

Infrastructure and Development Select Committee

Date: 13 November 2019
Time: 10am
Venue: Edwards Room, County Hall, Norwich

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

Membership:

Cllr Barry Stone (Chairman)
Cllr Graham Middleton (Vice-Chairman)

Cllr Stuart Clancy
Cllr Jess Barnard
Cllr Claire Bowes
Cllr Tim East
Cllr Brian Iles
Cllr Mark Kiddle-Morris

Cllr Beverley Spratt
Cllr Vic Thomson
Cllr Colleen Walker (Spokes)
Cllr Brian Watkins (Spokes)
Cllr Tony White

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

Julie Mortimer on 01603 223053
or email committees@norfolk.gov.uk

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A g e n d a

1 To receive apologies and details of any substitute members attending

2 Minutes

Page 5

To confirm the minutes of the meeting held on 11 September 2019.

3 Members to Declare any Interests

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

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

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

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

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

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

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

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

5 Public Question Time

Fifteen minutes for questions from members of the public of which due notice has been given. Please note that all questions must be received by the Committee Team (committees@norfolk.gov.uk) by **5pm Friday 8 November 2019**. For guidance on submitting a public question, view the Constitution at www.norfolk.gov.uk/what-we-do-and-how-we-

[work/councillors-meetingsdecisions-and-elections/committees-agendas-and-recent-decisions/ask-aquestion-to-a-committee](#)

6 Local Member Issues/Questions

Fifteen minutes for local member to raise issues of concern of which due notice has been given. Please note that all questions must be received by the Committee Team (committees@norfolk.gov.uk) by **5pm on Friday 8 November 2019**.

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|-----------|---|-----------------|
| 7 | Transport Asset Management Plan 2020/21 – 2024/25
Report by the Executive Director of Community and Environmental Services | Page 13 |
| 8 | Norfolk Strategic Infrastructure Delivery Plan (NSIDP)- refreshed for 2019
Report by the Executive Director of Community and Environmental Services | Page 43 |
| 9 | Adult Education Strategy
Report by the Executive Director of Community and Environmental Services | Page 123 |
| 10 | CES Enforcement Policy
Report by the Executive Director of Community and Environmental Services | Page 137 |
| 11 | Environmental Policy for Norfolk County Council
Report by the Executive Director of Community and Environmental Services | Page 205 |
| 12 | Forward Work Programme
Report by the Executive Director of Community and Environmental Services | Page 219 |

Group Meetings:

Conservative	9:00am	Conservative Group Room, Ground Floor
Labour	9:00am	Labour Group Room, Ground Floor
Liberal Democrats	9:00am	Liberal Democrats Group Room, Ground Floor

Chris Walton
Head of Democratic Services
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Date Agenda Published: 5 November 2019



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Infrastructure and Development Select Committee

Minutes of the Meeting Held on Wednesday 11 September 2019
10am, Edwards Room, County Hall, Norwich

Present:

Cllr Barry Stone – Chairman

Cllr Jess Barnard

Cllr Claire Bowes

Cllr Tim East

Cllr Simon Eyre

Cllr Brian Iles

Cllr Mark Kiddle-Morris

Cllr Graham Middleton

Cllr Beverley Spratt

Cllr Colleen Walker

Cllr Brian Watkins

Cllr Tony White

Cllr Margaret Dewsbury

Cllr Andrew Jamieson

Cllr Martin Wilby

Cabinet Member for Communities and Partnerships

Cabinet Member for Finance

Cabinet Member for Highways and Infrastructure

Officers Present:

Tom McCabe

Dominic Allen

James Belcher

Grahame Bygrave

David Cumming

Joel Hull

Sarah Rhoden

Stuart Ruff

Executive Director, Community and Environmental
Services, CES

Sustainability Manager

Assistant Chief Fire Officer, Norfolk Fire and Rescue
Service

Assistant Director – Highways and Waste

Strategic Transport Team Manager

Head of Waste

Head of Support and Development, CES

Chief Fire Officer, Norfolk Fire and Rescue Service

Also Present:

Representatives from the Kings Lynn to Hunstanton
Railway Campaign.

1. Apologies and substitutions

- 1.1 Apologies were received from Cllr Vic Thomson and Cllr Stuart Clancy, substituted by Cllr Simon Eyre.

2. To agree the minutes of the meeting held on 17 July 2019

- 2.1 The minutes of the meeting held on 17 July 2019 were agreed and signed by the Chairman.

3. Declarations of Interest

- 3.1 There were no declarations of interest declared.

4. Items of Urgent Business

- 4.1 There were no items of urgent business.

5. Public Question Time

- 5.1 There was one public question submitted which is attached at Appendix A.

6. Local Member Issues / Questions

- 6.1 There were two member questions submitted which are attached at Appendix A.
- 6.2 Cllr Bev Spratt added to his question that the Mildenhall roundabout was one of the main gateways to Norfolk and was continually congested. He wanted to see as many tourists visit this part of the Country as possible but situations like this were not helpful. He suggested that a working party was set up to see Highways England to inform them what we would like to see happen.
- 6.3 The Executive Director explained that he met with the Regional Director of Highways England 3 or 4 times per year, and they had also met Norfolk Members of Parliament who had expressed their discontentment. The Mildenhall and the Thetford roundabouts both needed moving into the next stage of improvement.
- 6.4 Members commented that the Local Transport Plan task and finish group which had already been created could look into this alongside the appropriate Cabinet member and Executive Director and report back to the Select Committee.
- 6.5 The Cabinet Member for Highways and Infrastructure agreed with the above comment but emphasised that infrastructure was key and it was essential that the County pushed for more infrastructure.
- 6.6 It was agreed that the task and finish group tasked with looking at the Local Transport Plan would include this in their remit.

Following agreement of the Committee, the agenda was taken in the following order.

7. Railway Campaign

- 7.1 The Select Committee received the presentation from the King's Lynn - Hunstanton Railway Campaign which made the case for reconnecting Hunstanton to King's Lynn via a new rail line, utilising the previous alignment where appropriate. The presentation is attached at Appendix B.
- 7.2 Some Members, although supportive of the initiatives proposed, suggested that the proposals should have been taken to the Norfolk Rail Group first, as other heritage railways have done. It was also asked at what status the application was at over the other railways as they had asked for their proposals to be included in the transport plan. Officers explained that they were aware of other proposals from other railways but nothing had been heard recently. As the report suggested there was a sum of money available for the feasibility study, and members might like to consider whether other lines are considered as well.
- 7.3 Members commented that the revival of such schemes were long overdue and it was particularly significant considering the economic link to Cambridge. It would also enable young people to access more public transport. It was hoped that this could extend to the revival of other routes.
- 7.4 Cllr Middleton proposed an amendment recommendation 2 of the report as follows;
- To replace;
- Note that officers will be commissioning technical work to assess the likely viability of reopening the railway*
- With;
- Endorsed Officers to commission technical work to assess the likely viability of reopening the railway and to report back to this Committee for recommendations and comment.*
- 7.5 With 7 votes for, and 4 abstentions, the amendment was **CARRIED**.
- 7.6 The Committee;
- **RECEIVED** the presentation from the King's Lynn – Hunstanton Railway Campaign.
 - **ENDORSED** Officers to commission technical work to assess the likely viability of reopening the railway and to report back to this Committee for recommendations and comment.
8. **Norfolk Fire and Rescue Service Integrated Risk Management Plan**
- 8.1 The Select Committee received the annexed report (8) which set out the draft Integrated Risk Management Plan for 2020-23 and the five areas of development and change to form the basis of a public consultation.
- 8.2 Officers confirmed that as per the graph on page 55 of the report, the majority of fire injuries resulted from fires in properties where people lived alone.

- 8.3 Members were concerned that there was no mention of a push for legislation to make sprinklers mandatory. Officers explained that the National Fire Chiefs Council, which includes Norfolk's Chief Fire Officer, continued to lobby Government on this matter.
- 8.4 Members were reassured to see there were no proposals relating to reducing fire stations, reducing vehicle fleet or reducing crewing levels on vehicles. The Chief Fire Officer explained that Norfolk undertook an evidence-based approach to the changes, if any, that were needed. This was the right response for the activity of Norfolk but that it was not to say that Norfolk Fire and Rescue Services were not open to change established through evidence and opportunity to improve services to the communities of Norfolk.
- 8.5 Members commented that since there had been cross party unanimous opposition to the Fire and Rescue takeover from the Police and Crime Commissioner, this could be referenced in the report. The Cabinet Member for Communities and Partnerships added that collaboration had progressed significantly, and the PCC had given no indication of an intent to submit his business case for change.
- 8.6 The Executive Director added that Cabinet had recently approved additional resources to implement requirements identified by the Integrated Risk and Management Plan, as per section 6 of the report on page 17. This was further investment to help address the risks within the community. The Service did not want a 'requires improvement' rating in the future so this would put it in as best place as possible to improve.
- 8.7 The Chief Fire Officer explained that wildfires and such other events would continue to occur, but the Service would follow evidence to put them in a good position to continue to provide the best possible service for the County. The introduction of 4x4 vehicles placed the service in a better position to better tackle a wider variety of incidences.
- 8.8 The Committee **REVIEWED** and **COMMENTED** on the draft Integrated Risk Management Plan set out in Appendix B of the report, in particular the five areas for development and change that will form the basis of public consultation.

9. Environment Policy for Norfolk

- 9.1 The Select Committee received the annexed report (9) which set out the progress to date of the Task and Finish Group in advance of presenting its final conclusions and findings, including a new Environmental Policy, to Full Council in November.
- 9.2 It was clarified that as the work was commissioned by Full Council, the recommendations would be brought to the Select Committee before being approved by Full Council.
- 9.3 Some Members expressed concern that the task and finish groups were being held in private. Officers explained that it was written in the constitution that this was the case and had been so for a number of years and was not a recent change. The final

report would be discussed in the Committee and points could be added to the report then. Individual group's representatives should be reporting back to their group.

- 9.4 The Committee **NOTED** the progress to date and that the Task and Finish Group was on track to report its conclusions and findings to Full Council at the meeting on 25 November 2019.

10. Residual Waste Procurement Strategy

- 10.1 The Select Committee received the annexed report (10) which set out the proposed approach to securing new services for County's residual waste from 1 April 2021.
- 10.2 Members were concerned that when assessing tenders the report doesn't demonstrate that cost had been balanced against the carbon footprint and therefore it was suggested that the weighting for the carbon should be increased or made pass fail. Officers explained that the environmental well-being consideration underlined the need for arrangements to deal with waste and the benefit of flexibility, allowing for an increase in recycling and a change in the composition and volumes of waste.
- 10.3 Members were concerned that existing contracts included landfill but as Officers had explained in the report a very small amount of waste was currently ending up in landfill and Norfolk compared well against other County Councils.
- 10.4 The argument for waste collection and disposal being arranged by one authority was raised. However, it was explained that in legislation the District Councils were the waste collecting authorities and the County Council were the waste disposal authority and the two services were not amalgamated at this present time.
- 10.5 The Select Committee **CONSIDERED** the proposed waste procurement strategy, including the evaluation model at Appendix A of the report and commented that the weighting for carbon footprint should be increased or made pass fail.

11. Forward Work Programme

- 11.1 The Select Committee received the annexed report (11) which set out the Forward Work Programme for the Committee.
- 11.2 The Committee asked if a track changes version of the Transport Asset Management Plan being brought to November meeting could be possible to avoid having to compare two documents.
- 11.3 It was suggested that the appropriate Cabinet Member from King's Lynn and West Norfolk Borough Council was invited to the November meeting specifically for the King's Lynn Transport Strategy report.

- 11.4 A Member informed the Committee that school children were marching on 20th September for Climate Change.
- 11.5 The Committee;
1. **REVIEWED** and **AGREED** the Forward Work Programme for the Select Committee.
 2. **AGREED** the Terms of Reference for the Local Transport Plan Member Task and Finish Group, as set out in Appendix B of the report.

The meeting closed at 11.50pm.

Chairman



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INFRASTRUCTURE AND DEVELOPMENT SELECT COMMITTEE QUESTIONS 11 September 2019

5. Public Question Time

Question from Mr Frank Readhead.

WHY DO YOU ENCOURAGE ABUSE OF GREY BINS AND FLY-TIPPING?

I took a bin of old plaster to Hempton where I was offered the use only of a wide snow shovel to put the plaster through a narrow slot at high level, with a fee of £9.00. The shovel would not fit into the wide bin and I will NOT attempt the action required to lift dusty plaster above my head as I am 77 years old and far too sensible. Photographs are available for those unfamiliar with recycling.

Response by the Chairman:

After investigating with our contractor, we understand that you were asked to deposit plaster in a container designed for plasterboard. This was an error and we are working to retrain staff. You are right in pointing out that the bin you were directed to is not designed to accept this type of waste. We expect staff to be able to help customers with manageable loads, although there may be a short wait at busy times. It doesn't sound like you had the experience we would expect on our sites on this occasion and we would like to apologise and reassure you that your feedback has been taken on board. If you visit the site again with this material, as described you will be directed to rubble container for a charge of £3.

6. Local Member Issues / Member Questions

Question from Cllr Bev Spratt

Would the Chairman agree with me that the current traffic management systems on the Mildenhall Junction of the A11 are leading to excessive congestion and would the Chairman therefore raise these concerns with the Cabinet Member for Highways as it is having a detrimental effect on traffic travelling south out of Norfolk.

Response by the Chairman:

Clearly, it is important to Norfolk that traffic on the A11 runs smoothly to benefit our residents, businesses and visitors. Although we were successful in our campaign to get the A11 fully dualled, the campaign was not able to persuade government of the case to provide grade-separation at the A11 Mildenhall 'Fiveways' junction.

I am aware that concern about these signals has been raised with Highways England, who maintain and manage the road on behalf of government, by officers of both Norfolk and Suffolk County Council.

I am sure that the Cabinet Member for Highways and Infrastructure would be prepared to support these concerns on behalf of Norfolk County Council. I am more than happy to raise it with him, with a view to sending a formal letter from the Council to request that Highways England bring forward a better solution to manage the traffic at this busy junction to reduce congestion.

Question from Cllr Alexandra Kemp:

What consideration will be given to environmentally-friendly models of waste disposal, that do not cause air pollution or the permanent loss of resources, in the new procurement for residual waste treatment for 2021? Council has a No-Incineration in Norfolk Policy and hosted the Waste Matters Conference at the John Innes Centre in 2015 to consider residual waste disposal further up the waste hierarchy. However, the current four waste contracts treat and burn 199,000 residual tonnes of waste as refused-derived fuel. This is nearly all municipal residual waste. A considerable waste of resources leading to air pollution.

Response by the Chairman:

The procurement process is an opportunity for any waste management company to propose waste management technology provided it does not involve incineration in Norfolk.

A recent soft market testing exercise was open to all interested companies and a range of existing and new technologies were represented.

The carbon footprint of all proposals will be assessed as part of the evaluation of tenders, as required by the Council's waste management policies.

Waste treatment processes must have permission to operate from the appropriate regulatory authority, such as the Environment Agency, which imposes strict conditions to ensure that they do not pose a threat to the environment or human health.

Report to Infrastructure and Development Select Committee

Item No. 7

Report title:	Transport Asset Management Plan 2020/21 – 2024/5
Date of meeting:	13 November 2019
Responsible Cabinet Member:	Councillor Martin Wilby (Cabinet Member for Highways, Infrastructure and Transport)
Responsible Director:	Tom McCabe (Executive Director, Community and Environmental Services)
Executive Summary <p>The Council's vision is to manage, maintain and improve Norfolk's highway network to support sustainable growth. To help achieve this, the Transport Asset Management Plan is updated annually.</p> <p>The Transport Asset Management Plan is the main reference document which defines the highway asset management policies, practices and standards for the Council. It is an essential document and is used in defence of third-party claims. As such, it requires annual refreshment and approval by members.</p> <p>The Transport Asset Management Plan reflects available funding approved in the Highway Capital Funding Report, feedback from Members following the Highway Performance Report and best practice from changing regulatory or business environment. It also supports the outcome "A well-managed highway network that enables everyone to travel the county freely and easily", and priority of "Maintain the highway at agreed service levels at minimum cost".</p> <p>Actions required: Committee is asked to review and comment on the latest revision to the Transport Asset Management Plan 2020/21 – 24/25 as set out in Appendix A.</p> <p>Committee is also asked to note the appended briefing notes on the following:</p> <ul style="list-style-type: none">• Repairing Potholes in Norfolk;• Road and Street Works;• Highway Rangers;• Street Lighting.	

1. Background and Purpose

- 1.1. The Transport Asset Management Plan (TAMP) brings together all the relevant strategies, goals, objectives, plans and methods in used for managing the transport and highway assets under the control of the Council in Norfolk.
- 1.2. The TAMP is updated annually and approved by Cabinet. A copy of the currently approved TAMP is available on [our website](#).

- 1.3. The definition of asset management is “it is a strategic approach that identifies the optimal allocation of resources for the management, operation, preservation and enhancement of the highway infrastructure to meet the needs of current and future customers”.
- 1.4. Member endorsement of the TAMP is a requirement of the Department for Transport’s Incentive Fund to receive the full available allocation. In 2019-20 the grant allocation was £4.8m.

2. Proposals

2.1. Transport Asset Management Plan 2020/21-24/25

- 2.1.1. As part of the Highway Asset Performance Report presented to the Infrastructure and Development Committee in July, members endorsed a new Highway Asset Management Strategy and Policy to align with the Council’s plan, ‘Together, for Norfolk’. These, together with the associated performance targets are now incorporated into the updated TAMP. A tracked changed version of these amendments is set out in Appendix A.
- 2.1.2. Any changes to routine maintenance standards and practices, for example grass cutting, weedkilling, drain cleaning or highway defect response arrangement, would be presented to members for approval. No changes are proposed.
- 2.1.3. In 2018, the Council proposed and implemented an improvement plan to adopt the 2016 Code of Practice “Well-Managed Highway Infrastructure”. Following implementation, in 2019, a further review identified the next steps which resulted in a new action plan based on higher priority actions from an independent asset management peer review by Metis. This action plan is now being implemented.
- 2.1.4. The TAMP will include a continuing improvement plan. This will reference any review actions, together with and best practice from changing regulatory or business environment. For example the [UK Roads Liaison Group](#) (UKRLG) [Asset Management Board](#) has commissioned Atkins to update the HMEP Lifecycle Planning Toolkits and associated guidance. We will review these and use them to predict condition based upon differing funding and treatment scenario’s and inform our Highway Asset Performance Report next year.

2.2. Information requested by members

- 2.2.1. At the Infrastructure and Development Committee meeting of 17 July 2019, during the presentation of the Highways Asset Performance Report members requested information on:

- Response arrangements (timescales around repairing potholes);
- The management of road closures;
- Highway Rangers.

2.2.2. Response arrangements

- 2.2.2.1. The TAMP contains sections which detail our response arrangements. These are:
 - App D(vi) - this explains our response and ordering timescales for routine highway maintenance;
 - App D(vii) - the risk assessment matrix;
 - App D(viii) - the risk assessment applied to highway defects. Note

Potholes are on the first page. The graduated response is determined by the depth of the pothole and the importance of the road it is on, both of which inform the risk;

- App D(ix) - the risk assessment applied to PROW defects.

2.2.2.2. These were circulated to members of the committee on 19th July 2019. No changes are proposed in the new document.

2.2.2.3. A briefing note on Repairing Potholes in Norfolk can be found in Appendix B. This includes more detail on response arrangements.

2.2.3. **Road closures**

2.2.3.1. Details are not held in the TAMP but are governed by separate regulations and procedures under Streetworks and the Norfolk Permit scheme. A briefing note on the management of road closures can be found in Appendix C.

2.2.4. **Highway Rangers**

2.2.4.1. Details are not held in the TAMP but are governed by a separate procedure which has been in use since 2011. A briefing note on the Highway Rangers service can be found in Appendix D.

2.3. **Street Lighting**

2.3.1. A Street Lighting document is included in Appendix E. This document brings together several changes and updates to the original 2001 Streetlighting policy. Since this time, there have been several technological advances and as a result reports have been presented and approved, changing individual elements of the agreed policy. However, the overall policy document was not updated. The document in Appendix E brings together all these separate approved changes into one document.

3. **Impact of the Proposal**

3.1. The impact of the proposal will be minimal as it is proposed to just refresh the data in the TAMP rather than carry out any changes. However, the annual review and endorsement of the TAMP by Members is essential as this provides evidence to the Department for Transport (DfT) that Norfolk is actively reviewing its management of the highway asset. This in turn will help maintain our self-assessment of 'level 3' in the DfT incentive fund, securing the maximum level of funding. This is further detailed in section 6.

4. **Financial Implications**

4.1. The Council is yet to receive the details of the final funding announcements for 2020-21. These are expected from the DfT later this year. The Council will also look to maximise opportunities for bidding for other funding. The overall Budget allocations will be approved by Full Council in February 2020. It should also be noted that the Government is expected to undertake a spending review for the period beyond 2020-21.

4.2. The failure to maintain a self-assessed score of 3 within the DfT Incentive fund would lead to the loss of funding for the Council of approximately 70% which equates to £3.4m. This is detailed in Table 1 below.

Table 1: Department of Transport Funding

DfT Grant Stream Highways Capital Maintenance	2018/9	2019/20	2020/21 Indicative/ Anticipated
Highways Maintenance Block needs element	£23,043,000	£23,043,000	£23,043,000
Highways Maintenance Block incentive element	£4,837,000	£4,799,000	£4,799,000
Pothole Action Fund and Resilience Fund	£5,184,692	£1,750,263	£1,750,263
Additional Nov 2018 Budget	£12,693,000		
	£45,757,692	£29,592,263	£29,592,263

5. Resource Implications

5.1. Staff:

It is anticipated that the continuing development of the TAMP will utilise existing internal staff resources as part of their day to day roles.

5.2. Property:

There are no implications

5.3. IT:

There are no implications.

6. Other Implications

6.1. Legal Implications:

The legal implications of individual schemes will be evaluated as part of the project delivery process, and highway maintenance policies as part of their development. The TAMP is our reference document on our highway asset management policies, practices and standards and is used in defence of third-party claims. As such it benefits from annual refreshment and approval by members.

6.2. Human Rights implications

There are no implications.

6.3. Equality Impact Assessment (EqIA)

An EqIA for the Highway Asset Management Strategy and Policy has been completed. There are no adverse impacts.

6.4. Health and Safety implications (where appropriate)

N/A

6.5. Sustainability implications (where appropriate)

N/A

6.6. Any other implications

None

7. Actions Required

- 7.1. **Committee is asked to review and comment on the latest revision to the Transport Asset Management Plan 2020/21 – 24/25 as set out in Appendix A.**

Committee is also asked to review and comment on the appended briefing notes on the following:

- **Repairing Potholes in Norfolk;**
- **Road and Street Works;**
- **Highway Rangers;**
- **Street Lighting.**

8. Background Papers

- 8.1. 1. Infrastructure and Development Committee - 17 July 2019 - approved the recommendations in the “Highway Asset Performance” [Report](#) to committee and link to [minutes](#).
2. EDT Committee meeting - 6 July 2018 - approved the recommendations in “Highway Asset Performance” [Report](#) to EDT Committee of and [link to minutes](#)
3. EDT Committee meeting - 18 January 2019 - approved the Highway capital programme and Transport Asset Management Plan (TAMP) [Report](#) and [link to minutes](#)
4. [Local Transport Plan 2011-2026](#)

Officer Contact

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

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3. **Norfolk County Council's Transport Asset Management Policy**

3.1. **Corporate Vision and Strategy**

3.2. Norfolk County Council agreed a vision and strategy for the medium term in February 2018. 'Caring for our County' communicates the Council's ambitions for Norfolk;

3.3. These ambitions are set out in: -

- A vision for Norfolk in 2021

Which outlines what we intend to achieve.

3.4. 'Norfolk Futures': The Council's Strategy for 2018-2022

Sets out the principles and priorities to turn this vision into plans that deliver sustainable services, working with our partners across the public and private sectors.

3.5. The Council will play a leading role in:

- 3.6.
- Building communities, we can be proud of
 - Installing infrastructure first
 - Building new homes to help young people get on the housing ladder
 - Developing the skills of our people through training and apprenticeships
 - Nurturing our growing digital economy

Making the most of our heritage, culture and environment.

3.7. **Service Plans**

3.8. Based upon the Council's Strategy each Service produces a service plan which outlines the vision, outcomes and priorities for the coming year.

3.9. Service committees were commissioned by Policy and Resources Committee to develop Committee Plans which will set out objectives for the year, and specifically demonstrate how each area of the Council's work will change to deliver our Norfolk Futures strategy. An extract from the Highway Service Plans is shown below.

3.10.

Vision: Manage, maintain and improve Norfolk's highway network to support

3.11.

Outcomes:

A well-managed highway network that enables everyone to travel the county freely and easily.

A priority road network free from ice and snow
Any works on the highway are carried out to ensure public safety with disruption/environmental impacts minimised

3.12.

Priorities:

Maintain the highway at agreed service levels at minimum cost
Ensure improvement and maintenance programmes delivered to standards/ time/budget

Reduce the number and severity of road casualties.

Adopt the new 'Well-Managed Highways Infrastructure – A Code of Practice'

Commercialisation

Deliver the routine/winter maintenance services

Review the City Agency Agreement

Reduce the amount of energy used for street lighting

Channel shift and improved customer service

3.1.3.13. ~~Our Council has a clear set of priorities in the County Council Plan, these based around 'Caring for our County'.~~

~~These are:~~

- ~~• Caring for your money~~
- ~~• Caring for your family~~
- ~~• Caring for your community~~
- ~~• Caring for your health and well being~~
- ~~• Caring for your roads and environment~~
- ~~• Caring for your economy~~

3.2.3.14. ~~These pledges inform the Council's planning and budget-making process. They are reflected in the County Council Plan for the next four years, which was published autumn 2017.~~

3.3.3.15. ~~Whilst there is obvious linkage to 'caring for your roads and environment', linkage to the other priorities can be demonstrated for 'money', 'economy' together with the others for access to services.~~

3.16. **Norfolk's Transport Asset Management Policy**

3.17. This policy sets out how we manage the asset in accordance with the Councils strategy and as outlined in our service plan.

3.4.3.18. Norfolk County Council recognises that the need for the highway service is universal amongst all of its residents, providing access for business, services and promoting well-being. An effective network is essential for a successful economy and society. A value-managed service is essential to ensure the financial sustainability of the Council.

3.5.3.19. Enabling or Councils strategy and vision, together with a Achieving the priorities in the County Council Plan requires a focus on the availability, capacity, condition and quality of the highway network and associated assets.

3.20. ~~The key to this will be the ability to make good, informed decisions. This is core to the asset management approach, optimising the contribution to the service provided by the infrastructure.~~

3.6.3.21. ~~The key to this will be the ability to make good, informed decisions. This is core to the asset management approach, optimising the contribution to the service provided by the infrastructure.~~ The principles of which are;

- To deliver the statutory obligations of the authority
- To be responsive to the needs of users' and the community
- To utilise the available funding to minimise whole life costs
- To support effective delivery of the statutory network management duty
- To support and add value to local transport objectives
- To support and add value to wider corporate policy objectives

3.7.3.22. This policy was ~~adopted~~ endorsed by the ~~Environment Development and Transport Infrastructure and Development Service~~ Committee on ~~8th-17th~~ July ~~2014-2019~~ in response to the paper on Highway Asset Performance. The Transport Asset Management Strategy was approved at this time and refreshed (replacing the previous version from ~~on~~ 14 Oct 2017). This can be seen in Section 4.

3.8.3.23. ~~A new 6-year, Norfolk County Council Plan, 'Together for Norfolk', will be agreed in May 2019. Following this our Asset Management Policy and Strategy will be reviewed with members to ensure alignment and be approved by the Executive.~~

4. **Transport Asset Management Strategy**

4.1. **Main Components**

4.1.1. The Transport Asset Management Strategy is built around three main components.

- A defined hierarchy for all elements of the network
- The legal framework and robust policies and objectives for the service
- A detailed Inventory of all relevant components of the asset

4.1.2. To be effective, these key components are supplemented by the following:

- A comprehensive management system for inspecting, recording, analysing, prioritising and programming maintenance works to optimise their asset management contribution
- Arrangements to finance, procure and deliver maintenance works, in accordance with the principles of sustainability and best value
- Arrangements to monitor, review and update as necessary, each component of the strategy and the performance of the strategy
- A risk management strategy clearly identifying and evaluating the risks and consequences of investment decisions and measures to mitigate
- A proactive approach to the implementation of innovations and best practice in collaboration with our contractors and other councils
- Maintain a knowledgeable and robust client to engage with others councils and contractors

4.2. **Detailed Strategy for Transport Asset Management**

4.2.1. The Transport Asset ~~M~~management Policy can be seen in Section 3.

4.2.2. The detailed elements of the strategy are to:

4.2.3.

- Maintaining their condition and preserve their value
- Utilise asset management practices to ensure protection of the highway infrastructure through the implementation of the Transport Asset Management Plan.
- Based on whole-life costing, to ensure value for money.
 - We utilise a preventative approach investing a greater proportion of the available budget to treat roads in the early stages of deterioration.
 - This targets assets that are not currently in need of full structural renewal and proposes to extend the assets whole life by arresting/delaying deterioration.
 - This protects the existing investment, extends the life-cycle and postpones higher cost rehabilitations.
 - This-it minimises the risk of the highway and transportation asset deteriorating
- Carry out repairs to the most appropriate standards and methods
- Identify needs against the National Codes of Practice and survey data.
- Allocate resources based upon assessed needs basis, to
- Continue to identify improvements in the information and systems necessary to refine this process
- Seek the required funding by demonstrating the maintenance needs for maximum Government support, through the Local Transport Plan.
- Seek additional funding through the County Council's strategic planning and budget cycle.
- Seek to optimise the benefits of maintenance works by incorporating any appropriate safety, availability or accessibility improvement works at the same time.
- Co-ordinate works to reduce disruption.
- Treat as a priority those hazards that could lead to personal injury or damage to vehicles.

4.3. Strategy for Main Asset Groups

- 4.3.1. It is recognised that the current level of funding makes the maintenance of current condition challenging and that in most circumstances the strategy will be to manage deterioration.

4.3.2. The levels of Government grant from the DfT (Needs, Incentive, Pothole) have only been determined until 2020/21. In our projections we have assumed this current level of funding would continue.

4.3.2.4.3. Pressures can be demonstrated with Members supporting part of the Integrated Transport grant being used to support structural maintenance which in turn is supporting some work previously undertaken using revenue funding such as patching.

4.3.3.4.3. Carriageways

4.3.4.1. Carriageways (roads) are by far the largest of the Council's assets and account for an estimated 85% of the total highways asset value (ignoring land value).

4.3.3.1.4.

- Extensive utilisation of intermediate treatments such as surface dressing, joint sealing, re-texturing and machine patching. This protects the existing investment, extend the life-cycle and postpone higher cost resurfacing.
- Use of poly-modified binders and Dense Stone Mastic Asphalt (SMA) to increase the robustness of both surface dressing and resurfacing.
- Consider the use of recycling to add strength to rural roads and in fenland reduce weight of the pavement
- Innovation to examine the use of new techniques
- Scheme selection and Programme development informed by an intelligent client
- Specification informed by our Norfolk Laboratory.
- Full condition survey of the network

4.3.3.2.4. ~~Desired outcome~~

~~4.3.3.3.4. Performance targets have been established in the Local Transport Plan (LTP) for the 'A' road network and in the performance framework for all road classifications. These show a slight decline over the next 3-year period to 2020-21.~~

4.3.4.5. Planned outcome

4.3.4.6. Performance targets have been established in the Local Transport Plan (LTP) for the 'A' road network and in the performance framework for all road classifications. These showed a slight decline over the period to 2020-21. We have now adjusted the targets based upon 2018-19 results.

	<u>2018-19</u>		<u>2019-20</u>	<u>2020-21</u>	<u>2021-22</u>
	<u>Actual</u>		<u>Target</u>	<u>Target</u>	<u>Target</u>
<u>'A' roads</u>	<u>2.1%</u>		<u>2.15%</u>	<u>2.18%</u>	<u>2.21%</u>
<u>'B' roads}</u>	<u>2.1%</u>		<u>2.15%</u>	<u>2.18%</u>	<u>2.21%</u>
<u>'C' roads}</u>	<u>6.1%</u>	<u>5.2%</u>	<u>6.46%</u>	<u>6.77%</u>	<u>6.1%</u>
<u>'U' roads</u>			<u>6.3%</u>		

4.3.4.7. Investment Strategy

4.3.4.8. We utilise the HMEP asset management toolkit on an annual basis to iteratively improve our investment strategy using the latest condition data. We have modelled projections by road class. In practice we have found we are out-performing the predicted results.

4.3.4.9. The DfT needs based grant is partly calculated on road length for differing classes of road with a local highway authority. The higher classification generating a higher grant per length.

4.3.4.10. We spend more per length the higher the function of the road i.e. more on A roads than B roads. This is reflected in proportionally greater percentages of resurfacing on the higher-class roads in the life-cycle necessitated by the heavier use by traffic and goods.

4.3.4.11. The investment in our A roads for 2019-20, Resurfacing £1.1m, Surface Treatment £1.9m, Reclamite £0.165m, Joint Seal £0.025m. This represents a budget split between Resurfacing 34% and surface treatment of 66%

4.3.4.12. For 2020-21 and beyond this will be Resurfacing £1.35m, Surface Treatment £1.65m, Reclamite £0.165m, Joint Seal £0.025m. This represents a budget split between Resurfacing 42% and surface treatment of 58% as this gives an improved long-term performance.

4.3.4.13. The investment in our B roads for 2019-20 and beyond, resurfacing £0.552m, surface treatment £0.943. This represents a budget split between resurfacing 37% and surface treatment of 63%

4.3.4.14. The investment in our C roads for 2019-20 and beyond, resurfacing £0.5m, surface treatment £3.8m. This represents a budget split between resurfacing 11% and surface treatment of 88%. The resurfacing investment takes the form of Fen road repairs (medium and shallow recycling) and localised machine patching small schemes.

4.3.4.15. The investment in our U roads for 2019-20 and beyond, resurfacing £0.47m, surface treatment £3.8m. This represents a budget split between resurfacing 11% and surface treatment of 88%. The resurfacing investment takes the form of Fen road repairs (medium and shallow recycling) and localised machine patching small schemes.

4.3.4.4.3. Footways including shared use

4.3.5.1. These are the second largest of the Council's assets and account for an estimated 7% of the total highways asset value (ignoring land value).

- 4.3.4.1.4.:
- Utilisation of intermediate treatments such as slurry seal and machine patching to protect the existing investment, extend the life-cycle and postpone higher cost resurfacing.
 - Full condition survey of the network
 - Use of Hot Rolled Asphalt (HRA) to increase the robustness of resurfacing.
 - Innovation to examine the use of new techniques
 - Scheme selection and Programme development informed by an intelligent client
 - Specification informed by our Norfolk Laboratory.
 - Full condition survey of the network

4.3.4.2.4. Desired outcome

4.3.4.3.4. Performance targets have been established and these show a slight decline over the next 3-year period to 2020-21.

4.3.5.5. Planned outcome

4.3.5.6. Performance targets have been established and these show a slight decline over the next 3-year period to 2020-21.

4.3.5.7.	2018-19	2019-20	2020-21	2021-22
	Actual	Target	Target	Target
Category 1	12.10%	12.4%	12.7%	13%
Category 2	25.70%	26.4%	27.1%	27.8%
Category 3	28.70%	30%	31.3%	32.6%
Category 4	30.50%	31%	31.5%	32%

4.3.5.4.3. Highway Structures (bridges)

4.3.6.1. These are the third largest of the Council's assets and account for an estimated 5% of the total highways asset value (ignoring land value).

4.3.6.2. Planned outcome

4.3.6.3.	2018-19	2019-20	2020-21
HGV	90.14	90	89.8
Non-HGV	90.95	90.8	90.5

4.3.5.1.4. There is a small strengthening programme which should complete by ~~2019-20~~2020-21.

4.3.5.2.4. Performance targets have been established and these show a slight decline in Bridge Stock Condition Index (BSCI) score over the next 3-year period to ~~2020-21~~2021-22. ~~The bridge strengthening programme is expected to complete in 2019-20.~~

4.3.6.4.3. Traffic Signals

4.3.6.1.4. This is a rolling programme with the intent to manage the level of controllers older than 20 years.

4.3.6.2.4. ~~Desired~~ Planned outcome

4.3.6.3.4. Performance targets have been established and ~~these~~ show managing the asset at similar levels as now but from 2019 demand will grow as millennial assets reach there 20 year term.

4.3.7.4.	2018-19	2019-20	2020-21	2021-22
	5	15	17	13

4.3.7.5. Investment Strategy

4.3.7.6. Annual investment of £600,000 in the replacement programme.

4.3.7.4.3. Street Lighting

4.3.7.1.4. Our street lighting is managed using a Private Finance Initiative (PFI). As a result, we do not receive support from the DfT maintenance needs grant.

~~4.3.8.4.3.~~ **Drainage schemes**

~~4.3.9.1.~~ In valuation terms drainage is part of the carriageway asset and agreed formulas make an allowance for this.

~~4.3.8.1.4.~~ We were successful in our bid for the DfT challenge fund bid for major surface water drainage works of £10.3m. These were undertaken 2015-16/17/18.

~~4.3.8.2.4.~~ Some of the structural maintenance allocation that was to be given to drainage was used as match funding in the DfT bid. As a result limited funding is available for local maintenance drainage schemes in the remainder of the county and this will be allocated on a priority basis. From 2018-19 this will revert to the former level.

~~4.3.8.3.4.~~ A small allocation of the structural maintenance allocation has been ring-fenced for match funding of bids by our Flood & Water team to the Environment Agency.

~~4.3.9.5.~~ Our funding for maintenance schemes is £0.6m pa and £0.33m pa for small scale repairs.

~~4.3.9.6.~~ Additionally, a small allocation of £0.075m is provided for match funding of bids, typically by our Flood & Water team to the Environment Agency. We will bid to the EA for smaller schemes in-year particularly in those cases of internal flooding by surface water.

~~4.3.9.4.3.~~ **Capital Improvement and Road Safety Scheme**

~~4.3.9.1.4.~~ We maintain a £1.3m – £2.1m integrated transport programme with the remainder of the DfT grant being allocated to structural maintenance.

~~4.3.10.4.3.~~ **Sudden Asset Failures**

~~4.3.10.1.4.~~ Whilst the Strategy advocates a planned and risk based approach to Asset Management, there may be exceptional circumstances in which a particular asset fails rapidly - beyond prediction.

~~4.3.10.2.4.~~ No separate reserve is held for these and the any occurrence will be dealt with on a case by case basis. Members may sanction the use of reserves, alternatively our structural maintenance programme across all asset types could be adjusted to meet new priorities.

