



EXECUTIVE

5.30pm–6.40pm

23 July 2008

Present: Councillors Morphew (Vice-Chair), Morrey (Vice Chair), Arthur, Blakeway, Brociek-Coulton and Sands

Also present: Councillor Ramsay (to end of item 6)

Apologies: Councillors Bremner and Waters

1. PUBLIC QUESTIONS

The Chair said that, as 4 questions had been received from members of the public relating to the disposal of land for affordable housing, the questions would be taken under this item. The report had been reissued so that those parts of the report which did not contain exempt information relating to the business and financial affairs of a third party could be considered in public.

2. MINUTES

RESOLVED to approve the accuracy of the minutes of the meeting held on 9 July 2008.

3. DISPOSAL OF LAND FOR AFFORDABLE HOUSING

(Copies of the revised report of the Head of Strategic Housing were circulated at the meeting.)

The Housing Strategy and Enabling Manager explained the context of the report and said that every single year there was a need for 624 new affordable homes in Norwich. Despite its best efforts, the Council was not producing half of this figure. The Council could maximise the number of affordable homes that could be built by disposing the proposed sites to the Delivering Affordable Housing Partnership and by reinvesting the capital receipts to fund more affordable housing. The garage sites considered for redevelopment had large numbers of vacant garages, had problems of anti-social behaviour on the site, parking capacity close by in the area and potential to construct a relatively large number of new affordable homes. Many local residents wanted to see these sites tidied up. There would be an opportunity for local residents to be consulted as part of the planning process.

The following questions were then put to members of the Executive:-

Patrick Burleigh to the Executive Member for Sustainable City Development:-

'My question is please can all Councillors seriously consider the proposal: that the big beech tree in the middle of the Dolphin garages, along with its court yard, (reduced from its present size to about 20 m²) be kept as an informal recreational area? My reason for this request is that for those who do not have gardens or balconies, there is no recreational space in the groves, where for example one could skip or knock a ball against a wall, and of course this could easily help fulfil another of the government's aims, which is for people of all ages to get more exercise. Also if needed, that area could also act as an overflow car park between 8.00 p.m. and 8.00 a.m.'

Councillor Brian Morrey, Executive Member for Sustainable City Development made the following response:-

'Councillors are tonight considering whether to approve the disposal of the site at Dolphin Grove and two others. If a decision to dispose was taken then it would be conditional upon planning approval. The Executive cannot make any planning related decisions.

I will ensure that Mr Burleigh's comments are fed into the appropriate officers for consideration in design proposals and if a planning application is submitted Mr. Burleigh will again have the opportunity to comment upon the designs.

I am pleased to note that in the current plans the large beech tree is proposed to be retained with a small area of open space and the provision of ten additional car-parking spaces for the residents of Dolphin Grove. This can be achieved alongside the development of thirteen new affordable homes and related parking.

From a planning perspective this site is situated in a 'sector' that has under-provision of open space so contributions will be expected from all sites over forty dwellings, so this site would not be. Contributions are also sought to provide play space on sites that provide more than ten child bed-spaces. The current proposal for this site provides fourteen child bed-spaces so it would be required to make such a contribution. In addition, as Mr Burleigh will be aware the site is very close to Anderson's meadow which provides a large open space suitable for the kinds of informal play that he mentions.'

By way of a supplementary question Mr Burleigh reiterated his point about the beech tree and the Chair advised him that he would have a further opportunity to comment during the planning applications process.

Mr David Buxton then addressed the Committee with his reasons for objecting to the proposals and asked the following question:-

'Does the Council have any evidence of and can they provide details of any commercial issues that prevent this discussion taking place in the public meeting, the quoted 'strong support' for this development, anti-social behaviour that has occurred on the site and how many garages are vacant at present and how long they have been so?'

The Chair said that detailed responses had been prepared for the 5 questions that Mr Buxton had submitted earlier and therefore he would read out each of the questions on Mr Buxton's behalf.

The Chair on behalf of Mr Buxton to the Executive Member for Sustainable City Development:-

'Why is the discussion on disposal of a fourth tranche of sites to the Delivering Affordable Housing Partnership down on the agenda for the private section of the meeting? A development partner, who should have been selected by competitive tender, has already been chosen and therefore there are no commercially sensitive issues that need to be discussed.'

