



Joint Committee for Transport for Norwich Minutes of the Meeting Held on 21 July 2022 at 2pm on Microsoft Teams (virtual meeting)

Present:

Cllr Martin Wilby (Chair)
Cllr Barry Stone (Vice-Chair)
Cllr Steve Morpew
Cllr Brian Watkins
Cllr Fran Whymark
Cllr Mike Stonard
Cllr Ian Stutely
Cllr Lisa Neal

Representing:

Norfolk County Council
Norfolk County Council
Norfolk County Council
Norfolk County Council
Broadland District Council
Norwich City Council
Norwich City Council
South Norfolk District Council

Officers Present:

David Allfrey

Graham Bygrave
Caroline Clarke

Alex Cliff
Kat Hulatt
Jo Martin
Jeremy Wiggin

Title:

Assistant Director Infrastructure Delivery, Norfolk County Council (NCC)
Director of Highways, Transport and Waste, NCC
Assistant Director of Governance (Democratic and Regulatory Services), NCC
Highway Network and Digital Innovation Manager, NCC
Assistant Director of Governance (Legal Services), NCC
Democratic Support and Scrutiny Manager, NCC
Transport for Norwich Manager, NCC

1. Apologies for Absence

- 1.1 Apologies were received from: Peter Joyner (New Anglia Local Enterprise Partnership), Cllr Emma Corlett (Cllr Steve Morpew substituted), Cllr Kay Mason-Billig (Cllr Lisa Neal substituted), Cllr Ian Moncur (Cllr Fran Whymark substituted).

2. Minutes

- 2.1 The Committee agreed the minutes of the meeting held on 13 January 2022 as an accurate record.
- 2.2 The Committee agreed the minutes of the meeting held on 24 March 2022 as an accurate record.

3. Declarations of Interest

- 3.1 No interests were declared.

4. Items received as urgent business

- 4.1 There were no items of urgent business.

5. Progress with delivering Transforming Cities Fund Schemes

5.1 The Committee received the report, which set out a summary of progress on delivering schemes funded through the Transforming Cities Fund (TCF).

5.2 Following an introduction from the Transport for Norwich Manager, the following points were discussed and noted:

- Members thanked officers for the update report and commended them on the progress that had been made in delivering the programme, despite the significant challenges presented by the COVID-19 pandemic and more recently the situation in Ukraine.
- Several Members commented on the high level of positive feedback they had received as Local Members on the schemes that had already been delivered. The Committee acknowledged, however, that Local Members had also received correspondence expressing frustration, from residents who felt they had been inconvenienced by disruption to their journeys and businesses who felt their trade had been adversely impacted.
- The Transport for Norwich Manager clarified that all 31 of the separate schemes funded through the TCF were being worked on. The Department for Transport (DfT) had a process in place through which councils were able to seek permission to amend their TCF programmes to take account of changes such as timescales for delivery. Officers were currently liaising with DfT through this process on eight to ten of the schemes which were likely to extend beyond the delivery deadline of March 2023.
- All schemes had been subject to cost increases as a result of inflationary pressure, but officers were keeping them under review and adjusting the design and materials used to make sure that the best value was achieved at all times. Some schemes had been slightly more expensive than projected while others had come in under the forecast costs. However, the programme as a whole remained within the budget that had been set. It was a challenge and officers needed to keep a close eye on those schemes which had yet to be delivered on the ground to ensure they remained within budget.
- The Transport for Norwich Manager was confident that all TCF funded works would be delivered by March 2024, which was the most likely extension window that the Government would allocate.
- The use of sustainable modes of transport was being kept under review and would be picked up as part of external monitoring and evaluation of the programme. There had already been a modal shift in transport types with 30% of car journeys being replaced with a sustainable alternative and e-scooters were proving popular. The metrics were showing that planned sustainability outcomes were either in line with or exceeding what had originally been envisaged. For example, it was clear that more people were cycling where new infrastructure had been provided.
- Adapted bicycles were available through the Beryl Bikes scheme. Officers were exploring the options for bringing adapted bikes onto the Beryl network and there was an opportunity to look further at what was available through the current contract. The Transport for Norwich Manager **agreed** to circulate more details.
- The specific review of the new bus lanes on Cromer Road and Aylsham Road was welcomed, and the committee noted that Local Members had raised concerns about their width. The Transport for Norwich Manager

confirmed that all aspects of the scheme's performance was being reviewed, including the impact on all users. No incidents had been reported and bus operators were positive about the outcomes of the scheme. The Committee noted that, to support the review, a meeting had been scheduled to discuss the scheme with Local Members in two to three weeks' time and at which they could air any concerns.

