

Environmental Excellence Policy Development Panel

Agenda

Members of the Panel:

Cllr K S Kelly (Chairman)

Cllr N J Harpley

Cllr N J Brennan (Vice Chairman)

Cllr K E Lawrence

Cllr D J Britcher

Cllr G K Nurden

Cllr A D Crotch

Cllr S M Prutton

Cllr J Davis

Cllr J M Ward

Cllr J F Fisher

Cllr J Leggett (ex officio)

Date & Time:

Thursday 25 August 2022 at 6.00pm

Place:

Council Chamber, Thorpe Lodge, 1 Yarmouth Road, Thorpe St Andrew, Norwich

Contact:

Jessica Hammond tel (01508) 505298

Email: committee.bdc@southnorfolkandbroadland.gov.uk

Website: www.southnorfolkandbroadland.gov.uk

PUBLIC ATTENDANCE:

If a member of the public would like to attend to speak on an agenda item, please email your request to committee.bdc@southnorfolkandbroadland.gov.uk, no later than 5.00pm on Monday 22 August 2022.

AGENDA

- 1. To receive declarations of interest under Procedural Rule no 8;**
- 2. Apologies for absence;**
- 3. Minutes of the meeting held on 23 June 2022; (minutes attached page 5)**
- 4. Public Space Protection Order – Dog Fouling; (report attached page 8)**
- 5. Annual re-ratification of Strategy for Norfolk Strategic Flood Alliance;
(report attached page 17)**

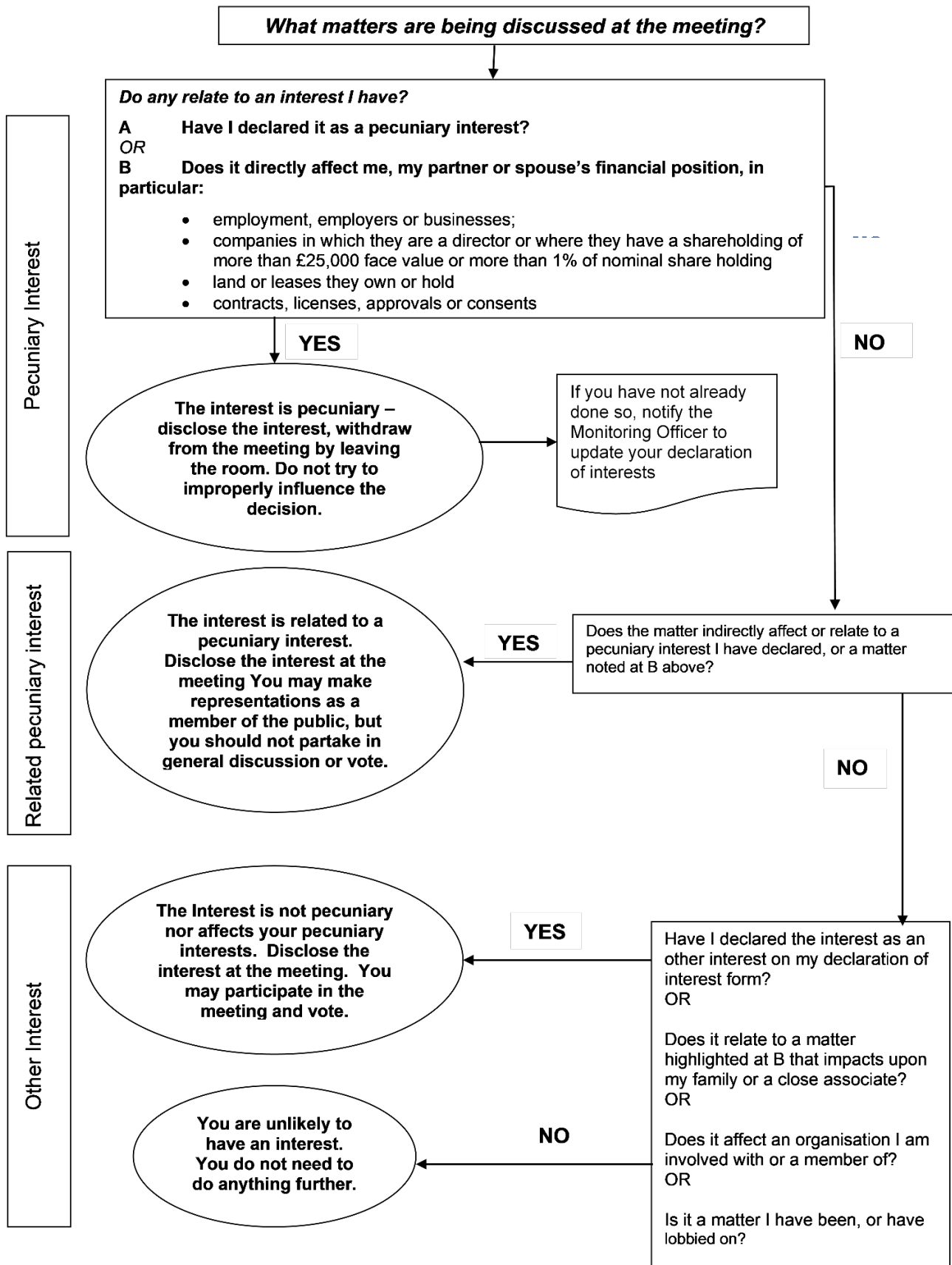
DECLARATIONS OF INTEREST AT MEETINGS

When declaring an interest at a meeting Members are asked to indicate whether their interest in the matter is pecuniary, or if the matter relates to, or affects a pecuniary interest they have, or if it is another type of interest. Members are required to identify the nature of the interest and the agenda item to which it relates. In the case of other interests, the member may speak and vote. If it is a pecuniary interest, the member must withdraw from the meeting when it is discussed. If it affects or relates to a pecuniary interest the member has, they have the right to make representations to the meeting as a member of the public but must then withdraw from the meeting. Members are also requested when appropriate to make any declarations under the Code of Practice on Planning and Judicial matters.

