

Norwich and Norfolk Transport Action Group

213 College Road
Norwich NR2 3JD
01603 504563
denise.carlo@btinternet.com

Mr Roy Foster
Mr Mike Fox
Inspectors, Greater Norwich Joint Core Strategy
c/o Simon Osborn, Programme Officer

6 June 2010

Dear Inspectors,

Joint Core Strategy for Broadland, Norwich and South Norfolk

Norfolk and Norwich Transport Action Group has objected to a number of Policies in the submitted Joint Core Strategy. We took part in the Exploratory Meeting on 13 May.

We write regarding your findings from the Exploratory Meeting, circulated to all parties on 24 May. You set out the extent of work required by the local planning authorities (combined as the Greater Norwich Development Partnership - GNDP). It seems very likely that this work will lead to changes to the Joint Core Strategy; that will have consequences for further Sustainability Appraisal and public consultation.

You have given the GNDP an opportunity to come back with proposals in response to your list of issues. You suggest delaying the hearings by five months until mid October at the earliest.

We ask that you give consideration to a preferable course of action, requesting the GNDP to withdraw the JCS until the necessary work has been completed and the public consulted on a more concentrated distribution of growth in South Norfolk and on other matters. Such a step would be in line with the PINS Local Development Guidance which recommends that:

“any delay beyond 6 months suggests that the appropriate course of action is withdrawal and re-submission of the DPD once the problems have been resolved”.¹

In our view, the depth and breadth of further work required including re-consultation points to the possibility of the process taking longer than six months.

¹ PINS Local Development Frameworks: Examining Development Plan Documents: Procedure Guidance, August 2009, Section 9: Exceptional Procedures, Para 9.14.

Another factor in why we believe the necessary changes will take at least six months to make is the constitutional structure of GNDP which hampers speedy decision making and avoids proper public scrutiny. In our submission, this constitutes a further reason for withdrawal of the JCS and for re-consultation with the public.

Examination of papers obtained shows that in 2006 the LPAs decided against setting up a Joint Committee with decision making powers under section 29 of the Planning and Compulsory Purchase Act 2004. Instead, elected Cabinet members appointed to GNDP refer decisions to their respective local authorities for endorsement. This informal arrangement slows down decision making; for example, agreement by local authority partners on 16 August 2006 to establish a GNDP was not reported to Norwich City Council until 18 October 2006.

We would also like to reiterate our concerns over the secretive conduct of the GNDP which has resulted in issues of soundness of the JCS. In our letter of 22 April 2010 we provided you with evidence of the GNDP's exclusion of the public and press from its meetings from its inception and its failure to publish agenda papers or minutes (copy attached). Despite NNTAG requests, the GNDP has refused to open its sessions to the public to enable proper scrutiny, yet private business interests, notably the local Chamber of Commerce and Shaping Norfolk's Future, have been freely invited to GNDP meetings.

One outcome of GNDP's unaccountable style of operating is the lack of an evidence base for Preferred Growth Distribution Option 2A. The PINS Inspector noted the lack of an evidence base for Option 2A in a note on her Advisory Visit in February 2009, but the GNDP chose to ignore the advice. There are other examples, for instance as highlighted at the Exploratory Meeting, the post-submission labelling of north-east growth triangle as a 'strategic allocation' without public consultation; and the GNDP reliance on an unpublished Implementation Development Plan which it turns out the GNDP had been working on for at least a year.

Minutes of the GNDP Transport Board recently obtained by NNTAG heighten our concerns about the GNDP approach to the JCS.

As a result of the secrecy, the public has been unable to adequately track GNDP preparations or understand the justification for preferred options and base assumptions. Apparently, the GNDP met on 27 May, three days after the Inspectors issued a note on 24 May of the Exploratory Meeting held on 13 May inviting the GNDP to propose how they intended addressing identified issues of 'soundness'. Again, the GNDP meeting was held in private and no indication has been given of what transpired.

This situation is wholly unacceptable and goes against the Coalition Government commitment to put transparency and accountability at the heart of government. Consequently, there is little confidence locally in the GNDP and preparation of the JCS.

The only way to increase public confidence in the JCS is to require the GNDP to hold all its meetings in public forthwith and to publish all papers to date, fully indexed.

May we ask you to look in detail at these matters please?

Yours sincerely,

Denise Carlo
on behalf of NNTAG

cc Mr Rynd Smith, PINS Director of Policy, Quality and Development Plans
Mr Simon Wright, Member of Parliament, South Norwich
Dr Ian Shepherd, CPRE Norfolk

Norwich and Norfolk Transport Action Group

213 College Road
Norwich NR2 3JD
01603 504563
denise.carlo@btinternet.com

22 April 2010

Mr Roy Foster
Inspector, Greater Norwich Joint Core Strategy
The Planning Inspectorate
3/25 Hawk Wing, Temple Quay House
Bristol BS1 6PN

Dear Mr Foster,

Joint Core Strategy for Broadland, Norwich and South Norfolk

The Norwich and Norfolk Transport Action Group (NNTAG) is an umbrella network of local environment and transport groups founded in 1988 with the aim of promoting sustainable transport in Norwich and Norfolk. Members include: Living Streets, Light Rail Transit Association, Norfolk Railfuture, Norwich Cycling Campaign, No to an N25 (NNDR), Norwich Friends of the Earth and Radical Transport.