~~4.3.10.3.4.~~ The condition of Fen roads is particularly difficult to predict as they can be significantly affected by weather conditions. Fenland areas have soils which are "susceptible to cyclic shrinkage and swelling". This is exacerbated in periods of unusually high or low rainfall and this movement can aggravate cracking and subsidence along roads in affected areas. This can change priorities within 6 months. To have some resilience part of the maintenance fund is ring-fenced for fen road repairs but only allocated to sites in-year to ensure that the changing priorities can be dealt with. We are increasing this annual allocation to £0.5m from 2020-21. Our life-cycle plans reflect differing treatments and return periods in these susceptible ground conditions.

~~4.3.11.4.~~ **Capital Improvements**

- 4.3.11.5. The Norfolk Infrastructure Delivery Plan 2018-28 (County and its partners Districts and LEP) was reported to and endorsed by the EDT committee on the 10th November 2017. It identifies the key infrastructure needed to deliver economic growth in Norfolk. It is a working document that will be reviewed on a regular basis as information becomes available and projects progress through to delivery. The Plan will help Norfolk County Council and partners to co-ordinate implementation, prioritise activity and respond to any funding opportunities.
- 4.3.11.6. At the Policy & Resources Committee on 27 November 2017, Members noted that one of the priorities for the administration was a commitment to invest an extra £20 million in Norfolk's roads.
- 4.3.11.7. It is intended that over a 4-year period 2018-19-20-21-22, the funding would be allocated to delivery of major projects, junction improvements, market town schemes, footways and crossing improvements and a contribution to parish partnership, local Member and PROW.
- 4.3.11.8. Integrated transport funding covers all expenditure on new infrastructure such as improvements at bus interchanges and rail stations, local safety schemes, pedestrian crossings, footways, traffic management, route and junction improvements and cycle paths. It used to be largely funded by the DfT Integrated Transport block Grant. It is now heavily supplemented by other funding sources such as Local Growth Fund, City Cycling Ambition, National Productivity Investment, Community Investment Levy, and Housing Infrastructure Fund.
- 4.3.11.9. These significant supplementary funding sources, enabled the EDT Committee 18th Jan 2019 to approve, from 2020-21 the DfT integrated transport grant would be used to implement a £1.3m programme mainly low-cost improvement schemes including the parish partnership programme, and contributions to developing major schemes. The remainder of the DfT £4.14m grant being allocated to structural maintenance. In 2019-20 this total £1.142m and in 2020-21 £2.842m.

4.3.11.4.3 **Planning Considerations**

- 4.3.11.1.4 Our Council understand the importance that growth and re- development has on the future of the local area and economy. There is a need to ensure that any new development / change of use promoted through the planning process fully consider the impact on the existing highway network and its future maintenance.

4.3.12.4.3 **Data Management and Information Systems**

- 4.3.12.1.4 In 2016 we implemented new core Highway Management System. We will continue to seek opportunities to use technology to support the service and make efficiencies.

- 4.3.13.2. We have a data Management Plan to ensure our asset data is reviewed, maintained and fit-for purpose to enable us to make informed decisions.

4.4. Performance Framework

- 4.4.1.1. A performance framework linked to the asset management strategy and the themes of :

- Condition / or age as proxy for Main Asset groups
- Customer Satisfaction
- Serviceability
- Sustainability (Economic & Environmental)

4.4.1.2. This can be seen in Appendix H

4.5. **Approval**

4.5.1. The Transport Asset Management Strategy was approved by members on ~~14 October 2016~~ 17 July 2019 together with the Performance Framework, allied to the strategy for the main asset groups.

4.5.2. ~~A new 6-year, Norfolk County Council Plan, 'Together for Norfolk', will be agreed in May 2019. Following this our Asset Management Policy and Strategy will be reviewed, both to ensure alignment and set new targets going forward. It will be endorsed by members of our Select committee for Infrastructure and Development on 17 July and be approved by the Executive.~~

4.6. **Review Process Monitoring and Reporting**

4.6.1. Highway Asset Performance is reviewed annually, and a report shared with members at committee. It covers planned capital structural maintenance of the assets only.

4.6.2. This report highlights:

- Performance against current service level
- Current service priorities
- Customer Satisfaction
- Funding levels and needs

Options on policies strategies and reviews

4.6.3. This allows informed decisions by members.

Infrastructure and Development Select Committee Briefing Note Repairing Potholes in Norfolk

Background

Highway authorities across Britain exercise their duties to maintain, operate and improve the highway assets under increasing pressures including financial and resource pressures, mature networks with significant backlogs of maintenance, accountability to funding providers and increasing public expectations.

Norfolk County Council (NCC) typically repairs 6,000 potholes each year. Due to the size of the maintained road network (around 6,000 miles), we have dedicated repair gangs that operate from our 3 strategic highway depots.

Pothole repair timescales

NCC's first priority is to ensure that our network is safe for the travelling public. As such, highway inspections are carried out at regular intervals in line with our Transport Asset Management Plan (TAMP), during which defects are identified and works subsequently programmed. Defects reported to us by the public are also investigated and programmed in accordance with the TAMP.

In October 2018, the Department for Transport (DfT) launched a new Code of Practice which emphasised the requirement of a 'risk-based approach' for highway maintenance. In Norfolk, we use a risk-based approach when identifying potholes and prioritising repairs. We consider the type, severity and location of the pothole to assess risk, which then determines a response timescale. Below is a summary of our response timescales for each of the defect categories, as detailed within the TAMP, Appendix D (vi).

Defect	Response	Timescale
Cat 1 (High)	Response 'A'	2 hours
Cat 1 (Low)	Response 'B'	Up to 4 days
Cat 2 (High)	Response 'C'	Up to 35 days
Cat 2 (Low)	Response 'D'	More than 35 days (repair during next available programme, schedule a more detailed inspection or review condition at next inspection)

The TAMP also specifies the response timescale that should be given to defects identified during scheduled inspections, taking into consideration the location, hazard type, position, depth and road category. This can be viewed in Appendix D (viii). Area maintenance teams inspect and programme any pothole repairs required using the criteria within the TAMP. Each defect identified will be given a response category in accordance with the above.

Pothole Repair Process

The pothole repair process will depend on the nature, extent and cause of the pothole, taking into account a number of factors as described above. Where the defect represents a significant risk to the public and a permanent repair cannot be made, an emergency repair may be made in the first instance to remove the hazard. The permanent patching repair will follow when the works can be programmed to minimise disruption to the public. However, NCC's approach is to, wherever possible, complete a permanent repair in the first instance.

Norfolk recognises the benefit of using preventative repair techniques over reactive repairs. Approximately three times more funding is spent on preventative maintenance (such as surface dressing) rather than reactive repairs.

Below is a summary of treatments used for pothole repairs in Norfolk. These vary between reactive repairs and preventative repairs. A variety of methods may be used depending on the road type and classification, road construction, priority of repair, time of report etc.

What to use (i.e. treatment)	Where to use (i.e. location – rural/urban and local/national)	When to use (Temp/Perm) (Season)	Risks	Benefits
Patching with hot asphalt, mastic or bitumen-based material	Suitable for most locations and surfaces. Due to cost, mainly limited to higher use roads	Permanent, all-year round.	No specific risks.	Recognised and the preferred solution. Accepted by users.
Hand Applied Chip Patching	Most effective in rural areas although can be utilised in urban areas for isolated repairs	Permanent, all year round	No specific risk	Cost effective repair matching the existing road construction in rural areas. Speed of repair No excavation required.
Spray Injection patching	Most effective on rural evolved roads with low traffic flows.	Permanent, all-year round. Can be used on all defect priorities.	May not treat an underlying failure mechanism and creates surplus chippings. Can look untidy to the public.	May be deployed on a find and fix basis. Speed of repair. No excavation required.
Cold applied instant material	Any location. Life expectancy can reduce with increased traffic.	Typically used as an emergency repair treatment (priority A defects) to make the pothole safe.	Different products are required for different locations and/or weather. Lack of attention and cost of return visit and reputation.	Speed of repair. Makes the road safe again for the travelling public.

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Infrastructure and Development Select Committee Briefing Note on Roadworks and Streetworks

The Select Committee requested further information about roads and street works. This briefing note updates Committee on the following:

- The Norfolk Permit Scheme
- Temporary road closures

The Norfolk Permit Scheme

Norfolk County Council (NCC) began operating a permit scheme in May 2014. A Local Order was created to require all Works Promoters to apply for a permit where their activities affected the highway. Permit applications are used to request permission from the Permit Authority to occupy the highway. Each application is assessed to understand what disruption may be caused by the works. Conditions may be added by the Permit Authority to reduce any potential disruption. Some applications are rejected, and often requests are made to the works promoters to carry out works at a less disruptive time or by using a different technique. This ensures disruption to the travelling public is kept to a minimum.

The Permit Scheme helps NCC meet its statutory duty to co-ordinate Street and Road Works and minimise the disruption they can cause. A random inspection regime is also applied to 10% of all utility Street Works so that their Works are inspected and assessed whilst in progress. This gives NCC an opportunity to further minimise any disruption and also helps to ensure the Works are being signed and guarded correctly.

Permits apply to both Road Works (NCC works) and to Street Works (utility works). Utilities must pay a permit fee to offset the time given by the permit authority to consider their applications. Most highway authorities in England now operate a permit scheme which must be cost neutral. The volume of granted permits & associated fees recovered is shown in Table 1 below.

	2014	2015	2016	2017	2018	2019 projected
NCC (no charge)	26,594	27,841	27,851	33,100	33,675	38,474
Utility (permit fee)	13,227	14,816	13,863	14,818	17,963	17,107
Total Permit Numbers	39,821	42,657	41,714	47,918	51,638	55,581
Total Permit Fees Collected	£0.962m	£0.985m	£0.977m	£1.12m	£1.16m	£1.28m

Table 1: Permit volumes and income

Temporary Road Closures

All works in the highway must comply with the Safety at Street Works and Road Works publication (The Red Book) & Chapter 8 of the Traffic Signs Manual. Where it is unsafe for the travelling public to pass through a works site, the road must be closed.

A legal Order or Notice is required to temporarily close a road. Legal Orders apply to planned works; Notices are used for emergency & urgent works. An Order can allow a road to be closed for up to 18 months; an emergency Notice can only last for 21 days and an urgent Notice for 5 days. Orders & Notices can be extended if further time is required and this is called a continuation.

Each time a road closure is required, the Highways Area Office team must be satisfied there is no other way of completing the works other than by closing the road. They must also be satisfied that the correct type of road closure (Order or type of Notice) is being requested. Norfolk asks applicants to allow 6 weeks to process road closure applications. Notices can be processed much quicker due to the urgent nature of works, which follow a different legal process. All applications must demonstrate they have consulted with the NCC Passenger Transport team. This ensures that early discussions can take place between NCC and affected bus companies. NCC must also be happy that the applicant has consulted with those directly affected by the road closure before processing the application.

The Highways Area Office teams also consider the alternative diversion route which will be signed for traffic to follow. This route would be of similar classification to the road being closed wherever possible. The road closure is co-ordinated along with the alternative route to ensure no other planned works will conflict. The road closure is shown on a public facing map <https://one.network/> and so is the alternative route.

Before planned works commence the works promoter must apply for a permit to work in the highway. This permit is not granted unless the temporary road closure Order or Notice is in place. This permit can be used to identify what additional publicity is required for the works. Once granted, the permit is also available on <https://one.network/> NpLaw finalise the process and make arrangements for the road closure details to be published in a local newspaper.

Unfortunately, there is an increasing trend for the need for road closures. A considerable amount of resource is required to consider, approve and process each road closure request. A standard fee applies to each Order, Notice or continuation to recover the staff time and advertising costs involved. The cost for each Order is £1,097.76, and £627.29 for Notices & continuations. Most road closures are only required for a matter of days but some, like bridge works, can take a considerable amount of time. Last year, the average duration of a road closure was just over 11 days.

The trend of the increasing number of temporary road closures is shown below in Table 2.

Year	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019 projected
Temporary Traffic Regulation Orders Totals	663	674	774	890	922	1,198	1,230	1,612	2,146	3,562

Table 2: Temporary Road Closure Numbers

Street Works Register

NCC also has a duty to maintain a Street Works Register which records the data associated with each registerable activity which is planned, in progress or has taken place. We currently use the Yotta Mayrise software to achieve this. However, from 1 April 2020 the Department for Transport (DfT) will have brought in new legislation which forces the industry to use their new Street Works Register. It is hoped that the use of Street Manager will allow Works Promoters to see all works which are planned and so would give an increased opportunity to work more collaboratively which in turn would reduce disruption. Street Manager will also help to minimise discrepancies in data between the Works Promoter and Street Works Register by maintaining 'one version of the truth'.

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Infrastructure and Development Select Committee Briefing Note on the Highway Ranger Service

The Select Committee requested further information about the delivery of the Highway Ranger Service.

This briefing note updates Committee on the following:

- Background to the Service;
- Engagement with Town and Parish Councils;
- Types of work undertaken.

The Highway Ranger Service was introduced in 2011, following a successful trial in the south of the county. The aim of the initiative was to improve liaison between local highway maintenance teams and local Town and Parish Councils. The initiative improves engagement within the locality and provides a mechanism to deal with highway related issues which are important to communities. In addition, the initiative has also assisted local highway teams to identify and repair issues that arise between scheduled highway inspections.

Since inception, over half of the 540 Town and Parish Councils have used the Highway Ranger Service. As part of the launch of the initiative, Highway Rangers were encouraged to meet with the Parish Clerks to offer a more personal touch to the service. This level of communication worked well in most areas although this did reduce the amount of time the Highway Rangers spent on undertaking works.

How the Highway Ranger Service works

An email is sent from the Area highway teams to Parish and Town Council's two weeks prior to the scheduled routine highway inspection of the area. A list of works suitable for the service is included in the email and is detailed below:

- Trim hedges to make sure signs are visible;
- Carry out some work on Public rights of Way (PROW) within village envelope;
- Removal of illegal signs from street furniture;
- Clear road gullies/drains if blocked by hand;
- Clear drainage grips by hand if blocked or if standing water present;
- Wash signs, bollards or reflectors posts (if heavily stained);
- Adjust/straighten road signs to correct position;
- Repair carriageway and footway potholes;
- Sweep heavily silted junctions (small areas only).

Any work requested by Town and Parish Council's is sent via the Customer Service Centre (CSC) to the respective Area email inbox. Requests can also be made through the on-line reporting system on Norfolk County Council's website.

Upon receipt of the requests, the local Highway Engineer reviews the type and scale of the work to ensure it remains in scope and will issue it directly to Norse Highways. Where the requests are out of scope and are of a more complex nature, the Parish and Town Councils are advised along with how this work will be managed going forward (for example, referred for detailed inspection, or forwarded to alternative contractor).

The Town / Parish Council's Highway Ranger list is passed to the Highway Streetscene Inspector so that they are aware of any requests prior to their scheduled highway inspection. This avoids any duplication and also provides an opportunity for the Inspector to further review issues that have been reported.

After the visit by the Highway Rangers, wherever possible, an email is sent to the Town and Parish Councils to advise what has been completed.

Delivery of the Service going forward

The Highway Ranger service is very popular with communities to identify highway defects that are locally important and may not have been identified as a priority during the scheduled highway inspections. It provides contact with a delivery team that can be mobilised to carry out basic highway maintenance work and enables communities to take some control of how highway maintenance is delivered

The Highway Ranger Initiative will continue following the transfer of the operational delivery team (which includes the Highway Rangers gangs) to Norse Highways from 1 October 2019.

It has already been identified that the Town / Parish Council feedback loop could be improved. This is currently being developed and it is proposed to move requests for service online, which will also enable automatic tracking and automatic notification of completion. Once developed, Town and Parish Councils will be contacted to encourage use of this system.

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Infrastructure and Development Select Committee Briefing Note

Norfolk County Council Street Lighting Policy

The document below brings together a number of changes and updates to the original 2001 Streetlighting policy. Since this time, there have been several technological advances and as a result Committee reports have presented and approved, changing individual elements of the agreed policy. However, the full policy has not been updated until now.

Street Lighting Provision

The County Council only finances new street lighting where there is a need to deal with a night-time accident problem or when associated with new roads built by the County Council. Highways in Urban Areas will generally be lit while highways in Rural Areas will not generally be lit except where problems of road safety exist.

All Conservation Areas will require individual assessment subject to safety considerations being satisfied, Roadway Standard lighting levels lower than BS 5489 using modern or traditional equipment is acceptable.

Traffic Signs are illuminated wherever required in order to meet the statutory requirements of the Traffic Signs Regulations and General Directions.

Adoption of Lighting

The County Council adopts lighting designed to a highway standard (as defined in the Highways Act 1980) on new residential, retail and industrial estates if the development in question is in an environmental zone where lighting is permitted and there is a clear highway reason to adopt.

Developers to be charged a commuted sum to cover 25 years energy & maintenance costs for non-residential roads with a highway need. Local Lighting Authorities can retain responsibility for footway lighting if they so wish. If Local Lighting Authorities require lighting on estates within village envelopes in Rural Areas, then this will have to be a footway standard and adopted by the Local Lighting Authority.

Lighting Standards for New Work

The use of current British and European standards is required when new/replacement lighting is provided according to need. Ensure all equipment offered, including heritage lighting where appropriate, is to standards required to meet the County Council policies and relevant contractual obligations. New lighting will use the latest generation of "white" light sources including LED's.

Hours of Operation

Dimming of lamps is permitted between 01:00 hours and 05:00 hours on lamps that are capable of being dimmed. Levels lower than those outlined in British Standard 5489 were acceptable, subject to safety considerations being satisfied, in order to achieve maximum energy savings.

Part Night Lighting (PNL) is permitted on streets which are not classified as routes with through traffic value and where crime rates are low (typically correlating to lighting classes S5 and S6).

The decision on individual streets, including decisions on part night lighting exemptions, is delegated to the Assistant Director of Highways & Waste in consultation with the Cabinet Member Highways, Infrastructure & Transport.

Part Night Lighting Exemptions

- 24-hour operational emergency services e.g. hospitals and fire stations
- where there are CCTV cameras or water in close proximity
- Traffic calming measures (except in areas with 20mph or lower speed limits)
- Lights which have been put in specifically to prevent accidents
- High security premises e.g. jails, banks, jewellers
- Subways/alleyways
- Town centres and areas which are mainly non-residential

Account was taken of streets which Norfolk Police have advised that crime could increase or efforts to reduce crime might be affected. There were also some streets which don't/didn't have enough of the types of lights which are suitable for turning off at night, or where lights are not managed by the County Council.

Where there maybe scope for introducing PNL due to changes in local environments that the PNL option may be reconsidered

Light Spill

In late 2002, the Council adopted the use of an environmental zones policy for the whole County area, in order that the appropriate type of street lighting, if any, can be provided for any location and the environmental impact of lighting (particularly upward light) is minimised.

Encourage the Local Authorities in Norfolk to seek to minimise light pollution in respect of all exterior lighting installations with reference to the zones below, although the specific policy only applies to public highway lighting.

The lighting zones, as illustrated on the map in Appendix One, are:

- Rural dark landscapes
- Market Towns and existing well lit villages
- The urban areas and their suburbs

The policy statements for each zone will apply to;

- Replacement County Council lighting
- New County Council lighting on existing and new roads
- New County Council lighting on new developments

These zones set out the priority for using the less intrusive but less energy efficient 'white' lamps. When 'white' lamps become as efficient as 'orange' lamps the County Council will use a 'white' light source in all areas.

In rural dark landscapes 'white' light sources with a cut-off distribution will be used for all new lighting and all replacement lighting.

In market towns and existing well lit villages 'white' light sources with a cut-off distribution will be used for all new lighting and all replacement lighting.

Where the Parish/Town/District lighting authority wish to replace an 'orange' light source with white in these areas, this is permissible under the policy.

All lighting schemes carried out by/on behalf of the Parish council will be designed lighting schemes to reduce intrusion where possible.

Assess the illumination of advertisements in the vicinity of the highway and further liaise with District Councils to reduce the amount of glare from private or public sources on to the highway.

Parish/Town/District/Borough/City Council Lighting

Advise lighting authorities on the provision of footway lighting.

Require Local Lighting Authorities to fund the provision and/or illumination of signs where required and to use equipment/light sources to meet the environmental requirements of the location.

Allow Local Lighting Authorities to install roadway lighting, with subsequent adoption by the County Council, where there is a history of night-time accidents or where the Local Lighting Authority are willing to pay a commuted sum to cover future energy and maintenance costs.

Offer to organise maintenance of other lighting authorities' footway lighting

Renewal of Lighting

Collect and record lamp column inspection and testing data to provide the basis for development of a replacement programme

Make safe hazardous columns when identified.

Prioritise replacement/repair of unsound/unsafe lighting units on the basis of safety/residual life/column condition as revealed by testing Contract.

Adopted the use of current British and European standards, required when new/replacement lighting is provided according to need

This policy predated the start of the 25 year PFI contract with Amey which began in 2008, although this policy formed the basis of requirements within the contract.

Energy Procurement

Secure the most economically advantageous means of obtaining energy from a Carbon Neutral supplier by competitive tender whilst investigating the use of economic but sustainable lighting

Maintenance

Ensure that laid down response times for dealing with lighting repairs is maintained by the Contractor

Ensure that the Contractor verifies the relevant data as part of routine maintenance operations to enable the County Council's inventory to be updated

Have planned inspection procedures to identify electrical and structural defects

Decorative Lighting

Provide guidance to organisations that wish to install decorative lighting on or above the highway. Require these organisations to arrange their own electricity supplies for their decorations.

Attachments to Street Lighting Columns

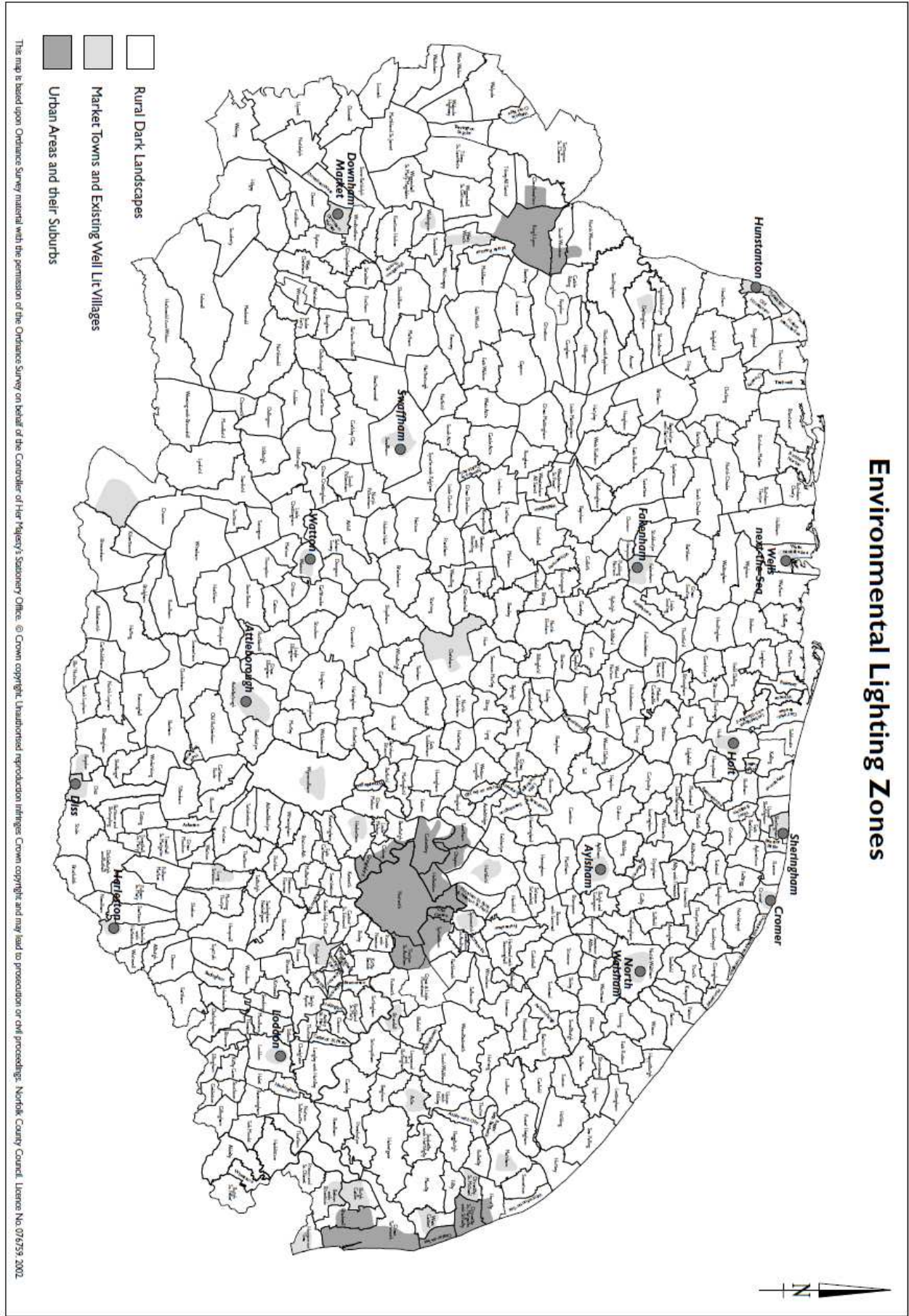
Continue to allow organisations to attach seasonal decorations and/or flower baskets to street lighting columns where it is safe to do so

Continue negotiations with Statutory Undertakers to allow them to fit aerials to columns for an annual rental, or for replacement and upkeep of the column.

Continue investigations with media companies to allow advertising on columns in return for an annual income.

Allow banners to be attached to columns advertising Local Authority supported functions.

Require all the above organisations to fund the cost of replacement column(s) fabricated to specifically support such attachments, where necessary or, in the case of a replacement scheme being installed by NCC, the difference in cost between standard column (s) and one(s) fabricated to specifically support such attachments



Report to Infrastructure and Development Select Committee

Item No. 8

Report title:	Norfolk Strategic Infrastructure Plan (NSIDP) refreshed for 2019.
Date of meeting:	13 November 2019
Responsible Cabinet Member:	Councillor Martin Wilby (Cabinet Member for Highways, Infrastructure and Transport)
Responsible Director:	Tom McCabe, Executive Director, Community and Environmental Services

Executive Summary

The NSIDP is a shared plan that contains Norfolk's high-level strategic infrastructure priorities for the next 10 years, pulling together information on key projects needed to support planned development and deliver economic growth in Norfolk. It is a living document that provides a clear message of Norfolk's strategic infrastructure needs to Government and its agencies. The NSIDP is focussed on strategic transport, utility and sustainability projects; there are other infrastructure schemes and projects important across the county but not included in this strategic plan. The NSIDP sits alongside Children's Services Local Growth and Investment Plan and the Norfolk Public Health Strategy. The draft 2019 NSIDP can be found in Appendix A.

The NSIDP is reviewed and updated annually as projects are progressed through to delivery and new schemes come forward. The NSIDP helps the County Council and its local partners to co-ordinate implementation, prioritise activity and respond to any funding opportunities. The list of projects is compiled in partnership with a range of stakeholders and aligns with the County Council's priority for improved infrastructure, the ambitions of the New Anglia Local Enterprise Partnership Norfolk and Suffolk Economic Strategy and the District Council's Local Plans. The projects in the NSIDP will accelerate the progress of sites that will deliver a significant number of homes and jobs, examples include:

- Road infrastructure at Long Stratton and West Winch to deliver 5,300 homes;
- Power at Thetford to deliver 1,300 jobs at the Thetford Enterprise Park
- Weavers Way providing walking and cycling infrastructure to support the Broadland Growth Triangle's planned 13,500 homes

Projects are grouped in Local Authority control and those to be delivered by external organisations.

The production of the 2019 NSIDP began in June with officers from the County and District Councils working jointly to update progress on existing projects and consider any additional emerging projects. The NSIDP has been reviewed by officer groups: Norfolk Strategic Planning Group, Norfolk Growth Delivery Group, Norfolk Strategic Growth Group (consisting of Chief Executives from all the District Councils) and will be considered by Norfolk Leaders (consisting of Leaders of all Norfolk District Local Authorities and the County Council) the NSIDP will remain a draft until a final version is signed off by Cabinet in December.

The key changes made to the 2019 NSIDP are:

- The inclusion of new projects that meet the criteria – Fakenham A148 Roundabout Enhancement, Attleborough Electricity Upgrade, Snetterton Heath Electricity Upgrade and North West Woodlands Country Park;
- Heigham Water Works and Easton, Hethersett and Cringleford sewerage upgrade added to the funded list on page 14 and Broadland Business Park Rail Station removed from the NSIDP at this time and pending future consideration.
- The inclusion of an “up and coming” list of for those projects which are likely to fit the criteria for the NSIDP but where enough information is not known for projects to be fully included in the plan at this time.

Actions required

The Select Committee is invited to comment on the 2019 NSIDP, asked to endorse the strategic and inclusive approach to infrastructure planning in Norfolk and support the continued production of the NSIDP, together with its annual review.

1. Background and Purpose

- 1.1. Since 2012 a refresh of the Norfolk Infrastructure Plan has been carried out annually, taking account of developments in understanding, new project information and priorities could change accordingly. This means longer term projects and priorities can change accordingly. Since 2017 the NIP has become the Norfolk Strategic Infrastructure Delivery Plan (NSIDP) with a greater focus on delivery.

2. Proposals

- 2.1. The Draft 2019 NSIDP can be found in Appendix A and sets out Norfolk’s high level strategic infrastructure priorities for the next 10 years and has an accompanying online map [Norfolk Strategic Infrastructure Map](#) presenting all the projects in the NSIDP as one vision for Norfolk.

There are many other smaller infrastructure schemes and projects important across the county. Not every project has been included in the NSIDP as the NSIDP only includes the most strategic projects, which make the largest contribution to housing and jobs targets; and on which the county council and other partners are actively working with a recognised route towards accelerated delivery. To maintain the purpose of the NSIDP there is a rigorous selection process and projects must meet the following criterion to be included:

- Delivering significant housing and jobs growth
- Identified in existing plans/programmes
- Have a committed route to delivery
- Significant Local Authority control or interest.

The list of projects has been compiled in conjunction with stakeholders including internal county council departments, district councils, utility companies and government agencies. The list of prioritised projects included in the NSIDP has been reviewed and agreed by the appropriate officer groups: Norfolk Strategic Planning Group, Norfolk Growth Delivery Group, Norfolk Strategic Growth Group (consisting of Chief Executives from all the District Councils).

- 2.2. The production of the 2019 NSIDP began in June with officers from the County and District Councils working together to update the progress of existing projects and consider whether there are any additional emerging projects that meet the criteria for inclusion. At the June joint Norfolk Strategic Planning Group and Growth Delivery Group meeting it was agreed that the following new projects be

added to the 2019 NSIDP:

- Fakenham A148 Roundabout Enhancement
- Attleborough Electricity Upgrade
- Snetterton Heath Electricity Upgrade
- North West Woodlands Country Park

The NSIDP was then drafted between July and October. The draft will be reviewed and agreed by the appropriate officer groups: Norfolk Strategic Planning Group, Norfolk Growth Delivery Group, Norfolk Strategic Growth Group (consisting of Chief Executives from all the District Councils) in October and early November. Finally, it will be considered by Norfolk Leaders (consisting of Leaders of all Norfolk District Local Authorities and the County Council). The final version of the NSIDP will be presented to Cabinet for approval in December.

- 2.3. At the joint Norfolk Strategic Planning Group and Growth Delivery Group meeting it was also agreed to add an “up and coming” section for those projects which fit the criteria for the NSIDP but where enough information is not known for projects to be fully included in the plan at this time. This assists in the creation of a pipeline of projects for future inclusion.
- 2.4. The projects in the NSIDP are focussed on transport, utilities and sustainability and align with the County Council’s priority for improved infrastructure, the ambitions of the Norfolk and Suffolk Economic Strategy (NSES) and the District Council Local Plans.
- 2.5. Some projects are further forward than others, the more developed projects have robust investment requirements and implementation timelines; others are in the early stages of design and are less well known. In some cases, the funding sources are clear, for example where Section 106 (S106) or Community Infrastructure Levy (CIL) collected from developers will provide a significant contribution. Additional details on costs and sources of funding, such as contributions from utility companies like UK Power Networks will be added as projects are firmed up.

3. Impact of the Proposal

- 3.1. The NSIDP is focussed on delivery with projects grouped by those in Local Authority control and those which are being delivered by external organisations. For those projects in Local Authority control significantly more information has been provided including a detailed breakdown of each project stage and the work underway to progress delivery.
- 3.2. In addition, the majority of projects have also received funding from the Business Rates Pool in a coordinated approach to ensure projects progress as planned over the coming year and the next stage for delivery has been identified. This approach to infrastructure planning allows the County Council to collaborate with its partners to focus on the delivery of strategic infrastructure projects understanding what is required to progress schemes most efficiently to delivery.
- 3.3. Norfolk County Council and its partners are using the NSIDP to help accelerate infrastructure delivery to support growth. This includes aligning key project milestones to opportunities such as the Major Road Network (MRN) funding. This invited Sub National Transport Bodies to submit business cases for their priorities in the summer. We are accelerating work on our priority schemes at Long Stratton and West Winch including work on the submission of strategic

outline business cases.

4. Evidence and Reasons for Decision

- 4.1. The NSIDP helps the County Council generate a pipeline of projects based on estimated start dates and keeps track of progress to ensure they are delivered as planned. This allows for informed discussions and will enable work with partners to co-ordinate implementation, prioritise activity and respond to any funding opportunities.

5. Alternative Options

- 5.1. If an NSIDP were not to be produced there is the potential to lose the inclusive approach to infrastructure planning. This reduces the ability to keep track of the collective progress of the county's key infrastructure projects and the information in the NSIDP assists coordinating resources to ensure projects are delivered as planned. Without the NSIDP and it will be challenging to maintain the pipeline approach infrastructure planning.

6. Financial Implications

- 6.1. There are no direct financial implications of the NIDP. Individual projects will have their own budgets. Staff support is managed through existing resources.

7. Resource Implications

- 7.1. **Staff:**
The NSIDP is managed with existing resources.
- 7.2. **Property:**
None
- 7.3. **IT:**
The NSIDP is managed with existing resources.

8. Other Implications

- 8.1. **Legal Implications:**
None
- 8.2. **Human Rights implications**
None
- 8.3. **Equality Impact Assessment (EqIA) (this must be included)**
Each individual project will be subject to EqIA as appropriate.
- 8.4. **Health and Safety implications (where appropriate)**
None
- 8.5. **Sustainability implications (where appropriate)**
The NSIDP helps deliver the infrastructure required for sustainable development and each project will be subject to its own SEA as appropriate.
- 8.6. **Any other implications**
None

9. Risk Implications/Assessment

- 9.1. There are no other significant issues and risks that arise from this decision. This

infrastructure delivery plan and accompanying online map is an innovative approach to presenting project information.

10. Actions required

- 10.1. The Select Committee is invited to comment on the 2019 NSIDP, asked to endorse the strategic and inclusive approach to infrastructure planning in Norfolk and support the continued production of the NSIDP, together with its annual review.

11. Background Papers

- 11.1. The 2018 NSIDP is available at: <https://www.norfolk.gov.uk/what-we-do-and-how-we-work/policy-performance-and-partnerships/policies-and-strategies/business-policies/norfolk-infrastructure-delivery-plan> with an accompanying online map [Norfolk Strategic Infrastructure Map](#)
The 2019 NSIDP can be found in Appendix A and will be available via the same web link once approved by Cabinet.

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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 or 0344 800 8011 (textphone) and we will do our best to help.

Norfolk Strategic Infrastructure Delivery Plan 2019

October 2019

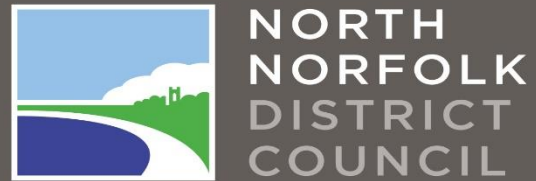


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Introduction

Norfolk County Council and its partners are determined to unlock Norfolk's full potential. To make this happen we are working together to ensure existing and planned infrastructure links people to jobs, homes and local amenities as well as connecting business with customers. Work is already underway to achieve our social, economic and environmental aspirations for today whilst making Norfolk future fit for the challenges of tomorrow...

This strategic infrastructure delivery plan (SIDP) pulls together information on the key infrastructure needed to deliver economic growth in Norfolk. It is a working document that will be reviewed on a regular basis as information becomes available and projects progress through to delivery. The Plan will help Norfolk County Council and partners to co-ordinate implementation, prioritise activity and respond to any funding opportunities. An online map showing all of the projects and key information can be found: [Norfolk Strategic Infrastructure Plan Map](#)

All the information in the SIDP is correct as of the date of publication and will be reviewed on a regular basis, the plan has been developed by assessing the work required for each project to progress forward and where appropriate identify funding opportunities to carry out this work.

The Town and County Planning Association published (June 2018) a report: Building for the Future: The Role of County Councils in Meeting Housing Need. This report identified Norfolk County Council as a case study of best practice particularly highlighting the successes of the Norfolk Infrastructure Delivery Plan and Norfolk Strategic Planning Framework in future planning and collaboration.

The SIDP sets out the Norfolk wide high-level strategic infrastructure priorities for the next 10 years. This list has been compiled in collaboration with stakeholders including internal county council departments, district councils, utility companies and government agencies. These projects align with the County Council's priority for improved infrastructure, the ambitions of the Norfolk and Suffolk Economic Strategy (NSES), District Council Local Plans, the County Council's plan "Together for Norfolk – an ambitious plan for our County 2019-2025" priorities, Children's Services Local Growth and Investment Plan and the Norfolk Strategic Planning Framework agreed by all Norfolk planning authorities.

There are many other infrastructure schemes and projects important across the county. Not every project can be included in the SIDP. The SIDP includes the most strategic projects on which the county council alongside partners are actively working to progress and which have a recognised route towards delivery.

Infrastructure projects in this delivery plan are appropriately in sync with the Governments Industrial Strategy, which identifies growth as being clustered around centres of skills and ideas. All of the projects will deliver the physical infrastructure that is essential to promote these economic growth locations.

The projects included in the SIDP are now categorised into those where Local Authorities lead the project and those where an external organisation is leading and delivering the project. This still allows us to identify all the strategic infrastructure projects in Norfolk but also direct resources, identify funding sources and target lobbying in the most effective way as different projects will have different routes through to delivery.

Some projects are further forward than others, so they have robust investment figures and implementation timelines; others are in the early stages of design and are less well known. In some cases, the funding sources are clear, where Section 106 (S106) or Community Infrastructure Levy (CIL) collected from developers will provide a significant contribution. Additional details on costs and sources of funding, such as contributions from utility companies like Anglian Water will be added as projects are firmed up.