<p>Have you declared the interest in the register of interests as a pecuniary interest? If Yes, you will need to withdraw from the room when it is discussed.</p>
<p>Does the interest directly:</p> <ol style="list-style-type: none"> 1. affect yours, or your spouse / partner's financial position? 2. relate to the determining of any approval, consent, licence, permission or registration in relation to you or your spouse / partner? 3. Relate to a contract you, or your spouse / partner have with the Council 4. Affect land you or your spouse / partner own 5. Affect a company that you or your partner own, or have a shareholding in <p>If the answer is "yes" to any of the above, it is likely to be pecuniary.</p> <p>Please refer to the guidance given on declaring pecuniary interests in the register of interest forms. If you have a pecuniary interest, you will need to inform the meeting and then withdraw from the room when it is discussed. If it has not been previously declared, you will also need to notify the Monitoring Officer within 28 days.</p>
<p>Does the interest indirectly affect or relate any pecuniary interest you have already declared, or an interest you have identified at 1-5 above?</p> <p>If yes, you need to inform the meeting. When it is discussed, you will have the right to make representations to the meeting as a member of the public, but you should not partake in general discussion or vote.</p>
<p>Is the interest not related to any of the above? If so, it is likely to be an other interest. You will need to declare the interest, but may participate in discussion and voting on the item.</p>
<p>Have you made any statements or undertaken any actions that would indicate that you have a closed mind on a matter under discussion? If so, you may be predetermined on the issue; you will need to inform the meeting, and when it is discussed, you will have the right to make representations to the meeting as a member of the public, but must then withdraw from the meeting.</p>

**FOR GUIDANCE REFER TO THE FLOWCHART OVERLEAF.
PLEASE REFER ANY QUERIES TO THE MONITORING OFFICER IN THE FIRST
INSTANCE**

DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF



Agenda Item: 3

ENVIRONMENTAL EXCELLENCE POLICY DEVELOPMENT PANEL

Minutes of a meeting of the Environment Excellence Policy Development Panel of Broadland District Council, held at Thorpe Lodge, 1 Yarmouth Road, Thorpe St Andrew, Norwich on Thursday 23 June 2022 at 6.00pm.

Committee Members Present:	Councillors: K S Kelly (Chairman), N J Brennan, N J Harpley, G K Nurden, S M Prutton and J M Ward
Apologies	Councillors D J Britcher, A D Crotch, J Davis, J F Fisher and K E Lawrence
Substitutes	Councillors S Gurney (for A D Crotch), S Beadle (for K E Lawrence)
Cabinet Member Present:	Councillor: J Leggett
Officers in Attendance:	The Assistant Director - Regulatory (N Howard), the Environmental Protection Manager (A Grimley) and the Democratic Services Officer (JK)

32 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors D J Britcher, A D Crotch (S Gurney as substitute), J Davis, J F Fisher and K E Lawrence (S Beadle as substitute).

33 MINUTES

The minutes of the meeting held on 14 April 2022 were confirmed as a correct record and signed by the Chairman.

34 REGULATORY ENFORCEMENT POLICY

The Assistant Director, Regulatory introduced the report and outlined the key principles for the new overarching Enforcement Policy; the aim of which was to cover all the key areas to ensure legislation was followed for all general enforcement issues. Specific areas of legislation individual to each area, for

example planning, food hygiene, would then be dealt with by specific, thematic, detailed policies.

The Environmental Protection Manager advised members that officers had gathered good practice from a wide range of places when drafting the policy and explained that the advantages of separating the overarching enforcement policy and the thematic enforcement policies into separate documents were as follows:

- It was simpler to administer and update each policy without adverse effect on the others.
- It encouraged a helpful focus on the key considerations applicable to a particular area when enforcement policy questions arose and
- During challenges and legal proceedings, technicalities could focus on policy wording, and it was therefore helpful to keep policy documents tightly focussed.

Members commended the presentation and in response to a query, the Environmental Protection Manager confirmed that if the Regulator's code were to change, then we would need to update the policy. The next planned full revision was not until 2025, but in the event of any key changes, the policy may need to be updated and would come back to the panel as needed. Members were reassured by the Assistant Director, Regulatory that any planned reviews would be included in his forward work programme to ensure they were not overlooked.

The Assistant Director, Regulatory advised in response to a query that the new vision referred to in the policy was the vision as adopted by both councils after the collaboration in January 2020.

A member suggested that the list of issues covered was brought from the back of the policy to the front and that the website link in paragraph 89 was replaced with a friendly URL and the Environmental Protection Manager agreed to the suggestions. In addition, it was agreed that a further paragraph to clarify the approach to sexual exploitation of children and enforcement action for minors was added.

Discussion turned as to when a decision on when the names of residents dealt with under the Enforcement Policy should be publicised. It was agreed that it should not be one officer's decision however senior and so the approach would be that as a rule, if we prosecute, we will publicise the name, but if a statutory notice or fixed penalty notice was issued, the name would be withheld. However, if by exception and it was felt to be in the public interest, at least two officers would need to make the decision to publicise.