Councillor Brian Morrey, Executive Member for Sustainable City Development made the following response:-

'The report has now been split into two so that part of the report will be discussed in public. The second part of the report contains information relating to the sale price of the land to be disposed of for development. This aspect of the report cannot be published as it would reveal financial and business information of the Council and our delivery partners.'

The Council's relationship with Lovell Partnerships Ltd for the purpose of this development is through the disposal of land for the development of new affordable housing. The sites to be discussed today at Executive, if approved for disposal, would be sold to the respective delivery partners with the capital land receipt reinvested as a grant.

Norwich City Council are not employing Lovell Partnerships Ltd or any other contractor to carry out works on their behalf we are therefore not obligated to select them through competitive tender.

Nonetheless a selection process was followed to select delivery partners for the Delivering Affordable Housing Partnership (DAHP) in April 2007.'

The Chair on behalf of Mr Buxton to the Executive Member for Sustainable City Development:-

'What were the selection criteria against which the tenders for development partner were measured? What other companies tendered and what were their scores?'

Councillor Brian Morrey, Executive Member for Sustainable City Development made the following response:-

'In order to select partners for the DAHP applications were invited from organisations that had partnering status with the Housing Corporation and were active in development in the housing sub-region of Greater Norwich.'

The applications were assessed against five criteria. These were, in order of importance, "Strong housing management capability in Greater Norwich", "Proven track in delivering affordable housing", "Willingness to work in

partnership", "Commitment to quality of design and environmental sustainability" and "Capacity for future delivery". The criteria were weighted according to their deemed importance and gave the opportunity for a maximum of 35 points. They were scored independently by Broadland District Council, Norwich City Council and South Norfolk District Council and then aggregated to give a potential maximum of 105 points.

Six separate applications were received from the following organisations: the Broadland Housing/Orbit Housing Partnership, Circle Anglia Ltd, E², Flagship Housing, Lovells Partnership Limited and Places for People.

Four applicant organisations were then taken forward to an interview and presentation process with decisions made by Councillors from Broadland District Council, Norwich City Council and South Norfolk District Council. The interviews were also attended by an observer from the Housing Corporation.

The four interviewed organisations were all selected to become delivery partners in the DAHP. These four are: the Broadland Housing/Orbit Housing Partnership, Circle Anglia Ltd, Flagship Housing and Lovells Partnership Limited.

We cannot give out the scores ascribed to each of the applicant organisations as this information is of a commercially sensitive nature.'

The Chair on behalf of Mr Buxton to the Executive Member for Sustainable City Development:-

'In the Report for Resolution it mentions the public consultation that took place I have stated my concerns about how this was carried out in my letter to Councillor Morphew dated 16 July 2008. The report states that "residents' [sic] views ranged from strong support of the development to concerns over the current and projected parking provision in the area". Given that the Council officers present at the consultation were taking no record of attendees or comments made when I was present what evidence is there of support for the development?'

Councillor Brian Morrey, Executive Member for Sustainable City Development made the following response:-

'Council officers did not take a verbatim record of the consultation event or record the names and addresses of all attendees. Nonetheless based upon their conversations with residents attending the meeting they produced a record of residents' views, some of whom expressed support for the development. The report also included a summary of feedback forms received after the event, two of these express strong support for the development.'

The Chair on behalf of Mr Buxton to the Executive Member for Housing and Adult Services:-

'The report mentions problems with anti-social behaviour on the site, what problems? Are there police reports or similar to substantiate this claim?'

Councillor Arthur, Executive Member for Housing and Adult Services, made the following response:-

'There have been various problems with anti-social behaviour on this garage site. These include vandalism to garages, graffiti, break-ins to garages and groups of young people congregating on the forecourts. The site is well-known to Neighbourhood Wardens as a hot-spot for anti-social behaviour and they estimate that there have been 5-10 reports of anti-social behaviour on the site in the last year.

Over the period from 2001 – 2007 there were fifteen repairs logged on garages on this site due to vandalism or crime. These repairs are distinguished from routine maintenance or accidental damage.'