Figures 1 and 2 indicate that Norfolk's key growth locations are clustered at points along the main transport arteries. Therefore, these growth corridors and the locations identified in the NSES and District Local Plans provide the spatial context for this plan.

Figure 1 Key housing growth sites

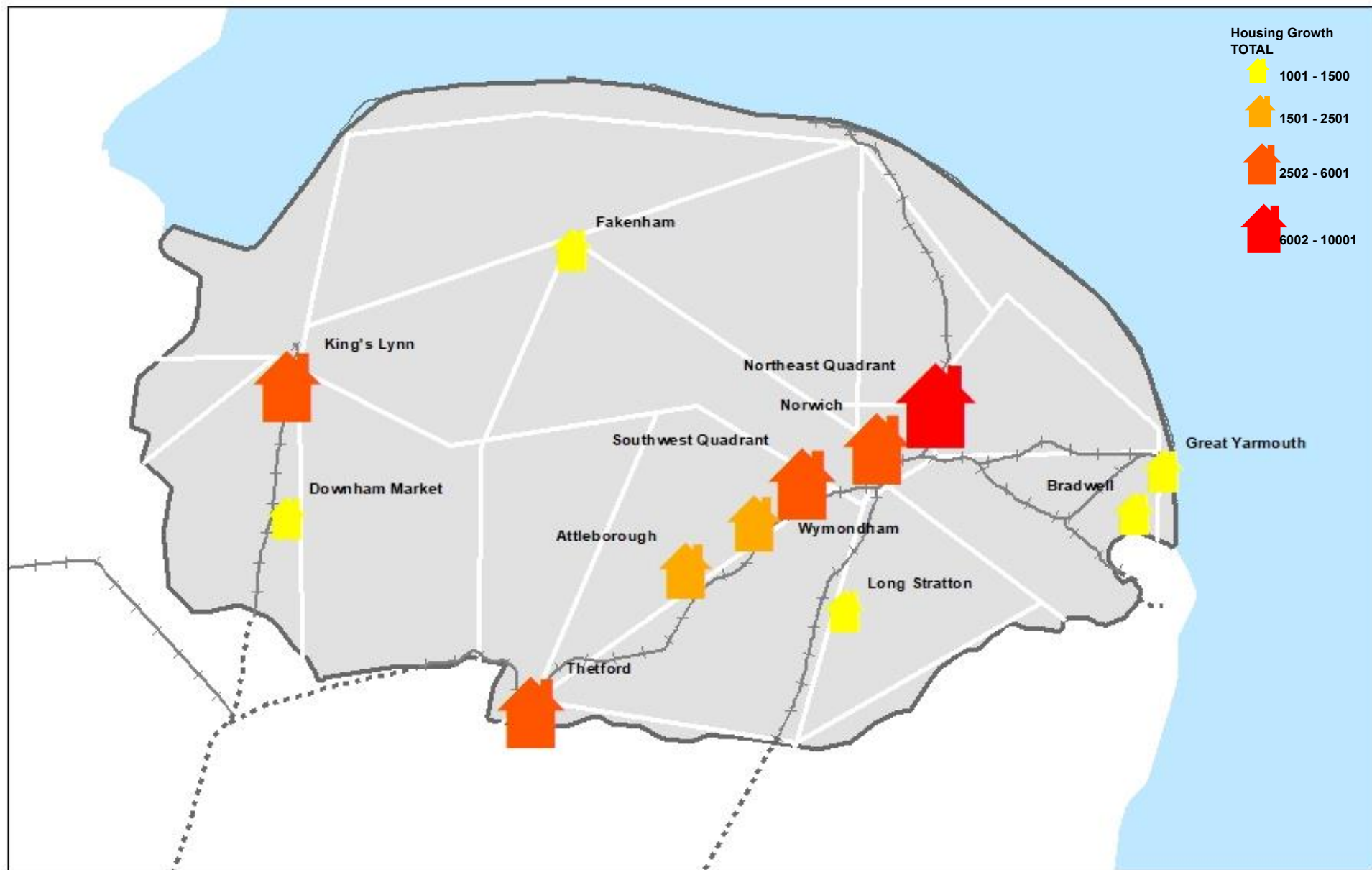


Figure 2 Key employment sites

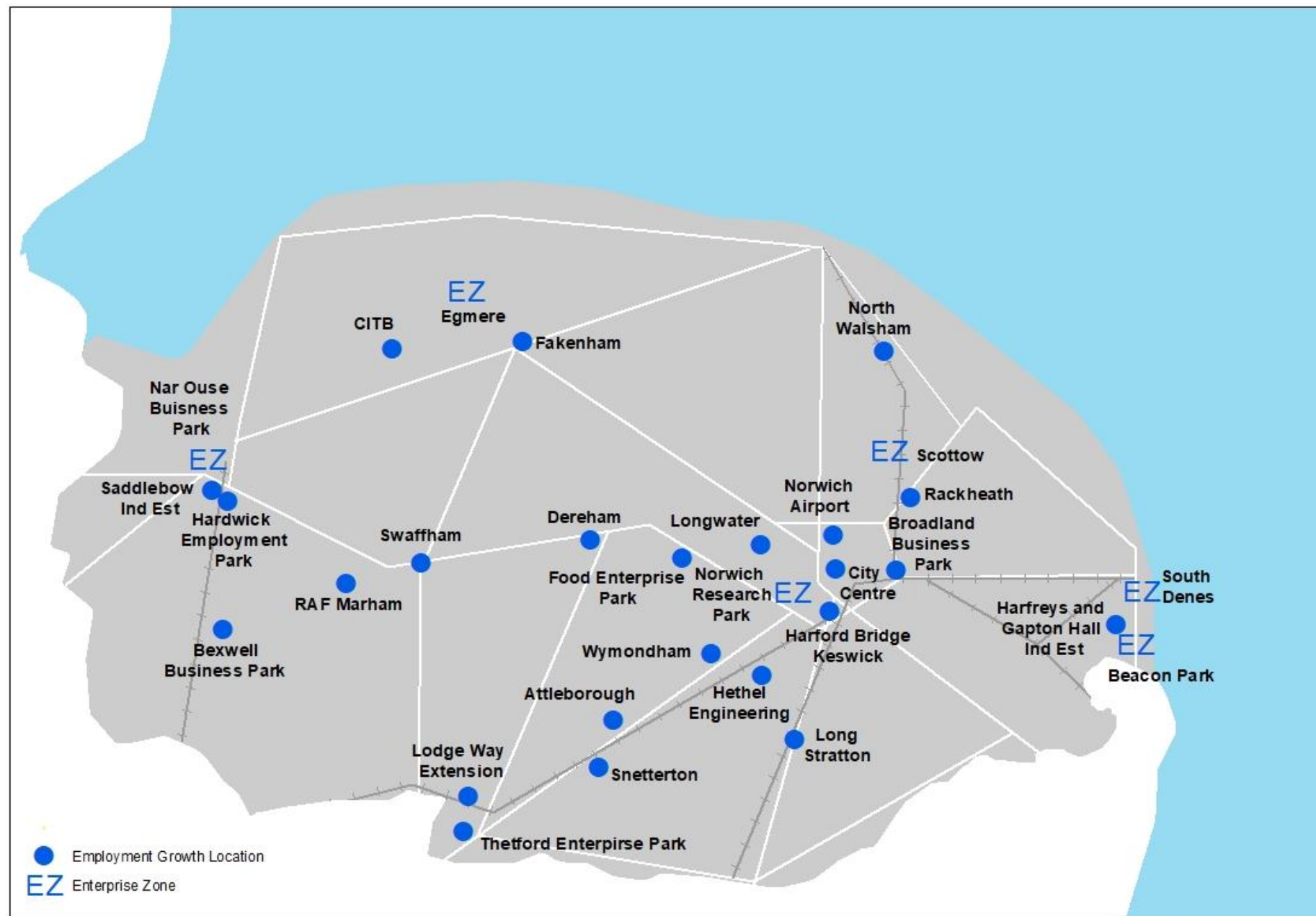
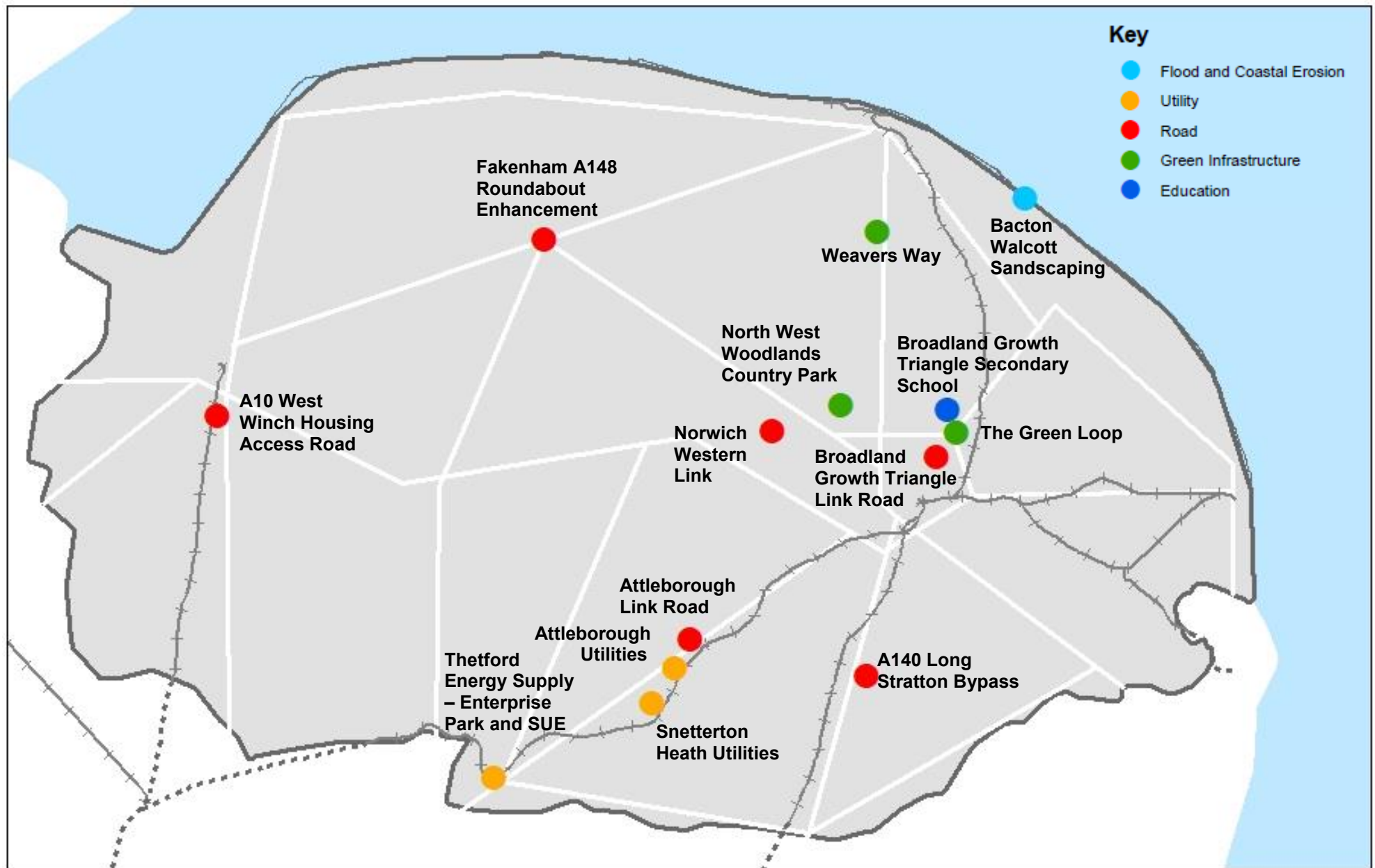


Figure 3 Strategic Infrastructure projects in Local Authority control



The Norfolk Strategic Planning Framework suggests Norfolk authorities will need to collectively plan for an additional 84,000 (approx. 4,000 per annum) homes by 2036. **Figure 1** outlines the key strategic housing sites that will deliver the majority of this growth, with growth focussed around key urban areas that have existing infrastructure and services that have the capacity to support high levels of growth. It also identifies all the places in our area that are expected to grow by at least 1,000 homes over the relevant local plan period. As well as the major urban areas of Norwich, King's Lynn and Great Yarmouth there are groupings of towns along the A11 as well as key individual market towns that can make a significant contribution to growth.

Figure 2 identifies the major employment sites and opportunities in Norfolk crossing a range of sectors and locations. As with housing it shows the majority of employment sites are aligned with the urban centres and access to the trunk road network. The job growth locations have a diverse mix of high impact sector activity, but the smaller locations have mainly advanced manufacturing and agri-tech, with more life sciences in the southwest which is closer to Cambridge. There are concentrations of employment locations serving high impact sectors in:

- **Greater Norwich** – Life sciences, digital cluster, finance and insurance
- **Great Yarmouth** – Offshore energy
- **Attleborough, Thetford and A11** – Life sciences, agri-tech and advanced engineering
- **King's Lynn and Downham Market** – Advanced engineering
- **Fakenham** – Clean energy

Figure 3 shows all of the projects in Local Authority control that require further development, it does not show projects that are funded, which are listed on page 12. These projects are in alignment with housing growth, jobs growth and NSES key places, and will create better places to live and work for people in Norfolk. The transport projects support major housing and employment sites; improving connectivity and reducing journey times for people and businesses. Utility projects are concentrated around urban areas and the towns along the A11, ensuring the developments at Thetford, Attleborough and Snetterton are built out as planned, and capacity for water supply and disposal is increased in Norwich and King's Lynn to accommodate growth. Utilities including digital coverage are now as essential for homes and businesses as being able to turn a tap on and should be seen in the same way with this plan identifying a range of projects that need to be progressed to deliver the planned growth in NSES key locations. For the county to grow sustainably, green infrastructure projects will mitigate the impact of growth to the northeast of Norwich whilst flood defences and coastal erosion projects along the coast will be vital in protecting both existing and future homes and businesses. The projects do not work in isolation, and they deliver more than one outcome. The transport projects are focussed on unlocking housing and job sites. These cannot move forward without essential utilities being in place, while green infrastructure projects create innovative solutions that can alleviate environmental constraints.

Funding Opportunities

The funding required to pay for the strategic infrastructure projects to support delivery of growth is a key element of the individual Local Infrastructure Plans. Opportunities for funding include:

- Growing Places Fund
- City Deals
- Business Rates Pooling (BRP)
- Growing Business Fund
- Enterprise Zone accelerator fund
- Enterprise Zone business rates retention challenge fund
- Local Investment Fund (LIF)
- Local Major Transport Schemes
- New Anglia Local Enterprise Partnership (NALEP)
- Homes and Communities Agency
- Housing Infrastructure Fund
- Private Investment
- National Productivity Investment Fund (NPIF)
- Developer funding (Section 106 and Community Infrastructure Levy (CIL))
- Transforming Cities Fund
- Government Major Road Network
- Access for All
- Future High Streets Fund
- Sovereign Wealth
- Industrial Strategy related funding

In December 2013, Broadland, Norwich City, Norfolk County and South Norfolk councils signed a City Deal with central government. A core theme supports infrastructure delivery to promote accelerated delivery of planned growth for infrastructure in Greater Norwich.

The infrastructure priorities identified in the IDP will assist the delivery of the NSES and District Council Local Plan growth ambitions. This plan then sets out which elements of infrastructure are required to support the identified growth locations.

Housing Infrastructure Fund (HIF)

Norfolk has been successful in getting several schemes into the Homes England Housing Infrastructure Funds. The funds allocated in Norfolk are:

Scheme	Funding agreed	Works proposed	Homes unlocked
Marginal viability fund (single and lower tier authorities)			
Kingsfleet Urban Extension, Thetford	£9.95m	Power infrastructure	5,000
Anglia Square, Norwich	£12m	Decontamination, archaeology, demolition, drainage, roads	1,230

		and parking, water, electricals and gas	
Cringleford, South Norfolk	£7.8m	Infrastructure (Homes England's Accelerated Construction Fund.)	350
Forward funding (upper tier authorities)			
Broadland growth triangle	£57m	Infrastructure	7,720
Total	£96.7m		14,300

Transforming Cities Fund

Norfolk County Council, in partnership with Norwich City Council, Broadland District Council and South Norfolk Council, has made an application to the Department for Transport (DfT) as part of the Transforming Cities Fund through Transport for Norwich. The fund aims to make it easier for people to access jobs, training and retail, and also aims to respond to issues around air quality.

In September 2018, Greater Norwich was one of 10 city areas shortlisted to apply for a share of the £840m grant. In the following budget announcement, this was extended to 12 city areas and a £1.2bn total fund. The Transport for Norwich team is now working with the DfT on detailed proposals to put forward for funding through the project.

In January 2019, the partnership submitted a wish-list of schemes for funding from an initial £60m pot to launch the project. Business cases for eight schemes made up the £7m application and in March 2019, we were awarded £6.1m to deliver six of the schemes:

- Improvements to Norwich Bus Station
- Continuation and completion of pedestrian, cycle and traffic flow improvements to the Prince of Wales Road area, extending into Bank Plain and London Street
- Cycle, pedestrian and highway improvements to the green pedalway in Thorpe St Andrew
- Provision of an additional section of off-carriageway cycle path along the blue pedalway in Hethersett
- Provision of a new cycle share scheme in Norwich
- Pedestrian access improvements at the Heigham Street/Mile Cross Road and Dereham Road/Bowthorpe Road junctions, including provision of a 20mph speed restriction in the residential areas between the junction

As outlined above we have already successfully secured a £6.1m allocation fund from an earlier tranche of TCF funding and have outlined the following key deliverables in the application for the remaining TCF allocation:

- Improvements along three principal transport corridors; Airport to Broadland Business Park; Wymondham to Sprowston; and Easton to Rackheath

- Quicker journeys by cleaner vehicles serving the Norwich Research Park, University of East Anglia and the hospital, providing a cross valley link crossing the River Yare
- More frequent bus services that are better co-ordinated between operators, with more evening services
- Improvements to public transport ticketing
- Improvements to walking and cycling networks to support the delivery of enhanced public transport
- Improvements to public transport, walking, cycling and general highway capacity in the Longwater area
- More direct and quicker public transport routes to and from the Broadland Growth Triangle, the UK's largest urban extension
- Provision of much needed additional bus stop capacity in the city centre, better connecting the train and bus stations and providing extra inner ring road junction capacity
- Delivering fully accessible transport hubs that provide a range of facilities, which could include seating, lighting, real time and disruption travel information, Wi-Fi, mobile phone charging, cycle parking, electric vehicle charging, retail opportunities and car club vehicles

Infrastructure Funding Statements

The Government recently (June 2019) set out amendments to the Community Infrastructure Levy Regulations 2010, which introduces the requirement to produce an Infrastructure Funding Statement (IFS), whereby Local Authorities set out their infrastructure priorities and delivery as well as identifying (monitoring) how monies received have been spent.

The County Council will need to work with the District Councils to ensure a joined-up approach to infrastructure delivery through developer funding. This can build on existing arrangements relating to the preparation of Local Authority Infrastructure Delivery Plans.

The County Council already monitors effectively how it spends its Obligations receipts – although further consideration will be given to this matter once further Government Guidance is published.

Funded Projects at October 2019

The following projects have successfully been funded since 2013

Completed:

- Broadland Northway (Norwich Northern Distributor Road (incl Postwick) - £205m
- Norwich Pedal ways -£14m
- Great Yarmouth Beacon Park Link (A47/143 Link) - £6.8m
- A11 dualling Barton Mills to Thetford- £105m
- Great Yarmouth Right Turn at the rail station - £400,000
- Great Yarmouth Rail Station to the Market Place improvement- £2m
- Great Yarmouth sustainable transport package (Part 1) - £2.5m
- Thetford Enterprise Park Roundabout- £1.5m
- King's Lynn Lynnsport Link Road- 3.5m

Under construction or part-completed:

- Attleborough Town Centre Improvements- £4.5m
- Snetterton Energy Supply - £3.6m
- Norwich (various projects including Dereham Road roundabout- £2m, Cycle link extension to Wymondham- £1.3m, City centre Prince of Wales Road- £2.6m, Dereham Road widening- £3m)
- A140 Hempnall Roundabout - £4m
- Great Yarmouth congestion-busting projects- £3.3m
- Great Yarmouth sustainable transport package (Part 2) - £3.5m
- Thetford Water Supply – £9.8m
- Thetford Sewerage Scheme - £2m
- Easton, Hethersett and Cringleford sewerage upgrade - £11m

Planned, not yet started:

- A11/ORR Daniels Road junction improvement- £2m
- Great Yarmouth Third River Crossing- £120m
- A47 improvements £2-300m (incl Thickthorn and Great Yarmouth junction improvements and dualling Blofield to North Burlingham, and Easton to North Tuddenham)

Superfast Broadband

There are two infrastructure providers that have deployed fibre infrastructure capable of delivering Superfast broadband (24Mbps+); BT Openreach and Virgin Media. Commercial investment from these two companies provided access to Superfast broadband for 42% of Norfolk properties. The Better Broadband for Norfolk (BBfN) Programme signed a third contract in March 2019 and as a result coverage is expected to increase access to Superfast broadband to 97% of Norfolk properties by the end of September 2022.

To date, BBfN has seen access to Superfast broadband increase from 42% in 2013, to 93% of Norfolk properties in March 2019. These figures are taken from the independent organisation "[Think Broadband](#)" data.

Provisions within the BBfN contract provide rebates from BT if Take-up of services using BBfN funded infrastructure are higher than expected. This has allowed contract 3 to provide further funding to allow the county to move towards its aim of achieving 100% coverage.

UK Digital Strategy

The Government has set-up the National Productivity Investment Fund (NPIF) to provide over £23 billion of investment between 2017-18 and 2021-22. Investing in priority areas including economic infrastructure, housing and research and development. Of this money £740m will be invested in digital by 2020-21. This investment is underpinned by the UK Digital Strategy which supports the next generation of fast and reliable mobile and broadband communications for consumers and businesses.

Broadband Delivery UK has re-branded as Building Digital UK (BDUK). It has created an umbrella name for all it does UK Fibre Programme

Key areas include:

Full Fibre

The initial Government announced the first steps, specifically £200m investment to leverage commercial investment in Full-Fibre, the 'gold standard' of fast and reliable broadband. Complementing the NPIF programmes, the new Digital Infrastructure Investment Fund will be launched in spring 2017. Government investment of £400m will be at least matched by private sector investors and will accelerate the deployment of Full Fibre networks by providing developers with greater access to commercial finance.

Working with partners Norfolk County Council has secured circa. £8 million via the Government's Local Full Fibre network. This will provide Fibre to the Premises for 370 public sector sites, and importantly offers potential for nearby homes and businesses to access via two new Government Gigabit Grant Schemes:

Scheme for properties with speeds of less than 30Mbps

The Government has just announced a scheme for rural premises, experiencing speeds below 30Mbps, properties will be eligible for between £500 and £3,500 per small and medium-sized businesses (SME) and between £500 and £1,500 per resident to support the cost of installing new gigabit-capable connections (Ultrafast).

<https://gigabitvoucher.culture.gov.uk/rural/>

Scheme for businesses, even if they currently have a speed above 30Mbps

Offers a grant of up to £2,500 per business to contribute to access to Ultrafast broadband infrastructure, grants can be pooled, and any residential property which can be covered will be eligible for up to a £500 contribution:

<https://gigabitvoucher.culture.gov.uk/>

The Government's has set the aim of achieving access to Full Fibre broadband for 15 million properties by 2025 and all by 2033. It anticipates 90% of properties will benefit from commercial investment from broadband infrastructure providers. Broadband Delivery UK is currently working on possible options for providing Full Fibre to the remaining 10% of properties.

5G

The Budget also announced up to £16m for leading UK research institutions to cooperate on a cutting edge 5G facility to trial and demonstrate 5G technology. The first step to a new National 5G Innovation Network, this will involve government working as closely as possible with industry, investors, regulators, and researchers to refine the Government's policy as 5G technology emerges and evolves.

Support consumers in getting the best deal in digital connectivity

Ensuring adverts for broadband accurately reflect the speeds and technology actually on offer for the majority of customers, so that people know what they are getting and can better find the most competitive deal. The budget announced various new ways to protect customer will be investigated.

Roll out free Wi-Fi on trains, and in more public places.

Providing access to free Wi-Fi whilst on the move.

Introducing a Broadband Universal Service Obligation

By 2020, the UK Government intends to introduce a Broadband Universal Service Obligation (USO) that would give everyone a right to a decent broadband connection on reasonable request. This is in recognition of the increasing importance of broadband to people's everyday lives. Ofcom recommendations for the USO have set this at 10Mbps download speed and 1Mbps upload. More details are available here: <https://www.ofcom.org.uk/phones-telecoms-and-internet/advice-for-consumers/broadband-uso-need-to-know>

Planning Regime reforms

Will support the mobile industry in the rapid rollout of 4G technology, to help reach more people, more quickly.

The Electronic Communications Code

Regulates the telecommunications sector, reforms will put digital communications infrastructure on a similar regime to utilities like electricity and water. The aim is to ensure new technologies like 5G can be rollout out more quickly and benefit more people.

Mobile connections

There are four main mobile operators in the UK; EE, O2, Three and Vodafone. Coverage is increasing, based on a £2.5bn commercial investment which was agreed between Government and these operators. This is expected to provide 90% geographic voice coverage by the end 2017. However, the location of the 90% of UK geography will be determined by the operators. During 2018, Ofcom are expected to conduct a review of resulting coverage, this is expected to further inform future government policy. Local Authorities want to work collaboratively to improve mobile phone coverage in rural areas.

Local Industrial Strategy

The Local Industrial Strategy under Information and Communications Technology and Digital Creative wants to develop the economic case for a Smart Emerging Technology Institute and testbed (SETI) – a unique advanced high-speed optical and wireless network (including 5G) which interlinks Internet of Things testbeds to support large-scale experiments and data transfer.

Education

The Schools' Local Growth and Investment Plan (SLGIP) for pupil place provision 4- 16 sets out the strategic direction of pupil place supply for those areas of the County where pupil numbers are expected to increase in the next 5-10 years. The Plan is a response to the District Local Plan frameworks and is presented as the basis for discussion, planning and decision-making for the County Council and its partners across the increasingly diverse educational landscape. The Plan links to the County Council's schools' forward capital programme which was reported and approved at Committee in May 2018.

Major growth areas which will require multi-school solutions:

- Thetford Sustainable Urban Extension (SUE) of 5,000 new dwellings;
- Broadland Growth Triangle (Sprowston/Old Catton/Rackheath) of 12,000+ new dwellings; and
- Attleborough Sustainable Urban Extension (SUE) of 4,000 new dwellings.

Thetford

Primary School places within Thetford are provided by eight schools, a mix of infant, junior and all-through primary, six of these are academies plus two community schools. A total of 360 places are available each year group across the primary phase.

Working with the land promoters on the strategic urban extension to Thetford, sites have been secured free of charge for three new primary phase schools each of 420 places. In early 2018 the first reserved matters application for phase 1a of the development was permitted for 343 dwellings. This phase includes the site for the first new primary school with a potential opening date of 2021.

Pupil forecasts indicate that the current provision of places is sufficient until the new housing commences. In the short term as described above land has been secured for the first new school, in the longer term two further primary schools will be delivered. The timescales for these schools depend on the progress rate of new housing in Thetford.

Secondary school places will be monitored at Thetford Academy, as additional land has already been provided at the school to allow for future expansion. S106 contributions have been secured although not yet collected as a result of the future housing allocation.

Broadland Growth Triangle

Existing provision is extensive and affects three secondary schools: Sprowston Community High School, Thorpe St Andrew School, Broadland Ormiston High School and their feeder primary phase schools. Existing primary phase provision remains a mix of infant/junior in Old Catton and Sprowston and all through primary in Rackheath and Thorpe.

To the immediate south-east, the new primary school at White House Farm is progressing. Land has been transferred over to NCC and construction has begun. The school opened in September 2019.

To the north of Old Catton progress is being made on several housing sites and when coupled with the first phase of Beeston Park, the expectation is that there will be pressure for school places in this area. Rackheath has a large allocation of for up to 3,000-4,000 houses, which is progressing with a Housing Infrastructure bid submitted in March 2019. Smaller sites around Rackheath are likely to commence earlier with four sites of up to 700 homes in total are in the planning system.

Housing in this area will establish the need for many new schools and impact on existing schools. There is a long-term plan for the area and sites have been secured for new schools within the Local Plan. In the shorter-term admissions into reception each year will be monitored.

As well as two new schools at Beeston Park, further school sites have been secured for new schools on Salhouse Road, North of Smee Lane and a planned extension to double the size of Little Plumstead Primary School. The major growth in Rackheath also safeguards two new primary school sites.

Norfolk County Council has made a commitment for a new secondary phase school in the Growth Triangle area and a preferred site has been identified on the current Sprowston Park and Ride site. Some work on feasibility has taken place but all options for additional secondary school places needs to be considered in the area as a new secondary school project is currently unfunded. Norfolk County Council continue to work with the Greater Norwich Growth Board to understand how CIL can contribute to this major piece of work.

Attleborough

The town of Attleborough is served by two all-through primary schools, namely Attleborough Primary School and the new Rosecroft Primary School and one secondary school – Attleborough Academy. The two primary schools offer five forms of entry between them. The town is surrounded by villages with local schools. Some children in Attleborough catchment do choose a nearby village school as opposed to their local primary school in the Town - e.g. in September 2018, around 22% of Attleborough catchment children expressed a preference for a reception class outside catchment.

The outline planning application for 4,000 homes was recommended for approval at Breckland District Council planning committee in March 2019. Heads of Terms for the S106 agreement are still being finalised but land for two new primary phase schools will be secured once outline permission is approved. Progress with the development is subject to the [link road](#) so timescales for commencement of the development once planning permission is granted are still uncertain.

In the short-term school places will be monitored through the annual admissions

round. In the longer term there is planning for the provision of two new primary schools for Attleborough understanding the parental preference to surrounding villages and how that will impact on the new schools.

In addition to these major growth areas which require multi-school solutions the SLGIP also sets out development locations where one new school is expected and growth areas with implications for existing schools. The full report can be found: <https://norfolkcc.cmis.uk.com/norfolkcc/Meetings/tabid/128/ctl/ViewMeetingPublic/mid/496/Meeting/1474/Committee/8/Default.aspx>

Infrastructure projects in Local Authority Control

Infrastructure Projects in Local Authority control

The County Council in collaboration with partners is seeking to progress a number of key infrastructure initiatives for the next 10 years as listed below.

All of the projects in this list are judged on four criteria:

- Delivering significant housing and jobs growth
- Identified in existing plans/programmes
- Have a committed route to delivery
- Significant Local Authority control or interest.

Tick system key:

No ticks = Issue identified but no work carried out to identify project/solution

✓ = Feasibility work on scheme has begun to identify options

✓✓ = Feasibility/development work underway on preferred option

✓✓✓ = Project is shovel ready

Road Projects

Project Name	Estimated Start Date	Estimated Cost	Scheme Development	Potential Funding Source
Broadland Growth Triangle Link Road	2021	£38m	✓✓✓	Developer funding, CIL, BRP, HE HIF
Attleborough Link Road	2021	£18m	✓✓	Developer funding, NALEP
A10 West Winch Housing Access Road	2022	£32m	✓✓	Developer funding, NALEP, Government Major Road Network
A140 Long Stratton Bypass	2022	£33m	✓✓	Developer funding, NALEP, CIL, NPIF, Government Major Road Network

A148 Fakenham Roundabout Enhancement	2022	£3.5m	✓✓	NPIF, NALEP
Norwich Western Link	2023	£153m	✓✓	NALEP, Local major transport scheme

Utilities Projects

Project Name	Estimated Start Date	Estimated Cost	Scheme Development	Potential Funding Source
Thetford SUE Energy Supply	2019	£10m-£12m	✓✓✓	HCA, HE HIF
Thetford Enterprise Park Energy Supply	2020	£1m	✓	BRP, NALEP, Private Sector
Attleborough New Employment Land – Electricity Upgrade	2020	TBC	✓	BRP, NALEP, Private Sector
Snetterton Heath Infrastructure - Electricity Upgrade Phase 2	2020	TBC	✓	NALEP, Private Sector

Sustainable Projects

Project Name	Estimated Start Date	Estimated Cost	Scheme Development	Potential Funding Source
Weavers Way	2019	£3.1m	✓✓	RDPE, HLF, NALEP

The Green Loop	2019/20	£5.8m	✓✓✓	DfT, NALEP, Sustrans, Lottery, Developer contributions, CIL
Bacton Walcott Sandscaping	2019	£19.3m	✓✓✓	Public sector, Regional Flood and Coastal Committee, Environment Agency, DEFRA, NALEP, private sector
North West Woodlands Country Park	2022	£2m	✓	Broadland District Council, CIL, BRP

Education Projects

Project Name	Estimated Start Date	Estimated Cost	Scheme Development	Potential Funding Source
Broadland Growth Triangle Secondary School	2025/26 – dependent on development progress	£26m	✓	NCC, BRP, CIL

Roads

Broadland Growth Triangle Link Road

The project will provide a road linking the strategic employment areas of Broadland Business Park and Norwich Airport through the development sites within the northern suburbs of Norwich. It will significantly increase the accessibility of employment sites in the Broadland Growth Triangle area and support the development of approximately 55 hectares of employment land in this vicinity. A section of the link between Wroxham Road and Salhouse Road has already been delivered through development and is expected to be open to traffic in the near future. The remaining sections are outlined below.

Broadland Growth Triangle Norwich Link Road				
Description of stage	Airport Industrial Estate to St Faiths Road	St Faiths Road to North Walsham Road and North Walsham Road to Wroxham Road	Salhouse Road to Plumstead Road	Plumstead Road to Broadland Business Park
Estimated cost to deliver the stage	Additional feasibility and scheme development costing approx. £200k	Additional feasibility and scheme development costing approx. £500k	Possible need for additional feasibility and scheme development costing approx. £300k	n/a
Indicative timeframe to deliver stage and start date	<p>Feasibility underway to establish optimal location, nature and timing of vehicular link to Airport - completion by March 2019. Scheme development and planning applications to follow as appropriate.</p> <p>Developer on site and delivering estate road link with mini roundabout on Repton Avenue. Temporary construction link between Repton</p>	<p>A detailed application has been submitted part of the link between St Faiths Road and Norwich RFU. NCC and BDC are working with the developer to achieve a planning approval. Approval anticipated by March 2020 and delivery by March 2021.</p> <p>NCC, BDC and developer are working through the co-development of the HIF bid to develop scheme for</p>	<p>Outline planning permission for development scheme across majority of link granted. Reserved matters application submitted for link between Salhouse Road and triangle land. Scheme for signals on Salhouse Road submitted and delivery anticipated by March 2020.</p> <p>Detailed consent for junction with Plumstead Road currently under-</p>	<p>Developer current intention is to begin constructing 1st phase of the Brook Farm Link Road by the end of 2019.</p> <p>BDC and NCC are in ongoing negotiations with developer about 2nd phase of link road.</p> <p>Key constraint is Middle Road Bridge. Scheme for widening and improving presently part</p>

	Avenue and Meteor Close has been constructed. Work on a permanent link between Repton Avenue and Meteor Close still to start. Construction complete by March 2020.	remainder of link. If HIF is successful delivery is expected by March 2021.	consideration. Roundabout junction subject to funding bid.	of funding bid.
Potential funding source	CIL, developer finance	CIL, BRP, HIF, developer finance	CIL, HIF, developer finance	Developer finance
Tick system	✓✓✓	✓✓✓	✓✓✓	✓✓✓

Attleborough Link Road

A key transport priority for Attleborough, required for planned strategic growth, is a link road between the B1077 near Bunns Bank to London Road to the south of the town. The link road will distribute new and existing traffic away from the town centre and enable traffic management measures to be implemented within the town centre such as HGV restrictions. Delivery of the link road will be a planning requirement of the scheme and will be phased so that up to 1,200 homes can be built before the link road is required to be opened in full. A Planning Application for the Urban Extension including the link road was submitted in 2017 and was determined in 2019. Discussions are ongoing with development interests and key partners in order to bring forward the full completion of the road before the requirements of the planning obligations are triggered.

Attleborough Link Road		
Description of stage	Development phase: Preliminary Design; Statutory procedures and powers; Construction preparation	Construction phase
Estimated cost to deliver the stage	Circa £1.4m	£14m
Indicative timeframe to deliver stage and start date	Two years	
Potential funding source	BRP, local authority, developer	BRP, developer, NALEP, Homes England loan, HIF
Qualifications for BRP and or NALEP funding	Required for 4,000 new houses and 1,500 new jobs. Strategic scheme identified in the IDP. Funding would be for detailed technical work designed to progress strategic schemes towards readiness for implementation.	Required for 4,000 new houses and 1,500 new jobs. Strategic scheme identified in the IDP. Funding would be for construction.
Tick system	Completion of this stage will take from ✓✓ to ✓✓✓	

A10 West Winch Housing Access Road

To facilitate planned housing growth in West Winch a new road is required between the A47 and A10 to enable distribution of trips from the new development and to alleviate congestion on the A10 through West Winch and at the Hardwick junction. In order to protect the existing A10 from increased traffic, a new route through or around the new development in this quadrant is proposed in the Borough Council's Core Strategy and Local Plan.

As outlined above the A10 West Winch Housing Access Road is intrinsically linked to some improvements at the Hardwick junction and the need to dual a short length of the A47. These other measures will form part of the overall West Winch Housing Access Road scheme. Work carried out by Mott MacDonald in 2014 indicated some £22.8m for the total package of these measures.

A10 West Winch Housing Access Road			
Description of stage	Stage 1: Scheme development	Stage 2: Preparation of planning application	Detailed design and procurement
Estimated cost to deliver the stage	£280k	Est. £770k	Est. £1.9m
Indicative timeframe to deliver stage and start date	Jan- Dec 2018	Jan-Dec 2020	2020
Potential funding source	Being funded by BRP, NCC and KLWNBC	Being funded by BRP, NCC and KLWNBC	Potentially BRP, local authority funding match, developer contribution. DfT Major Road Network (The scheme has been prioritised by Transport East. A funding decision is expected on the first tranche of national projects at the end of 2019. A positive funding decision would see construction of the road start in 2022.)

Tick system	Completion of this stage will take it from ✓ to ✓✓	Initial stage to take from ✓✓ to ✓✓✓	Completion of this stage will take it to ✓✓✓
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A140 Long Stratton Bypass

Long Stratton is located approximately 10 miles south of Norwich on the A140 Norwich to Ipswich road. There is planned growth in Long Stratton of at least 1,800 homes in the period 2008-2026 to deliver a bypass but this growth is also highly dependent on the provision of water supply, sewerage and improved electricity supply. The need for a bypass has long been a priority and is considered to be a prerequisite to provide for the needs of the proposed growth. South Norfolk District Council has adopted an Area Action Plan (AAP) for Long Stratton and a planning application was submitted by the developer in 2018. This is expected to be determined in early 2019.