In response to a query from the Portfolio Holder for Environmental Excellence, the Assistant Director, Regulatory confirmed that the Enforcement Policy had been considered by South Norfolk Council members two days previously, and they had agreed the recommendation to Cabinet as outlined in this report.

Following discussion around the fines associated with fly tipping, the Environmental Protection Manager agreed that the service would annually publicise how many fines were issued and the nature of the offences. It was clarified to members that in terms of the levels of the fines, these were set by Central Government and were not designed to cover the costs and unfortunately that was the law.

Members welcomed the review and with the amendments as agreed, on a show of hands, it was unanimously:

RESOLVED

To propose that Cabinet recommends to Council to agree the adoption of the proposed overarching Enforcement Policy to replace the existing overarching enforcement policy, retaining as separate documents its other existing thematic enforcement policies.

(The meeting concluded at 6:40pm)

Chairman

Agenda Item: 4

Environmental Excellence Policy Development Panel

25 August 2022

Public Space Protection Order - Dog fouling

Report Author(s):

Teri Munro

Community Safety Officer

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Environmental Protection Manager

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Portfolio:

Environmental Excellence

Ward(s) Affected:

All Wards

Purpose of the Report:

This report presents for Cabinet approval a proposed new dog fouling and dog restrictions Public Space Protection Order under the Anti-social Behaviour, Crime & Policing Act 2014. This follows public consultation and would establish replacement of the existing Public Space Protection Order on a like-for-like basis.

Recommendations:

1. That Environmental Excellence Policy Development Panel recommends that Cabinet approves the Public Space Protection Order No. 3 as proposed in paragraph 4.5 and Appendix 1 over the geographical areas identified in Appendix 2 for a period of three years.

1. Summary

- 1.1 A Public Space Protection Order is the mechanism by which the Council can incentivise people to clean up after their dogs if they have fouled in a public place and can enforce non-compliance. Public Space Protection Orders have a maximum duration of three years, and a decision is now required whether to approve a new one, either as proposed or differently worded.

- 1.2 Dog fouling remains a significant environmental concern and nuisance for residents. This report presents recommendations for Cabinet approval to make a new Public Space Protection Order No.3 under the Anti-social Behaviour, Crime & Policing Act 2014 to apply to the whole Broadland District Council administrative area. This legal control would require persons in control of dogs to clear up after them if they foul in on any public/private land open to the air which the public have access with or without payment including but not limited to all public highways (to include verges, footways and footpaths), all public parks, pleasure grounds, sports grounds, playing fields and play.

2. Background

- 2.1 A Public Space Protection Order is the principal measure available to councils to combat dog fouling offending by irresponsible dog owners. Such orders are made routinely by councils across the country.
- 2.2 The previous Public Space Protection Order was extended in 2021 applying to the whole administrative area of Broadland and Required a person in control of a dog to clean up after it when it fouls in a public place, however they have a limited duration.
- 2.3 The Order made exemptions for people who are blind, deaf or have a disability that affects their mobility, manual dexterity, physical coordination, or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a registered charity and upon which they rely for assistance.
- 2.4 Before making a public space protection order the Council must be satisfied that the activity has a detrimental effect on the quality of life of those in the locality (or it is likely that activities will take place and have such an effect); is (or is likely to be) persistent or continuing in nature; is (or is likely to be) unreasonable and justifies the restrictions being imposed. The Council must formally consult with the local police and local communities on the proposal to introduce an order.

3. Current position/findings

- 3.1 The Broadland district enjoys relatively low levels of reports of dog fouling however routine contact with residents tells us that dog fouling remains an issue the public are concerned about.
- 3.2 Dog fouling is unpleasant where it occurs and contact on rare occasions with dog excrement can cause toxocariasis – an infection that can lead to dizziness, nausea, asthma and even blindness or seizures.
- 3.3 While most dog owners are caring, responsible individuals, there are still some people who do not clean up after their pets.
- 3.4 Over the past twelve months the Council has responded to seven complaints of dog fouling. In this period, no fixed penalty notices were issued because the offenders could not be identified. However, action was taken to inspect the local areas of concern and reassure local communities as to the council's robust

enforcement policy. When offenders are dealt with, a fixed penalty notice may be offered, or the council may decide to prosecute. Formal action tends to have the support of the majority of residents.

- 3.5 It should be noted that despite the low rate of fixed penalty notice service, public space protection order signage and bins act as a reminder to dog owners of the penalties of not complying with the order.
- 3.6 A public space protection order allows the council to post anti-fouling signage, place dog waste bins in public areas, to issue fixed penalty notices or prosecute dog owners who fail to clear up after their pets.

4. Proposed action

- 4.1 A public space protection order can run for a period of up to 3 years. The Public Spaces Protection Order No.3 has been drafted as presented in Appendix 1 is made, with a duration for a period of 3 years. The requirement for a further such Order will be then considered in good time to with a view to future decisions provided for under the Anti-social Behaviour, Crime & Policing Act 2014.
- 4.2 Prior to the production of this report a formal public consultation ran from 6th May 2022 until 17th June 2022. Parish and Town Councils were consulted with letters sent via emails. The Police, Police & Crime Commissioner and Norfolk Highways were consulted via posted letter. The public consultation was carried out via the Councils website.
- 4.3 No objections were received against the proposed Public Space Protection Order from any consultee or member of the public through the council website. Reepham Town council and Freethorpe Parish Council requested additional signage as part of the consultation.
- 4.4 No responses were received from the Police Crime & Commissioner, Norfolk Constabulary or Norfolk Highways.
- 4.5 Following the closure of the consultation period, and having considered the responses received, it is proposed that the Public Space Protection Order No.3 is made as set out in Appendix 1.
- 4.6 With the introduction of a new public space protection order, council officers will conduct patrols in areas where reports or intelligence are received that fouling is occurring. Officers will endeavour to inform and where necessary educate dog owners and will robustly investigate when individuals are identified as not clearing up after their dogs. Regulatory officers will work with environmental services to target heavily fouled areas with a view to reducing the amount of clean-up of public areas that is required.

