan ETD OSP produced. Lead Govt Departmental Plan for flooding also published 27/11/13. RFCC levies for 2014/15 to be agreed Jan 2014/		1	2	2	01/06/2014	Green	Mark Allen	Phil Bennett-Lloyd	23/12/2013
C	Hwys	RM0201	RMCP. Failure to implement Norwich Northern Distributor Route (NDR) and the Postwick Hub junction improvement.	NDR Failure to implement the NDR would result in the inability to implement significant elements proposed in the Norwich Area Transport Strategy (NATS) Implementation Plan including pedestrian enhancements in the city centre, public transport improvements (including some Bus Rapid Transit corridors), traffic management in the suburbs, reductions in accidents and would result in an increase in congestion affecting public transport reliability. It would also result in a reduction in our capacity for economic development and negatively impact on Norfolk County Council's reputation. Inability to deliver the NDR will also affect the growth planned as part of the Joint Core Strategy (JCS). Postwick Hub The impact of an unsuccessful Public Inquiry on Postwick Hub Junction Side Road Orders (considered necessary by Government Office) will potentially affect the viability of the NDR and the benefits set out in relation to its delivery. It will also result in a failure to deliver immediate growth in employment and some housing development. In addition, the P&R extension is not possible without the completion of Postwick Hub	01/04/2005	3	4	12	3	4	12	Following confirmation of funding, complete work required by DfT to regularly report on-going project progress for the NDR and Postwick Hub to maintain funding allocation. Work on Nationally Significant Infrastructure Projects (NSIP) process for delivery of necessary Development Consent Orders for NDR. Work with Highways Agency to finalise the processes for Secretary of State approval for the side & slip roads orders for Postwick Hub. Begin processes to prepare construction phase of the Hub. Respond as necessary to the outcome of the JCS legal challenge decision by the High Court. One element of the challenge was the NDR and the outcome of the decision was that the NDR is acceptable within the baseline of the JCS. However, there was a requirement to remedy an issue in relation to the Sustainability Appraisal and this has been resolved by working with legal teams and GNDP team. JCS re-examination on remitted text completed in May, and further hearing was held in July 13. Revised text proposed by the Inspector has been consulted and Inspectors report was issued in Nov 13. The outcome is no significant change to the JCS as proposed and it is expected to be adopted in its final form in January 14.	The Transport Secretary announced on the 26 October 2012 that the NDR has been included in a 'Development Pool' of schemes. DfT have now reconfirmed funding for the NDR and Postwick Hub (max contribution of £86.5m). However the funding cannot be drawn down for the NDR until 'Full Approval' stage, which follows completion of statutory processes (planning consent and orders). Cabinet (3 December 2012) approved the option to utilise the Nationally Significant Infrastructure Projects (NSIP) route for the planning process. This consolidates the planning/land CPOs/highway Orders into one process overseen by the Planning Inspectorate. This provides more confidence in the timescales to deliver the NDR, with the potential to commence construction in the Spring of 2015 and open the NDR in 2017. DfT have completed consulting on changes to the NSIP criteria and changes to the Planning Act have been made, which affect the NDR, and this has been resolved with DfT through a Section 35 application and the Secretary of State has confirmed the NDR is of national significance. The Joint Core Strategy was adopted by all Councils on 22 March 2011. A legal challenge to the JCS was received and was heard in the High Court on 6/7 December 2011. Mr Justice Ouseley handed down his judgement on 24 February 2012 and has ruled that the inclusion of the NDR in the JCS is effectively sound as it should be included in the baseline model for future development and also that it is embedded within existing policies such as the East of England Plan, the Norwich Area Transport Strategy (NATS) and the Local Transport Plan. Planning consent was reconfirmed 18 Oct 2011. Public Inquiry for Postwick Hub Side Roads Orders had been postponed from its planned start date of 25 September 2012 and was rescheduled to start on 3 July 2013, and is now completed. The Inspectors report and the Secretary of State (SoS) confirmation of the Orders are now awaited - Inspectors report was issued to SoS on 4 November 2013 and SoS decision is anticipated within 40 working days. This is the last step in the statutory process and assuming successful will mean construction starting early 2014 following draw down of £19m DfT Development Pool funding.		2	4	8	NDR 01/11/2017 Postwick Hub 01/06/2015	Amber	Tom McCabe	David Allfrey	03/01/2014

D	EDS	RM14035	RM ETD EDS. Insufficient funding to support housing/job growth as set out in the Greater Norwich Development Plan (GNDP) Joint Core Strategy (JCS)	The cost of infrastructure required to support the delivery and implementation of the GNDP Joint Core Strategy exceeds the funding streams.	30/04/2012	4	3	12	4	3	12	Each element of infrastructure to be prioritised / phased / assessed in order to determine sources of funding / financing scenarios	Exploring all central Government opportunities to gain funding support and all local sources of funding to prepare an Investment Plan and Funding Strategy. The Greater Norwich City Deals Expression of Interest was approved by Government in January 2013, the Deal has been developed further and was presented to Greg Clarke in September 2013, the final Deal document is expected to be agreed with Government by end December 2013. The City Deal was signed off on 12 December 2013, the project will move to the implementation phase.		2	3	6	31/03/2014	Green	Sandra Eastaugh	Sandra Eastaugh	29/01/2014			
D	TTS	RM14052	RM ETD TTS. Shortfall in funding for the concessionary travel scheme for 2014/15	There is an annual shortfall in funding of at least £5m due to the distribution of grant, leading to pressure on other budgets and possible service cuts. A 'fixed pot' has secured a good outcome until 2014, but the future is uncertain.	01/05/2012	3	3	9	2	3	6	Continue to lobby government for fairer funding through the formula grant review. Work with operators to mitigate their reduced funding in other areas of the business. Raise MP's awareness of the consequences.	Formula grant consultation changes confirmed, nets NCC an additional £1.2m from April 2014. Spending review protects transport funding, so situation should not get worse. Provisional agreement reached with operators that will be will manage risk to acceptable level. Next meeting 10/02/14. Final confirmation not available before 3/3/14 when scheme is published.		2	3	6	01/04/2014	Green	Tracy Jessop	Tracy Jessop	04/02/2014			
D	TTS	RM14048	RM ETD TTS. Park & Ride subsidy not able to be reduced to an acceptable level.	Comes from an inability to influence parking charges in Norwich city centre, generate more income and further reduce costs, which leads to a pressure on the local bus budget and may mean some sites have to close.	01/05/2012	3	3	9	3	3	9	Work with the City Council to agree a strategic car parking/charging agreement. Investigate ways to reduce business rates, which could include charitable status. Work with stakeholders, like businesses, to encourage contributions to operating costs. Use customer intelligence to target extra patronage and undertake a targeted marketing campaign. Investigate other ways to reduce costs or increase income	Parking review for Norwich City street and off-street parking to be commissioned. Better Bus Area will focus on commuter travel planning with 100+ businesses. Smart ticketing delayed to Spring but additional measures now being considered to reduce likelihood for 14/15.		2	2	4	01/04/2014	Amber	Tracy Jessop	Tracy Jessop	04/02/2014			
C	PP	RM14098	RMCP Incident at key NCC premises or adjacent causing loss of access or service disruption	The risk that fire, flood or structural damage could cause disruption for services due to loss of the building or loss of access to the building	01/04/2013	3	3	9	3	3	9	<p>BCPR001 John Ellis - 01.06.2013 To ensure a corporate approach to work area recovery is agreed.</p> <p>BCPR005 Adrian Blakey - 01.12.2012 Ensure robust out of hours arrangements for all premises access in the event of an incident exist.</p> <p>BCPR007 Graham Wray - 01.04.2013 To ensure evacuation procedures are in place which minimise disruption and support recovery.</p>	<p>Update August 2013: Progress continues, Work Area Recovery (WAR) sites being visited. Engaged in County Hall Strategic Repair Project. Business Impact Assessment (BIA) results currently being analysed. Update September 2013: Assessments begun of existing NCC key premises and WAR requirements in order to progress new Corporate WAR proposal. January 2014: Assessment of premises in progress.</p> <p>In the short term, proposals for out-of-hours cover have been documented by NPS and agreed, this builds on existing arrangements, it includes all corporate properties not just County Hall. In the longer term this issue will be addressed by the NPS Service Level Agreement (SLA). Also includes out of hours contacts for premises managers and key holder details. Update August 2013: Still awaiting finalised SLA publication. Issue linked to contactability of premises managers and the wider issue of NPS out of hours arrangements. January 2014: Premises managers are detailed in C2 along with key holder information, department access to this is to be confirmed by Ben Forsdick. This will provide us with contact information required but the approach regarding how an out-of-hours service would work regarding properties other than County Hall is still to be confirmed. It will be outlined in the SLA, however the SLA is currently on hold following the request of a review of a client side property department.</p> <p>Update August 2013: evacuation signs were erected however vandalised the same day and therefore requirements are being re-assessed. evacuation procedural documentation awaiting review by NPA. Report being produced by NPS following planned evacuation exercise on 14.07.2013. October: new signage was erected but unfortunately vandalised the same day and had to be removed so further assessments need to be made of the available options. Still awaiting updated evacuation guidance from NPS. January 2014: This will be raised via NPS at the next liaison meeting and a paper has been drafted to go to COG which includes this issue. All options have previously been considered at length and considerable expense in officer time and NPS consultancy charges, we now need to ensure that NPS implement the agreed option.</p>	Amber	Red	Red		3	2	6	01/04/2014	Amber	Tom McCabe	Emma Tipple	03/01/2014

										BCPR009 Andrew Crossley - 01.04.2013 To create an alternative exit for County Hall for use in emergency.	Land has been cleared, instruction provided not to re-let mobiles blocking exit, Highways are happy. Currently being reviewed by planners to provide planning permission. August 2012. Update September 2013: this has been highlighted as a significant risk to NCC due to the strategic repair of County Hall. report went to Norwich City for consultation with cabinet which was due July 2013 but has now been postponed until November 2014. Results form this need to be obtained prior to resubmission of planning documents for consideration. Update January 2014: this has been highlighted as a significant risk to NCC for a number of reasons, the most recent being the strategic repair of County Hall. report went to Norwich City for consultation with cabinet which was due July 2013 but has now been postponed until November 2014. Results from this need to be obtained prior to resubmission of planning documents for consideration.	Red								
										BCPR012 - agreed 28.06.2013 by BCMB Andrew Crossley - 01.12.2013 Notification to the Resilience Team to be made when there are NCC property closures / changes implemented - to	January 2014: Update received from NPS via site audit reports, but this is once property changes have gone through, more work required to ensure Resilience Team are aware in advance, or that at least Premises Managers are considering this and ensuring plans are up-to-date.	Amber								
D	PP	RM14099	RM PP Embedding BC into the organisation.	To ensure disruption is minimised and ensure that we are able to maintain services and respond appropriately to a significant (category 1 or 2 Business Continuity incident) (N.B. this risk will be scored differently for different departments due to different levels of preparedness)						BCE002 John Baldwin (Resources) / Mick Sabec (Children's) / John Perrot (Communities) / Roy Harold (NFRS) 01.07.2012 - (newly suggested date of 01.12.2013) All corporately agreed critical activities must have comprehensive Business Continuity plans. Plans to be agreed at Senior Management Team (SMT) meetings and then a plan of action created to ensure they are in place.	Update September 2013: This work is to be completed following the 2013 BIA review. All Senior Management Team's (SMT) are being asked to agree plan requirements and owners as part of the Business Impact Assessment (BIA) review. October: This work is to be completed following the 2013 BIA review. All SMT's are being asked to agree plan requirements and owners as part of the BIA review. January 2014: Plans were supposed to be updated/created by Dec 2013 this has not been completed and there are some gaps re BIA returns. To be raised at management meeting to discuss role of team members in supporting departments to achieve deadlines.	Amber								
										BCE004 John Ellis / Lindsey Spinks 01.04.2013 Embedding BC into processes, policies etc. across the council (service planning, business plan, project management guidelines, induction process, premises manager training, writing articles for publications, completing presentations, visiting schools, providing feedback on policies and procedures etc.)	Business Continuity is part of service planning, we are looking to improve this link each year, it is part of PM guidelines, a review of this occurred May 2012, articles are published in publications and this will continue in order to increase awareness. Update - July 2013 2 yearly Business Impact Assessment (BIA) review continues, which is helping to embed BC into the work place.	Green								
										BCE006 Departmental Reps with assistance from Resilience Team - 01.06.2013 All Departments : Business Impact Assessment (BIA) are completed for service areas.	All departments have completed BIAs for their service areas as part of the update completed every 2 years (next due 2013) Update April 2013: NCC's 2013 BIA review programme has been launched will all initial BIA completions to be returned to the Resilience team by 3rd June for QA before going to SMT's for sign-off. Update October 2013: work on this has gone well and report are being compiled for SMT's in preparation for full list to go to COG for sign off late October.	Green								
										BCE010 BC Management Board - 01.06.2013 That the department is represented at meetings, that training is completed and that the department complete exercises/tests.	All departments are represented at meetings regularly apart from Fire and Rescue. Area for development is around all departments being involved in training/exercises and tests. Update April 2013: BC Management Board Membership has been agreed by COG - Resilience Reps group still need to be fully established and work started however recognition of the significant organisational change and demand on resources. Update October 2013: there has been some disconnect due to rescheduled / cancelled meetings both for organisational reasons and also due to poor	Amber	2	3	6	31/03/2014	Amber	Tom McCabe	Emma Tipple	03/01/2014
					01/04/2013	2	5	10	2	5	10									

								<p>BCE012 Andrew Mcalpine / Lindsey Spinks - 01.04.2013 - (new date agreed of 01.07.2013) No notice exercise with CSC at Professional Development Centre (PDC), also test of the SMG to exercise revised BC plan and operational arrangements for the new team. Note: now includes BCE0013 due to Care Connect team and CSC becoming one unit under the CSC as of 08.04.2013.</p>	<p>Update September 2013: planning underway for a test of the revised Work Area Recovery (WAR) arrangements on 30.10.2013 prior to a full live exercise. Update October 2013: logistical exercise to test detailed procedures for WAR for this team on 30.10.2013. Debrief report will be produced and recommendation presented including request for COG approval for full no-notice exercise in 2014</p>	Green				
								<p>BCE018 Lindsey Spinks - 01.03.2013 - 01.07.2013 proposed new date Establishment of a new Resilience Reprs Group to facilitate embedding BC practices (collaboration of previous Departmental Emergency Planning Liaison Officer (DEPLO) and BC Reprs Groups)</p>	<p>ToR for the group agreed by BC Management Board 03.12.2012 and request made to nominate representatives. Update April 2013: Work progressing around this however responses still mixed. Meeting / training programme being developed ready for implementation. Update August 2013: Work has been stalled due to varied uptake / nominations but meetings being arranged and training plan developed for new reprs. Update September 2013: Full list of Reprs nearly achieved, meetings to be diarised and training to commence</p>	Amber				
								<p>BCE022 Departmental Reprs - 01.04.2013 - New lead/date to be determined Ensure guidelines are followed for example essential documentation is stored securely and safely (i.e. fire proof safe) and more than one person (where appropriate) has access to materials and passwords.</p>	<p>Guidance has been provided but is not being followed across departments. Policies regarding this need to be emphasised across services. We will be taking action to address recently upgraded risks relating to security of personal data and will look at where similar action is needed for other types of information at the same time. DS 06.01.12. Update August 2013: To be followed up as part of the BIA follow on work January 2014: this work is to tie in with the new Information Management Shared Service. Lindsey Roue to liaise with this unit around sharing of information, access to reprs contact details, and incorporation of BC advice into messages.</p>	Green				



Norfolk County Council
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Norfolk Economic Intelligence Report

Economic Development and Strategy

Quarter 3; October - December 2013



The Pasta Foods Factory, Great Yarmouth

This report brings together key business, economic and labour market intelligence to provide a regular insight into the current state of the Norfolk economy.