A140 Long Stratton Bypass			
Description of stage	An economic viability study for the Long Stratton bypass. This will be carried out by an expert consultant to provide a professional opinion on the: estimated cost of the bypass; estimated funding gap; direct and indirect economic benefits of the bypass; and added benefits of early delivery of the bypass	Development phase: Preliminary Design; Statutory procedures and powers; Construction preparation NB: This work could be broken down into the three above phases	Construction phase
Estimated cost to deliver the stage	£200,000 (funded)	Circa £4m	

Indicative timeframe to deliver stage and start date	Dec 2017 to July 2018	Two years	2022 start on bypass DfT Major Road Network (The scheme has been prioritised by Transport East. A funding decision is expected on the first tranche of national projects at the end of 2019. A positive funding decision would see construction of the road start in 2022.) 2019 Hempnall Crossroads (under construction following successful NPIF bid by the county council in 2018)
Potential funding source	Funded from: Pooled Business Rates: £100,000 SNC: £15,000 HCA: £35,000 NCC: £50,000	BRP, local authority, developer	BRP, Developer, NALEP, HIF, Government Major Road Network
Qualifications for BRP and or NALEP funding		Required for 1,800 new houses and to overcome traffic problems on A140. Strategic scheme identified in the IDP. Funding would be for detailed technical work designed to progress strategic schemes towards readiness for implementation	Required for 1,800 new houses and to overcome traffic problems on A140. Strategic scheme identified in the IDP. Funding would be for construction
Tick system	Will take scheme from ✓ to ✓✓	Completion of this stage will take it from ✓✓ to ✓✓✓	

Fakenham A148 Roundabout Enhancement

A planning application has been received for 950 residential dwellings adjacent to and south of the A148 between Water Moor Lane and the Morrisons roundabout to the east. Access to the new residential development is proposed via a new roundabout on A148 (at the Water Moor Lane junction) with a link road through to the existing roundabout serving Morrisons. There are longer term aspirations to take forward housing allocations adjacent and beyond the A148 at this location. As Highway Authority Norfolk County Council has indicated that a roundabout would be required to be built at the current A148/B1105 junction as a condition of the planning permission if residential development to the west of Water Moor Lane is progressed.

Fakenham A148 Roundabout Enhancement				
Description of stage	Development of planning application including time for statutory consultation of 13 weeks	Acquisition of land	Utilities diversion	Construction phase
Estimated cost to deliver the stage	TBC	TBC	TBC	Estimated £3.5m
Indicative timeframe to deliver stage and start date	18 Months – To develop planning application and supporting documentation including environmental assessment, ecological and arboricultural surveys.	6 months	9 months – to deliver and implement any required utility diversions	5 months
Potential funding source	NPIF, NALEP	NPIF, NALEP	NPIF, NALEP	NPIF, NALEP
Qualifications for BRP and or NALEP funding	Required to support the delivery of one of North Norfolk's largest Local Plan allocations of 950 dwellings			
Tick system	✓✓	✓✓	✓✓	✓✓✓

Norwich Western Link

This link – to connect the Broadland Northway at Taverham to the A47 west of Norwich – has been identified as one of the county council's priority road infrastructure schemes. Scheme development work has commenced, looking at the business case for such a link and to consider possible routes. The County Council has recently consulted on this project and there is a significant amount of public support for the project.

Norwich Western Link			
Description of stage	Option development and initial appraisal Development of business case: progress Design; Environmental assessment; Traffic modelling; and economic appraisal	Development phase: Preliminary Design; Completion and submission of Outline Business Case; Statutory procedures and powers; Procurement and Detailed Design for Construction preparation	Construction phase
Estimated cost to deliver the stage	£1m	£10m	Indicative £160m
Indicative timeframe to deliver stage and start date	Feb 18- Dec 18	Three years (2019-2022) -(2019/2020) Prelim Design and OBC development submission - £3m -(2020 – 2022) Statutory process (development and delivery) - £4m -(2021-2022) Procurement and detailed design/construction prep - £3m	Two years (2022 to 2024)

Potential funding source	Funded from BRP (£500k) and NCC (£500k)	BRP, NALEP, local major transport scheme, local authorities	NALEP, local major transport scheme, local authorities
Qualifications for BRP and or NALEP funding	<p>Strategic scheme identified in the IDP.</p> <ul style="list-style-type: none"> • Support sustainable housing growth in the western quadrant • Improve the quality of life for local communities • Support economic growth • Protect and enhance the natural environment • Improve strategic connectivity with the national road network <p>Funding for detailed technical work designed to progress strategic schemes towards readiness for implementation</p>		<p>Strategic scheme identified in the IDP.</p> <ul style="list-style-type: none"> • Support sustainable housing growth in the western quadrant • Improve the quality of life for local communities • Support economic growth • Protect and enhance the natural environment • Improve strategic connectivity with the national road network <p>Funding would be for construction</p>
Tick system	Will take scheme from ✓ to ✓✓	Will take scheme from ✓✓ to ✓✓✓	

Utilities

Thetford Energy Supply

A major 5,000 unit housing development (Thetford SUE) which commenced on site in spring 2018 with the first 343 units now in contract. This first phase will substantially use the current spare electricity capacity power in the north of Thetford. A phased approach to increasing electricity capacity is proposed with the first phase being the building of a new Primary Substation to be located on the Thetford SUE and serving the housing development, a large employment area on the SUE and an adjacent large employment area known as the Thetford Enterprise Park. The two employment sites have a joint capacity for circa. 140,000sq m of B1, B2 and B8 development and potential to create 3,600 jobs.

	Thetford SUE	Thetford Enterprise Park
Description of stage	11MVA of power already reserved under contract with UKPN. Construction of a new 33kV primary electricity substation on the SUE in northern Thetford	Phase 1: Secure 1MVA from UKPN to support first development. Phase 2: Distribution of power from the new substation to the Thetford Enterprise Park employment site as part of a northern Thetford upgrade of the 11kV distribution system.
Estimated cost to deliver the stage	£6.5m	£1m
Indicative timeframe to deliver stage and start date	2½ years Start date: 2019	Phase 1 - 1MVA of power available within 6 months, subject to contract (to support first development) BRP funded. Phase 2 - 2 years Start date: 2020 subject to funding
Potential funding source	HCA HIF (secured)	BRP, NALEP, Private Sector

Qualifications for BRP and or NALEP funding	To accelerate housing delivery and provide a source of power for the TEP	Required to unlock the TEP employment site
Tick system	✓✓✓	✓

Attleborough New Employment Land – Electricity Upgrade

The emerging Breckland Local Plan is allocating 10ha of additional employment land at the SW end of Attleborough close to the junction with the A11. This already forms part of the Attleborough Neighbourhood Plan 2016-2036.

Early investigation has identified that there is insufficient electricity distribution capacity to support development at the site which sits on the other side of the railway line and some distance from the existing primary substation. It is also known that the substation has insufficient capacity to support both the large housing development and the additional employment allocation, so additional substation capacity will be required.

Attleborough New Employment Land Utilities		
Description of stage	Identification and scoping of utilities required to support new employment allocation	Delivery of infrastructure projects
Estimated cost to deliver the stage	Amount in £50k	£tbc
Indicative timeframe to deliver stage and start date	6 months Start Date: August 2019	2 years Start date: September 2020
Potential funding source	Breckland Council, BRP	BRP, NALEP, Private Sector
Tick system	✓	

Snetterton Heath Infrastructure - Electricity Upgrade Phase 2

Snetterton Heath is Breckland's largest employment site with in excess of 150 acres of undeveloped/under-developed employment land. With Phase One of a major electricity upgrade scheme due to be completed in summer 2020, work has begun to identify further infrastructure projects which may be required to support major developments on the site.

Already envisaged is Phase Two of the electricity upgrade scheme which will be required for developments beyond the 6MVA which Phase One will support.

Snetterton Heath Infrastructure - Electricity Upgrade Phase 2		
Description of stage	Feasibility and scoping of Electricity Upgrade Scheme Phase Two	Delivery of Phase Two
Estimated cost to deliver the stage	£15k	£tbc
Indicative timeframe to deliver stage and start date	3 months Start date: Jan 2020	2 years Start date: July 2020
Potential funding source	Breckland Council, BRP	NALEP, Private Sector
Tick system	✓	

Sustainable

Weavers Way

This project will create new walking and cycling infrastructure in rural Norfolk. Weaver's Way begins in Cromer, following a public rights of way network to the market town of Aylsham. Here it picks up the route of a disused railway line, following its course through the Norfolk countryside to the edge of the Broads National Park at Stalham. From here it meanders through these famous wetlands and waterways before re-joining the coast at Great Yarmouth. This project will focus principally on revitalising the disused railway line between Aylsham and Stalham. Route improvements will include new surfacing to ensure year round accessibility for walkers (including access impaired users) and cyclists, increased safety and accessibility at road crossings through installation of new gates and improved signage and connectivity to amenities and other routes throughout.

Weavers Way			
Description of stage	Feasibility – Being delivered as one of the three 'Recycling the Railways' focused studies.	Stage 1 delivery – surface and signage	Stage 2 delivery – associated industrial heritage buildings brought back into use as visitor facilities
Estimated cost to deliver the stage	£45,000	£1,062,343	c. £2,000,000
Indicative timeframe to deliver stage and start date	January 2019	January 2020	March 2023
Potential funding source	Norfolk County Council capital - secured	RDPE – bid successful	HLF, NALEP
Qualifications for BRP and or NALEP funding	Supports housing and jobs growth in both Broadland and North Norfolk District Councils through provision of housing related GI and mitigating the effects of housing growth on vulnerable environmental sites. Also increases the visitor offer supporting tourism related job growth.		
Tick system	✓✓✓	✓✓✓	✓✓

The Green Loop

A 46 mile circular route for walking / cycling and disabled use. Encompassing the Marriott's Way, Bure Valley Path and Broadland Way. Broadland Way is partially built through the Broadland Northway and connects with the Broadland Growth Triangle. Marriott's Way and Bure Valley Path exist and are used currently for walking and cycling but require upgrading in some areas to make them more accessible for disabled users particularly. Both routes are biodiversity corridors. Broadland Way has been part built by the Broadland Northway and will link to the east end of the Green Pedal way. The Green Loop will also connect to the DfT, Norfolk County Council and Broad's Authority funded Three Rivers Way Cycle route and to Weaver's Way.

The Green Loop		
Description of stage	Feasibility	Phased delivery of Broadland Way and upgrades to Marriott's Way and the Bure Valley Path
Estimated cost to deliver the stage	£45,000	£5.7m
Indicative timeframe to deliver stage and start date	Broadland Way initial feasibility Delivered May 2018 Bure Valley Path and Marriott's Way upgrades feasibility started April 19	Staged – various completion dates dependent on funding source
Potential funding source	Norfolk CC Capital funding - secured	S106, CIL, DfT, NALEP, Interreg Experience- secured
Qualifications for BRP and or NALEP funding	Supports housing growth in the NE Broadland Growth Triangle and the Western Broadland growth allocation areas. Provides mitigation for the impact of the additional houses on vulnerable environmental sites, particularly those located in the Broads Authority Area. Contributes to the local visitor related economy through providing a very attractive sporting facility. Contributes to the health and wellbeing of residents in the Greater Norwich Area.	
Tick system	✓✓✓	✓✓✓

Bacton Walcott Sandscaping

This project involves a major investment that will secure Bacton Gas Terminal and the adjacent villages against the imminent threat of erosion. It will thus facilitate the future development and diversification of the Gas Site, which transfers approximately one third of the UK's gas supply. Using pioneering techniques, the coast protection scheme will also ensure that the 'down-drift' frontages that are imminently at risk of failure are also protected. As well as safeguarding significant levels of investment it will help to provide new economic development opportunities in the local visitor economy.

Bacton Walcott Sandscaping			
Description of stage	Public communications and liaison	Construction of scheme	Ongoing monitoring and research
Estimated cost to deliver the stage	£25,000	£18m-£22m	£500,000 tbc
Indicative timeframe to deliver stage and start date	Ongoing	Spring 2019	Summer 2018 – ongoing
Potential funding source	Funded through contributions from a number of sources	Funded through contributions from a number of sources	Tbc
Qualifications for BRP and or NALEP funding	BRP and Growth Fund approved	BRP and Growth Fund approved	
Tick system	✓✓	✓✓✓	✓✓✓

North West Woodlands Country Park

The North West Woodlands Country Park (NWWCP) project proposes the creation of a new country park facility surrounded by a large area of woodland, heathland and fenland in the Greater Norwich area. The NWWCP project involves the delivery of a series of walking, cycling and trim trial routes, habitat restoration and enhancement schemes, public engagement events, car parking and visitor facilities as well as large woodland play area. The NWWCP project helps to manoeuvre the Greater Norwich area into a strong position in which to deliver sustainable, well planned communities by enabling a mitigation strategy that alleviates the impact of growth on, and therefore safeguards for generations to come, the internationally designated sites. Ideally located adjacent to the Broadland Northway, the Thorpe Marriott Greenway cycle and pedestrian route, and the purple and yellow bus routes the NWWCP is ideally located to intercept visits to the internationally designated sites and to attract visits from across the Greater Norwich area.

North West Woodlands Country Park				
Description of stage	Stage 1 – Site acquisition	Stage 2 - Scheme development: Design, feasibility and infrastructure delivery plan	Stage 3 - Preparation and submission of planning application	Stage 4. Capital delivery phase
Estimated cost to deliver the stage	£715,000	£72,000	£138,000	£1,067,100
Indicative timeframe to deliver stage and start date	October 2019	June 2020	February 2021	December 2022
Potential funding source	CIL	Broadland District Council, CIL, BRP	Broadland District Council, CIL, BRP	Broadland District Council, CIL, BRP
Qualifications for BRP and or NALEP funding	Project delivers green infrastructure mitigation that alleviates the impact of growth in the Greater Norwich area.			
Tick system	✓	✓✓	✓✓	✓✓✓

Education

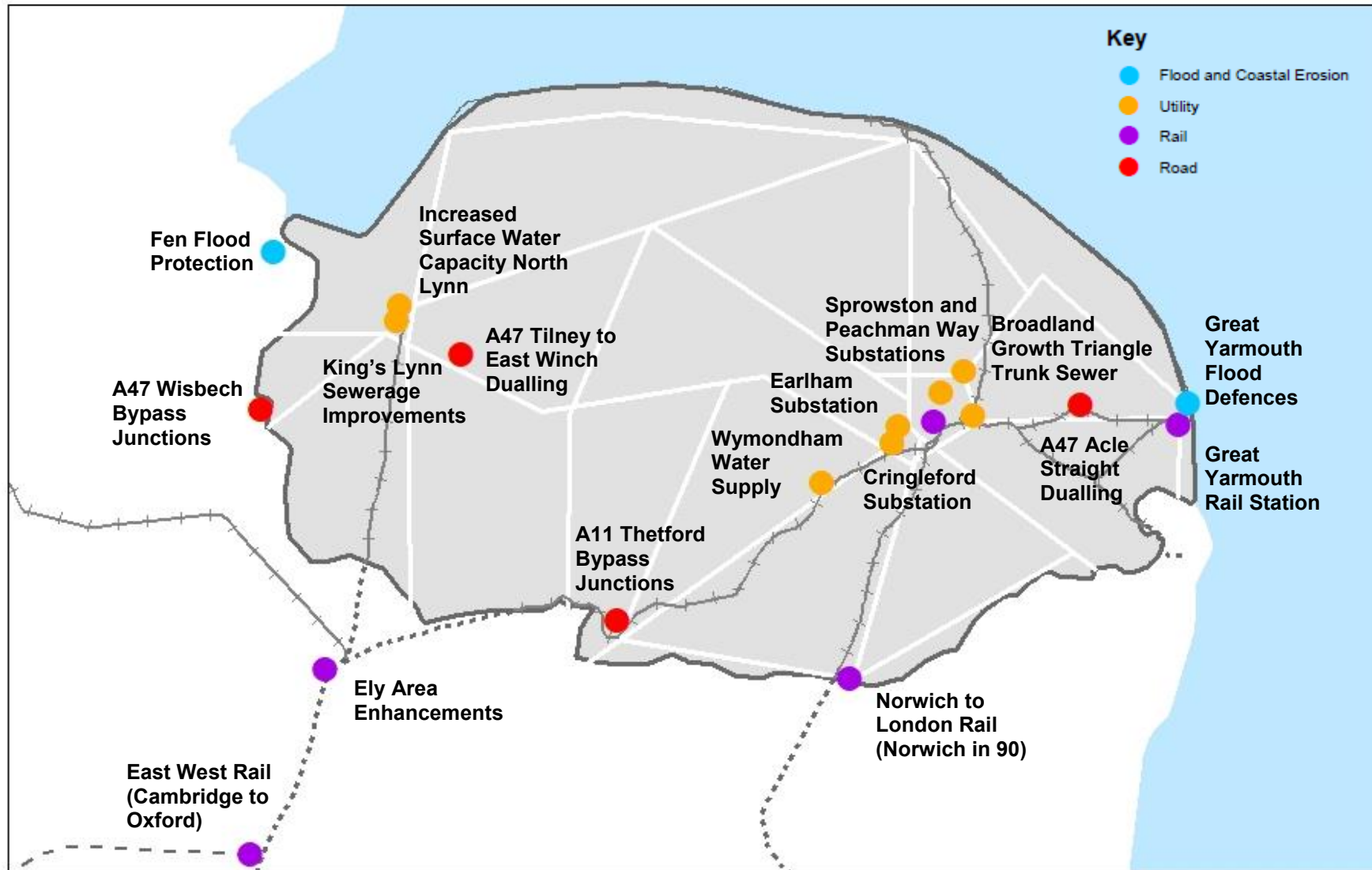
Broadland Growth Triangle Secondary School

Norfolk County Council has made a commitment for a new Secondary phase school in the Broadland Growth Triangle area and a preferred site has been identified on the current Park and Ride site. Some work on feasibility has taken place but all options for additional secondary school places need to be considered.

Broadland Growth Triangle Secondary School			
Description of stage	Scoping & option assessment & design feasibility	Planning	Construction Phase
Estimated cost to deliver the stage	£100k	£300k	£26M
Indicative timeframe to deliver stage and start date	Present to March 2020 - Initial stage underway and has verified Sprowston P&R as preferred location. Locational considerations will however continue to be kept under review as part of ongoing scheme development.	April 2022 to March 2023, subject to successful funding award and implementation of Housing Infrastructure Fund scheme for Beeston Park and development progress in Broadland Growth Triangle.	April 2025 to March 2026, subject to successful funding award and implementation of Housing Infrastructure Fund scheme for Beeston Park and development progress in Broadland Growth Triangle.
Potential funding source	NCC, BRP	NCC	NCC, CIL
Qualifications for BRP and or NALEP funding	Required to support 13,500 planned homes in Broadland Growth Triangle. In principle agreement exists for BRP funding to support scheme development.	Required to support 13,500 planned homes in Broadland Growth Triangle.	Required to support 13,500 planned homes in Broadland Growth Triangle.
Tick system	Completion of this stage will take it from ✓ to ✓✓	Completion of this stage will take it to ✓✓✓	Delivery phase takes scheme beyond ✓✓✓

Infrastructure projects to be delivered by other organisations

Figure 4 Infrastructure projects to be delivered by other organisations



Roads

A11 Thetford Bypass Junctions

Evidence has shown that even without the proposed growth at Thetford, the junctions on the A11 are forecast to operate over their theoretical capacity by 2026, with the Mundford Road (A134) junction experiencing the worst congestion. The issues are exacerbated by the proposed growth of Thetford. As a result, the five junctions on the A11 bypass around Thetford will need to be upgraded during the Plan period.

A Masterplan for the urban extension has been developed and improvements will be made to an appropriate standard agreed with Highways England.

It is likely that the agreed scope of work will comprise traffic signals on the roundabouts and speed limits on the A11. Because of the strategic function of the A11, which is the major trunk road connection between Norwich, Cambridge and London, the County Council considers that this is not an optimum solution and will continue to work with partners – principally Highways England – to bring forward measures that do not diminish the strategic status of the route. Ultimately, this might require grade-separation of the junctions.

The draft Thetford Network Improvement Strategy considered the town as a whole and, subject to agreement of the strategy and further funding, the county council will undertake further work on investigating the feasibility of a package of measures including looking at alternate solutions to the A11 junctions and the A134 Major Road Network route through the town. It is anticipated that this work could start in 2020.

Infrastructure	A11 Thetford Bypass Junctions
Location	Breckland
Delivers	5,000 homes and 5,000 jobs
Lead authority	Highways England, Norfolk County Council, Landowners, Breckland District Council
Estimated start date	2020-2025
Estimated cost	TBC
Unfunded cost	TBC
CIL contribution	No
Funding opportunities	NPIF, Highways England Roads Investment Strategy 2 (2020-2025), Major Road Network
Benefits	Improves congestion, required for growth
Link to other information	Thetford Area Action Plan - https://www.breckland.gov.uk/taap

Status

'Improvements, likely to be signalisation of the junctions will be phased with the delivery of the housing growth. None yet are programmed. More extensive improvements, required to maintain the strategic function of the A11, would be delivered as part of a future Highways England programme, but is not yet committed.

A47 Wisbech Bypass Junctions

There are significant congestion issues on the A47 Wisbech Bypass especially at the pinch point junctions of the B198 (east and west) and A1101 which are the responsibility of Highways England. Improvements to these junctions could be brought forward as part of Highways England's trunk road programme post-2020 and /or development within the town. There are also safety concerns at the A47/Broadend Road which requires a new junction by developers to deliver housing in Wisbech.

Junction improvements/Broad End Road scheme will be brought forward under the Growth Deal Funding from the CPCA Business Board for the Wisbech Access Strategy. Short term to 2021 £10.5m. Medium Term scheme Elm High Road with CPCA funding to 2026.

Infrastructure	A47 Wisbech Bypass Junctions
Location	King's Lynn and West Norfolk, Fenland
Delivers	960 homes and 10,000sqm office space (up to 2026)
Lead authority	Developers/ Highways England
Estimated start date	2020
Estimated cost	TBC
Unfunded cost	TBC
CIL contribution	No
Funding opportunities	NPIF, developer funding, Highways England Roads Investment Strategy 2 (2020-2025), CPCA Business Board Growth Deal Funding
Benefits	Improved junctions on the A47 will overcome concerns regarding road safety and connect growth areas to the trunk road network.
Link to other information	N/A
Status	Fenland District Council has developed a Wisbech transport strategy, this identifies improvements to roundabouts on the A47 and they are now developing the schemes.

A47 Tilney to East Winch dualling

The long-term objective of the County Council and other partners is for complete dualling of the A47 along the full length of the trunk road from the A1 at Peterborough to Lowestoft. However, it is recognised that this may need to be achieved through a phased approach to improvements. The A47 Alliance has agreed that the A47 Tilney to East Winch dualling along with the Acle Straight dualling above are two of its priorities for the period 2020-2025.

A number of schemes are committed for construction on the A47 between 2020 and 2025. These are shown on page [14](#).

Infrastructure	A47 Tilney to East Winch dualling
Location	King's Lynn and West Norfolk
Delivers	There are strategic site allocations in West Winch and North Runcton, adjacent to A47, which provide for 1,600 homes and 1ha employment land, while employment land is identified at Hardwick (27 ha) and Saddlebow (23ha).
Lead authority	Highways England
Estimated start date	2025
Estimated cost	£130m
Unfunded cost	£130m
CIL contribution	No
Funding opportunities	Highways England Roads Investment Strategy 2 (2020- 2025)
Benefits	Improves connectivity and reliability
Link to other information	A47 Alliance - http://www.a47alliance.co.uk/
Status	Tilney to East Winch is a current priority of the A47 Alliance who are lobbying for the scheme to be in the Roads Investment Strategy 2.

A47 Acle Straight dualling

As well as Tilney to East Winch, dualling the Acle Straight is a priority for 2020-2025. Highways England is currently working with various stakeholders on a trial to relocate a species of snail from habitats in the dykes adjacent to the road. If the trials are successful it will enable road improvements to be brought forward (subject to funding) in the trunk road programme 2020-2025. Currently, it is not possible for improvements to be implemented due to their likely impacts on the snail species in the dykes. Early indications suggest the trial to be successful, so this should not form an impediment to government announcing the scheme for inclusion in the RIS2 programme, although it will need to continue to be monitored.

Infrastructure	A47 Acle Straight dualling
Location	Broadland, Great Yarmouth
Delivers	The Enterprise Zone covering large parts of Great Yarmouth and Lowestoft will help bring forward 9,000 direct and 4,500 indirect jobs across the area. Furthermore, approximately 14,000 new homes are planned across Great Yarmouth and Lowestoft. The plans for 37,000 new homes and the creation of 27,000 jobs in the Greater Norwich area will further increase demand along the A47 between Greater Norwich and between the
Lead authority	Highways England
Estimated start date	2025
Estimated cost	£79m
Unfunded cost	£79m
CIL contribution	No
Funding opportunities	Highways England Roads Investment Strategy 2 (2020- 2025)
Benefits	Improve accessibility between Norwich and Great Yarmouth and improve the safety record of the
Link to other information	A47 Alliance - http://www.a47alliance.co.uk/
Status	The Acle Straight is a current priority of the A47 Alliance who are lobbying for the scheme to be in the Roads Investment Strategy 2.

Rail

Norwich to London Rail (Norwich in 90)

As part of the recent franchise agreement, services will be upgraded to every 20 minutes; there will be new rolling stock; and some services (two each way every day) will have journey times of 90 minutes. Even these improvements however will not deliver sufficient capacity or frequent (at least one every hour) service in 90 minutes.

In recognition of the strength of the study work and lobbying, government formed a Great Eastern Main Line Task Force to define how the ambition for a faster, more reliable, better quality service with more capacity could be delivered to serve the needs of Essex, Suffolk and Norfolk. The Task Force is currently undertaking study work to identify exactly what infrastructure is required to deliver the required level of service, and the business case for it. This work is due for completion towards the end of 2019.

Infrastructure	Norwich to London Rail (Norwich in 90)
Location	Norwich to London
Delivers	48,000 jobs along the line. Improvements would lead to the creation of over a further 8,700 permanent jobs by 2043.
Lead authority	Greater Anglia, Network Rail, NALEP, Local Authorities
Estimated start date	2019- 2024
Estimated cost	Being evaluated
Unfunded cost	TBC
CIL contribution	No
Funding opportunities	Network Rail Control Period 6
Benefits	Track improvements (potentially comprising Trowse swing bridge, Haughley Junction, loops in Essex and level crossing upgrades) between Norwich and London, achieving London to Colchester in 40 minutes, Ipswich in 60 minutes and Norwich in 90 minutes at least hourly off-peak.
Link to other information	New Anglia Great Eastern Rail Campaign - http://www.newanglia.co.uk/gerailcampaign
Status	The Great Eastern Mainline Task Force has commenced work on re-evaluating the business case, which will confirm the measures needed, the cost of the measures and the benefits from their implementation.'

Great Yarmouth Rail Station

Existing services are operated by Greater Anglia as part of the East Anglia franchise. Currently services operate between Norwich and Great Yarmouth every hour, with 30 minutes services at peak times. The new East Anglia franchise started in October 2016. New rolling stock will be delivered across the whole of the franchise with the first new train beginning to serve this line in July 2019. This will help to address quality issues with the rolling stock, but a major upgrade is required at Great Yarmouth rail station to improve this gateway to the town. Work, undertaken by the local authorities to improve the Great Yarmouth Rail Station forecourt and onward links to the town centre using Growth Deal money, has recently been completed. There has been a long-standing ambition for improvements to the Rail Station itself.

Infrastructure	Great Yarmouth Rail Station
Location	Great Yarmouth
Delivers	Improvements to Great Yarmouth Rail Station
Lead authority	Greater Anglia
Estimated start date	2019- 2024
Estimated cost	TBC
Unfunded cost	TBC
CIL contribution	No
Funding opportunities	Network Rail Control Period 6
Benefits	Facilitate local plan jobs growth and encourage inward investment into the energy coast.
Link to other information	N/A
Status	Potential for inclusion in Network Rail spending programme 2019-2024

Ely Area Enhancements

A large number of rail services pass through Ely: King's Lynn to Cambridge; Norwich to Cambridge; Norwich to Peterborough; Ipswich to Peterborough; and freight services from Felixstowe. Major rail infrastructure improvements are required to accommodate all services committed within franchise agreements and for further frequency improvements in the future. Local authorities are working with local enterprise partnerships, government and Network Rail to bring forward the improvements for delivery. The New Anglia LEP, former GCGP LEP and Strategic Freight Network have invested £8.8m into feasibility work to identify the required improvements and the business case for them (required to unlock funding). This is expected to report later in 2019.

Infrastructure	Ely Area Enhancements
Location	East Cambridgeshire
Delivers	£120m wider economic benefits, and 1,000 homes and 1,000 jobs.
Lead authority	Network Rail
Estimated start date	Around 2020
Estimated cost	TBC
Unfunded cost	TBC
CIL contribution	No
Funding opportunities	Network Rail Control Period 6, NALEP
Benefits	Supports better connectivity on the Cambridge Norwich and King's Lynn Cambridge corridors.
Link to other information	New Anglia website - http://www.newanglia.co.uk/2017/03/24/vital-ely-rail-project-track
Status	Currently Network Rail are undertaking £8.8m of feasibility and design work which will be published in 2019 for inclusion in National Rail spending programme

East West Rail (Cambridge to Oxford)

The complete East West Rail scheme comprises a strategic rail route that will link Ipswich and Norwich to Cambridge, Bedford, Milton Keynes, Bicester and Oxford, allowing connections to Swindon, the Thames Valley, South West England and South Wales providing a connection across the important Oxford to Cambridge “high tech arc.” The route will potentially allow freight trains to connect the ports of Felixstowe and Harwich with the Great Eastern, East Coast, Midland, West Coast and Great Western main lines without the need to travel on congested tracks around North London.

Government has set up a Special Delivery Vehicle for the project and this is currently taking forward design and development work on a new line from Cambridge to Bedford. Delivery of this could be completed in the mid-2020s. Major work is expected to commence on reinstating rail lines from Bedford to Bicester (with services already running from Bicester to Oxford) in late 2019 with services expected from the end of 2023.

East West Rail is supported by Norfolk County Council and is focussed on making sure that the benefits of this substantial investment come to Norfolk by ensuring that services extend at least as far as Norwich (on existing lines).

Infrastructure	East West Rail (Cambridge to Oxford)
Location	Cambridge to Oxford
Delivers	Establishes a railway connecting East Anglia with central, southern and western England.
Lead authority	Local authorities along the route working with DfT and Network Rail
Estimated start date	Late 2020s
Estimated cost	TBC
Unfunded cost	TBC
CIL contribution	No
Funding opportunities	Government via special purpose delivery vehicle
Benefits	Connects Oxford and Cambridge to major economies in New Anglia.
Link to other information	East West Rail - www.eastwestrail.org.uk/route

Status

Phase 1 Oxford to Bicester complete
Phase 2 Bicester to Oxford expected to commence late 2019 with services from end of 2023
Phase 3 Bedford to Cambridge expected to be built by the mid-2020s.
Work is ongoing to identify how services might extend to Norwich and Ipswich (on existing tracks) following completion of Phase 3.

Utilities

Sprowston Primary and Peachman Way Primary Substations

These substations are identified in the Greater Norwich energy infrastructure study (March 2019) as constrained and unable to currently support more development. The constraint of these substations affects development in the Broadland Growth Triangle including Rackheath and Beeston Park. Reinforcements or upgrades to the electricity network are required when demand exceeds capacity. If development sites cannot proceed due to insufficient capacity, alternative measures must be considered in order to deliver these.

Infrastructure	Sprowston Primary	Peachman Way Primary
Location	Broadland	Broadland
Delivers	A possible 10,000 homes	A possible 10,000 homes and Broadland Business Park
Lead authority	UK Power Networks	UK Power Networks
Estimated start date	TBC	TBC
Estimated cost	£2.5-10m	£2.5-10m
Unfunded cost	£2.5-10m	£2.5-10m
CIL contribution	Yes	Yes
Funding opportunities	CIL, private sector	
Benefits	Support the delivery of 10,000 homes and job development at airport and Rackheath	
Link to other information	GNDP Local Investment Plan and Programme - http://www.greaternorwichgrowth.org.uk/delivery/greater-norwich-infrastructure-plan	
Status	Baseline requirement	

Earlham Substation

This substation is identified in the Greater Norwich energy infrastructure study (March 2019) as constrained and unable to currently support more development. The constraint of this substation affects development in Costessey, Food Enterprise Zone, Longwater/Easton, Norwich Research Park and Threescore. Significant amounts of spare capacity has already been reserved by users within the Research Park and reinforcements or upgrades to the electricity network are required when demand exceeds capacity. If development sites cannot proceed due to insufficient capacity, alternative measures must be considered in order to deliver these.

Infrastructure	Earlham Substation
Location	South Norfolk
Delivers	900 homes at Easton and jobs at NRP and Food Hub
Lead authority	UK Power Networks
Estimated start date	TBC
Estimated cost	£2.5-10m
Unfunded cost	£2.5-10m
CIL contribution	Possibly
Funding opportunities	CIL, private sector
Benefits	Critical for growth of NRP and will support the delivery of growth in to the SW Norwich – 900 homes at Easton and Food Hub
Link to other information	N/A
Status	Baseline requirement

Cringleford Primary Substation

This substation is identified in the Greater Norwich energy infrastructure study (March 2019) as constrained and unable to currently support more development. The constraint of this substation affects development in Cringleford and Hethersett. With new housing close to Cringleford Primary and spare capacity utilised as backup for the hospital reinforcements or upgrades to the electricity network are required when demand exceeds capacity. If development sites cannot proceed due to insufficient capacity, alternative measures must be considered in order to deliver these.

Infrastructure	Cringleford Primary Substation
Location	South Norfolk
Delivers	2,500 homes
Lead authority	UK Power Networks
Estimated start date	TBC
Estimated cost	£2.5-10m
Unfunded cost	£2.5-10m
CIL contribution	Possibly
Funding opportunities	CIL, private sector
Benefits	Supports housing growth in SW Norwich and provides back up supply to Norfolk and Norwich Hospital.
Link to other information	N/A
Status	Baseline requirement

Broadland Growth Triangle Trunk Sewer

There is no significant capacity constraint from the existing works at Whitlingham or Belaugh, but there is in the existing sewerage network. An existing trunk main connecting from Sprowston to Whitlingham has a limited amount of capacity. After capacity within this main is used, new infrastructure would be required to give a connection of adequate capacity to the Whitlingham Water Recycling Centre (WRC).

Infrastructure	Northeast Norwich Trunk Sewer
Location	Broadland
Delivers	A possible 10,000 homes
Lead authority	Anglian Water
Estimated start date	2011-2026
Estimated cost	TBC
Unfunded cost	TBC
CIL contribution	Yes
Funding opportunities	Private sector
Benefits	Supports the delivery of 10,000 homes to the northeast of Norwich
Link to other information	GNDP Local Investment Plan and Programme - http://www.greaternorwichgrowth.org.uk/delivery/greater-norwich-infrastructure-plan
Status	Baseline requirement

Wymondham Water Supply Connections

Water resource is available in principal for up to 4,400 homes for Wymondham (Current commitment for approximately 2,600 homes at 2018). However, network improvements will be required before connection can take place.

Infrastructure	Wymondham Water Supply Connections
Location	South Norfolk
Delivers	Up to 4,400 homes
Lead authority	Anglian Water
Estimated start date	TBC
Estimated cost	£22m
Unfunded cost	TBC
CIL contribution	Yes
Funding opportunities	Private sector
Benefits	Supports the delivery of up to 4,400 homes
Link to other information	GNDP Local Investment Plan and Programme - http://www.greaternorwichgrowth.org.uk/delivery/greater-norwich-infrastructure-plan/
Status	Baseline requirement

King's Lynn Sewerage Improvements

To help facilitate growth in King's Lynn, sewerage improvements may be required.

Infrastructure	Upgraded waste water flow capacity in King's Lynn	Major sewerage improvements at King's Lynn
Location	King's Lynn and West Norfolk	King's Lynn and West Norfolk
Delivers	Housing growth in King's Lynn	
Lead authority	Anglian Water	Anglian Water
Estimated start date	TBC	TBC
Estimated cost	Circa £500,000	£1-1.2m
Unfunded cost	Circa £500,000	£1-1.2m
CIL contribution	Possibly	Possibly
Funding opportunities	Private sector	
Benefits	To help facilitate growth in King's Lynn, sewerage improvements may be	
Link to other information	N/A	N/A
Status	Baseline requirement	Baseline requirement

Increased Surface Water Capacity North Lynn

In addition, increased surface water capacity is required in North Lynn (through the North Lynn link scheme linking the Black Drain with the Bawsey Drain and providing a second pump at North Lynn Pumping Station) to enable the development of the strategic housing allocation at South Wootton and other housing land in North Lynn.

Infrastructure	Increased Surface Water Capacity North Lynn
Location	King's Lynn and West Norfolk
Delivers	Up to 800 homes at South Wootton and some 700 homes in North Lynn
Lead authority	King's Lynn IDB
Estimated start date	2020-21
Estimated cost	TBC
Unfunded cost	TBC
CIL contribution	Possibly
Funding opportunities	IDB, private sector
Benefits	Enables housing development in South Wootton/ North Lynn
Link to other information	N/A
Status	Commissioning of feasibility work has begun.

Sustainable

Great Yarmouth Flood Defences 2017 onwards (Epoch 2)

There are approximately 12km of flood defences in Great Yarmouth that help reduce the risk of tidal flooding to over 5000 homes and 1000 businesses from the River Yare. However, the steel piled quays supporting our flood defence walls are badly corroded and need replacing. Failure of these defences during a surge tide event would result in rapid flooding of properties in the lower lying land adjoining the river. We have developed a 5-epoch project over the next 40 years to address this issue, prioritised based on the condition of the defences.