5. Other options

- 5.1 The Council could decide to not to approve a new public space protection order. This would leave the council with limited sanctions or deterrents to deal with irresponsible dog owners who fail to clear up after their pets. This option is not recommended due to the scale of public concern about dog fouling, the importance of cleanliness of the open spaces of Broadland, and the fact that dog fouling left in such areas can present health issues to residents.

6. Issues and risks

- 6.1 **Resource Implications** –Signage is already in place and monitoring/enforcement is business as usual for the Community Protection Team.
- 6.2 **Legal Implications** –The legislation establishes a particular process for adoption of a Public Space Protection Order. The Public Spaces Protection Order No.3as proposed is a readily administered legal sanction available to local authorities to tackle irresponsible dog owners with a straightforward enforcement process.
- 6.3 **Equality Implications** –No equality implications have been identified. The order would have exemptions for people reliant on assistance dogs.
- 6.4 **Environmental Impact** – The proposed Public Space Protection Order would have a positive environmental impact by establishing clear regulatory offences and penalties, encouraging dog owners keep our open spaces clean and increase compliance, and contributing to cleaner neighbourhoods and environments.
- 6.5 **Crime and Disorder** - The proposed Public Space Protection Order will by provide an easily administered enforcement sanction for use in dealing with dog fouling and irresponsible dog owners.
- 6.6 **Risks** – Public Space Protection Orders are made under the Anti-social Behaviour, Crime & Policing Act 2014. Direct offences under the orders are difficult to witness, however dog fouling is an area where there is near universal agreement that public spaces and children's play areas should be kept clear of dog fouling. Having the orders in place allows the council to advertise and promote compliance, spell out the penalties of a dog owner not clearing up after their animals to deter offending, and to legitimately raise the profile of the authority in the area by regular high visibility patrolling.

7. Conclusion

- 7.1 The adoption of the Public Space Protection Order No.3 as proposed will deter dog fouling offences by irresponsible dog owners and enable enforcement under specific legal requirements. This will protect the health and wellbeing of our residents and the quality and cleanliness of Broadland's open spaces.

8. Recommendations

- 8.1 That Environmental Excellence Policy Development Panel recommends that Cabinet approves the Public Space Protection Order No. 3 as proposed in paragraph 4.5 and Appendix 1 over the geographical areas identified in Appendix 2 for a period of three years

Background papers

None

Appendices

Appendix One – Proposed Broadland DC Public Space Protection Order No.3.

Appendix Two – Area Map to which the Proposed Broadland DC Public Space Protection Order No. 3 would apply.

Broadland District Council 2022

The Anti-Social Behaviour, Crime and Policing Act 2014

Fouling of Land by Dogs

The District of Broadland Public Spaces Protection Order No. 3

1. Broadland District Council (“the Council”) hereby makes the following Order:

- a. This Order is made by the Council in exercise of its powers under Section 59 and Chapter 2 of Part 4 of the Anti-Social Behaviour, Crime and Policing Act 2014 (“the Act”) and this Order may be cited as the Broadland District Council Public Space Protection Order No.3.
- b. The Council is satisfied that:
 - i. Activities carried on within the restricted area as defined in Article 2 below, being the fouling of land by dogs: and
 - ii. that such activities may be of a persistent or continuing nature and the restrictions imposed by this notice are justified.

2. The Restricted Areas

- a. This Order relates to all land within the administrative area of the Council, shown in red on the plan in Schedule 1 of this Order, (“the Restricted Area”). This Order relates to all public/private land open to the air to which the public have access with or without payment including but not limited to all public highways (to include verges, footways, and footpaths), all public parks, pleasure grounds, sports grounds, playing fields and play areas.

3. Requirements and prohibitions

Fouling – failure to remove dog faeces

If a dog defecates at any time on land within the restricted area the person who is in control of the dog at that time shall remove the dog’s faeces from the land forthwith. This restriction is subject to the exemptions as stated in Article 4.

4. Exemptions

- a. The restrictions and prohibitions defined in Article 3 of this Order shall not apply to a person who is:

- i. registered as a blind person in a register compiled under Section 29 of the National Assistance Act 1948; or
- ii. has a disability that affects their mobility, manual dexterity, physical coordination, or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a registered charity and upon which they rely for assistance.

5. For the purposes of this Order

- a. A person who habitually has a dog in their possession shall be considered in charge of the dog at any time unless at that time another person is in charge of the dog.
- b. Placing dog faeces in a suitable waste disposal receptacle shall be considered sufficient removal to satisfy the requirement of Article 3.
- c. The Council does not consider being unaware of dog defecation (whether by reason of not being in the vicinity or otherwise), or not having a device for or other suitable means of removing the faeces as an acceptable reason for failing to remove the faeces as required by Article 3.