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

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The data in this report is taken from a range of sources which are listed on the relevant pages and covers the whole of Norfolk. In most cases data refers to the most recent full quarter, however where this is not available and data is older it will be clearly stated.

This report is produced quarterly by Economic Development and Strategy. If you would like to discuss any of the information or findings you can get in touch with:

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Business Intelligence	General Economic Information
Skills and Labour Market	Employment and Unemployment
Strategic Updates	Infrastructure

QUARTERLY SUMMARY REPORT

<p>Business Confidence</p>	<p>↑</p>	<ul style="list-style-type: none"> - The manufacturing and advanced engineering sector is reporting strong jobs growth. Two Norfolk companies; Pasta Foods and Lotus are creating a significant number of new jobs as a result of expanding sales and winning government funding. Bepak is also creating jobs due to a new contract with a global pharmaceutical company. - New jobs are also being created in the energy sector. Great Yarmouth is set to benefit from Statoil and Statkraft's recent announcement to use the town as a base for the Dudgeon Offshore Wind Farm and 3Sun is creating jobs as a result of a new growth strategy. - Despite national media reports about the struggling retail sector, Norfolk is bucking the trend and creating new jobs and reporting strong sales growth as a result of diversification. Shop vacancy rates are also down, and below the national average.
<p>National Economy</p>	<p>↑</p>	<ul style="list-style-type: none"> - The UK economy grew by 0.7% in the fourth quarter of 2013, bringing the annual growth rate to 1.9%. - Gross Domestic Product (GDP) for the fourth quarter slipped to 0.7%, down from 0.8% in the previous quarter. - Industrial production fell slightly from 0.8% to 0.7%, dragged down by falling North Sea oil and gas output.
<p>Unemployment</p>	<p>↓</p>	<ul style="list-style-type: none"> - 27,900 people are unemployed in Norfolk a decrease of 1,300 people since last year. - 13,656 people in Norfolk are claiming JSA with a decrease of 652 from last quarter and 3,913 since last year. - 44.8% of unemployed people in Norfolk are young people aged between 16 and 24. - Since June last year there has been an 8,600 drop in youth unemployment in the Eastern region with a comparable 19,800 decrease in England overall.
<p>House Prices</p>	<p>↑</p>	<ul style="list-style-type: none"> - House prices in Norfolk rose by 0.4% last quarter and by 2.3% last year. - The average house price in Norfolk is £146,731 - House prices in England and Wales have increased by 3% in the last year.
<p>Earnings</p>		<ul style="list-style-type: none"> - Average weekly gross pay for Norfolk residents in 2013 was £471.50, up from the average gross weekly pay in 2012 of £466.20. This is lower than the regional average of £542.70 and the national average of £520.70.

1.0 BUSINESS INTELLIGENCE

1.1 Key Sector of the Quarter - Manufacturing and advanced engineering

Pasta Foods, based in Great Yarmouth, is **expanding into a new factory** based at the old Uniglaze factory in Easton, near Norwich. The move will see **56 new jobs** created and **140 jobs safeguarded**. New Anglia LEP and Norfolk County Council have assisted in finding new premises and with a **£500,000 Growing Business Fund** grant. Operations at the company's Great Yarmouth site will continue with the new site housing new equipment enabling them to meet the increased demand for their pasta products both at home and abroad. www.newanglia.co.uk

200 jobs will be created by **Bespak, a King's Lynn** company that manufactures drug delivery devices, adding to its **existing workforce of 600**. The company is expanding its facilities after signing a multi year contract to manufacture a dry powder inhaler and another major contract to produce a nicotine inhalation device. Bespak manufactures 500 million health products a year and export worldwide.

Lotus has been awarded **£10.44m from the Regional Growth Fund** to help progress its research and development into new cars, creating more than **300 new jobs**. The funding follows another **£100m invested** into the company by Malaysian parent company DRB-Hicom aiming to help Lotus become stronger after making losses in recent years.

An aeroplane recycling plant has been launched at **Norwich International Airport** by **KLM Engineering UK**. The plant, which will **create 10 new engineering jobs**, makes the Airport one of only a handful of flight hubs across the UK that will offer the service. It gives KLM a competitive edge as it offers an alternative for European companies who often have to send their planes to be dismantled in the Middle East.

Bernard Matthews has outlined plans to bring the company back into profit after reporting a £11.7m operating loss compared to the previous year. Increase in global grain prices, poor wheat quality and one off costs associated with restructuring its Hungarian operation impacted poorly on the business but plans to turn this around are in place. **Investment** in plant and equipment, as well as a new marketing campaign is key to returning the company to a greater level of stability and achieving profitable growth in 2014.

1.2 Life Sciences and Biotechnology

Intelligent Fingerprinting, based at the Norwich Research Park, is taking part in a project aimed at improving drug rehabilitation treatment. The project, which is worth **1 million Euros** is being conducted in partnership with the University of Eastern Finland and Addoz Oy, a Finnish healthcare technology company. Intelligent Fingerprinting's aim is for its drug screening technique to replace existing drug screens for patients undergoing opioid substitutions treatment, helping to save money and improving efficiency. In simpler terms, by analysing the sweat on someone's fingertip it is possible to ascertain their recent drug use history and confirm a patient's identity. www.norwichresearchpark.com

1.3 Energy

The **Manufacturing Advisory Service (MAS)** has announced the launch of a new service that aims to ensure that UK manufacturers gain a significant share of the opportunities presented by the expansion of the offshore wind industry. The offshore wind industry is set to be worth £100bn in the UK alone over the next 20 years. The £20m **GROW:OffshoreWind scheme** has been created by MAS, RenewableUK, Grant Thornton and the Advanced Manufacturing Research Centre and will offer a package of consultancy, technology, market intelligence and provide funding support of up to £500,000 to supply chain companies. www.growoffshorewind.com

Great Yarmouth has been named as the base for the operation and maintenance activities of the **£1.5bn Dudgeon offshore wind farm**, to be based 32km off the coast of Cromer, creating more than 50 jobs. The companies behind the project, Statoil and Statkraft chose the town because of its range of harbour facilities and commercial property availability on the quayside. The announcement means long term investment and jobs into the region as well as opportunities for the energy supply chain.

3Sun, a Great Yarmouth based energy company, is adding **80 jobs** to its Great Yarmouth and Aberdeen offices, 40 across each, as it looks to fulfil its growth strategy for the year ahead. The news follows recent expansion into Europe, including Denmark and Germany.

Global Integrated Services (GIS), a specialist in the supply, inspection and maintenance of offshore safety equipment has **opened a new depot** in Great Yarmouth. The company chose the town because of the potential for long term opportunity and accessibility to Europe and beyond. The company will **employ 20 people** to begin with and **grow to 100** over the next three years.

1.4 Retail

Norwich based book wholesaler **Bertrams** has reported **strong results in sales**. A decision to sell directly to consumers online through its online platform 'Wordery' has resulted in **£15m** in its **first full year of trading**. The company aims to build on this success by expanding into the European e-book market and is **investing £5m** into its digital platforms over the next year in order to achieve this.

Plans to build a **new Sainsbury's** have been approved in **Gorleston**, creating up to **350 new jobs**.

Shop vacancy rates in Norwich are at their **lowest** since the start of the recession. According to Norwich City Council's latest Shopping Floorspace Monitor, the vacancy rate as a proportion of available floorspace in the city centre stood at 5.3pc this year. This compares to 9.3pc when the last study was made in January 2011, and close to the pre-recession level of 5.2pc seen in July 2007. **Other towns** in Norfolk are also reporting **improvements in vacancy rates**. This could be attributed to the fact that Norwich has a large catchment area because of its location. All of Norfolk's market towns compare favorably with the national town centre vacancy rate average across the UK of 12.5%. Norfolk's average vacancy rate is less than half the rate at 6.12%.

2.0 GENERAL ECONOMIC INFORMATION

2.1 National Economic Information

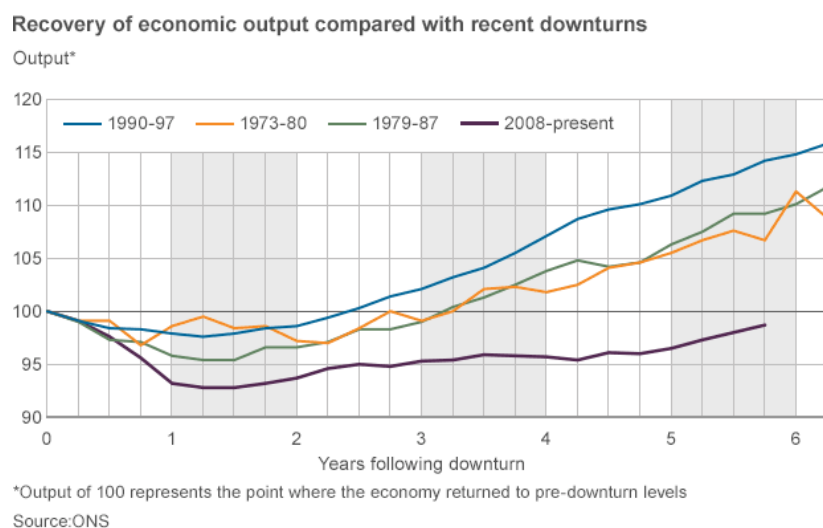
The UK economy grew by 1.9% in 2013, its strongest rate since 2007, according to the Office for National Statistics (ONS).

Gross Domestic Product (GDP) for the fourth quarter slipped to 0.7%, down from 0.8% in the previous quarter. The UK economy grew by 0.7% in the fourth quarter of 2013, bringing the annual growth rate to 1.9%, said the ONS "The service sector is now higher than before the recession began in 2008, but production and construction both 11-12% lower."

The UK's service sector - which makes up more than three-quarters of economic output - rose by 0.8% in the fourth quarter, the ONS said, matching its performance in the previous quarter. The manufacturing sector grew 0.9%.

But growth in industrial production fell slightly from 0.8% to 0.7%, dragged down by falling North Sea oil and gas output.

Growth in the construction sector - which accounts for less than 8% of gross domestic product (GDP) - fell by 0.3% in the quarter, despite the recent recovery in a housing market boosted by the government's Help to Buy scheme.



Inflation

The rate of inflation faced by households fell slightly in the year to December 2013. The Consumer Prices Index (CPI) – the headline measure of inflation – grew by 2.0% in the year to December, down from 2.1% in November. This means that a basket of shopping that cost £100.00 in December 2012 would have cost £102.00 in December 2013. Source: Office for National Statistics

2.2 House Prices¹

The Land Registry's House Price Index (HPI) is the most accurate independent house price index available and is the only index based on repeat sales.

	Norfolk	East	England and Wales
Average House Price	£146,731	£180,690	£167,353
Change since Quarter 2	0.4% increase	0.4% increase	0.2% increase
Annual Change	2.3% increase	3.1% increase	3.0% increase

The figures show broadly consistent increase in house prices across the geographical areas.

3.0 STRATEGIC UPDATES

3.1 Inward Investment & Business Support

Norfolk County Council receives inward investment enquiries through a number of sources. These include UK Trade and Investment (UKTI), The Three Counties Partnership (Norfolk, Suffolk, and Essex) with Jiangsu Province, China, the Centre for Offshore Renewable Engineering (CORE) Group, the Coltishall Task Group and enquiries from existing companies in the county wishing to expand/relocate and companies from outside the area.

During quarter 2, the team has responded to **9** new inward investment enquiries across a range of sectors, including renewable energy, food and manufacturing, logistics and advanced engineering.

Norfolk County Council's Inward Investment and profile raising website: **www.worldclassnorfolk.com** provides a comprehensive land and premises search facility for enquirers. There have been **25 commercial property enquiries** through this route between 1 October 2013 and 31 December 2013.

To receive short updates on what makes Norfolk world class, including company announcements, growth results, new initiatives and much more, follow World Class Norfolk on **Twitter @Team_Norfolk** and join **over 4,900** other followers keeping in touch with what makes Norfolk so unique for life, work and business. Please let us know if you have any examples of excellent businesses you'd like us to send out

Business Start Ups

¹ HPI, HM Land Registry, Crown copyright release 29 April 2013

Business start-ups as a percentage of all active businesses in 2012 were 8.9%. This was down from 9.0% in 2011. Our target in 2012 was 9.1% in order to narrow the inequality with the East of England. The gap with the East of England is actually larger than it was in 2011. However the data used is from 2012 and it is likely that the next release will reflect more positive results for Norfolk.

