

Infrastructure and Development Select Committee

Date: **11 November 2020**
Time: **10am**
Venue: **Virtually via Microsoft Teams**

To view the meeting please follow this link: <https://youtu.be/TlcR9SfoTOM>

Members of the Committee and other attendees: **DO NOT** follow this link, you will be sent a separate link to join the meeting.

There will be 2 minutes silence at 11am to mark Remembrance Day

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

Membership:

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

Cllr Mick Castle
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
Cllr Brian Watkins

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

To confirm the minutes of the meeting held on 16 September 2020.

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3 Members to Declare any Interests

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

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

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

If you do not have a Disclosable Pecuniary Interest you may nevertheless have an **Other Interest** in a matter to be discussed if it affects, 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 6 November 2020**. For guidance on submitting a public question please visit 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 Friday 6 November 2020**

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|---|-----------------|
| 7 Environmental Policy - Update
Report by the Executive Director of Community & Environmental Services. | Page 29 |
| 8 Current Position of the Norfolk Economy
Report by the Executive Director of Community & Environmental Services. | Page 41 |
| 9 Norfolk Strategic Infrastructure Delivery Plan (NSIDP)
Report by the Executive Director of Community & Environmental Services | Page 56 |
| 10 Local Flood Risk Management Strategy Review
Report by the Executive Director of Community & Environmental Services | Page 143 |
| 11 CES Enforcement Policy
Report by the Executive Director of Community & Environmental Services | Page 167 |
| 12 Forward Work Plan
Report by the Executive Director of Community & Environmental Services | Page 241 |

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Date Agenda Published: Tuesday 3 November 2020



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Infrastructure and Development Select Committee

Minutes of the Meeting Held on Wednesday 16 September 2020
10.00am, Edwards Room, County Hall, Norwich

Present:

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

Cllr Danny Douglas
Cllr Tim East
Cllr Brian Iles
Cllr Mark Kiddle-Morris

Cllr Vic Thomson
Cllr Colleen Walker
Cllr Brian Watkins
Cllr Tony White

Cabinet Members Present:

Cllr Martin Wilby	Cabinet Member for Highways, Infrastructure & Transport.
Cllr Andy Grant	Cabinet Member for Environment & Waste

Also Present:

Tom McCabe	Executive Director for Community & Environmental Services.
Sarah Rhoden	Assistant Director, Performance and Governance
David Cumming	Strategic Transport Team Manager
Grahame Bygrave	Director of Highways and Waste
Kevin Townly	Asset and Capital Programme Manager
Joel Hull	Head of Waste
Andrew Skiggs	Finance Business Partner Community and Environmental Services
Peter Havlicek	Programme Leader (Regional Investment Programme (East)) Highways England (For item 7 only).

1. Apologies and substitutions

- 1.1 Apologies were received from Cllr Mick Castle (Cllr Sandra Squire substituted); Cllr Jess Barnard (Cllr Danny Douglas substituted) and Cllr Bev Spratt (Cllr Tony White substituted).

2. Minutes

- 2.1 The minutes of the meeting held on 15 July 2020 were agreed as a correct record subject to the following:

- Cllr Danny Douglas to replace Cllr Terry Jermy in the attendance list as he had substituted for Cllr Jess Barnard at the meeting.
- Under agenda item 9 (Forward Work Programme) Cllr Douglas had asked for a presentation from the Local Access Forum to be made to a future meeting which had been omitted from the minutes. The Chairman agreed

to follow up the request with the Assistant Director, Performance & Governance.

3. Declarations of Interest

3.1 No interests were declared

4. Items of Urgent Business

4.1 There were no items of urgent business.

5. Public Question Time

5.1 No public questions were received.

6. Local Member Issues / Questions

6.1 The list of Local Member questions/issues is attached at Appendix A.

6.2 In response to a supplementary issue about road closure/access only road signs not indicating how far users could travel down a closed road, the Director of Highways and Waste clarified that when signs for road closures were prepared, national signing rules and regulations needed to be followed. Therefore, when a particular class of road was closed, the road closure needed to be signed from the junction closest to the road closure to an equivalent A/B road to ensure vehicles, particularly lorries, were directed off the road to follow the diversion using equivalent roads.

7. Highways England – A47 (Presentation)

7.1 The Chairman welcomed Peter Havlicek, Programme Leader for the A47 schemes, Regional Investment Programme (East), Highways England to the meeting.

7.2 The Committee received a presentation from Highways England (attached at Appendix B), during which the following points were noted:

- Approximately £10.8bn had been allocated nationally to keep roads in good condition. In Norfolk a substantial amount of that funding would be spent on concrete road replacement, particularly on the A11 near Wymondham.
- Approximately £900bn funding had been designated to fund schemes beyond the normal scope of road investment, including safety, congestion and the environment and the Highways England Teams would work with its partners to identify schemes which could utilise some of this funding.
- Work was due to commence in January 2023 on the North Tuddenham to Easton Dualling, with the road expected to be open for traffic approximately November 2024.
- Work was due to start on the A47/A11 Thickthorn Junction Improvement approximately January 2023, with the road expected to be open for traffic approximately October 2024. Work to remove the concrete road on the A11 would be carried out prior to work starting on the junction.
- Work on the Blofield to North Burlingham dualling scheme was due to start approximately October 2022 and the road was expected to be open for traffic approximately March 2024.
- Galliford Try had been appointed as the delivery partner in 2019 and was

responsible for five A47 delivery schemes, including North Tuddenham, Thickthorn and Blofield.

7.3 **A47 – North Tuddenham to Easton.**

- Following feedback from the public consultation, which had received over 400 responses, Highways England had made some changes to the original planned scheme.
- Highways England had held meetings with Parish Councils, NWL Liaison Group and an Alliance Group and the A47 Task force and was working closely with Norfolk County Council on the proposals for the scheme.
- It was proposed to close Berrys Lane to through-traffic following the public consultation which had raised fears about rat running with drivers bypassing the A47 to get to Wymondham. This change had been discussed with both the Parish Council and Norfolk County Council.
- No connection to the proposed Food Enterprise Zone was currently included in the scheme, although this could be changed if there was a need to do so.
- The Norwich Road junction had moved approximately 145m to the east from the original plan, due to the impact on St Andrews Church from excavation works.
- The environmental survey was being completed, together with noise surveys. The ecological surveys had been completed and specialised fencing was being considered to accommodate the flying habits of the Barbastelle bats.
- Work was being carried out to finalise the Development Consent Order and it was anticipated this would be submitted in March 2021.
- The archaeological trenches at the site should be completed by the end of September 2020.
- Groundworks to divert the gas main situated close to the Wood Lane junction to accommodate the diversion were being planned.

7.4 **A47/A11 Thickthorn Junction**

- The public consultation had been started in June/July 2019 and the feedback received had been incorporated into making the scheme more viable.
- Following the Ecology study which had found water voles at the Cantley Lane site, work would be done to accommodate the voles to the south of Cantley Lane.
- It was anticipated the Development Consent Order would be submitted in March 2021.

7.4.1 In response to a question from the Committee it was noted that the A47/A11 Thickthorn junction would cater for approximately 53k vehicles which would help to keep traffic moving, improve journey times and make access easier to the University of East Anglia, Norfolk and Norwich University Hospital and the Research Park.

7.5 **A47 Blofield to North Burlingham Scheme**

- The Statutory consultation carried out in October 2018 had indicated a large amount of support for the scheme with approximately 63% of the those who had responded supporting the dualling of the road.
- One of the biggest challenges would be the diversion of a gas main to the south side of the road. Highways England were engaging with Cadent to try to complete the work in advance of the commencement of the road scheme.
- Following the Ecological survey, a minor change had been made to the proposals, which would see the oak trees at the site would remaining in situ.

7.5.1 In response to a question, it was confirmed that both proposed junctions would have

provision for a footpath as well as access to the side roads to allow pedestrians and cyclists to move between north and south Burlingham without travelling onto the A47.

7.6 A47 – Junction Enhancements Great Yarmouth

- The design of improvements to the A47 Great Yarmouth Junctions had been reconsidered as a result of the third river crossing, which would lead to revised traffic movements. These traffic movements needed to be reviewed and reassessed and Highways England was working with Norfolk County Council on developing options. The County Council had been asked to develop these improvements by Highways England.

7.7 The following points were noted in response to questions from the Committee:

7.7.1 The Acle Straight was not in the programme of road schemes at the present time, nor was it in the next tranche of potential projects.

7.7.2 Regarding the funds to be used for environment schemes, it was clarified that this was to fund environmental improvements rather than improving bus services or providing community transport vehicles.

7.7.3 A written response would be given about the additional co2 emissions due to additional traffic as the traffic modelling had not yet been completed.

7.7.4 The acronym RIS stood for Road Investment Strategy. In 2014 the Government had set out a 25-year plan, split into 5 x 4-year periods. RIS1 covered the period 2015-2020; RIS2 covered 2021-2025; RIS3 would cover 2026-2030, etc.

7.7.5 The Acle Straight scheme was not included in the current RIS2 schemes, but may be incorporated into future schemes.

7.8 The Chairman thanked Mr Havlicek for attending the meeting and providing the update.

8 Highway & Transport Network Performance

8.1 The Select Committee received the report by the Executive Director of Community & Environmental Services providing an annual summary of how the Council was managing its highway assets and network.

8.2 The Cabinet Member for Highways, Infrastructure & Transport introduced the report, adding that work was due to commence on the Great Yarmouth 3rd River Crossing at the end of 2020; and that the Planning application for the Long Stratton Bypass was due to be submitted in early 2021. He also mentioned that lobbying of Government to dual the Acle Straight would continue. The Cabinet Member particularly thanked the Highways Teams for the work they had carried out throughout the covid-19 pandemic in keeping the highways open for emergency workers and key workers to travel around the county safely.

8.3 The following points were noted in response to questions from the Committee:

8.3.1 The Highway Asset Backlog continued to increase and stood at £45.1m in April 2020. The Committee was reassured that this figure was the third lowest since recording had commenced in 2008 and was dependent on the previous years funding. For the current year, with successful bidding and funding awards, nearly

twice the amount of funding was available for highways maintenance, which should have a positive impact on next year's results.

- 8.3.2 The recent £22m government funding allocation would be spent on all highways assets including bridges, footways, public rights of way (PROW) all of which would enable Norfolk County Council to improve accessibility.
- 8.3.3 Some Members had recently attended a launch for the LoRaWAN project and acknowledged this scheme could provide significant opportunities to gain information about how data could be gathered on the road network which may allow targeting of funding in the future as well as easing congestion.
- 8.3.4 There was currently no national indicator to measure journey time reliability on the local highway network. Norfolk County Council was developing its own performance indicator in this area.
- 8.3.5 In response to a question about how many electric charging points there were in Norfolk, the Director of Highways & Waste provided the following information after the meeting.

District	Total EV charging points	Rapid charging points
North Norfolk DC	31	3
Kings Lynn & West Norfolk DC	30	5
Great Yarmouth	17	2
Norwich City Council	48	6
Broadland DC	13	3
South Norfolk DC	23	4
Breckland DC	16	8
Total	178	31

- 8.3.6 Fixed penalty notices were issued where permit requirements and conditions were not adhered to. The Director of Highways & Waste clarified that penalties could also be issued if the signage on temporary roadworks was incorrect. The requirements in the national strategy stated that any deviation from the guidance could result in a penalty notice being issued, including over-running works, or deviation from national guidance.
- 8.3.7 Strava, which was a mobile application designed for use by cyclists and walkers to plan and record their journeys had highlighted an increase in walking and cycling since March 2020. LoRaWAN was also being used to record the number of people using the PROW network to help inform travelling habits.
- 8.3.8 Cllr Middleton invited Members to research how LoRaWAN worked in other

countries to discover the benefits other countries were already seeing.

- 8.3.9 Cllr Danny Douglas proposed, seconded by Cllr Colleen Walker, the following amendment to Recommendation 'C':

"To support the development of new local performance indicators to monitor journey time reliability, congestion levels **and ease of access** to be reported annually in future highway network performance reports."

The Committee **agreed** the proposal.

- 8.4 The Select Committee **RESOLVED** to:

- a) **Note** the progress against the Asset Management Strategy Performance framework and the continuation of the current strategy and targets (Appendix A, B and C).
- b) **Note** the journey time reliability and congestion summary produced in the report at Appendix D.
- c) **Support** the development of new local performance indicators to monitor journey time reliability, congestion levels and ease of access to be reported annually in future highway network performance reports.

9 Waste Disposal Authority Update

- 9.1 The Select Committee received the report by the Executive Director of Community & Environmental Services highlighting the activities of the County Council in its role as the Waste Disposal Authority for Norfolk, including planned improvements to the recycling centre network, detail on current performance of the recycling centres including the latest on improved customer satisfaction and the response to Covid-19 and the latest on waste reduction initiatives including work on single use products.
- 9.2 The Cabinet Member for Environment & Waste introduced the report and thanked the staff, District Councils and the Norfolk Waste Partnership for their work in the development of the initiatives and strategy.
- 9.3 The following points were noted in response to questions from the Committee:
- 9.3.1 The significant reduction in the tonnage levels at recycling centres had been linked to the change to the DIY charging policy in April 2018, as well as people finding alternative ways of disposing of their waste, eg by using alternative waste facilities or licensed carriers to dispose of their waste. Although fly-tipping remained a concern, a close watch was kept on cases of fly-tipping, with the statistics showing a decrease in the number of cases.
 - 9.3.2 Recycling rates in urban areas such as Great Yarmouth, tended to be lower than rural areas, as they usually had smaller gardens and could not benefit from garden waste recycling. The focus on home composting also affected recycling rates.
 - 9.3.3 The lower levels of residual waste in Norfolk was reflective of communities and local services. The figure of 10kg per household, per week of left over rubbish had remained static recently due to additional material needing to be removed to ensure

the recycling material was suitable for sale in the current market.

The Cabinet Member for Environment and Waste also clarified that recycling figures reflected different communities and whether homes had gardens. He added that some work was being done to produce media campaigns to publicise the need to deal with contaminated recyclables and the need to remove these, leading to lower recycling figures.

9.3.4 Regarding the recycling of other materials such as polystyrene, there were a range of reasons polystyrene was not currently collected for recycling, for example it was very light which meant it took up lots of space; it also broke up easily and adhered to other recycling materials which would cause contamination. The collection of additional materials for recycling was continually under review with changes put forward when a sustainable approach was established.

9.3.5 During the first phase of lockdown caused by covid-19, an increase had been seen in glass, food waste and garden waste recycling, although this was now starting to subside following the easing of the lockdown restrictions.

The benefits of the County Councils subsidised home composters was highlighted and it was noted that the County Council's first live Facebook event had been delivered by a Master Composter volunteer and was dedicated to home composting, an area the Council continued to support.

A food savvy campaign was being delivered with Suffolk County Council, linking to funding from private enterprises, eg East of England Co-op, to support incentives to reduce food waste and it was noted that the average household threw away around £600 a year of food waste. An initiative on the reduction of Single Use Products was well advanced and would be fully publicised when the current situation allowed.

In relation to recycling rates the high levels achieved at the County Council's Recycling Centres was noted and the recent countywide performance was explained with reference to weather patterns affecting garden waste and increased levels of contamination having to be removed from materials collected for recycling in response to changing market conditions.

9.3.6 Fly-tipping was a crime and the launch of the SCRAP fly-tipping campaign with the Norfolk Waste Partnership set out the steps to be taken to help prevent the crime. The proportion of fly-tipping incidents that could be accepted for free at Recycling Centres was noted as 75% and the amount of incidents that were a van size or larger was identified at just over half. The focus of the campaign this year was to ensure businesses and householders knew what their duty of care was and that householders could be prosecuted if their waste was fly-tipped by other parties.

9.3.7 The Head of Waste agreed to provide Members with some information about licensed waste carriers. (This has been provided since the meeting and is included below).

1. [Click here to check a waste carriers licence](#) – that link is to the Environment Agency's public register which people can use to check if the person removing their waste is doing so legally.
2. [Click here to find a waste carrier registered with Norfolk Trading Standards Trusted Trader Scheme](#) – that link is to a short list of registered waste specialist that are part of the Trusted Trader scheme, which is a new area that's being worked on

by Trading Standards and Waste Services.

Those links are both taken from the Norfolk Recycles website pages on fly-tipping and the 'SCRAP' campaign here:

<https://www.norfolkrecycles.com/home/communityaction/fly-tipping-report/scrapflytipping/>

- 9.3.8 Access to the new proposed Recycling Centres in the Norwich area by cyclists was discussed and the use of rail links to move waste was explained as having proved to be unviable due to the high costs involved and the complexity of rail movements when investigated in the past but consideration could be given to all forms of transport in future beyond the arrangements to treat waste that had just been put in place.
- 9.3.9 The Head of Waste noted the suggestion of producing a booklet which could be distributed to every household, explaining what could and could not be recycled, including which types of plastic could be recycled. It was explained that a business card format was now used to explain arrangements at Recycling Centres and that the District Councils tended to distribute leaflets at appropriate times throughout the year, or when services changed.

Members could find more information on the www.norfolkrecycles.com website which included a new tool called 'BinGenie' which was being developed: <https://www.norfolkrecycles.com/where-can-i-recycle/bingenie/#> The aim of that tool was to provide links to as many places and options as possible that people can use for repair, reuse and recycling. The project was a work in progress, as it was populated with options including identifying how people could have some items collected from their household, as well as places they could be delivered to, bringing in not only local authority options, but charities as well.

- 9.4 The Select Committee considered the report and **RESOLVED** to:
1. **Note** the update.
 2. In accordance with the County Council's second Waste Policy to review the arrangements for the 'incineration of waste or fuel derived from waste' outside Norfolk set out in paragraph 7.4 of the report.
 3. **Support** a strong response to national consultations on emerging waste policy that is in line with the County Council's waste policies and Environmental Policy.

10 Norfolk County Council Budget Planning 2020-21

- 10.1 The Select Committee received the report by the Executive Director of Community & Environmental Services which formed an important part of the process of preparing the 2021-22 budget, and represented a key opportunity for the Committee to provide views on the approach to developing budget proposals.
- 10.2 The Finance Business Partner Community and Environmental Services introduced the report, highlighting that the report followed discussions at Cabinet on 7 September about development of proposals for each department. The Committee was referred to section 6 of the report which set out the proposed response to the development of budget proposals which mainly focused on cost reduction, new contracts and contract negotiation to reduce the cost of contracts; use of new technology and efficiencies in the back office to meet the current expected shortfall of approximately £45m in 2021-22.

The Committee noted that CES department had been very successful at income generation, although the current climate made income generation more challenging and more difficult to achieve.

10.3 The following points were noted in response to questions from the Committee:

10.3.1 It was acknowledged that the savings target for CES was in proportion to the department's budget spend and would provide a challenge.

10.3.2 The County Council worked with long-term contractors who carried out county council work and requested them to consider making efficiencies year on year which would help the county council's revenue savings. The waste disposal contract due for renewal next year would cost approximately £1.8m less than the previous year based on like-for-like tonnages and these reductions would continue. All contracts due for renewal would ensure the best value for Norfolk was achieved with decisions about which risks sat with the county council and which risks sat with the contractor made on a case by case basis.

10.3.3 The procurement process for the Norwich Western Link was currently being developed and within that process the contract risks would be considered to minimise the risk to the county council and to maximise the certainty around costs, although the more certainty of risk tended to raise initial costs.

The next large contract for consideration would be the final contract sign-off for the Great Yarmouth 3rd River Crossing, but the Committee was reassured that the best contract possible would be agreed.

10.3.4 Some Members recognised the current financial situation was very difficult and felt that more work needed to be done to grow the local economy in Norfolk and attract more inward investment to try to create new local jobs, particularly in green technology which may in turn boost income from business rates. Work should also be carried out to lobby the government for better government funding for Norfolk in the long-term.

10.3.5 One Member suggested that one way of making a saving to the revenue budget and the associated staffing costs was to not build the Norwich Western Link road.

10.4 The Select Committee considered the report and, with the exception of Cllr Colleen Walker; Cllr Danny Douglas and Cllr Brian Watkins who abstained from voting, **RESOLVED** to:

- **Note** the key issues for 2021-22 budget setting and the broad areas proposed for savings development in relation to the services within the Select Committee's remit, in order to provide input to the October Cabinet meeting and inform savings proposals put forward.

11 Forward Work Programme

11.1 The Select Committee received the report by the Executive Director of Community & Environmental Services setting out the Forward Work Programme for the Committee to enable the Committee to review and agree it.

11.2 The Committee requested a presentation at a future meeting from the IMT team on

the LoRaWAN project, particularly around growing the economy.

- 11.3 Cllr Colleen Walker seconded by Cllr Danny Douglas, proposed the following addition to the forward plan:

A one item agenda initially on Economic Development with a report on all future Infrastructure & Development Select Committee agenda, to include the impact of job losses throughout Norfolk; the impact on the economy given that the Norfolk economy relied mainly on tourism and engineering with renewable energy projects. A representative from the Local Enterprise Partnership to be invited to update the Committee on its work to recover the economy.

The Committee **agreed** the proposal which the Assistant Director Performance & Governance would explore with the Chairman for the next meeting, being mindful of the work being done by the Corporate Select Committee on this topic.

- 11.4 Cllr Graham Middleton updated the Committee on the recent work on the Local Transport Plan (LTP) Task Group which had met on 15 September 2020, during which the following points were noted:

- Once the Plan had been considered and agreed by the Cabinet Member for Highways, Infrastructure & Transport, the draft Plan would go out to public consultation, hopefully by the end of September 2020. The consultation would last for six weeks.
- The Task Group had made a number of suggestions and comments which would be included in the final draft.
- The Task Group had placed a strong emphasis on the future of the transport network and how it may change with technology and other improvements, including rural bus networks, and these had been included in the plan.

- 11.5 The Select Committee reviewed the report and **RESOLVED** to

- **Agree** the Forward Work Programme for Infrastructure & Development Select Committee with the additions set out in paragraphs 11.2 and 11.3 above.

The meeting closed at 12.20 pm

Chairman



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Appendix A

INFRASTRUCTURE AND DEVELOPMENT SELECT COMMITTEE 16 September 2020

5. Public Question Time.

No questions received.

6. Local Member Issues / Member Questions

Question 1 from Cllr Mick Castle

In 2014 David Cameron pledged £300 million for the A47 but as yet nothing has been delivered by Highways England. In my Division the Vauxhall Roundabout scheme has been delayed until after the opening of the new 3rd River Crossing even though the bridge has no bearing on the flow of traffic in and out of Yarmouth. Precious little had been done by way of modelling the Vauxhall Roundabout before that announcement.

Does the Chairman agree with me that the new Vauxhall Roundabout must be designed to accommodate the extra carriageway for the dualling of the A47 Acle Straight and give appropriate access arrangements for the Vauxhall Holiday Park?

Response by the Chairman:

The county council has been working closely with Highways England to ensure delivery of an improvement at Vauxhall Roundabout. Highways England commissioned the county council to carry out study work using the Great Yarmouth traffic models. This identified that, due to the impact of the Third River Crossing, the original Highways England scheme at Vauxhall roundabout was no longer suitable, so a different improvement scheme is required.

The county council continued to work collaboratively with Highways England and, in the course of the last few days has reached agreement that we (Norfolk County Council) will develop the most appropriate scheme, building on our previous work. To this end Highways England and Norfolk County Council are now in discussion regarding the various stages of this work which will be carried out over the next 18 months. The first stage, which is a report documenting the problems at Vauxhall, is now underway. The scheme development work will of necessity ensure the improvement at Vauxhall is compatible with a dualled Acle Straight as this is a key priority for the local authorities and the A47 Alliance.

Question 2 from Cllr Mick Castle

I was elected to the County Council in a By-Election in September 1988 and over those 32 years the dualling of the A47 Acle Straight has been a key priority for this Council. Highways England have studiously obstructed any progress on this - suggesting an impractical widening scheme,

alternative signage and "cats eyes" and speed limits etc - and has wasted several years on investigations into some rare species of snail as a delaying tactic.

Does the Chairman agree with me that the County Council should press ahead with its own Desk Top Study to identify the optimum alignments for the new carriageway and help force the hand of the Highways Agency?

Response:

This is the responsibility of Highways England. It is a piece of work that HE will need to do regardless, at an appropriate time if and when Acle Straight makes it onto government's trunk road programme. I do not think that such an exercise would force Highways England's hand since it is a matter for government to decide which schemes are included on the trunk road programme. Norfolk County Council's staff team are pushing the economic and community case for improvements via the A47 Alliance.

Local Member Issue from Cllr Barry Stone.

Following on from the last Infrastructure and Development Select Committee meeting regarding the item relating to the review of highways contractor's performance it has been reported to me that several complaints had been made about Norse.

Specifically:

1. Contractors failing to remove 10 mph warning signs left after surface dressing had been completed, often for months on end;
2. Failure to indicate where 'Road Ahead Closed' signs refer to, often miles ahead leading to uncertainty for motorists as to whether they can partially travel down the road or not. A specific example has been from the roundabout at Ditchingham on the A143 indicating that the road to Norwich is closed ahead. Having travelled up to the Hempnall turnoff with no closure motorists are left wondering where it is actually closed;
3. Continued failure to start programmed repairs on time. The footpath repairs at Ellingham/Broome are a specific example.

It would appear that a more robust weekly review should be undertaken looking at a table of jobs timetabled with projected start and finish dates and reason why these have not been started or completed on time if relevant.

Response:

1. Officers are aware of the issue concerning the failure to remove temporary warning signs following "spray injection patching" at some locations. Following site inspections, it was confirmed that removal of the temporary plastic signs at some locations had been missed. This matter has been raised with Norse Highways to ensure that the subcontractors improve their performance. In addition, this matter has been raised with the Highways Area teams who will closely monitor performance..

Tarmac undertake surface dressing work on a much larger scale within the county and also erect temporary warning signs. These are more typically steel signs mounted in frames. Tarmac's performance is monitored throughout the surface dressing season and temporary

warning signs are required to be removed before the site is handed back to the Council 14 days after completion.

2. Diversion signs are erected in accordance with the Traffic Sign Regulations and General Directions (TSRGD). The diversion sign layout usually includes advance warning to drivers indicating where the point of closure is. With regard to the recent road closure relating to the Poringland resurfacing scheme, advance warning signs were positioned at Ditchingham Roundabout A143 (and at other locations) to advise motorists they cannot access Norwich on B1332 through Poringland.
3. Norse Highway's service delivery and performance is monitored and managed at a series of meetings, including weekly operational programme meetings, monthly governance meetings, and quarterly management board meetings.

Typically, over 30,000 routine maintenance works orders are issued each year. In this financial year, Norse have completed 88.6% of general highway repairs on time, against a target of 85%.