6. Offences

- a. Under section 67 of the Act, it is an offence for a person, without reasonable excuse, to do anything that the person is prohibited from doing by a public space protection order or to fail to comply with a requirement to which the person is subject under a public space protection order.
- b. A person failing to comply with a requirement or prohibition set out in Articles 3(a) or 3(b) of this Order shall be guilty of an offence unless he or she has reasonable excuse for failing to do so.
- c. A person guilty of an offence is liable on summary conviction to a fine not exceeding Level 3 on the standard scale.
- d. Pursuant to section 68 of the Act, a Constable or authorised person of the Council, may issue a fixed penalty notice to anyone he or she has reason to believe has committed the offences specified above. This gives the person to whom it is issued the opportunity of discharging any liability to conviction for the offence by payment of a fixed penalty to the Council.
- e. The level of the fixed penalty shall be £100 save that if the fixed penalty is paid within 10 days following the date of the notice the amount payable is reduced to £80.

- f. A person who pays the fixed penalty within the period of 14 days following the date of the notice may not be convicted of the offence in respect of which the fixed penalty notice was issued.

7. Commencement and duration of the Order

- a. This Order comes into force on XXXXXXX and shall remain in force until the XXXXX unless extended under section 60 of the Act.

8. Right to Appeal

- a. Any interested person wishing to challenge the validity of this Order must do so within 6 weeks beginning with the date on which this Order is made or, if applicable, varied.
- b. An application under Section 66 of the Anti-Social Behaviour, Crime and Policing Act 2014 is to the High Court.
- c. An interested person means an individual who lives in the restricted area or who works in or visits that area

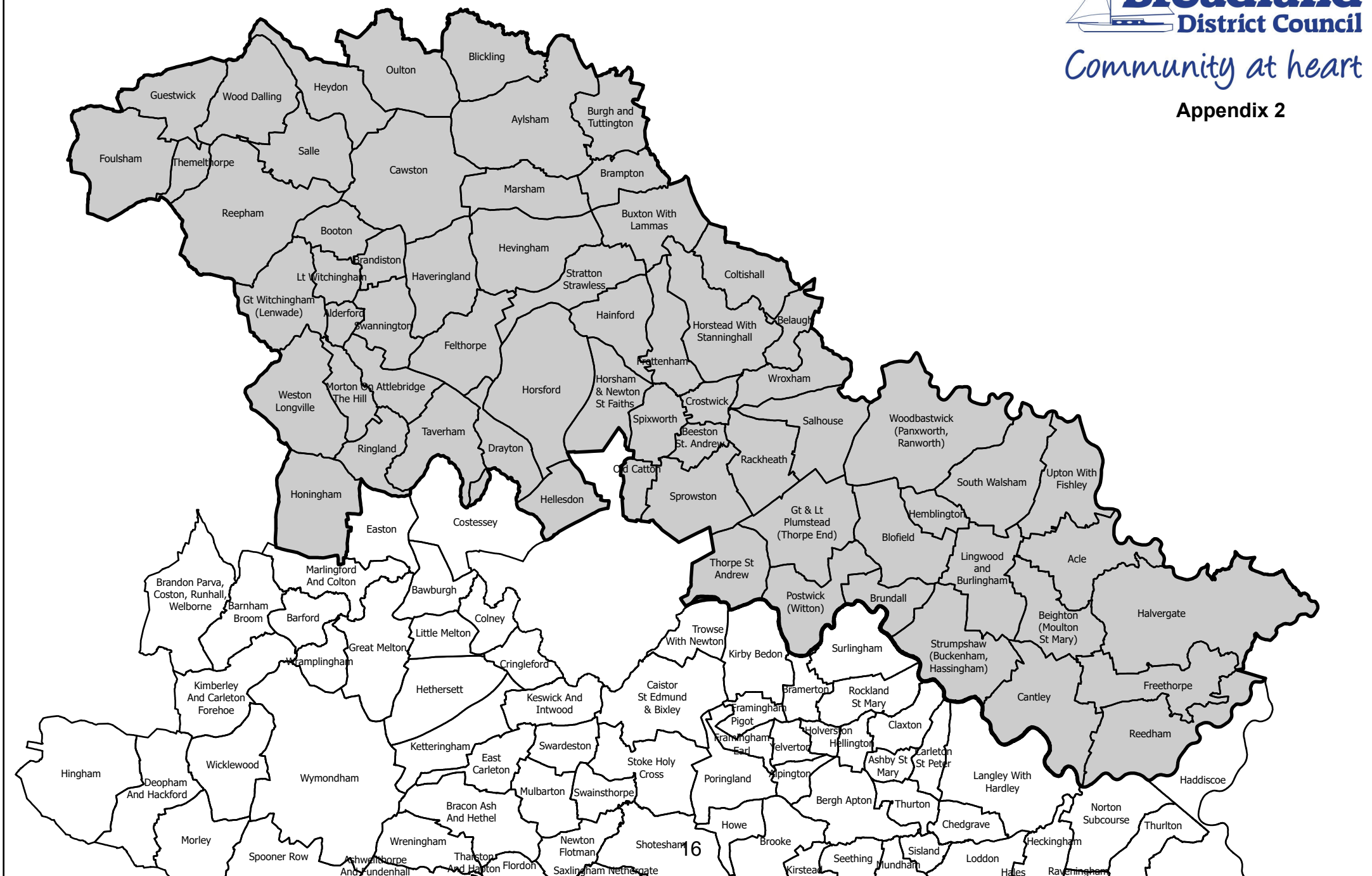
Dated

The Common Seal of Broadland District Council

Was hereunto affixed in the presence of

Deputy Monitoring Officer

Officer of the Relevant Service



Annual re-ratification of Strategy for Norfolk Strategic Flood Alliance

Report Author(s): Nick Howard
Assistant Director Regulatory
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Portfolio: Environmental Excellence, and Communities, Housing and Planning

Ward(s) Affected: All wards

Purpose of the Report:

This report presents the slightly updated Norfolk Strategic Flood Alliance's Strategy for annual re-ratification, one year on from its original ratification by Cabinet. Information is provided to outline how the council and the wider Alliance is delivering against the Strategy, and against the wider needs of our communities facing potential threats of flooding.