The **Enterprise Norfolk** programme continues to be delivered across Norfolk, **providing start up support to would be entrepreneurs**. Starting in January 2013, the project is led by Norfolk County Council with an investment of £400K over 2 years, working with Norfolk's district, borough and city council partners who broadly match this. To date there has been over **250 start ups**, with many more in the pipeline.

The programme also works closely with a number of other start up and business support initiatives across the County including Activ8 (www.hethelinnovation.com) a business start up programme run by Hethel Innovation and Norfolk Knowledge (www.norfolkknowledge.co.uk) which offers free mentoring support.

The **Low Carbon Innovation Fund** is offering **small and medium sized businesses grants** between £25,000 and £75,000 through its Smaller Investments Scheme. It aims to help small businesses across all sectors that want to develop low carbon technologies or increase efficiency to reduce carbon emissions. The Fund has already given £20m to East of England companies in need of larger investments over the last few years. To find out more visit www.lowcarbonfund.co.uk.

3.2 New Anglia LEP

The New Anglia LEP has worked closely with Norfolk and Suffolk County Councils, Great Yarmouth Borough Council and Waveney District Council to achieve inclusion of parts of **Great Yarmouth and Lowestoft** on the draft **Assisted Area Status** (AAS) map. AAS is granted to less prosperous local economies and enables businesses in those areas to better access Government or European funding to help them grow. The draft map is now subject to consultation which runs until February 7 2014. A final map will then be submitted to the European Commission for approval in March 2014.

The Deputy Prime Minister, Nick Clegg, signed the **Greater Norwich City Deal** in December, which will create **13,000 jobs** and **3,000 homes** in the area. It will also create **6,000 construction jobs**. Many of the jobs created will be through the development of the **Norwich Research Park** which is central to the City Deal. The New Anglia LEP was fundamental in securing the deal for Norwich as well as Ipswich and is the only LEP in the Country to have achieved two City Deals.

As part of the deal the New Anglia LEP has also been awarded **£3.9 million** to **support businesses** in Norfolk and Suffolk. This will see a minimum of 1,000 businesses supported, the creation of 200 business start-ups and 200 new jobs and will also lever in at least a further £8 million of public and private sector funding. The funding will be used to create a **Growth Hub for Greater Ipswich and Greater Norwich**, which will be a **one stop shop for businesses** accessing funding, help and support.

The New Anglia LEP is also encouraging Norfolk and Suffolk businesses to apply for grant funding through the **Growing Business Fund**. The fund provides grants of between £25,000 and £500,000 to businesses that have a shortfall in their investment plan and are able to create at least one job for every £10,000 provided by the fund. A maximum of 20% of the entire project costs can be provided by the fund. The fund targets all small and medium sized enterprises (SMEs) across Norfolk and Suffolk. For more information about this or any of the above stories please visit www.newanglia.co.uk.

4.0 INFRASTRUCTURE

A47. Undertaken a Route Based Strategy workshop with the A47 Alliance and the Highways Agency. A new website for the A47 has been being launched by <http://www.a47alliance.co.uk/>. We are asking for businesses to sign up to support the A47. We are working with the Federation for Small Businesses to push forward the need for improvements to the A47. A new A47 Alliance twitter account has been set up. The A47 Alliance is attending a number of business sponsored events, including the Federation of Small Businesses celebration event February 13th at The Forum, Norwich.

Transport for Norwich. Put funding in place for the 'Transport for Norwich' strategy and progress the Norwich Northern Distributor Route.

Rail Improvements. Continue the high profile campaign to improve the Norwich-London route - working with Network Rail and the franchise holder, Greater Anglia – and push for improvements on Norwich-Cambridge and Cambridge-King's Lynn services.

Broadband. By autumn 2015, the 'Better Broadband for Norfolk' project seeks to achieve: a minimum speed of 2 megabits per second (Mbps) for all premises and 'Superfast' Broadband (24Mbps+) for as many premises as possible.

5.0 THE LABOUR MARKET

5.1 Skills and Apprenticeships

The New Anglia LEP has launched a **Skills Manifesto** which provides a strategy and action plan for giving young people the best possible **career opportunities** in business. It also focuses on helping those who are in work, training or who don't have a job. Business leaders across Norfolk and Suffolk have helped to shape the initiative which will see delivery through a **strong partnership** between **business and education**. This will help to build and create skills that are more responsive to the needs of the local economy and contribute to the LEP's target of creating 65,000 additional private sector jobs and 10,000 new businesses by 2020.

Norfolk County Council (NCC) has achieved its goal of creating more than **400 new Apprenticeships**. The **Apprenticeship Norfolk Fund**, which was launched in September 2012, offered grants to local businesses to create the positions over a two year period. It was announced in December that the fund had been hailed a

huge success and achieved the target some nine months early. NCC is currently carrying out an evaluation of the programme but is continuing to support care leavers into apprenticeships as well as funding a pre apprenticeship programme which looks to support vulnerable young people and care leavers to assist them to become work ready. NCC continue to work with other organisations including Great Yarmouth College on the Coastal Communities Fund and EDGE in the agricultural sector. For further details please visit www.norfolk.gov.uk/apprenticeships “

5.2 Employment

The latest data reported from ONS on unemployment and unemployment data was released September 2013. The next release shall be April 2014 and will be reported in the next quarterly report.

The most recent data on employment shows that there were **393,600 people of working age** in employment in the County in the year to June 2013.

In the last year, 4,000 more people (an increase of 0.5%) were employed in Norfolk compared to this time last year. There was a small decrease in people employed in the New Anglia LEP area of 1,700 over the same period but significant increases in employment in the East (44,000 increase) and England (341,000 increase).

In the last quarter rates of employment in the County decreased slightly from **74.4% to 73.7%**. The equivalent rate in the NALEP area was 75.1%.

Table 1 – Employment (June 2012 – June 2013)

	Working age population %			
	Norfolk	NALEP	East	England
Employment Rate	73.7%	75.1%	75%	71.3%
Change on last quarter	-0.7%	-0.2%	0.5%	0.2%
Change on last year	0.5%	-0.3%	0.9%	0.9%
Numbers employed	393,600	730,800	2,794,900	24,088,600
Change on last quarter	-3,600	-1,300	21,300	71,600
Change on last year	4,000	-1,700	44,000	341,000

5.3 Unemployment²

The latest data reported from ONS on unemployment and unemployment data was released September 2013. The next release shall be April 2014 and will be reported in the next quarterly report.

In the year to June 2013, **27,900 people of working age were unemployed in Norfolk**. Compared to last quarter when 22,400 (an increase of 5,500) were unemployed and 29,200 in the same period last year (a **decrease of 1,300**).

The most recent figures show **that rates of unemployment have decreased in Norfolk** for the year to June 2013 by 0.4%. This compares with the **NALEP area showing no discernible change and a small decrease in the East of 0.2% and England at 0.2%**.

² Annual Population Survey and Claimant Count

Table 2 – Unemployment (June 2012 – June 2013)

	Norfolk	Working age population		England
		NALEP	East	
Unemployment rate	6.6%	6.5%	6.6%	8.0%
Change on last quarter	1.3%	0.6%	-0.1%	0.0%
Change on last year	-0.4%	0%	-0.2%	-0.2%
Numbers unemployed	27,900	50,400	196,300	2,085,700
Change on last quarter	5,500	4,200	-2,500	5,600
Change on last year	-1,300	-500	-5,700	-40,100

5.4 Claimants

In December 2013 there were 13,656 people claiming Jobseekers Allowances (JSA) in the County, which is a decrease on last quarter's figures of 14,308 and a considerable decrease in claimants from 17,569 since December 2012.

Table 3 – Claimant Count (December 2013)

	Norfolk	Working age population		England
		NALEP	East	
Unemployment rate	2.6%	2.4%	2.2%	2.8%
Change on last quarter	-0.1%	-0.1%	-0.3%	-0.3%
Change on last year	-0.7%	-0.7%	-0.7%	-0.8%
Numbers unemployed	13,656	23,164	82,862	971,596
Change on last quarter	-652	-1,545	-10,649	-106,703
Change on last year	-3,913	-7,302	-26,411	-277,071

5.5 Youth unemployment³

The latest data reported from ONS on unemployment and unemployment data was released September 2013 Q2. The next release shall be April 2014 and will be reported in the next quarterly report.

Of the 27,900 people classed as unemployed in Norfolk (in the year to June 2013), 12,500 were aged between 16 and 24. This figure has risen from last quarter's figure by 2,700 and from last year's figure by 1,000. This shows a steady increase in youth unemployment in Norfolk over the past year.

This equates to **44.8% of total unemployed people in Norfolk being aged between 16 and 24.**

Since June last year there has been an 8,600 drop in youth unemployment in the Eastern region with a comparable 19,800 decrease in England overall.

³ Annual Population Survey

Table 4 –Youth Unemployment (June 2012 – June 2013)

	Norfolk	Working age population		England
		NALEP	East	
Unemployment rate	19.8%	18.3%	17.9%	21.8%
Change on last quarter	4.6%	2.3%	-0.4%	-0.2%
Change on last year	1.7%	0.7%	-0.1%	-0.4%
Numbers unemployed	12,500	20,200	71,400	793,800
Change on last quarter	2700	2,300	-2,600	-14,800
Change on last year	1000	300	-8,600	-19,800

5.6 Earnings

Average weekly gross pay for Norfolk residents in 2013 was £471.50, up from the average gross weekly pay in 2012 of £466.20. This is lower than the regional average of £542.70 and the national average of £520.70.

The inequality in pay has remained broadly consistent over time but the Economic Growth Strategy seeks to address this disparity by focussing on improving perceptions of Norfolk's business offer to secure inward investment and growth in key sectors as well as address Norfolk's skills and employability issues.

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

Report by the Director of Environment, Transport and Development

Summary

Protecting Consumers – Safeguarding Business.

The Trading Standards Service Plan is included within the Council's Policy Framework, and therefore forms part of the Council's Constitution. The purpose of this report is to present recommendations to Cabinet on proposed Trading Standards priorities for 2014/2015 through the service plan.

Trading Standards' core function is to protect our consumer and business community from detrimental trading practices and rogue traders; enforcing the laws which provide the basis for fair competition, business success and access to world markets. Much of our work is prevention, through provision of the necessary advice and assistance to help people avoid problems in the first place; or help resolve them as quickly as possible. It also helps to protect national interests as well as the ability of local business' to compete in the local and world market. The impact on consumers and business is significant and our approach is critical to ensure confidence in the trading environment

Trading Standards has an important role in protecting the integrity of the food chain from animal welfare and disease control to food safety. We ensure goods are safe and businesses operate fairly. We investigate criminal offences and civil breaches and take legal action where necessary to protect individuals as well as wider public legitimate interests and in particular the vulnerable. Trading Standards therefore has an important social and economic role in the community, contributing to the health, safety and prosperity of Norfolk.

The Trading Standards Service plan has been developed using analysis of information that reflects the issues and problems Norfolk people and businesses face, ensuring that our service is unique and focused on the needs of the County. This includes providing part of the 'national shield' addressing both national issues that affect Norfolk and the impact of local businesses nationally and globally.

The service plan includes our 'golden thread' (section 4) which summarises our strategic control strategy and focus for protecting the public. The plan is supplemented with some specific functional plans which describe how we will address statutory responsibilities relating to food and animal feed safety and underage sales. These specific plans include information required by Government on the monitoring of our discharge of these functions.

Recommendation

Members are asked to consider and comment on the service plan including appendices ahead of recommendations to Cabinet and then Council.

1. **Background**

- 1.1. The Trading Standards Service Plan forms part of the Council's Policy Framework under the Constitution, and must therefore be adopted by Full Council. The Plan sets out the key actions that the Trading Standards service proposes delivering during 2014/15, in order to meet its statutory duties, including those service reductions arising from the Putting People First budget consultation.

The overall aim of the service is encapsulated by its service objective:

'Protecting Consumers – Safeguarding Business'

- 1.2. Trading Standards' core function is to protect our consumer and business community from detrimental trading practices and rogue traders; enforcing the laws which provide the basis for fair competition, business success and access to world markets, and consumer protection. Much of our work is in prevention, providing the necessary advice and assistance to help people avoid problems in the first place; or help resolve them as quickly as possible. Trading Standards has an important role in protecting the integrity of the food chain from animal welfare and disease control to food safety. We ensure goods are safe and businesses operate fairly. We investigate and take legal action where necessary to protect individual as well as wider public legitimate interests and in particular the vulnerable. Trading Standards therefore has an important social and economic role in the community, contributing to the health, safety and prosperity of Norfolk.

The Trading Standards Service plan has been developed using analysis of information that reflects the issues and problems Norfolk people and businesses face, ensuring that our service is unique and focused on the needs of Norfolk people. This includes providing part of the 'national shield' addressing both national issues that affect Norfolk and the impact of local businesses nationally.

- 1.3. **How our priorities help to deliver the County Council's strategy 'Putting People First'**

Good Infrastructure and Real Jobs: A key objective of the Trading Standards Service is to support economic growth, especially in small businesses. Businesses need to comply with trading laws and standards to be able to have access to UK and international markets. We ensure a fair, responsible and competitive trading environment, safeguarding honest business from rogues who unfairly undercut them. Keeping Norfolk free from animal disease and protecting food production is critical to the local economy. Effective regulation of the trading environment promotes consumer confidence, which businesses depend upon, and reduces opportunities for black market trading, which affects honest business and impacts on the overall growth of Norfolk businesses and valuable employment.

Most of Trading Standards' work is behind the scenes, testing and checking those things most people take for granted and ensuring a safe and fair trading environment for both consumers and business. A key element of Trading Standards' work is in empowering consumers and businesses to be informed, confident and successful. This includes through the provision of consumer support and information, helping to avoid problems such as scams, or by providing businesses with advice and support to help improve current and future compliance with trading standards.