The Chair on behalf of Mr Buxton to the Executive Member for Housing and Adult Services:-

'The report states "large numbers of vacant garages". How many garages are vacant at present? How long have they been empty? Why have I been told on a number of occasions that there is a very long waiting list for these garages and yet a large number are vacant?'

Councillor Arthur, Executive Member for Housing and Adult Services, made the following response:-

'There are currently 23 vacant garages out of 56 on the site at Dolphin Grove. They became vacant at various different times from 2005 until 2008 and have thus been empty for between three and a half years and three months.

Since December 2007 there has been a hold on allocating garages on this site to minimise disruption to new tenants in the event of the redevelopment of the site.

There are currently 960 active applications for garages. It has not been possible to break-down this demand by the area in which the applicant desires a garage in time for this meeting, officers are working to determine this information. It is thought that the majority of these applicants would be for high demand garages and that some may no longer want a garage as there is no process for confirming continued interest as there is on the housing waiting list. There are currently two garage applicants living in Dolphin Grove and none in Nelson Street.'

Mr Buxton asked as a supplementary question why the sites were not sold on the open market and expressed concern about the legality of this. The Chair explained that the method of disposal of these sites was to ensure the long-term reinvestment of the capital deposit into affordable housing and ensure as much affordable housing as possible could be achieved.

The Chair then referred to the following question received from Mr C E V Thompson which was circulated to members of the Executive.

Mr Thompson to the Executive Member for Housing and Adult Services:-

“Why was *our* money wasted on painting half of these garages this spring? One of the Council’s excuses is that several of the said garages remain empty therefore uneconomic so why were not these available units re-let as there is a demand for them. The area is already over populated and parking places are at a premium these plans will only make matters much worse. If the Council (who work and are paid for by us) are so concerned about housing people why do so many Council owned dwellings (over 300) remain empty, most for many months? If private constructor applied for this madness the proposal would be turned down flat on the grounds of bad access mainly Nelson Street. The anti-social behaviour around these garages claimed by the Council is less than the problems near the flats, is the next proposal to be made by the Council to demolish all the flats?’

Councillor Arthur, Executive Member for Housing and Adult Services, made the following response:-

‘Since December 2007 there has been a hold on allocating garages on this site to minimise disruption to new tenants in the event of the redevelopment of the site. Most of the vacant garages were empty before this time.

Painting has proceeded as required and programmed to tenanted garages. Until the decision has been made to dispose of these garages and vacant possession is required we must ensure that the garage tenants continue to receive the same high quality service from Norwich City Council.

As the Council owns a considerable housing stock it is inevitable that a number will be empty at any one time due to turnover but it is considerably less than 300 properties. At present 170 properties are vacant, this includes properties that are fire damaged, awaiting major and minor repairs and those going through the allocation process. In addition to this number there are 45 properties awaiting disposal.

The Council has considerably improved the average time it took to re-let its properties in the last year averaging 33 days. This beat the challenging target set at the beginning of the year and was a tremendous improvement upon the performance in 2006/07. This improvement is testament to all of the hard work across a number of teams in Landlord Services.

When any proposals for redevelopment are considered by the Planning Committee of Norwich City Council they will apply exactly the same policies, rules and reasoning as would be applied to a private development.

There are no plans to demolish the flats at present.’

Councillor Ramsay, Ward Councillor for Nelson Ward, asked the following question to the Executive Member for Sustainable City Development:-

‘The report on the proposed disposal of the Dolphin Grove garages site for housing states the following on the consultation process:

"Residents views ranged from strong support of the development of new affordable housing to concerns over the current and projected parking provision in the area. Any issues raised will be addressed as the design for the scheme is progressed."

Please could more information be given on how many residents commented and how many of those were broadly in favour, how many broadly against and how many made specific suggestions. Also, please could you give more information on the concerns raised and how they will be addressed through the design of the scheme?'

Councillor Brian Morrey, Executive Member for Sustainable City Development, made the following response:-

'Invitations to the consultation event were sent to approximately 200 residents and garage tenants. A scaled drawing of the proposals was printed on the back of the invitation letter in order to give residents unable to attend the event an accurate picture of the proposal.

Approximately 40 residents attended the event, where Council officers and staff and contractors from Lovell Partnerships Ltd explained the plans. More residents opposed the development than supported it but more than a quarter of attendees had neither strong objections to the development or strongly supported it.