Infrastructure	Great Yarmouth Flood Defences 2019 onwards Epoch 2 (2016 – 2021), Epoch 3 (2021 – 2026), Epoch 4 (2026 – 2046), Epoch 5 (2046 – 2061)
Location	Great Yarmouth
Delivers	The Environment Agency is currently delivering Epoch 2 (2016 –2021) to refurbish and improve approximately 4km of flood defences and the supporting quayside. A Limpet Dam will be used to enable patching of the corroded pile sections and installation of cathodic protection to stop future accelerated low water corrosion. It is anticipated that adopting this approach will allow a further 30 years of life to be gained from the assets for an estimated 30% of the cost of replacement and manage the flood risk to around 2000 homes and 700 businesses. The challenge is to secure funding to deliver the next epoch of work required to manage the flood risk to the town grows. The partners are working together to identify a sustainable income stream to ensure the vital investment for the next phase of work and continued maintenance. All opportunities and beneficiaries should be explored.
Lead authority	Environment Agency (lead technical partner) working in partnership with Great Yarmouth Borough Council, Norfolk County Council, New Anglia Local Enterprise Partnership, Peel Ports, Broads Authority and the Tidal Defence Business Partnership (representing local businesses).
Estimated start date	Gained financial approval for Epoch 2 in January 2019, with work to the quays starting in October 2019.
Estimated cost	£40.3m construction cost with an additional £6.2 million required to maintain the Epoch 2 defences over the next 30 years. (Epoch 2 only)

Unfunded cost	£1.5m of future maintenance commitment from local sources (Epoch 2 only)
CIL contribution	No
Funding opportunities	Partners of the project, growth and regeneration investment, developer contributions, critical infrastructure providers and businesses
Benefits	The flood defences support the economic growth and development of Great Yarmouth with the potential to support 34,000 jobs and £1.5 billion to the economy over the lifetime of the Epochs. Enabling 50ha of prime location undeveloped land and opportunity to enable appropriate resilient development, in line with local development strategies and supporting policies.
Link to other information	Project website: http://www.greatyarmouthflooddefence.co.uk/home/
Status	The Environment Agency have appraised, identified the preferred option and carried out detailed design for 40 walls across the town. £18m Partnership funding has been secured to gain approval to spend £27m FDGiA (capital and revenue). Construction start date of October 2019 with completion planned for April 2021. The partners will begin to identify a sustainable income stream to meet future investment required to manage flood risk to the town.

Fens Flood Protection

The Great Ouse Fens comprises approximately 370,000 hectares of rural lowland, much of this is below mean sea level. 66,000ha of this area is within Norfolk. The Fens are high grade agricultural land and currently have a high standard of flood risk management provided by a complex system of watercourses and key water management assets in Norfolk, including the Denver Sluices, King Lynn tidal defences, South Level Barrier bank, and major pumping stations.

New housing development proposed for Downham Market, Wisbech and Kings Lynn, as well as new transport infrastructure crossing the Fens will put additional pressure on the Fens flood risk infrastructure.

Infrastructure	Fens Flood Protection
Location	Area around Southery, Denver, Upwell, Outwell, Kings Lynn
Delivers	There are over 56,600 properties located within the Fens, plus a further 60,700 which are at risk of isolation due to roads and railway lines being at flood risk. This project will provide the evidence base for the consideration of future and potential flood risk investments required across the Fens
Lead authority	Environment Agency
Estimated start date	Ongoing project. Implementation phase from ~2030.
Estimated cost	TBC - from £125m to 2120
Unfunded cost	TBC - from £100m to 2120 CIL
CIL contribution	Possibly
Funding opportunities	Central Government (Flood and Coastal Erosion Risk Management Grant in Aid); Local Government (Regional Flood and Coastal Committee Local Levy), Internal Drainage Boards, and other funding sources from beneficiaries.
Benefits	Land protected for economic growth, appropriate housing development and new transport infrastructure enabled, particularly East Wisbech, West Winch and A10 and A47 improvements.
Link to other information	Great Ouse Tidal River Baseline Report 2017

Status

The EA have begun study work to plan the best way of managing future flood risk in the Great Ouse Fen Area, including investment needs. Existing cost estimations are based on initial understanding of the core, tidal river area of the Fens; needs for the Fens as a whole will be significantly in excess of these currently known figures.

Up and Coming Projects

Having a list of up and coming projects assists in the creation of a pipeline of schemes so we are aware of the major infrastructure likely to come forward in the future and as more information on these new projects becomes available they can be considered for inclusion in future versions of the NSIDP. This section is for those projects which fit the criteria for the NSIDP but where enough information is not known for projects to be fully included in the plan at this time. These projects are:

- North Walsham Link Road
- Trowse Rail Bridge
- Thetford A143 to A11 connection.
- Longwater additional access.
- Transport Infrastructure to support Norwich East
- A149 King's Lynn Bypass
- A10 Setchey (south of West Winch)
- A17 Pullover Roundabout
- A140 north of Long Stratton

Report to Infrastructure and Development Select Committee

Item No. 9

Report title:	Adult Education Strategy
Date of meeting:	13 November 2019
Responsible Cabinet Member:	Councillor Margaret Dewsbury (Cabinet Member for Communities and Partnerships)
Responsible Director:	Tom McCabe (Executive Director, Community and Environmental Services)

Executive Summary

Adult Learning (formerly Norfolk Community Learning Services) plays a significant role in enabling adult Norfolk residents to learn and gain the skills, knowledge and qualifications they need to progress into employment or further learning. Learners also gain confidence and wider skills and the service's learning programmes reduce social isolation and increase social mobility.

As a central Government-funded service, Adult Learning is subject to Ofsted inspection. Recent changes to Ofsted's inspection framework mean that, in future, the performance of the service will be reviewed against three key areas: intent, implementation and impact: we have set out our strategy against these three areas as follows.

- The **intent** outlines a strategic direction for the service and is aligned to defined outcomes of Growing Economy, Thriving People and Strong Communities, as set out in the council's new 6-year plan.
- The **implementation** outlines the changes undertaken by the services to respond to the changes in the wider Ofsted and funding landscape to ensure we are set up to continue on our journey to becoming an outstanding provider.
- The **impact** defines how we will measure and track our performance in relation to the Ofsted requirements and key metrics for the service.

Over the last 12 months the service has gone from strength to strength. A full performance update for the 2018/19 academic year is provided in **Appendix 3**.

This report asks Council Members to consider a proposed Adult Learning Strategy and the impact measures that the service proposes to use.

Actions required

1. The Committee are asked to review and comment on the proposed Adult Learning Strategy
2. To note the service's performance outcomes and ongoing improvement journey.

1. Background and Purpose

1.1. Intent – the Adult Learning Vision

Funding and Income

The Adult Learning service is externally funded through grant funding from central Government's Education and Skills Funding Agency (£4,102,272), tuition fees (£591,991) paid directly by learners and employers and through student loans (£202,217), which together total £4,900,000. This funding is earned through the delivery of learning provision across Norfolk.

In addition, the service is commissioned by Adult Social Care with a budget of £294,000 to provide the Skills and Employment Team, to support employers and day opportunities providers across Norfolk to remove barriers to employment for residents with autism, physical disabilities, mental health and learning disabilities.

The Adult Learning Vision

Our vision is that

"We are the learning provider of choice, delivering outstanding, inspirational learning for individuals, employers and communities using our services to enrich their lives".

Adult Learning plays a significant role in enabling and supporting adult Norfolk residents to learn and gain the skills, knowledge and qualifications they need to progress into employment or further learning. Our learners also gain confidence and wider skills and our learning programmes are designed to raise aspirations, reduce social isolation and increase social mobility.

1.2. Intent - Strategic Direction

The 2020/21 strategy for Adult Learning has been developed to reflect the strategic objectives of Norfolk County Council, as detailed in the Council's *Together for Norfolk* 6-year plan.

Adult Learning's strategic activities contribute to three priority outcome areas:

Growing Economy

- Community learning that entices adults back into the classroom to start their journey to further education and a career
- Increase literacy, numeracy and digital skills
- Stronger links with the LEP and local employers to provide vocational skills qualifications and Apprenticeships to create a qualified and relevant workforce
- Access to Higher Education programmes to grow the graduate workforce – pilot schemes with colleges to deliver career pathways
- Learning and work opportunities for Adults with physical and mental disabilities through Independent Living Skills and the work of the Skills and Employment Team
- Develop Wensum Lodge as a creative hub for the east to incubate small craft businesses.

Thriving People

- Opportunities for individuals to thrive with a range of community and family-based learning programmes such as healthy eating, budgeting and mental wellbeing
- Maximise the use of additional services, such as loans and childcare support, to enable people to access learning opportunities
- Support people with disabilities through Independent Living Skills, lipreading, British Sign Language and personal assistant courses, as well as the work of the Skills and Employment Team
- Comprehensive information, advice and careers guidance service
- Raise aspiration with our learner awards and involvement programmes
- Provide the opportunity for career progression through vocational learning and apprenticeships.

Strong Communities

- Plan our funded provision by targeting need to ensure we support disadvantaged families and communities, as well as employers
- Work with district colleagues to understand and plan for local need
- Actively support the voluntary sector and those working with communities with information advice and guidance training
- Prevent loneliness and isolation by creating the opportunity for new networks either through leisure or community learning courses
- Place our activities in the heart of the communities that need them most and working alongside the Local Service Strategy by creating a network with Libraries, the Early Childhood and Family Service and the Voluntary Community and Social Enterprise sector
- Champion Safeguarding and Prevent, including British Values.

The Adult Learning Plan on a Page October 2019, in **Appendix 1**, summarises the service's Vision and how the service aims to achieve it.

2. Implementation – a service that aims to be outstanding

2.1. The Shape of the Service

To position the service so that it has the capacity to effectively implement and deliver the strategic activities outlined in this report and deliver an outstanding service to Norfolk residents, the service is currently re-shaping both its Senior Leadership and operational teams.

The proposed changes to the service structure will also place the service in a strong position to respond to Ofsted's new Education Inspection Framework, which was implemented in September 2019. The service was the first provider in the country to experience this new way of inspecting learning provision, as the service agreed to participate in an informal pilot inspection in May 2019. Our interpretation of the informal feedback from this pilot inspection is outlined in **Appendix 2 Paragraph 1**.

Tutor terms and conditions have been reviewed so that the service will be in a stronger position to consolidate teaching contracts and deliver a countywide service that responds to local need.

The proposed changes to the service, which will be fully implemented by April 2020, will also move the service towards being cost neutral to Norfolk County Council by the financial year 2021/22.

2.2. Funding Considerations

Central government is considering changes to the way that it funds Adult Education provision in England. The proposals may mean that in future the service will be required to bid for funding based upon a planned intention.

As such the shaping of our service now to respond to need and local priorities will make it easier to evidence the requirement for funding to central government, if the need arises, as this approach will already be well embedded within the activity of the service.

In addition, we will take the opportunity to grow our funding wherever possible outside of the traditional sources for adult education provision, for example the Wensum Lodge Development and community outreach programmes to ensure that we have a diverse source of funding to strengthen the service for the future. Further information about the Wensum Lodge redevelopment project is in **Appendix 2 Paragraph 2**.

2.3. IT Infrastructure

Adult Learning bid for capital funding from NCC to transform its ageing educational IT equipment and was successful in securing £800,000 to be spent in the 2019-20 and 2020-21 financial years. A project is now underway to replace the service's equipment countywide. This funding will significantly enhance learners' experiences across all of the service's programmes.

2.4. The Skills and Employment Team (SET)

The newly formed Skills and Employment Team (SET), commissioned by Adult Social Services, is creating resources and forging strong working relationships with internal/external stakeholders, including employers. The team's objective is to develop employment opportunities for Norfolk residents with barriers such as autism, physical and learning disabilities and mental health issues. The team is ready to deliver an immediate impact, by enabling individuals who are closest to the job market but need to overcome barriers to be independent in employment.

We are currently awaiting the awarding of contracts to the Day Opportunities Providers by Adult Social Services, which has been delayed.

3. **Impact – measuring our performance**

- 3.1. Members are asked to note the information in **Appendix 3**, which provides a service performance update. The most recent data available is for the 2018/19 academic year, which ended in July 2019.

To demonstrate and evidence the impact of this Adult Learning Strategy, the service will implement a range of financial and performance targets and soft outcome targets. Full details of these can be found in **Appendix 4**. The impact measures

cover 6 key areas:

1. The Quality of Teaching and Learning
2. Attendance & Qualification Achievement Rates (as defined by the Education and Skills Funding Agency)
3. Planning and Financial – that we plan on time and deliver to budget
4. Levels of Deprivation – that we focus our community learning funding on those in the 30% most deprived households (indices of multiple deprivation)
5. Intended Destination, Destination and Progression – that we enable our learners to achieve their goals and aspirations
6. Soft / qualitative outcomes – a range of measures that focus on the personal impact of the courses we run (for example, increased confidence, increased social mobility, reduced loneliness and isolation or improved mental health and wellbeing)

Successful achievement of these proposed targets will evidence the impact of this Adult Learning Strategy.

4. Evidence and Reasons for Decision

- 4.1. The Adult Learning Strategy is based on the identified needs and priorities for adult learning in Norfolk and responds to the policy and funding requirements of the Education and Skills Funding Agency.
- 4.2. The service's external funding enables Norfolk County Council to deliver adult learning that enables Norfolk residents to develop their skills and knowledge, gain qualifications, progress; that reduces social isolation; and that increases family and social integration

5. Financial Implications

- 5.1. Adult Learning is externally funded through the Education and Skills Funding Agency, tuition fee and student loan income and is on course to be financially self-sustainable by the financial year 2021/22.

6. Resource Implications

- 6.1. **Staff:**
There are no additional resource implications as the service already has staff in place to deliver the proposed Strategy. A staff consultation will take place to address proposed changes required to deliver the strategy, including terms and conditions for tutors which currently don't support flexible service delivery in a large rural county. Staff are being fully engaged and contributing to these requirements.
- 6.2. **Property:**
The vision for the Wensum Lodge redevelopment has been approved by the Council and the service is working hard to increase its use of Library and other NCC properties to deliver learning.
- 6.3. **IT:**
There are no IT implications.

7. Other Implications

7.1. Legal Implications:

Ofsted and ESFA requirements around funding and performance

7.2. Human Rights implications

None

7.3. Equality Impact Assessment (EqIA)

The strategy actively seeks to target vulnerable groups and we would therefore not envisage any adverse impacts.

7.4. Health and Safety implications

None

7.5. Sustainability implications

None

7.6. Any other implications

None

8. Risk Implications/Assessment

8.1. None

9. Actions required

9.1. 1. The Committee are asked to review and comment on the proposed Adult Learning Strategy

2. To note the service's performance outcomes and ongoing improvement journey.

10. Background Papers

10.1. 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 or 0344 800 8011 (textphone) and we will do our best to help.

Appendix 1 – Adult Learning Plan on a Page October 2019

What we'll do	How we'll do it	How we'll know if we've made a difference
<p>Vision: We are the learning provider of choice, delivering outstanding, inspirational learning for individuals, employers and communities using our services to enrich their lives.</p>	<p>We will collaborate with strategic partners, local communities and employers to develop and continuously improve an innovative and responsive curriculum. We will respond to the needs of Norfolk's residents and businesses, to equip people with the skills for long term employment, skills development and independence to reduce demand for specialist services.</p>	<ul style="list-style-type: none"> • Self-assessed as providing an outstanding service to our learners and staff by the end of the 2019/20 academic year • Achievement rates exceed national averages in all areas • Operating within our budget • Year on year increase in the uptake of apprenticeships • Number of learners progressing to further learning/education • Number of learners going into long term employment (beyond apprenticeships) • Good or better inspection outcome (Ofsted) • Positive and improving learner feedback • Matrix accreditation for information, advice and guidance maintained • Number of learners accessing service • Proportion of learners accessing service from pre-determined demographic backgrounds.
<p>Outcomes:</p> <ul style="list-style-type: none"> • Learners achieve well and progress onto further study or employment • Learners feel safe, valued and know how to protect themselves • Teaching is good or outstanding across the majority of our provision • Levels of literacy, numeracy and digital skills improve • The service has a good reputation and is seen as a good place to learn. 	<p>We will ask our residents and learners about their needs and use this, plus other data and insight to shape and target our provision more effectively. We will involve learners in our plans for the service and take their feedback on board.</p>	
<p>Priorities:</p> <ul style="list-style-type: none"> • Become financially self-sustaining within 2 years • Ensure our staff feel valued • Rebrand the service • Improve the quality of physical and online learning environments • Deliver outstanding teaching, responding robustly to improvement needs • Develop a strong business offer • Embed Prevent and British Values within our learning programmes. 	<p>We will further develop the quality and accessibility of the information, advice and guidance we provide. We will seek to understand and be ambitious for our learners, assessing their needs ensuring we provide high quality careers guidance, which is focused and targeted well to their needs.</p>	
	<p>We will operate within the budget available from the funding we secure and the income we generate. We will look for ways to improve our efficiency, be commercial, and make the best use of our assets and resources.</p>	
	<p>We will provide high quality learning experiences, including high quality support, environments and resources which give every learner the best chance of success. We will relentlessly focus on the quality of teaching and learning and be ambitious for our learners, ensuring any support needs are quickly identified and responded to.</p>	
	<p>We will continue to use our systems and processes to improve the efficiency and effectiveness of our service. Everyone will understand the importance of the data we capture, to support learners, monitor performance and continuously improve the service.</p>	
	<p>We will work closely with our steering group to ensure we have strong leadership and governance and to develop an inclusive and supportive culture for both learners and staff, where diversity is valued and people feel safe. Safeguarding, Prevent and British Values will continue to be embedded into our ways of working and curriculum.</p>	

Appendix 2 – Implementation

1. Informal Feedback from Ofsted Pilot Inspection in May 2019

In May 2019, the service became the first training provider in the country to 'test' the new Ofsted Education Inspection Framework. This was not a formal inspection, but an excellent opportunity to practise Ofsted's new way of carrying out an inspection. Informal feedback from inspectors was good.

The key informal feedback from Ofsted was that the service's main strengths include:

- The service's planning and curriculum, which really does respond to the needs of Norfolk residents. The service has a deep reach into Norfolk's communities. Inspectors recognised the significant strengths in the service's maths and English programme
- The quality of teaching and learning
- The service's capacity to improve through strong leadership and management
- The new apprenticeships programme meets the needs of employers and apprentices
- Safeguarding – staff know the correct referral process and learners felt and were safe.

Ofsted confirmed that areas the service needs to work on (and the service recognises and has been working on these) include:

- Careers guidance and the tracking of learners when they leave the service, so that we can demonstrate impact
- Apprentices who have been on programme for a long time are slow to make sufficient progress
- The quality of feedback given by teaching staff to learners (in particular written feedback)
- Safeguarding – at the time not all staff could demonstrate effectively they had completed relevant training.

2. Wensum Lodge redevelopment project – further information

The project to redevelop Wensum Lodge is progressing well. Following the appointment of a Development Officer, the focus has been on developing the forward plan of the development. A range of surveys have been completed so that the architects can produce a RIBA Stage 1 report, which will provide the aims, objectives and milestones for the project, including constraints and opportunities and a full cost plan. This report will be complete in late autumn 2019. To date, there is good news relating to the overall condition of the buildings, with no serious issues uncovered as part of the work.

Staff focus groups have been held to ensure a sound understanding of spatial requirements and the team have conducted a series of research and consultation visits to other similar projects around the UK.

The next steps will be to develop an internal business case, develop a funding strategy and bids and create governance around the development.

Appendix 3 – Service Performance Update – Academic Year 2018/19

Recruitment

Recruitment of learners remained strong, with over 13,000 learning opportunities delivered.

Education and Training (accredited and qualification programmes)

Learner numbers on qualification programmes fell (down from 4,335, to 3,507) due to a planned increase in vocational and Functional Skills (English, maths and IT) qualification courses and a planned reduction in non-regulated (internally assessed and awarded accreditation) and English for Speakers of Other Languages (ESOL) provision. This means that the service used more of its funding to deliver externally validated qualification programmes and less on internally assessed courses and ESOL (which is challenging to deliver without making a financial loss).

Higher learner numbers in Functional Skills were mainly due to an increase in online provision (up from 135 to 321 learners learning solely online with the service).

Community Learning (non-accredited programmes)

Learner recruitment on non-qualification community learning programmes grew (up from 5,265 to 6,366) after the dip that the service experienced in 2017/18.

Apprenticeships

Whilst the service's Apprenticeship cohort grew (from 2%, to 3% of total learners), it remained a small proportion of the service's overall recruitment and funding, although the service plans to rapidly increase recruitment towards the end of the 2019/20 academic year, when access to funding for non-levy paying employers returns.

LeisureStream

In 2018/19, the service recruited 1,948 learners onto self-financed courses, which are managed outside of the funded programme, generating an income of £275,191.

Learners from areas of deprivation

On the service's funded programmes, on qualification programmes, in the 2018/19 academic year, 44% of learners were from the 30% most deprived wards in Norfolk (43% in 2017/18), and on community learning programmes, 29% of learners were from the 30% most deprived wards (30% in 2017/18).

The service has implemented a new planning process for the 2019/20 and subsequent academic years. Detailed data analysis now informs planning and the service is actively targeting learners from the County's more disadvantaged communities.

Retention of Learners

Retention of learners (those who completed their course) remained stable at 91% for qualification programmes and 99% on community learning programmes.

The Quality of Teaching and Learning

The quality of teaching and learning continues to improve, with 29% of tutors judged to be Outstanding (15% in 2017/18) and 96% Good and Outstanding (94% in 2017/18). The shift of tutors from Good to Outstanding is a result of a comprehensive continuing professional development programme for teaching staff, combined with robust performance management by the academic teams.

Achievement

Overall the service's headline achievement figures have reduced, as expected, due to the change in the service's curriculum offer.

Education and Training (accredited and qualification programmes)

The achievement rate in Education & Training reduced from 84% in 2017/18 down to 83% in 2018/19, but this in no way a negative story. It is mainly due to the reduction in short, non-regulated provision (which is internally assessed and awarded), which has been replaced with longer, more meaningful external qualifications.

As the non-regulated courses require no formal assessment the achievement rate is high (95% in 2018/19 vs. 93% in 2017/18), but due to the reduction in the number of these courses, it has skewed the overall achievement rate figure. In most areas of the delivery there has been a marked improvement. For example, the majority of the service's qualifications delivery has taken place in the Preparation for Life and Work area, our most important area, and the achievement rate has risen by 1%.

Community Learning (non-accredited programmes)

Community Learning has reduced from 98% to 96% which is in line with expectations. The service has been transitioning across from mainly very short taster sessions where attendance, retention and achievement are all 100%, to longer courses with more impact to the learners. This will continue into 2019/20.

Apprenticeships

In the previous academic year (2017/18), the service reported disappointing performance in Apprenticeships to Committee. In 2018/19, the service is very pleased to report that the service's new Apprenticeships team has turned this position around. The service successfully achieved its target of 68% for overall achievement and exceeded its timely success rate target of 60% by over 3%.

Learner Satisfaction

Learner satisfaction with the service remains good at 85% (national average 82%) (Ipsos Mori external survey) and compares well with other local further education providers (City College Norwich 76%; East Coast College 80%; and The College of West Anglia 87%).

Appendix 4 – Service Impact Targets

This document outlines the service impact targets for the 2019/20 academic year, which will demonstrate and evidence the impact of the proposed Adult Learning Strategy. As the service works in academic years, the targets are set on the same basis and will be updated as the service moves into the 2020/21 academic year.

As a service that can and does have a positive impact on the lives of so many of Norfolk's residents we have a responsibility to ensure that the provision we deliver is relevant and of a high quality.

In order to ensure that we meet the standards we aspire to, we have developed a list of expectations that we, as a service will meet.

1 Quality of Teaching and Learning

The quality of the teaching and learning is paramount to our learners and as such the expectations of teaching and direct delivery staff are that overall as a service:

- 98% of teaching, learning and assessment is good or better
- 95% of support for learners is good or better
- 100% of teaching staff are promoting the British Values effectively
- 100% of learners are safeguarded by Adult Learning staff

2 Attendance & Qualification Achievement Rates

With attendance being a proxy to good levels of retention, pass rates and achievement the service's expectation is that attendance will be at 90% as a minimum for all areas of the service and its delivery.

2.1 Education & Training

The expectation for the retention, pass rate and achievement rates are that where the service delivered rates above the 2018/19 national average it will deliver at least a 1% increase on 2018/19 performance.

Where the levels of performance fell below the national average, then the national average for 2018/19 in the minimum level of performance expected. This is not limited to one way of measurement, e.g. it will be measured against Sector Subject Area Tiers 1 and 2, qualification type and size, learning aim, learners with and without support, gender, ethnicity, programme area, etc.

2.2 Community Learning

Due to the substantial change in the Community Learning curriculum where the focus is on delivering more impactful learning to fewer learners; achievement, retention and pass rates will be expected to remain the same as in 2018/19 when compared on a like for like basis. These will be compared in a variety of ways, including Sector Subject Area Tiers 1 and 2, length of learning, learners with and without support, gender, ethnicity, programme area, etc.

2.3 Apprenticeships

Due the size of the provision, Apprenticeship expectations will be measured at a headline level. Expected levels of performance are an overall achievement rate of 70% and a timely achievement rate of 66%.

3 Planning and Financial

In order to achieve a balanced budget, there are certain planning and financial expectations that the service has.

Firstly, the service needs to deliver 103% of its ESFA Adult Education Budget to retain funding at 2018/19 levels. This cascades down to individual programme areas needing to meet their planning targets as set out in curriculum planning for 2018/19. These planning targets are set out in the service's Outturn Report.

3.1 Education & Training

Education and Training will be measured in three main ways; funding draw down, fee income and balancing budgets. In order to meet these targets Curriculum Managers will need to plan approximately 120% of the delivery required to meet the 103% allocation. They will also be given a corresponding expectation of a maximum 20% course cancellation rate.

3.2 Community Learning

Community Learning will be measured in three main ways; enrolment numbers, fee income and balancing budgets. Curriculum Managers will be given a maximum 3% course cancellation rate.

3.3 Apprenticeships

Apprenticeships will be measured in two main ways, funding draw down and balancing budgets.

4 Levels of Deprivation

Some of the key areas where the service can have the greatest impact is in areas with the greatest levels of deprivation. Accordingly, the service needs to ensure that these areas are well represented in its service delivery.

4.1 Education & Training

For basic skills learning aims 50% of the learners will come from the 0-30% most deprived areas in Norfolk (National indices of deprivation). For Vocational learning aims, 40% will come from the 0-30% most deprived areas of the county.

4.2 Community Learning

For learning aims classified as Neighbourhood Learning in Deprived Communities (NLDC), Wider Family Learning (WFL) or Family English Maths and Literacy (FEML), 70% of the learners will come from the 0-30% most deprived areas of the county.

5 Intended Destination, Actual Destination and Progression

It is very often a case of taking multiple steps in order to realise a learner's aspirations. With this in mind it is crucial that we progress learners through different levels and types of provision.

It is also crucial to us as a service to understand whether the path a learner wants to take is realised by the curriculum offer that we have. In order to ensure that we have achieved this we need to look at the intended destinations of our learners and compare them to their actual destinations.

For internal progression we will use two measures:

- Horizontal – where a learner progresses onto another course, which may or may not be at the same level or below, but in a different subject or provision area. For example, achieving a level 2 Functional Skill qualification in English and progressing on to an Entry 3 Functional Skills in maths.
- Vertical – where a learner progresses from one level to the next. For example, achieving a level 1 AAT and progressing onto a level 2 AAT qualification.

For external progression we will use the Education and Skills Funding Agency definitions as follows:

- Education
- In paid employment
- Gap year
- Not in paid employment
- Other
- Voluntary Work

5.1 Education & Training

- Horizontal – The expectation is that at least 20% of our learners will progress into other areas of the curriculum with us.
- Vertical - As a service we expect 30% of our learners to progress into a higher level of study with us.
- External progression – Targets will be set based on national averages
- Intended Destination – 95% completion rate.

5.2 Community Learning

- Horizontal – The expectation is that at least 40% of our learners will progress into other areas of the curriculum with us.
- Vertical - As a service we expect 50% of our learners to progress into a direct progression of study with us.
- Intended Destination – 95% completion rate.

5.3 Apprenticeships

- Vertical – At least 30% of achieving level 2 Apprentices go on to start an Apprenticeship at a higher level.
- External progression – At least 95% of achieving Apprentices move to a positive destination including remaining in sustainable employment for the year following their achievement.
- Intended Destination – 95% completion rate.

Soft Outcomes

Qualitative measures will vary depending on the type of programme, however there are some measures which are consistent across all programmes:

- Improvement in mental health and wellbeing

(using a scaled approach to assess mental health and wellbeing at the start of the course, and at the end as a number)

- Improved social network
- Improved confidence
- Improved self esteem

Other more individual qualitative outcomes should be set as part of the individual's learning plan and progress recorded against them; for example, improvement in a specific health outcome, or budgeting well.

Report to Infrastructure and Development Committee

Item No. 10

Report title:	CES Enforcement Policy
Date of meeting:	13 November 2019
Responsible Cabinet Member:	Cllr Margaret Dewsbury (Cabinet Member for Communities & Partnerships)
Responsible Director:	Tom McCabe (Executive Director, Community and Environmental Services)

Executive Summary

The Community and Environmental Services (CES) directorate is responsible for a range of regulatory functions, including Trading Standards, Planning enforcement (mineral and waste sites), Flood and Water (land drainage), Norfolk Fire and Rescue (fire safety) and Highways (networks, maintenance and blue badge enforcement). Each area of work uses different legislation to secure its aims and each has its own framework of regulations, codes of practice and guidance. The CES Enforcement Policy and associated performance data are subject to annual review by Members.

The Policy has been reviewed and updated to reflect recent changes to legislation and guidance. A revised CES Enforcement Policy (Appendix A) has been produced, with proposed changes highlighted in yellow, supported by explanatory notes.

The revised Policy, once adopted, will be published via the NCC web pages.

Actions required

- 1. The Infrastructure and Development Committee is asked to review and comment on the revised CES Enforcement Policy at Appendix A and its annex documents (A-1 to A-5), prior to consideration by Cabinet**
- 2. To note the 2018/19 enforcement performance data provided at Appendix B, and summary of stakeholder engagement at Appendix C.**

1. Background and Purpose

- 1.1. The Enforcement Policy provides a framework to ensure that we work in an equitable, practical and consistent manner in the way we deliver regulatory activities and law enforcement. Norfolk County Council is committed to the principles of better regulation, reducing burdens on business with proportionate responses and ensuring we act to protect and support residents, businesses and the environment. A range of enforcement approaches are available to the Council but there is a need to discharge these in a consistent, fair and transparent way, as well as ensuring that the public or environment is adequately protected.
- 1.2. The current CES Enforcement Policy was first developed as a cross-departmental policy in 2013. The Policy covers the range of regulatory functions within CES, including Trading Standards, Planning enforcement (mineral and waste sites), Flood and Water (land drainage), Norfolk Fire and Rescue (fire safety) and Highways (networks, maintenance and blue badge enforcement). It does not try to capture all the detailed, complex and often changing background

to enforcement, but instead seeks to summarise the overall approach to the use of enforcement powers; whether that is criminal prosecution at one end of the spectrum or informal warnings and advice at the other. The policy is supported by detailed procedures for officers within each service area and, where necessary, additional protocols can be appended to the main policy. There are five areas of work which appear as annex documents to the main policy; these relate to minerals and waste planning, flood and water management, the Norfolk Fire and Rescue Service, highways enforcement and Blue Badge enforcement - see annexes A-1 to A-5 to the main policy.

- 1.3. Appendix B provides enforcement performance information in relation to those regulatory functions covered by the CES Enforcement Policy.

2. Proposals

- 2.1. The current Enforcement Policy has been reviewed by CES regulatory services and updated to reflect recent changes to legislation and guidance. Appendix C documents the stakeholders who have been consulted on and/or contributed to the CES Enforcement Policy since 2014.

The revised policy continues to ensure that the application of enforcement is:

- proportionate to the offence and risks, and mindful of previous transgressions
- transparent - persons affected understand what is expected of them, what they should expect from the local authority and the reasons for the action
- consistent in approach, and appropriate.
- consistent with the Equality Act 2010 and the Council's Equalities Policies.

The revised policy, once adopted, will be published via the NCC web pages.

3. Impact of the Proposal

- 3.1. CES regulatory activities are aimed at protecting the economic wellbeing and safety of Norfolk's residents and businesses and protecting the environment. Impact arising from non-compliance can range from advice to prosecution but experience in regulatory enforcement shows that, in most cases, businesses and individuals comply with the law. Failure to do so generally stems from ignorance or carelessness, but sometimes from wilfulness or malice.

4. Alternative Options

- 4.1. A CES wide enforcement policy is considered to be the most effective way to demonstrate how CES intends to fulfil its regulatory/legal responsibilities. An alternative option would be for each service area within CES to produce its own enforcement policy. However as described in section 1.1 above there is need for consistency in overall approach. This draft policy does provide for additional (detailed) protocols where necessary or appropriate.

5. Financial Implications

- 5.1. There are no direct financial implications arising from this report.

6. Resource Implications

- 6.1. There are no immediate resource implications as a result of this proposal although there is the recognition in the policy that enforcement resources are not limitless and need to be targeted at areas where risk is highest. Higher performing, more compliant businesses require less resource, with regulators focusing their efforts on rogue and higher-risk businesses.

7. Other Implications

7.1. Legal Implications:

There is a legal context to the deployment of enforcement powers. In 2014 the Regulators' Code (the Code) was published and seeks to provide a clear, flexible and principles-based framework to which regulators should work. It covers how we develop and implement items such as our service standards, policies and legal procedures, and sets out the type of information we must include in our enforcement policy. The Council has a legal obligation to have regard to the Code, including ensuring a consistent approach to enforcement. However, we are able to make changes to the policy, if these would better explain or clarify the requirements arising from the Code.

In certain instances, officers may conclude that a provision in the Code is either not relevant or is outweighed by another provision. Officers will ensure that any decision to depart from the Code is properly reasoned, based on material evidence and documented. The Code requires the Council to publish its Enforcement Policy.

The Council must also have regard to The Code for Crown Prosecutors (CPS) guidance which requires extensive consideration of the evidence (for example is it admissible, substantial and reliable) before a decision is made to institute legal proceedings; with any decision also considering whether it is in the public interest to prosecute. This CES Enforcement Policy provides a clear framework and mitigates the risk of legal challenge regarding the delivery of the regulatory enforcement function within the directorate.

CES through its public protection and regulatory functions has an important role to play dealing with crime and disorder. This Policy will support the directorate in protecting the public and the environment in a consistent, fair and transparent way, in line with both local and national priorities and the legal requirement arising from Section 17 of the Crime and Disorder Act 1998.

7.2. Human Rights implications

In carrying out its enforcement role, the directorate has regard to the Freedom of Information Act 2000, the Data Protection Act 2018, Regulation of Investigatory Powers Act 2000 and the Human Rights Act 1998 (e.g. in the latter context the right to a fair trial, right to respect for private and family life, prohibition of discrimination and protection of property).

7.3. Equality Impact Assessment (EqIA)

This policy has been reviewed and updated in line with the requirements of the Equality Act 2010.

Having a clearly defined approach to enforcement action provides positive benefits to equality. In particular, enforcement in areas like blue badges helps to ensure an important and highly valued service is not misused and can continue to be available for those who need it. Disabled people frequently highlight the importance of effective blue badge enforcement.

Consistent and robust enforcement action also protects people who may be vulnerable or at risk of harm - for example, preventing people with care or support needs from being targeted by rogue traders; under-age young people from obtaining illicit cigarettes and misuse of disabled parking bays. Disabled parking bays are critical to disabled people's independence, and their misuse can have serious consequences, preventing someone from accessing essential services.

One of the core principles of the policy is to ensure that it is available in appropriate accessible formats, so that it is easily understood by all.

The policy will continue to be reviewed periodically to ensure that it reflects changes to legislation and safeguards the interests and rights of all.

7.4. Health and Safety implications

There are no health and safety implications of which to take account.

7.5. Sustainability implications

There are no direct sustainability implications to consider as part of this report. However, the policy does provide for consideration of formal enforcement action where there is a significant risk to infrastructure or the environment. The policy also includes a specific enforcement protocol for Flood and Water Management, and for planning controls.

7.6. Any other implications

None

8. Risk Implications/Assessment

- 8.1. This policy provides a clear framework and mitigates any risk of legal challenge regarding the delivery of the regulatory enforcement function within CES.

9. Select Committee comments

- 9.1. N/A

10. Actions required

- 10.1. 1. The Infrastructure and Development Committee is asked to review and comment on the revised CES Enforcement Policy at Appendix A and its annex documents (A-1 to A-5), prior to consideration by Cabinet
2. To note the 2018/19 enforcement performance data provided at Appendix B, and summary of stakeholder engagement at Appendix C.

11. Background Papers

- 11.1. N/A

Officer Contact

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

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Norfolk County Council

Enforcement Policy

Community and Environmental Services





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November 2019

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1 Introduction

- 1.1 This document applies to the enforcement activities carried out by the Community and Environmental Services (CES) Directorate of Norfolk County Council, including Trading Standards, Highways, Planning and the Norfolk Fire and Rescue Service (Fire Safety).
- 1.2 Where appropriate, additional enforcement protocols or policy may be developed to support this policy, for example where there are national requirements regarding a particular enforcement process. These will be appended to this policy as required. When read in conjunction with Annex 1 this policy constitutes the Local Enforcement Plan for Norfolk County Council Planning Services, as recommended by Paragraph 58 of the  National Planning Policy Framework.
- 1.3 This Policy has been developed in conjunction with a range of stakeholders, including business representatives and is subject to annual review and approval. See Annex 6 for a summary of stakeholder engagement since 2014.
- 1.4 The purpose of this Policy is to provide a framework to ensure that local authority enforcement is delivered in an equitable, practical and consistent manner. This is in line with the principles of good enforcement, as set out in the Legislative and Regulatory Reform Act 2006, and regard has been given to the associated [Regulators' Code](#) (the Code) in the preparation of this policy. In certain instances, it may be concluded that a provision in the Code is either not relevant or is outweighed by another provision. Any decision to depart from the Code will be properly reasoned, based on material evidence and documented.
- 1.5 Compliance with this Policy will ensure that we will strive to be fair, impartial, independent and objective. We are committed to ensuring that the decisions we take and the services we deliver take proper account of equality issues and, where necessary, put actions in place to address any barriers faced by protected groups.
- 1.6 Within the context of this Policy, 'enforcement' includes action carried out in the exercise of, or against the background of, statutory enforcement powers. This is not limited to formal enforcement action, such as prosecution or issue of notices, and so includes inspection to check compliance with legal or other requirements and the provision of advice to aid compliance.
- 1.7 For the purposes of this document 'formal action' includes: Prosecution, Simple Caution, Injunctive Action, Enforcement Order, Issue of Notices, Monetary Penalties, Seizure, Suspension, Withdrawal, Recall, Forfeiture, Revocation/Suspension of a licence, registration or approval, Disqualification of weighing or measuring equipment, Works in Default, Criminal Behaviour Orders, erral to another agency or any other criminal or civil/injunctive proceedings or statutory sanctions, applied either separately or in any other combination.
- 1.8 Where appropriate we will seek to recover our enforcement costs, including making formal applications for costs through the Courts.