Recommendations:

1. Environmental Excellence Policy Development Panel to recommend to Cabinet to ratify the Norfolk Strategic Flood Alliance Strategy 2022 as set out at Appendix 1, and to note the progress being made.

1. Summary

- 1.1 The Norfolk Strategic Flood Alliance's (NSFA) Strategy, ratified by Cabinet on 14th September 2021, requires annual re-ratification. This helps to keep high-level action to tackle flooding high on the agenda. Re-ratifying the NSFA Strategy for a further one-year period will endorse and support the approach being taken.
- 1.2 Progress is being made by the NSFA on a range of flooding actions within Broadland district and across Norfolk.
- 1.3 Local action outlined at paragraphs 3.3 and 3.4 is being taken across the district in collaboration with South Norfolk Council through two posts dedicated to working with local communities in flooding awareness, prevention, mitigation, preparedness.

2. Background

- 2.1 The flooding experienced across Norfolk over the Christmas and New Year 2020 caused widespread impacts. Responding agencies resources were severely stretched and there were inconsistencies in the responses in different local authority areas. Residents were confused about which agency to contact for help and what level of response they could expect.
- 2.2 Following that flooding, the Norfolk Strategic Flood Alliance (NSFA) was established in early 2021. Chaired by Lord Dannatt, the work of the Alliance has involved strategic lead officers and Leaders from a range of agencies involved in flood response and water management across the County. The NSFA membership includes, among others, the Environment Agency, Anglian Water, the Association of Drainage Authorities, the Water Management Alliance, Water Resources East, the Norfolk Resilience Forum, the Broads Authority and Norfolk's local authorities. The NSFA Strategy was considered and ratified by Cabinet on 14th September 2021. This Strategy will be presented annually for re-ratification to maintain a high profile. This re-ratification is perhaps unusual, but it is appropriate given the challenges that flooding can threaten to some of our communities, and the complexity of making improvements in flooding problem-solving and improving future prevention and mitigation.
- 2.3 There are longstanding flooding issues where ownership of and responsibilities for land, ditches and drains has been unclear. The NSFA is able to highlight these areas and drive these issues forward at a more visible level than previously. The NSFA identified lists of priority flooding sites of concern for special attention, known as Tranche 1 and Tranche 2.

3. Current position/findings

- 3.1 The NSFA has brought various agencies and interests together successfully. It originally produced a set of guiding principles, the NSFA Strategy, and Tranche 1 and 2 lists including a number of locations for focussed attention in the Broadland district. Progress has been made in a number of locations towards the aim of developing costed, funded solutions to ongoing or periodic flooding. The NSFA

was also instrumental in the establishment of Coastal Flooding and Inland Flooding tactical coordinating groups which have monitored and supported the progress of developing solutions to flooding at Tranche 1 and 2 sites. Much of the progress made would have been difficult to achieve without the focus on the NSFA and its Strategy.

- 3.2 The NSFA Board meeting in July 2022 received an annual report for the previous period of one year, an updated campaign plan and a slightly updated version of the Strategy for re-ratification in 2022.
- 3.3 The collaboration with South Norfolk Council has enhanced staffing resources to focus on flooding, (1) through a lead operational role undertaken by Flood and Water Management Officer building on a former more junior officer post, and (2) by recruiting a new practical Riparian Responsibilities Officer post that will, working with communities, promote and enforce where necessary the free-flowing condition of land drains to prevent or minimise localised surface water flooding.
- 3.4 Through these dedicated staffing resources, the aims are to:
 - 1. Bring strong expertise and organisational knowledge to a 'can-do' focus on flooding, closely engaging with key stakeholders and local communities.
 - 2. Offer sector-leading proactive service for flood prevention, mitigation, advice and support.
 - 3. Develop a strong action-focused profile and providing strong reassurance, planning and responses, developing a track record of results.

Key planned activities for Regulatory services and the Flood and Water Management Officer will include:

- a) Identifying and mapping flood risk threatened areas and past incidents, including surface water flooding.
- b) Prioritising higher risk flood-threatened local areas within the district for close attention, engaging with local communities and representatives.
- c) Delivering high quality planning consultation responses to maximise positive influence on flood prevention, mitigation, protection and resolution of significant issues and concerns. Doing this internally on non-major proposed new developments and working with the Lead Local Flood Authority to maximise bespoke consultation on major proposed developments.
- d) Develop and deliver flood prevention and preparedness education and advice as a phased programme of activity to equip local people and ensure responsibilities are understood and exercised.
- e) Pursuing a prioritised work programme to promote, inspect compliance with and enforce where necessary the responsibilities of riparian owners, prioritising for close attention and working through the areas of greatest risk. This will involve practical inspection and community work by a practical inspector gathering information to enable informal and formal enforcement.

- f) Enabling better local community outcomes through flooding and water management policy and funding, strategic and partnering focus, strong positive relationships with stakeholders and key partner agencies.
- g) Promoting local community resilience (flood action groups, community emergency plans, etc.).

4. Proposed action

- 4.1 As reported previously, the NSFA has proposed that, on an annual basis, member agencies are invited to reaffirm their commitment to working in the Alliance and the delivery of collaborative working in accordance with its guiding principles. As an NSFA member the Council, by ratifying each year and then adopting the Strategy into its strategic plans, helps to add weight and brings greater unity of purpose as well as coherency and consistency to bear on flooding action.
- 4.2 The NSFA Strategy has received minor updates for 2022 and is presented at Appendix 1 for ratification for a period of one year.