Norse are aware of the footpath works at Ellingham and Broome. Cutting work was completed on Ellingham BR5 & Broome BR15 on 11th September 2020. The new steel steps for Ellingham FP3 are currently being manufactured and will be installed as soon as they are delivered. It is acknowledged that this work has been outstanding for quite some time and changes are being made to the weekly meetings to ensure these types of work are monitored more closely in future.



Highways England – Regional Delivery Partnership

A47 Corridor Improvements

GallifordTry

highways
england



one team
shared outcomes
delivered together

Delivery Plan 2020-2025

HE is significantly investing in the East region's strategic road network over the next five years, including a substantial programme to renew the concrete roads.

We are coordinating this renewal work alongside our major projects and in partnership with local authorities, to ensure the region's routes remain resilient.

Alongside significant investment, we've also been asked to make efficiencies. The new programme dates reflect our best approach to that.

The 4 schemes in Norfolk are planned be open for traffic before the end of road period 2

	Start of Works	Open for Traffic
North Tuddenham to Easton Dualling	2022-23 Q4	2024-25
A47/A11 Thickthorn Junction Improvement	2022-23 Q4	2024-25
Blofield to North Burlingham Dualling	2022-23 Q4	2024-25
Great Yarmouth Junction Improvements	2023-24	2024-25

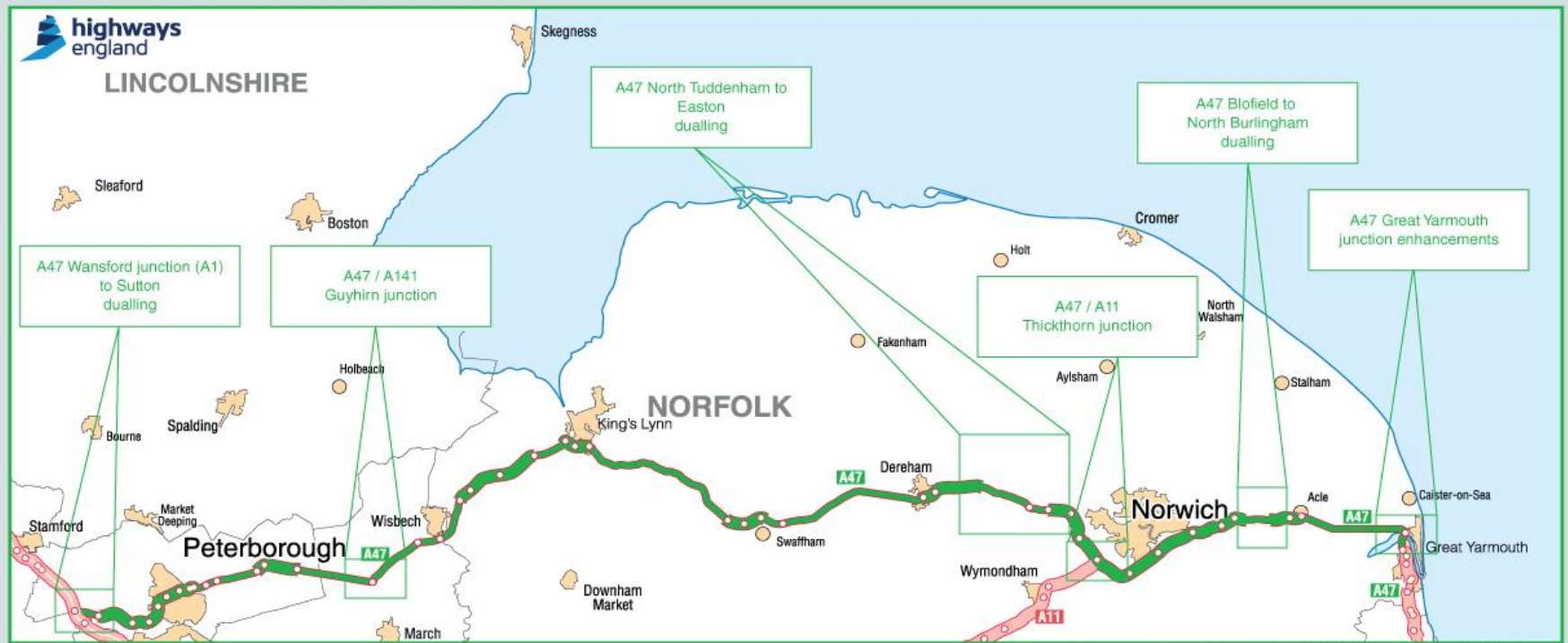
Delivery Partner



one team
shared outcomes
delivered together

- Galliford Try was appointed as the delivery partner in September 2019 for five A47 schemes including the Tuddenham, Thickthorn & Blofield schemes in the Norfolk area.
- Galliford Try have Sweco as their design consultants.
- The advantage of having a single delivery partner for the A47 schemes will enable greater efficiency and better use of public money. By having the contractor and designer working together means that construction activities are taken into account early and throughout the design process.

Location



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Highways England, creative s160643

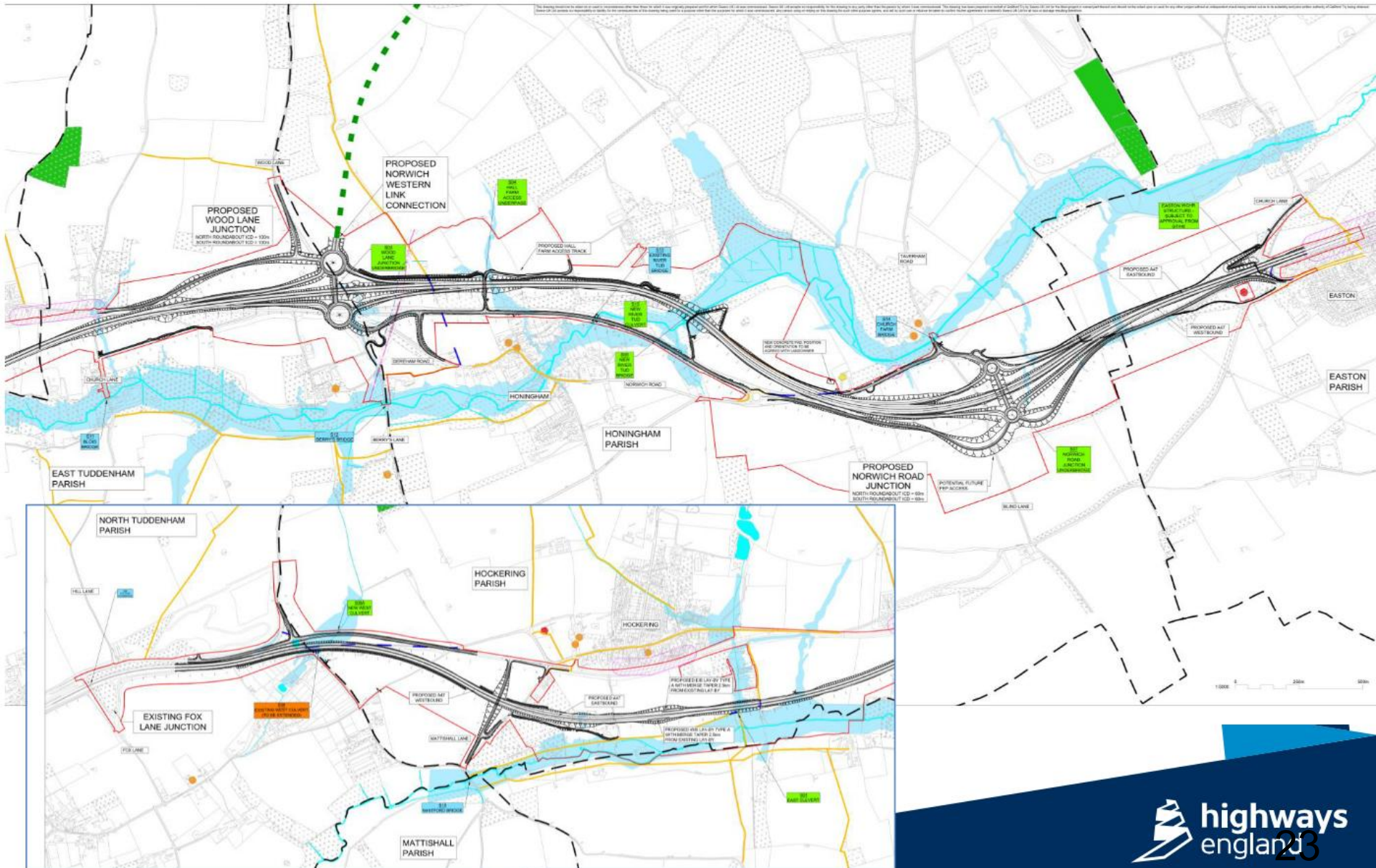
A47 North Tuddenham to Easton



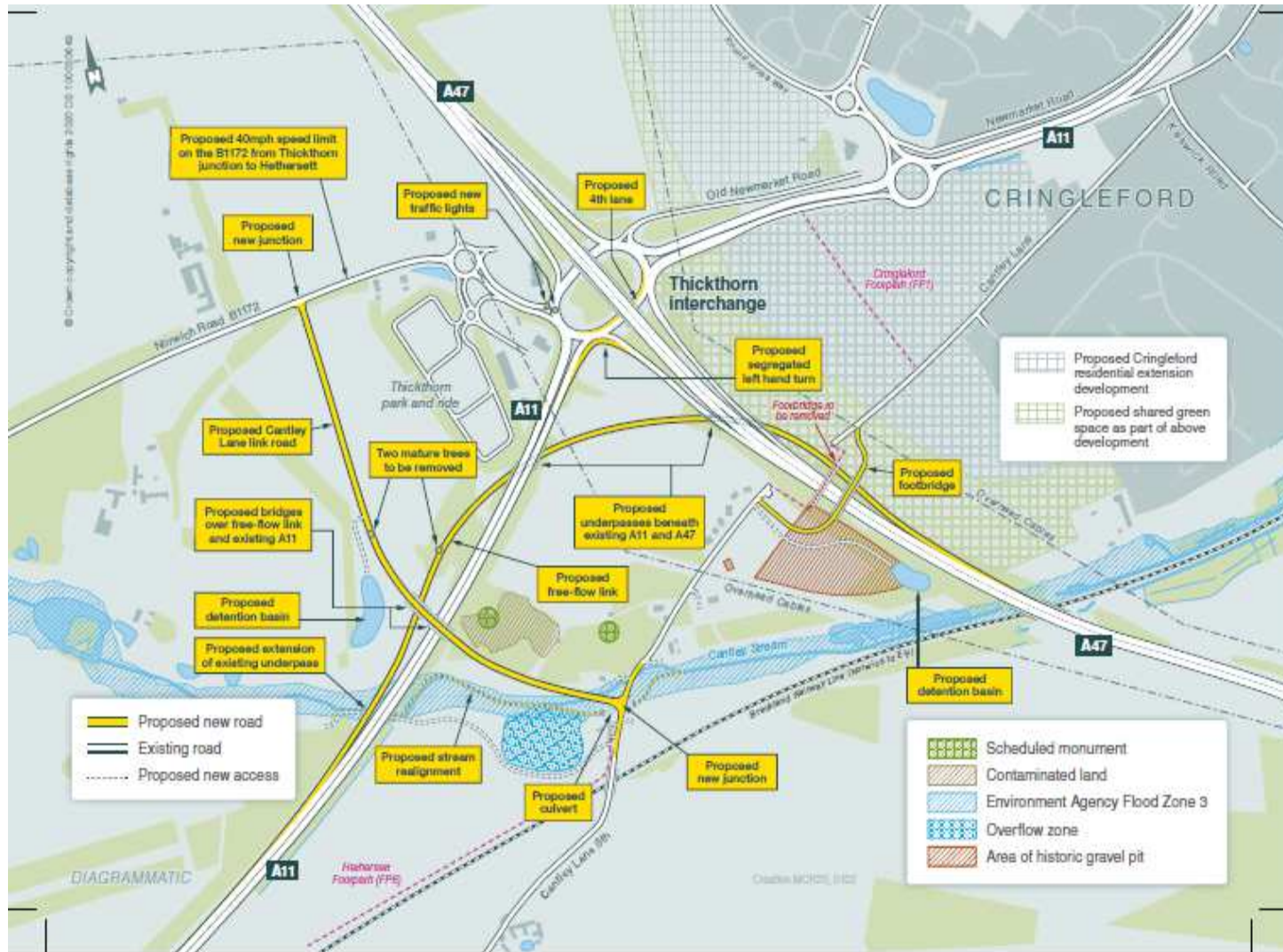
RIS Commitment

Dualing of the single carriageway section of the A47 between Norwich and Dereham, linking together two existing sections of dual carriageway

A47 North Tuddenham to Easton



A47/A11 Thickthorn Junction



RIS Commitment

improvement of the interchange between A47 and A11,
improving access into
Norwich.

A47/A11 Thickthorn Junction Construction methodology possible solutions



A11 Underpass Top down solution:

- 2 + 2 contraflow with narrow lanes in place for 14 months (July 2023 to Sep 2024)
- Temporary widening required
- 40 mph temporary limit
- Overnight and/or weekend carriageway closures for TM and temporary works installation (inc. sheet piles)

A11 Underpass Box slide solution:

- 1 No full closure in Feb 2024
- Weekend closure envisaged, based on best case and mid range estimates
- Worst case estimate is 90 hrs

(Friday 21:00 to Monday 05:00 = 56 hours)

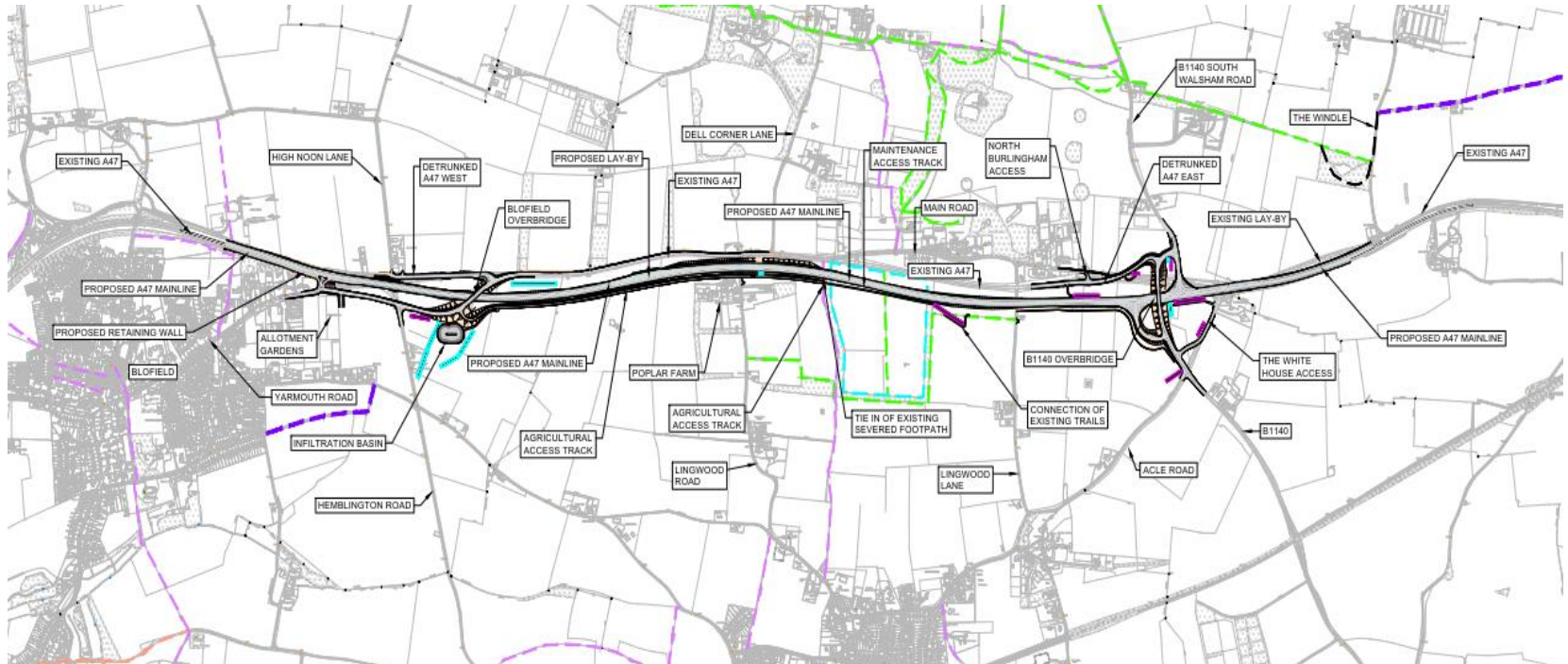
A47 Blofield to North Burlingham



RIS Commitment

Dualling of the single carriageway section of the A47 between Norwich and Acle, linking together two existing sections of dual carriageway

A47 Blofield to North Burlingham

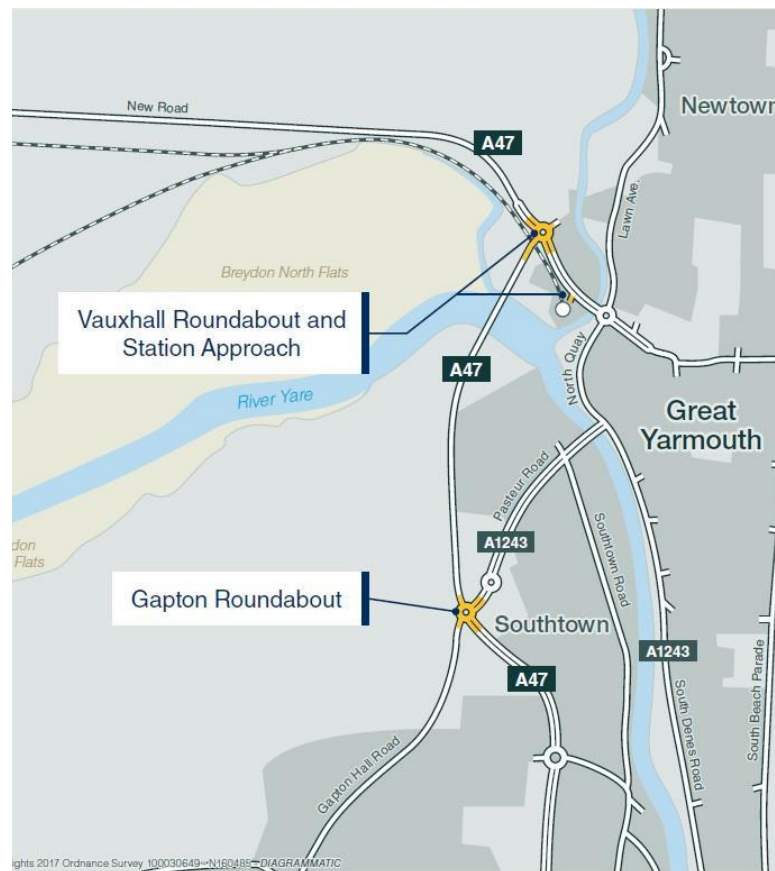


A47 Great Yarmouth Junction Enhancements

Original Scope

The original scope comprised of improvements to Vauxhall, and Gapton roundabouts. However as a result of the third river crossing, traffic movements will be different so these improvements need to be reviewed and reassessed.

HE has recently started working with NCC on looking at the option development. Potentially the work with NCC will be progressed further with scheme development work.



RIS Statement

"Improvements to junctions throughout Great Yarmouth, including reconstruction of the Vauxhall roundabout"

Infrastructure and Development Select Committee

Item No. 7

Report title:	Environmental Policy - update
Date of meeting:	11 November 2020
Responsible Cabinet Member:	Cllr Andy Grant (Cabinet Member for Environment and Waste)
Responsible Director:	Tom McCabe (Executive Director, Community and Environmental Services)

Introduction from Cabinet Member

Executive Summary

In November 2019, Full Council adopted a Corporate [Environmental Policy](#) which contains broad environmental themes, reflective of the Government's 25 year Environmental Plan. The Council agreed to adopt stringent climate change targets in excess of the Government's net zero carbon target by 2050 across its own activities and to become an influencer, leading through exemplar projects on its own land holding to deliver benefits leading to nature recovery.

Oversight of work to implement the Policy lies with a cross-party Environmental Policy Members Oversight Group, which receives regular feed in on progress from an Environment Policy Officers' group.

Progress on work to implement the Policy was reported to Cabinet on 6 April 2020 (see published [reports](#) and [decisions](#)).

This current report provides a further update for the Infrastructure and Development Committee including progress with carbon reporting, tree planting, a concept for a land management exemplar project and the timetable for internal engagement with staff and members.

Actions required

- 1. To review and comment on progress to date to deliver the objectives of the Environmental Policy.**
- 2. To note the timetable and actions to engage and consult across the whole organisation on carbon reduction measures**

1. Background and Purpose

- 1.1. At the end of 2019, the Council approved the NCC Corporate Environmental Policy, which sets out how the Council will deliver important benefits for Norfolk's environment and people alongside ambitious carbon reduction targets (net zero

by 2030) through new approaches to the management of its own estate and activities.

- 1.2. The NCC Environmental Policy sits in the wider context of:
 - (i) The Government's 25 Year Environment Plan;
 - (ii) The Environment Bill, which will place duties on all local authorities to deliver improvements for water resources, air quality, handling of waste, and biodiversity.
- 1.3. Since adoption of the NCC Environmental Policy, oversight of the work has passed to a cross-party Environmental Policy Member Oversight Group (MOG) which is chaired by the Cabinet Lead Member for Environment and Waste (Cllr Andy Grant) and including Cllr Ron Hanton, Cllr Richard Price, Cllr Haydn Thirtle, Cllr Jess Barnard, Cllr Steffan Aquarone, and Cllr Sandra Squire. MOG met recently on 3 September 2020. A Policy Officers' Group for the Environmental Policy (recent meetings on 19 May and 3 July) reports into MOG.

Activities include:

- Carbon baseline figures for the NCC estate have been compiled.
- An internal engagement approach has been drafted to facilitate department and staff buy-in.
- Planning to deliver on the commitment to plant one million trees over a five-year period is well underway and a collaborative approach with district councils will be adopted.
- A Statement of Intent concept note for the Burlingham Estate to explore the estate's potential to deliver significant gains for the Environmental Policy alongside opportunities for the green economy has been drafted.
- The NCC Environmental Policy addresses the Council's own desire to reduce its environmental impact. It sits within the wider context of a 25 Year Environment Plan for Norfolk and Suffolk, which is being led by Norfolk and Suffolk County Councils and partners. A baseline Compendium of Natural Capital assets for Norfolk and Suffolk – an inventory of six categories of natural asset: land; soil; habitats and species; freshwater; coast and marine; and atmosphere; along with the current and future risks to these assets – has just been completed for the partnership by UEA. This essential baseline will inform development and delivery of the 25 year plan to protect, conserve and enhance the region's environment.

1.4. **COVID 19 challenges and opportunities**

The lockdown due to Covid19 has presented both challenges and opportunities. As far as the latter is concerned, the reduced levels of transport, and operational

costs for the property portfolio, are likely to have had an impact. Work is already underway to lock-in some of the benefits and this will need to be incorporated into wider carbon/energy management activity.

2. Proposals

2.1. Measurable baselines for carbon

Significant work has been undertaken to assess NCC baseline carbon emissions using the Greenhouse Gas Protocol format <https://ghgprotocol.org/> showing baseline NCC emissions for the past two years under 3 categories or 'Scopes' (where Scope 1 is direct carbon emissions; Scope 2 is indirect emissions such as those associated with purchased electricity; Scope 3 is emissions that occur at a source not owned by NCC such as business travel). Measurements are in CO₂e, the shorthand for 'carbon dioxide equivalents', a standard unit in carbon accounting to quantify greenhouse gas emissions.

A summary of NCC baseline carbon emission can be seen below.

Greenhouse gas emissions (tonnes of CO₂e*) data covering the last two financial years (excluding schools**)		
	2018-19	2019-20
Scope 1**	5551	4729
Scope 2	9201	8302
Scope 3	3565	3570
Total gross emissions	18317	16601
Total net emissions	18230*	11625*

*The totals quoted above show both gross and net emissions of the estate. The net emissions are the final tallies when renewable and green energy are taken account of. The 2019 – 20 figure also includes benefits accrued from a 'green energy tariff' for electricity.

Expected carbon footprint trajectory

It is expected that the green tariff will reduce the total carbon footprint for 2020/2021 to 8,000 tCO₂e and will offset nearly all Scope 2 emissions. However, future years won't necessarily show further reductions without additional work, especially around transport and buildings. The next phase is, therefore, to achieve departmental and staff buy-in through a consultation and engagement exercise to explore how further reductions can be achieved through:

- (i) Reduced energy demand;
- (ii) Energy efficiency measures.

Targets over the plan's 3 phases (short, medium and long term) will be agreed.

The engagement exercise will also help with development of a carbon emissions 'dashboard' which will enable departments to monitor and report on progress.

Continued purchase of green energy and installation of renewable energy systems on NCC land holdings will help address Scope 2 emissions, as it is classed as a legitimate offset. Carbon offsetting mechanisms will be progressed to enable NCC to reach carbon neutrality by 2030.

2.2. Internal engagement approach

An internal engagement approach with NCC staff and members is aimed at ensuring buy-in to the Environmental Policy (Appendix 1).

The intention is to communicate the objectives of the carbon policy, including overarching NCC carbon emission targets over the plan's 3 phases (short, medium and long term) to increase awareness. We will also aim to agree departmental targets and actions and to explore project ideas. NCC Communications Team will lead this work in close liaison with the CES Environment Team, developing and delivering a range of appropriate communication activities.

The engagement approach will start with staff and Members to secure their support and commitment to underpin the Council's ambition before reaching out to wider stakeholders and partners.

During the Covid19 outbreak with most staff working from home, our Environment Team has estimated that Norfolk County Council's staff reduced their carbon emissions by at least 30% during that time. This was an unprecedented period of change for staff which when reflected upon could be used to start new ways of adapting to working life that with reducing our carbon reduction as a main aim.

Our opportunity is to work with staff and Members to develop an engagement strategy to achieve this goal. Then, the Council can promote good practice to partners and key stakeholders and, in time the general public and in doing so, build a coalition of support and lobbying for the changes required on a Norfolk-wide basis.

2.3. Statement of intent (management of Burlingham Estate)

Nature Recovery aspects of the Environmental Policy will be advanced over the coming months.

A Statement of Intent will be produced for the Burlingham Estate, a 3,000 acre landholding owned by NCC near Acle, which will explore the estate's potential to deliver significant gains for the Environmental Policy alongside opportunities for the green economy. Feasibility studies will review use of buildings on the estate; the potential for green uses of the site such as water retention, soil protection and habitat recovery; cycling and walking opportunities which link to the Broads

National Park and other new parks such as Horsford and Beeston; and the potential for nature recovery projects.