- While the Grapes Hill scheme was proving successful for vehicle movements, the effects on pedestrians and cyclists was not clear.
- It was reported that taxi drivers were experiencing problems arising from their being unable to access the city centre. They were having to take longer routes and together with higher fuel costs this was having an adverse impact on them.
- Clarification on the final date of the St Stephens Road scheme was requested. The Transport for Norwich Manager assured the Committee that the scheme was on schedule and **agreed** to provide a written response to confirm the projected completion date. He acknowledged there had been some frustration with the perceived length of time taken to complete the scheme and businesses had raised concerns about the impact of road closure on their trade. However, he highlighted that officers worked closely in partnership with all transport operators from the outset of any scheme. Bus operators had themselves suggested road closure for the St Stephens Road scheme to enable it to be completed as quickly as possible and they were supportive of the way that the scheme had progressed.
- Members reported that from their personal experience footfall in the city appeared to have increased over the previous six months and there was some evidence from the last edition of the Retail Sales Monitor to show that activity had returned to near pre-COVID levels. A lot of investment was being made in the city and new ways were being found to ensure it remained vibrant and viable.
- The Transport for Norwich Manager assured the Committee that officers engaged with businesses wherever possible and where concerns were raised they discussed access arrangements and how those businesses could be supported. Every scheme was designed to be completed as quickly as possible, to minimise impact on all parties, and schemes were carefully timed to ensure that one did not directly impact on another and compound any difficulties. Officers sought to achieve the right balance between getting works done in safe way and as quickly as possible.

5.3 The Joint Committee **noted** the progress on delivering schemes funded through the Transforming Cities Fund (TFC).

6. Amended Terms of Reference

6.1 The Assistant Director of Governance (Legal Services) briefly introduced the report and explained that in order to resolve governance challenges surrounding the status of the committee, the amended Terms of Reference sought to clarify and properly reflect the way the Committee was currently functioning.

6.2 During discussion, the following points were discussed and noted:

- The Assistant Director of Governance (Legal Services) had circulated the amended Terms of Reference to members of committee and Monitoring

Officers in advance for comment. She had incorporated as much as possible from the feedback received.

- At the time that the Norwich Highways Agency Committee (NHAC) was disbanded and the new committee had been created, the City Council had been concerned about a loss of influence. It had been understood that Council Leaders had discussed and suggested a decision-making Joint Committee, which had been explicitly referred to within the TFC bid. However, the revised Terms of Reference set out in the report described the committee as being an advisory committee which would have decisions ratified by NCC's Cabinet Member. The Assistant Director for Governance (Legal Services) was asked what prevented the committee from currently being set up as a decision-making Joint Committee. In reply, she explained that the relevant decision-making authority had not been delegated to the committee by Norfolk County Council.
- The 2020 TCF business case had explicitly stated the importance and good track record of council partnership working to attracting future funding. Officers were asked whether the new arrangements had been presented to and signed off by DfT and whether this posed a risk to future funding bids. The Director of Highways, Transport and Waste explained that the original bid had included reference to a Joint Committee to confirm there would be a discussion forum for schemes, but it had not included the detail of the arrangements. He also confirmed that the new arrangements had not been raised during weekly update meetings with DfT but that officers could do so if requested by the committee.
- The Local Government Act 1972 (section 101, paragraph 5) had a very specific meaning in law for a Joint Committee in relation to the discharging of local authority functions. If bids had been submitted to Government that specified delivery by a Joint Committee, there was no reason to believe that the Government would expect those arrangements to be different to a Joint Committee with decision-making powers. Legally, NCC could delegate the relevant powers to the committee. Instead, the amended Terms of Reference suggested those powers had been delegated to the Cabinet Member. In terms of squaring the arrangement with DfT, it was suggested that the Joint Committee arrangement which Members had thought was already in place should be regularised.
- There was a view that the amended Terms of Reference effectively dissolved the arrangement that Members thought had existed and had been driving their partnership working.
- It was suggested that there were two options to consider; the revised Terms of Reference presented in the report and the option of a Joint Committee with delegated decision-making powers.
- Referring to the revised Terms of Reference set out in the report, clarification was sought on the circumstances in which NCC's Cabinet or Cabinet Member might decide not to ratify a decision of the committee. The Assistant Director of Governance (Legal Services) explained that the view of the committee would be judged as valid consultation and as such, the decision-maker (NCC's Cabinet or Cabinet Member) would have to take that view into account as a relevant consideration. Where there was overwhelming public opinion, the decision-maker would be required to justify why they had not followed that 'relevant consideration' otherwise the decision could be vulnerable to challenge. It was likely that other 'relevant

considerations', such as technical or financial details, would be the justification given.

6.3 The Chair asked the Assistant Director of Governance (Legal Services) to advise on next steps for the Committee and whether it would be possible to bring a report to a future meeting with the two options described during the discussion. The Assistant Director of Governance (Legal Services) explained that, if requested, it would be possible to bring a report to a future meeting on options for governance around the sharing of executive powers through a Joint Committee. However, she would first need to present those options to NCC's Cabinet to explain the implications. She would then look further at options for the committee to consider and incorporate the views of NCC's Cabinet in that report. She emphasised that the committee was not currently a 1972 Act committee and the Terms of Reference set out a compact for how the local authorities worked together to advise on schemes. Her strong advice was that it would be preferable to reach a position where everyone could sign up to the amended Terms of Reference and continue the smooth working arrangement that currently existed.

6.4 The Committee **agreed** to:

- 1) **defer** the decision on the amended Terms of Reference set out in the report; and
- 2) **request** a further report for consideration at the next meeting, which should include the amended Terms of Reference and options for sharing executive powers through a Joint Committee.

The Meeting ended at 3pm

Next meeting: 22 September 2022 at 2pm

**Cllr Martin Wilby, Chair,
Joint Committee for Transport for Norwich**



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