

Greater Norwich Development Partnership Board

Minutes of a meeting of the **Greater Norwich Development Partnership Board** at Thorpe Lodge, 1 Yarmouth Road, Thorpe St Andrew, Norwich on **Thursday 15 March 2012** at **2pm** when there were present:

Cllr Andrew Proctor – Chairman

Representing

Cllr Stuart Clancy	Broadland District Council
Cllr Roger Foulger	Broadland District Council
Cllr Brenda Arthur	Norwich City Council
Cllr Bert Bremner	Norwich City Council
Cllr Yvonne Bendle	South Norfolk Council
Cllr Derek Blake	South Norfolk Council
Cllr John Fuller	South Norfolk Council
Cllr Derrick Murphy	Norfolk County Council
Cllr Graham Plant	Norfolk County Council
Alan Mallett	Broads Authority

Officers

Roger Burroughs	Broadland District Council
Phil Kirby	Broadland District Council
Sara Utting (Committee Officer)	Broadland District Council
Sandra Eastaugh	GND Partnership Manager
Richard Doleman	Norfolk County Council
Mike Jackson	Norfolk County Council
Phil Morris	Norfolk County Council
Mike Burrell	Norwich City Council
Jerry Massey	Norwich City Council
Graham Nelson	Norwich City Council
Tim Horspole	South Norfolk Council
Andy Radford	South Norfolk Council

Damien Ashford of Price Waterhouse Coopers also attended the meeting for its duration.

11 APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr Alan Waters (Norwich CC); Cllr Ann Steward (Norfolk CC); Scott Bailey (H&CA); Andy Wood (New Anglia LEP); Andrea Long (BA) and Chris Starkie (New Anglia LEP).

12 MINUTES

The Minutes of the meeting held on 15 December 2011 were confirmed and signed by the Chairman as a correct record, subject to the following amendment:

Minute no: 4 – JCS – Legal Challenge

2nd bullet point to read “Ground 2”

13 JOINT CORE STRATEGY - UPDATE

Phil Kirby circulated a report summarising the latest position with the legal challenge to the adoption of the JCS and the implications of it, together with a copy of the Court Judgment.

It was noted that, on 24 February 2012, Judgment was handed down on the legal challenge made to the JCS. Of the two claims heard at the hearing in December, the one relating to the NDR was dismissed; the one relating to the Strategic Environmental Assessment and the alternatives for growth to the North East Growth Triangle (NEGT) was successful. The Judge had concluded that the rejection of alternatives to significant growth in the NEGT had not been adequately explained in the published material, with the lack of explanation on this matter in the Sustainability Appraisal (SA) report of 2009 being critical.

A further hearing had taken place on 29 February to establish the nature of the relief to be given to the claimant. The Judge heard argument as to why parts of the JCS should be quashed and the alternative of only being remitted. He had concluded that the powers given to him under the Planning Acts had been deliberately designed to avoid the need to put plans back to square one in such circumstances and, therefore, indicated that he would not quash the affected parts of the Plan but order remittal to the pre-submission stage.

The Judge had determined that remittal was to be limited to the NEGT and housing proposals within the Broadland part of the Norwich Policy Area. The rest of the JCS remained intact. He instructed the Council’s advocate to prepare a draft Order and schedule of those parts of the JCS text to be remitted and seek to agree this with the claimant. Those discussions were ongoing.

It was anticipated that the Order would set out how the remitted parts of the Plan were to be treated; a process for how those remitted parts were to be taken forward and how the remainder of the Plan should be treated. It was likely that this would require a revised SA to be prepared of the remitted parts of the JCS and, as detailed in the report under consideration, it was being recommended that work was started on this immediately in order to minimise further delay.

On the issue of costs, it had been agreed that the reciprocal cap limit would

be met, with a £1,000 reduction to offset the award to the Councils. Permission to appeal by the Councils was denied by the Judge, however further advice was being sought on this matter.

Board members concurred that a revised SA would minimise the period of uncertainty created by the Judgment and the risk of speculative planning applications being received for major housing developments which were either contrary to the JCS or premature in relation to the adoption of remitted parts.

Accordingly, it was

AGREED:

that each partner Council be recommended:

- (1)
 - (a) through the GNDP, to collectively commence the process of producing a Sustainability Appraisal of the parts of the JCS to be remitted following the High Court Judgment of 24 February and this SA examines in particular the strategic growth in the North East Growth Triangle and the reasonable alternatives (if any) to this;
 - (b) to arrange for the publication of the adopted JCS as soon as practicable and
 - (c) to continue to work together through the GNDP to implement the adopted JCS and prepare the SA and bring forward appropriate proposals regarding remitted parts of the Plan.
- (2) to authorise the GNDP Directors be instructed to agree the details.

14 COMMUNITY INFRASTRUCTURE LEVY (CIL) – CONSULTATION UPDATE AND NEXT STEPS

Further to Minute no; 7 of the meeting held on 15 December 2011, the Board considered a report providing an update on the Regulation 16 Publication of the Draft Charging Schedules for Broadland, Norwich and South Norfolk.

Numerous publication methods had been utilised (eg copy sent to all parish / town councils in the 3 council areas, public notices in EDP and other local papers and over 4,000 individual letters to addressees on the LDP

consultation database). A total of 34 responses had been received, with the main themes focusing on: the viability of residential development; viability of commercial development; boundary of the charging zones and the provision of infrastructure.

It was noted that, following the Judgment to the challenge on the JCS, officers were working to assess the impact on the CIL process and had advised delaying submission for the time being (previously anticipated to be 26 March). A revised timetable would be published once the assessment was complete.