2 Principles of Inspection & Enforcement

2.1 Proportionality

- 2.1.1 We are committed to avoiding the imposition of unnecessary regulatory burdens and will endeavour to minimise the cost of compliance by ensuring that any action taken, or advice offered, is proportionate to the seriousness of the breach, as well as the risk to people, businesses, other organisations, animals, property, the community or the environment. In doing so we will choose approaches that are based on relevant factors including, for example, business size and capacity.
- 2.1.2 We will usually give notice of our intention to carry out routine inspection visits, unless we are required by law to visit unannounced, or we have a specific reason for not giving prior notice. For example, this would include where the identity of the person or premises is unknown, or where it would defeat the objectives of the inspection visit to give such notice. Similarly, routine or reactive inspections of the highway and blue badges are not normally subject to such notice.
- 2.1.3 As far as the law allows, we will take account of the circumstances of the case and attitude of the people involved when considering action. We will take particular care to work with businesses and individuals so that, where practicable, they can meet their legal obligations without unnecessary expense, to support and enable economic growth.

2.2 Accountability

- 2.2.1 We will actively work with businesses and individuals to advise and to assist with compliance and requests for help. Contact points and telephone numbers will be provided for business and public use.
- 2.2.2 We will aim to carry out visits and inspections at a reasonable time and where appropriate to do so. In most cases our staff will show their identification (and authority if requested) at the outset of every visit and explain the reason for the visit. However, so that we can see things from the point of view of a customer or ordinary member of the public, we may carry out informal visits or arrange to buy goods or services and not introduce ourselves. Where we must use a young person to carry out work on our behalf, such as in attempting to purchase age-restricted products, we will always use the latest Code of Best Practice.
- 2.2.3 Out of hours contact for services will be provided where there is a need for an immediate response/risk to public health, safety or damage to property, infrastructure or the environment.
- 2.2.4 The whole range of enforcement activities will be dealt with as promptly and efficiently as possible in order to minimise time delays.
- 2.2.5 Where appropriate, feedback questionnaires will be used to gather and act upon information about the services we provide.
- 2.2.6 We will include information to highlight new legal requirements on our website, with letters sent after an inspection or visit; and by providing or signposting advice and information to help businesses and individuals keep up to date.

2.2.7 We will have regard to fairness and individuals' human rights in all of our enforcement work through conforming to the European Convention on Human Rights (as implemented by the Human Rights Act 1998).

2.3 Consistency

2.3.1 All officers are required to act in accordance with this enforcement policy and our published service standards.

2.3.2 We will carry out our enforcement and advisory functions in an equitable, practical and consistent manner. We will adopt and adhere to relevant policy and guidance and will ensure that our officers are suitably trained, qualified and authorised to undertake their enforcement duties, and understand the principles of good regulation.

2.3.3 Where appropriate, we will publish clear service standards providing information on:


- a) How we communicate and how we can be contacted
- b) Our approach to providing information, guidance and advice
- c) Our risk assessment methodology used to determine inspection activity, clearly setting out what can be expected from us at the time of visit
- d) Any applicable fees and charges; and
- e) How to comment or complain about the service provided and the routes to appeal.

2.4 Transparency

2.4.1 In most circumstances we will seek to ensure that people affected by formal action are informed of what is planned and allow for discussion and time to respond before the action is taken. We will also give them a named officer's contact details. These arrangements must have regard to legal constraints and requirements.

2.4.2 When a notice is served it will say what needs to be done, why, and by when, and that in the officer's opinion a breach of the law has been committed and why the notice is necessary. We will also make a clear distinction between legal requirements and recommended works.

2.4.3 As part of our commitment to equality we will communicate in a clear, accessible, concise, format using media appropriate to the target audience, in plain language. We offer translation/interpretation services (language and British Sign Language) where English is not the first language.

2.4.4 This Enforcement Policy is published via the Norfolk County Council website and we may also publish further guidance about specific/technical areas, such as  the use of civil sanctions.

2.4.5 The publicity generated by legal proceedings acts as a deterrent to others and reassures the general public that we take a serious view of illegal behaviour. We therefore publish the outcome of court proceedings, including undertakings; as part of this we include the name of the defendant(s), unless directed not to do so by the Courts.

- 2.4.6 We will routinely publish the names and trading addresses of trader's subject to legal proceedings, including prosecutions, enforcement orders, undertakings or the administrative issue of penalties/fines.
- 2.4.7 We may also publish the names and trading addresses of traders who act in ways that represent a significant risk to consumers or the interests of legitimate businesses, subject to the following conditions:
- There is no risk of prejudice to legal proceedings or other formal enforcement action, and
 - The evidence of unfair or illegal trading is conclusive, and
 - It is in the public interest to do so, taking into account the personal circumstances of the offender and community cohesion, and
 - To do so does not breach Human Rights or Data Protection Law, or the Children and Young Persons Act 1933.
- 2.4.8 Examples of the current published enforcement action is via the [Norfolk Trading Standards web pages](#).

2.4.9 We obtain and process information in the course of our enforcement functions. Some of this information is personal data, and some of it is confidential or sensitive. We will process information in accordance with the law (including the Data Protection Act 2018 and the Enterprise Act 2002) and with proper regard to our privacy notices, which can be found on our website.

2.5 **Target (Intelligence and Risk Led) Enforcement**

- 2.5.1 Enforcement will be primarily targeted towards those situations that give rise to the most serious risks, and against deliberate/organised crime. Other determining factors will include local priorities, Government targets and priorities, new legislation, national campaigns and public concerns.
- 2.5.2 By having a coherent and risk-based intelligence system, effective strategies can be formed to enable and co-ordinate solutions to particular problems. This enables the identification of new, current and emerging issues, allowing provision of strategic and tactical direction on how the issues can best be tackled. Subject to the provisions of Data Protection and Human Rights Law, we may also refer cases and/or share information and intelligence with other law enforcement agencies.

2.6 **Supporting the local economy**


- 2.6.1 We recognise that a key element of our activity will be to facilitate and encourage economic progress against a background of protection.
- 2.6.2 Wherever possible, we will work in partnership with businesses and individuals, and with parish councils, voluntary and community organisations, to assist them with meeting their legal obligations without unnecessary expense.

2.7 **Reducing enforcement burdens**

- 2.7.1 If there is a shared enforcement role with other agencies, e.g. the Police, Environment Agency or other local authorities, we will consider

co-ordinating with these agencies to minimise unnecessary overlaps or time delays and to maximise our overall effectiveness. We will also liaise with the other regulators to ensure that any proceedings instituted are for the most appropriate offence.

2.7.2 We will follow the principle of “collect once, use many times” and, **where legally permitted**, share information that we collect with other local authority regulatory services to minimise business impact.

2.7.3 When conducting farm visits, we will have due regard to the [Farm Regulators' Charter](#), which makes sure visits are carried out consistently across regulators. The charter covers all inspection types and visits of agricultural and aquaculture activities carried out by Farm Regulators. 

3 Primary Authority Partnerships


3.1 Primary Authority is a statutory scheme established by the Regulatory Enforcement and Sanctions Act 2008. It allows an eligible business to form a legally recognised partnership with a single local authority in relation to the provision of tailored advice, guidance and assistance relating to regulatory compliance. The single local authority (known as the “Primary Authority”) is registered with the [Office for Product Safety & Standards](#) (OPSS), via the Primary Authority Register.

3.2 The Primary Authority then acts as the single point of contact between its partner business and the local authorities that regulate it. The Primary Authority can issue assured advice upon which the business can rely and can also, where appropriate, devise inspection plans for businesses. The inspection plan can place specific requirements on other local authorities and can require feedback on their checks to be given to the Primary Authority.

3.3 Where an enforcing local authority is considering enforcement action against a business that has a Primary Authority it is required to make a statutory notification to the Primary Authority. In most cases, this notification must be made before the action can be taken. However, in certain circumstances the notification can be retrospective, **including where a compliance issue is identified that requires urgent action in order to avoid a significant risk of harm to human health, the environment, or the financial interests of consumers.**

3.4 If another local authority proposes enforcement action which the Primary Authority deems to be inconsistent with the assured advice, the Primary Authority may seek to block the enforcement action. Where this is the case but is disputed, or there is a need for further considerations, the matter would be referred to the [Office for Product Safety & Standards](#) (OPSS) for their consideration/determination.

4 Enforcement Actions

- 4.1 Nothing in this policy shall be taken to compel us to take enforcement action. In certain instances, we may conclude that an enforcement response is not appropriate given the circumstances.
- 4.2 In deciding what enforcement action to take, we will have regard to the following aims:
- to change the behaviour of the offender
 - to eliminate financial gain or benefit from non-compliance
 - to be responsive and consider what is the most appropriate sanction for the particular offender and the regulatory issue concerned
 - to be proportionate to the nature of the offence and the harm/potential harm caused
 - to repair the harm caused to victims, where appropriate to do so
 - to deter future non-compliance.
- 4.3 Any decision to undertake formal enforcement action will be taken in the context of operational priorities, this policy and the [Council Constitution and scheme of delegations](#). Such decisions will include the use of intelligence in determining the nature of any response, as well as being subject to ongoing monitoring and review.
- 4.4 Where a right of appeal against a formal action exists other than through the courts, advice on the appeal mechanism will be clearly set out in writing at the time the action is taken.
- 4.5 All investigations into alleged breaches of legislation will be conducted in compliance with statutory powers, time limits and all other relevant legislation (and relevant Codes of Practice), including the requirements of:
- Police and Criminal Evidence Act 1984 (PACE)
 - Criminal Procedure and Investigations Act 1996 (CPIA)
 - Regulation of Investigatory Powers Act 2000 (RIPA)
 - Investigatory Powers Act 2016 (IPA)
 - Criminal Justice and Police Act 2001 (CJPA)
 - Human Rights Act 1998 (HRA).
 - Consumer Rights Act 2015 (CRA)
- 4.6 As part of any criminal investigation process, persons suspected of having committed a criminal offence will, wherever possible,  be
- be formally interviewed in accordance with PACE
 - be given the opportunity to demonstrate a statutory defence
 - have the opportunity to give an explanation or make any additional comments about the alleged breach
 - be offered translation/interpretation services (language and British Sign Language) where English is not their first language
- 4.7 As part of our enforcement function we may exercise a wide variety of powers, including the power to enter premises and inspect goods, to require the production of documents or records and, when necessary,

the power to seize and detain such material where they believe it may be required as evidence.

4.8 We may also take with us such other persons as may be necessary as part of our enforcement function. This may include Police Officers where there is the possibility of an arrest, or a breach of the peace situation. In certain cases, we may exercise an entry warrant issued by a Magistrate to gain access to premises and may use police assistance to effect entry.

4.9 We may also use investigation equipment whilst undertaking our duties, including hand held and Body-Worn Video (BWV) cameras. BWV devices are capable of recording both visual and audio information and can provide a number of benefits to enforcement agencies, including a deterrent to aggressive, verbal and physical abuse towards officers, and in providing additional evidence to support investigations. BWV will usually be deployed on an overt basis for a specific purpose, and where it is necessary and proportionate to do so. Any decision to deploy BWV on a covert basis will be made in accordance with the Regulation of Investigatory Powers Act (RIPA), related legislation, Codes of Practice and associated Council Policy.

4.10 Immediate Formal Action

4.10.1 Whilst recognising that most people want to comply with legal requirements, we also recognise that some will operate outside the law (both intentionally and unintentionally). Where possible, a staged approach to enforcement will be adopted, with advice and informal action explored to resolve the matter in the first instance. However, we will consider taking immediate formal action for the most serious breaches, including any of the following circumstances:

- Where the infringement causes or is likely to cause actual or emotional damage, or substantial loss or prejudice to people, businesses or other organisations
- Where there is a significant risk to public health, safety or wellbeing, or damage to property, infrastructure or the environment.
- Fraud, aggressive or misleading practices/equipment, or practices seeking an unfair 'competitive advantage'.
- Illegal practices targeted at vulnerable people, including young people and the elderly.
- For matters where there has been recklessness or negligence, or a deliberate or persistent failure to comply with advice, warnings or other enforcement action.
- Where food fails food safety requirements.
- Any act likely to affect animal health or welfare, disease prevention measures, or the integrity of the food chain.
- Obstruction or assault (including verbal assault) of an officer in the execution of their duties.

4.11 Advice, Guidance and Support

4.11.1 We are committed to using advice, guidance and support as a first response to the majority of breaches of legislation, subject to any need

to take immediate formal action for the most serious breaches (see paragraph 4.10 above).

4.11.2 Any initial requests for advice from individuals or businesses on non-compliance will not necessarily trigger enforcement action. In such cases we will seek to assist in rectifying such breaches as quickly and efficiently as possible, where there is a clear willingness to resolve the matter.

4.11.3 Any correspondence will clearly differentiate between legal requirements and good practice, and indicate the regulations contravened and the measures which will enable compliance.

4.11.4 Follow up checks will be carried out on a risk and intelligence-led basis and where a similar breach is identified in the future, previous advice will be taken into account in considering the most appropriate enforcement action to take on that occasion.

4.12 Where more formal enforcement action has previously been taken, such as a simple caution or prosecution, we recognise that there is likely to be an ongoing need for compliance advice and support, to prevent further breaches.

4.13 Verbal or written warning

4.13.1 Compliance advice can be provided in the form of a verbal or written warning. In doing so we will clearly explain what should be done to rectify the problem, and how to prevent re-occurrence. Warnings cannot be cited in court as a previous conviction but may be presented in evidence. Failure to comply with warnings or advice could result in more serious enforcement action being taken.

4.14 Statutory (Legal) Notices

4.14.1 Statutory Notices are used as appropriate in accordance with relevant legislation. Such notices are legally binding. Failure to comply with a statutory notice can be a criminal offence and may lead to prosecution and/or, where appropriate, the carrying out of work in default.

4.14.2 A statutory notice will clearly set out actions which must be taken and the timescale within which they must be taken. It is likely to require that any breach is rectified and/or prevented from recurring. It may also prohibit specified activities until the breach has been rectified and/or safeguards have been put in place to prevent future breaches. Where a statutory notice is issued, an explanation of the appeals process for such notices will be provided to the recipient.

4.15 Monetary penalties

4.15.1 Fixed or variable monetary penalties, or penalty charge notices may be issued where there is a specific power or delegated authority to do so.

4.15.2 Specific guidance for legislation, which includes the power to issue monetary penalties, may be produced to support this policy. Such guidance will be published via our website.

- 4.15.3 Where the offender fails to discharge their liability resulting from any monetary penalty issued, alternative enforcement action will automatically be considered under this policy. Where prosecution is brought; an assessment will be made of other offences that may also have been committed in order that those charges may be considered at the same time.

Consideration will be given to the adoption of alternative remedies to the issue of a monetary penalty, such as those involving dedicated advice and training sessions, which aim to change the behaviour of the offender, whilst remaining proportionate to the nature of the offence and the harm/potential harm caused.

4.16 Licences, registrations and approvals

Local authorities have a role to play in ensuring that appropriate standards are met in relation to licences, registrations and approvals. We may refuse to grant, seek to review, temporarily remove, suspend or revoke any licence, registration or approval if we are made aware that actions have been carried out which undermine scheme objectives and/or would be unlawful. This includes those issued by other agencies.

4.17 Seizure and Destruction

- 4.17.1 Some legislation permits our Officers to seize items such as goods and documents that may be required as evidence. When we seize goods, we will give an appropriate receipt or other record of seizure to the person from whom they are taken. On some occasions we may also ask a person to voluntarily surrender and transfer ownership of illegal goods to us.

- 4.17.2 Where we seize food for failing food safety requirements, or animal feed for non-compliance with feed law, an application will be made to the Court for a condemnation order, for the illegal product to be destroyed. We will provide details of where and when this application will be made to allow interested parties to attend the hearing.

- 4.17.3 Where products are found to present a serious risk, we may seek to destroy or otherwise render them inoperable by virtue of EC Regulation 765/2008, the Regulation on Accreditation and Market Surveillance (RAMS).

4.18 Detention

- 4.18.1 Where food is suspected of failing food safety requirements, or where animal feed does not comply with specified feed law, it may be detained to allow further investigation.

- 4.18.2 When food or animal feed is detained, a notice of detention will be provided, detailing the detention arrangements, including the location where the product(s) will be detained.

4.19 Forfeiture

- 4.19.1 Where an accused has not agreed to voluntarily surrender any infringing goods then, on successful conclusion of legal proceedings, forfeiture may be applied for.

4.19.2 Where illegal goods have been seized but there is insufficient evidence of a defendant's identity or other circumstances which do not justify any other course of action, proceedings may be instituted for the forfeiture of those goods. This action is by way of a complaint to the Magistrates Court.

4.19.3 This does not preclude us from taking forfeiture proceedings in their own right in any other appropriate circumstances. We may also seek to recover costs of forfeiture proceedings from the defendant(s).

4.20 Injunctive Actions, Enforcement Orders etc

4.20.1 We will consider formal civil enforcement action in pursuance of breaches of law which have a detrimental impact on the collective interests of consumers or businesses.

4.20.2 When considering formal civil enforcement action, an Officer will, where appropriate, first discuss the circumstances with those suspected of a breach and, through consultation, attempt to resolve any issues. Alternatively, we will look to redress detrimental practices via a range of enforcement actions. These include the following:

- informal and formal undertakings
- interim and other court orders
- contempt proceedings.

We may ask the Court to consider other remedies as part of any proceedings, including compensation for victims.

4.21 Other Sanctions or Interventions

4.21.1 We will consider other sanctions or interventions where legally available and appropriate to do so, including criminal behaviour orders under the Anti-Social Behaviour, Crime and Policing Act 2014, injunctions under the Local Government Act 1972, **restriction orders under the Children & Young Persons Act 1933**, and/or equivalent orders to disrupt and/or prevent activities that may contribute to crime or disorder. This may also include arranging for the removal of websites where it is clear they are being used for illegal purposes.

4.22 Taking animals into possession/banning orders

4.22.1 Under the Animal Welfare Act 2006, if a veterinary surgeon certifies that 'protected animals' are suffering or are likely to suffer if their circumstances do not change, we will consider taking them into our possession and applying for Orders for re-imbursement of expenses incurred and subsequent disposal. We may also look to other legislation where appropriate to ensure that similar standards of care and/or control of animals are properly maintained. In some circumstances we will also consider applying to the Court to ban a person(s) from keeping animals.

4.23 Simple Cautions

4.23.1 In certain cases, a simple caution may be offered as an alternative to a prosecution, for example for first time offending. The purpose of a simple caution is to deal quickly with less serious offences, to divert less

serious offences away from the Courts, and to reduce the chances of repeat offences.

4.23.2 Officers will comply with the provisions of relevant Home Office Circulars. The following conditions must be fulfilled before a caution is administered:

- The offender has made a clear and reliable admission **concerning all elements of the offence(s) in question**
- There is a realistic prospect of conviction
- It is in the public interest to offer a simple caution; and
- The offender is 18 years old or older at the time that the caution is to be administered.


4.23.3 A simple caution may appear on the offender's criminal record. It is likely to influence how we and other enforcement agencies deal with any similar breaches in the future and may be cited in court if the offender is subsequently prosecuted for a similar offence. If a simple caution is issued to an individual (rather than a corporation) it may have consequences if that individual seeks certain types of employment or wishes to travel or move to certain countries. Simple cautions will be issued with regard to Home Office and other relevant guidance.

4.24 Prosecution

4.24.1 We may prosecute in respect of serious or recurrent breaches, or where other enforcement actions, such as statutory notices have failed to secure compliance. The Council recognises that the decision to prosecute is significant and could have far reaching consequences on the offender.

4.24.2 Before any decision is taken, the alleged offence(s) will be fully investigated, and a report will be compiled by the Investigating Officer/Officer in Charge of the case. The file will then be reviewed by a Senior Manager, who will consider whether the sufficiency of the evidence and the public interest falls within the guidelines as laid down by the Attorney General and Crown Prosecution Service [Code for Crown Prosecutors](#).

4.24.3 Any decision to prosecute will only be taken where it is expedient for the promotion or protection of the interests of the inhabitants of Norfolk to do so. Before deciding whether or not to prosecute, consideration will also be given to:

- How well the prosecution supports  our aims and priorities
- The factors contained in paragraphs 4.2 and 4.10 of this policy
- Action taken by other enforcement agencies for the same facts
- The nature and extent of any harm or loss, including potential harm and loss, and any offer of redress made by the offender to victims
- The willingness of the alleged offender to prevent a recurrence of the infringement
- The likelihood of the alleged offender being able to establish a statutory defence
- The calibre and reliability of witnesses
- The probable public benefit of a prosecution and the importance of the case, e.g. the possibility of establishing legal precedent

- Cost effectiveness of a prosecution
- The scope for alternative routes for redress for 'victims' and their likelihood of success
- The impact of the intervention on small businesses in particular, to ensure action is proportionate.

4.24.4 A conviction can result in a criminal record and the court may impose a fine and, for particularly serious breaches, a prison sentence. The court may order the forfeiture and disposal of non-compliant goods and/or the confiscation of assets. Prosecution may also lead, in some circumstances, to the disqualification of individuals from acting as company directors (see 4.26 below).

4.24.5 Norfolk County Council may also act as prosecuting authority for joint investigations with partner agencies, including those which are supported by National Trading Standards (NTS). NTS works in partnership with local Trading Standards authorities, regional investigation teams, and other enforcement agencies to maximise effectiveness. NTS funding supports major investigations that are detrimental to consumers or businesses that occur on a regional, cross boundary or national level, in areas such as doorstep crime, counterfeiting, and consumer and business fraud. NTS investigations are subject to the same best practice principles found in legislation and codes that are outlined within this Enforcement Policy. Any decision to prosecute in such cases will be made in accordance with paragraph 4.24 of this Policy.

4.25 Proceeds of Crime Actions

4.25.1 Where appropriate, we will seek to recover the benefit that the offender has obtained from their criminal conduct through financial investigation.

4.25.2 Financial investigations will be undertaken in accordance with the Proceeds of Crime Act 2002. Such investigations may include applications to the Court requiring financial information to be provided (production orders) or in serious cases applications to freeze and/or confiscate criminal assets (restraint and confiscation orders). Where appropriate, consideration will also be given to seeking compensation for victims or recovery of financial investigation costs as part of this process. Any funds recovered as part of the Asset Recovery Incentivisation Scheme (ARIS) will be used to support further asset recovery work, or crime reduction and community projects.

4.26 Directors

On the conviction of a Director connected with the management of a company the prosecutor will, in appropriate cases, draw to the Court's attention their powers to make a Disqualification Order under the Company Directors Disqualification Act 1986.

5 Complaints, Compliments and Comments

5.1 If you are unhappy with the service you have received, or we have failed to live up to our promises, managers are always willing to discuss with you the cause of your dissatisfaction and will try to find a solution.

- 5.2 If you wish to make a complaint or send us a compliment or comment about our service, please use our online procedure by going to:


[www.norfolk.gov.uk/compliments and complaints](http://www.norfolk.gov.uk/compliments_and_complaints)

Complaints can also be submitted by telephone to 0344 800 8020 or in writing to the **Compliments and Complaints Team, Norfolk County Council, County Hall, Martineau Lane, Norwich, NR1 2DH.**

If you are still not satisfied, and feel you have been caused injustice, our complaints process explains how the matter will be escalated, including how to complain to the Local Government Ombudsman.

- 5.3 If you wish to appeal against any enforcement action taken or have any other comments, you should write to: The Executive Director, Community and Environmental Services, using the address in 5.2 above.

6 Conflict of Interest in Enforcement Matters

- 6.1 Where a breach is detected in which the enforcing authority is itself the nsible operator, for example operating as a food business, the following protocol will be followed:

- Where a breach of law is sufficiently serious to warrant more than the provision of advice, information, assistance or a written warning, or where the response to remedy the breach is considered insufficient, an additional authorised officer from another local authority will be requested to assist in the decision-making process as to the action required. Senior Managers of the Council will be informed of serious breaches without delay.
- The additional officer's role is to assist and challenge the decision-making process to ensure that appropriate, proportionate and consistent action is taken to remedy the breach, prevent re-occurrence and to minimise the risk of 'conflict of interest' for the enforcing authority. An auditable record of the additional officer's involvement will also be kept.

7 Where to get further information

- 7.1 Copies of this document and other information/advice are available from by writing to the Trading Standards Service using the address in 5.2 above.



- 7.2 We will make this policy available on tape, in Braille, large type, or in another language on request.



Norfolk County Council

LOCAL MONITORING AND ENFORCEMENT PROTOCOL

**For the Extraction and Processing of
Minerals, Waste Management Facilities and
for County Council Development under
Regulation 3 of the Town and Country
Planning General Regulations 1992**

in

Norfolk

November 2019

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1.0 BACKGROUND

- 1.1 This document provides supplemental guidance to the County Council's Enforcement Policy (Community and Environmental Services) and is provided in the context of specific requirements arising from planning legislation and the National Planning Policy Framework (NPPF) and associated guidance contained in the Planning Practice Guidance.
- 1.2 Paragraph 58 of the National Planning Policy Framework, February 2019 (NPPF) states,
'Effective enforcement is important as a means of maintaining public confidence in the planning system. Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control. They should consider publishing a local enforcement plan to manage enforcement proactively, in a way that is appropriate to their area. This should set out how they will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development and take action where it is appropriate to do so.' In conjunction with the overarching CES Enforcement Policy, this Annex represents Norfolk County Councils Local Enforcement Plan for planning.
- 1.3 Schedule 1 to The Town and Country Planning Act 1990 as amended sets down the responsibilities for Town Planning within a two-tier Planning Authority in England and Wales. Regulation 3 of The Town and Country Planning General Regulation 1992 authorises an authority to determine (subject to regulation 4), an application for planning permission by an interested planning authority to develop any land of that authority, or for development of any land by an interested planning authority or by an interested planning authority jointly with any other person, unless the application is referred to the Secretary of State under section 77 of the 1990 Act for determination by him.
- 1.4 The Development Plan for the County comprises the Norfolk Core Strategy and Minerals and Waste Development Management Policies Development Plan Document (DPD) 2010 -2016 (Adopted 2011), Norfolk Waste Site Specific

Allocations DPD, Norfolk Minerals Site Specific Allocations DPD (both adopted in 2013) and the adopted Borough and District wide Local Plans, including Development Plan Documents and Area Action Plans. Adopted Neighbourhood Plans which have been developed by local communities, also form part of the Development Plan. The County Council maintains an up-to-date list of local planning authority policy documents and Neighbourhood Plans.

2.0 GENERAL STATEMENT

- 2.1 Section 19 of The Waste (England and Wales) Regulations 2011 makes it a duty that where a Planning Authority has planning functions in relation to establishments or undertakings carrying on disposal or recovery of waste, the Planning Authority must ensure that appropriate periodic inspections of those establishments or undertakings are made.
- 2.2 There are two elements within this plan. The first being periodic inspections (Section 3.0), the second being the investigation and enforcement of planning breaches (Sections 4-8).
- 2.3 Planning breaches are normally not criminal offences and no sanction can usually be imposed. However, failure to comply with a formal notice is a criminal offence and making the person committing the breach liable to prosecution.
- 2.4 Where a planning breach occurs a Local Planning Authority (LPA - 'the Authority') is required to consider the expediency of formal enforcement action. Formal enforcement notices may be issued, including a Breach of Condition Notice, Enforcement Notice, Temporary Stop Notice, Stop Notice, Injunction, or Direct Action (following failure to comply with an Enforcement Notice). Enforcement action may result from any of the above or a combination of the above.
- 2.5 The Service of a Planning Contravention Notice constitutes formal action but does not in itself constitute enforcement. Rather it is a request for information relating to interests in the land and the nature of the alleged planning breach, although failure to comply with notice may lead to formal enforcement action as may the information contained in the response.

- 2.6 Similarly, the serving of a notice requesting information on land ownership and occupation under Section 16 of Local Government (Miscellaneous Provisions) Act 1976 is not considered to be enforcement.
- 2.7 The taking of formal enforcement action is discretionary. The Authority may choose to take no action but will need to justify any decision not to enforce, and equally, any decision to take proportionate enforcement action. Any decision will be taken in line with the County Council's Communities and Environmental Services policy on enforcement.

3.0 MONITORING INSPECTIONS

- 3.1 To ensure confidence in the planning control system it is essential that the public and operators are conscious of a fair and effective system of monitoring all authorised and unauthorised development.
- 3.2 Monitoring of permitted sites is an essential tool of controlling development and preventing problems from developing. It is this 'pro-active' approach that often enables officers to anticipate likely breaches of planning control arising before they occur. It enables them to take immediate action to ensure that deterioration in the situation does not arise.
- 3.3 There are currently over 200 operational and active mineral and waste sites in Norfolk. As there are no reserves of hard rock in Norfolk recycling of concrete and other rubble is a significant source of sub-base and fill material. The scale of an operation being undertaken at a site is not an accurate yardstick for allocating resources; experience will often show that small recycling and waste transfer sites can give rise to more complaints and the need for more officer time, in comparison with large sites.
- 3.4 Following an inspection of the site and relevant planning permissions, a report shall be prepared and copied to the operator/owner usually within two weeks of such inspection taking place. The report shall amongst other matters detail any

breaches identified and specify timescales for compliance with conditions that have been breached.

- 3.5 The Monitoring and Control Team will be consulted on all proposals to permit development by the Development Control Team in particular they will be consulted on the planning conditions intended to be attached to the planning permission.

MONITORING FEES

- 3.6 The Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (England) Regulations 2006 as amended , enables Mineral and Waste Planning Authorities (MWPAs) to charge operators, where sites have planning permissions for mineral extraction and/or waste landfill, for the reimbursement of the average costs calculated over all MWPAs providing a monitoring service.
- 3.7 The Authority has agreed a guidance note with minerals and waste operators on the charging regime for minerals and waste site inspections. The guidance note sets out the categories of sites and associated fees, the methodology for agreeing the number of site visits and the monitoring regime.

4.0 INVESTIGATION AND ENFORCEMENT

- 4.1 In seeking to secure the highest possible level of compliance with relevant legislation whilst conforming with The Human Rights Act 1998, The Police and Criminal Evidence Act 1984 (P.A.C.E.) the Enforcement Concordat, the Code for Crown Prosecutors the principal enforcement activities of the Authority are directed towards avoidance of infringements. It is nevertheless inevitable that breaches and offences will occur, and the purpose of this protocol is to ensure that they are resolved in a consistent, transparent, balanced and fair manner.
- 4.2 Similarly, where an operator carries out development without complying with the conditions attached to a planning permission and this gives rise to problems leading to an unacceptable injury to amenity, the County Council's approach will be to seek to remedy the injury in the first instance by negotiation and persuasion.

- 4.3 All enforcement action, be it verbal warnings, the issue of written warnings, statutory notices, or prosecution, is primarily based upon assessment of risk to public health, public safety, harm to amenity, economic well being or the environment.
- 4.4 Where appropriate, this Authority will endeavour to recover money under the Proceeds of Crime Act 2002.
- 4.5 This Authority will ensure that all clients subject to any enforcement action are informed of what is expected and the procedures that will be followed. This is to aim to avoid any misunderstandings and ensure transparency of all enforcement action.
- 4.6 This Authority, in exercising its function of ensuring compliance with planning control will:
- where there is serious harm caused to the amenity, take immediate action against a breach of planning control to stop further damage;
 - in all other instances, seek to resolve any problems within a reasonable timescale by discussion and negotiation without the need to resort to legal action;
 - only take enforcement action where it is necessary to do so to protect the public interest or to protect the environment, people and transport systems and the amenity of the area in accordance with the provisions of the local development framework;
 - ensure that action is always commensurate with the breach of planning control;
 - Give due regard to current legislation, policy framework, instructions, appeal decisions and relevant judicial authority;
 - where appropriate take into account comments made by the general public and consultees;
 - enable acceptable development to take place, even though it may initially have been unauthorised;
 - maintain the integrity of sites having interests of acknowledged importance;
 - where appropriate maintain liaison and contact with the general public, and

mineral and waste operators.

5.0 THE RELEVANT ENFORCING AUTHORITY

- 5.1 There is often an overlap of enforcement of activities involving waste disposal and recycling between the Authority, the District and Borough Councils' Environmental Health Departments (EHO) and the Environment Agency (EA). Where the unauthorised activity results in, or has the potential to result in, pollution, the EA will normally be the lead Authority. Where the activities involve a statutory nuisance the District Council EHO may be better placed to take action. In all cases that potentially involve the above bodies, consultations and discussions will take place to see which Authority is in the better position to lead the investigation and if necessary, take action.
- 5.2 The Authority will have regard to the fact that unauthorised development and some breaches of planning conditions involving wastes may be a criminal offence under legislation enforced by the EA and the Authority will liaise with the EA accordingly. The EA may be in a stronger position to ultimately remedy harm to amenity by way of prosecution and enforcing cessation of the harmful activities. In cases where unauthorised development causes or has the potential for serious harm to human health the Authority will have regard to the fact that it may be more appropriate for the HSE to be the lead Authority and will liaise with them accordingly.
- 5.3 Norfolk County Council is a two-tier Authority with seven District, Borough and City Councils; King's Lynn and West Norfolk Borough Council, Breckland District Council; North Norfolk District Council; South Norfolk District Council; Broadland District Council; Norwich City Council and Great Yarmouth Borough Council. All of whom are also planning authorities. In addition to these councils the Broads authority also has planning responsibilities for the Norfolk and Suffolk Broads area.
- 5.4 It is the intention of the County Council to work closely with other regulatory bodies when investigating and remedying an alleged breach of planning control. The County Council in dealing with all complaints concerning an alleged breach of planning control will identify the authority responsible for taking action and redirect complaints to other regulating bodies where necessary.

6.0 GENERAL GUIDANCE

6.1 The County Council will have regard to the provisions of the Norfolk minerals and Waste development framework and relevant local plans and any other material considerations in the enforcement of planning control.

6.2 This Authority remains committed to fostering business enterprise and prosperity, provided that the necessary development can take place without unacceptable harm to local amenity. . Whilst the Authority has a general discretion to take enforcement action when they regard it expedient, it does not condone wilful breaches of planning law. Moreover, in some cases effective enforcement action is likely to be the only appropriate remedy where a breach is causing unacceptable harm. The Authority will be guided by the following considerations: -

- (i) The Commissioner for Local Administration (the local ombudsman) has held, in a number of investigated cases, that there is "maladministration" if an Authority fails to take effective enforcement action which was plainly necessary or where an Authority fails to consider whether to take formal enforcement action or not and be able to show their reasoning for not initiating formal action, often resulting in an award of compensation payable to the complainant for the consequent injustice;
- (ii) The planning regulatory provisions are to ensure proper land use and to resolve breaches of planning control by removing unacceptable impacts on the environment and the amenity of the area. This ensures a 'level playing field' for legitimate businesses to develop and prosper.
- (iii) Enforcement action should always be commensurate with the breach of planning control to which it relates (for example, the Authority would usually consider it inappropriate to take formal enforcement action against a trivial or technical breach of control which causes no harm to amenity in the locality of the site); and

- (iv) Where the Authority's initial attempt to persuade the owner or occupier of the site voluntarily to remedy the harmful effects of unauthorised development fails, negotiations will not be allowed to hamper or delay whatever formal enforcement action may be required to make the development acceptable on planning grounds, or to compel it to stop.
- 6.3 It is not an offence to carry out development without first obtaining planning permission for it. If the Authority's initial assessment indicates it is likely that planning permission would be granted for development which has already taken place, the person responsible will be asked to submit a retrospective planning application. However this initial assessment is not binding on the Authority's subsequent decision to grant or not grant planning permission.
- 6.4 While it is clearly unsatisfactory for anyone to carry out development without first obtaining the required planning permission, an enforcement notice will not normally be issued solely to "regularise" development which is acceptable on its planning merits, but for which permission has not been sought. This would only apply to development which would be granted without any planning conditions being attached to control the development.
- 6.5 The Authority will not normally invite an owner or operator to submit a planning application if the unauthorised development is contrary to development plan policies or if it appears that any actual or potential harm cannot be made acceptable by the imposition of planning conditions; however, we cannot prevent a landowner who is determined to apply for permission retrospectively.
- 6.6 If an operator or owner submits a planning application that the Authority has requested, the Authority will not normally consider formal enforcement action whilst the application is being considered. If agreement can be reached between the operator and the Authority about the operation being reduced to an acceptable level (e.g. hours of operation, use of plant and equipment, routing of vehicles etc) during any period between a planning application being submitted and its determination, and the person concerned honours the agreement, formal

enforcement action may be avoided

- 6.7 Where the Authority considers that development has been carried out without the requisite planning permission, but the development could be made acceptable by the imposition of planning conditions the owner or occupier of the land will be invited to submit an application, and pay the appropriate application fee, voluntarily. However, if, after a formal invitation to do so, the owner or occupier of the land refuses or fails to submit a planning application in these circumstances within a reasonable timescale, the Authority will consider whether to take formal enforcement action.
- 6.8 Accordingly, where an owner or occupier of land refuses or fails to submit a planning application which would enable the LPA to grant conditional planning permission, the Authority will be justified in issuing an enforcement notice if, in their view, the unauthorised development has resulted in any harm, or has the potential to cause harm, which can only be satisfactorily removed or alleviated by imposing conditions on a grant of planning permission for the development.
- 6.9 If the location of the unauthorised development is unacceptable, but relocation is feasible, it is not the Authority's responsibility to seek out and suggest an alternative site to which the activity might be satisfactorily relocated. However, if an alternative site has been suggested, the Authority will make it clear to the owner or occupier of the site where unauthorised development has taken place that he is expected to relocate to the alternative site within a reasonable timescale. In such circumstances the Authority will usually agree a reasonable time-limit within which relocation should be completed.
- 6.10 What is reasonable will depend on the particular circumstances, including the nature and extent of the unauthorised development; the time needed to negotiate for, and secure an interest in, the alternative site; submit a planning application (if required) for the alternative site; consultation timescales; and the need to avoid unacceptable disruption during the relocation process. If the owner or operator fails to provide justification for a suggested timescale, the Authority will set a timescale it considers reasonable. If a timetable for relocation

is ignored, or it is evident that appropriate steps are not being taken to progress the relocation, the Authority will consider formal enforcement action. In that event, the compliance period in the notice will specify what the Authority regard as a reasonable period to complete the relocation.