A working group with membership drawn from within NCC and others will ensure the feasibility work is mindful of other key strategies and initiatives such as the GNDP and will help develop and deliver our ambitions.

An outline concept note has been drafted for the Statement of Intent showing how Norfolk County Council can play a key role in nature recovery, the creation of green transport links and in driving benefits for the green economy, demonstrating how we are leading by example on our own estate.

The initial phase of the work has been funded through the Business Rates Pool.

2.4. **Offsetting**

Tree planting forms a way that NCC can offset carbon emissions and an NCC Tree Planting and Resilience Strategy was adopted by Council on 6 April 2020. A pledge between NCC and district councils to work collaboratively on tree planting targets across Norfolk has been developed to pool resources and effort across the county which was well received at a recent meeting of the Norfolk Climate Change Partnership.

The Norfolk Climate Change Partnership was set up in January and meets 6 times each year to work on issues of shared importance across local government to address the climate change challenge.

2.5. **25 Year Environment Plan for Norfolk and Suffolk**

NCC's Environmental Policy addresses the Council's own desire to reduce its environmental impact. The Policy sits within the wider context of an initiative to develop a 25 Year Plan for the Environment for Norfolk and Suffolk which is being led by Norfolk and Suffolk County Councils and an array of stakeholder partners.

The Plan is a regional response to the Government's own 25 Year Environment Plan – 'A Green Future' which sets out how the environment will be improved within a generation.

Considerable work has been undertaken by project partners at UEA to produce a baseline Compendium of Natural Capital assets for Norfolk and Suffolk – an inventory of six categories of natural asset: land; soil; habitats and species; freshwater; coast and marine; and atmosphere; along with the current and future risks to these assets.

The Steering Group is now working on next steps which will see the Compendium used as a springboard for practical action across the region.

2.6. **Next Steps (with delivery reported on a twice-yearly basis to NCC Cabinet)**

Time	What
September 2020 to September 2021	Staff buy in / engagement / promotion; Agree departmental carbon reduction activities and targets; Develop practical advice and guidance for staff (carbon reduction activities); Refine carbon reduction emissions strategy and trajectory / offsetting / use of renewables, in the light of beneficial opportunities that have emerged through the COVID crisis; Agree carbon reduction dashboard / reporting mechanisms; agree how progress will be captured and reported on all aspects of the Policy; Identify and scope (including funding) opportunities for projects to achieve carbon reduction targets and offsetting; Progress tree planting; Develop feasibility scoping for Burlingham Estate; Develop wider community activity addressing key impact areas.

3. Impact of the Proposal

- 3.1. A baseline position with regard carbon emissions provides a platform to address future emissions and cost reductions. As yet, there is perhaps insufficient data to model the trajectory of the impact of the current footprint. However, as the refining of the data takes place, it is expected that a business as usual approach, i.e. pre-Covid, would likely see at best a modest decrease in emissions year on year, and be some way off hitting a net zero target by 2030.

Behaviour change, and embedding collective responsibility, will therefore be key to success. Engagement in support of changing work practices (as demonstrated through the Covid19 experience) is key and relies on having a dedicated communications resource to drive momentum.

Opportunities to deliver wider aspects of the Environmental Policy lie within the NCC landholding estate, giving NCC the opportunity to lead by example.

4. Financial Implications

- 4.1. Not relevant – report for information only

5. Resource Implications

- 5.1. **Staff:**

None.

5.2. **Property:**

See 3.1 above.

5.3. **IT:**

None.

6. Other Implications

6.1. **Legal Implications**

The 'net zero' target is a statutory obligation, subsumed within the Climate Change Act 2008.

6.2. **Human Rights implications**

None.

6.3. **Equality Impact Assessment (EqIA)**

An equality impact assessment was completed as part of the development of the Policy. As initiatives are rolled out to implement the policy, equality assessments will be undertaken to ensure that accessibility and inclusivity is considered and addressed before final decisions are made.

6.4. **Sustainability implications**

Please see impacts section.

6.5. **Any other implications**

None.

7. Actions required

- 7.1. **1. To review and comment on progress to date to deliver the objectives of the Environmental Policy.**
2. To note the timetable and actions to engage and consult across the whole organisation on carbon reduction measures

8. Background Papers

- 8.1. Report to 25 November 2019 Full Council titled "Environmental Policy for Norfolk County Council"

Officer Contact

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

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Email address: John.jones@norfolk.gov.uk



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

Engagement Approach – Let's start with ourselves.

It is recommended that our engagement approach starts internally with staff and members to secure their support and commitment to underpin the Council's ambition before reaching wider out to stakeholders and partners.

During the Covid19 outbreak with most staff working from home, our Environmental Team has estimated that Norfolk County Council's staff reduced their carbon emissions by at least 30% during that time. This was an unprecedented period of change for staff which when reflected upon could be used to start new ways of adapting to working life that with reducing our carbon reduction as a main aim.

Our opportunity is to work with staff and Members to develop an engagement strategy to achieve this goal. Then, the Council can promote good practice to partners and key stakeholders and, in time the general public and in doing so, build a coalition of support and lobbying for the changes required on a Norfolk-wide basis.



Aim

The purpose of our internal communications approach is to ensure all colleagues and members across the Council are aware of our policy and new approach and are clear and motivated to the role they can play in helping ourselves reach that objectives.

We will work alongside key staff groups to develop and promote engagement opportunities and maintain an ongoing awareness of the programme of work.

First steps:

- Research how other authorities or public limited companies are developing / have developed their environmental policies and take shared learnings
- Set up workshops = make staff and Members clear on overall Council and /or departmental carbon emissions targets and the role they can play
- Develop practical advice and guidance = this advice and guidance must be easy to understand and show what staff and members can do to help achieve these targets. Consider video and graphics to bring messages to life
- Consider tactically who and how this practical advice will be rolled out throughout the organisation

Key Messages:

Our internal communications will promote four key messages:

- The aim of the policy - to build organisational understanding and commitment to what we want to achieve together
- How all colleagues can help = to work with departments to identify potential actions or activities they can create or lead on to support and deliver targets
- How we will be engaging with them and their colleagues = let's engage on to how they want to support as a department with possible departmental targets
- How this work is progressing = ongoing narrative through channels of how we are doing and how we can continue to do so.

Smarter Working:

There are clear links between this piece of work and our broader Smarter Working programme, and so many of the messages from Smarter Working can be used across both campaigns and be another layer to Smarter Working.

Channels:

At corporate level, our internal communications are as follows;

Date	Channel	Content
Monday	Tom's Monday vlog/blog	Tom's blog will be used to initiate our internal communications with staff, and to regularly update how the policy is progressing and any

	<p>Leader vlog/Blog</p> <p>Political Group Leaders</p>	<p>‘best practice’ examples from across the council.</p> <p>This message can be strengthened further by endorsement by the leader and it can show members the council’s commitment.</p> <p>These messages would have added impact if they were endorsed by all Council Group Leaders either in a same blog or separate ones.</p>
Tuesday	Managers Briefing	<p>The managers briefings will be used to share key information with managers before it is shared with staff more generally. This will include information on engagement activities, feedback from staff, progress and successes.</p> <p>The content for the briefings could be enhanced by manager workshops so they have ownership of the motives before reaching out to their staff.</p>
Wednesday	Wednesday Update on myNet (All Staff)	The twice weekly updates on myNet for all staff will initially promote engagement opportunities, but then also share updates on an ongoing basis to ensure colleagues continue to have an awareness of this important piece of work.
Thursday	Managers Briefing	
Friday	Friday Update on myNet (All Staff)	
	Friday TakeAway	The Friday Takeaway has become our way of ‘celebrating success’, and so will be used to promote work across the council sharing best practice and successes on an ongoing basis.

Schedule

Although this is a long-term project, our initial phase of internal communications will be as follows:

MONTH	PHASE	CONTENT
One	Introduction	Information about the policy, our aims and staff involvement/engagement.
Two	Engagement	Promotion of staff engagement
Three	Engagement	Promotion of staff engagement
Four	Feedback	Review and communicate feedback from engagement, and next steps
Five	Actions	Communicate actions and changes.
Six	Actions and successes	Ongoing communications with success stories from across the authority.

Infrastructure and Development Select Committee

Item No. 8.

Report title:	Current Position of the Norfolk Economy
Date of meeting:	11 November 2020
Responsible Cabinet Member:	Cllr Graham Plant (Cabinet Member for Growing the Economy)
Responsible Director:	

Introduction from Cabinet Member

Since March this year, the Norfolk economy – as with the rest of the country – has been impacted hard by COVID-19 and the measures needed to combat its spread. This report shows how large the impact has been on people and business in our county. It also summarises our substantial response to this challenge and how we have moved quickly to plan our support for the economy, introducing programmes and fast-tracking project delivery to revive our economy.

Executive Summary

The acute impact of COVID-19 and the lockdown on the Norfolk economy poses an unprecedented challenge. The indications are that Norfolk's economy has contracted sharply, and unemployment has risen, in line with the national trend.

Norfolk's claimant count rate stood at 5.4% in August 2020, up from a base of 2.5% in March, having reached a high point of 5.5% in May. The indications are this is a long-term challenge and not a just a short-term shock to the economy.

Certain sectors are still very weak, notably the arts/culture and accommodation/hospitality sectors, with these sectors still registering relatively high furlough rates in August compared to other sectors.

Business starts were lower in Q2 2020 than in previous years. An increase in business closures has yet to present statistically, owing to the time it takes for a business to close, delays in the reporting process and, particularly, government support for businesses.

However, Norfolk County Council has been quick to respond to the challenges posed by the pandemic and active in bringing forward projects, funds and initiatives to kickstart the recovery, equip our people and shape our places for the post-COVID economy. This response is framed by the objectives set out in our [Norfolk Delivery Plan](#) and includes:

- **A Tourism Sector Support Package**
- Bringing forward project delivery by successfully bidding into the government's **Getting Building Fund**
- **Recruit Retain Reward:** A grant scheme to drive SME engagement and recruitment of apprentices

- Successfully bid for £32 million from the **Transforming Cities Fund** to deliver vital infrastructure improvements

Actions required

1. **To note the impact of COVID-19 on the Norfolk economy and the measures being taken to mitigate**
2. **Acknowledge the work done to date and the direction of travel of the Council's economic recovery work**

1. Background and Purpose

- 1.1. COVID-19 has introduced an unprecedented challenge to Norfolk's economy and this report provides an understanding of the challenges and the County Council's response to it to date.

Section 2 summarises what we know about the impact to date, using local, regional and national statistics.

Section 3 summarises of the County's response to date.

An overview of Government business support measures in response to COVID-19 is given at section 3.11

2. National and Local Economic Snapshot

2.1. Economic Contraction

The economy contracted sharply from March to May 2020, with some recovery since June.

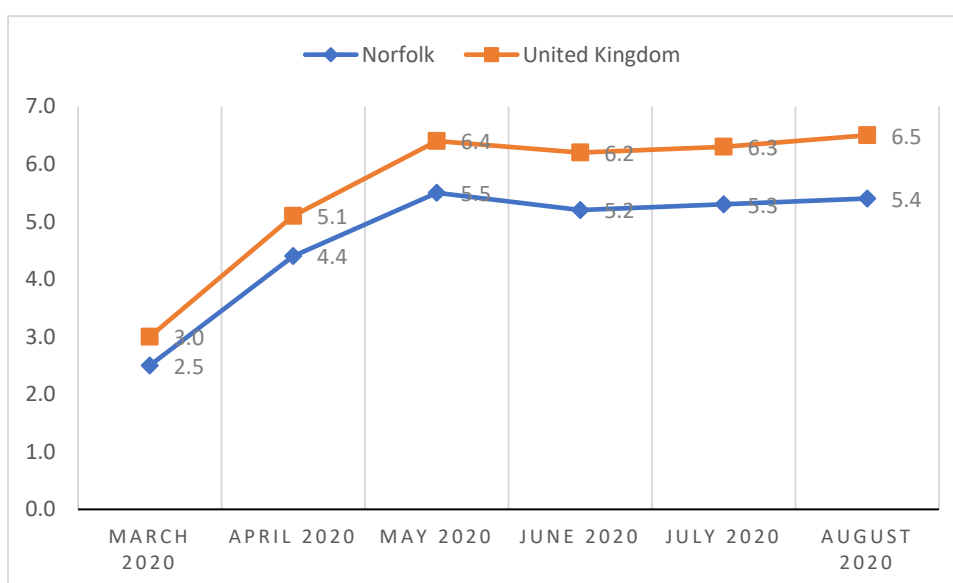
The national economy contracted by 20.4% in Q2 2020 (April to June). The economy had already contracted by 2.2% in Q1 (January to March) 2020. Activity did begin to recover in June, with economy growing by 8.7% in June, but this was not enough to recover the output lost in April and May. The economy grew 6.6% in July 2020 (source: Office of National Statistics, 'ONS'), the latest data available at the time of writing.

Equivalent statistics at county or regional level are not yet available, however there is every indication that Norfolk's GDP has followed the national trend.

2.2. Norfolk Job Figures and Claimant Counts

Claimant count rates in Norfolk climbed significantly in April and May and stabilised in June, following the national trend (Figure 1). However, the rates did begin to climb again in July and August, showing that the impact of COVID-19 and the national lockdown is a long-term challenge and not a just a short-term shock to the economy.

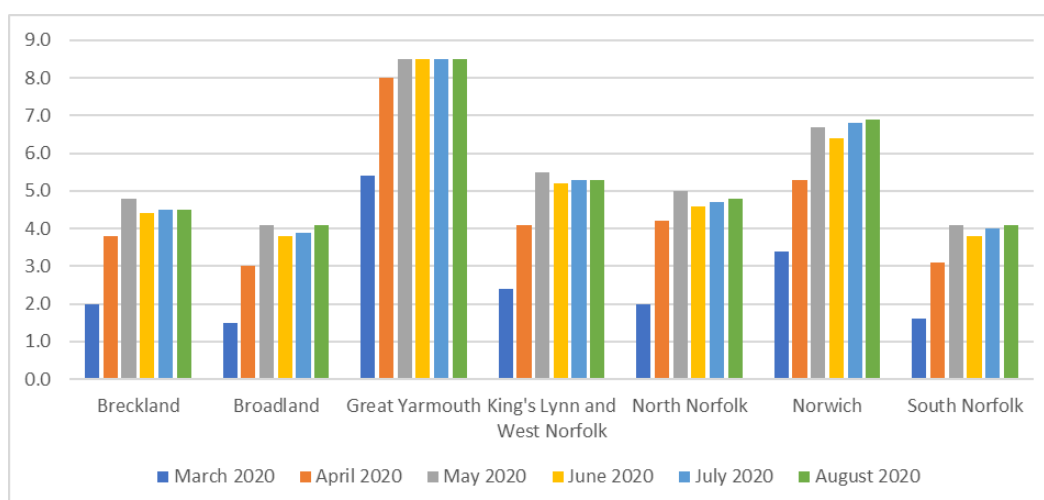
Figure 1: Claimant Count Rates in Norfolk and the UK: March to August 2020



Source: ONS

The growth in the number of job seekers was seen in every district in Norfolk, especially in April and May. March is shown as the baseline in Figure 2.

Figure 2: Claimant Count Rates by District: March to August 2020 (%)



Source: ONS

2.3. Furloughing

The government announced the Coronavirus Job Retention Scheme (CJRS) on 20 March 2020. CJRS supported employers through the COVID-19 period and ended on the 31 October 2020. Employers were able to claim CJRS support for employees furloughed with financial support of up to 80% of their employees' salary. This support was capped at £2,500 per month per employee.

The proportion of employees furloughed in each sector during the lifetime of programme gives an indication of which sectors were under the most pressure at any time.

As of October 2020, the latest furloughing figures available are national figures for August 2020 (ONS). This data showed three sectors still had double-digit furloughing rates in August, namely:

- Arts, Entertainment and Recreation (41%)
- Accommodation/ hospitality (29%)
- Transportation and Storage (16%)

These sectors can be understood to still have been very fragile in August and not to have been able to recover as well as others. The closing of the full furloughing programme at the end of October may put additional stress on these sectors and the jobs that rely on them.

These figures illustrate how the pandemic has had a particularly major economic and structural impact across the whole of Norfolk's arts and cultural sector with most venues closed since March, revenue streams and incomes frozen, freelance contracts cancelled and postponed, festivals and public programmes cancelled, ability to fundraise greatly curtailed, large numbers of staff furloughed and at growing risk of redundancy and ongoing uncertainty about the ability to develop financially viable operational plans and public programmes in the context of ongoing social distancing measures.

Additionally, it is possible that many venues may only be able to operate at around 30% capacity when they are able to fully re-open. The restoration of public confidence in returning to cultural venues and events in the context of the ongoing pandemic is also an ongoing issue.

Regional ONS furloughing statistics for July 2020 give a good indication of which sectors contracted the most this year (Table 1) in our region. The sectors hit hardest in the region during July:

- accommodation & food services, with 76% furloughed
- arts and culture – 69%
- construction – 58%
- retail – 40% and
- manufacturing 38%

While construction, retail and manufacturing have since reduced their furloughing rates to single digits, accommodation & food services and arts and culture retain double-digit furloughing rates and so are still particularly fragile.

2.4. Apprenticeships

By April 2020, apprenticeship starts had already begun to fall in England and Norfolk. By July, starts were over 47% down in England (figures for Norfolk not yet known).

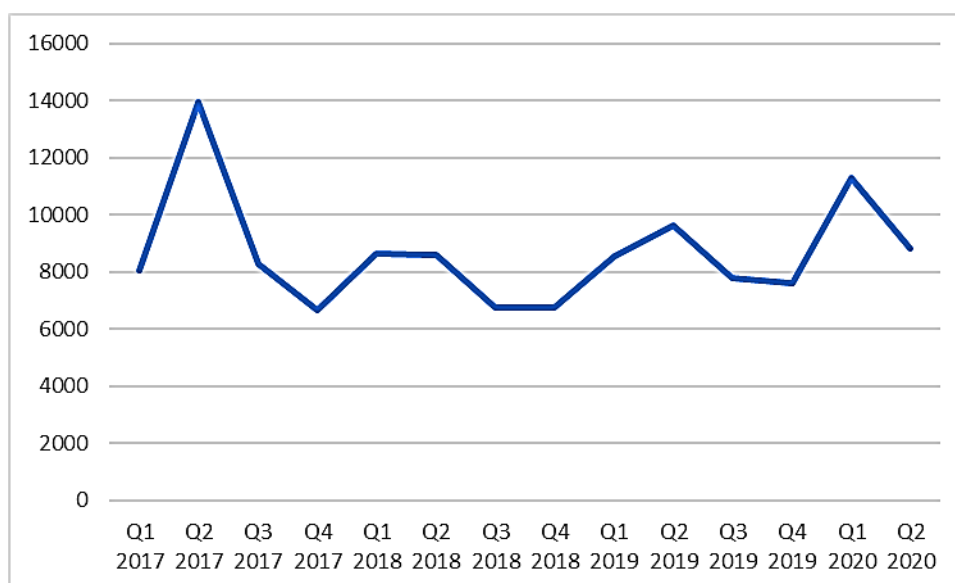
Table 1: Apprentice Start in Norfolk and England

All starts	2019-20 Q3 Cumulative Starts	2018-19 Q3 Cumulative Starts	Difference	Percentage Change
Norfolk	4210	4740	-530	-11.18%
England	271890	311170	-39280	-12.62%

Our response to this particular challenge is summarised in section 3.6.

2.5. Business Data

The number of business closures, or ‘deaths’, in the East of England in Quarter 2 (Apr to June) 2020 was, unexpectedly, lower than the average in Quarter 2 of the past three years (Figure 3). From this data at least, business closures do not appear to have yet increased as a result of the coronavirus (COVID-19) pandemic; this is likely because of the time it takes for a business to close, delays in the reporting process and, particularly, government support for businesses.

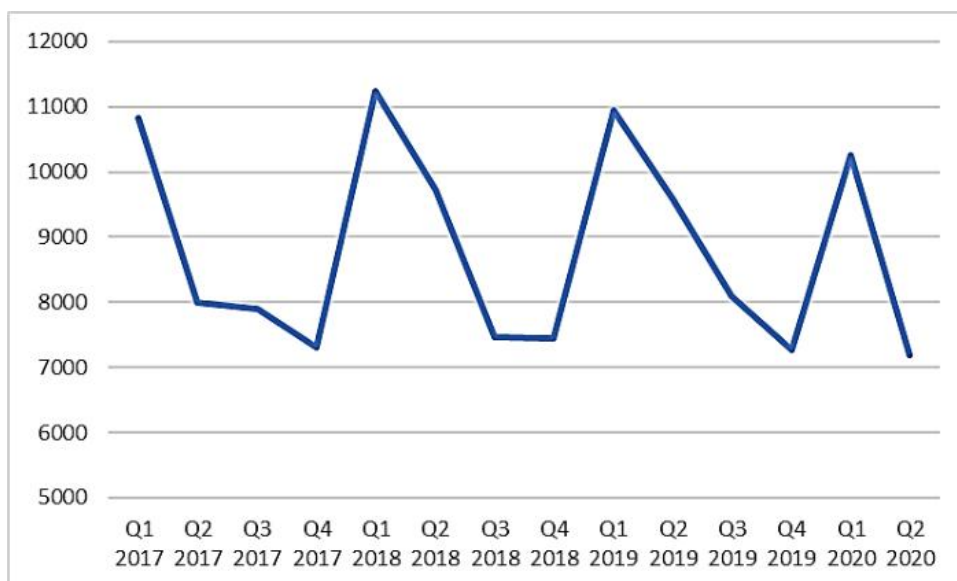
Figure 3: Business deaths: East of England

Source: Business Demography, Quarterly Experimental Statistics, ONS

The number of new businesses, or ‘births’, in the East of England in Quarter 2 2020 was lower than in Quarter 2 of the past three years.

Business creations tend to experience shorter lags than business closures, so the slowdown in Quarter 2 2020 relative to previous years is more likely to be a result of the coronavirus pandemic as well (the ONS also reports a slowdown in the processing of new businesses).

Figure 4: Business births, breakdown by region, counts: East of England



In Norfolk, it is possible then that we may see business closures increase and ‘catch up’ with other indicators. Business starts in the region are already known to be fallen; it is too early to say whether they will bounce back or remain subdued for some time yet.

2.6. Cashflow

The British Chambers of Commerce’s Quarterly Economic Survey – a UK-wide survey of business sentiment – found that business conditions remained weak in the third quarter of 2020, despite much of the economy reopening.

Cash flow, a key indicator of business health, continued to deteriorate for almost half of firms.

In Q3 2020, 21% of firms reported an improvement in cash flow, 34% reported no change and 45% reported a deterioration. In Q2, 11% of firms reported an improvement, 25% no change, and 64% a deterioration. Micro firms were more likely to report worsening cash flow, with 51% of these firms reporting a deterioration.

3. County Council Recovery Work

The County Council has worked closely with New Anglia Local Enterprise Partnership (LEP) and district colleagues from the outset of the pandemic response.

From the beginning of the ‘lockdown’ period, the County Council worked with New Anglia LEP to help local businesses source PPE (personal protective equipment). This evolved into a PPE portal on the LEP website, to match businesses offering equipment to those that need it and soon hosted over 900 products on it. Officers helped with food and medicine distribution and eight Growth and Development staff were seconded to the County Council’s contact centre to coordinate assistance to vulnerable people.

As the emphasis moved to recovery, we produced a **Norfolk Delivery Plan** at pace, which is our contribution to [the Norfolk and Suffolk Covid-19 Economic Recovery](#)

[Restart Plan](#), which were instrumental in writing. The Norfolk Delivery Plan adopted by the Council on 06 July. Our [Norfolk Delivery Plan](#) to:

- Help as many businesses as possible to survive, and as many people as possible to stay in work or secure alternative work or training, with a strong focus on social inclusion
- Promote the county as place that is open for business and safe to live, work and visit.
- Focus on local markets and supply chains
- Drive the identification, development and promotion of clean growth opportunities
- Retain and build on the environmental benefits arising from the pandemic
- Creation of a Norfolk Strategic Fund to accelerate delivery

With this Plan as our framework, Norfolk County Council has been quick to respond to the challenges posed by the pandemic and active in bringing forward projects, funds and initiatives to kickstart the recovery, equip our people and shape our places for the post-COVID economy. An overview of the projects progressing and the means by which we have been able to progress them so quickly is given here. Our response is presented here under the three themes: Business, People and Infrastructure.

3.1. **Business**

3.1.1. **Tourism Sector Support Package**

Tourism is a vital sector for Norfolk, worth an estimated £3.37bn a year (Source: Destination Research) and this is reflected in the objectives of our Norfolk Delivery Plan. As such, helping businesses reopen and adapt to the circumstances and reassuring people that might wish to visit has been of paramount importance to our response.

3.1.2. On 17 July, Norfolk Leaders agreed to allocate £2.225m from the Norfolk Strategic Fund to the Tourism Sector Support Package.

3.1.3. Each district council has their own allocations of the fund and are busy distributing their grants to businesses in bespoke small grants programmes. For example, Breckland has received 28 application for business adaption grants, North Norfolk is planning a scheme to fund experiences that will extend the autumn/winter seasons and King's Lynn and West Norfolk has been providing more outdoor tables and chairs, as well as cycle facilities. Our tourism areas are reporting increased numbers of visitors at this time of year, as people take delayed holidays and seek out less crowded destinations. The Chancellor also announced that the reduced rate VAT period has been extended to 31 March 2021 (the initial announcement covered a six-month period to 12 January 2021).

3.1.4. Visit East of England (VEE) bid successfully to the Cabinet Office for Unexplored England, securing a £350k collaborative project to extend the tourism season through the rest of 2020 and to build demand for 2021 through a coalition of every

district in Norfolk and Suffolk and, for the first time ever, a merging of Visit Suffolk and Visit Norfolk marketing budgets.

- 3.1.5. The package supports the ongoing work being undertaken at a regional and national level with VisitBritain and Visit England in seeking to become a Tourism Zone and to develop a sustainable, year-round visitor offer. Immediate activity includes improving the presentation, cleanliness and hygiene of key locations and communication with visitors in advance and, for example through marshalling.

3.2. **Getting Building Fund**

It is more important than ever to progress large projects, which contribute to restoring business confidence as directed in the Norfolk Delivery Plan. At short notice, capital projects with combined value of over £41m were submitted to the Ministry of Housing, Communities & Local Government (MHCLG) following the announcement of a Getting Building Fund in June. The fund was open to projects that could be delivered within 18 months and included both new and projects brought forward.