Excellence in Education: Educational achievement is strongly linked to health, and alcohol and tobacco misuse has a significant effect on both. Our work on food safety and nutritional standards and work in tackling underage access to tobacco and alcohol is an important feature in how young people achieve and live healthy adult lives. Most adult smokers start smoking when they are children and this is a key factor in both the cost to people's future health as well as to the NHS.

1.4. The Trading Standards Service Plan (Appendix 1) includes, and attention is drawn to:

- Summary of strategy for the delivery of the Council's statutory responsibilities. See Trading Standards service 'Golden thread' (Section 4 in Appendix 1)
- The Food and Feed Law Enforcement Plan (Appendix 2)
- The Enforcement of Age Restricted Sales Plan (Appendix 3)

The Food and Feed Law Enforcement Plan is a statutory plan required by the Food Standards Agency; the Enforcement of Age Restricted Sales Plan enables the County Council to discharge its statutory duty to annually consider and review its enforcement of the Children and Young Persons (Protection from Tobacco) Act 1991.

The Food and Feed Law Enforcement Plan incorporates work that is intended to protect the food supply chain, covering both food production and control of animal feed used for animals intended for human consumption. Both of these areas are governed by Codes of Practice, made under the Food Safety Act, which prescribe minimum inspection levels of premises and processes. The evaluation of resources available, given other priorities within the service, does not enable us to fulfil all of the requirements.

Our review of required activity has concluded that the Service will be able to fulfil its feed inspection programme in line with the requirements of the proposed revised Feed Law Enforcement Code of Practice (Great Britain).

However, the Service will not be able to fulfil a food inspection programme in accordance with the requirements of the Food Law Code of Practice (England).

To mitigate this, the Service will inspect all food businesses in Norfolk that are deemed to be high-risk by virtue of the previous trading history or the appropriate risk scheme, on at least an annual basis. In addition, intelligence-led inspections or other interventions will be conducted at those business sectors presenting the highest risk to the food chain and consumers/other legitimate businesses. It will also be appropriate, on occasion, to respond with inspections or other interventions where consumer/trader complaints or referrals from other enforcement agencies are received about the non-compliance with trading standards of individual businesses. The Service will not therefore, as a matter of routine, carry out inspections at medium or low risk food businesses unless they are visited as a result of the aforementioned factors.

1.5. **Service Reduction**

2014-17 will see a reduction in resources available to Trading Standards from 2013-14 levels and therefore a number of local initiatives to prevent harm coming to consumers which are not statutory requirements of our role may either be significantly reduced, or no longer provided. These measures were consulted upon during the 'Putting People First' budget consultation. These measures included the Trusted Trader scheme; Consumer Champions; and No Cold calling Zones. We will no longer be able to commit to supporting individual members of the public with disputes unless we are actively investigating offending as part of prioritised work. However we will work as closely with partners as possible to signpost people to advice/guidance to help people resolve problems.

The budget set by Council in February reduced the savings required in the next year by £123k (from a total of £499.5k over 3 years, including efficiencies). This funding will now enable Trading Standards to continue to deliver the Trusted Trader scheme and No Cold Calling Zones and will reduce the impact on the important support to local businesses.

Activities to deliver statutory responsibilities to enforce public protection laws will reduce by approximately 15% over the next three years of this service plan. We will reduce inspection and checking activities and further refocus on only the highest risks and priorities identified during our intelligence based review and tasking processes. Our priorities are described in the proposed Service Plan. We will not be able to respond and investigate many individual issues/offending currently reported to us by the public or referred to us by other agencies. However, where intelligence identifies particular offending as a widespread issue or affecting many people then we will implement appropriate enforcement responses.

2. **Resource Implications**

Finance: The implications of this plan will be contained within the Council's budget for 2014/17.

Staff: Suitably qualified, including statutory qualifications, and skilled officers are required for enforcement activities and the use of statutory powers. These matters are managed as part of our competency and workforce plans and staff appraisals.

Continuous professional development is essential for maintaining skills.

Property : Where applicable issues are addressed within the Service Plan

IT : Where applicable issues are addressed within the Service Plan

3. **Other Implications**

Legal Implications : Where applicable issues are addressed within the Service Plan

Human Rights : Trading Standards activities regularly necessitate the use of covert surveillance regulated as part of the Regulation of Investigatory Powers legislation.

Equality Impact Assessment (EqIA) :

Many of the activities contained in the Trading Standards service plan have a potential impact on residents from one or more protected groups.

A full programme of equality impact assessments has been carried out covering all Environment, Transport and Development activities, and these have been reviewed during the service planning process to ensure that they are up to date and reflect any changes to service delivery practices. A review has also been carried out as part of work undertaken in the Putting People First consultation. Where appropriate actions from Equality Impact Assessments have been carried forward into service plans. Work will be carried out, as part of day to day service delivery and development, to ensure that any potential inequalities in access or outcome can be mitigated where possible. Key areas that we address in relation to the service plan include a focus on the vulnerable.

Any other implications :

Officers have considered all the implications which members should be aware of. Apart from those listed in the report (above), there are no other implications to take into account.

4. **Section 17 – Crime and Disorder Act**

The implications of Trading Standards activities in relation to their impact on crime and disorder reduction have been considered. The Trading Standards service is principally concerned with addressing crime and disorder. Activities are determined by an intelligence led enforcement process and our enforcement policy determines the nature of our enforcement responses.

5. **Risk Implications/Assessment**

The risks associated with the delivery of the proposed actions are considered as part of detailed project planning for delivery of the operational service plan. Any risks will be managed as part of the departmental risk management process. Subject to further implications of organisational review or local government re-organisation then the current risk level is low.

6. **Alternative Options**

No alternative options have been provided as the Trading Standards Service Plan has been developed following a strategic assessment reflecting local and national priorities and within the context of what is currently affordable.

7. **Reason for Decision**

This report introduces the Trading Standards Service Plan 2014/15, which includes the Food and Feed Law Enforcement Plan and the Enforcement of Age Restricted Sales Plan. The Service Plan describes outcomes and activities to enable Norfolk County Council's Trading Standards service to meet both national and local priorities.

Recommendation

- (i) This operational service plan forms part of the Council's Policy Framework. Members are asked to consider and comment on this plan and recommend to Cabinet and Full Council.

Officer Contact

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Environment, Transport & Development

Trading Standards Service Plan 2014-15

Protecting Consumers – Safeguarding Businesses

David Collinson, Assistant Director

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1. Our service

Service profile

Our customers

The Trading Standards Service is a frontline service which protects consumers and legitimate businesses from rogue traders and unfair or unsafe trading practices.

Most of our customers benefit passively from our work in ensuring fair and safe trading, however, where we do need to intervene directly, our customers are often the most vulnerable, including the young.

Our business customer profile ranges from the smallest to the largest in Norfolk, from retailers to producers/manufacturers. Our interventions are all risk based, giving focus and support to the most vulnerable and highest risk. Because of the interventions we make with businesses who trade across the UK and internationally, we also impact on the economy beyond Norfolk.

What we deliver for Norfolk

Trading Standards' core function is to protect our consumers and businesses from rogue traders and detrimental trading practices, and support economic growth and well being, especially in small businesses, by ensuring a fair, responsible and competitive trading environment. Trading Standards also has an important role in ensuring a safe, healthy and sustainable food chain through animal welfare, disease control and food and animal feed safety and standards. The service ensures that goods are safe and contributes to helping people to live healthier lives by preventing ill health and harm and promoting public health.

Key activities include:

- Investigating illegal or unfair trading practices affecting consumers and honest businesses
- Conducting targeted inspection programmes, focusing on those businesses and issues presenting the highest risk to consumers, to check compliance in relation to trading standards, food and animal health legislation
- Sampling, testing and checking goods and services, such as food, electrical goods and contract terms for description and safety
- Reducing harm and anti social behaviour by tackling underage sales of goods such as alcohol and tobacco
- Assisting older and/or vulnerable people to live independent lives by helping them avoid disreputable traders
- Providing a metrological calibration and verification service for businesses
- Providing information and advice to support businesses to achieve compliance with legal requirements
- Supporting the public with disputes where we actively investigating offending
- Working closely with partners where possible to signpost people to advice/guidance to help people solve problems

Our partners

Strategic partners:

- Consumer Support Network (CSN)
- Local Authorities
- Citizens Advice (CA)
- East of England Trading Standards Authorities (EETSA)
- Norfolk Police
- Public Health

National regulators, including:

- Competition and Markets Authority (CMA)
- Department for Business, Innovation and Skills (BIS)
- Department for Environment, Food and Rural Affairs (DEFRA)
- Financial Conduct Authority (FCA)
- Food Standards Agency (FSA)
- Health and Safety Executive (HSE)
- Home Office (HO)
- National Trading Standards Board (NTSB) (including National Trading Standards e-Crime Centre, Scambusters, England Illegal Money Lending Team)

Our budget

Our total net budget for 2014/15, including staff and cost of services is £2,175,100. This is a reduction of £76,825 on 2013/14. This will reduce by £279,740 in 2015/16 and a further £20,000 in 2016/17.

Where we work

The Trading Standards Service is delivered on a countywide basis, as well as working closely with regional and national services on cross-border issues affecting Norfolk or involving Norfolk businesses.

2. Service review

How we are performing including key risks and key drivers for our service

National Regulatory Outcomes

The Government's National Regulatory Outcomes which provide a framework for the national Trading Standards activities closely reflect our existing priorities due to regular local assessment and will require no significant refocus. These are:

- Support economic growth, especially in small businesses, by ensuring a fair, responsible and competitive trading environment
- Protect the environment for future generations
- Improve quality of life and wellbeing by ensuring clean and safe neighbourhoods
- Help people to live healthier lives by preventing ill health and harm and promoting public health
- Ensure a safe, healthy and sustainable food chain for the benefits of consumers and the rural economy.

In response, the threat assessment and control strategy for Norfolk Trading Standards' work, picking up local threats will mean the following areas will remain a key focus (for further explanation see footnotes at end of this section):

- Mass marketing scams ⁽¹⁾
- Doorstep crime ⁽²⁾
- Intellectual property crime ⁽³⁾
- Community health issues (false food claims and fraud, tobacco control, alcohol sales) ⁽⁴⁾
- Animal disease control and farming ⁽⁵⁾
- Protecting economic interests of consumers and businesses
- Internet crime and confidence in e-shopping ⁽⁶⁾

National Trading Standards Control Strategy

The National Trading Standards Board (NTSB) has been established by the Government as part of changes to the consumer protection landscape and an enhanced role for trading standards nationally. The NTSB provides leadership influence, support and capability to help combat consumer and business detriment on national issues.

The NTSB has developed this control strategy having regard to its strategic assessment. It outlines the national priorities for intelligence, prevention and enforcement activities. The information provided is of use to Norfolk in helping link work done by our own trading standards service, to that being done regionally and nationally.

The NTSB recognises the following priority areas:

- Doorstep crime – establishing minimum standards for dealing with doorstep crime and safeguarding of vulnerable adults and consumers
- Scams - disrupting operations and reducing the risk/exposure of consumers to scams
- Fair trading issues - reducing incidents of bad practices and their impact on consumers
- E-crime - disrupting trading crime perpetrated on-line
- Product safety - improving effective intervention on unsafe products, including points of entry into England and Wales
- Illegal Money Lending – disrupting operations and reducing the risk and exposure of those most at risk, and
- Intellectual Property- disrupting operations and supporting partnership working.

The NTSB also recognises that it will need to develop knowledge and/or monitor problems in the following areas:

- Food fraud - monitor the enforcement and detection levels of activity targeted at food fraud
- Animal health – monitor and develop a strategic plan to respond to a national animal health issue
- Age restricted sales - monitor the results of enforcement to identify trends or strategic targets

These priorities map extremely well into the issues affecting Norfolk people and we have taken them into account in prioritising our own measures.

Government required plans

We are required by the Food Standards Agency and the Home Office respectively to provide and review our plans to deal with Food and Feed Law enforcement and our control strategy for tobacco. Our review and proposals are appended to this plan as the Food and Feed Law Enforcement Plan (FFLEP) and the Enforcement of Age Restricted Sales (EARS) Plan.

Public Health and Wellbeing

The Public Health and Wellbeing priorities, focus on:

- Promoting healthy lifestyles
- Supporting people to live independently
- Promoting good mental health and wellbeing
- Giving every child the best start

In response we will draw heavily on the important work we do on tobacco control, underage alcohol sales and ensuring/promoting healthy food as well as our crime and disorder activity which affects well-being.

How our priorities help to deliver the County Council's strategy 'Putting People First'

We have previously developed and implemented innovative measures to support and protect people from being victims of rogue traders, including expansion of our No Cold Calling Zones, Trusted Trader/Trusted Business and Community Alcohol Action Partnership schemes. We continue to review our use of resources to ensure we can continue to tackle high risk activities that impact on the economy and people's health. Just mass market scams (e.g. emails and letter drops) cost Norfolk people £50m per annum and this is one example of where our targeted educational work successfully engages more Norfolk people each year, helping people avoid being victims.

Norfolk has remained free for a number of years from the devastating effects of animal disease amongst our animal stock (amongst the largest in the UK) due to our planning and proactive work with the farming community on bio-security.

Necessary cost reduction measures have meant that statutory work as well as non-statutory measures will no longer be able to be provided to the same degree and during the next 3 years service plan cycle we will be ceasing or significantly reducing our delivery in both statutory activities such as investigations, inspecting, testing and checking, and discretionary areas including consumer support and intervention.

The economic downturn presents a significant risk with criminal activity affecting honest business and devastating consumers' lives. We will continue to work to engage with business and communities to help them help themselves by increasing the use of self-help information and ensuring that we focus our resources on the greatest risks to our economy and health. Working better with others (locally and nationally) will be key to our success and we are contributing to national leadership on how we better join up service delivery nationally for the benefit of Norfolk people.

Footnotes:

1. Mass market scams (eg mail drops/emails) are estimated to cost Norfolk people £50million per annum.
2. A method of trade worth £2billion in the UK. 7% of adults have felt unfairly pressured to buy from home maintenance salesmen.