We have made representations to the Proposed Submission Joint Core Strategy for Broadland, Norwich and South Norfolk and will be attending the pre-hearing on 13 May.

We are writing to you in connection with the list of preliminary concerns which you addressed to the Greater Norwich Development Partnership (GNDP) in your published letter dated 9 April. The process adopted by the GNDP for the Joint Core Strategy has given rise to some serious concerns. We wish to raise with you two matters which are highly pertinent to the Examination stage.

1. The Evidence Base

Part 2 of Q11 asks whether agenda, reports and minutes exist for all relevant meetings?

You will be aware that LPAs which produce conventional Core Strategies create Cabinet LDF Sub-Committees or Panels which meet in public and whose agenda papers and minutes are published on the Council's website. However, this is not the way that the GNDP has been working and the Great Norwich JCS progressed.

The situation is that the paperwork is not readily available to the public because the GNDP has created a management structure which enables it to meet behind closed doors, and it does not publish agendas, agenda papers (reports to Members), or Minutes. The GNDP set up is outlined in three separate email responses from the GNDP Manager, in response to applications by NNTAG on 24 February, 19 and 30 March 2009 which requested that the formal meetings of councillors who were preparing and approving the Joint Core Strategy at its successive stages be open to the public.

On 31 March 2009, the GNDP Manager replied,

"In response to your remaining questions, the answers to these remain the same as my responses on 25 Feb and 16 March 2009.

The GNDP Policy Group meetings are not public meetings. The members do not intend to make these public meetings, the process is that the GNDP Policy Group meetings are held with representatives from Members from each Authority as per the ToR. The decisions/actions from the meetings are endorsed by the individual Cabinet/Executives for sign-off as the GNDP Policy Group does not have delegated powers.

There is no requirement to put the papers on the GNDP web-site as they are published on the individual councils web-sites when they are endorsed at the Cabinet/Executive meetings.

If you have concerns about the way that decisions are made by GNDP then you may want to raise these with the individual GNDP partners directly via the Directors who can then discuss with their individual Members".

I attach the full set of relevant e-mails between NNTAG and GNDP Manager.

The GNDP has after some pressure provided copies of papers to NNTAG under Freedom of Information, but this is a cumbersome approach to obtaining information which ought to be freely accessible on the GNDP website. We do not know if all Agenda Reports and Minutes have been released; they remain unpublished by the GNDP. What appears in reports to the individual local authority partners appears less than complete, and putting information about such important planning strategy issues in obscure parts of on four separate local authority websites is not a substitute for the ability to attend meetings in person and listen to exchanges between GNDP partners.

There has been a lack of transparency behind, for example, the GNDP's choice of housing growth locations, notably the enormous concentration of housing in a proposed 'growth triangle' to the north-east of Norwich in conjunction with a NDR when major employment growth is planned to the south-west of the City (University, Hospital and Research Park). All combinations of options presented for public consultation by the GNDP included an urban extension in the north-east sector along a proposed Norwich Northern Distributor Road. As the Inspector who conducted a Norwich LDF Advisory visit in January/February 2009 noted in her report,

"The Regulation 25 Technical Consultation outlined 3 options. All three options adopt the same approach to the quantum and location of growth in Norwich and Broadland. The options differ in their approach to locations for growth within South Norfolk." (18)

This inability to track and understand the reasoning behind some of the decisions has been a great source of frustration, especially given that the GNDP partners are discussing matters which are to shape the future of Norwich and the lives of residents in a major way.

2. Uncertainty over Key Transport Infrastructure (Your Question 2)

The submitted Joint Core Strategy Submission indicates that future growth for major new or expanded communities and any future transport interventions are predicated on a Norwich Northern Distributor Road (NDR). See Policies 6, 9, 10, 12 and 20.

The grant of 'Programme Entry' for the length of the NDR between A47(T) Postwick Interchange and A140 last December leave many uncertainties. This road proposal has a long and complex history and has been reviewed, reduced and dropped at different times. The soundness of the JCS is at risk if it relies on the NDR being constructed. The following are factors to take into account:

1. The NDR has yet to reach the stage of a planning application. A scheme of this size which does not accord with the adopted Local Plan (and in NNTAG's view, does not accord with the 2008 RSS) is likely to be called in for an Inquiry and the Highways Act Orders for it will also require an Inquiry.
2. The scheme has been cut back twice from its original length – first the A47 (west) to A1067 section was dropped, then the A1067 to A140 length was omitted. A further reduction and scaling down, perhaps to the A1191 to A47 (east) length only, is quite possible having regard to its history.
3. The first stage of the NDR, the Postwick Hub, has been the subject of a planning application to Broadland District Council and was advertised as a departure from the development plan. A permission has been issued by the District Planning Authority for this road junction although procedures for County road schemes require the County Council to apply to itself for permission. Highways Act Orders published by the Highways Agency in November 2009, necessary for the road layout to be built, have been the subject of objections and a public inquiry is awaited. Ministers risk legal challenge if no public inquiry is held, since case law on the Highways Act gives a presumption in favour of an inquiry where there are objections (*Binney and Ancomb v Secretaries of State*, 1983).

There can therefore be no guarantee that either the Postwick Hub or the NDR in its current form will be approved or built.

We look forward to seeing the GNDP's responses to your questions.

Yours sincerely,

Denise Carlo
On behalf of NNTAG

Encl: E-mails between NNTAG and GNDP 2009