New Anglia Local Enterprise Partnership allocated £16.988m, of the £32m awarded to Norfolk and Suffolk by MHCLG, to seven projects in Norfolk, as shown in the table below:

Table 2: Norfolk Projects in receipt of the Getting Building Fund

Project	Lead Authority	Total GBF Contribution
Great Yarmouth Operations & Maintenance Campus	Great Yarmouth	£6m
Resilience and Recovery Fund (R&R)	Norfolk/Suffolk	£3.624m
Food Innovation Centre	Broadland District Council	£2.7m
Great Yarmouth Strategic Seafront Regeneration: water and leisure visitor attraction	Great Yarmouth Borough Council	£2.5m
Local Full Fibre Networks	Norfolk County Council	£2.056m
North Walsham Town Centre Revitalisation	North Norfolk DC	£1.17m
Enterprise Zone Accelerator Fund	Norfolk	£0.75m

3.3. **New Anglia Business Resilience and Recovery Scheme**

With a successful bid to the Getting Building Fund in June, the Business Resilience and Recovery Scheme has been established to support businesses during the

COVID-19 pandemic and during the economic recovery. It provides grants to support short-term business resilience projects and longer-term recovery and diversification projects.

The programme has a total of £6.124m of available funding and awarded: £2.890m has been awarded to date to 75 projects, with the majority going to Norfolk firms: 45 Norfolk projects have been approved; £1,689,001 grant funding awarded to Norfolk businesses, of which £857,543 of grant funding has already been claimed.

3.4. **Recovery Programmes Underway**

The Council's Growth and Development team has also launched a number of initiatives to directly aid the recovery, focussing on business development:

Table 3: Summary of Business Development Projects

Supply chain - Agri-Food Research Project	Research into the Agri-food sector to provide greater understanding and evidence of areas of specialism, gaps or weak points, relationships and opportunities. The final version of the report will be available in October.
Innovation Grant Mentoring Project	Support for businesses to bid for innovation funding.
GO Digital East	A programme of business support to help businesses to do more with digital and improve productivity. Scheduled to launch in the Autumn.
Supply chain development	Workshops supporting digital creative companies to engage with offshore energy companies. A workshop and business diagnostic tool to assist local SMEs in accessing the NCC and wider public sector supply chains is being planned and scheduled to launch in November.
Call4Fish regional support project	Practical post-COVID19 support to fishing, connecting customers with suppliers and rebuilding supply chain

Helping Businesses to Digitise

The RISE food and drink conference was held on 23 September to encourage take up of digital technologies by food producers, to improve business productivity and resilience during Covid-19. Over 75 registered attendees and we had a high-quality line up of speakers and was hosted by Norfolk County Council and hosted in partnership with Tech East, New Anglia LEP, Local Flavours and Norfolk Chamber of Commerce.

A **Tech and Tourism webinar** was held in June and shared best practice with tourism businesses adopting the latest tech to help with marketing, sales, footfall and social distancing and improving the visitor experience. This was followed up with

a 'deep dive' into search engine optimisation. The webinar attracted 150 attendees with very positive feedback received.

New Anglia LEP's **Restart Festival** saw two days of free and informative sessions delivered to businesses to kickstart and consolidate their recovery from the impact of the Covid-19 pandemic.

3.5. **People**

Kickstart

The government has introduced a new Kickstart Scheme, a £2 billion fund to create hundreds of thousands of high quality 6-month work placements aimed at those aged 16 to 24 who are on Universal Credit and are deemed to be at risk of long term unemployment.

Funding is available for 100% of the relevant National Minimum Wage for 25 hours a week, plus employer National Insurance contributions and pension contributions. There is also £1,500 per job placement available for setup costs, support and training. Employers will need to be able to offer a minimum of 30 job placements to register directly.

Employers creating fewer than 30 job placements will need to partner with an intermediary organisation who will bring together a partnership arrangement, managing the finances and governance, intermediaries will be able to claim £300 per placement to support this work. The intermediary will need to have

- details of the job placements proposed by the group of employers
- details of their business
- information about the support they plan to offer the young people

The County Council is working alongside New Anglia LEP, the Department for Work and Pensions and other stakeholders to explore how this might best operate strategically across the region encouraging and supporting employers to engage in creating a breadth of opportunities for our young people.

3.6. **Apprenticeships**

Recruit Retain Reward: This is a grant scheme to drive SME engagement and recruitment of apprentices. The Apprenticeships Norfolk initiative is helping to boost support for non-apprenticeship levy businesses in Norfolk, providing additional funding on top of Govt incentives to recruit apprentices aged 16-24. The programmes will support a minimum of 437 businesses throughout the 18 month project. To date we have 40 successful applications. The biggest uptake has been in South Norfolk & Broadland and North Norfolk so far. We are also active in other ways to boost apprenticeship numbers:

- Vacancies: we are using our social media channels to help get vacancies filled
- Events: we are supporting a variety of virtual Apprenticeship events aimed at young people to help promote Apprenticeships as a pathway

- Promotion: we are developing a new website to help provide a trusted 'one stop' place for our stakeholder to engage with our impartial service; this is due to launch in November 2020 and will be more interactive and have more information than our previous site; aligned with our fresh new branding too, supporting our upcoming campaign #MadeInNorfolk.

3.7. Recovery Programmes Underway

The Council's Growth and Development team has also launched a number of other initiatives to directly aid the recovery, focussing on people:

Table 4: Skills Projects

Project	Summary of Activity
Employer Incentive Training Programme	A delegated grant scheme designed to help businesses to upskill and retain their staff following the pandemic lockdown
Developing Skills Provision – Agri-Food Tech Sector	Intensive engagement with 300 employers and providers, designed to address workforce development needs and better equip the sector with the skills needed for growth
Youth Pledge	Developing opportunities for young people to engage in work-based experience, structured employment activities and sector related learning
Supply Chain Skills Development Fund (Awaiting Approval)	A delegated grant scheme to enhance both the development and delivery of training available to employers to build capacity of key local supply chains.
CHANCES	A locally integrated health and employment service delivering personalised support to 2602 unemployed and inactive people across Norfolk.
Employer Engagement Project	A programme of intensive engagement with 150 smaller employers across the ICT Digital Sector in Norfolk
Gearing up to Grow	Developing transferable, scalable and sustainable offshore wind supply chain model to build the skills and capability of SMEs in the region.

3.8. Infrastructure

Emergency Active Travel Fund

One of our objectives in the Norfolk Delivery Plan is to retain and build on the environmental benefits arising from the pandemic.

We bid into the Government's Emergency Active Travel Fund to secure investment and deliver further significant walking and cycling infrastructure: £300k funding from Phase 1 facilitated social distancing measures to help pedestrians and businesses

reopen safely. The £2.2m Phase 2 bid was submitted in August, mainly for cycling improvements – locking in the green opportunities such as reduced car use.

3.9. **Transforming Cities Fund**

Norfolk County Council has received formal confirmation from the Department of Transport (DfT) that a joint bid with the city council and district authorities of Broadland and South Norfolk has been accepted, triggering a combined investment in local infrastructure totalling £59m.

DfT have confirmed Norfolk County Council will receive £32 million from the Transforming Cities Fund.

The funding will deliver vital infrastructure improvements to improve travel times for bus passengers on the most popular transit routes, giving city bus operator, First Eastern Counties, confidence to invest a further £18m in its fleet and local services.

All projects will be delivered through the Transport for Norwich partnership, with an additional £9m being allocated from local council and private contributions.

As part of an earlier phase of the Transforming Cities programme, work has already started on the £2.5m scheme in Tombland (Norwich) to create more pedestrian- and cycle-friendly routes in the area.

3.10. **Emerging challenges**

While businesses in most sectors can now trade, the data shows the arts and cultural sector is still under considerable duress and remains vulnerable.

After 31 October 2020, the Coronavirus Job Retention Scheme will be replaced by a smaller [Jobs Support Scheme](#).

The new scheme will support businesses who face depressed demand, giving them the option to keep employees in work on reduced hours rather than making them redundant. The support will be targeted at firms that need it the most, all small and medium sized businesses will be eligible and those larger businesses whose turnover has fallen through the crisis. It will run for 6 months starting in November. Employees must work at 1/3 of their hours that will be paid as normal, the Government and the Employer will then each pay 1/3 of the remaining hours not worked.

While many businesses will now be in a position to migrate successfully to this new programme, it may prove a challenge for weaker sectors, notably arts and culture.

3.11. **Government Support Measures in Response to COVID-19**

The government introduced a number of measures in response to the Coronavirus to help businesses from March 2020 onwards. A summary is provided here:

- **Statutory sick pay (SSP) relief package** for SMEs

- a. cover up to 2 weeks' SSP per eligible employee who has been off work because of COVID-19 for small and medium businesses (SMEs)
- **Coronavirus Job Retention Scheme**
 - a. All UK employers were able to access support to continue paying part of their employees' salary for those employees that would otherwise have been laid off during this crisis ('furloughing').
 - b. Programme ended on 31 October 2020.
- **Jobs Support Scheme**
 - a. Successor programme to the Coronavirus Job Retention Scheme, starting on 01 November 2020 and open for 6 months. This new scheme supports businesses who face depressed demand, giving them the option to keep employees in work on reduced hours rather than making them redundant. The support will be targeted at firms that need it the most; all small and medium sized businesses will be eligible and those larger businesses whose turnover has fallen through the crisis. Employees must work at 1/3 of their hours that will be paid as normal, the Government and the Employer will then each pay 1/3 of the remaining hours not worked.
- **deferring VAT and Income Tax** payments
- a **12-month business rates holiday** for all retail, hospitality and leisure businesses in England
- **Small business grant** funding of £10,000 for all business in receipt of small business rate relief or rural rate relief
- **Grant funding of £25,000 for retail, hospitality and leisure businesses** with property with a rateable value between £15,000 and £51,000
- The **Coronavirus Business Interruption Loan Scheme** (CBILS) offering loans of up to £5 million for SMEs through the British Business Bank, a new lending facility from the Bank of England to help support liquidity among larger firms, helping them bridge coronavirus disruption to their cash flows through loans
- **Bounce Back Loan Scheme** (BBLS)
 - a. BBLS is available through a range of British Business Bank accredited lenders and partners. A lender can provide a six-year term loan from £2,000 up to 25% of a business' turnover.
- **Kickstart Scheme**

- a. £2 billion fund to create hundreds of thousands of high-quality 6-month work placements aimed at those aged 16 to 24 who are on Universal Credit and are deemed to be at risk of long-term unemployment.

- b. Further details at section 3.5

4. Financial Implications

- 4.1. None as a result of this report. Funding packages will be devised for future interventions.

5. Resource Implications

5.1. Staff:

Resource for general business, people and infrastructure support activity provided by the Growth and Development team. Resources for individual projects are included within their project proposals.

5.2. Property:

None

5.3. IT:

None

6. Other Implications

6.1. Legal Implications

None

6.2. Human Rights implications

None

6.3. Equality Impact Assessment (EqIA)

EqIA considerations are factored into individual project proposals.

6.4. Health and Safety implications

None

6.5. Sustainability implications

None

6.6. Any other implications

None

7. Actions required

- 7.1. 1. To note the impact of COVID-19 on the Norfolk economy and the measures being taken to mitigate

2. Acknowledge the work done to date and the direction of travel of the Council's economic recovery work.

8. Background Papers

8.1. None

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Report to Infrastructure and Development Select Committee

Item No. 9.

Report title:	Norfolk Strategic Infrastructure Delivery Plan (NSIDP)
Date of meeting:	11 November 2020
Responsible Cabinet Member:	Graham Plant (Cabinet Member for Growing the Economy)
Responsible Director:	Tom McCabe (Executive Director, Community and Environmental Services)

Introduction from Cabinet Member

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. Most notably, NSIDP has been recognised as a case study for best practice in supporting housing and infrastructure needs by the Town and Country Planning Association.

Executive Summary

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 local partners 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 Attleborough and Long Stratton to deliver 5,800 homes;
- Weavers Way providing walking and cycling infrastructure to support the Broadland Growth Triangle's planned 13,500 homes
- East Norwich Regeneration scheme which could deliver up to 4,000 homes and 100,000 square metre of employment

Projects are placed in one of two groups, those grouped in Local Authority control and those to be delivered by external organisations. This creates a pipeline of projects and allows for informed discussions to co-ordinate implementation, prioritise activity and respond to any funding opportunities.

The production of the 2020 NSIDP started in April with officers from the County and District Councils working jointly to update progress on existing projects and consider any additional emerging projects. The NSIDP will be 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) in October. Any feedback

from the Norfolk Chief Executives group will be communicated verbally at the committee. It is then considered by Norfolk Leaders in November and it is planned the final version of the NSIDP will be considered by Cabinet in December.

Action required:

- **To review and comment on Norfolk Strategic Infrastructure Delivery Plan set out in Appendix A, prior to consideration by Cabinet.**

1. Background and Purpose

- 1.1. The first Norfolk Infrastructure Plan (NIP) was produced to provide a summary of the infrastructure needed across the county and identify infrastructure constraints. The NIP was designed to be a management tool with the aim of ensuring delivery of key interventions over the plan periods of the Local Planning Authorities' Local Plans. Since 2012 a refresh of the NIP has been carried out annually, taking account of developments in understanding, new project information and the review of local authority plans meaning longer term projects and priorities could change accordingly. Since 2017 the NIP has become the Norfolk Strategic Infrastructure Delivery Plan (NSIDP) with a greater focus on delivery.
- 1.2. 2020 is an extraordinary year deeply affected by the global pandemic of Covid-19. At the time of producing this Plan, the social, economic and political impacts of the pandemic are still unravelling. This will further highlight the importance of the role of a Strategic Infrastructure Delivery Plan in helping to bring forward schemes that are designed to stimulate economic growth and thus pave a long-term route of recovery from the fallouts of the pandemic. The addition of some of the new projects are a timely reflection of the times we live in and shift in direction of Government's agenda.

2. Proposals

- 2.1. The 2019 NSIDP can be found at: <https://www.norfolk.gov.uk/what-we-do-and-how-we-work/policy-performance-and-partnerships/policies-and-strategies/business-policies> and sets out Norfolk's high level strategic infrastructure priorities for the next 10 years and has an accompanying online map <http://arcg.is/2u75ooY> presenting all the projects in the NSIDP as one vision for Norfolk. This will be updated once the final 2020 NSIDP has been adopted. For the draft 2020 NSIDP, please see Appendix A.

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
- there is 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 2020 NSIDP started in April 2020 where officers from the County and District Councils worked together to update the progress of existing projects and consider whether there are any additional emerging projects that meet the criteria. Emerging projects were discussed and their inclusion in the NSIDP were collectively agreed by officers from Norfolk Strategic Planning Group and Growth Delivery Group in May. It was agreed that the following projects be added:

- East Norwich Regeneration Area (Regeneration section – lead by a LA)
- Great Yarmouth O&M campus (Regeneration section – lead by a LA)
- Burlingham Country Park (Sustainability section – lead by a LA)
- Smart Energy Technology Institute (SETI) (Digital section – lead by external organisation)

The NSIDP was drafted between July and October. At time of writing this report, the draft has been reviewed and agreed by the appropriate officer groups which include Norfolk Strategic Planning Group and Norfolk Growth Delivery Group. It is in the process of being reviewed by Norfolk Strategic Growth Group (consisting of Chief Executives from all the District Councils) in October and any feedback from this will be given by officers at the November committee itself. It will be considered by Norfolk Leaders in November. The final version of the NSIDP would then be considered by Cabinet in December.

- 2.3. In this iteration of the NSIDP, a new section titled “Regeneration” has been added to capture developing schemes that encompass a wide range of infrastructure activities that have a profound revitalising effect on an area that do not easily fit into a singular category such as road and rail. The context to this is there are several such schemes that are currently being developed across the County and it felt appropriate to recognise the current ones as well as potential new projects in the same vein with a dedicated category. The previously titled Broadband section has been renamed to Digital Connectivity to incorporate a comprehensive range of projects associated with digital communication. The projects in the NSIDP are focussed on transport, utilities, regeneration 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.

- 2.4. Some projects are further forward than others, so they 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 Anglian Water 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, many of these 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. There are several projects featured in the previous plan that have successfully moved forward to the fully funded status and due to start construction such as Thetford SUE Energy Supply and Increased Surface Water Capacity in North Lynn. Last year we also accelerated our work on priority schemes at Long Stratton and West Winch to meet Government's timetable for the Major Road Network funding stream. This proved successful and these projects are now prioritised for that funding stream, and the Council received funding support from the Government to further development work on Long Stratton Bypass. We will continue to align development of the projects' key milestones to match opportunities for their progression.

4. Financial Implications

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

5. Resource Implications

- 5.1. **Staff:**
The NSIDP is managed with existing resources.
- 5.2. **Property:**
None
- 5.3. **IT:**
The NSIDP is managed with existing resources.

6. Other Implications

- 6.1. **Legal Implications:**
None
- 6.2. **Human Rights implications**
None
- 6.3. **Equality Impact Assessment (EqIA)**
Each individual project will be subject to EqIA, as appropriate.
- 6.4. **Health and Safety implications**
None
- 6.5. **Sustainability implications**
The NSIDP helps deliver the infrastructure required for sustainable development and each project will be subject to its own SEA as appropriate.
- 6.6. **Any other implications**
None

7. Action required

- 7.1. To review and comment on Norfolk Strategic Infrastructure Delivery Plan set out in Appendix A, prior to consideration by Cabinet.

8. Background Papers

- 8.1. The draft 2020 NSIDP is attached as an appendix to this paper. The 2019 NSIDP can be found at: <https://www.norfolk.gov.uk/what-we-do-and-how-we-work/policy-performance-and-partnerships/policies-and-strategies/business-policies> and an accompanying online map <http://arcg.is/2u75ooY>

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Draft Norfolk Strategic Infrastructure Delivery Plan 2020

October 2020

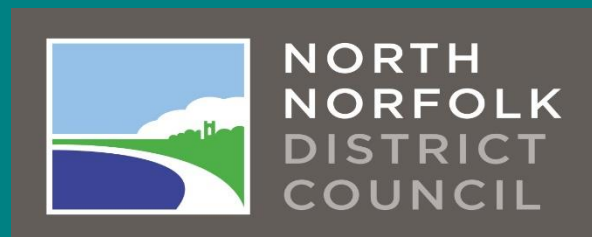


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Introduction

Norfolk County Council (NCC) 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 (NSIDP) 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 NCC 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 NSIDP 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 NSIDP 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), Local Industrial Strategy, 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 NSIDP. The NSIDP 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 Government's 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 NSIDP 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.

The scheme development of these projects is demonstrated by a tick system, shown below:

- 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

Norfolk Strategic Infrastructure Delivery Plan 2020

The 2020 version of the NSIDP reflects the latest update on all the collectively agreed strategic infrastructure projects (both newly added and existing projects) across the County. As fresh schemes emerge, a new section called Regeneration has been added to this year's plan to capture developing schemes that encompass a wide range of activities that have a profound regenerating and revitalising effect on an area and community, and will require supporting infrastructure.

2020 is an unprecedented and extraordinary year deeply affected by the global pandemic of Covid-19. At the time of producing this Infrastructure Delivery Plan, the social, economic and political impacts of the pandemic are still unravelling and ever changing. The social restriction measures put in place to contain the spread of the disease have meant millions of employees across the Country have been forced to stop working and supported financially by the Coronavirus Job Retention Scheme. Office of Budget Responsibility has forecasted a 35% decrease in GDP in second quarter of 2020 and a peak of 12% unemployment rate in the fourth quarter of 2020.

In this challenging time, strategic infrastructure projects that are designed to stimulate economic and social wellbeing of the community are more vital than ever to ensure the long term route of recovery from the fallouts of the pandemic. There is also a clear shift in direction from the Government towards an emphasis on developing greener and cleaner economy. Most notably the addition of the Great Yarmouth Operations and Maintenance for the offshore wind energy sector in this year's Delivery Plan is a timely reflection of this agenda. Change in social behaviour prompted by the pandemic including greater level of working from home and significant increase in online business activities meant that digital infrastructure in Norfolk needs further significant improvement. This Delivery plan recognises this, as

reflected in inclusion of ongoing development of existing projects in the Digital Connectivity sector and the addition of the East of England Smart Emerging Technologies Institute.

In 2020 NCC launched the Norfolk Strategic Fund of £6.75 million to provide funding for Norfolk local authority/New Anglia LEP led projects aimed at achieving the above-mentioned purpose through specific target projects or by bringing forward the delivery of key Infrastructure. One example of this is funding has been secured for the Snetterton Heath through the Norfolk Strategic Fund which will enable work to commence Autumn 2020 aimed at identifying solutions to the infrastructure necessary to deliver the intended growth at this site.

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.

The Norfolk Strategic Planning Framework 2019 suggests Norfolk authorities will need to collectively plan for at least an additional 75,186 (approx. 4,200 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 Corridor**
- **King's Lynn and Downham Market** – Advanced engineering
- **Fakenham** – Clean energy