3. Best estimates suggest this crime is worth £1.5billion per annum in the UK.
4. The dioxin food contamination incident cost the Irish economy approx €1billion.
The horsemeat scandal severely dented public confidence in the integrity of the food chain.
100,000 people die of smoking related disease per annum in the UK, being the biggest preventable cause of death and the NHS spends more than £2.7billion per annum on treatment. 80% of smokers start before 18yrs. Smoking just one cigarette in childhood doubles the likelihood of take up by age 17.
5. Potential for significant food manufacture, agricultural and tourism impact, with these sectors accounting for 20% of employment in Norfolk.
Foot and Mouth in 2001 cost more than £8billion to the UK economy.
Norfolk has one of the largest overall animal herds in the UK.
Norfolk accounts for 54% of all livestock in the East of England.
Norfolk is the second-largest grain/vegetable producer in the UK.
6. E-shopping now accounts for approximately 10% of all spending in the UK.
Cyber-crime is estimated to cost UK business £21billion per year.

Business Continuity

Trading Standards has taken a number of steps to increase the resilience of services and Business Continuity Plans were reviewed in the past year.

There are a number of key activities which will be focused on in this period:

- We have completed the corporate bi-annual Business Impact Review. This review will be used to inform Business Continuity Planning arrangements.
- A review will be completed of our out-of-hours service offered by Trading Standards in order to reduce costs.
- The corporate repair project for County Hall may impact on our service delivery and will be considered within the project business continuity arrangements.

Performance

See section 4 for current performance against measures aimed at outcomes for the service.

2. Our priorities

Our service priorities for the next year

Like all NCC services, we focus on those priorities that will make the biggest difference to the people of Norfolk. Although much of our work is driven by our legal responsibilities, the way we go about these is determined by priorities identified by our intelligence systems, ensuring that we address local and national issues. In carrying out our regulatory activities we look carefully at what the law is trying to achieve and ensure we apply the law appropriately and proportionately to meet important outcomes for people and business. As well as our reactive work, protecting people, we recognise that preventative measures, ensuring business compliance on core matters and helping the public avoid problems, is key to health, safety and economic prosperity.

A particular focus for our work are the following priorities:

- Rogue trading (eg. Fair Trading, Doorstep crime)
- Alcohol and tobacco control, affecting public health and antisocial behaviour
- Mass marketing scams aimed at consumers and business
- Unsafe goods
- Food safety/standards – particularly food production
- Animal disease control measures
- E-crime

We will review how we continue to support customers by making information easier to access on a self service basis and relevant to their needs. We will prioritise interventions on those areas of greatest need while ensuring access to quality information is available to all.

‘Putting People First’

Good Infrastructure and Real Jobs: A key objective of the Trading Standards Service is to support economic growth, especially in small businesses. Businesses need to comply with trading laws and standards to be able to have access to UK and international markets. We ensure a fair, responsible and competitive trading environment, safeguarding honest business from rogues who unfairly undercut them. Keeping Norfolk free from animal disease and protecting food production is critical to the local economy. Effective regulation of the trading environment promotes consumer confidence, which businesses depend upon, and reduces opportunities for black market trading, which affects honest business and impacts on the overall growth of Norfolk businesses and valuable employment.

Most of Trading Standards’ work is behind the scenes, testing and checking those things most people take for granted and ensuring a safe and fair trading environment for both consumers and business. A key element of Trading Standards’ work is in empowering consumers and businesses to be informed, confident and successful. This includes the provision of consumer support and information, which helps individuals avoid problems such as scams, or by providing businesses with the advice and support they need in order to help them improve current and future compliance with trading standards.

Excellence in Education: Educational achievement is strongly linked to health, and

alcohol and tobacco misuse has a significant effect on both. Our work on food safety and nutritional standards and work in tackling underage access to tobacco and alcohol is an important feature in how young people achieve and live healthy adult lives. Most adult smokers start smoking when they are children and this is a key factor in both the cost to people's future health as well as to the NHS.

3. Our budget

The budget for this service

Our total net budget for 2014/15, including staff and cost of services, is **2,175,100**

Budget savings

The following shows known budget savings relevant to the service. Throughout this plan, any actions that will contribute to the delivery of these budget savings will be identified by the budget saving reference

Budget saving reference	Description	Savings required			
		2014/15	2015/16	2016/17	Total
P47	Scale back Trading Standards advice and enforcement		£249,500		£372,500
P48	Charge for advice to business from our Trading Standards Service			£20,000	£20,000
	Transformation savings including reduction in controllable spend	£63,825	£30,240		£94,065
	Increased income	£13,000			£13,000
Total:		£76,825	£279,740	£20,000	£376,565

4. Service Delivery – Golden Thread (Plan on a Page)

Putting People First: Protecting Consumers & Safeguarding Businesses Trading Standards Service Plan 2014-2015

Putting People First	National Regulatory Outcomes	NCC Service Priorities	Service Plan Objectives/Actions
Good Infrastructure Support economic growth, especially in small businesses, by ensuring a fair, responsible and competitive trading environment Environment Protect the environment for future generations Public and product safety Ensuring safe neighbourhoods and safe products Health & Wellbeing Help people to live healthier lives by preventing ill health and harm and promoting public health Food Chain Infrastructure Ensure a safe, healthy and sustainable food chain for the benefits of consumers and the rural economy.		Rogue trading affecting consumers and business Alcohol and tobacco control, affecting public health and antisocial behaviour Mass marketing scams aimed at consumers and business Unsafe goods Food safety/standards – particularly food production Animal disease prevention and control measures E-crime	<ul style="list-style-type: none"> Protect consumers and safeguard legitimate businesses by targeting fraudulent and illegal trading and serious unfair trading malpractices
			<ul style="list-style-type: none"> Protect vulnerable people by addressing rogue doorstep trading and e-crime
			<ul style="list-style-type: none"> Ensure fair and safe trading of goods and services, through a programme of intelligence-led market surveillance and enforcement activities to monitor and improve business compliance and consumer protection
			<ul style="list-style-type: none"> Improve community safety and public health by tackling the supply of alcohol, tobacco and other age restricted products to young people and the supply of illicit tobacco and alcohol
			<ul style="list-style-type: none"> Engage with and provide businesses with information, compliance advice and support to help them succeed and improve access to UK and international markets
			<ul style="list-style-type: none"> Safeguard the standards of animal health and welfare and reduce the risk of animal disease outbreaks and associated risks to the Norfolk economy and public health
			<ul style="list-style-type: none"> Ensure the standards, quality and safety of the food chain, including animal feeds and agricultural fertilisers
Real Jobs			<ul style="list-style-type: none"> Provide legal and commercial metrological calibration and verification services to businesses

Risks: Failure to properly exercise powers or comply with statutory time constraints could lead to failure of enforcement action, including prosecutions with subsequent financial loss/reputational risk. In the event of a major animal disease outbreak, resources would have to be diverted to enable an adequate response, thus preventing the Trading Standards teams from delivering the full range of services expected. Reductions in proactive work to prevent public detriment and offending are likely to increase responsive demand and victims, particularly the vulnerable.

Performance:	2013/14 target (projected outturn in brackets)	Proposed target 2014/15
Percentage of rogue and most detrimental businesses brought to compliance	85% (85%)	80%
Percentage of businesses brought to broad compliance with trading standards	94% (97%)	90%
Percentage of disputes resolved	90% (88%)	80%
Customer satisfaction with Trading Standards services	90 (90)	85%
Increase in awareness by businesses of trading standards responsibilities	78 (82)	75%



Norfolk County Council

Norfolk County Council Trading Standards Service

Food & Feed Law Enforcement Plan 2014/2015

**Produced in accordance with the requirements of the
Food Standards Agency Framework Agreement**



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The Food Standards Agency (FSA) Framework Agreement requires Food & Feed Law Enforcement Plans to be laid out in a common format but recognises that, as local authorities may have corporate service plan templates, they may use the corporate format as long as the information requirements laid out in the Agreement guidance are included and are separately identifiable. Therefore wherever possible this Annex makes reference to the applicable sections of the Trading Standards Service Plan 2014-2015 rather than replicating the information it contains.

Section One: Trading Standards Service Aims and Objectives

1.1 Aims and Objectives

The Trading Standards Service objective of protecting consumers and safeguarding businesses is set out in Section 4 of the Trading Standards Service Plan 2014-15.

1.2 Links to Corporate Strategic Ambitions

Norfolk County Council's ambition for Norfolk, Putting People First, is for everyone in Norfolk to succeed and fulfil their potential. By putting people first we can achieve a better, safer future, based on education, economic success and listening to local communities.

The County Council's priorities are:

- **Excellence in education** – We will champion our children and young people's right to an excellent education, training and preparation for employment because we believe they have the talent and ability to compete with the best. We firmly believe that every single child matters.
- **Real jobs** – We will promote employment that offers security, opportunities and a good level of pay. We want real, sustainable jobs available throughout Norfolk.
- **Good infrastructure** – We will make Norfolk a place where businesses can succeed and grow. We will promote improvements to our transport and technology infrastructure to make Norfolk a great place to do business.

How Trading Standards helps to deliver the County Council's strategy, Putting People First, is described in Section 2 of the Trading Standards Service Plan 2014-15.

Section Two: Background

2.1 Profile of the Local Authority

The Service profile of the Trading Standards Service is set out in Section 1 of the Trading Standards Service Plan 2014-15.

The Trading Standards Service is delivered from two offices, County Hall in Norwich and Priory House in King's Lynn, and is structured into the following teams:

- Calibration and Verification Services
- Commerce and Business Compliance
- Community Safety and Fair Trading
- Investigations
- Operational Tasking and Enforcement

The Trading Standards Service currently reports, via the Assistant Director of Public Protection, to the Director of Environment, Transport and Development.

The Council has 84 elected Members. The current political makeup of the Council is: Conservative 40 council seats, Labour 15, UKIP 14, Liberal Democrat 10, Green Party 4 and Independent 1.

Following the elections in May 2013, the Labour and Liberal Democrat groups formed the cabinet with the Conservatives, UKIP and Green Party in opposition.

The Director of Environment, Transport and Development reports to the Environment, Transport and Development Overview & Scrutiny Panel, which can review and scrutinise any decisions made or action taken and assist the Cabinet member in making recommendations to Cabinet.

The Panel is represented at Cabinet by Councillor Daniel Roper, Cabinet Member for Public Protection (Public Health, Trading Standards, Fire & Rescue), Liberal Democrat Councillor for Hevingham and Spixworth.
email: daniel.roper@norfolk.gov.uk

The council has resolved to move to a committee system of governance with effect from May 2014.

2.2 Organisational Structure

With effect from 1 April 2014, the Trading Standards Service has been restructured to accommodate a £76,825 budget cut. One consequence of the restructure is that animal feed and food law enforcement is the sole responsibility of the Commerce and Business Compliance team. The team's functions are:

2.2.1 Providing support for Norfolk based businesses to further economic growth;

- delivering targeted proactive business information to achieve compliance, promoting self-help
- providing business advice and support on request, including chargeable advice
- acting as 'home/primary authority' for Norfolk based businesses
- development of effective business engagement and partnerships to improve access to business advice and information.

2.2.2 Ensuring the standards of animal health and welfare; the quality, safety and hygiene of the food chain, and the maintenance of metrological trading standards through delivery of intelligence-led compliance programmes, including sampling, inspections, verifications and market surveillance enforcement activities in the following areas:

- Animal health and welfare, including disease control and licensing
- Primary food production including fertilizers, animal feeding stuffs and food hygiene
- Food standards
- Legal metrology.

2.2.3 Intelligence-led interventions and investigations to tackle identified issues emerging from the tasking and coordination process.

The lead food and feed officer is currently:

Mrs Sophie Leney
Trading Standards Manager
Email: sophie.leney@norfolk.gov.uk
Tel: (01603) 224275

The Authority has contracted with Public Analyst Scientific Services Ltd (PASS) to provide the public analyst and agriculture analyst functions for the County.

2.3 Scope of the Animal Feed and Food Service

The Norfolk Trading Standards Service delivers a range of animal feed and food enforcement services. Specific functions are:

- Programmed inspections at animal feed and high-risk food premises
- Targeted enforcement activities
- Inspections and other enforcement activities arising from complaints and referrals
- Sampling of food and animal feed for analysis and/or examination as part of EU, national, regional and local programmes
- Responding to referrals from enforcement partners such as the British Cattle Movement Service and the Meat Hygiene Service
- 'Home/Primary Authority' responsibilities
- Responding to food and feed safety incidents
- Provision of information, advice and support for businesses
- Publicity including public awareness campaigns
- Working in partnership with the Food Standards Agency (FSA); the Department of the Environment, Food and Rural Affairs (Defra); the Department of Health (DH); Public Health (PH); the other ten local Trading Standards authorities in the East of England (EETSA); the seven District Council Environmental Health Departments in Norfolk; and the Meat Hygiene Service.

The animal feed and food law enforcement service is delivered exclusively by officers employed by the County Council, alongside other similar services, for example, the inspection of weighing and measuring equipment.

2.4 Demands on the Animal Feed and Food Service

There are 110 high-risk, 3,800 medium-risk and 3,167 low-risk food businesses recorded on the Trading Standards Services database, totalling 7,077 food businesses.

There are 4,884 agriculture businesses recorded, 16 of which are high-risk, 1,276 medium-risk and 3,592 low-risk.

A number of businesses are designated both food and feed businesses. The Trading Standards Service conducts food standards, feed standards, feed hygiene and food hygiene at primary production inspections or a combination of these interventions at these businesses.

There are 290 food manufacturers in Norfolk, 4% of the sector, ranging from major multinational companies to cottage industries. The majority of food businesses are caterers (3,930 = 56%), such as public houses, restaurants and hotels or retailers (1,830 = 26%) including general stores and bakers.

The County has 30 animal feed, including pet food, manufacturers as well as a very large number of on-farm mixers.

A significant percentage of the companies that the Trading Standards Service has a 'home/primary authority' relationship with are within the food and agriculture sectors.