- 6.11 Nevertheless if the unauthorised development is causing unacceptable harm to the environment or amenity, the Authority will consider issuing an Enforcement Notice and/or Stop Notice even if an alternative site has been identified and steps have been made towards relocation. The Authority considers that any difficulty or delay with relocation will not normally be a sufficient reason for delaying formal enforcement action to remedy unacceptable unauthorised development.
- 6.12 Where the Authority considers that unacceptable unauthorised development has been carried out, and there is no realistic prospect of its being relocated to a more suitable site, the owner or occupier of the land will be informed that the Authority is not prepared to allow the operation or activity to continue at its present level of activity, or (if this is the case) at all. If the development nevertheless provides valued local employment, the owner or occupier will be advised how long the Authority is prepared to allow before the operation or activity must stop, or be reduced to an acceptable level of intensity. If agreement can be reached between the operator and the Authority about the period to be allowed for the operation or activity to cease, or be reduced to an acceptable level, and the person concerned honours the agreement, formal enforcement action may be avoided. However, the Authority will have regard to the possibility of intensification of the development after expiry of the statutory period for enforcement action. If no agreement can be reached, the issue of an enforcement notice will usually be justified, allowing a realistic compliance period for the unauthorised operation or activity to cease, or its scale to be acceptably reduced.

7.0 INVESTIGATION PRIORITIES

- 7.1 Investigating and remedying alleged breaches of control is labour intensive and the level of service provided is directly proportional to the resources available for

regulating planning control. The demand for resources in this area naturally fluctuates over time and while the service will endeavour to match resources to demand, the level of service provided may vary over time.

COMPLAINTS

7.2 A complaint/incident is an event or matter that is either brought to the Authority's attention or that monitoring, and control officers may become aware of as part of their duty, and which may have a planning related impact. The type of complaints/incidents received by the Authority are split into 3 priorities:

7.3 Priority 1

Immediate or irreparable harm to the environment or immediate and substantial harm to amenity. Harm would be assessed in relation to impact on the environment. E.g. the impact of mineral, waste and Regulation 3 development would often be greater in an area close to residential amenities than it would be in the open countryside. The Authority will respond to the complainant within 24 hours and investigate the complaint within 3 working days.

7.4 Priority 2

On-going low-level harm to amenity or moderate and reparable impact on the environment. E.g. HGV's occasionally going in the wrong direction and causing the road verge to break up. The Authority will respond to the complainant within 3 working days and investigate the complaint within 1 working week.

7.5 Priority 3

Occasional harm to amenity or the raising of long-standing issues leading to low level impact on the environment e.g. concerns about the permitted type of material (sand or waste) stored on a site with permission, but in the wrong place or slightly higher than the agreed height. The Authority will respond to the complainant within 3 working days and investigate the complaint when the relevant officer is next in the area, but no later than one month of the receipt of complaint.

INVESTIGATION OF BREACHES

7.6 A response to an alleged breach will also require a record of the outcome of

investigation. Where there is continued non-compliance, and this results in further visits and investigation then these should additionally be recorded. However, where the operator is taking known action to resolve the problem then this is classified as an ongoing event. It is not necessary to record this as a new breach..

- 7.7 Where separate members of the public report complaints/incidents about different issues relating to a site then these should be recorded as separate breaches. Where multiple residents complain about the same incident then this is recorded as a single breach.
- 7.8 As part of our regular monitoring of planning permissions there are matters identified by officers that if reported to us separately would have been dealt with and recorded as a breach. These will be recorded, and information captured. The same applies as above in that, where there is continued non-compliance then this will be reported as a single breach.
- 7.9 The Monitoring and Control Team will liaise with the Legal Services; Environment Agency; District Council or any other relevant Authority as necessary throughout the investigation.
- 7.10 When complaints about alleged breaches of planning control are received, they will be properly recorded and investigated. If the Authority decides to exercise its discretion not to take formal enforcement action it should be prepared to explain its reasons to the complainant, including where complaints are attributable to repeated allegations from vexatious complainants and they have been previously proved unsubstantiated.
- 7.11 The Authority will ensure that anyone who does complain about a breach of planning control is dealt with in a polite, efficient and responsive way. All complaints that are received will be recorded and stored on a complaints register, which is an electronic and paper based system. The complaints register will enable the receiving officer to detail both the nature of the complaint and the action the Authority has taken to resolve it. Keeping a record of complaints will

enable the Authority to assess and improve its overall service.

- 7.12 It may not always be necessary to visit sites to satisfactorily resolve a complaint. However, in most cases it may be necessary to establish whether there has been a breach of planning control by visiting the site. Where, following the investigation of a complaint, the Authority decides not to take formal enforcement action to resolve a substantive issue, the matter being satisfactorily resolved by other methods, the reason for this decision will be explained to the complainant upon request. If, however, the Authority elects to instigate enforcement proceedings against the offender the complainant will be notified of the progress of that action.
- 7.13 The County Council in dealing with all complaints concerning an alleged breach of planning control within their responsibility will:
- treat them confidentially as far as practical;
 - ensure that they are acknowledged and actioned within the timescales prescribed in the priority rating;
 - deal with them expeditiously in a professional and efficient manner;
 - visit the site where necessary, and establish whether there has been a breach of planning control;
 - notify the complainant upon request of the progress of any action taken to resolve substantive matters forming the basis of the complaint;
- notify the complainant if the authority elects to commence enforcement action against the alleged breach of planning control and be prepared to explain the reason in the event formal enforcement action has not been taken.

8.0 PROSECUTIONS

- 8.1 Subject to the Evidential and Public Interest tests Persons who fail to comply with a formal notice will normally be prosecuted.

9.0 MONITORING OF REGULATION 3 DEVELOPMENT

- 9.1 A procedure has been agreed between Norfolk County Council's Children's Services Department and the Monitoring and Control Team where by Schools development which falls within Regulation 3 of The Town and Country Planning

General Regulation 1992 can be monitored and a fee levied.

9.2 The developments to be pro-actively monitored will fall into one or more of the following categories:

- Developments where planning permission was granted after 1 January 2009 and includes permanent external substantial building works.
- Major developments where planning permission was granted prior to 1 January 2009 and construction is still in progress.
- Developments where planning permission was granted prior to 1 January 2009, include permanent external substantial building works, and remain unlawful due to the failure to discharge pre-development conditions.

9.3 Prior to the inspection taking place, notification will be passed to the applicant informing them that an inspection will be scheduled for a given school. An initial list of developments has been agreed with Children's Services and notification of future inspections will be sent out to individual applicants.

9.4 Where a development has been permitted on an open school an appointment will be made prior to inspection. This generally ensures that the school will allow the officer onto the site without issue and, if required, allocate a member of staff to accompany the officer. This will also allow the inspecting officer to check that work has begun prior to going on site.

9.5 Where a planning permission is found not to have been implemented it will be removed from the list and an invoice will not be raised. It is generally agreed that a single chargeable inspection will be required for smaller developments such as extensions, although a second non-chargeable visit may be required after completion of the development.

9.6 For major developments, such as new schools, two chargeable visits per year for the life of the construction phase will be required. A final chargeable visit to check completion and landscape implementation will also be required.

- 9.7 Failure to comply with all planning conditions could result in further chargeable visits being undertaken until full compliance is achieved. There will be a maximum of two chargeable visits per school in any one financial year.
- 9.8 Once the report has been completed, it will be sent to the applicant along with a copy of the planning permission and an invoice for payment.

10. MEMBER PROTOCOL

- 10.1 Local Norfolk County Council members will be informed when an Enforcement Notice is served in their division.
- 10.2 Members of the Council will be presented on a regular basis of not less than once per year with a report detailing the decisions made under delegated authority, performance statistics and enforcement update for the work of the Monitoring and Control Team.

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Norfolk County Council Flood and Water Management Enforcement Protocol

1.0 Introduction

This document provides supplemental guidance to Norfolk County Council's Community and Environmental Services (CES) Enforcement Policy, and is provided in the context of specific requirements arising from the Flood and Water Management Act 2010 and the Land Drainage Act 1991.

Norfolk County Council (NCC) is the Lead Local Flood Authority (LLFA) for the county. This role is fulfilled by the Flood and Water Management team.

This Protocol and guidance note has been adapted from best practice identified within local authorities in England. It is intended for use as guidance by Risk Management Authorities, developers and landowners.

2.0 Regulation of Ordinary Watercourses

The Lead Local Flood Authority has powers under the Land Drainage Act 1991 to exercise its regulatory powers in relation to watercourses outside of Internal Drainage Board areas and where they are not Environment Agency designated main rivers.

The Lead Local Flood Authority will take a risk-based and proportionate approach to exercising its regulatory powers under the Land Drainage Act 1991, taking into account the location and nature of any nuisance caused by;

- the failure to repair or maintain watercourses, bridges or drainage works
- un-consented works
- impediments to the proper flow of water

This approach will take into account whether the contraventions have or are likely to increase flood risk and what the consequences of any increase in risk may be. Where works are un-consented the Lead Local Flood Authority would require the landowner, person and/or Risk Management Authority responsible for the works to prove that the un-consented works would not cause a nuisance or increase flood risk.

With regards to the causes of the nuisances described above, the Lead Local Flood Authority has powers under Sections 21, 24 and 25 of the Land Drainage Act 1991 to serve notice on individuals who have caused contraventions.

In issuing a notice the Lead Local Flood Authority may set out the works required to resolve the contravention to an acceptable standard and the date by which the works should be completed.

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If the works are not completed by the date set out in the notice, the Lead Local Flood Authority may take action to remedy the effect of the contravention or failure and seek to recover the costs incurred, as well as pursue any necessary prosecution.

3.0 Guiding Principles

Enforcement under the Land Drainage Act, 1991 will be carried out using the guiding principles as set out in the CES Enforcement Policy.

4.0 Process

a) Initial response

Where the Lead Local Flood Authority receives a complaint in relation to an ordinary watercourse, we will carry out an initial assessment to establish whether the actual or potential flood risk meets our threshold for intervention. We aim to complete this assessment within 21 days. However, there will be occasions when it is necessary to extend the period of assessment for more complex matters and/or to accommodate exceptional circumstances e.g. weather, flood conditions, etc. At the outset the complainant will be informed of the case officer who will follow up the enquiry and of the outcome of the assessment.

b) Initial assessment

The threshold for intervention will be based on the Lead Local Flood Authority's [impact criteria](#).

To assess the potential impact the initial assessment will consider the on-site conditions, any available historical data and high-level indicators of potential risk, such as Environment Agency (EA) Flood risk maps for surface water flooding and flooding from rivers. It will also consider any other status of land e.g. conservation designations, common land etc.

To substantiate incidents of actual flooding as part of the initial assessment we will need to be provided with one or more of the following types of evidence:

- I. An insurance claim
- II. Records of emergency services and utility companies i.e. fire brigade attending to pump out a property
- III. Dated photos of the event
- IV. Written report from a Risk Management Authority

The evidence supplied will be determined in line with the guiding principles as set out in the CES Enforcement Policy.

The Lead Local Flood Authority may close an enforcement case file, where there is a lack of physical evidence to corroborate the impact of a flood event. If further relevant evidence was to come forward, then the Lead Local Flood Authority may re-open the case file and undertake a further investigation.

C) Further Investigation

Where the initial assessment has identified an actual or potential risk of flooding that exceeds the adopted impact criteria, but where a site inspection has failed to identify the primary cause of the problem the authority may;

- consult with other organisations including other local authorities, Highway Authorities, Environment Agency, Natural England as appropriate.
- require or commission appropriate site surveys and inspections.

In deciding whether or not to carry out the above steps the LLFA will consider whether it is in the public interest to do so. Having regard to the actual and potential impacts of the flooding, the costs of carrying out the works and the likelihood of obtaining sufficient evidence to enable enforcement activity. Where the Lead Local Flood Authority is made aware of breaches of other legislation it will advise the appropriate authorities.

D) Outcome of initial assessment/Further Investigation

Once an initial assessment/further investigation has been carried out the complainant will be informed in writing as to the next course of action and this may include;

- I. Informing relevant party(s) of works that are required to be undertaken within the set timescale OR
- II. No further action by the LLFA and:
 - Providing advice to those affected on referral to the [First Tier Tribunal \(Property Chamber\), Agricultural Land and Drainage \(AL&D\)](#) or other relevant organisation, where appropriate
 - Informing relevant parties of their [riparian responsibilities](#)

Where it is considered that further action needs to be taken by the relevant landowner, person and/or Risk Management Authority responsible this will be explained within the letter that sets out the outcome of the initial assessment/further investigation. This will include the following:

- An explanation of the problem and the remedy required in accordance with the Land Drainage Act 1991.
- Depending on the nature of the problem we aim to ensure that remedial work is carried out within the timeframe specified in the letter (between 7 and 21 days of the date of the letter). However, there will be occasions when it is necessary to extend the period of compliance for more complex matters and/or to accommodate exceptional circumstances e.g. weather, flood conditions, etc. The time allowed will be reasonable in the circumstances. The extent of the work required will be proportionate to the scale of the problem.

- In certain circumstances practicalities may not allow for works to be done within the timeframe specified in the letter. The Lead Local Flood Authority will assess the circumstances with regards to enforcement and whether any works need to be deferred or amended to take into account the impacts of any works on wildlife. Examples where this may occur include:
 - Seasonal farming practices and Environmental Schemes can restrict access or time schedules to carry out works;
 - The nesting season for some birds occurs between the 1 March and 31 August and works might cause disruption if nests are present;
 - Presence of protected species will influence when it is most appropriate to carry out work.

Seeking resolution prior to serving notices

The Lead Local Flood Authority will seek to resolve the situation by means of negotiation with the person responsible and obtain compliance with a request to satisfactorily undertake the work required.

Serving notices under the Land Drainage Act 1991

If a positive response to the Lead Local Flood Authority's letter has not been received within the timescale specified and on inspection no work has been satisfactorily undertaken as required, a notice under the relevant section of the Land Drainage Act 1991 will be served. The notice will include the nature of the work to be carried out, the period within which it is to be carried out and any relevant right of appeal to a magistrates' court within 21 days of service of the notice (where applicable). A Notice under the Land Drainage Act 1991 is a legal document formally requiring specific work to be carried out within a set timescale.

A letter will accompany the notice and inform the responsible person that in the event of their failure to satisfactorily undertake the work, the Lead Local Flood Authority may carry out the work itself and recover from the person responsible the expenses reasonably incurred in doing so which will include recovering the costs of pursuing the case.

Enforcement of notices

Following service of the notice, one of four things will happen: -

- The responsible person will carry out the work to the satisfaction of the council.
- The responsible person may appeal the notice.
- The responsible person will fail to carry out the work to the satisfaction of the Lead Local Flood Authority and the Lead Local Flood Authority will seek to recover their expenses; and /or

- The Lead Local Flood Authority will, where appropriate, decide whether to take a prosecution against the responsible person, in addition to carrying out the work and seeking to recover the costs of that work.

Completion of proceedings

If the responsible person complies with the notice and completes the work to the satisfaction of the Lead Local Flood Authority, the Lead Local Flood Authority will write to the responsible person confirming the closure of the case and the end of the action.

No further action

The Lead Local Flood Authority may take no action where:

- there is no actual or potential risk to properties or infrastructure; and/or
- that the matter complained of is not the cause of the drainage problem; and/or
- the matter is trivial in nature

If this is the case, the complainant will be advised accordingly, and a written communication will be sent to the complainant explaining the reason why no action is to be taken. The complainant will also be referred, where appropriate, to the [*First Tier Tribunal \(Property Chamber\), Agricultural Land and Drainage \(AL&D\)*](#) or other relevant organisation. The riparian owner will also be informed, as appropriate.

Examples of matters not requiring action may include minimal silting of the watercourse, slight vegetation overgrowth, the accumulation of a small quantity of debris etc

Advice

The Lead Local Flood Authority will provide basic information and advice to individuals of their riparian ownership responsibilities and of the route for appeal against other riparian owners where appropriate. The Lead Local Flood Authority may suggest that independent legal and/or technical advice is sought, where appropriate.

Data Protection

Information may be shared with [Risk Management Authorities](#) under Section 13 and 14 of the Flood and Water Management Act 2010 in order to exercise flood and coastal erosion risk management functions.

This information will be held securely, and any processing will be performed in line with the requirements of the Data Protection Act 1998 and the General Data Protection Regulation from 25 May 2018. Norfolk County Council is registered as a Data Controller with the Information Commissioner's Office. Further details about how we process personal data can be found in our [Privacy Notice](#).

Further Information

Please consult the [Glossary of terms](#) document which supports this protocol.

Norfolk Fire and Rescue Service

Fire Safety Policy Directive

ENFORCEMENT POLICY STATEMENT (England and Wales)

Introduction

We are approachable and want to engage with and hear from you.

The following pages explain our enforcement policy. This document is supported by other documents required by the Regulators Code, namely our Service Standards and our Challenges, Appeals and Complaints procedure. This guidance has been produced in consultation with the Better Regulation Delivery Office (now Regulatory Delivery). This policy aims to explain our approach to our regulatory functions in relation to fire safety and public safety in our communities. It also explains the behaviours that business can expect receive from us and legal constraints and frameworks under which we operate.

Quick-guide

1. Introduction

The Norfolk Fire and Rescue Service (and its officers) will exercise its regulatory functions in accordance with the principles of better regulation and will comply with all relevant laws. Business should have a mainly positive experience of being regulated by the Service. To learn more, [click here](#).

2. Principles

The Service is tasked with seeing that people are safe in case of fire and believes that deaths and injuries caused by fire in regulated premises are preventable, if the right measures are taken. The Service and its officers will engage and work with business, in preference to enforcing fire safety standards. To learn more, [click here](#).

3. Regulation

The purpose of enforcement action is to bring about improvements in safety and in attitudes to providing safety. While the Service has laid down procedures for its officers, we will take each case on its merits. To learn more, [click here](#).

4. Helping Those We Regulate (Transparency)

The Service aspires to help regulated businesses and to work with them to resolve fire safety problems but will robustly enforce where the risk to people is highest and when those responsible refuse to help them. To learn more, [click here](#).

5. Targeting

The regulatory policy of the Service focuses on risk in case of fire and in places where we will be most effective in saving life. To learn more, [click here](#).

6. Accountability to Those We Regulate

The Service is accountable for its actions and is open to analysis and questioning of our regulatory work. To learn more, [click here](#).

7. Principles of Enforcement Action

A range of relevant factors will be considered before any enforcement action is taken by the Service. When action must be taken to improve safety, the Service will be clear about what is required. To learn more, [click here](#).

8. Our Enforcement Action

The Service would rather work with business to make places safe than enforce against them. When enforcement is needed; we will be clear about what must be done. Letters or notices may be sent to confirm what business needs to do to. All enforcement will be proportional to the risk. To learn more, [click here](#).

9. After Enforcement Action

The Service encourages dialogue and open communication during and after the enforcement process. Requirements for safety and how to challenge what we are asking for will be made clear. To learn more, [click here](#).

10. Failure to Comply With Requirements

When the Service makes an enforcement decision, there might be a route to appeal or challenge what we have said. How to do this (and how to complain about our behaviour) will be made clear. Business can talk to us. To learn more, [click here](#).

11. Simple Cautions and Prosecution

If an offence has been committed, it means the law has been broken and the Service can take the matter to court. In addition to going to court, there are other actions that the Service can take. To learn more, [click here](#).

12. Public Register

The Service must enter details of certain notices (called “relevant notices”) into a register to which the public have access. (In accordance with the Environment and Safety Information Act 1988). Further details are available on request or from the [CFOA public register web pages](#)

13. Other Duties of the Service

As well as ensuring that people are kept safe in case fire, the Service is also responsible for some other laws relating to public safety. To learn more, [click here](#).

14. Data Protection

The Service will comply with data protection laws. To learn more, [click here](#).

15. Freedom of Information

The Service is subject to the Freedom of Information Act, which provides a right of access to regulatory information held by the Service. To learn more, [click here](#).

-End-

More on the Introduction

1.1 This statement sets out the service that business and others being regulated by the Norfolk Fire and Rescue Service can expect from its regulatory and enforcement function and its appointed inspectors. It goes some way to satisfying the Regulators' Code by committing the Service and appointed inspectors to the principles of good enforcement with the assistance of effective procedures and clear guidance, which can be viewed by businesses and members of the public. [Procedures and Guidance](#)

1.2 This Enforcement Policy Statement has been prepared with regard to the following legislation and statutory guidance:

The Regulators Code - [\[more\]](#)

The Regulatory Enforcement and Sanctions Act 2008 - [\[more\]](#)

The Legislative and Regulatory Reform Act 2006 - [\[more\]](#)

The Legislative and Regulatory Reform (Regulatory Functions) Order 2007 - [\[more\]](#)

The Environment and Safety Information Act 1988 - [\[more\]](#)

The Regulatory Reform (Fire Safety) Order 2005 - [\[more\]](#)

The Licensing Act 2003 - [\[more\]](#)

The Explosive Regulations 2014 - [\[more\]](#)

The Petroleum (Consolidation) Regulations 2014 - [\[more\]](#)

1.3 The primary function of the regulatory part of the Service is to achieve safety in case of fire (in premise to which fire safety law applies).

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More on Our Principles

2.1 Fire safety regulation is founded on the principle that people should be kept safe in case of fire. We regulate to help secure this safety and through our regulation, we aim to provide a consistently high quality service to those we regulate. Our regulatory activity generally extends to premises in which there is a trade, business or other undertaking.

2.2 Non-compliance with fire safety law will mean that, in our view, people are at risk in case of fire. Where we identify people at risk in case of fire, we will respond

proportionately to that risk; taking account of the likelihood and severity of the risk, in line with our service standards.

2.3 The Service believes in firm but fair enforcement of fire safety standards. We aim to achieve this by:

- proportionally applying the law to secure safety;
- being consistent in our approach to regulation;
- targeting our resources and enforcement action on the highest risk;
- being transparent about how we operate and regulate; and
- being accountable for our actions.

2.4 We will have regard to the Regulators Code when developing the policies and procedures that guide our regulatory activities. We will encourage and promote fire safety while minimising the associated costs of providing safety from fire.

2.5 We believe that by fostering good relationships with our business community and by working with them, we can improve public safety, business resilience, and can remove any unnecessary burdens of complying with fire safety law.

2.6 The Service will endeavour to engage with the business community, to seek their views about our policies and practices. (Details of engaging with us are available on request and on our website)

2.7 In the most serious cases of danger in case of fire, we will take immediate and decisive action to secure safety, for example by serving a prohibition notice that can stop people from using the premises.

For more information see [\[CFOA fire safety law web pages\]](#).

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More on the way we approach regulation

3.1 In accordance with the Regulators Code, the Service takes enforcement action (and imposes sanctions and penalties) to:

- (a) change the behaviour of the offender;
- (b) change societal attitudes to the risks from fire;
- (c) eliminate financial gain or benefit from putting people at risk in case of fire;
- (d) exercise a proportionate response to the nature of the offence and the harm caused;
- (e) restore safety to premises where fire safety risks were found; and
- (f) encourage fire safety to be secured in future.
- (g) impose an appropriate sanction for the particular offender, which can include punishment through the courts (and the public stigma that should be associated with a criminal conviction);

[Click here for more information on the Regulators Code](#)

3.2 Avoiding fires is better than protecting people when fire occurs. Where fire is likely and / or the consequences of fire pose a hazard to people, it becomes necessary for us to take action (against the responsible person / duty holder) to reduce the risk. We have a wide range of enforcement action available to us. The actions we may take include:

- (a) no action;
- (b) providing advice;
- (c) informal action;
- (d) formal action (including enforcement, alterations and prohibition notices);
- (e) taking samples of dangerous materials or extracts of recorded information; and
- (f) securing information to prepare for prosecutions.

3.4 The enforcement actions listed above are not written in an absolute order of escalation. Enforcement action taken by the Service is scalable and appropriate to the risk to people in case of fire.

3.5 When formal enforcement action is necessary, each case will be considered on its merits. All enforcement decisions will be fair, independent and objective. They will not be influenced by issues such as ethnicity or national origin, gender, religious beliefs, political views or the sexual orientation of the suspect, victim, witness or offender. Such decisions will not be affected by improper or undue pressure from any source.

- 3.6 All enforcement activities, including investigations and formal actions, will always be conducted in compliance with the statutory powers of the officer and all other relevant legislation, including but not limited to the Police and Criminal Evidence Act 1984, the Criminal Procedure and Investigations Act 1996, the Human Rights Act 1998, and the Regulation of Investigatory Powers Act 2000, and in accordance with any formal procedures and codes of practice made under this legislation so far as they relate to the regulatory activity of the Service.

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More on helping those we regulate

- 4.1 We will help those responsible for delivering safety in case of fire (responsible persons and duty holders) to understand what is expected of them and what they should expect from the Service. Legal requirements will be clearly distinguished from best practice or non-statutory fire safety advice. We will publish guidance in a clear, accessible, concise, format using media appropriate to the target audience, in plain language.

- 4.2 (Details are available on request and on our website).

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More on Targeting

- 5.1 Our policy on inspections will be to focus primarily on those whose premises and activities give rise to the most serious risk to life in case of fire. In making an assessment of risk, we will take into account the fire safety record of those we regulate and the current risks to people in case of fire.
- 5.2 We will maintain a strategy that will identify and evaluate risks in premises as well as to the wider community and allocate resources to carry out inspections accordingly. We want to see fire safety provided in buildings and may take action against those regarded as putting people at risk in case of fire.
- 5.3 Earned recognition may be awarded to businesses for assurance of safety, including for example external verification of safety systems / practices.

5.4 Our Service Standards and plans including details of our risk-based approach to risk and are available on request.

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More on our Accountability

6.1 The Service is accountable to its community for its actions. This means we must have policies and standards against which we can be judged, and an effective and easily accessible mechanism for dealing with comments and for handling complaints.

6.2 (Details are available on request and on our website [\[Complaints\]](#))

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More on the Principles of Enforcement Action

7.1 In assessing necessary and proportionate enforcement action, consideration will be given to (amongst other things):

- the safety history at the premises,
- the history of operational attendances and false alarms at the premises,
- safety referrals to the premises from other authorities / interested parties,
- any Primary Authority relationship that might be in place with the business,
- the adequacy of fire safety arrangements at the premises,
- the attitude of the responsible person / duty holder to providing safety,
- statutory guidance,
- codes of practice, and
- legal advice.

7.2 Certain enforcement action, such as the decision to use a Simple Caution and / or the decision to investigate for prosecution, is further and specifically informed by those matters set out below at section 11

7.3 In every case, when we require action to remedy unsafe conditions, we will explain the nature of the unsafe conditions to those responsible and will confirm the same in writing.

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7.4 Because, subject to any letter or notice we give, work must be done to improve or secure the safety of people in case of fire; we will agree reasonable timescales within which the work must be completed that are agreed with those responsible.

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More on Our Enforcement Action

- 8.1 The Service will offer duty holders information and advice both verbally and / or in writing. This will include an explanation of why any specified work is necessary and a time period within which the specified work should be completed. Educating, informing and advising responsible persons and duty holders about their duties under fire safety legislation will form a fundamental element of our enforcement regime. The Service will fulfil its obligation under section 6(2) of the Fire and Rescue Services Act 2004 to give on request, advice on fire safety free of charge.
- 8.2 Where we find risks to safety, we may deal with them by informal means or (where appropriate) we may take formal action by serving alterations, enforcement and / or prohibition notices. We may also issue Simple Cautions, and (in the most serious cases) may prosecute. Before formal enforcement action is taken, inspectors will provide the person responsible with an opportunity to discuss the circumstances of the case and, if possible, resolve points of difference without recourse to formal enforcement action (unless immediate action is required to reduce the risk to life or to prevent evidence from being destroyed).
- 8.3 In certain circumstances, after evaluating the safety at premises, no action may be required. This will be the case when the safety of people in case of fire has been adequately secured.
- 8.4 If the likelihood of fire is high and the consequences in case of fire are low, advice may be given on how the likelihood can be reduced. Advice may also be given where the consequences of fire might cause harm to people but can be simply avoided. Advice can also be given to point out good practice or to

signpost business continuity advice or other business protections, for example protection from flooding.

- 8.5 Where the likelihood of fire is low / medium or the consequences of a fire are slight, informal action will be taken. Informal action will take the form of a letter, pointing out that people are at risk in case of fire, where in the building they are located and what has led to them being put at risk as well as what should be done to provide safety and how to prevent the same danger from recurring. Informal action may also be taken, if those responsible have displayed clear intentions to undertake corrective action. Failure to respond to informal action can result in escalation to formal enforcement action.
- 8.6 Formal action will take the form of serving a Notice (alterations, enforcement, and / or prohibition notices). Formal action will be taken when the consequences of fire are such that people are likely to be harmed, suffer serious injury or death. It can require specific action to be taken or certain activities to cease.
- 8.6.1 Where a reasonable known change to premises or to the use of premises could result in a significant increase in the risks to people on the premises, we may serve an Alterations Notice, which requires the responsible person / duty holder to notify us, before making that known change.
- 8.6.2 Enforcement Notices require improvements in safety and will point out: that people are at risk in case of fire; where in the building they are located; and what has led to them being put at risk, as well as what should be done to provide safety and how to prevent the same danger from recurring. Enforcement Notices include a reasonable period of time for safety to be put in place. Failure to respond to a formal Notice can result in escalation to an investigation for prosecution.
- 8.6.3 Where immediate action is considered necessary to keep people safe from fire, a Prohibition Notice, which can prohibit or restrict the use of premises, can be served. An explanation of why such action is required will be given at the time and confirmed in writing. Whereas a Prohibition Notice requires action to remove imminent and immediate risks in case of fire, an Enforcement Notice might also be served to deal with less imminent risks in case of fire.

- 8.7 Fire Safety law gives power to warranted inspectors to take samples of dangerous materials or extracts of recorded safety information and documents. When we take materials or documents we will provide an appropriate receipt.
- 8.8 In the most serious of cases we will gather information and conduct an investigation to prepare for a prosecution. The decision to prosecute a case will be taken by those with authority to do so in accordance with our Scheme of Delegations.
- 8.9 All our members of staff that make enforcement decisions will be required to follow the Regulators Code.

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More about After Enforcement Action

- 9.1 When the Service takes enforcement action we will discuss what is required to achieve safety for relevant persons with the responsible person / duty holder (taking into account the circumstances of the case, if they have been explained to us).
- 9.2 The Service will clearly explain any advice, required actions or decisions taken at the time of our visit and will be willing to discuss such matters on any future occasion to ensure those responsible have clarity of what must be done.
- 9.3 Our letters and notices will provide details in writing of what must be done and how to appeal against any of our regulatory decisions. Our letters and notices will also explain what will happen next, especially if you do not undertake the work. Our web-site has details of how to complain about our conduct, if you should feel it necessary. [\[Complaints\]](#)
- 9.4 We encourage those responsible for providing safety in case of fire to contact us, especially if there are any questions or comments about our regulatory activity. We will also maintain regular communication (where required) until safety has been provided.

More on a Failure to Comply With Requirements

10.1 Rights of and routes to appeal will be clearly set out in writing and issued with our letters.

10.2 The failure to comply with an alterations, enforcement or prohibition notice constitutes an offence and may result in prosecution.

10.3 We can withdraw alterations, enforcement and prohibition notices at any time but they will generally be deemed to be in force until such time as the notice is complied with, withdrawn or cancelled by the court.

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More on Simple Cautions and Prosecution

11.1 There are a number of offences that can be committed under Fire Safety law.

Among the foremost of these are failure to comply with a formal notice and failing to provide safety in case of fire to such extent that one or more people are put at risk of death or serious injury in case of fire.

11.2 The Service can deal with offenders through prosecution and Simple Cautions.

These legal actions are important ways to bring to account those responsible for alleged legal offences. Where appropriate, we will use one of these measures in addition to issuing a formal notice.

11.3 A prosecution may be taken following full consideration of the many factors arising for the alleged breaches of the law. Penalties for offences are awarded by the courts and can include fines, imprisonment or both.

11.4 A Simple Caution will only be used where a prosecution could be properly brought and there is a realistic prospect of conviction. A Simple Caution includes a written submission from the person responsible that an offence has been committed.

11.5 A record of a Simple Caution will be kept on file for three years and if a conviction for a further offence is brought within that period, the written submission of the previous offence will be introduced to the court for consideration.

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More about the Other Duties of the Service

13.1 In addition to Fire Safety law the Service is also responsible for the following regulations.

- Licensing authority for the Petroleum Consolidation Regulations 2014
- The Explosive Regulations 2014.

13.2 The Service can request a review of a premises license under Section 51 of the Licensing Act 2003. The options available to the Licensing Committee are:

- i. Modification of the conditions of the Licence
- ii. Exclusion of Licensable activity from the scope of the Licence
- iii. Removal of the Designated Premises Supervisor
- iv. Suspension of the Licence for a period not exceeding three months
- v. Revocation of the Licence
- vi. Issue of a Warning Letter
- vii. No Action

13.3 The Service enforces the requirements of Explosive Regulations 2014 through application of the Health and Safety at Work (etc) Act 1974 and the serving of improvement notices and prohibitions orders. [Regulating and Enforcing Health and Safety](#)

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More on Data Protection

14.1 The Service will comply with the principles of the Data Protection Act 1998 governing the use of personal data received or obtained and will respect the rights and freedoms of those individuals when processing their details. The following document Information Management Strategy lays out our strategic

approach to meeting these legal requirements. (Details are available on request and on our website [\[Information Management Strategy\]](#)

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More on Freedom of Information

15.1 Under the Freedom of Information Act 2000, individuals are given ‘a general right of access to information held by public authorities in the course of carrying out their functions subject to certain conditions and exemptions’. Under Section 19 of that Act, public authorities are required to produce a publication scheme setting out details of the information routinely published or made available, how the information is made available (in hard copy and on-line), and whether it is available free of charge or on payment.

15.2 Details of The Service’s publication scheme are available on request and on our website [Publication Scheme](#).

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The Regulators Code

The Regulators Code is a statutory code of practice for regulators and makes six broad requirements:

- i. To carry out their activities in a way that supports those they regulate to comply and grow;
- ii. To provide simple and straightforward ways to engage with those they regulate and to hear their views;
- iii. To base their regulatory activity on risk;
- iv. To share information about compliance and risk;
- v. To ensure clear information, guidance and advice is available to help those they regulate meet their responsibilities to comply; and
- vi. To ensure their approach to regulatory activity is transparent.

The service has taken regard of the Regulators Code in producing this policy statement.

For the full version click here: [‘The Regulators Code’](#)

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The Regulatory Enforcement and Sanctions Act

The Regulatory Enforcement and Sanctions Act (The RES) established The Local Better Regulation Office (later renamed as the Better Regulation Delivery Office (BRDO)). It also imposed a duty on Regulators to: (a) have regard to any guidance issued by BRDO, (b) a duty to comply with guidance where the Regulator is directed to do so by BRDO, and (c) a duty to have regard to any list of enforcement priorities published by BRDO. As a listed Regulator, the Service is committed to these duties.

For the full version click here: [‘The Regulatory Enforcement and Sanctions Act’](#)

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Legislative and Regulatory Reform Act

Part 2 of the Legislative and Regulatory Reform Act, requires the Service to have regard to the Principles of Good Regulation. We recognise that our regulatory activities should be carried out in a way which is: (i) proportionate; (ii) accountable; (iii) consistent; (iv) transparent; and (v) targeted to situations which need action.

When we exercise a regulatory function, which for the Service includes: the Regulatory Reform (Fire Safety) Order, [\[The Petroleum \(Consolidation\) Regulations 2014\]](#), [Explosives Regulations 2014](#) and the [Health and Safety at Work \(etc\) Act\]](#) we have regard to the Regulators Code.

For the full version click here: [‘Legislative and Regulatory Reform Act’](#)

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The Legislative and Regulatory Reform (Regulatory Functions) Order 2007

The Legislative and Regulatory Reform (Regulatory Functions) Order imposes a duty on the Service to have regard to the Regulators' Code when determining general policies or principles. It requires that the regulatory activities of the Service are carried out in a way which is transparent, accountable, proportionate and consistent, as well as being targeted only at cases in which action is needed.

For the full version click here: '[Legislative and Regulatory Reform \(Regulatory Functions\) Order](#)'

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The Environment and Safety Information Act

The Environment and Safety Information Act requires the Service to make a publicly accessible record of formal enforcement action that we have taken.

For the full version click here: '[The Environment and Safety Information Act 1988](#)'

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The Regulatory Reform (Fire Safety) Order

The Regulatory Reform (Fire Safety) Order 2005 principally imposes a general duty on responsible persons and duty holders to take general fire precautions to keep people safe in case of fire and establishes enforcing authorities to enforce the provisions of the Order. The Service is an enforcing authority under the Order and is empowered to inspect premises and serve notices to improve safety standards (among others).

For the full version click here: '[The Regulatory Reform \(Fire Safety\) Order](#)'

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The Licensing Act 2003

The Licensing Act establishes the Service as a 'responsible authority' with whom the Licensing Authority must consult in connection with Licensable activities, including the sale or supply of alcohol or the provision of regulated entertainment or late night refreshment. The licensing objectives are to promote: the prevention of crime and disorder; public safety; the prevention of public nuisance; and the protection of children from harm.

For the full version click here: '[The Licensing Act](#)'

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The Explosive Regulations 2014

The Service is the local authority for the purposes of dealing with applications for registration or for a licence to store explosives (under certain prescribed conditions).

For the full version click here: [The Explosive Regulations 2014](#)

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The Petroleum (Consolidation) Regulations

The Service is the 'petroleum enforcement authority' and can grant 'storage certificates' for premises at which petrol is dispensed, and enforces The Petroleum (Consolidation) Regulations in premises to which those regulations apply.

For the full version click here: '[The Petroleum Consolidation Regulations](#)'

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Norfolk County Council Highways Enforcement Protocol

1.0 Introduction

The Highways area teams receive a significant number of customer complaints each year relating to enforcement matters. These range from trading on the highway, such as car sales on verges, caravans / motorhomes being parked on the highway, blocked public footpaths and trailer or van mounted advertising hoardings.

The CES enforcement policy is followed, although priority is given to highway safety matters. Increasingly, the teams work with District and Borough Councils and on a more local level with Town and Parish Councils to achieve successful outcomes.

In the majority of cases, the legal processes relating to enforcement are well established, such as dealing with public rights of way issues under various sections of the Highways Act. The following processes are less well established and have been the subject of recent Local Member interest.

2.0 Vehicles for sale on the Highway

When a complaint is received or issue identified, the Highways Area team will notify the owner and ask them to remove it immediately. A phone call will suffice provided that a record is kept of the time and date.

The Highways Area team will re-inspect the site at least twice within the next calendar month, taking photos and noting the date and time of the inspections. If the problem persists after 4 weeks, the Highway Engineer and Area Manager will assess situation and identify a way forward.

3.0 Advertising Boards and Trailers on the Highway

At joint authority meeting, which included NPLaw, it was concluded that the most appropriate way forward in addressing the issue of illegal advertising boards and trailers was to use the Town & Country Planning Act 1990 rather than the Highways Act 1980, as this offered the best chance of a successful prosecution combined with deterrent fines. In these cases, District and Borough Councils would take be the Lead Authority.