Figure 1 Key housing growth sites

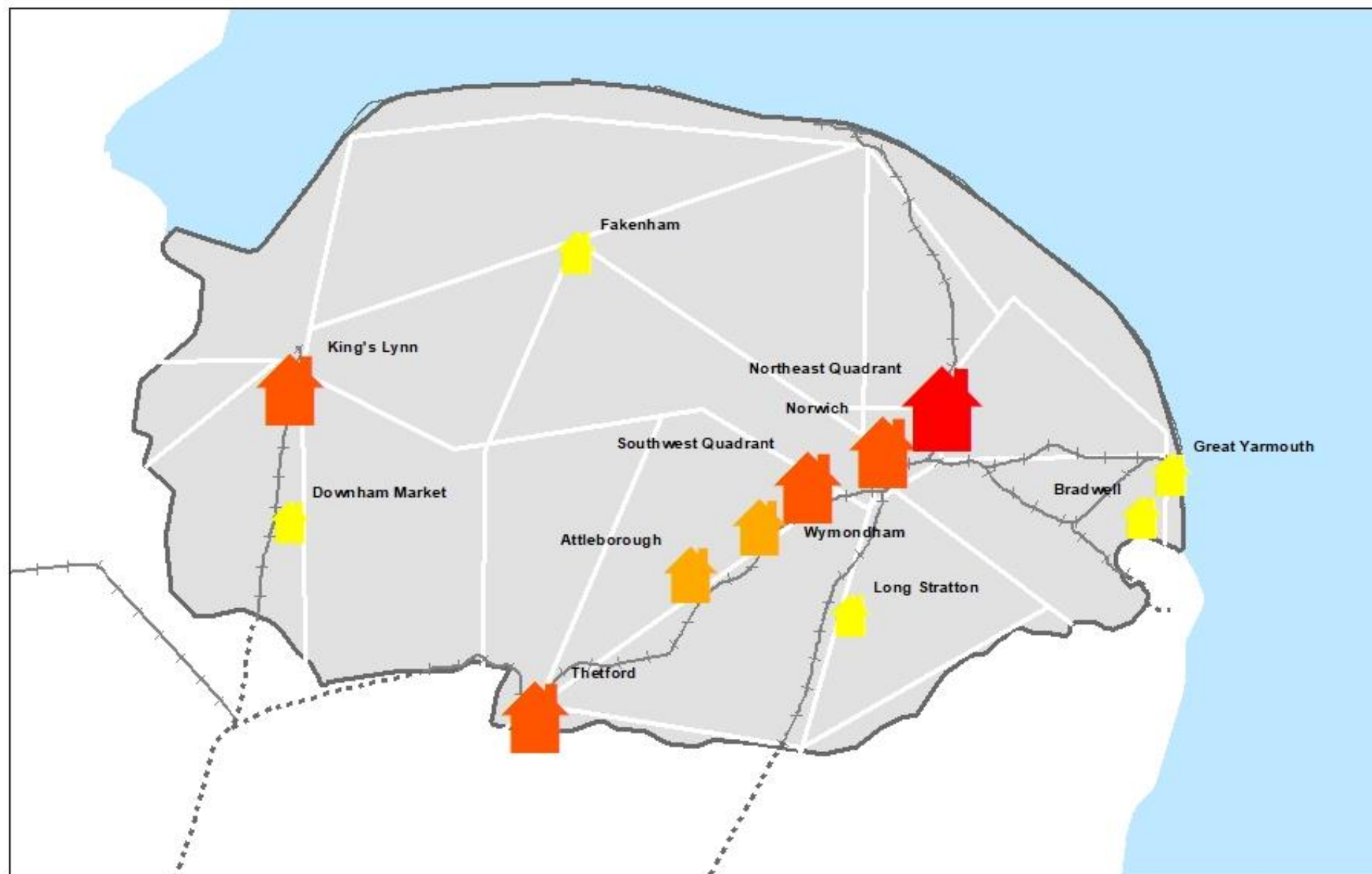


Figure 2 Key employment sites

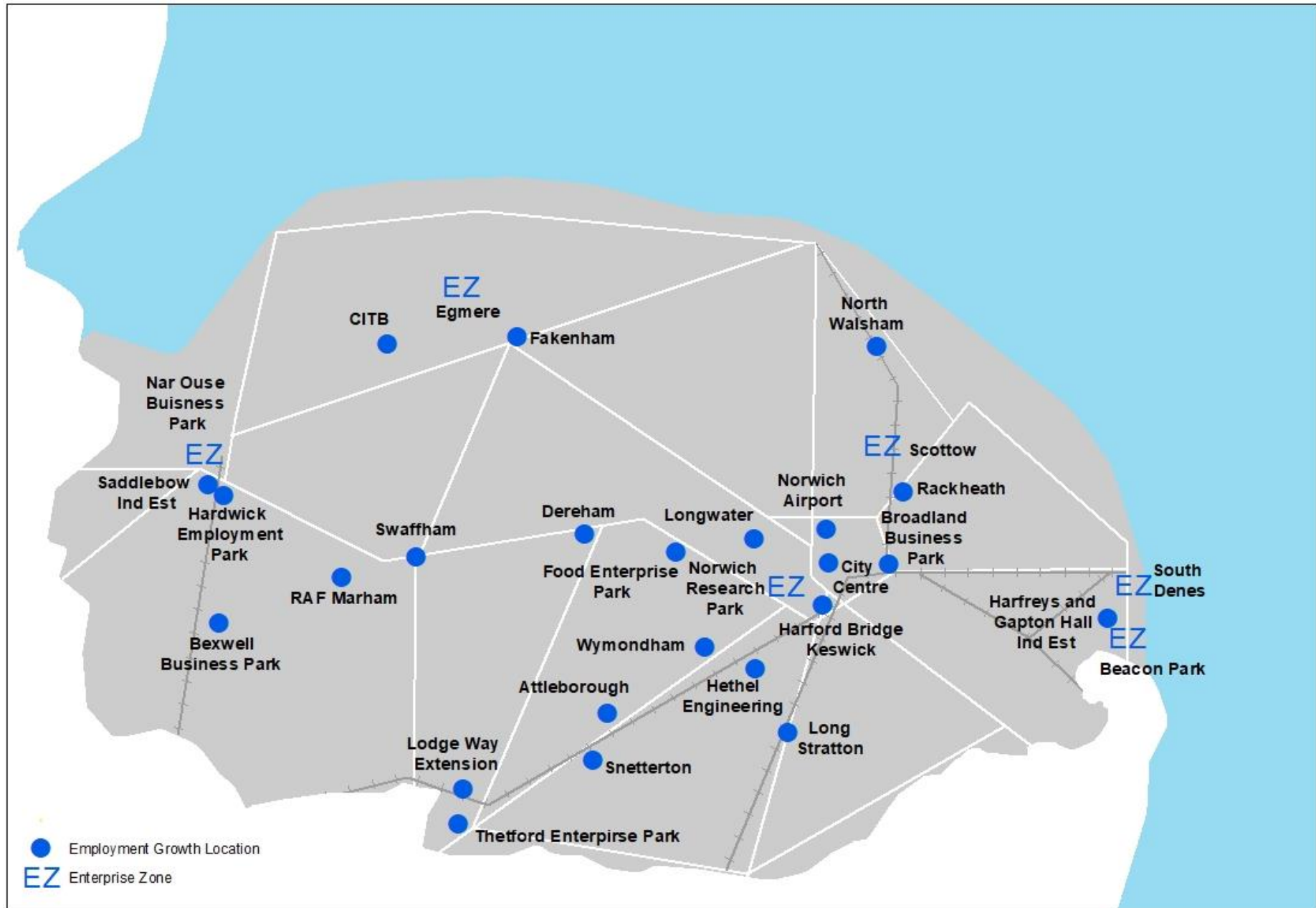
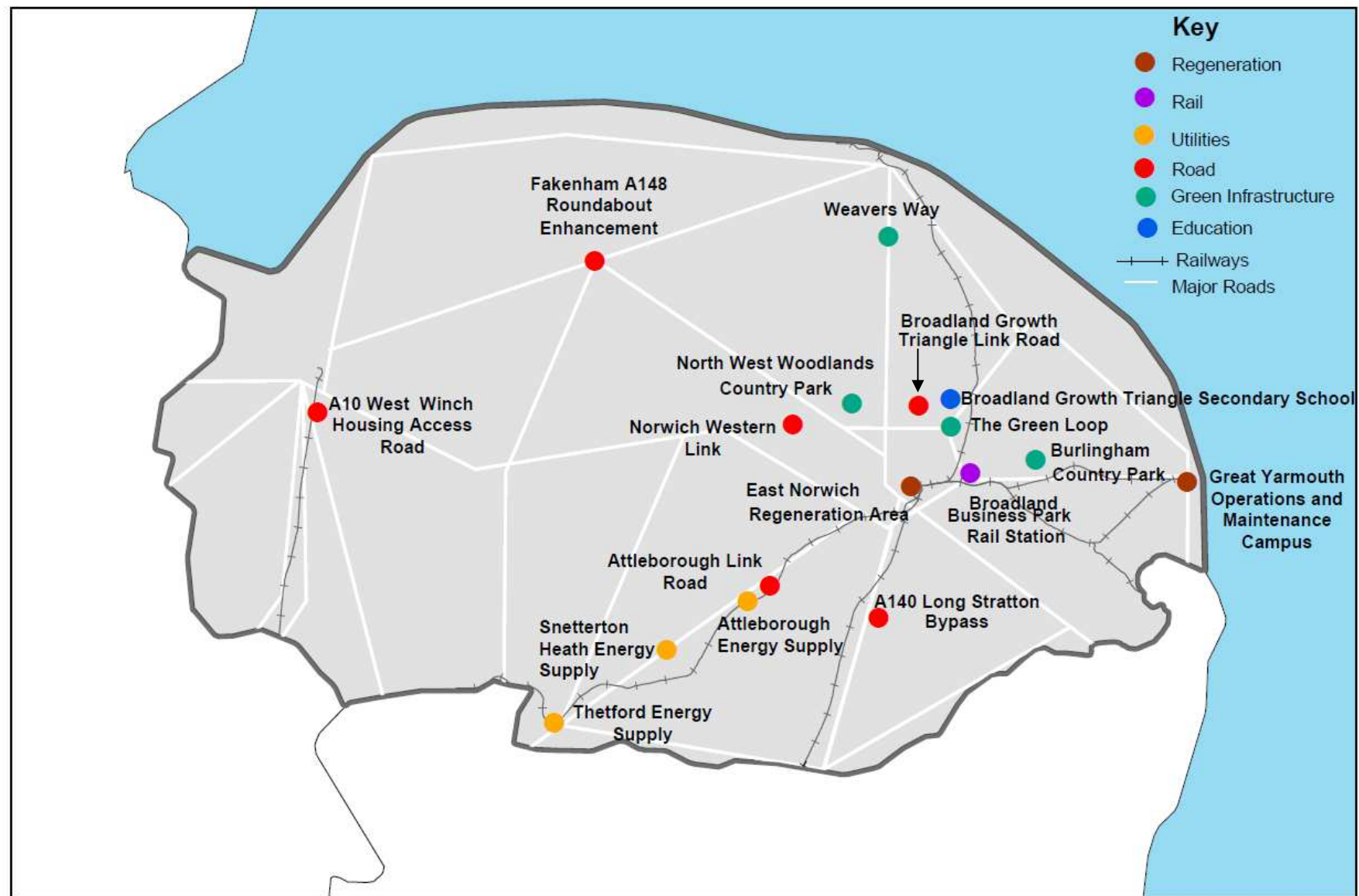


Figure 3 shows all of the projects in Local Authority control that require further development, it does not show projects that are funded, which are listed on page 12. These projects are in alignment with housing growth, jobs growth and NSES key places, and will create better places to live and work 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.

Figure 3 Strategic Infrastructure projects in Local Authority control



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 Pool (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 (S106 and CIL)
- Transforming Cities Fund
- Government Major Road Network
- Access for All
- Future High Streets Fund
- Sovereign Wealth
- Industrial Strategy related funding
- Norfolk Strategic Fund

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 NSIDP 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

Norfolk has been successful in getting several schemes into the Homes England Housing Infrastructure Fund (HIF). 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	£86.75m (currently – not including Broad Growth Triangle)		14,300

The £57m bid put forward for the Broadland Growth Triangle was unsuccessful. NCC and partner authorities will continue to seek other funding opportunities to progress this forward.

Transforming Cities Fund

NCC, 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 (TCF) through Transport for Norwich (TfN). 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 January 2019, TfN was awarded £6.1m from Tranche 1 of the TCF to deliver six improvement schemes for delivery during 2019/20. These schemes were as follows:

- 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.

Following an initial application for Tranche 2 TCF funding in November 2019, we were advised in March 2020 that although there were significant elements of our TCF application that they liked, some additional work was needed and that a resubmission was required. This was to secure a share of £117m of TCF funding, which had been set aside for Norwich, Portsmouth and Stoke-on-Trent to competitively apply for. We were advised to submit a core package requiring an

investment of circa £32M from the DfT, with options for a high or low package of £32M +/- £5M respectively. DfT has recently confirmed that we will receive £32m from the Transforming Cities Fund. The funding will deliver vital infrastructure improvements to improve travel times for bus passengers on the most popular transit routes, giving city bus operator, First Eastern Counties, confidence to invest a further £18m in its fleet and local services.

We have prioritised corridors and schemes that will maximise benefits and value for money and are deliverable within the challenging timescales of the funding programme. We have also tried to deliver the best possible balance between bus, walking and cycling schemes, which will be supplemented by a co-ordinated and sustained behaviour change programme that will be locally funded and delivered.

We have considered the impacts that COVID-19 is currently having on travel behaviours, employment, education and training and how our programmes will need to be delivered to help mitigate these impacts in the short / medium term as lockdown measures are eased and support longer term recovery.

We are seeking to continue investing in the city centre and key transport corridors because the transport network in Norwich radiates out from the historic city centre in a hub-and-spoke arrangement. This has been in place for a considerable time and is the basis on which the current transport network has evolved. Our TCF programme retains investment in the following areas / corridors:

- Norwich city centre;
- Wymondham to city centre;
- Easton to city centre;
- Airport to city centre;
- Sprowston to city centre;
- Rackheath to city centre.

The TCF programme will be delivered through three linked approaches:

Transforming the bus network. Transforming the transport network will be achieved by creating six clean transport priority corridors that link key transport hubs, economic growth areas, existing and new homes and educational provision across the Greater Norwich Region. On these clean transport priority corridors, the programme will:

- Provide a minimum 8-minute daytime service frequency on key corridors, timetable co-ordination between operators and more evening and weekend services;
- Support Park & Ride and other express bus services;
- Provide dedicated bus priority measures along the clean transport priority corridors;
- Provide direct, low-carbon bus corridors into the city centre for residents;
- Prioritise buses and cycling to ensure shared and clean modes are competitive with the private car;

- Promote shared transport interventions through a sustained and co-ordinated behaviour change programme to reduce single-vehicle occupancy.

Transforming the city centre. This will be achieved through:

- Delivering a step-change in the quality of infrastructure that supports public transport, walking and cycling in the city centre;
- Redesigning bus stops so that buses can easily access and vacate bus stops;
- Improving walking connections within the city centre;
- Removal of through-traffic from specific areas and providing extra inner ring road junction capacity;
- Providing additional bus stop capacity.

Transforming the passenger experience. This will be achieved through:

- Roll out of mobility hubs at key locations;
- Enhancing the role of Park & Ride in Norwich;
- Improving real-time service information with disruption and punctuality alerts;
- Working with transport providers to promote and increase the use of multi-operator, multi-modal and contactless ticketing;
- Accelerating the delivery of capped ticketing for individual and multiple bus operators;
- Improving value for money measured through Transport Focus customer satisfaction surveys;
- Significantly improving vehicle quality and on-vehicle information through investment by bus operators.

Infrastructure Funding Statement

The amended CIL Regulations came into force on 1 September 2019, which introduced the requirement for all Local Authorities to produce an Infrastructure Funding Statement (IFS) where they charge CIL or collect planning obligations contributions through S106 agreements. Local Authorities are required to set out clearly in their IFSs how much monies they have been collected through CIL and planning obligations contributions and where these monies have and will be spent.

The County Council continues to work with all the Local Authorities across Norfolk to ensure a joined-up approach to infrastructure delivery through developer funding. This builds on existing arrangements relating to the preparation of Local Authority Infrastructure Delivery Plans.

Funded Projects at October 2020

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
- Bacton Walcott Sandscaping - £19.3m
- King's Lynn Lynnsport Link Road- 3.5m
- A140 Hemphall Roundabout - £4m
- A11/Outer Ring Road Daniels Road junction improvement- £2m
- Great Yarmouth congestion-busting projects- £3.3m
- 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)

Under construction or part-completed:

- Attleborough Town Centre Improvements- £4.5m
- Snetterton Energy Supply - £3.6m
- 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
- Local Full Fibre Network (LFFN) - £12m
- IoT Innovation Network - £735,000

Planned, not yet started:

- Great Yarmouth Third River Crossing- £120m
- A47 improvements £2-300m (incl Thickthorn (Norwich) and Great Yarmouth junction improvements, and dualling Blofield to North Burlingham and Easton to North Tuddenham)
- Increased Surface Water Capacity North Lynn
- Snetterton Energy Supply Short term power needs £6.1m
- Thetford SUE - £14m

Digital Connectivity

When Better Broadband for Norfolk (BBfN) implemented its first fibre enabled cabinet during summer 2013 there were two infrastructure providers that 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.

To date, BBfN has seen access to Superfast broadband increase from 42% in summer 2013, to 95% of Norfolk properties during spring 2020. These figures are taken from the independent organisation "[Think Broadband](#)" data.

As well as continued investment from Openreach and Virgin Media, new broadband infrastructure providers have also started to implement in Norfolk.

The BBfN Programme signed a third contract during 2019, as a result a further £13 million will be invested to implement Fibre to the Premises for over 10,000 Norfolk properties that do not have access to Superfast broadband. As a result, by spring 2023, Superfast broadband coverage across Norfolk is expected to increase to 97%.

Provisions within the BBfN contract provide rebates from BT if take-up of services using BBfN funded infrastructure are higher than expected. This has already provided over £5 million Better Broadband for Norfolk funding, helping to reach 95% Superfast coverage. An expected further £11 million will contribute towards the third BBfN rollout, along with a £2 million grant from DEFRA which will provide access to Full Fibre for some of Norfolk's significant rural businesses. Overall, this will allow the county to move towards its aim of achieving 100% coverage.

UK Digital Strategy

In July 2018 the Government published The Future Telecoms Infrastructure Review that set clear, ambitious targets for the availability of full fibre and 5G networks.

The aim is to see 15 million premises connected to full fibre by 2025, with coverage across all parts of the country by 2033 and that the majority of the population will have 5G coverage by 2027. The review addressed key questions about the evolution of the UK's digital infrastructure such as the convergence between fixed and mobile technologies, and the transition from copper to full fibre (gigabit-capable) networks.

As a result of The Future Telecoms Infrastructure Review, the Chancellor announced a £5 billion commitment to fund gigabit capable broadband for the 20% of UK premises that would be unlikely to receive commercial access to gigabit capable broadband. The Rural Gigabit Connectivity (RGC) programme began on 19 May 2019 and will run until the end of March 2021.

The RGC programme aims to assist Building Digital UK which is part of the Department for Digital, Culture, Media and Sport, and partner organisations, in delivering nationwide gigabit-capable connections in locations that are unlikely to benefit from commercial investment.

Full Fibre

Working with partners NCC has secured circa. £8 million in 2019 via the Government's Local Full Fibre Network programme and a further £2m in 2020 from Ministry of Housing, Communities and Local Government. This will provide Fibre to the Premises for over 400 public sector sites, and importantly also offers potential for nearby homes and businesses to access Full Fibre connectivity via a Government Gigabit Voucher Scheme:

Scheme for rural properties with speeds of less than 100Mbps

The £200m RGC programme, remains open for new applications until 31 March 2021 (or until the funding runs out).

The scheme is accessible through broadband service providers who have registered to provide connections through the scheme.

Homes and businesses in rural areas of the UK may be eligible for funding towards the cost of installing gigabit-capable broadband when part of a group scheme.

Rural premises with broadband speeds of less than 100Mbps can use vouchers worth £1,500 per home and up to £3,500 for each small to medium-sized business to support the cost of installing new fast and reliable connections. These are available at the [Gigabit Broadband Voucher Scheme website](#).

Gigabit-capable broadband connections offer the fastest and most reliable speeds available, and the Government is committed to a vision of a digitally connected Britain.

Planning Regime reforms

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

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 rolled out more quickly and benefit more people.

Mobile connections

There are four main mobile network operators (MNOs) in the UK; EE, O2, Three and Vodafone. Coverage is increasing both nationally and locally over 2G/3G/4G and now 5G. Coverage improvements have been relatively slow in rural parts of Norfolk reflecting the less stringent business cases for investment in areas as there are fewer residents. The most significant improvements in rural coverage will be delivered through the Shared Rural Network programme which is described below.

Shared Rural Network

The Shared Rural Network (SRN) will see the four main mobile operators and government jointly invest £1bn in improving mobile coverage in rural areas. The target is to deliver 4G coverage to 95% of the UK by 2025. The work started in 2020, initially with £500m investment from the four MNOs to share masts in areas where there is coverage already available from one or more MNO, but not all four. The next stage will entail a further £500m investment from government to fund coverage improvements in areas where there is no existing coverage.

Through shared and new infrastructure, the Shared Rural Network is planned to increase the parts of the UK that get 4G coverage from all operators from 66% to 84%, improving consumer choice.

The mobile operators expect the Shared Rural Network will extend mobile coverage to an additional 280,000 premises and for people in cars on an additional 16,000km of the UK's roads, boosting productivity and investment in rural areas

Norfolk local authorities will continue to work proactively and collaboratively with the MNOs and their network build partners to improve mobile phone coverage including fast data services availability over 4G & 5G services.

Norfolk & Suffolk Innovation Network

A Long Range Wide Area Network is being created across Norfolk and Suffolk to accelerate Internet of Things innovation across the region.

Working closely with the New Anglia Local Enterprise Partnership, Norfolk & Suffolk County Councils are installing the largest free-to-use public long-range radio network in the UK.

The network is already in use and serves businesses, private individuals and the public sector. They can use Internet of Things sensors on the network to sense, monitor, manage and report.

Coverage can be viewed on the [TTN Mapper site](#).

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. This is a new project for 2020 see page 83.

Education

The [Schools' Local Growth and Investment Plan \(SLGIP\)](#) for pupil place provision (for ages 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 the NCC Committee in January 2020.

Major growth areas which will require multi-school solutions:

- Thetford Sustainable Urban Extension (SUE) -5,000 new dwellings;
- North Norwich Growth Triangle (formerly called Broadland Growth Triangle) (Sprowston/Old Catton/Rackheath) -12,000+ new dwellings; and
- Attleborough SUE - 4,000 new dwellings.
- West Winch/North Runcton - 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. Pupil forecasts indicate that for 2020 admissions the catchment cohort in Thetford may rise by one form of entry which can be managed within existing schools.

Working with the land promoters on the Thetford SUE 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 and commenced on site in 2019. This phase of development is for 344 homes of which 92 have commenced and 6 completed. This phase includes the site for the first new primary school with a potential opening date of 2021. The design for the new school has begun along discussions with Pigeon on access and road infrastructure.

Pupil forecasts indicate that the current provision of places is sufficient until the new housing commences. There is some spare capacity, which will be useful once housing commences and until first new school is built.

In the longer term the three new 420 place primary schools for Thetford will meet the need in the current local plan to 2026 and beyond. 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.

North Norwich Growth Triangle (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.

A new primary school opened at White House Farm in September 2019 and will grow year by year up to 420 places to accommodate children from the housing within the area it is situated.

The Beeston Park outline planning application for 3,500 dwellings is being promoted by TOWN on behalf of U+I plc. The site continues to progress and NCC have been regularly updated. As with most large scale, complicated developments progress has been slow. Phase 1 of the scheme (733 dwellings) is progressing relatively well: a detailed scheme for the 1st phase link road is under consideration and negotiation with house builders are understood to be ongoing. Subject to the grant of consent for the link road, and negotiations with house builders being successfully concluded, development could start on site in the next 1-3 years. Timely progress of phases 2 and 3 will depend on further funding availability, given the unsuccessful outcome of Norfolk's HIF bid.

To the west of the growth triangle, Orbit homes (225 dwellings) are planning to commence shortly with first completions in 2020 and land at the Norwich Rugby Club has a developer interested. A development of 340 homes in Old Catton by Taylor Wimpey has commenced and expect first occupations in 2020.

The large allocation in Rackheath for 3,000 dwellings, although the final scheme may be closer to 4,000, is moving slowly and may not commence for a few years yet. However, several smaller developments to the south west of Rackheath potentially totalling around 800 dwellings are taking shape and will impact on local school provision. The large development planned south of Salhouse Road for circa. 1,200 dwellings continue to progress well. Two developers have now secured detailed planning permission for 600+ dwellings and these have either commenced or will soon do so. Negotiations are ongoing with a further development partner in respect of the remainder of the scheme.

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.

NCC has made a commitment for a new secondary phase school in the Sprowston area. Although a preferred site has been identified on the current Sprowston Park

and Ride site, as some time has passed NCC Children's Services are reviewing all options both new and existing.

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.

Breckland District Council granted planning permission to provide up to 4000 dwellings on land to the south of Attleborough; construction of new link road between Buckenham Road and London Road, pedestrian footbridge across the railway line to connect with Leys Lane, provision of two, 2 Form Entry primary schools; Local centre including shops and other uses including a petrol filling station, Community Uses, two further neighbourhood centres, sports pitches, public open space and amenity greenspace with sustainable drainage systems and associated infrastructure.

NCC, Breckland District Council and the applicant are working together to bring forward early the key element of infrastructure of the link road. It is anticipated that housing will commence no later than 2023/24.

In summer of 2019, NCC Children's Services agreed with Breckland and the land promoters the amount of £25m towards additional primary and secondary school provision as an impact of the urban extension.

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.

West Winch/North Runcton (King's Lynn and West Norfolk)

Up to 4000 dwellings are proposed in West Winch and North Runcton to be delivered in 2 phases, with 1600 up to 2026 and a further 2400 post 2026. West Winch village is served by one primary school of 210 places. The size of this school is adequate for the current numbers of primary age children living in the area. A desktop exercise indicates that the school site could allow expansion of this school to 2 forms of entry. North Runcton does not have its own school but the nearest school for children to attend is in Middleton. Middleton Primary (academy) is on a small site and there is limited scope for expansion.

This allocation has been slow to progress but NCC have been consulted again in October 2019 as the Borough Council wish to masterplan the whole site, NCC responded and proposed the expansion of West Winch Primary school in the first instance then sites secured for up to 2 new primary phase schools. Secondary

provision will be provided in King's Lynn, but it is anticipated that an expansion of one or more of the Kings Lynn secondary schools will be required longer term.

In short term, the response is to monitor the progress of housing commencement and annual admissions to ensure sufficient places for the area.

In longer term, the response is to expand West Winch Primary School, with one new Primary phase school in the northern phase of development and one new primary post 2026 on the Southern part of the housing development. Pressure for places is now being seen within the secondary system in this area so discussions with the three secondary schools will continue.

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.

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.

Scheme Development 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 finance, CIL, BRP, HIF
Attleborough Link Road	TBC	£18m	✓✓	BRP, developer finance, NALEP, Homes England loan, HIF
A10 West Winch Housing Access Road	2024	£30-50m	✓✓	Developer funding, DfT Major Road Network
A140 Long Stratton Bypass	2023	£37.5m	✓✓	Developer funding, NALEP, CIL, NPIF, Government Major Road Network

A148 Fakenham Roundabout Enhancement	2022	£3.5m	✓✓	NPIF, NALEP
Norwich Western Link	2023	£160m	✓✓	NALEP, Local major transport scheme

Rail Projects

Project Name	Estimated Start Date	Estimated Cost	Scheme Development	Potential Funding Source
Broadland Business Park Rail Station	Mid 2020s	£6.5m	✓	NALEP, Rail Industry

Utilities Projects

Project Name	Estimated Start Date	Estimated Cost	Scheme Development	Potential Funding Source
Thetford Energy Supply	2021	£6.5m-£9.5m	✓✓	BRP, NALEP,
Attleborough Energy Supply	TBC	£22m	✓✓	BRP, NALEP, Private Sector
Snetterton Heath Energy Supply	TBC	TBC	✓	NALEP, Private Sector, BRP

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
North West Woodlands Country Park	2020/21	£2m	✓	Broadland District Council, CIL, BRP
Burlingham Country Park	2021	TBC	✓✓	BRP, CIL, NCC, Developer contribution

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

Regeneration Projects

Project Name	Estimated Start Date	Estimated Cost	Scheme Development	Potential Funding Source
East Norwich Regeneration Area	2020 – for master planning	TBC, £50k for master planning	✓	Norwich City Council, LEP, Homes England, Developer Contribution
Great Yarmouth Operations & Maintenance Campus	2022/23	TBC- £10.4m	✓✓	Enterprise zone Income, NCC, GYBC, Getting Building Fund

Road Projects

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 Avenue and Meteor Close</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 remainder of link. If HIF is</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-consideration.</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 of funding bid.</p>

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

Attleborough Link Road

A key transport priority for Attleborough, required for planned strategic growth (4,000 dwellings) on the Attleborough Sustainable Urban Extension (SUE), 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. The Attleborough SUE is allocated and has planning permission. 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. Funding was secured from the 2018/19 Norfolk Business Rates Pool towards developing a Strategic Outline Business Case for the road and work has commenced in this regard.

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 £1.8m	£18m
Indicative timeframe to deliver stage and start date	Two years	TBC
Potential funding source	BRP, local authority, developer finance	BRP, developer finance, 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 NSIDP. 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 NSIDP. Funding would be for construction.

Scheme Development	Completion of this stage will take the project from ✓ to ✓✓	Completion of this stage will take the project from ✓✓ to ✓✓✓
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A10 West Winch Housing Access Road

The West Winch Housing Access Road (WWHAR) is required to provide additional highway capacity to facilitate planned housing growth in the South East King's Lynn Growth Area (SEKLGA). It will enable distribution of trips from the new development and alleviate congestion on the A10 through West Winch and at the Hardwick junction. The principle of this new route is set out in the King's Lynn and West Norfolk Local Plan.

The scheme includes some improvements at the Hardwick junction and dualling of a short length of the A47. The WWHAR is supported by Transport East as a priority for Major Road Network funding and a draft Strategic Outline Business Case (SOBC) was submitted in 2019. NCC intend to submit an updated SOBC including a full economic appraisal by the end of 2020. After this, if approved by DfT, an Outline Business Case (OBC) will be prepared.

A10 West Winch Housing Access Road			
Description of stage	Stage 1: Scheme development	Stage 2: Preparation of planning application and business cases	Detailed design and procurement
Estimated cost to deliver the stage	£280k	Est. £1.98m	TBC
Indicative timeframe to deliver stage and start date	Jan- Dec 2018	Jan 2019-spring 2022	2022 onwards

Potential funding source	Being funded by BRP, NCC and KLWNBC	Being funded by BRP, NCC and KLWNBC	Detailed design and procurement will be funded by DfT if the business case is accepted. Funding for construction is anticipated from the DfT Major Road Network fund as the scheme has been prioritised by Transport East. However, a local contribution of at least 15% will be required which should come from developers. Homes England support may also be available in the form of loans or grants.
Scheme Development	Completion of this stage will take it from ✓ to ✓✓	Initial stage to take from ✓✓ to ✓✓✓	Completion of this stage will take it to ✓✓✓

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 dwellings 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 for Long Stratton. A revised planning application is due to be submitted by the developer in 2020.

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 £5m	Circa £32m

Indicative timeframe to deliver stage and start date	Dec 2017 to July 2018	Two and a half years	2023 start on bypass DfT Major Road Network (The scheme has been prioritised by Transport East. Government gave a positive decision on funding and progression to the next stage of development in 2019. Construction of the road is programmed to start in 2023.) 2019 Hempnall Crossroads (construction completed 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, Government Major Road Network	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 NSIDP. 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 NSIDP. Funding would be for construction
Scheme Development	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 the 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 NCC 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			
Scheme Development	✓✓	✓✓	✓✓	✓✓✓

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 NCC’s priority road infrastructure schemes.