2.5 Enforcement Policy

The Environment Transport and Development (ETD) Directorate is responsible for a range of regulatory functions, including Trading Standards, Planning enforcement (mineral and waste sites) and Highways (Networks and Maintenance) and the Environment Transport and Development Enforcement Policy has been implemented, having regard to the established legal framework for decision-making, the Code for Crown Prosecutors (CPS); the "Enforcement Concordat" (promoting consistency in the regulatory enforcement regime) and the "Regulators' Code".

Section Three: Service Delivery

3.1 Animal Feed and Food Premises Inspections (Interventions)

The Trading Standards Service reviews its policy in relation to inspections (interventions) at business premises on an annual basis in accordance with the principles of better regulation, the Food Law Code of Practice (England) and the Feed Law Enforcement Code of Practice (Great Britain).

Along with other local authorities and the National Trading Standards Board (NTSB), the Service has been liaising with the Food Standards Agency (FSA) in relation to regional animal feed enforcement and the introduction of earned recognition for feed businesses, in that minimum requirements for inspection frequencies can be reduced for those feed businesses that are members of and compliant with recognised assurance schemes. As a consequence the resource level for planned feed hygiene inspections in 2014/15 will reduce.

The Service will be able to fulfil its feed inspection programme in line with the requirements of the proposed revised Feed Law Enforcement Code of Practice (Great Britain).

In relation to food businesses, the Service will inspect all food businesses in Norfolk that are deemed to be high-risk by virtue of the previous trading history or the appropriate risk scheme, on at least an annual basis. In addition, intelligence-led inspections or other interventions will be conducted at those business sectors presenting the highest risk to the food chain and consumers/other legitimate businesses. It will also be appropriate, on occasion, to respond with inspections or other interventions where consumer/trader complaints or referrals from other enforcement agencies are received about the non-compliance with trading standards of individual businesses. In line with Hampton principles and the resources available the Service will not therefore, as a matter of routine, carry out inspections at medium or low risk food businesses unless they are visited as a result of the aforementioned factors.

Although the above measures are intended to focus our available resources on the areas of greatest risk, using available intelligence, the Service will not be able to fulfil a food inspection programme in accordance with the requirements of the Food Law Code of Practice (England) and this discrepancy is covered in greater detail under section 4: Resources.

The Service has assessed the value of carrying out unannounced inspection as opposed to announced inspection. It has introduced the following policy on animal feed and food inspections and audits:

1. Inspection as a result of complaint or intel received
Where we receive a complaint or intel to suggest non-compliance by a Feed or Food Business Operator (Fe/FBO) we will inspect, if deemed appropriate to do so, and without prior notification. This applies to all Fe/FBOs regardless of whether or not they are included in our annual audit programme.
2. Annual audits
We will conduct annual feed and food audits at those Fe/FBOs we determine to be high risk with prior notification; in order to ensure that the right personnel and records are available.
3. Other audits and inspections, including sampling
We will conduct other feed and food audits and inspections, including sampling without prior notification, unless it is necessary to give the proprietor, such as a farmer, prior notice in order to ensure that he is present and any records are available for examination. Official controls may also be carried out on an ad hoc basis.

The Service will keep this policy under review and, if the policy leads to a disproportionate negative impact on the use of resources of both the Service and Fe/FBOs, it will be revised.

The inspection programmes for both animal feed and food have been overhauled in recognition of the developments in this area:

Project Name	Project Description/Outcomes	Staffing/Other Resources*	
		2013/14	2014/15
Inspection of High-Risk Agricultural Businesses	To inspect 20 high-risk agriculture businesses, eg feed mills, fertiliser manufacturers, importers and selected farms in conjunction with Animal Health and the Animal Medicines Inspectorate. To ensure compliance in relation to feed and fertiliser labelling/packaging, stock rotation/storage, feed hygiene, record keeping/traceability and sale or use of prohibited materials.	0.20 FTE	-
Feed Hygiene	To assist businesses to comply with the feed hygiene requirements	0.20 FTE	-
Food Hygiene at Primary Production	To assist businesses to comply with the food hygiene requirements and therefore improve food hygiene further along the food chain.	0.20 FTE	-
Inspection of High-Risk Businesses (Non-Farming)	To carry out inspections at 79 premises identified as high risk for food, fair-trading and safety, to ensure business compliance.	2.00 FTE	-
Feed Hygiene & Standards Inspection Programme	To inspect 138 agriculture businesses, eg selected feed mills, importers, retailers and farms in conjunction with Animal Health and the Animal Medicines Inspectorate. To ensure compliance in relation to feed labelling/packaging, stock rotation/storage, feed hygiene, record keeping/traceability and sale or use of prohibited materials.	-	0.25 FTE
Inspection of High-Risk Food Businesses	To carry out inspections at 110 businesses identified as high risk for food.	-	1.50 FTE
*Excluding managerial, administrative and legal support but including revisits and follow up action			

Animal feed and food inspections are carried out by suitably qualified and experienced trading standards officers. Some targeted enforcement activities are carried out by trainee trading standards officers, studying for the Diploma in Consumer Affairs and Trading Standards (DCATS), adequately supervised by qualified staff.

Feed/Food Standards Inspections are carried out in accordance with the Feed Law Enforcement Code of Practice (Great Britain), the Food Law Code of Practice (England), and Operating Procedure 'Enforcement Visits to Businesses'. In addition officers are able to consult detailed guidance notes and aide memoirs for Feed and Food Standards Inspections.

3.2 Animal Feed and Food Complaints

Anticipated resource requirements for handling animal feed and food complaints are based on the complaint/contact numbers received in previous service years, the nature of those complaints/contacts and the level of enforcement response required. The number of food complaints/contacts is anticipated to be 190 and the number of agriculture complaints/contacts is anticipated to be 30.

Project Name	Project Description/Outcomes	Staffing/Other Resources*	
		2013/14	2014/15
Farming Team Complaints	To undertake reactive enforcement in response to complaints from other enforcement agencies, businesses and the general public in relation to animal health and agriculture matters to ensure legal compliance. Analysis will be undertaken to identify further proactive work, identify trends and report on significant outcomes and impacts.	0.70 FTE	
Managing Referrals (disputes and complaints)	To enable the resolution of disputes between consumers and businesses, meeting customer expectation and corporate customer care standards.	1.15 FTE	
Complaints and Referrals	To undertake reactive enforcement in response to complaints from other enforcement agencies, businesses and the general public in relation to animal health, agriculture and food matters to ensure legal compliance. Analysis will be undertaken to identify further proactive work, identify trends and report on significant outcomes and impacts.		0.10 FTE (feed) 0.50 FTE (food)
*Excluding managerial, administrative and legal support			

Animal feed and food complaints are dealt with in accordance with Work Instruction 'Food and Feedingstuffs Complaints'.

In addition to reactive complaints/referrals work, information and advice is made available to consumers. This is achieved through signposting to the Citizens Advice 'Adviceguide' website via our website www.norfolk.gov.uk/tradingstandards.

3.3 Home Authority Principle and Primary Authority Scheme

The Trading Standards Service has adopted the Home Authority Principle, administered by the Trading Standards Institute (TSI).

The Service will provide the following levels of service to Home Authority businesses:

- Place special emphasis on the control of goods and services originating within Norfolk

- Actively promote the benefits of the home authority system to businesses within Norfolk
- Designate a Home Authority Officer to each business, with the relevant competencies or access to the necessary expertise to be able to offer advice, and publish their name
- Respond to requests for advice and guidance from Home Authority businesses
- Facilitate a response to enquiries raised by other authorities
- Maintain records of relevant incidents, business policies and diligence procedures, where known, in Home Authority Files
- Maintain confidentiality in relevant circumstances
- Ensure Home Authority businesses are aware of our procedure for dealing with complaints or disagreements
- Have in place arrangements to notify other authorities of indulgences relevant to “subsequently corrected” errors
- Participate in relevant sector groupings of home authorities
- Support national advice and conciliation procedures, where appropriate

Home Authority businesses will be inspected/visited or otherwise contacted on at least an annual basis:

- As part of the inspection programme for high-risk businesses, or
- As part of the planned series of targeted enforcement activities, or
- As a result of a complaint/referral received, or
- To maintain the Home Authority relationship.

Currently, the Service has a Home or Originating Authority relationship with 119 food businesses and 16 animal feed manufacturers. A summary of these companies along with the relevant contact officer details is provided by the ‘Home Authority List’. The resources required to handle complaints and service requests relating to these Home Authority businesses are included in Sections 3.2 and 3.4.

The Service’s ‘Home/Primary Authority’ work has been reviewed in light of the introduction by the Local Better Regulation Office (LBRO) of the Primary Authority Scheme, which came into force on 6 April 2009. Under the scheme, locally based, national businesses can apply to establish a primary authority relationship with the Service. The Service does not currently have any primary authority relationships.

3.4 Advice to Business

The Trading Standards Service works with businesses to help them to comply with trading standards and to encourage the use of good practice. This is achieved through the provision of proactive information and advice:

- During the course of inspections and other visits; or
- On-line via our website www.norfolk.gov.uk/tradingstandards, which carries links to Business Link, ERWIN (Everything Regulation, Whenever it’s Needed) and the seven District Councils in Norfolk; or
- Via our Twitter account.

and, in response to service requests:

- The provision of leaflets produced by partner organisations, our business briefings or standard letters,
- The provision of bespoke information or advice via the telephone or a letter, or
- Visits to businesses to provide comprehensive advice.

In 2011/12 the Service undertook a full review of all information and advice it provides to consumers and businesses. This was against a remit of, where possible, a channel shift to self service and assisted service for customers; with a greater emphasis on the provision of such information online. This work will continue in 2014/15.

Animal feed and food service requests will be handled by virtue of the following projects. Anticipated resource requirements are based on the service request numbers received in previous service years, the nature of those service requests and the level of enforcement response required.

The number of food service requests is anticipated to be 200 and the number of agriculture service requests is anticipated to be 355.

Project Name	Project Description/Outcomes	Staffing/Other Resources*	
		2013/14	2014/15
Business Advice	To provide information and advice in relation to food in response to requests from businesses.	3.00 FTE	-
Farming Team Service Requests	To provide information and advice in relation to animal health and welfare, and agriculture (animal feed, feed hygiene, pet food, fertilisers) in response to requests from businesses. Analysis will be undertaken to identify further proactive work, identify trends and report on significant outcomes and impacts.	0.20 FTE ⁺	-
Business Advice	To provide enforcement and compliance information and advice in relation to agriculture (animal feed, feed hygiene, pet food, fertilisers) and food in response to requests from businesses. Analysis will be undertaken to identify further proactive work, identify trends and report on significant outcomes and impacts.		0.30 FTE (feed) 2.00 FTE (food)
*Excluding managerial, administrative and legal support			

3.5 Animal Feed and Food Inspection and Sampling

The Trading Standards Service targets its proactive sampling at locally produced animal feed and foods, those products/ingredients from companies that manufacture in, are based in, or import into Norfolk. In line with a letter from the FSA (ENF/E/08/061) the Service is committed to ensuring that at least 10% of all food samples are of foods imported into the European Union.

In addition, animal feed/foods are targeted which are causing current concerns. These are identified through communication with the Food Standards Agency (FSA) and the Department of the Environment, Food and Rural Affairs (Defra); through local, regional and national intelligence held by local authorities; and through consultation with the Public Analyst. The Service's sampling programmes therefore include projects run in conjunction with the Food Standards Agency (FSA), the Trading Standards Institute (TSI) and the East of England Trading Standards Association group of authorities (EETSA).

Listed overleaf are sampling surveys that will be carried out in 2014/2015. This list will be added to as, for example, intelligence identifies other animal feed/food that should be targeted.

All sampling undertaken by officers is in accordance with relevant legislation and all formal animal feed and food samples are taken in accordance with the Feed Law Enforcement Code of Practice (Great Britain) or the Food Law Code of Practice (England) as applicable.

Samples are procured in accordance with the 'Sampling' Operating Procedure and established Work Instructions for both Food and Agriculture sampling.

Samples are analysed and/or examined by the Service's nominated Public/Agriculture Analyst in accordance with the procedures laid down in the Food Safety (Sampling and Qualifications) Regulations 1990, the Food Law Code of Practice (England) and the Feed Law Enforcement Code of Practice (Great Britain). Alternatively some samples are examined/tested in house, if it is appropriate to do so.

The Public/Agriculture Analysts appointed by the Authority are employed by Public Analyst Scientific Services Ltd (PASS).

Project Name	Project Description/Outcomes	Staffing/Other Resources*	
		2013/14	2014/15
Agricultural Sampling	To undertake animal feed and fertiliser sampling to ensure compliance in relation to composition, safety, hygiene and labelling.	0.80 FTE £17,000 Purchase and analysis costs	0.80 FTE £16,500 Purchase and analysis costs
<p>Surveys under the sampling project will include:</p> <ul style="list-style-type: none"> • Feed materials which are the subject of a complaint to the Service • Imported feeds/ingredients that have been the subject of feed hazard notifications • Imported feed materials for the presence of salmonella • Imported feed materials for the presence of melamine • Feed additives and trace elements for the presence of dioxins and heavy metals • Finished feed for the presence of carryover veterinary medicines • Dog food claims 			
Food Safety, Healthier Locally Produced Food and Food for Health Programme	Targeting food sampling at areas identified as causing the most harm to consumers in terms of food safety, quality or nutritional standards	1.50 FTE £42,000 Purchase and analysis costs	1.50 FTE £38,000 Purchase and analysis costs
<p>Surveys under the sampling project will include:</p> <ul style="list-style-type: none"> • Sampling during the investigation of complaints • Sampling during the investigation of food fraud • Locally produced foods • Foods imported from outside the EU as identified by Food Standards Agency priorities • Allergens: takeaway meals • Food adulteration and misdescription: chicken products and preparations • Nutrition and health claims: unauthorised health claims by online traders • Meat species 			
*Excluding managerial, administrative and legal support			

3.6 Control and Investigation of Outbreaks and Food Related Infectious Disease

Food poisoning notifications do not usually fall within the remit of the Trading Standards Service. If, however, the Service became aware of any incident of food poisoning or infectious disease, the facts would be reported to the appropriate authority in accordance with Work Instructions 'Food and Feedingstuffs Complaints' and 'Food Hazards'.