5. Other options

- 5.1 Cabinet could decide not to re-ratify the NSFA Strategy for a further one-year period.

6. Issues and risks

- 6.1 **Resource Implications** – The NSFA Strategy seeks to gain a consensus approach bringing new focus to member agencies' existing resources. Re-ratification of the Strategy as proposed raises no new resource implications.
- 6.2 **Legal Implications** – None.
- 6.3 **Equality Implications** – No equality implications have been identified in connection with the adoption of the NSFA Strategy.
- 6.4 **Environmental Impact** – Localised flooding has evidently become more frequent in the United Kingdom and this is expected to continue and, potentially, to worsen. The NSFA Strategy (in conjunction with other agency plans, procedures and mitigations) will assist Norfolk residents to become more resilient to flooding. If any major schemes are brought forward the Council will have a key role in environmental assessment of individual projects and schemes as necessary.
- 6.5 **Crime and Disorder** – There are no identified crime and disorder risks associated with this report.
- 6.6 **Risks** – None identified other than set out above.

7. Conclusion

- 7.1 There are strong benefits in taking a multi-agency approach through the NSFA and keeping flooding action high on the local, regional and national agenda. Re-ratifying the NSFA Strategy will for a further year endorse and support the approach being taken.

8. Recommendations

- 8.1 Environmental Excellence Policy Development Panel to recommend to Cabinet to ratify the Norfolk Strategic Flood Alliance Strategy 2022 as set out at Appendix 1, and to note the progress being made.

Background papers

Minutes of Cabinet meeting on 14th September 2021.

NORFOLK STRATEGIC FLOODING ALLIANCE – OVERALL STRATEGY (2022)

The purpose of the constituent members of the Norfolk Strategic Flooding Alliance (NSFA) is to work together so that Norfolk communities and infrastructure are safer and more resilient to the risks of inland and coastal flooding and better placed to ensure adequate water supplies during droughts.

1. **Introduction.** The NSFA was formed following recognition that the county-wide response to flooding and flood-related risks is incoherent and improvements are required to protect and reassure Norfolk communities. Members of the NSFA are united in their determination to work collaboratively and transparently across boundaries and structures to improve the response to flooding and increase the coherency and consistency of flood risk management. The unique selling point of the NSFA is that it represents a single point of focus and collaboration for all flood-related challenges facing the County of Norfolk. As the NSFA enters its second year it has been agreed that the strategy should be updated to reflect the experiences of the last year. We also have a campaign plan that prioritises and sequences our actions and objectives.

OUR GOALS

2. **Our Vision.** The NSFA will be successful through the coordinated actions of the statutory authorities from central to local government, through to commercial companies, land and property owners large and small, their communities and individuals themselves. As a result, the people of Norfolk will have a high level of confidence that flood risks are as low as reasonably practicable and are being managed within the overall context of improved water management.

3. **Our Objectives.** Our objectives are:¹

- a. Maintain a transparent, collaborative, integrated and sustainable approach to water management issues across the County of Norfolk that is applied coherently.²
- b. Provide a cooperative approach to local, regional and national funding opportunities to mitigate Norfolk's flood risks.
- c. Examine how to implement whole river management best practice for inland waterways from catchment areas to the sea.
- d. Work to ensure that the planning system across the County is coherently applied and does not exacerbate the flood risks to new and existing residents and communities.
- e. Work with category one responders and other relevant bodies, so that when they are preparing and delivering their statutory or lead-agency responsibilities they will, where appropriate, collaborate through the Norfolk Resilience Forum (NRF) to:
 - I. enable the Local Lead Flood Authority (LLFA) to compile a common flood risk picture,
 - II. Maintain a consolidated action plan that maps multi-agency activities and progress,
 - III. ensure local flood resilience and the response to flooding events, are streamlined and cohered across the County,
 - IV. achieve synchronised initiatives across Norfolk that mitigate the risk of flooding and enhance communities' local resilience, and

¹ These are distilled further into a series of actions and tasks in Annex A.

² This will include an understanding of other water management strategies and activities already in practice through other bodies and organisations.

- V. deliver a programme of exercises to confirm NSFA effectiveness and assure progress development.³
 - VI. instil an approach that increases the effectiveness of a plan-mitigate-respond-recover continuum.
- f. Enhance the confidence of Norfolk communities through regular public communications and engagement on flood risks, mitigation measures and resilience / self-reliance initiatives.
- g. Complete an Integrated Norfolk Water Management Strategy.⁴
- h. Deliver a united Norfolk view on flooding and water management issues to Central Government.
- i. The function of the NSFA becomes a business as usual (Bau) function where the strategic direction, oversight and leadership is provided by an elected leader and the LLFA.

OUR APPROACH

4. **Our Principles.** Our guiding principles are:

- a. We will work together in a collaborative and transparent manner through the statutory duties established by the Civil Contingencies Act (CCA) (2004) and its supporting doctrine and guidance as well as making maximum use of Public Sector Cooperation Agreements, where appropriate.
- b. Extant statutory or lead responsibilities remain with the relevant agency.
- c. We will share information and manage knowledge intelligently.
- d. We will focus on delivering the best outcome for Norfolk communities.
- e. We will speak with one voice and communicate clearly, coherently and consistently to Norfolk communities.
- f. We will exploit pre-existing structures and multi-agency fora to reduce duplication and ensure our activities are efficient and effective.
- g. We will ensure a balanced approach – delivering quick wins and set the conditions for achieving longer-term success.
- h. We will make evidence-based decisions and anticipate future risk through collaborative analysis and data sharing.
- i. We learn from others and our own experiences and seek to identify and share ‘best practice’ as appropriate.