Norwich Western Link		
Description of stage	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	£12m	Indicative £160m including development phase costs, fees, risk and other items
Indicative timeframe to deliver stage and start date	Three years (2020-2023) -(2020/2021) Prelim Design, OBC development submission and procurement - £4m -(2021 – 2023) Statutory process (development and delivery) and detailed design/construction prep - £8m	Two years (2023 to 2025)
Potential funding source	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 NSIDP.</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 NSIDP.</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>
Scheme Development	<p>Will take scheme from ✓✓ to ✓✓✓</p>	

Rail Project

Broadland Business Park Rail Station

Currently services operate every hour between Norwich and Sheringham. New rolling stock has recently been delivered across the whole of the franchise. However, further capacity improvements are required to accommodate passenger demand and local partners have been pressing for services every half hour (rather than hourly). Broadland Business Park is a strategic employment site located adjacent to the rail line just east of Norwich. Initial feasibility work establishing the benefits of adding a new station at this location is complete. Dialogue is ongoing regarding next stages for the project.

Broadland Business Park Rail Station				
Description of stage	Feasibility GRIP 2 and option selection GRIP 3	Further work to develop single option	Development phase: Preliminary Design; Statutory procedures and powers; construction preparation	Construction phase
Estimated cost to deliver the stage	£140k	Not known. Likely to be Circa £250,000	Circa £2m	Circa £20m
Indicative timeframe to deliver stage and start date	Dec 17 (completed)	2021 1 year	2022-2026 3-5 years	Circa 2027 1 year
Potential funding source	Funded through BRP and BDC	BRP, local authorities, Network Rail	BRP, Growth Deal, local authorities, Network Rail	BRP, Growth Deal, local authorities, Network Rail
Qualifications for BRP and or Growth Deal funding	Strategic scheme identified in the NSIDP.	Strategic scheme identified in the NSIDP. Funding would be for detailed technical work designed to progress strategic schemes towards readiness for implementation	Strategic scheme identified in the NSIDP. Funding would be for detailed technical work designed to progress strategic schemes towards readiness for implementation	Strategic scheme identified in the NSIDP. Funding would be for construction
Scheme Development	✓	To take scheme from ✓ to ✓✓	To take scheme from ✓✓ to ✓✓✓	

Utility Projects

Thetford Energy Supply

There are two major areas of committed growth within Thetford – the Thetford SUE and the Thetford Enterprise Park (TEP). Thetford SUE is allocated, and has outline planning permission, for 5,000 dwellings and 22.5 ha of commercial land. Construction of sub-phase 1A of the SUE commenced on site in spring 2018 with the first 343 units now in contract. Construction of a new Primary Substation to be located on the Thetford SUE is due to start early 2021. This is fully funded through the Housing Infrastructure Fund (HIF). The new primary substation will have sufficient capacity to serve the housing development and a large employment area on the SUE as well as the adjacent large employment area to the west known as the Thetford Enterprise Park (TEP). However, in order to serve the TEP, further network reinforcement works would be required, and these are identified in the table below. 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. A feasibility study has been undertaken which considers options of delivering power to the TEP.

Thetford Enterprise Park		
Description of stage	Delivery of power infrastructure sufficient to meet the short-term power needs of Thetford Enterprise Park.	Delivery of power infrastructure sufficient to meet the medium to long-term power needs of Thetford Enterprise Park.
Estimated cost to deliver the stage	Current estimate £3m	Current estimate £6.5m
Indicative timeframe to deliver stage and start date	TBC	TBC
Potential funding source	BRP, NALEP	BRP, NALEP
Qualifications for BRP and or NALEP funding	Required to unlock the TEP employment site	Required to unlock the TEP employment site
Scheme Development	✓✓	✓✓

Attleborough Energy Supply

Attleborough Sustainable Urban Extension (SUE) is allocated, and has outline planning permission, for 4,000 dwellings and 10 ha of commercial land.

A feasibility study has been undertaken which considers options of delivering power to the SUE.

Attleborough SUE		
Description of stage	Delivery of power infrastructure sufficient to meet the short to medium-term power needs of Attleborough SUE	Delivery of power infrastructure sufficient to meet the long-term power needs of Attleborough SUE
Estimated cost to deliver the stage	TBC	Current estimate £22m
Indicative timeframe to deliver stage and start date	TBC	TBC
Potential funding source	BRP, NALEP, Private Sector	BRP, NALEP, Private Sector
Scheme Development	✓✓	✓✓

Snetterton Heath Energy Supply

Snetterton Heath is Breckland's largest employment site within excess of 150 acres of undeveloped/under-developed employment land. With Phase One (delivering short term power needs) of a major electricity upgrade scheme fully funded and due to commence Autumn 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. Funding has been secured through the Norfolk Strategic Fund which will enable work to commence Autumn 2020 aimed at identifying solutions to the infrastructure necessary to deliver the intended growth at this site.

Snetterton Heath Energy Supply	
Description of stage	Delivery of power infrastructure sufficient to meet the medium to long-term power needs of Snetterton Heath Employment Area
Estimated cost to deliver the stage	TBC
Indicative timeframe to deliver stage and start date	TBC
Potential funding source	BRP, NALEP, Private Sector
Scheme Development	✓

Sustainable Projects

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. It then meanders through the 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	NCC 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.		
Scheme Development	✓✓✓	✓✓✓	✓✓

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, 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 Three Rivers Way Cycle route and to Weaver's Way. 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	NCC 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.	
Scheme Development	✓✓✓	✓✓✓

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	Nov 2020	May 2021	December 2022
Potential funding source	CIL	BDC, CIL, BRP	BDC, CIL, BRP	BDC, 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.			
Scheme Development	✓	✓✓	✓✓	✓✓✓

Burlingham Country Park

NCC has owned land at Burlingham for 100 years and has been discussing the best use of this site for several years: the site is currently tenanted by two county farms and a small community woodland well-used by local dog walkers and families.

The Burlingham Estate is one of the largest areas of land owned by NCC at over 12.5 km². The site was originally purchased 100 years ago as part of an NCC strategy to re-settle returning servicemen into agricultural businesses.

This project will take an innovative approach to the way new community recreational spaces are conceived and designed. It is no longer enough to just provide open space for people, green space must be multifunctional and deliver on many levels; access for all regardless of ability, the space must improve health and wellbeing, mitigate for climate change and biodiversity loss, be easily accessible by public transport, benefit the economy of the local area as well as alleviating recreational pressure on nearby designated areas and finally provide a legacy that can also be valued by future generations.

Burlingham		
Description of stage	Stage 1- Design Feasibility and Master-planning	Stage 2- Phased deliver of infrastructure identified through the master planning work
Estimated cost to deliver the stage	£60,000	TBC
Indicative timeframe to deliver stage and start date	July 20- April 21	April 21 TBC
Potential funding source	BRP	CIL, BRP, NCC, Developer Funding
Qualifications for BRP and or NALEP funding	Project delivers green infrastructure mitigation that alleviates the impact of growth in the Greater Norwich area.	
Scheme Development	✓✓	✓

Education Project

Broadland Growth Triangle Secondary School

NCC has made a commitment for a new Secondary phase school in the Broadland Growth Triangle area and to date the only site available to us is within the Rackheath Strategic Development. However, another potential site is being considered in the Local Plan consultation. Some work on site assessment 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	£400k	£26M
Indicative timeframe to deliver stage and start date	Initially the Park & Ride was considered but plans to relocate this facility have been reconsidered since the opening of the NDR. The 'fall back' site at Rackheath is now the only confirmed available site within the Local Plan but another site is being considered more central in the growth triangle. This site is being evaluated for school purpose.	April 2022 to March 2023, subject to a suitable site being secured and development progress in Broadland Growth Triangle.	April 2025 to March 2026, subject to a suitable site being secured and development progress in Broadland Growth Triangle.
Potential funding source	NCC	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.
Scheme Development	Completion of this stage will take it from ✓ to ✓✓	Completion of this stage will take it to ✓✓✓	Delivery phase takes scheme beyond ✓✓✓

Regeneration Project

East Norwich Regeneration Area

This project is aimed unlocking development in the East Norwich sites, which includes the long term vacant and heavily constrained Deal and Utilities sites and the vacated Britvic/Unilever sites. There is a significant potential to attract public sector investment in the infrastructure needed to ensure delivery. The comprehensive redevelopment of the sites has the potential to create a highly sustainable new quarter for the city, linking the city centre with the Broads, delivering exemplar design and a highly attractive location for living and working. The emerging planning framework for Greater Norwich – The Greater Norwich Local Plan – identifies the “East Norwich Strategic Regeneration Area” which includes the three sites, and stipulates the proposals must meet the requirements of an area-wide masterplan with the potential for a minimum of 2000 homes in a mixed use development.

East Norwich Regeneration Area	
Description of stage	A masterplan is due to be procured shortly to guide the comprehensive development of the Deal Ground, Utilities and Carrow Works sites in East Norwich, with a view to leveraging in significant public sector investment in the infrastructure needed to ensure delivery. The comprehensive development of the 3 sites has potential to deliver a new mixed use quarter in Norwich with up to 4,000 new homes and 100,000 sqm of employment. The masterplan will identify the specific infrastructure requirements (including bridges, roads, cycle and footway infrastructure, and marina) required to kick start development, The phased delivery of comprehensive development and associated infrastructure will follow the masterplanning stage.
Estimated cost to deliver the stage	500k
Indicative timeframe to deliver stage and start date	Commence master planning July 2020, complete by mid - late 2021 (TBC)
Potential funding source	For masterplan: Norwich City Council, landowners / developers of the key sites, NALEP, Broads Authority, South Norfolk Council (all TBC). Subsequent delivery: potentially Homes England, developer finance, NALEP, others TBC
Scheme Development	✓ (as work is soon to commence on feasibility / masterplanning)

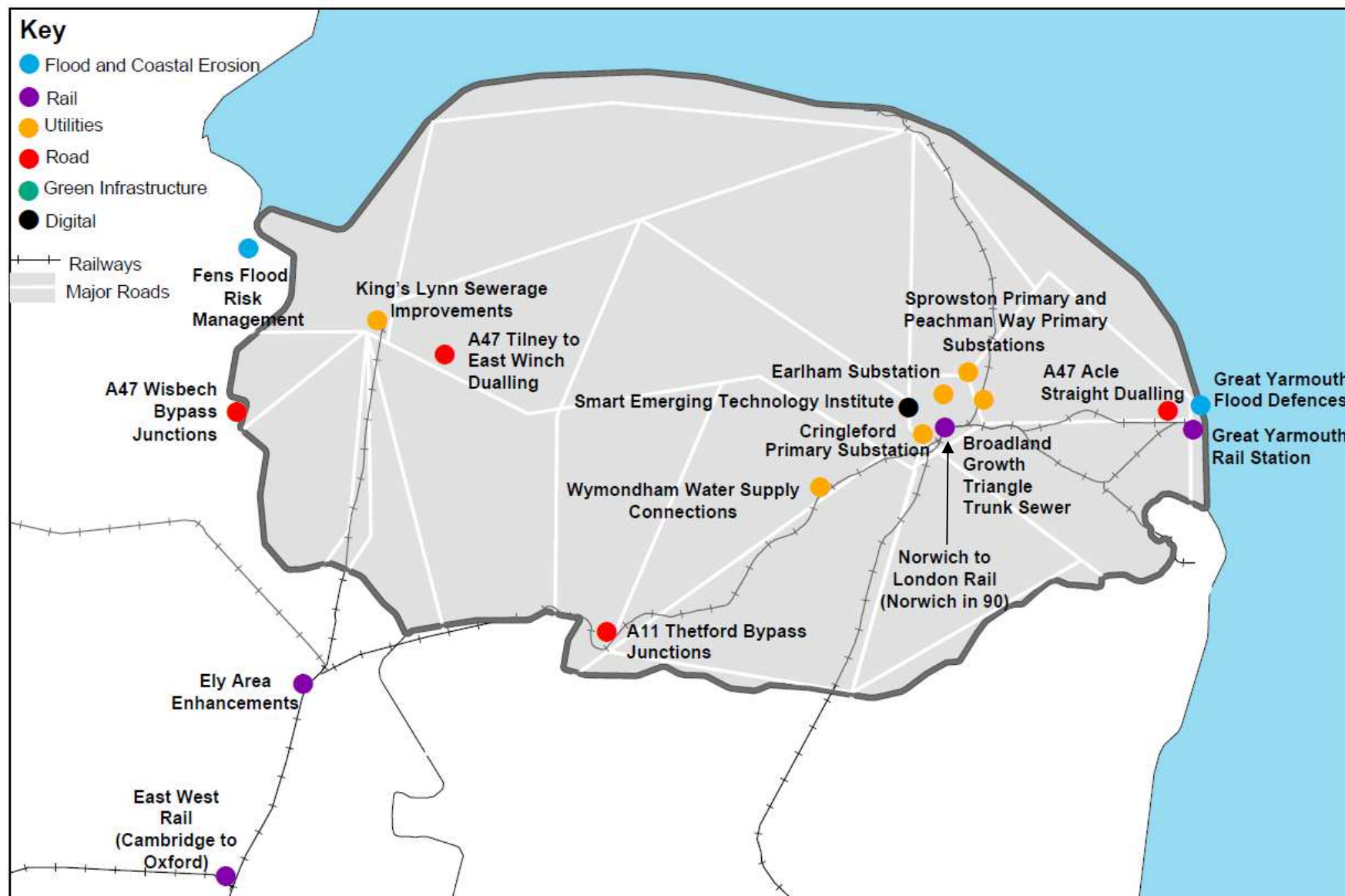
Great Yarmouth Operations and Maintenance Campus

Creation of an Operations and Maintenance Campus for the energy sector in Great Yarmouth. The sector provides the town, and the wider area, with arguably the single most important economic opportunity for a generation. The project will capitalise on land in Great Yarmouth Borough Council ownership, close to the Southern North Sea wind farm arrays with access to deep water as well as the river port. Repairs and an enhancement package are required to make the facility more accessible and attractive for businesses investing here. Detailed demands and needs analysis have shown that 650 new jobs could be located here. The scheme has recently received funding of £6m from the Government's Getting Building Fund.

Great Yarmouth Operations & Maintenance Campus	
Description of stage	Feasibility
Estimated cost to deliver the stage	£10.4m - TBC, costs to be confirmed after feasibility work complete. Report due August 2020
Indicative timeframe to deliver stage and start date	Feasibility report concluded by August 2020 Report to be taken to Cabinet. If approved, procurement would commence 2020/21 and capital project 2021-2022/23
Potential funding source	Reclaimed Pot B Enterprise Zone income, in addition to £1m contribution from NCC and £1m contribution from Great Yarmouth Borough Council
Scheme Development	✓✓

Infrastructure projects to be delivered by other organisations

Figure 4 Infrastructure projects to be delivered by other organisations



Road Projects

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 SUE 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, NCC 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 Thetford Network Improvement Strategy considered the town as a whole and, as a result, the county council will undertake further work to investigate 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. This work will be completed during 2020.

Infrastructure	A11 Thetford Bypass Junctions
Location	Breckland
Delivers	5,000 homes and 5,000 jobs
Lead authority	Highways England, NCC, 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 3 (2025-2030), Major Road Network Funding
Benefits	Improves congestion, required for growth
Link to other Information	Thetford Area Action Plan
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. NCC will investigate an alternative involving rerouting the A134.

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 NCC 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 agreed that A47 Tilney to East Winch dualling along with the Acle Straight dualling below are two of its priorities.

A number of schemes are committed for construction on the A47 between 2020 and 2025. These are shown on page 16.

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	2025-30
Estimated cost	£130m
Unfunded cost	£130m
CIL contribution	No
Funding opportunities	Highways England Roads Investment Strategy 3 (2025-2030)
Benefits	Improves connectivity and reliability
Link to other information	A47 Alliance Website
Status	Tilney to East Winch is a current priority of the A47 Alliance.

A47 Acle Straight Dualling

As well as Tilney to East Winch, dualling the Acle Straight is a priority.

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 Enterprise Zone.
Lead authority	Highways England
Estimated start date	2025-30
Estimated cost	£79m
Unfunded cost	£79m
CIL contribution	No
Funding opportunities	Highways England Roads Investment Strategy 3 (2025-2030)
Benefits	Improve accessibility between Norwich and Great Yarmouth and improve the safety record of the road
Link to other information	A47 Alliance Website
Status	The Acle Straight is a current priority of the A47 Alliance.

Rail Projects

Norwich to London Rail (Norwich in 90)

As part of the franchise agreement there has been complete replacement of the rolling stock and some services (two each way every day) have journey times of 90 minutes. A service frequency of every 20 minutes is also part of the franchise commitment although this has not yet been implemented. Even these improvements however will not deliver sufficient capacity or frequent (at least one every hour) services 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 2020.

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 Website
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 East Anglia franchise started in October 2016. New rolling stock is being delivered across the whole of the franchise. New trains came into operation on this line during 2019. This has helped 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 jobs growth and encourage inward investment into the energy coast. Help meet objectives as set out in Policy CS17 of Great Yarmouth Core Strategy
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. Network Rail has secured £13.1m funding from Department for Transport and £9.3m funding from Cambridgeshire and Peterborough Combined Authority, New Anglia LEP and Strategic Freight Network to understand the scale of the challenge to increase capacity through Ely and progress early design options for public consultation. Between September and November 2020, there will be the first phase of public consultation. Further design and development of the EACE programme, including future consultation events later in 2021 and 2022, and authorisation will be subject to future funding decisions by the Department for Transport following the Rail Networks Enhancements Pipeline (RNEP) process.

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	Mid 2020s
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
Status	Currently Network Rail are undertaking £9.3m of feasibility and design work which will be published in 2019 for inclusion in National Rail spending programme 2019/24.

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 ongoing to reinstate rail lines from Bedford to Bicester (with services already running from Bicester to Oxford) with services expected from the end of 2023.

East West Rail is supported by NCC 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	East West Rail Company. Working with local authorities along the route, 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 website
Status	<p>Phase 1 Oxford to Bicester complete</p> <p>Phase 2 Bicester to Oxford commenced late 2019 with services from end of 2023</p> <p>Phase 3 Bedford to Cambridge expected to be built by the mid-2020s.</p> <p>Work is ongoing to identify how services might extend to Norwich and Ipswich (on existing tracks) following completion of Phase 3.</p>

Utility Projects

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 link	
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, the Food Enterprise Zone, Longwater/Easton, Norwich Research Park (NRP) 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. Connections to the foul sewerage networks to serve development sites are an on-going project which is driven by developers applying to Anglian Water to connect to the public sewerage network.

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 link
Status	Baseline requirement

Wymondham Water Supply Connections

Water resource is available in principle for up to 4,400 dwellings for Wymondham (commitment for approximately 2,600 homes at 2018). However, network improvements will be required before connection can take place. Connections to the water supply are an on-going project which is driven by developers applying to Anglian Water to connect to the water supply network.

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 link
Status	Baseline requirement

King's Lynn Sewerage Improvements

To help facilitate growth in King's Lynn, sewerage improvements may be required. Connections to the sewerage network are an on-going project which is driven by developers applying to Anglian Water to connect to the foul sewerage network.

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 required	
Link to other information	N/A	N/A
Status	Baseline requirement	Baseline requirement

Sustainable Projects

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 dwellings 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, NCC, NALEP, Peel Ports, Broads Authority and the Tidal Defence Business Partnership (representing local businesses).
Estimated start date	Epoch 2 construction work began in October 2019. The current estimated start for the Epoch 3 construction work is mid-2023, but this will be subject to obtaining adequate partnership funding.
Estimated cost	Epoch 2 has a construction cost of £40.3m with an additional £6.2 million required to maintain the Epoch 2 defences over the next 30 years. Epoch 3 has an estimated construction cost of £29.5m, however refined and revised through options appraisal and design.

Unfunded cost	Epoch 2 requires a further £1.5m of future maintenance commitment from local sources. Epoch 3 is at an early stage. The project's viability is likely to depend on securing around 75% of the cost through partnership funding.
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	Great Yarmouth Tidal Defence Project
Status	<p>The Epoch 2 construction works are in progress addressing 40 walls across the town with completion planned for spring 2021. £18m Partnership funding has been secured to gain approval to spend £27m FDGiA (capital and revenue).</p> <p>Epoch 3 is at an early stage of business case development. A substantial amount of partnership funding will again need to be secured in order for this project to progress as planned. Partners are beginning work to identify funding sources for Epoch 3 and to identify a sustainable income stream to meet future investment required to manage flood risk to the town.</p>

Future Fens – Flood Risk Management

The Great Ouse Fens are approximately 370,000 hectares of rural lowland, much of this is below mean sea level. 66,000 hectares of this area are 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	Future Fens – Flood Risk Management
Location	Area around Southery, Denver, Upwell, Outwell, Kings Lynn
Delivers	<p>The Great Ouse Fens considered in the project covers 2,184km² of Cambridgeshire and Norfolk adjacent to the lower reach of the Great Ouse catchment from Earith to The Wash. The area includes around 130,878 residential properties, 13,068 non-residential properties and 184,895 hectares of agricultural land.</p> <p>This project will provide the evidence base for the consideration of future and potential flood risk investments required across the Fens. Phase 1 of FCERM in the Fens is the baselining stage, bringing asset and investment information together to determine the scale of the challenge, which in turn will enable visualisation and engagement with a vast array of interested parties.</p> <p>Phase 2 will involve the strategic appraisal of the adaptive infrastructure choices available to decision makers within the Fens. Given the scale and complexity of this, it is estimated that Phase 2 may take between 5 to 10 years to develop and conclude.</p>
Lead authority	Environment Agency
Estimated start date	Ongoing project. Implementation phase from ~2030.
Estimated cost	Phase 2 Strategy cost approximately £10-15M. Predicted future capital investment need in flood risk management over next 100 years is £2.7bn, with approximately £1.1bn from Government.
Unfunded cost	Approximately £1.6bn required from contributors. 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 Environment Agency 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.

Digital Project

Smart Emerging Technology Institute (SETI)

The East of England Smart Emerging Technologies Institute is a planned research and innovation initiative aiming to create the fastest collaborative research testbed in Europe. It will be a science, technology and business asset for the region that will push the boundaries of leading science research. SETI (a virtual institute led by UEA) will nurture a unique ecosystem, supporting research, innovation, benchmarking and validation of new applications and services, through large scale testbed experiments using the latest machine learning, artificial intelligence (AI) and digital communications technologies across the region's key sectors.

Smart Emerging Technology Institute (SETI)	
Description of stage	Initial feasibility study has been completed. Development of detailed business case is due to start summer 2020.
Estimated cost to deliver the stage	c. £50k
Indicative timeframe to deliver stage and start date	December 2020
Potential funding source	NALEP Innovation fund and in-kind staff contribution from UEA, SNC and CNTC (all secured)
Scheme Development	✓✓ Feasibility/development work underway on preferred option

Up and Coming Projects

There is a list of up and coming projects, to assist 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 A134 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
- Great Yarmouth North Quay Regeneration
- Great Yarmouth Outer Harbour Southern Terminal
- Great Yarmouth Town Centre Improvements

Infrastructure and Development Select Committee

Item No. 10

Report title:	Local Flood Risk Management Strategy Review
Date of meeting:	11 November 2020
Responsible Cabinet Member:	Cllr Andy Grant (Cabinet Member for Environment and Waste)
Responsible Director:	Tom McCabe (Executive Director, Community and Environmental Services)

Introduction from Cabinet Member

It has been 5 years since the adoption of our Local Flood Risk Management Strategy and in that time, Norfolk has been subject to significant rainfall and widespread flooding (as well as droughts and heatwaves). This includes the event in summer 2016, which saw over 250 properties flooded, blocked roads and required emergency provisions to deliver ballot boxes on the referendum vote.

Over the last 5 years, Norfolk has also seen significant growth and development. There have been expansions of many market towns and settlements, particularly along the A11 corridor and around Norwich and Great Yarmouth. Alongside this, major infrastructure projects have been developed and delivered, including Broadland Northway completed in 2018.

The legislative landscape has also changed and with the publication of the revised National Flood and Coastal Erosion Risk Management Strategy for England, our Strategy needs to be updated to remain consistent and relevant.

Executive Summary

Officers have reviewed the existing policies in the Local Flood Risk Management Strategy against new and emerging national strategies and policies. This has resulted in the proposal of 3 new policies and minor updates to our existing policies. These proposed changes have been shared with Risk Management Authorities across Norfolk for comment.

Officers have also reviewed the key areas of work over the last 5 years and produced a summary report in Appendix B

Actions required

- 1. To support the draft new policies and amended existing policies for the Local Flood Risk Management Strategy for adoption by Cabinet with amendments made following a public consultation.**

2. To note the work undertaken in the last 5 years on local flood risk and drainage as set out in Appendix B.
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1. Background and Purpose

- 1.1. The Flood and Water Management Act placed a duty on all Lead Local Flood Authorities (LLFAs) to develop, maintain, apply and monitor a strategy for local flood risk management in its area.

Norfolk's Local Flood Risk Management Strategy (LFRMS) was approved at Full Council on 19 October 2015.

One of the requirements placed on the LFRMS is that it must be consistent with the National Flood and Coastal Erosion Risk Management Strategy for England. The revised National Strategy was published on 14 July 2020.

The purpose of this report is to update our local flood risk policies to maintain consistency with national policies, and to provide a 5-year summary review of the work undertaken local flood risk and drainage, as summarised in Appendix B.

2. Proposals

- 2.1. The new policies for inclusion in the LFRMS are:

Draft Policy 1: Towards Net Zero

The Lead Local Flood Authority and Risk Management Authorities will expect all parties, involved in design and construction of local flood risk and water management structures associated with development, to make reasonable efforts to minimise carbon footprint, while maximising opportunities to contribute to environmental and climate improvements.

Draft Policy 2: Biodiversity and Environmental Net Gain

The Lead Local Flood Authority and Risk Management Authorities, using all available legislative and regulatory measures, will seek to ensure that new local flood risk and water management structures will protect and enhance the environment in a manner that results in biodiversity and environmental net gain for local communities.

Draft Policy 3: Flood Resilience and Adaption

The Lead Local Flood Authority will provide support, where possible, to communities, other services and Risk Management Authorities through the process of planning and developing local flood risk adaption and resilience activities.

The Lead Local Flood Authority will support other Risk Management Authorities in providing information and advice on property level preparedness, resistance and resilience improvements to property owners and occupiers at risk of local flooding.

The Lead Local Flood Authority, with the support of other services and Risk Management Authorities, will encourage communities at local flood risk to develop community led and focused flood action plans and support groups to improve community resilience.

- 2.2. Officers have reviewed the existing policies in the LFRMS against new and emerging national strategies and policies. These proposed changes strengthen the commitment to implement Sustainable Drainage Systems that follow best practice and to use the most up to date information on flood risk modelling and climate change predictions.

Following consultation with Risk Management Authorities in Norfolk the proposed amendments are detailed in Appendix A.