3.7 Animal Feed/Food Safety Incidents

On receipt of any animal feed or food alert, the Trading Standards Service will respond as directed and as appropriate and in accordance with the Feed Law Enforcement Code of Practice (Great Britain), the Food Law Code of Practice (England), and Work Instruction 'Food Hazards'.

The Food Standards Agency issues a "Product Withdrawal Information Notice" or a "Product Recall Information Notice" to let local authorities and consumers know about problems associated with the food. In some cases a "Food Alert for Action" is issued which requires intervention action by enforcement authorities. 60 food alerts were issued by the FSA in 2013 (January to December), 15 of which were for action by Local Authorities. As the alerts for action relate to both Trading Standards and Environmental Health matters the Service responded to 11 'for action' alerts that fell within its enforcement remit. The FSA also issued 73 allergy alerts. The FSA also requires action through the issue of letters to enforcement authorities (ENF letters). These alerts and letters from the FSA resulted in the Service undertaking activity relating to undeclared meat species in meat products (including horsemeat), counterfeit chocolate, potentially lethal chemicals in sports supplements and cocaine in imported soft drinks.

During 2013, as a result of sampling activity, the Service raised 6 food incidents with the FSA. These included a food product containing high levels of cadmium, a food product with an undeclared allergenic ingredient (sulphur dioxide), a food supplement with high levels of lead and arsenic and a product claiming to be sulphur dioxide free when it contained sulphur dioxide.

Feed alerts are far less frequent than food alerts. During 2013 (January to December) the Service raised 3 feed incidents with the FSA in relation to salmonella in feed materials, following notifications by the feed businesses themselves.

It is estimated that, for the coming service year, 0.10 FTE will be required for feed/food safety incident work.

In cases where the Service receives reports of chemical contamination of food and there is a subsequent threat to human health, it will liaise with the appropriate district council environmental health department, with a view to taking over responsibility for the case, or for undertaking a joint investigation, as the situation demands.

3.8 Liaison with Other Organisations

The Trading Standards Service works with a wide range of organisations, to varying degrees of formality, in carrying out its animal feed and food law enforcement function. These include the Food Standards Agency (FSA), the Department of Health (DH), the Department of Environment, Farming and Rural Affairs (DEFRA), Animal Medicines Inspectorate (AMI), the other ten local authority Trading Standards Services in the East of England (EETSA) and District Council Environmental Health Departments.

The Service maintains a strong commitment to the regional work of EETSA and officers from Norfolk chair both the EETSA Food Group and the EETSA Agriculture Group. Via quarterly meetings and a regional intranet, the Service aims to ensure that local food and feed enforcement activity is consistent with neighbouring authorities. The Service participates in the national Food Focus Group facilitated by ACTSO.

The Service also ensures co-ordination with Environmental Health Departments, the Meat Hygiene Service and the Health Protection Agency through the Norfolk Food Liaison Group (NFLG) set up to co-ordinate activities as per the Food Law Code of Practice (England).

The estimated staffing resource to be allocated to liaison work during the year is 0.30 FTE.

3.9 Animal Feed and Food Safety and Standards Promotion

Animal feed and food safety and standards promotional work for the year is linked to the results of our sampling and other enforcement projects, to any relevant prosecutions, and to information provided by our enforcement partners, primarily the Food Standards Agency (FSA). Promotional work consists of postings on our website www.norfolk.gov.uk/tradingstandards; including scam alerts, postings via our Twitter feeds and Facebook pages and regular press releases, locally, regionally and nationally.

Promotional work in 2014/15 will be provided by operational support officers and therefore no operational resource is identified for provision.

Project Name	Project Description/Outcomes	Staffing/Other Resources*	
		2013/14	2014/15
Business Engagement Programme	To increase awareness of business rights and obligations through the design and implementation of an effective business engagement programme. To develop and improve links with organisations that support businesses within Norfolk to increase access to business advice and information services and achieve efficiency savings by partnership delivery.	0.05 FTE ⁺	-
Consumer Engagement Programme	To raise awareness of consumer rights and routes to provide support and assistance through the continued development and innovation of our consumer engagement programme.	0.05 FTE ⁺	-
*Excluding managerial, administrative and legal support *Provision in relation to food and agriculture only			

Section Four: Resources

4.1 Financial Allocation

The gross budget for the Trading Standards Service for 2014/2015 is £2,575,180. The net budget is £2,175,100. A breakdown of the Trading Standards budget is shown below:

	2013/14 Projected Outturn (tbc)	2014/15 Estimate
Staffing	Total: £2,129,950 Food & Feed: £413,678 (based on 10.55 FTE)	Food & Feed: £294,820 (based on 7.35 FTE)
Sampling budget (Food & agriculture purchase and analysis)	£59,000	£54,500
Subsistence/car allowances and travelling	Total: £60,800 Food & Feed: £11,809 (based on 10.55 FTE)	Total: £58,500 Food & Feed: £8,125 (based on 7.35 FTE)
<p>Note: In 2013/14 it is anticipated that the Service will receive Food Standards Agency grants totalling £32,193 for:</p> <ul style="list-style-type: none"> • Feed hygiene inspections = £9,835 • Feed sampling = £14,383 • Food sampling for meat species, irradiated foods and allergens = £7,975 <p>At the time of drafting this plan the Service is planning to apply for FSA grant funding for feed hygiene inspections, and food and feed sampling to supplement the 2014/15 sampling budget.</p>		

The relative amounts allocated to food and feed law enforcement are based on the staff allocation breakdown given in Section 4.2.

The Food Standards Agency framework agreements and codes of practice require the Service to inspect all its food business operators over a 5 year cycle. In addition to the inspection of all high risk businesses and other interventions detailed in this plan, the expectation is that all medium risk businesses will be inspected every 2 years and all low risk businesses every 5 years.

The Service has determined that, if it were to conduct the routine inspection programme detailed above, the following resource would have to be redeployed from other enforcement activities, such as fair trading, animal health & welfare or product safety work:

Food Business Inspections:	• Medium risk	4.80 FTE
	• Low risk	0.80 FTE

However, mindful of the recommendations of the Hampton and Macdonald Reviews which state the Service should only carry out inspections of businesses where there is a clearly identified risk presented by that business, the Service will, as in previous years, conduct intelligence-led inspections or other interventions within those business sectors or at those food business operators presenting the highest risk to the food chain and consumers/other legitimate businesses. A flexible approach to resourcing enables us to respond appropriately to incidents and our local approach to risk assessment and effective targeting of resources, rather than the conduct of a routine inspection programme, will provide the necessary protection to the County's food chain.

The Service continues to invest in modern ICT systems and provides its annual Local Authority Enforcement Monitoring System (LAEMS) return via a direct download to the FSA. Access to the Internet, to the APP Civica database and to other information systems is seen as a vital resource for operational staff. Currently the Service is implementing the use of the FSS UK iNet database for recording, managing and submitting food and feed sampling data.

All food and feed law enforcement officers have been issued with mobile telephones and digital cameras. All officers have been issued with laptop computers. The Service does not have an individual budget for ICT as such matters have now been transferred to Corporate Funding.

No fixed amount is set aside for legal costs with specific regard to food and feed law. However a general legal cost header is allocated to the budget, the forecast amount for 2014/2015 being £34,000.

4.2 Staffing Allocation

The current staffing allocation to food and feed enforcement has been calculated on the basis of the projects/activities described in Section 3 above and is summarised below:

Plan Section	Project/Activity	FTE			
		2013/14 Feed	2013/14 Food	2014/15 Feed	2014/15 Food
3.1	Inspection of high-risk agriculture businesses	0.20			
3.1	Inspection of high-risk businesses (non-farming)		2.00		
3.1	Feed hygiene	0.20			
3.1	Food hygiene at primary production		0.20		
3.1	Feed Hygiene & Standards Inspection Programme			0.25	
3.1	Inspection of high-risk food businesses				1.50
3.2	Farming Team complaints	0.70			
3.2	Managing referrals (disputes and complaints)		1.15		
3.2	Complaints and Referrals			0.10	0.50
3.4	Business advice		3.00	0.30	2.00
3.4	Farming Team service requests	0.20			
3.5	Agricultural sampling	0.80		0.80	
3.5	Food safety, healthier locally produced food and food for health programme		1.50		1.50
3.7	Food/feed alerts		0.10		0.10
3.8	Liaison	0.15	0.15	0.15	0.15
3.9	Business and consumer engagement programmes	0.05	0.05		
	Food & Feed Code of Practice improvement plan/compliance	0.05	0.05		
	Subtotal:	2.35	8.20	1.60	5.75
	Total:	10.55		7.35	

4.3 Staff Development Plan

The Service focuses on the needs of both specialist feed and food law enforcement officers and other staff in terms of their training and continuous professional development (CPD).

The current training arrangements are reflected in the Learning and Development Framework and Plan. The Service has invested in supporting a number of members of staff to study for the Diploma in Consumer Affairs and Trading Standards (DCATS).

Section Five: Quality Assessment

5.1 Quality Assessment and Internal Monitoring

The following arrangements will be used to assess the quality of the Authority's service:

- All procedures and work instructions relating to feed and food law enforcement are subject to established in-house quality improvements and auditing procedures which apply to the whole of the Trading Standards Service
- Evaluation surveys sent out to a sample of businesses following an inspection or request for advice
- Review of a random number of inspections, service requests and complaints by team manager
- Programme of peer review at inspection for feed/food officers. Areas of good practice and improvement are anonymised, collated and fed back to officers as a group
- Feedback at 1-2-1 meetings, mid year review and appraisal on individual performance
- Feedback at monthly team meetings

Section Six: Review

6.1 Review Against the Service Plan

The Service uses a performance measurement toolkit and database (PRISM) to report and review the following on a monthly basis:

- Project managers tasked with ensuring delivery of identified projects/activities enter a report which is viewed and given a progress status by a team manager
- The Service collates and reports against targets on identified Service outcome measures
- The Service also collates a report on the impact it has had on its stated Service Actions which include:
 - Ensure the standards, quality and safety of the food chain, including animal feeds and agricultural fertilisers

At bi-monthly intervals the Public Protection Management Team holds an Impact Performance Review meeting. The meeting includes recognition of any variance from target, the reasons for variance and any appropriate measures to be put in place to address such variance.

Information on specified performance targets and targeted outcomes is set out in Section 4 of the Trading Standards Service Plan 2014-2015.

6.2 Identification of any Variation from the Service Plan

As outlined in 6.1 above the Service, on an ongoing basis, monitors its performance using the performance measurement toolkit and takes action to address variance from target throughout the year.

6.3 Areas of Improvement

The Service is committed to addressing areas of improvement highlighted by the ongoing quality assessment and internal monitoring as outlined in 5.1 above and the monthly reporting as outlined in 6.1 above.



Norfolk County Council

Environment, Transport & Development

Trading Standards Service

Enforcement of Age Restricted Sales Plan 2014-15

Minor Sales – Major Consequences

A strategy to deter the sale of age restricted products to minors in Norfolk, with the intention of improving community safety and public health.



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1. Context

- 1.1 The Children and Young Person's (Protection from Tobacco) Act 1991 requires a Local Authority to review its enforcement activity relating to the supply of cigarettes and tobacco to persons under the age of 18 on an annual basis. There are similar duties arising from the Licensing Act (alcohol) and the Clean Neighbourhoods and Environment Act (Aerosols). This Plan fulfils these obligations, as part of the overall work by Public Protection to improve community safety and public health.

2. Background

- 2.1 Public Protection activities focus on both national and local priorities; improving community safety and health by tackling illicit/age restricted products is a key priority for the Trading Standards Service. The Service recognises that effective enforcement of legislation to prevent the sale of age restricted goods requires a multi-agency approach and seeks to work in partnership with a range of agencies and stakeholders to ensure accurate identification of priority and high-risk areas, share best practice and engage in collaborative work (e.g. joint operations and licence reviews).
- 2.2 Operations and activities are delivered across the whole of the County. Teams work within agreed procedures and protocols, including those that cover the sharing of information and the recruitment of young persons for test purchase programmes.

Examples of enforcement activity in this area include:

- Project based inspections
 - The investigation of complaints
 - The provision of advice, information and support for businesses
 - An intelligence led 'test purchasing' programme
 - Enforcement activity
 - Publicity and promotional activities
 - Multi-agency and partnership working
 - Working with community groups and other voluntary agencies/organisations.
- 2.3 A range of legislation supports this work, setting out controls for the following products:
- Alcohol
 - Cigarettes and tobacco products
 - Fireworks
 - Video, DVD, blu-ray & gaming products
 - Aerosols, petroleum spirit and other intoxicating substances (butane/solvents)
 - Lottery and scratch cards
 - Explicit printed sexual material
 - Knives and blades

Alcohol and tobacco continue to be the main focus of our enforcement activity.