The main concerns expressed were regarding the loss of garages and the perceived lack of parking in the area. Many of the attendees were garage tenants who did not want to lose their garage. Once it was explained that most garage tenants could be offered a new garage close by and that elderly and disabled tenants would be given priority then some tenants were satisfied with this. However a number were still concerned about the impact on local parking.

Those that supported the development saw the great need for affordable housing in Norwich and praised the Council for taking action.

Feedback forms were made available to all residents who attended the event but were utilised primarily by residents opposed to the development. Twenty-five were received initially.

Of the 25 received 19 were opposed to the development. The reasons for their opposition were as follows:

- The belief that additional houses will worsen the existing parking problems. Objections were strongly made on this basis.
- Residents were concerned at losing their current garage.
- The design of Dolphin Grove is perceived to be inadequate to deal with additional traffic which would use the area and there were concerns over emergency vehicles accessing the area.
- Concerns were expressed over the potential noise which the new units may cause.

- A number of new developments have taken place in the area and residents are concerned that housing is already too dense.
- Two residents who live adjacent to the proposed site raised concerns that the development would impact on their lighting and that they would be overlooked.
- One suggestion was that the area be utilised for recreational space instead of housing.
- A further suggestion was that a smaller development could take place but due to parking issues a block of garage should be left for residents.

Four responses related to the loss of garages and requested that they could be considered for an alternative garage with no actual objection to the development being made.

Two responses were in favour of the development with one commenting that it looked like a good development and the other stating that with the need housing and the ever growing housing list that this was a good idea.

Following the consultation event a fraudulent letter purporting to having been sent on behalf of Norwich City Council's Housing Development team was sent to local residents. This letter contained misinformation primarily that the development would provide 40 additional dwellings and the construction period would last three years everyday from 8.00 am to 8.00 pm. It also proposed that part of the site be landscaped to be used as a recreational space. The resident included a photocopy of the consultation feedback form with each letter.

Following the fraudulent letter eleven additional feedback forms were received. Ten of these objected to the development of forty dwellings, which was considered too high a density which would place undue pressure on the parking situation in the area. One feedback form objected to the provision of a recreational space.

In response to the fraudulent letter, a letter of clarification was sent to all local residents and garage tenants to ensure that there would be no further confusion. There have been no feedback forms received since this clarification was sent but we have received a number of phone calls enquiring about the development, two of which were in support of the proposals.

If Executive decides to dispose of this site then the design will be progressed with housing and planning officers and Lovell Partnerships Ltd and their contractors. The numbers of homes could be reduced, potentially to zero if it does not achieve planning permission, and the design and layout could change significantly.

Possible changes to the design that will be considered include the possible retention of the garages on the northern perimeter of the site; this would have an implication on the provision of car-parking spaces on the site.

The proposed design currently provides an additional ten parking spaces over and above the provision for the new dwellings, thought can be given as to how this could be increased if it is felt necessary.

Also to be considered are the provision of an enlarged landscaped area or the retention of one half of the garages, both of which would have significant impact upon the number of new affordable homes that could be provided.'

In response to a further question from Councillor Ramsay, the Housing Strategy and Enabling Manager explained that there were vacant garages near by for disabled or older people displaced by the redevelopment of the site and that there were garages for other residents within a ten minute walk from their homes. He confirmed that there had been two letters circulated to residents, purporting to come from the Council, which were malicious and had been attempts to mislead people.

Mrs Dawn Castle-Green then presented a petition to the Chair comprising around 88 signatures objecting to the proposals relating to Dolphin Grove.

During discussion Executive members said that affordable housing was in a desperate position and that these proposals would increase the number of affordable homes to the benefit of the less well-off people in the City. The need for these homes was greater than the retention of these garage sites. The designs would be progressed through the planning process and officers would ensure that the issues raised by local communities were taken into account as much as possible. Members were advised that many of the garages were used only for storage rather than cars.

Members considered that they had sufficient information about the financial aspects of the proposals, contained in the exempt part of the report, to come to a decision.