The Leader of South Norfolk Council stated that his Council's area was under immediate development pressure and therefore, it was critical that the CIL was resolved quickly. Currently, the proposed implementation date was 1 September 2012 but if this was delayed to January / February 2013, it would prejudice the provision of infrastructure for the South Norfolk area. Therefore, any delay in the implementation of the CIL could not be entertained by South Norfolk Council.

The Chairman responded that he shared those concerns but it was essential for the Partnership to be very clear on the legal advice and it had to be recognised that there may be a short delay. He stressed that it was important for all the partner authorities to move together jointly.

Mr Plant endorsed the Chairman's comments, whilst expressing empathy with Mr Fuller's concerns. However, it was essential for work on the CIL to be expedited as quickly as possible with all partners involved. Officers at both Norwich City and Broadland District Councils were working hard to keep it progressing. These comments were supported by Brenda Arthur.

Derek Blake reiterated the concerns for South Norfolk and requested frequent updates on progress with the CIL.

In conclusion, Phil Kirby assured the Board that officers were fully aware of the concerns being expressed and would work expeditiously to ensure the original timetable was adhered to as much as possible. However, it was essential for the legal advice to be sought first.

AGREED:

to note progress on the CIL and that Board members would be kept updated on a frequent basis.

15 CITY DEALS PROPOSAL

Jerry Massey presented the report on the Government's recent "city deals" initiative and how it could relate to the greater Norwich area.

It was noted that, in December 2011, the Government had announced "city deals" which were intended to recognise cities as "engines of growth" and offer an opportunity for cities to enter into a partnership with Government involving devolution of power in return for meeting certain conditions. Initiatives the Government would be willing to negotiate included: greater freedoms to invest in growth; the power to drive critical infrastructure development and new tools to help people get the skills and jobs they needed. It appeared that the intention was for city deals to be based on rounded packages of proposals to support economic growth in functional urban areas. There was also an expectation that they would reflect LEP boundaries.

The report highlighted a number of issues, such as non-metropolitan areas where there was more than one town or city in the LEP area, difficulties with geographical and political boundaries etc. The current arrangement appeared to favour large unitary and metropolitan areas. However, the principle of a package based deal which provided incentives and transformative powers for the local area in return for meeting conditions agreed with Government appeared to be an attractive proposal. What was unclear at this stage was how the present arrangement could be delivered in practice, given the size of the area and the two tier structure. Therefore, it was suggested that the Partnership should lobby Government about the key role that shire cities could play in delivering growth.

The report concluded that an expression of interest be submitted at this stage, with ongoing dialogue with the Government on a general basis, together with the suggestion above.

Each of the partner authorities expressed their support for the initiative and their willingness to be involved, recognising the benefits which could be accrued to the wider area. Accordingly, it was

AGREED:

to respond to the Government on the city deals offer to ensure that the Government recognised the positive appetite towards the arrangements and to draw attention to the practical issues of implementing the current model in a two tier non metropolitan area.

16 INFRASTRUCTURE PLANNING, DELIVERY AND FUNDING

Phil Morris gave a brief presentation on the 5 year investment plan (a copy of

which was available on the GNDP website). It was noted that the majority of the CIL would be used on small scale infrastructure.

Key points to note were:

- Three strategic green infrastructure sites had been identified (based on the adopted JCS) – the Broads buffer zone, Mousehold Heath and the Yare Valley.
- Junction improvement would take place at: Longwater, Thickthorn, Postwick and Long Stratton
- Public transport improvements – BRT corridors and the city centre tie-in
- Primary school provision – 4 in total, with 2 needed in the 2nd five year period
- Pre-school provision – 2 needed
- Community facilities – **not** small scale
- North east Growth Area Triangle.
- NDR provision 2012/13 to 2016/17
- Long Stratton bypass

Damien Ashford of Price Waterhouse Coopers then gave a brief presentation (a copy of which was available on the GNDP website), referring to the other sources of income. He stressed that there was daily interaction with the GNDP.

Mr Fuller referred to the three different elements of project:

- Strategic in nature – therefore all partners would contribute
- Those within each local authority's area
- Those at parish level

He stressed that prioritisation was key to ensure infrastructure was delivered to support growth. Mr Fuller added that CIL was not the only borrowing mechanism and he also had concerns regarding the cash flow, eg who would be the accountable body? Would it be a governance model or a limited company? Ground rules needed to be established as quickly as possible.

The Chairman acknowledged that it was a very complex project to complete in a relatively short timeframe. However, from a joint perspective, this would be met.

Mike Jackson stated that all issues were being addressed through the work

with PWC. He referred to the statement made by Phil Morris during his presentation, that other funding opportunities were available. The first phase of improvements on parts of the BRT routes had been completed demonstrating that implementation and the programme of delivery had been started. Other initiatives included the submission of a bid to the Better Bus Area Fund for £2.6m, which was particularly relevant to the City Centre improvements.

Mr Clancy commented that deliverability was key and guidelines were needed on how the CIL would be allocated. The priorities had been agreed over the past five years and it was essential for the timetable to be kept on track.

Mr Ashford responded that he agreed with all the comments which had been made. The challenge would be how to make it work together as a whole to get the benefits. Issues such as the delivery model, banking procedures etc would all be included in the PWC's final report.

AGREED:

to note the current situation and recognise that it was key work in progress.

17 DATE OF NEXT MEETING

AGREED:

to note the date of the next meeting as 24 May 2012 at 2pm.

The meeting closed at 2.45pm