3. Alcohol

- 3.1** Alcohol-related crime and disorder by young people is currently estimated to cost society £1 billion per year. According to a schools survey, whilst the proportion of pupils who have never had an alcoholic drink has increased gradually in recent years, pupils who are drinking, are consuming a large amount. In 2012, the average (mean) alcohol consumption by pupils who had drunk in the last week was 12.9 units. Mean consumption levels have varied between 10.4 units and 14.6 units since 2007, with no clear trend.
- 3.2** In January 2010 new powers to tackle underage drinking were introduced through the Policing and Crime Act. The Act changed the definition of persistently selling alcohol to under 18s from three sales within three months to two sales in the same period. All premises found to be selling alcohol to under age persons are now to be retested before the end of 3 months following the date of the first sale. In addition, since 2005 the Trading Standards Service has been a Responsible Authority in licensing matters.
- 3.3** During 2013/2014 a premises licence review was applied for by the Trading Standards Service on behalf of Norfolk County Council. The Licensing sub-committee originally imposed a 3-month suspension of the alcohol licence for an off licence owner who had repeatedly sold alcohol to underage children, including a 13 year-old girl, as well selling counterfeit alcohol. The owner of the off licence appealed and so the matter went before the Magistrates. The original decision was not only upheld but the Magistrates decided to go further due to the gravity of the situation and revoke the licence permanently. Trading Standards continues to work closely with the other Responsible Authorities, in particular Norfolk Constabulary Licensing and Regulation Unit in order to ensure the licensing objectives are upheld in Norfolk.
- 3.4** During 2013/2014 Trading Standards visited a total of 132 premises as part of its activity in this area. The Service conducted a number of advisory visits and 112 test purchasing operations, resulting in 18 illegal sales of to young volunteers (17 of which were for alcohol). Test purchase sales were made at premises where intelligence suggested there was a likelihood of illegal sales of alcohol, including those where there was an increased incidence of anti-social behaviour linked to alcohol consumption. Further visits are planned as part of joint work with the Police during 2014/2015.
- 3.5** In April 2012 a Community Alcohol Partnership (CAP) was launched in Great Yarmouth. CAPs take a multi agency/organisation approach to reducing underage access to alcohol; and so include partners such as the Police, youth services, The Matthew project and schools. Retailers are also key partners and have been actively involved in setting up the CAP in Great Yarmouth. Current information and data shows that the prevalence of underage and street drinking within the Great Yarmouth CAP area has dramatically decreased. We have not received intelligence of shops selling alcohol to underage people in the whole of the 2013/2014 service year. Street drinking has apparently dropped by over 50% and underage alcohol users are now attending support sessions with local agencies. Work will still continue during 2014/2015 to ensure that this trend continues on this path. In addition, proposals are now in place to extend the CAP emphasis to include other issues. For example, the same partnership

will now look at tobacco control in Great Yarmouth, with a particular focus around illicit tobacco and young people.

- 3.6** We continue to support the development of joint strategies for Alcohol Harm Reduction with partners. This includes additional support for the **night time economy** via local initiatives. The Service is has worked with 'Best Bar None' and "reducing the strength" and similar schemes regarding underage sales and wider Trading Standards requirements/opportunities for joint working. However the 'Purple Flag/VISAGE' initiative is now under review; the Operational Partnership Team is consulting with local agencies with the hope that this can continue in some form.

4. Tobacco Control

- 4.1** Smoking is the biggest preventable cause of death globally killing half of all smokers prematurely and smoking remains the biggest cause of preventable death in Norfolk. The NHS spends more than £2.7 billion a year on treating smoking-related illness. More than 80% of smokers take up the habit by the age of 18 and studies have shown that smoking just one cigarette in early childhood doubles the chance of a teenager becoming a regular smoker by the age of 17.
- 4.2** Trading Standards Services have the power to advise business and enforce legislation in respect of age-restricted goods and illicit tobacco and therefore has a vitally important role to play in supporting health improvement by reducing access to these products. We recognise that the most effective way of doing this is by working in partnership with a range of agencies and stakeholders, including the tobacco industry. Our approach in doing so relies on an intelligence led approach to our work, such that we take appropriate action against a range of illicit/counterfeit products, and in ensuring that we always limit our engagement with industry for the purposes of enforcement of the relevant legislation.
- 4.3** The Service has a piece of equipment which can identify counterfeit packets of cigarettes by looking for invisible anti-counterfeit security markings carried on genuine products. Illicit tobacco represents a rapidly developing area of concern; not only in terms of the associated (additional) health risks but also in the potential for extending illegal sales of tobacco products to under 18's. In addition to counterfeit tobacco, there is an increasing amount of illegally imported tobacco which bears foreign labelling. Not only is this tobacco being sold without UK duty being paid, but the health risks labelled on the packaging cannot be communicated to buyers. This tobacco is being sold by unscrupulous businesses from under the counter in most cases. It follows suit that this makes it more accessible to young people as it is affordable (£2.50 for a pouch of hand rolling tobacco as opposed to £15). A number of investigations have been undertaken this year with both counterfeit and foreign labelled tobacco as well as sales to minors.
- 4.4** As stated in 3.4, the Great Yarmouth Community Alcohol Partnership will be extended to look at tobacco issues. Smoking in young people is highly prevalent within the CAP area. One school reports 100% of attendees being regular smokers. Charities such as The Matthew Project and the NHS are keen on dealing with the health matters associated with young people smoking and the enforcement agencies for illicit tobacco, under age sales and litter.

5. Other areas of focus for 2013/2014

5.1 Alcohol and Tobacco sales to under 18's remained a priority area because of the problems identified at both local and national level. However compliance visits included advice and inspection in relation to cigarettes, solvents, knives, fireworks, DVDs and spray paints. In relation to fireworks, Trading Standards worked alongside the Fire and Rescue Service and Norfolk Constabulary to help make sure everyone enjoyed Halloween and Guy Fawkes celebrations safely. As part of a targeted campaign, officers advised businesses on their legal obligations. Underage sales test purchase operations were also planned should intelligence be received of sales to minors. However, this year, no reports of sales to minors were received during this period. The Service has previously taken part in a regional project targeting the sale of knives at self service tills to persons under the age of 18. Six test purchases were attempted however no sales were authorised to our volunteer.

5.2 'Legal Highs'

An increasing number of pills and potions designed to mimic illegal drugs like cocaine, cannabis and ecstasy are being sold openly on the high street. Known as 'Legal Highs', those selling them believe that they are not breaking the law as the contents are not currently controlled under the Misuse of Drugs Act. Many are selling the products labelled "not for human consumption" or with instructions to use them as bath salts and plant feeders in the belief that this will also exempt the products from legislation governing the sale of medicines. As a result customers are often given bizarre instructions or in some cases no information at all. Police powers to deal with these are difficult as legislation falls behind the development of new drugs.

Legal highs are small packages of incense (tobacco like), powder and pills with various names such as fairy dust, herbal high or poke. They are usually available in specialist shops and normally retail for between £10 - £38. Some have potential side effects and with no equivalent medical trials/ testing carried out, the long term effects of these products are unknown.

There have been numerous reports of incidents where the users of these products suffer ill effects, fatally in one known instance and with some users as young as 13 years of age.

Trading Standards have general powers under product safety legislation to ensure that consumers are protected from risk and harm. Due to the clear health implications of people using these drugs, Trading Standards Officers from Norfolk have been issuing "Requirement to Mark" notices to a number of local businesses for failing to provide consumers with the relevant information to assess any risk associated with the use of these products. In most cases, where found, all stock was removed from sale, and notices remained in place until the full marking requirements are met. However, in two cases we found that the premises had not changed the labelling as required by the notice. As a result the products were seized and the defendants later interviewed. In May 2013 both traders pleaded guilty to consumer protection offences and were ordered to forfeit all the items seized, imposing a Conditional Discharge for 12 months on each of them.

The approach adopted in Norfolk has since been recognised as best practice and incorporated as part of wider national guidance introduced by the Home Office.

6. Looking ahead to 2014/15

6.1 Enforcement Activity (including test purchasing programmes)

- 6.1.1 One element of an effective enforcement strategy is to carry out a test purchase programme, targeted at known problem premises evidenced by intelligence. Although necessary cost reduction measures have meant that statutory work as well as non-statutory measures will no longer be able to be provided to the same degree, our test purchasing programme for 2014/2015 will focus on the most problematic areas of alcohol, tobacco and fireworks, responding to ongoing intelligence in these areas (if subsequent intelligence directs our activity to other products then work will be targeted accordingly).
- 6.1.2 The test purchasing of alcohol at 'off licence' premises will continue to be led and undertaken by the Trading Standards Service as part of our joint working arrangements with Norfolk Police. We will also continue to provide officers and utilise Trading Standards young volunteers to support Norfolk Police in relation to their lead role for 'on licence' premises.
- 6.1.3 Norfolk Trading Standards will continue to work with the Police and other agencies in support of local initiatives to reduce knife crime. Analysis of crime data does not highlight Norfolk as having a particularly high level of knife related crime, and Trading Standards have received no complaints relating to illegal sales of knives to under 18's in the past 12 months. However national intelligence continues to identify knife crime as a serious concern and one which the government is keen to see effectively tackled. Trading Standards has a role to play in preventing the sale of knives to young people under the age of 18 and so will on an intelligence-led basis conduct test purchase operations and provide advice and education to businesses. Where necessary, formal action including prosecutions will be taken, in accordance with our enforcement policy.
- 6.1.4 The recruitment, selection and utilisation of young persons for test purchasing will only be in accordance with the protocols, systematic procedures and risk assessments adopted and developed in line with the Home Office and other guidelines. These protocols and procedures are maintained in the Service's Management System and are thus subject to rigorous internal audit. All Officers involved in the test purchase programme have been subject to police vetting procedures.

6.2 Tackling Anti-social Behaviour

- 6.2.1 The link between anti-social behaviour and the consumption of alcohol or solvent abuse is established. This strategy is designed to prevent the upstream supply of a number of restricted products to underage persons and thus reduce the level of anti-social behaviour associated with the use of these products.

6.2.2 This plan will contribute to community objectives and those arising from Government strategy for community safety and public health. Alcohol and associated Anti-social Behaviour will continue to be a particular focus in this.

6.3 Proof of Age Schemes

6.3.1 The Trading Standards Service does not promote any specific proof of age scheme but supports those schemes that conform to the PASS Scheme criteria. The large supermarket chains have adopted the “Challenge 25” policy in relation to all age restricted products. It is Trading Standards’ intention for 2014/15 to further encourage all premises involved in the sale of alcohol to become engaged with “Challenge 25”; our ‘Minor Sales Major Consequences’ pack includes a section on adopting a Challenge 25 policy.

6.3.2 The Trading Standards Service will also encourage and promote the use of a ‘Refusals Log’ by traders to provide evidence that proof of age is being sought and sales refused in appropriate circumstances.

6.4 Additional Activity in the area of Tobacco Control

6.4.1 The Government’s Tobacco Control Strategy is key to the Trading Standards Service’s response in enforcing legislation in relation to both the supply of illicit tobacco and underage sales. During 2014/2015 it will remain a priority to gather and then act upon any intelligence received. We will continue to utilise and act on intelligence provided from our partners in the Police, HMRC, and members of Norfolk Smoke Free Alliance. Norfolk Trading Standards are active members of the Norfolk Tobacco Alliance and will be striving to help achieve CLear (Challenge, Leadership and Results) status in tobacco control for Local Government specifically for Norfolk County Council.

6.4.2 Legislation governing tobacco display partly came into force on 6th April 2012 for large shops (exceeding 280 square metres). All other shops are affected from 6th April 2015. In large shops it is a requirement for all tobacco products to be stored out of public sight except in limited circumstances; it is also illegal to show as well as to sell tobacco products to a customer under the age of 18 who asks to see or buy tobacco. Price lists and labels for tobacco products must only be displayed in specific formats laid down in the regulations. Trading Standards inspection visits will continue into 2014/2015 where reports are received regarding premises not abiding by the law.

6.4.3 There is the potential for plain packaging rules to be brought into force over the next few service years. Work will therefore be carried out initially on advice to businesses and targeted inspections where reports suggest illegal packaging being sold.

6.5 Education Programmes

6.5.1 Businesses

The Minor Sales: Major Consequences Information Pack will continue to be

distributed on request and, where appropriate, when an inspection visit to a business is undertaken.

Norfolk Trading Standards is looking to train more staff in order to deliver the Trading Standards Institute “Do You Pass” module of the Fair Trading Award. This is a nationally delivered training for retailers regarding under age sales activity.

Publicity will also be used to raise trader awareness about specific issues and this will include the reporting of enforcement action outcomes.

6.5.2 Young Persons

The Trading Standards Service Underage Sales Education Pack has previously been distributed to schools and we will be reviewing our work with schools as part of improved targeting of our consumer education programme. The Alcohol Education Trust has a large amount of materials that are being used within the schools in the CAP area in Great Yarmouth. The Service will continue to support this work.

In addition all volunteers who participate in test purchasing programmes will receive a training package primarily designed to equip them with the knowledge and skill to undertake the task. The pack will be developed this year as part of improvements to the way we support our young volunteers.

6.6 Publicity and media campaigns

- 6.6.1 The Trading Standards Service will produce a number of articles to raise awareness through the press, radio and television. A Facebook advertisement was commissioned in 2012 with Crimestoppers, which has increased the provision of reports from the public and Crimestoppers which is helping us target enforcement. Due to the success of this advertisement similar advertisements will be commissioned in 2014. Crimestoppers will also be utilised for a media campaign around proxy buying of alcohol. As stated in 3.4, reports of underage sales in Great Yarmouth CAP area have significantly decreased. However, young people are still accessing alcohol. The likely supply chain is from adults purchasing on behalf of young people. A media campaign will therefore be arranged with Crimestoppers but this will target the whole of Norfolk as similar trends are emerging elsewhere.
- 6.6.2 Where appropriate, enforcement action will be reported through local media outlets.
- 6.6.3 Social Media such as Facebook and Twitter will be utilised to report on underage sales test purchasing operations including the outcomes in relation to positive or negative sales.
- 6.6.4 Multi-agency work will be actively promoted and reported, including regional or national coverage where relevant.
- 6.6.5 Support and publicity will be sought for new initiatives launched during 2014/15. Where possible local members or community representatives will be requested to

support or attend relevant activities.

6.7 Community Involvement

- 6.7.1 Where possible, the Trading Standards Service will participate in or support community based projects that develop resources to assist in reducing underage drinking, including where there are links with the supply coming from an adult. As part of a wider review of its work the Service has strengthened its response to locality issues, working with key partners to ensure that local needs are addressed. We will work with local communities to understand if this might be one solution to issues of anti-social behaviour associated with underage drinking.
- 6.7.2 The Trading Standards Service will continue to promote underage sales work through presentations at community group meetings and diversify its activity according to requirements emerging from the Localism agenda.
- 6.7.3 Where resources allow, the Service will undertake to tackle specific problems identified by a community group regarding underage sales. A community group will need to provide sufficient evidence of a credible nature in support of the request before the Service will undertake any activity.
- 6.7.4 The Service may also look to participate in other local projects if relevant to underage sales activities.