3. Impact of the Proposal

3.1. 1: Towards Net Zero

Over the past 35 years significant evidence has been presented to demonstrate the link between the rise in Greenhouse Gas Emissions and global warming. In June 2019, the UK became the first major economy in the world to pass laws to end its contribution to global warming by 2050. While the UK has already reduced emissions by 42%, the UK is legally required to bring all greenhouse gas emissions to net zero across all sectors. This is likely to involve the further reduction in emissions and the offsetting of emissions using a combination of technology (such as carbon capture) and nature driven schemes (like tree planting). Defra undertook desk-based research into understanding the impact of Flood and Coastal Erosion Risk Management (FCERM) on the causes of climate change.

The study indicated that FCERM activities on the whole presented a net reduction in emissions. This is due to flood alleviation actions reducing and preventing damages from flooding and consequential the associated greenhouse gas emissions with those damages. It was noted within the Defra research that the greatest contribution to the carbon footprint estimates came from surface water flood damage.

The recently published national policy statement on flood and coastal erosion risk management, identified the need for all those responsible for designing and building flood and coastal defences to ensure the carbon footprint is minimised and where possible is offset in accordance with the UK's carbon neutral approach.

The current published Norfolk Environmental Policy reflects the need and ambition to work towards net zero.

2: Biodiversity and Environmental Net Gain

The Environment Bill is currently going through parliament and seeks to put the environment at the centre of all policy making. The Bill seeks to build upon the National 25 year Environment Plan and proposes to legislate the requirement for new developments to deliver schemes that protects and enhances nature while helping to deliver thriving natural spaces for local communities that ultimately results in 'biodiversity net gain'.

The recently published nation policy statement on flood and coastal erosion risk management identified a central theme of harnessing the power of nature to reduce flood and coastal erosion risk. The policy envisages and directs the use of natural flood management, catchment management, land and soil management practices and environmental improvements and enhancements to increase the resilience of the local communities to flood risk.

In addition, the policy statement identified the need for all those responsible for designing and building flood and coastal defences to maximise the opportunities to contribute to environmental and climate improvements with the aim of seeking an environmental net gain on each occasion.

The 'biodiversity net gain' is most feasible if an overall environmental net gain is achieved. Ultimately, the policy statement wants "a planning system that supports beautiful design; and meets the challenges of climate change".

The current published Norfolk Environmental Policy clearly states the requirement for an environmental net gain for housing and infrastructure developments.

3: Flood Resilience and Adaption

The recently published national policy statement on flood and coastal erosion risk management identified a central theme of better prepared and more resilience communities who have adapted to the changing environment and climate. The policy statement aims to encourage communities to adapt their perspective from one of flood protection to that of flood resilience and flood management.

The policy statement reflects upon the need to acknowledge both the changes in the climate and the geography hazards locally. While there is the opportunity to build and rebuild structures and infrastructure in a manner that enables rapid recovery from flooding, there is also the need to acknowledge the need to avoid areas of high flood risk.

It is reflected by many victims of flooding who confirm that it is an emotionally difficult experience that leaves people suffering from the impacts for several years after the event. The Defra partnership funding tools now acknowledges the mental health impact on both households and communities. The policy statement seeks to review the existing support framework and identify opportunities to both improve support for victims of flooding and improve the resilience of households, businesses and communities in relation to flood risk.

In addition to these changes, the policy statement identifies that need to consider the difficult and emotional aspect of when to transition away from some areas of high flood and coastal erosion risk that are not viable in the future to occupy in the same manner. The policy statement insists this is not a mandate to abandon communities, rather an acknowledgement that in some areas across the UK communities will need to work with relevant risk management authorities to manage a sustainable transition away from areas at high flood risk.

- 3.2. Appendix B provides a summary review of the major areas of work that the Flood & Water Management Team undertake and the key elements of the Flood & Water Management Act.

A great deal of work has been undertaken by the LLFA and RMAs in Norfolk to meet the requirements of the Flood & Water Management Act. Flood risk studies and schemes totalling over £30m have been completed in the last 5 years.

However, we have been subject to regular storms that have overwhelmed existing drainage systems and climate change predictions suggest that this situation will get even worse over time.

4. Financial Implications

- 4.1. Local flood risk and water management schemes will have to consider protecting and enhancing the environment while minimising the carbon footprint when bidding for funding and using existing resources.

Additionally, the delivery of many of the measures and actions identified within the LFRMS require successful funding bids to proceed. Surface water mitigation schemes still score poorly compared to schemes for coastal and main river flooding in the Environment Agency GiA funding calculator. Funding will need to be secured from a variety of sources and more cost-effective solutions will need to be developed to improve the flood resilience of our communities.

5. Resource Implications

- 5.1. **Staff:**

N/a

- 5.2. **Property:**

N/a

5.3. **IT:**

N/a

6. Other Implications

6.1. Legal Implications

The Local Flood Risk Management Strategy must be consistent with the recently updated National Flood and Coastal Erosion Risk Management Strategy for England

6.2. Human Rights implications

N/a

6.3. Equality Impact Assessment (EqIA)

The new LFRMS policies have been developed to inform and benefit all groups and individuals living and working in Norfolk. Further assessments will be undertaken in the preparation of any local flood risk and surface water management scheme design proposals, ensuring good design practices.

6.4. Health and Safety implications

N/a

6.5. Sustainability implications

This report aims to bring the LFRMS in line with new and emerging national and local strategies and policies such as National FCERM Strategy, Environment Bill, the National 25 year Environment Strategy and the NCC Environmental Policy.

6.6. Any other implications

N/a

7. Actions required

- 7.1.
1. To support the draft new policies and amended existing policies for the Local Flood Risk Management Strategy for adoption by Cabinet with amendments made following a public consultation.
 2. To note the work undertaken in the last 5 years on local flood risk and drainage, as set out in Appendix B.

8. Background Papers

8.1. [The Local Flood Risk Management Strategy](#)

Officer Contact

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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.

Infrastructure and Development Select Committee

Local Flood Risk Management Strategy Review

Appendix A – Amendments to existing policies

1. Introduction

- 1.1. The Local Flood Risk Management Strategy must be consistent with the recently updated National Flood and Coastal Erosion Risk Management Strategy for England

To ensure that, officers have reviewed the existing policies in the Local Flood Risk Management Strategy against new and emerging national strategies and policies. Following consultation with Risk Management Authorities in Norfolk the proposed amendments are detailed below.

- 1.2. All the policies and supporting text in this section should be read and applied together. Where a proposal is supported by one policy but is in conflict with another policy the proposal should be taken to be unsupported by the strategy. Where a proposal is not supported by the strategy, it should not proceed unless very special circumstances indicate that the benefits of the proposal, to society as a whole, outweigh the policy objection.

Additions are in [blue](#) and deleted text is in ~~red~~.

2. Undertakings and Commitments

2.1. UC1: Sustainability

The Lead Local Flood Authority, district councils, internal drainage boards and highway authorities will adopt a sustainable approach to Flood Risk Management, maximising environmental and social benefits from policies and programmes, contribute to the achievement of sustainable development, balancing the needs of society, the economy and the urban, rural and natural environment, taking account of the cultural heritage and seeking to secure environmental benefits.

2.2. Policy UC2: Flood Investigation

The Lead Local Flood Authority will undertake a formal flood investigation where it is determined that;

- (a) There is ambiguity surrounding the source or responsibility for a flood incident, and/or;

- (b) There is cause to investigate the flood incident, due to either its impact, or consequence

When a decision is taken to investigate, the Lead Local Flood Authority will notify the relevant Risk Management Authorities and affected parties and will seek to determine the causal effects of flooding and understand the response of relevant Risk Management Authorities to the incident. After a formal flood investigation has been carried out, the Lead Local Flood Authority will publish the results of its investigation and notify any relevant Risk Management Authorities.

The Lead Local Flood Authority will publish a Flood Investigation Protocol describing how it proposes to carry out flood investigation duties and clarifying the factors that will be taken into account when assessing whether the impact or consequence of an event will trigger a formal investigation.

During widespread flooding the Lead Local Flood Authority will prioritise flood investigations based on the characteristics of the event, with greatest priority given to those events which are judged to have created a risk to life.

2.3. Policy UC 3: Flood Risk Asset Register

The Lead Local Flood Authority will identify those structures or features whose function or attributes have a significant effect on an area of flood risk and will record such assets in an Asset Register.

The Lead Local Flood Authority will also maintain a record of each structure or feature listed in the register, including information about its ownership, state of repair, which person or body is responsible for maintenance and/or operation. The Lead Local Flood Authority will provide a copy of that record to any owner/manager of such structure or feature.

The Lead Local Flood Authority will make the Asset Register available by prior agreement, during office hours at County Hall, Martineau Lane, Norwich and on-line on the Norfolk County Council web site (<http://www.norfolk.gov.uk/>).

The Lead Local Flood Authority will publish an Asset Register Protocol describing how it proposes to implement this duty.

SuDS delivered as part of new developments ~~will also~~ may be included in the Register.

2.4. Policy UC 4: Critical Drainage Catchments

In areas where Surface Water Management Plans or other studies identify a significant risk of surface runoff, groundwater, or ordinary watercourse flooding to homes, commercial properties and/or essential infrastructure, the Lead Local Flood Authority, in partnership with other Risk Management Authorities, may

publish maps identifying local catchments as 'Critical Drainage Catchments' (CDCs).

The Lead Local Flood Authority and its partner Risk Management Authorities will proactively develop schemes to reduce flood risk in Critical Drainage Catchments and will seek the cooperation of local landowners to implement such proposals where funding is available.

The Lead Local Flood Authority will also object to any planning application that might, on its own or in combination with other developments, lead to a material increase in flood risk within Critical Drainage Catchments and will [expect](#) ~~encourage~~ measures to reduce flood risk where opportunities arise.

2.5. **Policy UC 5: Publishing flood risk information**

The Lead Local Flood Authority has a significant role in disseminating and publishing flood risk information. It is committed to;

- Publishing formal flood investigation reports on its website
- Making asset register information available by prior agreement
- Publishing Lead Local Flood Authority led or supported studies on local flood risk once adopted by the Council
- Highlighting the most up-to-date data and mapping on flood risk, integrating this with National datasets where appropriate.

2.6. **Policy UC 6: Emergency Planning**

The Lead Local Flood Authority acknowledges its role in advising emergency planning services and will:

- Seek to ensure that Emergency Response and Recovery Plans take account of emergencies that might arise as a result of local flood risk.
- Contribute to the review of such plans, in consultation with the Environment Agency and other partners within the Norfolk Resilience Forum when required; and
- Provide information and guidance on local flood risk to emergency response organisations during flood events if required.

2.7. **Policy UC 7: Sustainable Flood Management**

In order to support an adequate, economically, technically and environmentally sound approach to providing flood management services, Risk Management Authorities will:

- (a) support a strategic approach to provision of flood mitigation [measures](#) ~~defences~~, particularly by assessing any potentially wider effects of proposed measures. To this effect Risk Management Authorities will continue to play a full role in Local Environment Agency Plans for Norfolk;

- (b) support [and guide](#) the provision of sustainable flood mitigation measures which provide social and/or economic benefits to people whilst taking full account of natural processes and which avoid committing future generations to inappropriate defence options.

2.8. **Policy UC 8: Risk based approach to prioritisation of resources**

All Risk Management Authorities will support the investment of resources in areas of highest risk within their respective jurisdictions through;

- Utilising consistent and up-to-date information on local flood risk in the development of any projects and programmes.
- Detailing the level of flood risk mitigation proposed by projects and programmes in terms of 'return period' for any exceedance events.
- Identifying the possibility of match funding from third parties and beneficiaries of mitigation schemes.
- Assessing the potential wider synergies and effects of proposed mitigation schemes on wider catchments, communities and other Risk Management Authority schemes through consultation with the Norfolk Water Management Partnership.
- Supporting the delivery of sustainable flood mitigation schemes which provide social and/or economic benefits to people whilst taking account of natural processes.

2.9. **Policy UC 9: Designation of 3rd party structures or features**

The Lead Local Flood Authority, the Environment Agency, Internal Drainage Boards or District Councils will 'designate' any structure or natural/manmade feature of the environment, where, in the opinion of the risk management authority, the protection of such asset would be beneficial in ensuring protection of land and property against flood or coastal erosion risk.

Lead Local Flood Authorities will normally be the relevant authority for designating structures or features that affect surface runoff, groundwater or ordinary watercourses outside of Internal Drainage Board districts. Where it is considered to be necessary for the purpose of ensuring the continuity of effective surface water drainage in the locality, SuDS structures or features (whether on public land or on private property ~~/private~~) may also be designated by the Lead Local Flood Authority.

The Environment Agency will normally be the relevant authority to designate structures or features that affect strategic sources of risk such as large raised reservoirs, the sea and main rivers.

Internal Drainage Boards will normally be the relevant authority to designate structures or features that affect ordinary watercourses within Internal Drainage Board districts.

District Councils will normally be the relevant authority to designate structures or features that affect surface runoff, groundwater or ordinary watercourses in areas where they have responsibility for managing coastal flood and erosion defences if those structures or features integrate with coastal flood or erosion defence structures or features.

Designating authorities may agree with other authorities to designate on a different basis where material circumstances indicate that is appropriate to do so.

2.10. Policy UC 10: Planning

The Lead Local Flood Authority will take a proactive role in the development of local plans and will expect planning authorities to prepare policies that ~~redress~~ [address](#) local flood risk issues and ensure the provision of effective sustainable drainage in new developments.

The Lead Local Flood Authority will also work with local planning authorities to prepare guidance for applicants and will provide advice in respect of individual planning applications where these effect or are affected by local flood risk.

The Lead Local Flood Authority will expect planning authorities to take account of flood risk identified by Surface Water Management Plan modelling, Strategic Flood Risk Assessments and other sources of flood risk modelling (such as the flood risk mapping provided by the Environment Agency) and either avoid locating new development within areas that are at risk of flooding, [or if that is not possible](#), ensure that designs fully mitigate for the expected flood risk.

The Lead Local Flood Authority will raise objection to any developments or plans that might lead to an increase in flood risk.

2.11. Policy UC11: Securing Sustainable Drainage

The Lead Local Flood Authority shall, using all available legislative and regulatory measures, seek to secure the implementation of [high quality, multi-functional](#) Sustainable Drainage Systems (SuDS), [which follow the most up to date guidance, in new development](#).

Where practicable, the Lead Local Flood Authority will also, through the voluntary cooperation of landowners, aim to secure adaptation of existing drainage networks to Sustainable Drainage Systems (SuDS).

2.12. Policy UC 12: Water Company liaison

Risk Management Authorities will work closely with water companies [in partnership](#) to;

- Reduce the occurrence of public sewer flooding caused or exacerbated by sources of local flood risk.
- Influence Water Companies to consider local flood risk in their development of sustainable water resources and infrastructure.
- Promote water efficiency where appropriate

2.13. **Policy UC 13: Adapting to climate change**

When developing policy, determining applications or taking enforcement action, Risk Management Authorities must take into account ~~will have regard to~~ the predicted impacts of climate change including the ~~need to account for~~ changes in sea level and more frequent extreme weather events. In doing so Risk Management Authorities will use ~~have regard to~~ the most up to date advice available, including UKCIP Climate Change Projections.

3. **Ordinary Watercourse Regulation Policies**

3.1. **Policy OW1: Maintenance of Ordinary Watercourses**

Where responsibility for maintenance of ordinary watercourses rests with a land owner, the Lead Local Flood Authority and other Risk Management Authorities (RMAs) will aim to secure co-operation in ensuring appropriate maintenance takes place, but will draw on powers of enforcement when necessary.

The Lead Local Flood Authority and other Risk Management Authorities will inform and advise individuals of their riparian owner responsibilities and of the route for settling disputes with other riparian owners where appropriate.

3.2. **Policy OW2: Enforcement**

The Lead Local Flood Authority (LLFA) and other Risk Management Authorities (RMAs) will take a risk-based and proportionate approach to enforcement action 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

The Lead Local Flood Authority will take enforcement action where there is, or has been, a risk to life or serious injury, internal flooding of residential or commercial properties and flooding impacting on critical services. An initial assessment will be based on the Lead Local Flood Authority's impact criteria.

Where works are un-consented and the relevant landowner, person and/or risk management authority responsible provides no evidence or insufficient evidence to support an assertion that the un-consented works would not cause a nuisance or increase flood risk, there will be a presumption that the un-consented works

would cause a nuisance or increase flood risk, unless visible evidence suggests otherwise.

The Lead Local Flood Authority may close an enforcement case file and/or take no action where:

- there is a lack of physical evidence to corroborate the impact of a flood event and/or
- 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 (de minimis)

Where no enforcement action is taken further correspondence may include:

- referral to the First Tier Tribunal (Property Chamber), Agricultural Land and Drainage (AL&D) where appropriate
- informing those of their riparian responsibilities

Where the Lead Local Flood Authority or other Risk Management Authorities are made aware of breaches to other legislation they will advise the appropriate authorities.

3.3. **Policy OW3: Consenting of works on Ordinary Watercourses**

The Lead Local Flood Authority (LLFA) will normally approve alterations to ordinary watercourses where proposed works would not:

- (a) lead to an increase in unmanaged flood risk on the site;
- (b) increase the risk of flooding elsewhere ~~in areas beyond the site~~;
- (c) materially increase the risk of a watercourse becoming obstructed;
- (d) increase the risk of erosion on the site or in areas beyond the site;
- (e) result in water quality that does not meet standards required by the Water Framework Directive or other legislation;
- (f) have a detrimental impact on
 - protected species of flora and fauna,
 - SSSI, Natura 2000, or Ramsar sites
 - Marine Conservation Zones,
 - National Nature Reserves,
 - Local Nature Reserves,
 - County Wildlife Sites, or
 - sites covered by Priority Habitats
- (g) have a materially detrimental impact on the morphology of natural watercourses.

3.4. **Policy OW4: Culverting**

The Lead Local Flood Authority (LLFA) will only approve an application to culvert a watercourse if there is no reasonably practicable alternative, or if the detrimental effects of culverting would be so minor that they would not justify a more costly alternative.

In all cases, where it is appropriate to do so, adequate mitigation must be provided for damage caused. Wherever practicable the Lead Local Flood Authority [and other Risk Management Authorities](#) will seek to have culverted watercourses restored to open channels.

The Lead Local Flood Authority will normally reject applications for culverting ([other than vehicle accesses](#)) in areas identified as being;

- in Flood Zones 2 or 3a/3b and/or
- at risk of surface run-off flooding as indicated by the Environment Agency's updated flood map for surface water
- [and/or other sources of flood risk modelling](#).

This is due to the potential of proposed works increasing flood risk. Exceptions to this policy will only be considered if the applicant is able to demonstrate that, on the balance of probabilities, the proposed development would not increase flood risk.

Where opportunities arise and there is benefit in doing so, the Lead Local Flood Authority may encourage landowners to remove existing culverts and restore surface watercourses.

4. Environmental Policies

4.1. Policy E1: Nature Conservation

Risk Management Authorities will:

- play a positive role in fulfilling their statutory and other responsibilities for furthering nature conservation, including achievements of the Government's environmental obligations and targets;
- fulfil their responsibilities in relation to nationally and internationally important conservation areas, under the Wildlife and Countryside Act 1981 and as a competent authority under the terms of the Conservation of Habitats and Species Regulations 2010 by applying strategies and policies laid down in policy documents;
- fulfil their responsibilities in relation to the Habitats and Birds Directives (European Directives 92/43/EEC, 79/409/EEC and 2009/147/EC) and ensure that no works or plan approved by the Authorities results in adverse effects either directly or indirectly on the integrity of identified European sites (Natura2000 Sites) or designated Ramsar sites.
- when carrying out works, seek opportunities for environmental enhancement, aim to avoid net damage to environmental interest and ensure no net loss to Priority Habitats
- where an environmental impact assessment or scheme is required, monitor all losses and gains of such habitats as a result of these operations and report on them to Natural England and/or the Environment Agency; and
- ensure that they work in partnership with Natural England to complete, implement and review plans, policies and measures.

4.2. **Policy E2: Protect habitats**

When carrying out works consistent with the need to maintain satisfactory drainage and flood protection standards, Risk Management Authorities and riparian owners (or their contractors) shall:

- avoid any unnecessary damage to natural habitats
- avoid any long term damage to natural habitats
- ensure no net loss of Priority Habitats
- take appropriate opportunities to enhance habitats.

4.3. **Policy E3: Water levels (habitats)**

Within pumped catchments, Risk Management Authorities shall sustain water levels in accordance with Water Level Management Plans prepared for Sites of Special Scientific Interest and (in conjunction with Natural England and other interested parties) shall participate in the review of such plans.

4.4. **Policy E4: Ecological Potential**

The Lead Local Flood Authority, and , where relevant, Internal Drainage Boards will require applications for Ordinary Watercourse Consents to include measures within their design to preserve or (where practicable) enhance ecological potential, including, where appropriate, providing landscaping using native species that are compatible with the local water environment.

Where there are technical or operational reasons why drainage or flood defence features cannot be designed to preserve or enhance ecological potential, the Lead Local Flood Authority, and, where relevant, Internal Drainage Boards will expect applicants to provide compensatory enhancement measures in the locality of the proposed works.

Applications for the modification of watercourses or the creation of new watercourses may be refused if insufficient information on landscaping and ecological potential is provided, or if landscape proposals are of poor quality.

4.5. **Policy E5: River Morphology**

Developments which alter the bank of an ordinary watercourse or which create a new watercourse as part of a sustainable drainage scheme shall mimic features of natural river morphology and hydrology wherever it is practicable to do so. Where it is not practicable to do so compensatory measures may be required.

4.6. **Policy E6: Landscaping**

Landscape proposals accompanying applications for works to an ordinary watercourse shall be designed to:

- enhance the drainage characteristics of the scheme;
- stabilise areas that may be vulnerable to erosion;
- enhance the visual appearance of the development; and
- enhance the ecological potential of the local environment.

The use of plants that are likely to be invasive and/or detrimental to the wider natural environment will not be permitted.

4.7. Policy E7: Heritage Assets

When considering applications for ordinary watercourse consent in the vicinity* of protected heritage assets, the Lead Local Flood Authority, or relevant Internal Drainage Board will make enquiries to confirm that applicants have given due regard to the impact of the development on such assets and, where relevant, that they have sought the appropriate consent.

When Risk Management Authorities are carrying out works in the vicinity of heritage assets, they will seek advice from the appropriate heritage body and, wherever it is practicable to do so, will aim to avoid any detrimental effect on heritage assets.

Infrastructure and Development Select Committee

Local Flood Risk Management Strategy Review

Appendix B – Review of flood risk and drainage work

1. Introduction

- 1.1. This summary review covers the major areas of work that the Flood & Water Management Team undertake and the key elements of the Flood & Water Management Act.

It is not intended to cover every policy area within the Local Flood Risk Management Strategy.

- 1.2. The statistics below cover a period from April 2015 to March 2020.

2. Flood Investigation Reports

- 2.1. S19 of the Flood & Water Management Act places a duty on NCC to investigate reports of flooding to the extent that it considers it necessary or appropriate.

The LFRMS Policy UC2 sets out that the LLFA will undertake a formal flood investigation where it is determined that;

(a) There is ambiguity surrounding the source or responsibility for a flood incident, and/or;

(b) There is cause to investigate the flood incident, due to either its impact, or consequence

The Flood Investigation Protocol and associated impact criteria provide more detail on the process and thresholds for formal investigations.

The formal reports cover the rainfall intensity and impact, response of relevant organisations, the likely causes and recommend remedial actions and measures. However, we have no powers to enforce many of these recommendations and rely on partnership schemes to address the issues.

- 2.2. Norfolk has been affected by a number of significant rainfall events over the last 5 years, particularly in 2016 when over 250 properties were internally flooded in a band that stretched from Diss to Cromer, with a concentration of reports in Watton and Dereham. 2019 saw another event that affected over 100 properties mainly across the east of the County. On both these dates rainfall intensities were recorded as having return periods of a 1:40 event or higher.

These reports of flooding are contained in 48 Flood Investigation Reports published on our [website](#).

2.3.

Year	Reports of flooding	Internal flooding
2015 – 16	157	44
2016 – 17	848	266
2017 – 18	392	63
2018 – 19	235	51
2019 – 20	380	129
Totals	2012	553

2.4.

The threshold for undertaking a formal flood investigation is internal flooding to 1 or more properties, any risk to loss of life or serious injury and/or priority roads being made impassable due to flooding. This threshold is lower than a number of other LLFAs and this places considerable resource pressures on the team during times of widespread and frequent flooding.

However, we have developed streamlined processes and utilised flexible resource sources to produce reports in a timely manner. To assist this process, we have an agreement with the Environment Agency for their officers to attend site visits following a major flood event and we have developed our Flood Report Generator tool to help input data and produce report templates.

More work is underway to develop tools to capture images and data in a mappable format while out on site that can be directly transferred into flood reports.

3. Sustainable Drainage in new development

3.1.

Schedule 3: Sustainable Drainage, of the Flood & Water Management Act, set out measures to create SUDs approval and adoption bodies within LLFAs.

This schedule has not been enacted. Instead, on the 15th of April 2015, Norfolk County Council as LLFA became a Statutory Consultee on all planning applications for major development.

The LLFA is therefore required to comment on major planning applications in regard to surface water drainage. This was previously the responsibility of the Environment Agency.

The LFRMS Policies UC10 and UC11 set out how the LLFA will respond to Local Plan, planning applications and in securing Sustainable Drainage.

Greater detail is provided in the LLFA [Guidance](#) as Statutory Consultee to Planning

- 3.2. The County has seen considerable growth in development and related infrastructure schemes such as urban extensions of greater Norwich, Thetford, Wymondham, Attleborough and Great Yarmouth and major projects such as Broadland Northway and the Third River Crossing.

In the last 5 years, the team has been consulted by Local Planning Authorities and developers over 4,500 times. This does not equate directly to planning applications though as we can be consulted a number of times for each application.

The majority of consultations relate to formal planning applications; however, we also respond to Local and Neighbourhood Plans, NSIPs and appeals.

We also offer a chargeable pre-application advice service which helps improve the quality of applications before they are formally reviewed and provides an income stream for the County. In the last 5 years we have been contacted over 330 times for pre-application advice.

3.3.

Application type	2018 – 19	2019 – 20	Totals
Full (inc Hybrid)	340	387	727
Outline	125	101	226
Reserved Matters	118	122	240
Discharge of Conditions	189	249	438
Totals	772	859	1631

**Due to the change of our database in 2018, only data from the last 2 years can be directly compared*

- 3.4. In our role as Statutory Consultee we must provide a substantive response to all consultations for major development. This can be either: no comment, standing advice, no objection or an objection. Bespoke comments are usually given where an application meets our thresholds and we make a no objection or an objection response

Thresholds for providing bespoke comments have been lowered since the service began, which means that we are providing more detailed advice to the LPAs. Until the COVID-19 restrictions came into place, officers also worked at LPA offices each month to provide extra support. This is now offered virtually.