However, where a complaint is received and the issue identified is likely to cause a danger to other highway users, the Highways Area team will;

- Check whether route is subject to an advertising ban by-law (generally District/Borough Council imposed)
- Laminated notices can be attached to towable hoardings if they are found to be on Highway land, illegal and causing a safety issue for highway users.
- If the contact details for the trailer owner are known, they can be contacted direct to remove the trailer. This can be by either telephone or the use of letter
- If letter is sent or contact details are unknown, a formal notice must be attached to the advertising hoarding. All fees charged should recover all costs incurred including Officer time, administration costs and hoarding collection costs.
- Officers can request the removal of unauthorised A Boards. Photographic records can be taken and re-inspection may be required
- Request for removal, by formal letter, should be made to the offending party, in their absence, immediate removal can be arranged and cost recovered.
- If there is a significant problem with a particular shopping area, precinct or high street it may be helpful for the Highways Engineer to arrange a meeting with the traders, town Councillors or Town Centre Managers to explain the procedure and our Duty of Care for all highway users
- In exceptional cases Area Managers can consider whether offenders should be prosecuted in Magistrates Court.

1.0 Introduction

In November 2011 Norfolk was designated as a Civil Enforcement Area and, following the commencement of the Disabled Persons' Parking Badges Act 2013, local authority enforcement officers are now able to inspect and retain a blue badge without police presence, if they have reasonable grounds for believing that an offence has occurred.

Wrongful or misuse of a Blue Badge is a strict liability offence. The County Council employs a Blue Badge Investigator to carry out follow up investigations and prepare the evidence in support of enforcements – including giving written warning, or recommendations for formal prosecutions or simple cautions.

The Community and Environmental Services Enforcement Policy is followed, and this protocol is to be read in conjunction with that over-arching document. The Blue Badge Investigations service forms part of the Infrastructure and Development Section. There is a close working arrangement with Trading Standards, who process the legal disposals, and with the Customer Services Centre (CSC) who administer the Blue Badge Scheme.

There is close liaison with District Councils who employ Civil Enforcement Officers (CEO), including guidance on the policy requirements for evidence-gathering and operational arrangements.

The misuse of the Blue Badge Scheme can have serious consequences for legitimate users by denying them access to essential services and facilities. Norfolk County Council are committed to reducing the level of misuse and increasing compliance with the scheme in pursuit of our traffic management duties and aims, and to support vulnerable people in Norfolk.

2.0 Identifying Offences

Blue Badge Offences are identified in 3 ways –

- Reports by members of the public via the online form or the CSC
- Badge Inspections and seizures by CEOs as part of normal patrol duties.
- Badge Inspections and seizures by the Blue Badge Investigator during specific patrols.

The County Council publicised the commencement of work by the Blue Badge Investigator and continues to publish on its website the results of enforcement action where a person is taken to court.

<https://www.norfolk.gov.uk/care-support-and-health/disabilities/blue-badges/blue-badge-enforcements>

We have provided guidance to Civil Enforcement Officers who have the power to inspect and retain Blue Badges. This includes when and when not to inspect/retain badges, what offences are likely to have been committed. How they should interact

with members of the public in what is a stressful situation and the type of questions to ask to gather evidence.

3.0 Investigation Process

All investigations into alleged offences are conducted in accordance with statutory powers, relevant legislation and codes of practice.

Persons suspected of committing an offence will always where possible be formally interviewed in accordance with Police and Criminal Evidence Act 1984 (PACE). This is undertaken in 3 ways –

- Roadside interview by the Blue Badge Investigator
- Interview in person with the Blue Badge Investigator
- Postal Interview

The method chosen is dependent on how the alleged offence was identified.

The opportunity to demonstrate a statutory defence and offer mitigating information is, where possible, always offered during the PACE interview. Unsolicited information may also be recorded and used as part of the decision making process. We will also give an additional opportunity to offer mitigation following a road side interview by writing to the alleged person providing them with a copy of their responses.

4.0 Disposal

We are committed to giving advice, guidance and support to all those persons suspected of committing an offence and will do so at all stages of an investigatory process. Mitigating information where supplied will be used during the decision making process but, a formal disposal may still be the likely outcome.

There are four methods of disposal available to use in relation to the misuse of a Blue Badge.

1. No further Action (NFA) – the alleged offence may fall outside our jurisdiction, there may be insufficient evidence or formal action not in the public interest.
2. Written warning – The alleged offence was within our jurisdiction but there is insufficient evidence or formal action would not be in the public interest.
3. Simple Caution – In certain cases a simple caution may be offered instead of prosecution. When offering a simple caution we will comply with relevant Home Office Circulars and the offender will be made aware of the impact the simple caution may have on their life.
4. Prosecution - We may prosecute using different pieces of legislation depending on what offences are alleged. The legislation we use is;
 - Section 115/117 of the Road Traffic Regulation Act 1981
 - The Fraud Act 2006
 - Forgery and Counterfeiting Act 1981
 - The Theft Act 1968
 - Proceeds of Crime Act 2002

A person could also be issued with a penalty charge notice for any parking contravention that occurs.

In cases where a badge holder lets a third party use a badge, the issuing local authority can withdraw the badge under regulation 9(2)(a) of the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 after a relevant conviction has been obtained.

In certain circumstances involving prolific offenders Courts are able to disqualify drivers for a period of time under section 46 of the Powers of Criminal Courts (Sentencing) Act 2000.

Performance Data 2018/19

In response to a Member request in 2018, this appendix provides enforcement performance information in relation to those regulatory functions covered by the CES Enforcement Policy; Trading Standards, Planning enforcement (mineral and waste sites), Flood and Water (land drainage), Highways (networks, maintenance and blue badge enforcement) and Norfolk Fire and Rescue Service.

1. Trading Standards

1.1 Outcomes of investigations and prosecutions

Number of defendants taken through prosecution process	12
Number of offenders to whom simple cautions issued	5
Number of years imprisonment	6.2
Number of years for suspended sentences	2.66
Fines awarded	£19,000
Costs awarded from court cases	£53,358
Community Punishment Orders (hours)	500
Proceeds of Crime Act (POCA) benefit ordered to be paid in the year	£14,302.56
Proceeds of Crime Act (POCA) benefit paid in the year	£5,900

1.2 Redress obtained/detriment prevented by service actions

Compensation from court (including POCA compensation)	£6,360
(£) not handed over to criminals (e.g. rapid response outcomes)	£162,574
Detriment (£) over the following 12 months prevented by service actions	£139,026
Amount of money saved on behalf of scam victims	£86,600

1.3 Business compliance

Percentage of businesses that were compliant when visited, brought into compliance at the time of the visit or brought into compliance during the period, subsequent to the visit	95.7%
Number of individual complaints where the decision was taken to directly investigate the specific case	225
Number of businesses reviewed during tasking and subject to intervention (advice, investigation or action such as referral to another body or local authority)	137
Of those subject to intervention, the percentage where outcome was successful (i.e. resulted in compliance being achieved, or investigation outcome was successful)	82.3%
Number of counterfeit items/products removed from or prevented from entering the supply chain and value	32,347 £329,500
Number of unsafe items/products removed from or prevented from entering the supply chain and value	7,387 £15,933.40
Number of businesses identified as supplying misdescribed food, or not correctly declaring allergens, or selling food containing toxic or illegal components, or involved in fraud involving food	115

1.4 Tackling the availability of illegal tobacco

Number of premises from which products were seized	19
Number of cigarettes seized and value	1241211 £620,605.50
Weight of Hand Rolling Tobacco seized and value	883,850 g £353,540

1.5 Businesses tested for compliance with the law utilising underage volunteers or compliance with mandatory Challenge 21/25 conditions

Number of individual premises tested for Alcohol	36
Failure rate (%)	36.1%
Number of individual premises tested for Tobacco	1
Failure rate (%)	0%
Number of individual premises tested for Other Products	7
Failure rate (%)	42.9%

2. Planning Services

Over 557 programmed inspections of authorised developments were undertaken during 2018/2019 and 102 inspections were undertaken as a result of ongoing complaint investigations.

Levels of complaints received have remained at the previous level of 47. However, as can be seen from the above figures individual complaints can generate a number of site visits until matters are fully resolved.

The chargeable site monitoring regime has generated £65,165.

Four Temporary Stop Notices, One Breach of Condition Notice and eleven Planning Contravention Notices were served in 2018/2019. Two longstanding cases under the Proceeds of Crime Act (POCA) 2002 have now been resolved:

- On 6 August 2018 at Norwich Crown Court a financial agreement was reached by the Council, and two defendants from Wymondham were each given a 12-month conditional discharge. The agreed financial settlement under POCA has now been paid to the County Council and this positive outcome should send a clear message to others that funds that have been obtained as a result of criminal activity are subject to recovery, where possible, by the courts following a successful prosecution.
- On 17 March 2016 a local waste operator was sentenced to 15 months imprisonment for running an illegal waste site in North Runcton. On 17 August 2018 at Norwich Crown Court the waste operator agreed a benefit figure of £233,445. His Honour Judge Bate agreed a nominal confiscation order of £1 and thanked the officers for their 'utmost diligence' in dealing with this case.

3. Flood and Water team

No enforcement action has been required due to a) matters being resolved or b) not meeting the required thresholds for action.

4. Highways

4.1 Highway obstructions

- North and South Area - no enforcement action taken beyond advisory letters being sent, following which matters were resolved.
- West Area – 2 outstanding public rights of way obstruction cases – these are currently being dealt with through NP Law.

4.2 Highways development

Enforcement action covering development management is all undertaken by the District Council as part of their remit. Enforcement action for highway obstructions (highway boundaries) is undertaken by area.

4.3 Blue badge enforcement

Total investigations by disposals, reporting, location of incident and residency of badge-holder (latest 2 years):

Investigations of Blue Badge Infringements	2018-19	2017-18
Disposals:		
Formal prosecution including caution*	7 (+9) **	7 (+1) **
Advisory/warning letter or verbal advice from BBI	15	24
Details forwarded to parking team for CEO awareness	24	13
No action required (including insufficient or incorrect information to pursue further)	26	33
Investigation in progress/pending	15	1
Reporting:		
Reports from others (incl. public)	42	55
Identified by CEO	52	24
Identified by BBI	3	6
Location of incident:		
Norfolk	83	84
Outside Norfolk	15	8
Insufficient information to determine	6	5
Residency of badge-holder:		
Norfolk resident badge-holder	71	67
Non-Norfolk resident badge-holder	14	28
Insufficient information to determine	6	6

Not BB related	2	2
Total investigations:	93	103
* A summary of all prosecutions is available to view on the NCC website under Blue Badges ** Pending prosecutions in brackets.		

5. Norfolk Fire and Rescue Service*

768 Fire Safety Audits (FSA) were completed in 2018-19. Of these:

- 86 premises were issued with informal notices for deficiencies.
- 14 premises were issued with formal notices for deficiencies.
- 2 formal prosecutions were concluded, resulting in a conviction and fine in both cases.

*Norfolk Fire and Rescue Service is required to provide detailed operational statistics to the Home Office on an annual basis. Further information regarding this is available from Garry Collins, Head of Fire Prevention & Protection, Norfolk Fire and Rescue Service.

Summary of Stakeholder Engagement

Since 2014 the following have been consulted on and contributed to the development of the CES Enforcement Policy:

1. Norfolk County Councillors
2. Local businesses
3. Business organisations/forums
4. Members of the public
5. Charity or community organisations/groups
6. Suffolk County Council Trading Standards Service
7. Other Local Authorities
8. Enforcement partners such as the Police and HMRC
9. Planning Services (NCC)
10. Highways Maintenance (NCC)
11. Blue Badge Enforcement (NCC)
12. Norfolk Fire and Rescue Service
13. Trading Standards Service (NCC)
14. Flood and Water Management Team (NCC)
15. Economic Development (NCC and other local authorities)
16. Nplaw (Chief Legal Officer)
17. CES Equalities representative

Infrastructure and Development Select Committee

Item No. 11

Report title:	Environmental Policy for Norfolk County Council
Date of meeting:	13 November 2019
Responsible Cabinet Member:	Cllr Andy Grant (Cabinet Member for Environment & Waste)
Responsible Director:	Tom McCabe (Executive Director, Community and Environmental Services)

Introduction from Cabinet Member/Committee Chair

The County Council's Environmental Policy is the foundation to any future action around climate change. The Policy, developed by a cross-party Member Task and Finish Group, highlights key themes that mirror the importance that the Council places on addressing the environmental agenda within its sphere of influence. None of this will be achieved by adopting a Policy alone. There is a need to develop strategies and actions to make good on this commitment.

This Member commitment to develop a new Environmental Policy is in direct response to the Motion agreed by Full Council in April 2019. However, it also embraces the wider climate change context which remains a pressing concern for Members. As such, it includes an ambitious carbon target as its basis.

We understand that Norfolk County Council needs to take a leadership role in this work. We also recognise that we can only achieve our goals by working in partnership locally and regionally, and with the vital support of Central Government, including access to additional financial resources.

In support of this Environmental Policy, and the other key commitments described above, it is hoped that the appropriate strategies and plans will be developed, taking forward a pragmatic and practical approach to delivery. That is the next stage of the process, and the recommendations that will sit alongside this Policy when it is submitted to Full Council for approval, will outline potential pathways for such delivery.

Cllr Andy Grant – Cabinet Member for Environment & Waste.

Cllr Barry Stone Chair – Infrastructure & Development Select Committee

Executive Summary

Following a motion at Full Council regarding climate change, the Infrastructure and Development Select Committee was asked to develop further policy and measures for the Council to implement to combat climate change. The Infrastructure and Development Select Committee set up a Member Task and Finish Group chaired by Cllr Barry Stone and with cross-party membership including Cllr Bev Spratt, Cllr Steffan Aquarone and Cllr Jess Barnard to undertake this work on behalf of Full Council.

The work of the cross-party Task and Finish Group has now concluded. A range of contributors with an expertise in climate change have been involved in helping inform the thinking of the Group, and this in turn has helped shape the recommendations being presented. A key part of the Task and Finish Group has been to consider the County Council's wider environmental performance and to look at the potential actions required to meet the ongoing challenge of climate change.

As was made clear in the original motion at Full Council, a re-writing of the County Council's Environmental Policy is a necessary first step, and a new Environmental Policy, once adopted, will serve as a platform to take forward the Council's approach to addressing environmental concerns across the organisation and beyond. The County Council's approach is reflective of the major concerns and actions of central Government on the environment and the national ambitions around climate change.

The Task and Finish Group is also mindful of the high profile that climate change has within the wider public sector, including local government, with several of our neighbouring authorities. A number of our local authority partners have been engaged with and they, in turn, have helped shape the direction of travel the Task and Finish Group have taken in terms of its approach.

The Task and Finish Group has also commissioned some work internally from the Strategy & Performance Team to map Services and to determine potential gaps in relation to addressing climate change issues. The outcome from this important scoping work is still ongoing and it is intended that, subject to final approval of the recommendations set out in this report, that this work will continue with a view to supporting the development of internal processes and systems needed to quantify our current performance and to embed changes more fully within the organisation.

The key findings of the Task and Finish Group are presented within this report, which includes the proposed new Environmental Policy for Norfolk County Council. After consideration by the Committee, the proposed new Environmental Policy and associated recommendations will be presented to Full Council for consideration on 25 November.

Action required:

- 1. Members are asked to recommend to Full Council that they approve a new Environmental Policy for Norfolk County Council, as set out in Appendix A.**

- 2. Members are asked to recommend to Full Council that they approve implementation of the following actions associated with the delivery of the new Policy:**
- (a) To establish a Member Oversight Group chaired by the Cabinet Member for Environment and Waste to develop and oversee the obligations contained in the Environmental Policy (including actions (b) to (e) below). The Terms of Reference for this group, including reporting processes, to be agreed.**
 - (b) To task officers to audit the NCC carbon footprint, using appropriate Greenhouse Gas Reporting protocols). In addition, identify processes to engage with partners and neighbours to address the collective footprint of the area.**
 - (c) To task officers to develop a number of early action demonstrator projects that showcase environmental excellence - such as developing 'rewilding' and carbon sequestration projects (including strategic tree-planting), subject to available funding.**
 - (d) To task officers to take steps to actively bid for external resources through the emerging funding streams supporting the wider environmental agenda.**
 - (e) Identify revenue funding to enable dedicated resource to be put in place to progress actions associated with the Policy and to support the Member oversight group to ensure synergy across the whole of the Council.**

1. Background and Purpose

- 1.1 The Full Council motion that inaugurated this work stated:

Request the relevant Select Committee to work with officers in the development of further policy and measures for the Council to implement to combat climate change to become part of the Council's policy framework, and to report back to Council by the meeting of 25 November, i.e. six months from the formation of the committee.

- 1.2 Infrastructure & Development Select Committee duly commissioned this work to be undertaken by a Task and Finish Group. The Group has met regularly since it was created and has focused its attention on understanding climate change views from a diverse group of individuals and organisations. This report provides a final update on the findings of the Task and Finish Group.
- 1.3 It is worth bearing in mind that since the Task and Finish Group began its work, the Department for Business Energy & Industrial Strategy (BEIS), has published its annual finding on carbon emission across various sectors within the UK

across each local authority area (BEIS, June 2019). The analysis of carbon emissions is split by district local authority area and shows the per capita impacts. Currently, the average for Norfolk is 5.7 tonnes of CO₂ per capita, which is above the UK average of 5.4. The figures vary within the County from lows of 3.8 tonnes for Norwich and Great Yarmouth, to highs of 8.0 tonnes in King's Lynn and West Norfolk.

1.4 The Task and Finish Group has met on 5 occasions, The Group has sought views from a range of local and regional players, including governmental and non-governmental agencies and academia. This has enabled Members of the Task and Finish Group to gain a broad understanding of the key issues and enable them to take an informed position with respect to the required actions needed to put the authority on a proactive track to address its environmental impacts.

1.5 Engagement completed to date:

- Representatives of Extinction Rebellion (ER) outlined their key concerns, as encapsulated in their manifesto. They supplied the Task and Finish Group with useful background information and also provided further information around the availability of tools to address carbon foot-printing within local authority areas.
- John Packman, Chief Executive of the Broads Authority (BA) – provided an overview on the impact that climate change was having on the Norfolk and Suffolk Broads specifically, but also provided wider context around the National Park family and the work that has been undertaken historically to address impacts. Their future approach will build on this work within the context of growing concerns around climate change and as a response to the Government's renewed commitment to the environment, as evidenced by the statutory commitment to meet 'net zero' by 2050. However, it should be noted that the Broads Authority has recently adopted climate change targets that are ahead of this timeframe.
- Suffolk County Council (SCC) – an update on their climate change work has been reviewed and is included in 'Background Papers'. Their report provides an insight into the scale of issues that need considering from a SCC perspective, as well as providing a context of the impact on the organisation in responding to this challenge, including further work required to identify the necessary resources. Suffolk County Council have identified that more work needs to be undertaken to fully understand the scale of the task. However, it is interesting that SCC, in advance of this work, have proposed an approach with a more stringent target than the current Government stance, and this has been referenced in the new NCC Environmental Policy.
- Prof. Andrew Lovett from the University of East Anglia (UEA) presented on the work his team has been doing focusing on the impacts that climate change is likely to have on the business sector within the region, based on a piece of work they have undertaken for the New Anglia Local Enterprise

Partnership (New Anglia LEP). This work was heavily informed by the Government statistics from BEIS mentioned above, but also the latest UK specific statistics from the UK Climate Impacts Programme (2018).

- In addition, the Task and Finish Group received a presentation from the Norfolk Coast Partnership (AONB) and the impacts that climate change is likely to have on the coastal area, and how adaptation to these impacts will be key to any approaches going forward.

- 1.6 All the insights from the individuals and organisations engaged with, either directly or indirectly, have helped shape the final recommendations to Full Council. In addition, they have provided useful material that will provide the basis for developing a strategy and action plan.
- 1.7 The Task and Finish Group has also commissioned a number of pieces of work from the Council's Corporate Strategy and Innovation Team, including carrying out a mapping exercise across NCC service areas and policies to determine whether there are any gaps around climate change. In the past environmental work has tended to be the responsibility of those Services with a specific environmental remit, and that has informed NCC's focus. However, the impacts that climate change is likely to have will be more wide-ranging, so an understanding of the impact on all Services, including those that historically may have considered they had a leading role, will be needed. To fully dissect the work of the organisation is taking some time and an indication of progress in this area will be covered later in the report.
- 1.8 The Task and Finish Group was conscious that there was a need to focus on what was practical and achievable, especially given the financial constraints that the authority is operating under, but not to lose sight of the necessity to be ambitious, and to put the authority on a forward-looking trajectory. At this point the Task and Finish Group is reporting back on key headline issues, with the acknowledgment that there is still a significant amount of work to be done to create a fully developed approach to addressing the performance of the organisation regarding climate change and wider environmental issues.

2. Proposals

- 2.1 It is clear from this engagement process that much that has been said and published in the public domain, whether from the Committee on Climate Change, or indeed the Government in recent months. This, in addition to the impact of protest groups, including direct action, has had a major impact on stimulating a wider debate in society, including local government.
- 2.2 We are grateful for all the input from those that have been involved in helping to frame the recommendations that follow, but by necessity, these are an initial representation of the work that is needed and an indicator of a more comprehensive strategic action which will need to be developed.

- 2.3 However, it is felt that it would be useful to inform the Committee of the some of the conceptual thinking that has helped shape the recommendations and the identified areas of focus that the NCC should consider going forward. It is expected that some of these will be straightforward to enact whilst others are areas that require further research and mapping to reach a conclusion in terms of the best course of action. Each will be explained in turn.

2.4 Environmental Policy

A key expectation from the original Full Council Motion was a review of the current corporate Environmental Policy and this work has now been completed. The draft Policy incorporates the environmental policy themes in the UK Government's 25 Year Plan (published through the Department of Environment Food & Rural Affairs). However, where appropriate it has referenced key environmental activity already underway within the County. In addition, it has taken due regard of the prevailing approaches neighbouring authorities, and indeed the LGA are taking regarding climate change, particularly Suffolk County Council. The new Environmental Policy is included in this report.

2.5 Oversight

The Task and Finish Group considered a breadth of work and realised that to take any work forward, in addition to the required resource, a working group that extended the work of the existing Task and Finish Group would probably be needed. Therefore, a similar cross-party group is envisaged to provide ongoing oversight of the range of work that the Task and Finish Group recommend, both within the organisation, and working with a wider network beyond. This group would be supported by an appropriate team of cross-departmental officers and would report back to Select Committee/Cabinet/Full Council as necessary.

2.6 NCC Carbon Footprint

The Task and Finish Group has identified that carbon footprinting is key to work going forward, both across the County Council's own estate, and more widely within the County. The latter area of work will need further development, and this will be framed as a greater understanding of the relevant approaches are gathered. A number of analytical tools are available, and the Task and Finish Group became aware of these through discussion with Extinction Rebellion, and colleagues in neighbouring authorities. The Task and Finish Group was particularly keen to explore the use of the SCATTER tool (a carbon footprint tool to reduce city-level emissions) and its variants. It is hoped that this will be taken forward as NCC develops its strategy for addressing climate change, as the further work needed beyond this current reporting timeframe, is actioned.

However, in the meantime, the Task and Finish Group felt that NCC is well positioned, given its previous track record, and with the demise of the national Carbon Reduction Commitment, to take a fresh look at how it undertakes carbon reporting on its own estate. Therefore, is it a recommendation of the Task and

Finish Group that work on this be the focus for the remainder of this financial year, where a comprehensive analysis of performance is taken within the Government's Greenhouse Gas Protocol. It is suggested that the findings be reported back to Members early in 2020 based on an assessment of the data for 2018-19.

2.7 Pilot projects and initial approaches

Much discussion has been had within the Task and Finish Group on the nature of the projects needed to address this agenda. In the main, these have focused on land use, such as tree-planting, but wider suggestions around rewilding have also been considered. In addition, the Task and Finish Group explored utilisation of NCC land in more innovative ways, including supporting renewable energy projects. What this has indicated is a need to harness efforts and resource to see a number of initial pilot projects developed soon, that, in addition to some of the larger projects already completed by Environment Services and elsewhere across the authority, can be seen as a positive response to the challenges ahead. Some internal scoping work has already begun on this, particularly insofar as utilising appropriate sites within the County Farms estate are concerned. Other ideas under consideration include a delegated fund to engage local communities in activities.

2.8 External funding opportunities

Meetings around accessing appropriate external funding streams have also been held with colleagues in Growth and Development Unit and this forms the basis of one of the key recommendations of the Task and Finish Group. Key to this workstream will be ensuring that an appropriate match funding resource is available, and that there is an appropriate staff resource in place to develop the necessary business case.

2.9 Resources

The creation of a dedicated, independent, cross-party oversight group will require additional support, in addition to the resources needed to complete further policy work and analysis. Some of these areas are outlined below:

- 1) Analytics – there is the need for resource to support the development of the audit/measuring/reporting work, specifically with regards to trapping data sources and coding them in such a way to make reporting on outcomes understandable and that helps inform the decision-making process. This is a key part of work needed beyond the timeframe of the allocated tasks given to the Task and Finish Group and will need to be developed in the months to come.
- 2) Mapping process – work is underway to develop a framework against the themes of the National 25 Year Plan (and by default, the new Corporate Environment Policy). This work involves an analysis of existing NCC policies, strategies, elements of service delivery and mapping against the

individual themes and broad thematic groups are already emerging. However, this is a work in progress and needs committed resource to see it through to conclusion so a greater understanding of how to embed improved environmental performance can be achieved.

- 3) Audit – Whilst the DEFRA Environment Plan informs the approach of the new NCC Environmental Policy, each of these policy themes will need further work, including how and what we measure and where that data source is. The intention, therefore, is to create an internal audit protocol. This in turn will be informed by the questions posed by the recently published The Association of Directors of Environment, Economy, Planning & Transport (ADEPT) Policy Position report (link attached as a background paper).

3. Impact of the proposals

- 3.1 The impacts of the proposals are clarified in the sections below.

4. Financial Implications

- 4.1 The agreement of a new Environmental Policy and supporting recommendations would entail a programme of activity (indicated above) to deliver on the priorities flagged within the recommendations and, therefore, there will be resource implications for the Council.

Opportunities are also being explored with regard to new external funding streams. However, to take full advantage of these an 'invest to save' fund will need to be identified, in addition to any extra resource required in terms of other staffing resources.

Work is ongoing regarding the resources needed to deliver the proposed programme, and an indicative budget will be included in the report to Full Council on 25 November.

5. Resource Implications

- 5.1 **Staff:** As indicated above, there is currently no dedicated staff resource to provide a strategic response to climate change issues, and this will need to be identified. At the moment, all activity and development work is being covered by existing staff from a number of teams, aligned to the purpose of this agenda. In addition, the ability to fully exploit future funding opportunities is likely to require investment. A recommended budget will be supplied as part of the report to Full Council.
- 5.2 **Property:** Conducting a full environmental foot-printing exercise will have an indirect impact on property, with a focus on sites of high energy consumption. However, the main impacts are likely to be future projects on the wider estate, including County Farms, that may be the locations for enhanced landscape management projects, under the banner of 'carbon sequestration'. These could include tree-planting programmes; however, they should not be limited to this

particular approach. Going forward, there are likely to be some design considerations, particularly around new build and refurbishment programmes when it comes to climate change adaptation and mitigation programmes.

- 5.3 **ICT:** There will need to be an assessment of licencing obligations to transfer access to the historic energy records, such as those held on the 'STARK' database over to NCC for the future tracking of energy and water and emissions data. In addition, any complementary software and hardware that may already be in use, such as 'smart' technology for remote tracking.

6. Other Implications

6.1 Legal Implications

The 'net zero' target is now a statutory obligation, subsumed within the Climate Change Act 2008 -([The Climate Change Act 2008 \(2050 Target Amendment\) Order 2019](#)). At this stage it is unclear what additional responsibilities this will impose on local authorities.

6.2 Human Rights implications

N/A

6.3 Equality Impact Assessment (EqIA)

A full equality impact assessment will be carried out and included as part of the report to Full Council in November.

6.4 Health and Safety implications

N/A

6.5 Sustainability implications

The development of a new Environmental Policy, and associated activities, is intended to directly address issues caused by climate change, insofar as identifying NCC responsibilities, and opportunities with aligning with neighbouring local authorities who have similarly made declarations to address climate change.

6.6 Any other implications

N/A

7. Actions required

- 7.1
- 1. Members are asked to recommend to Full Council that they approve a new Environmental Policy for Norfolk County Council, as set out in Appendix A.**
 - 2. Members are asked to recommend to Full Council that they approve implementation of the following actions associated with the delivery of the new Policy:**

- (a) To establish a Member Oversight Group chaired by the Cabinet Member for Environment and Waste to develop and oversee the obligations contained in the Environmental Policy (including actions (b) to (e) below). The Terms of Reference for this group, including reporting processes, to be agreed.
- (b) To task officers to audit the NCC carbon footprint, using appropriate Greenhouse Gas Reporting protocols). In addition, identify processes to engage with partners and neighbours to address the collective footprint of the area.
- (c) To task officers to develop a number of early action demonstrator projects that showcase environmental excellence - such as developing 'rewilding' and carbon sequestration projects (including strategic tree-planting), subject to available funding.
- (d) To task officers to take steps to actively bid for external resources through the emerging funding streams supporting the wider environmental agenda.
- (e) Identify revenue funding to enable dedicated resource to be put in place to progress actions associated with the Policy and to support the Member oversight group to ensure synergy across the whole of the Council.

8. Background Papers

8.1

- [The Climate Change Act 2008 \(2050 Target Amendment\) Order 2019](#)
- [Corporate Environmental Policy](#)
- [ADEPT Climate Change Policy Position](#)

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 or 0344 800 8011 (textphone) and we will do our best to help.

Norfolk County Council's Environmental Policy

This is Norfolk County Council's new Environmental Policy. It takes as its starting point the Government's own 25-year Plan published in 2018 and is structured to reflect the key environmental concerns embodied in that plan. In addition, it is framed to reflect the increasing importance that climate change has on all aspects of the environment, whether the landscape itself, the species within it, or the rich cultural heritage that occupies it.

This policy reflects the areas that the Council sees as key to protecting and maintaining the health of Norfolk's distinctive environment and its occupants. The Policy itself signposts to overarching activity that spans a range of environmental interactions that the Council is involved with, including those where it already has its own statutory environmental responsibilities.

As reflected in our current six-year business plan – 'Together for Norfolk', we will put at the centre of our efforts, an approach that ensures that the development of Norfolk's economy is socially inclusive, while championing innovative and sustainable development. It will support investment in green jobs and infrastructure, while ensuring that we both protect and enhance the environment.

We will champion resource efficiency in how we conduct our own operations, setting stringent environmental targets, and we will work within the County at large to ensure it goes beyond the expectations of national government, as far as the national 'net zero' carbon target is concerned. In this we will align with our partners in the region.

We will continue to ensure that the distinctive Norfolk environment is cared for, both for current and future generations, and that we will continue to explore new ways to make our countryside and coast as accessible as possible, whilst respecting the sensitivities around certain natural landscapes and sites. By continuing to operate a proactive and evidence-based approach, we will ensure that a net improvement ('net gain') to biodiversity and habitat creation is the norm.

From now on this Environmental Policy will guide all the Council's future decision-making.

Goals

We fully support the Goals the Government has stated for its Environmental Plan and have used them as the basis for framing this policy. These are:

- Clean air for the population
- Ensuring a clean and plentiful water supply
- Encouraging a thriving plant and wildlife community
- Reducing the risk of harm from environmental hazards such as flooding and drought
- Using resources from nature more sustainably and efficiently

- Enhancing beauty, heritage and engagement with the natural environment
- Mitigating and adapting to climate change
- Minimising waste
- Managing exposure to chemicals
- Enhancing biosecurity

Policy – in enacting these goals, the supporting key policy aims are:

Using and managing land sustainably

- Creating and embedding in our strategic planning a more holistic approach to address climate change, particularly within the local planning frameworks
- Embedding an ‘environmental net gain’ principle for development, including housing and infrastructure
- Improving soil health
- Focusing on woodland to maximise its many benefits for the environment and our communities
- Working with key partners to ensure an adequate water supply, including exploring water harvesting initiatives
- Reducing risks from flooding and coastal erosion where possible
 - Expanding the use of natural flood management solutions
 - Putting in place more sustainable drainage systems
 - Working to make ‘at-risk’ properties more resilient to flooding

Recovering nature and enhancing the beauty of landscapes

- Protecting and recovering nature
 - Publishing a Norfolk 25-year Environmental Strategy for nature
 - Recognising that Norfolk is losing biodiversity, particularly insect populations. Therefore, a Pollinator Action Plan will be produced as a key element of our Environmental Strategy
- Conserving and enhancing natural beauty
 - Providing support for designated sites, including the Norfolk & Suffolk Broads, and the Norfolk Coast Area of Outstanding Natural Beauty, Natura 2000 sites and species, and County Wildlife Sites
- Respecting nature in how we use water
 - Working to incentivise greater water efficiency, with users, and supporting water companies

Connecting people with the environment to improve health and wellbeing

- Helping people improve their health and wellbeing by using green spaces
 - Promoting the opportunities to enhance health and wellbeing that are available through exposure to the natural environment
- Encouraging children to be close to nature, in and out of school
 - Working with schools to make the most of their green spaces
- Greening our towns and cities
 - Supporting the creation of green infrastructure in our key urban areas

- Planting more trees to improve biodiversity and as a potential mitigation measure for climate change in appropriate locations
- Working with County Farms tenants to move to higher level stewardship and greater biodiversity
- Supporting the community to make sustainable travel choices
 - Working to support alternatives to car travel including promoting sustainable public transport and initiatives that utilise the growing cycling and pedestrian improvements within the County
 - Encouraging sustainable travel on all new developments within the County, through the appropriate planning agreements
 - Helping to develop integrated transport hubs across the County and maximising the opportunities presented through schemes such as Transforming Cities

Increasing resource efficiency, and reducing pollution and waste

- Maximising resource efficiency and minimising environmental impacts at end of life
 - Achieving zero avoidable plastic waste in operations
 - Reducing the impact of waste generally in our operations through working with the supply chain regarding single use products
 - As part of our statutory function, continue to explore opportunities for improving the management of residual waste
 - Working with partners to maximise the opportunities for recycling waste
 - Addressing the impacts that our own use of energy has on the environment by developing an Energy Strategy that takes account of all greenhouse gases produced, whilst exploring opportunities to generate energy on our own estate
 - Working with our supply chain wherever possible to reduce the environmental footprint created
- Reducing pollution
 - Supporting initiatives that lead to clean air, such as developing new proposals within the forthcoming Local Transport Plan and its supporting strategies

Securing clean, healthy, productive and biologically diverse seas and oceans

- Working with key agencies to ensure that our offshore areas and coastline contributes to the network of well-managed Marine Protected Areas (MPAs)
 - Focusing on delivering on the statutory duties with respect to the Wash, and North Norfolk European Marine Site

Protecting and improving our global environment

- Understanding that the consequences of the decisions we take can have global significances and developing a greater awareness of the complex network of inputs and outputs of our actions, all of which have a local, national and international consequences. In this area, our activity will focus on the following:

- Working with those sectors of the community that have the greatest carbon footprint to help them mitigate their impact
- Working with a wide range of partners including academia, the business community, local authorities within Norfolk and our neighbouring authorities where appropriate, as well as with the community themselves
- Embedding the ethos and practice of supporting 'clean growth' within the economy, including investigating opportunities which help to develop the green/renewable energy sector
- Ensuring that each project the Council undertakes is assessed for the contribution it will make towards achieving our environmental targets
- Working, where possible, with our partners to plan, resource and implement measures that together achieve the overall targets for Norfolk, underpinned by a robust approach to monitoring, measuring and reporting on the outcomes
- Striving to meet this collective global challenge, we will work with our neighbours within the region, specifically Suffolk County Council and the Broads Authority, to collectively achieve 'net zero' carbon emissions on our estates by 2030, but within our wider areas, work towards 'carbon neutrality' also by 2030

Report to Infrastructure and Development Select Committee

Item No. 12

Report title:	Forward Work Programme
Date of meeting:	13 November 2019
Responsible Cabinet Member:	N/A
Responsible Director:	Tom McCabe (Executive Director, Community and Environmental Services)
Is this a key decision?	No
Executive Summary This report sets out the Forward Work Programme for the Committee. Actions required: 1. To review and agree the Forward Work Programme for the Select Committee.	

1. Forward Work Programme

- 1.1. The existing Forward Work Programme for the Select Committee is set out in Appendix A, for the Committee to use to shape future meeting agendas and items for consideration.

2. Member Task and Finish Groups

- 2.1. At the meeting in May 2019, the Select Committee agreed that, to help ensure a manageable workload, there will be no more than two Member Task and Finish Groups operating at any one time. There are currently two Task and Finish Groups: -

- **Environment Policy for Norfolk** – Cllr Barry Stone (Chairman), Cllr Bev Spratt, Cllr Jess Barnard, Cllr Stephan Aquarone.

The terms of reference for this group were approved by the Select Committee in May 2019.

- **Local Transport Plan** - Cllr Graham Middleton (Chairman), Cllr Tony White, Cllr Brian Watkins and Cllr Danny Douglas.

The proposed terms of reference for this group were approved by the Select Committee in September 2019.

3. Financial Implications

- 3.1. None.

4. Resource Implications

- 4.1. **Staff:** None.

4.2. **Property:** None.

4.3. **IT:** None.

5. Other Implications

5.1. **Legal Implications:** None.

5.2. **Human Rights implications:** None.

5.3. **Equality Impact Assessment (EqIA) (this must be included):-** N/A

5.4. **Health and Safety implications** (where appropriate):- N/A.

5.5. **Sustainability implications** (where appropriate): N/A

5.6. **Any other implications:** None.

6. Action required

6.1. 1. To review and agree the Forward Work Programme for the Select Committee.

7. Background Papers

7.1. None.

Officer Contact

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

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Infrastructure and Development Select Committee – Forward Work Programme

Report title	Reason for report
Meeting: Wednesday 29 January 2020	
Norfolk Rail Prospectus	To review and consider the revised prospectus
Library and Information Service Strategy	To review and consider the draft Strategy
Local Transport Plan	To receive feedback from the Member Task and Finish Group
King's Lynn Transport Strategy	To review and consider the draft Strategy, which is being jointly developed with West Norfolk Borough Council
Forward Work Programme	To review and agree the Forward Work Programme for the Select Committee.
Meeting: Wednesday 11 March 2020	
Norfolk Parking Principles	To review and consider the updated principles, developed with district councils
Trading Standards Service Plan	To review and consider the policy elements of the service plan.
Forward Work Programme	To review and agree the Forward Work Programme for the Select Committee.

Regular reports

Regular items	Frequency	Requested committee action (if known)
Policy and Strategy Framework – annual report	Annually - May	To enable the Select Committee to understand the relevant Policies and Strategies for the relevant services.
Forward Work Programme	Every meeting	To review and agree the Forward Work Programme for the Select Committee.