RESOLVED:-

- (1) to dispose of a fourth tranche of sites to the Delivering Affordable Housing Partnership and to enable the delivery of 24 affordable homes;
- (2) that the Chair will write to the members of the public who had signed the petition against the proposals for redevelopment at Dolphin Grove to explain the reasons for the Executive's decision.

4. JOINT CORE STRATEGY – REGULATION 25 CONSULTATION

The Planning Policy and Projects Manager referred to the report and said that there were a number of amendments proposed by the Greater Norwich Development Partnership Policy Group at its meeting on 18 July 2008. The Cabinets of South Norfolk Council and Broadland District Council had both considered a similar report at meetings on 18 July 2008 (following the Policy Group meeting). The Local Development Framework Working Party had considered the report at its meeting on 14 July 2008.

During discussion some members expressed concern that they had not received all of the appendices to the report. It was therefore suggested that the first recommendation should be delegated to the Director – Regeneration and Development in consultation with the Executive Member for Sustainable City Development.

RESOLVED to:-

- (1) delegate to the Director – Regeneration and Development in consultation with the Executive Member for Sustainable City Development to agree the content of the covering letter to consultees, the leaflet and the growth options report which includes three options for major growth as the basis for consultation on the joint core strategy to satisfy Regulation 25 of the Town & Country Planning (Local Development) (England) (Amendment) Regulations 2008;
- (2) agree the timetable to prepare the Joint Core Strategy, and the approach to consultation which is focussed on the relevant 'specific' and 'general' consultation bodies, together with widespread information to residents and businesses;
- (3) delegate authority to the Director - Regeneration and Development, in consultation with the GNDP Director's Group, to approve further minor editing changes to the text and maps of consultation documents, as required.

5. NORFOLK COUNTY COUNCIL – DRAFT STANDARD TRANSPORT CHARGE (STC) CONSULTATION

The Regeneration Funding Manager presented the report and answered members' questions.

Councillor Morrey, Executive Member for Sustainable City Development, considered that the County Council's proposals were not comprehensive and would not benefit the City Council area at present. There was concern that the City Council would not receive funding for traffic schemes on its borders if 75% of funding from development went to adjoining district council areas.

RESOLVED to:-

- (1) endorse the response to the proposed STC set out in paragraphs 5-12 in the report;
- (2) inform Norfolk County Council that:-
 - (a) the City Council is not willing to apply the proposed STC to developments in Norwich at the present time;
 - (b) the City Council's preference would be to apply the City Council's approach to transport contributions in the short term in the Norwich Policy Area until a more comprehensive approach is developed through the Community Infrastructure Levy or tariff in the longer term.

6. ST ANDREW'S AND BLACKFRIAR'S HALLS REFURBISHMENT PROJECT

The Head of Asset and City Management presented the report.

The Chair confirmed that the proposals would benefit the ordinary people of Norwich but that the Council would safeguard the future of the Halls by letting them on a long-term lease and would retain the opportunity to take the premises back into the Council's custody if required.

RESOLVED to:-

- (1) agree to HEART (Heritage Economic and Regeneration Trust) leading the development of the feasibility study (business case) for the St Andrews and Blackfriars Halls refurbishment project in partnership with the Council;
- (2) confirm agreement to 'option 4' as the basis for this study, this option providing music, performance, conference, meeting, bar, restaurant and ancillary facilities;
- (3) confirm in principle to grant a lease of at least 99 years of the asset, to include an area of Monastery car park, to enable external funding;
- (4) note the future financial consequences to the Council currently and should a project proceed.

7. CAPITAL ALLOWANCES

(The Chair agreed to take this as an urgent item. Copies of the report of the Head of Finance were circulated at the meeting.)

The Financial Consultant presented the report.

RESOLVED to approve:-

- (1) the Capital Allowance set out for 2008/2009;
- (2) the Capital Allowances extinguished for previous financial years.

8. EXCLUSION OF PUBLIC

RESOLVED to exclude the public from the meeting during consideration of item 9 below on the grounds contained in paragraph 3 of Schedule 12A to the Local Government Act 1972 (as amended).

***9. LAND DISPOSAL FOR AFFORDABLE HOUSING (PARAGRAPH 3)**

RESOLVED, having considered the report of the Head of Strategic Housing Services, to approve the new price formula.

CHAIR