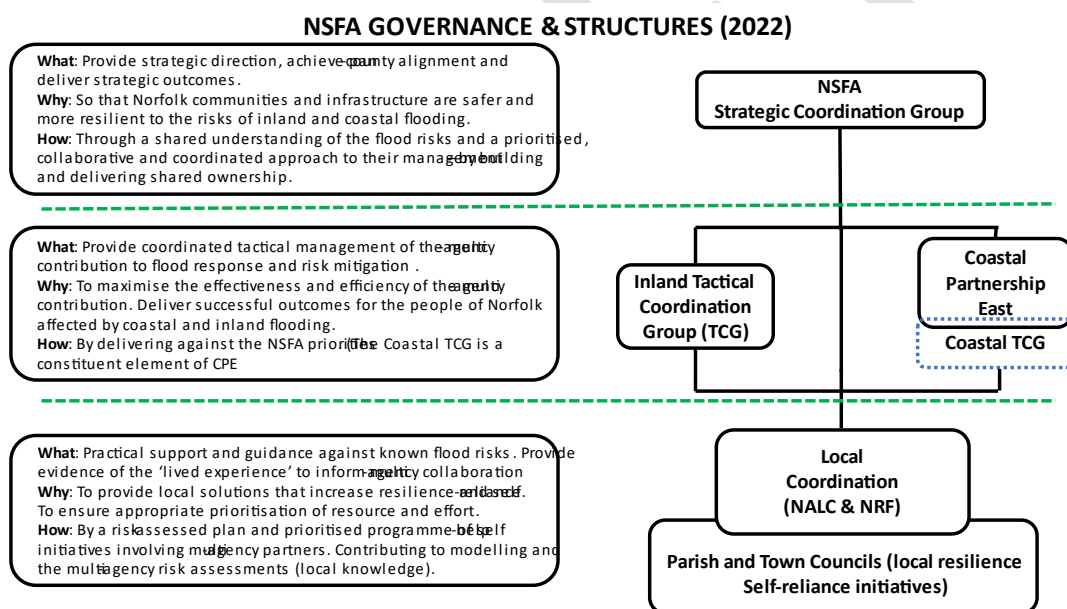
5. **Strategic Collaboration – Threats and Opportunities.** It is unlikely that any single entity will be able to develop projects or solutions alone that mitigate the threats of flooding or to promote the opportunities for better water management. Collaboration (not duplication) between NSFA and Water Resources East (WRE) is essential to a coherent approach across the County of Norfolk. From a water management perspective, WRE and its strategic partners will identify opportunities in the short, medium and long-term to connect fluvial flood risk reduction with water scarcity

³ We will do this in partnership with the Ministry of Housing, Communities and Local Government (MHCLG) or the Cabinet Office, partner authorities in the region and the Emergency Planning College, in the design, training, work up and delivery of the exercise.

⁴ To include an integrated approach to resource planning that considers all potential requests for funding to develop a single and prioritised statement of desired outcomes that all can work to deliver.

opportunities, ideally delivering water quality benefits at the same time. This will predominantly focus on the opportunities to capture and store flood water and make it available for use for example for irrigation, energy production and to drive environmental improvement and natural capital net gain. Key partners in this work, alongside Norfolk local authority colleagues and WRE's Norfolk Water Strategy partners (Anglian Water and The Nature Conservancy) will be landowners, internal drainage boards, local community leaders and environmental Non-Governmental Organisations (NGO).

6. **How we Function.** The NSFA operates across 3 levels (using Civil Contingencies Act doctrinal definitions for each level) – Strategic, Tactical and Operational/Delivery – a schematic representation of how this will be achieved, with broad roles and responsibilities, is shown below:⁵ The NSFA recognises that member organisations and authorities have different priorities, funding arrangements, regulators and statutory obligations. It is incumbent on NSFA members to highlight to the NSFA their constraints to help the NSFA appreciate how best to work around these for the benefit of local communities. While the NSFA will determine its priorities, it accepts the need to use the statutory and funding frameworks of other bodies to realise these priorities. The Norfolk County Council (NCC) communications team would use this strategy and action plan to develop a proactive communications and engagement plan.



ASSESSING SUCCESS

7. **What will success look like?** Achieving the stated vision will be the ultimate assessment of success for the NSFA. On our journey to achieving this vision, the NSFA will assess performance against the individual objectives (para 3) and the specific actions and tasks (Annex A) and we will work together in a collaborative manner according to our guiding principles (Annex B). On an annual basis (July NSFA meeting) members will be invited to affirm their commitment to the NSFA and the delivery of collaborative working in accordance with our guiding principles.

8. **Universal Stakeholder Buy In.** On an annual basis the stakeholders, who are the constituent members of the NSFA, will commit to work together by formally signing off the annual NSFA Overall Strategy and incorporate within their own organisation's strategy and plans.

⁵ For local operational/delivery groups to be successful, there will need to be multiple (to spread the load), probably covering either the district council areas (with a number amalgamated to ensure there aren't too many groups for those of us that cover the whole of Norfolk) or Anglian Water water recycling collection areas. Discussions are underway to see if KL&WN might consider joining Coastal Partnership East and therefore remove the need for a bilateral arrangement between the NSFA and KL&WN on coastal flooding matters.