The Statutory Consultee role covers all consultations before the planning application is determined. However, we do provide detailed responses to Reserved Matters and Discharge of Condition applications if we have provided bespoke comments at the Outline stage.

We have no role in ensuring the designs for SUDs agreed in the planning application process are built to the required standard or maintained appropriately afterwards. If new developments suffer from flooding, we investigate the instances following our standard protocols.

There have been a number of occasions where development has commenced, beyond site clearance, and pre-commencement conditions have not been discharged, which makes changes to provide a satisfactory scheme for surface water drainage very limited if required. A conflict can arise between our recommendations that the developer achieves best practice and the physical constraints from having built properties and set surrounding ground levels. In these circumstances we provide an assessment of the current drainage details and the residual risk if national standards are not met to aid the LPA in their determination.

Our role does not cover minor development. To provide LPAs with support for flood risk and drainage issues in minor development we have produced standing advice and also offer informal advice directly to the LPA case officers.

4. Local Flood Risk and Drainage Schemes

4.1. The LFRMS proposed measures to achieve its objectives. It also detailed relevant funding mechanisms and discussed the prioritisation and distribution of any secured funding. Policy UC8 requires all RMAs to support the investment of resources in the areas of highest risk within their respective jurisdictions.

The Preliminary Flood Risk Assessment (PFRA) which was updated in 2017, provides a useful indicator of the populations most at risk of surface water flooding. This has allowed the LLFA team to prioritise our flood risk studies in areas where the possibility of securing 3rd party funding and implementing mitigation measures is highest.

Alongside this, a need for schemes are highlighted through Flood Investigation Reports. Where these coincide with areas of concentrated risk, they provide valuable evidence to validate our modelling and designs for mitigation measures. Often though, flooding occurs in scattered, widespread locations where the likelihood of achieving partnership funding is low. In these circumstances, we can provide grants to residents for Property Level Protection

measures and seek lower cost solutions in the form of small-scale drainage works and Natural Flood Management techniques where appropriate.

- 4.2. The LLFA has carried out Surface Water Management Plans, flood risk studies and initial assessments in almost all the top-ranking settlements in the PFRA.

While much work has been undertaken in mapping and modelling the risk, it has been very difficult to identify retrofit drainage schemes that meet the cost-benefit criteria to secure external funding for implementation.

One exception to that has been the EU Interreg project CATCH. This pilot project in the Norwich urban area aims to reduce the amount of rainfall entering the sewer systems by capturing it in thousands of water butts before releasing it slowly back into the sewers. This project is currently in its implementation stage, that has been extended due to the COVID-19 restrictions. If this is judged a success, bids for similar projects will be made to UK funding bodies for other suitable areas in Norfolk.

This continued inability to secure external funding for capital flood mitigation measures is a serious concern for the long-term flood protection of existing communities in Norfolk.

- 4.3. Across the County work on new and improving existing drainage and flood risk schemes have been carried out by a range of RMAs.

NCC Highways have spent over £17m on drainage schemes for the Local Transport Plan, Market Town Drainage Initiative and the Drainage Challenge Fund. Major investments include North Walsham and Diss Market Town Drainage schemes and the works for the £10.3m Norwich Fringe Drainage Project.

Outside the County Council other RMAs, notably Internal Drainage Boards have spent over £15m in the last 5 years. Major investments include the Islington and Wolferton Catchment Flood Risk Management Schemes

5. Powers under the Land Drainage Act 1991

- 5.1. The LFRMS Policies OW1, OW2, OW3 and OW4 cover the S21, S23, S24 and S25 Land Drainage Act powers transferred to the LLFA by the Flood and Water Management Act, in regard to maintenance, enforcement, consenting and culverting of ordinary watercourses.

Ordinary Watercourse Consent Protocol and Enforcement Policy provide more detail on the process and thresholds for our regulatory works in this area.

5.2.

Year	Applications for consent	Consents given	Consents refused
2015 – 16	64	40	0
2016 – 17	58	38	1
2017 – 18	58	50	2
2018 – 19	39	22	6
2019 – 20	48	39	2
Totals	267	189	11

In the same period the team has received 52 potential enforcement cases. No formal enforcement action has been carried out beyond advisory letters being sent, as matters have been resolved or the matter did not meet the required thresholds for action.

5.3.

Consent applications, which all have an 8-week determination period, are separate to the planning process and can be submitted at different times. However, we often receive consultations for major development that also require consent applications for work on ordinary watercourses. This can lead to difficulties in determining the planning application if the proposed works are unlikely to receive consent. Alternately, consents can be given before planning applications are submitted, which may limit the options in the drainage strategy or the layout. We recommend that consent applications are made at the same time as planning application submissions, so that the two can be assessed together.

Officers are currently reviewing and updating the protocols for our consenting process to align them with our guidance for SUDs for new development.

6. **Asset Register**

6.1

LFRMS Policy UC3: Flood Risk Asset Register sets the duty placed on the LLFA with regards to the Asset Register and Record.

All available asset data from Norfolk's RMAs has been collated and those assets in or associated with settlements with a high flood risk in the PFRA have been assessed and assets that have evidence that they provide flood protection to 100 properties or more have been published on our website.

This first tranche of data covers assets in Great Yarmouth. Officers are working on assessing assets in King's Lynn and West Norfolk for inclusion in the Register, before moving on to other areas of the County.

The Register is intended to be a living document and assets will be added as new information is made available or if new assets that meet the criteria are constructed.

Report to Infrastructure and Development Committee

Item No. 11.

Report title:	CES Enforcement Policy
Date of meeting:	11 November 2020
Responsible Cabinet Member:	Cllr Margaret Dewsbury (Cabinet Member for Communities & Partnerships) Martin Wilby (Cabinet Member for Highways, Infrastructure and Transport)
Responsible Director:	Tom McCabe (Executive Director, Community and Environmental Services)
<p>Introduction from Cabinet Member The CES Enforcement Policy provides a framework for a number of services within the CES directorate to ensure that we work in an equitable, practical and consistent manner when undertaking regulatory activities and law enforcement.</p> <p>Norfolk County Council is committed to the principles of better regulation, as set out in the Regulators' Code. This is the annual review of the enforcement policy and the Infrastructure and Development Committee has the opportunity to comment on it at their November meeting. Regulatory services within CES are committed to protecting and supporting Norfolk residents, businesses and the environment whilst, at the same time, responding proportionately to address identified non-compliances so as to reduce burdens on businesses and help them to grow.</p> <p>Adherence to the policy has ensured that, in light of the challenges faced by both businesses and the public resulting from the coronavirus pandemic, Services have continued to adopt a process of compliance by consent, through a consistent staged approach of Engagement, Explanation and Encouragement. Only where compliance by consent cannot be achieved, will Enforcement be contemplated.</p> <p>Executive Summary</p> <p>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), Highways (networks, maintenance and blue badge enforcement) and, with effect from this year, Safety of Sports Grounds. 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.</p> <p>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.</p> <p>The revised Policy, once adopted, will be published via the NCC web pages.</p> <p>Actions required</p> <ol style="list-style-type: none"> 1. To review and comment on the revised CES Enforcement Policy at Appendix A and its annex documents (A-1 to A-6), prior to consideration by Cabinet 2. To note the 2019/20 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 now six 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, Blue Badge enforcement and, with effect from this year, Safety of Sports Grounds - see annexes A-1 to A-6 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. The main change this year is the addition of a Safety of Sports Ground Enforcement Protocol (see annex A-6). This function transferred from Democratic Services to Trading Standards in July 2020 and the protocol has been revised to reflect this.

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. Appendix C documents the stakeholders who have been consulted on and/or contributed to the CES Enforcement Policy since 2014.

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 such as the mis-use of blue badges helps to ensure an important and highly valued service is not abused and can continue to be available for those who need it. People with a disability frequently highlight the importance of effective blue badge enforcement.

An Equality Impact Assessment (EqIA) has been produced for this policy in conjunction with the CES Equality and Accessibility Officer. The assessment found that, although Trading Standards can demonstrate that decisions taken during investigations are equitable, unbiased and based on objective intelligence, records of protected characteristics are currently limited to formal investigations. This is due to the current recording system being led by the needs of the Courts, rather than for wider monitoring purposes. Trading Standards will now look to widen and improve the recording of the protected characteristics of Trading Standards service users, in order to carry out a more detailed analysis.

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**

Since the confirmation of coronavirus in the UK, NCC has continued to deliver services by working remotely where possible to do so. In terms of its enforcement function, work has been undertaken virtually wherever possible, with face to face interventions restricted to those that are urgent and/or critical, such as in relation to animal health and welfare, high risk site inspections or seizure of illegal goods.

Specific enforcement duties have been allocated to Trading Standards in relation to coronavirus prevention and spread which have been interpreted and carried out in a timely manner and with proper precautions in place.

Risk assessments are in place for all face to face enforcement activity.

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**

Since March 2020, the Trading Standards Service has worked closely with the Police, Environmental Health, Public Health and NCC Communications to provide advice and support to businesses and the public on business closure and restrictions legislation, introduced to control the spread of the coronavirus. Two Norfolk-wide enforcement protocols, setting out a joint working approach,

have been agreed between all seven local authorities, Trading Standards and Norfolk Constabulary, the second, agreed on 28 September 2020, superseding the first. The regulations covered by the current protocol are listed in Appendix D.

Due to the partnership arrangements, the constantly and rapidly changing, and potentially transitory nature, of the coronavirus restrictions legislative framework, the Norfolk Coronavirus Restrictions Enforcement Protocol sits outwith the CES Enforcement Policy. However, in line with our enforcement principles, the prime objective is for the signatory agencies to seek to obtain compliance by consent, through a consistent staged approach of Engagement, Explanation and Encouragement. Where compliance by consent cannot be achieved, Enforcement will be contemplated. A variety of Regulations empower Trading Standards to issue prohibition or fixed penalty notices or to take legal proceedings, however to date Norfolk County Council has not had to resort to any of these enforcement actions.

Trading Standards has also been working with the Sports Grounds Safety Authority (SGSA) to ensure that the County's Designated Stadiums and Regulated Stands are Covid-19 compliant, and that, where these are able to re-open, they do so in line with government guidance.

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. Actions required

- 9.1. **1. To review and comment on the revised CES Enforcement Policy at Appendix A and its annex documents (A-1 to A-6), prior to consideration by Cabinet**
- 2. To note the 2019/20 enforcement performance data provided at Appendix B, and summary of stakeholder engagement at Appendix C.**

10. Background Papers

- 10.1. N/A

Officer Contact

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

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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

Enforcement Policy

Community and Environmental Services



If you need this advice sheet in large print, audio, Braille, alternative format or in a different language please contact us on 0344 800 8020

November 2020

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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.
- 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, Referral 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 otherwise required 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 traders 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 Targeted (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 The Key approach in seeking compliance is to:
- Engage
 - Explain
 - Encourage
 - Enforce
- 4.4 The prime objective is to obtain compliance by consent - it is anticipated that, in the vast majority of cases, businesses will comply with the legal requirements further to the provision of advice.
- 4.5 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.
- 4.6 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.
- 4.7 All investigations into alleged breaches of legislation will be conducted in compliance with statutory powers, time limits and other relevant legislation (and relevant Codes of Practice), including:
- 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)
- 4.8 As part of any criminal investigation process, persons suspected of having committed a criminal offence will, wherever possible,

- 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
- 4.9 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 we believe it may be required as evidence.
- 4.10 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.
- 4.11 We may also use investigation equipment whilst undertaking our duties, including handheld 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.

4.12 Immediate Formal Action

4.12.1 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.

4.13 Advice, Guidance and Support

4.13.1 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).

4.13.2 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.

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

4.13.4 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.

4.14 Where more formal enforcement action has previously been taken, such as a simple caution or prosecution, we recognise that, in some cases, there may be a need for additional compliance advice and support, to prevent further breaches.

4.15 Verbal or written warning

4.15.1 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.

4.16 Statutory (Legal) Notices

4.16.1 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.

4.16.2 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.

4.17 Monetary penalties

- 4.17.1 Fixed or variable monetary penalties, or penalty charge notices may be issued where there is a specific power or delegated authority to do so.
- 4.17.2 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.
- 4.17.3 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.

4.18 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.

4.19 Seizure and Destruction

- 4.19.1 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.
- 4.19.2 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.
- 4.19.3 Where products are found to present a serious risk, we may seek to destroy or otherwise render them inoperable, where there is legal recourse to do so.

4.20 Detention

- 4.20.1 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.

4.20.2 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.

4.21 Forfeiture

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

4.21.2 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 is by way of a complaint to the Magistrates Court.

4.21.3 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).

4.22 Injunctive Actions, Enforcement Orders etc

4.22.1 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.

4.22.2 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.

4.23 Other Sanctions or Interventions

4.23.1 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.

4.24 Taking animals into possession/banning orders

4.24.1 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.

4.25 Simple Cautions

4.25.1 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.

4.25.2 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.

4.25.3 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.

4.26 Prosecution

4.26.1 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.

4.26.2 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](#).

4.26.3 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.

4.26.4 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).

4.26.5 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.

4.27 Proceeds of Crime Actions

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

4.27.2 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.

4.28 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

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 enforcement action taken or have 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 responsible operator, 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. Senior Managers of the Council will be informed 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 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 2020

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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:

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- (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

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. Developments where planning permission was granted for permanent external substantial building works will be subject to this regime.

- 9.1 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.
- 9.2 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.
- 9.3 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.
- 9.4 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.

9.5 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.

9.6 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.

November 2020

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.

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 from Risk Management Authorities i.e. Anglian Water, District Councils
- 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. [Policy](#)

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 [Complaint](#)

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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.

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. [Complaint](#)
- 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](#)'

[Click here to return to table of contents](#)

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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November 2020

Norfolk County Council Highways Enforcement Protocol

1.0 Introduction

The Highways area teams receive a significant number of customer enquiries 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 an enquiry 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 an enquiry 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.

November 2020

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.

Safety at Sports Grounds Enforcement Protocol

Introduction

This Enforcement Protocol is supplementary to and published as part of the County Council's Enforcement Policy (Community and Environmental Services). It sets out the arrangements that Norfolk County Council has put in place for enforcement action in relation to its statutory duties concerning safety at sports grounds.

Legislation and Guidance

This protocol should be read in conjunction with the following legislation and guidance that applies to the safety of those present at sports grounds:

- Safety of Sports Grounds Act 1975 (the 1975 Act)
- Fire Safety and Safety of Places of Sport Act 1987 (the 1987 Act)
- Safety of Sports Grounds Regulations 1987
- Safety of Places of Sport Regulations 1988
- Regulatory Reform (Fire Safety) Order 2005 (enforced by Norfolk Fire and Rescue Service)
- Health and Safety at Work etc. Act 1974 (enforced by Health and Safety Executive / District/Borough Councils)
- Licensing Act 2003 (enforced by District/Borough Councils)
- Home Office Circular 71/1987 – which provides guidance relating to the issuing of prohibition notices

- Further advice contained in “Guide to Safety Certification of Sports Grounds” (known as the Green Guide) published by the Sports Grounds Safety Authority.

Scope

The sports grounds currently covered by these arrangements are listed below:

Designated Sports grounds in Norfolk requiring a General Safety Certificate:

- Norwich City Football Club

Regulated Stands in Norfolk requiring a safety certificate:

- Fakenham Racecourse
- Gorleston Football Club
- Great Yarmouth Greyhound Stadium
- Great Yarmouth Racecourse
- King’s Lynn Town Football Club (The Walks)
- King’s Lynn Speedway (Norfolk Arena)
- Wellesley Stadium

The 1975 Act defines a sports ground as a place where sports or other competitive activities take place in the open air, where accommodation has been provided for spectators, consisting of artificial structures or natural structures artificially modified for the purpose.

Under the provisions of section 1 of the 1975 Act the Secretary of State for Culture, Media and Sport may designate as requiring a safety certificate any sports ground that has accommodation for more than 10,000 spectators, or 5,000 in the case of Premier League and Football League grounds in England and Wales. These sports grounds are referred to as designated grounds.

A Regulated Stand is defined in the 1987 Act as any covered stand at a sports ground with accommodation for 500 or more spectators, whether seating or standing.

Under the provisions of section 10 of the Safety of Sports Grounds Act 1975 the Council has the power to issue a prohibition notice to limit the capacity, or totally prohibit the admittance of spectators to any sports ground within the County of Norfolk.

Choices of Enforcement Action

There are several courses of action open to the council's enforcement officers depending on the different circumstances that may be encountered or apply to the situation. The choices of enforcement action are:

- Informal Warning
- Reduction in Capacity
- Simple Caution
- Prohibition Notice
- Prosecution

Reduction in Capacity

Reducing the capacity of all, or part of, a sports ground is a formal action which would be appropriate in the following situations:

- if an incident suggests that the management of a sports ground is performing poorly; or
- if the Council's inspecting officers identify any deficiencies in the fabric, equipment, records or management systems, which the authority has not already taken into account when accepting calculation of the permitted capacity

Any new capacity should be properly calculated having regard to the change in circumstances and the procedures to be followed will be the same as during the routine annual review of the safety certificate. Ground management should be invited to submit its proposed revised (P) or (S) factor, but the Council reserve the right to overrule this if appropriate.

When reducing a capacity it is important that:

- officers act reasonably and in accordance with due process, not least because the certificate holder has a right of appeal against any reduction in capacity; and
- a formal amendment to the safety certificate is issued.

Prohibition Notice

Unlike the other provisions of the 1975 and 1987 Acts, the power to issue a prohibition notice applies to all sports grounds, as defined in section 17 of the 1975 Act, including those that are neither designated nor contain a regulated stand.

Section 10 of the 1975 Act empowers the Council to issue a prohibition notice in respect of all or part of any sports ground if it considers that “the admission of spectators to a sports ground or any part of a sports ground involves or will involve a risk to them so serious, that, until steps have been taken to reduce it to a reasonable level, admission of spectators to the sports ground or that part of the sports ground ought to be prohibited or restricted”.

A prohibition notice is therefore a measure of last resort and should only be used where an amendment of the safety certificate (where issued) is not considered an effective way of dealing with the risk(s).

When issuing a prohibition notice consideration should be given as to whether the risk to spectators is or may be imminent and if so, the notice should take effect as soon as it is served. In all other cases it should come into force at the end of the period specified in the notice.

A prohibition notice must specify:

- the nature of the risk to spectators; and
- the number of spectators that may be admitted to the sports ground, or any part of the sports ground, until appropriate steps have been taken to address those risks.

The notice may also include directions as to the steps which will have to be taken to reduce the risk to a reasonable level.

Appeals

Appeals against a reduction in capacity imposed by way of an amendment to a safety certificate or against a prohibition notice are to a Magistrates Court. Where an appeal is made against an amendment to a safety certificate the amendment cannot take effect until the appeal is heard. However, in the case of an appeal against a prohibition notice any reduction in capacity remains in place until the appeal is heard.

Penalties

It is an offence for any responsible person, not merely the certificate holder, to contravene the terms and conditions of a safety certificate or a prohibition notice. These offences and associated penalties, along with the defences of absence of consent and due diligence, are listed in section 12 of the Safety of Sports Grounds Act 1975.

Performance Data 2019/20

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 convicted	6
Number of offenders to whom simple cautions issued	2
Number of years imprisonment (immediate and suspended sentences)	72
Fines awarded	£9,367
Costs awarded from court cases	£7,408
Community Punishment Orders (hours)	350
Proceeds of Crime Act (POCA) benefit ordered to be paid in the year	£74,405
Proceeds of Crime Act (POCA) benefit paid in the year	£55,463

1.2 Redress obtained/detriment prevented by service actions

(£) not handed over to criminals (e.g. rapid response outcomes)	£61,330
Total number of Scam victims subject to interventions by the Service	867
Detriment (£) over the following 12 months prevented by service actions	£225,085

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	98%
Number of counterfeit items/products removed from or prevented from entering the supply chain and value	11 £242
Number of unsafe items/products removed from or prevented from entering the supply chain and value	68,203 £2,255,473
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	110
Number of businesses found in breach of animal health and welfare legislation	185

1.4 Tackling the availability of illegal tobacco

Number of premises from which products were seized	10
Number of cigarettes seized and value	32,460 £6,898
Weight of Hand Rolling Tobacco seized and value	6,175 g £1,235

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	6
Failure rate (%)	50%
Number of individual premises tested for Tobacco	0
Failure rate (%)	0%
Number of individual premises tested for Other Products	6
Failure rate (%)	17%

2. Planning Services

Over 100 programmed inspections of authorised developments were undertaken during 2019/2020 and 61 inspections were undertaken as a result of ongoing complaint investigations.

Levels of complaints received have reduced compared to previous years with 38 complaints reported. 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 £20,357.

Two Breach of Condition Notices and three Planning Contravention Notices were served in 2019/2020.

3. Flood and Water team

No enforcement action, beyond advisory letters being sent, has been required due to a) matters being resolved or b) not meeting the required thresholds for action.

4. Highways

4.1 Highway obstructions

- South Area - no enforcement action taken beyond advisory letters being sent, following which matters were resolved.
- North Area – Enforcement Notice served under Section 149 Highways Act 1980 to clear a road of mud
- West Area –. no enforcement action taken beyond advisory letters being sent, following which matters were resolved.

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	2019-20
Disposals:		
Formal prosecution including caution*	7 (+9) **	6 (+1) **
Advisory/warning letter or verbal advice from BBI	15	42
Details forwarded to parking team for CEO awareness	24	15
No action required (including insufficient or incorrect information to pursue further)	26	20
Investigation in progress/pending	15	-
Reporting:		
Reports from others (incl. public)	42	40
Identified by CEO	52	72
Identified by BBI	3	1
Location of incident:		
Norfolk	83	93
Outside Norfolk	15	7
Insufficient information to determine	6	3
Residency of badge-holder:		
Norfolk resident badge-holder	71	83
Non-Norfolk resident badge-holder	14	20
Insufficient information to determine	6	8
Not BB related	2	4
Total investigations:	93	115
* 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*

815 Fire Safety Audits (FSA) were completed in 2019-20. Of these:

- 144 premises were issued with informal notices for deficiencies.
- 14 premises were issued with formal notices for deficiencies.
- 0 formal prosecutions were concluded.

*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 Jon Wilby, Group Manager – Fire 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

Regulations covered by the Second Norfolk Enforcement Protocol - Coronavirus Restrictions (effective 28 September 2020) and split of enforcement duties

The Regulations covered by this enforcement protocol are:

[The Health Protection \(Coronavirus, Restrictions\) \(No. 2\) \(England\) Regulations 2020](#)

the “No. 2 Regulations”, as amended, which came into force on 4 July 2020.

[The Health Protection \(Coronavirus, Restrictions\) \(Obligations of Undertakings\) \(England\) Regulations 2020](#)

the “Undertakings Obligations” Regulations, which came into force on 18 September 2020.

[The Health Protection \(Coronavirus, Collection of Contact Details etc and Related Requirements\) Regulations 2020](#)

the “Contact Details Regulations”, as amended, which came into force on 18 September 2020.

[The Health Protection \(Coronavirus, Restrictions\) \(Self-Isolation\) \(England\) Regulations 2020](#)

The “Self-Isolation Regulations”, which came into force on 28 September 2020.

[The Health Protection \(Coronavirus, Restrictions\) \(England\) \(No. 3\) Regulations 2020](#)

the “No. 3 Regulations”, which came into force on 18 July 2020.

[The Health Protection \(Coronavirus, Wearing of Face Coverings in a Relevant Place\) \(England\) Regulations 2020](#)

as amended, which came into force on 24 July 2020, and

[The Health Protection \(Coronavirus, Wearing of Face Coverings on Public Transport\) \(England\) Regulations 2020](#)

as amended, which came into force on 15 June 2020.

Jointly, the “Face Coverings Regulations”.

The split of enforcement duties is summarised below:

Regulations	Enforcement		
“No. 2 Regulations”	Police	Local Authorities regulations 4, 4A & 4B only	County Council regulations 4, 4A & 4B only
“Undertakings Obligations” Regulations	Police	Local Authorities	County Council
“Contact Details Regulations”	Police	Local Authorities	County Council
“Self-Isolation Regulations”	Police	Local Authorities	County Council
“No. 3 Regulations”	Police		County Council
“Face Coverings Regulations”	Police		

Infrastructure and Development Select Committee

Item No. 12.

Report title:	Forward Work Programme
Date of meeting:	11 November 2020
Responsible Cabinet Member:	N/A
Responsible Director:	Tom McCabe (Executive Director, Community and Environmental Services)
Executive Summary This report sets out the Forward Work Programme for the Committee to enable the Committee to review and agree it. 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 is currently one Task and Finish Group: -
 - **Local Transport Plan** - Cllr Graham Middleton (Chairman), Cllr Tony White, Cllr Brian Watkins and Cllr Danny Douglas. The 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):** N/A.

5.4. **Health and Safety implications:** N/A

5.5. **Sustainability implications:** N/A

5.6. **Any other implications:** None.

6. Actions required

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: 28 January 2021	
Norfolk Library and Information Service update	To receive an update on activities at libraries, including new and re-shaped activities.
Adult Learning service strategy – annual report	To review and consider the Adult Learning service strategy
Rights of Way Improvement Plan	To review the plan and cycling and walking activity
Forward Work Programme	To review and agree the Forward Work Programme for the Select Committee.
Meeting: 17 March 2021	
Local Transport Plan strategy	To receive feedback and recommendations from the Member Working Group and to review and consider the emerging Local Transport Plan implementation plan
Trading Standards Service Plan	To review and consider the policy elements of the service plan.
Local Service Strategy	To consider the Strategy
Forward Work Programme	To review and agree the Forward Work Programme for the Select Committee.
Meeting: May 2021	
Safe, Sustainable Development	A guidance framework for Local Highway Authority requirements in Development Management
Policy and Strategy Framework – annual report	To enable the Select Committee to understand the relevant Policies and Strategies for the relevant services.
Highway and Transport Network Performance	To consider the performance of the network and identify any priorities to be considered as part of the annual review of the Transport Asset Management Plan (TAMP) in the light of this performance.
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.
Highway and Transport Network Performance	Annually - May	To consider the performance of the network and identify any priorities to be considered as part of the annual review of the Transport Asset Management Plan (TAMP) in the light of this performance.

Regular items	Frequency	Requested committee action (if known)
Performance of key highways contracts	Annually - May	To review the performance of key contracts for the highways service, including customer service.
Transport Asset Management Plan (TAMP)	Annually - November	To consider proposed amendments/updates for the TAMP
Forward Work Programme	Every meeting	To review and agree the Forward Work Programme for the Select Committee.
CES Enforcement Policy – Annual review	Annually – September/ November	To review any proposed changes to the policy.
Trading Standards Service Plan	Annually – March	To review and consider the policy elements of the service plan.