



NORWICH
City Council

Cabinet

Date: Wednesday, 07 July 2021

Time: 17:30

Venue: Council chamber, City Hall, St Peters Street, Norwich, NR2 1NH

Committee members:

Councillors:

Waters (chair)
Harris (vice chair)
Davis
Jones
Kendrick
Packer
Stonard

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Agenda

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1 Apologies

To receive apologies for absence

2 Declarations of interest

(Please note that it is the responsibility of individual members to declare an interest prior to the item if they arrive late for the meeting)

3 Public questions/petitions

Please note that all questions and petitions must be received by the committee officer detailed on the front of the agenda by 10 am Tuesday 29 June 2021. For guidance on submitting public questions or petitions, please see the council's constitution

4 Minutes of cabinet 9 June 2021

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To approve the minutes of the meeting held on 9 June 2021

5 Greater Norwich Local Plan (GNLP) – Submission to the Secretary of State for Independent Examination

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Purpose - To agree to submit the Greater Norwich Local Plan (GNLP) to the Secretary of State for independent examination

6 Home options policy

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Purpose - To seek approval for the adoption of an updated Home Options allocations policy.

7 Article 4 direction to remove permitted development rights for the conversion of offices to residential

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Purpose - To seek delegated authority for the Executive director of development and city services, to make an Article 4 direction to remove permitted development rights for the conversion of offices to residential within Norwich city centre

8 NRL assurance and consideration of the Threescore phase 3 outline business case

133 - 140

- Purpose** - to consider a report provided by Savills regarding assurance on the NRL business plan prior to the Council considering further investment in the company to deliver the plan. To consider the outline business case provided by NRL for the development of part of Three Score phase 3 and agree to delegate authority to dispose of this land to NRL to facilitate the development subject to the business case
- 9 Managing Assets (Non-housing) NAIE** 141 - 148
- Purpose** - For cabinet to consider the disposal of land identified in this report
- 10 Scrutiny report to Cabinet** 149 - 152
- Purpose** - to note the formation of a scrutiny select committee
- 11 Award of a contract for retrofit external insulation** 153 - 156
- Purpose** - to consider delegating authority to award a contract for retrofit external insulation
- 12 Award of a contract for Structural and civil engineering consultancy services** 157 - 162
- Purpose** - to consider delegating authority to award a contract for structural and civil engineering consultancy services
- 13 Award of a contract for the development of former Kings Arms Public House site at 100 Mile Cross Road** 163 - 168
- Purpose** - To award a contract for the development of the former Kings Arms Public House site at 100 Mile Cross Road
- 14 Award of contract for specialist ground improvement and associated structural work** 169 - 174
- Purpose** - To consider awarding a contract for specialist ground improvement and associated structural work
- 15 Exclusion of the public**
- Consideration of exclusion of the public.

EXEMPT ITEMS:

(During consideration of these items the meeting is not likely to be open to the press and the public.)

To consider whether the press and public should be excluded from the meeting during consideration of an agenda item on the grounds that it involves the likely disclosure of exempt information as specified in Part 1 of Schedule 12 A of the Local Government Act 1972 or it being confidential for the purposes of Section 100A(2) of that Act.

In each case, members are asked to decide whether, in all circumstances, the public interest in maintaining the exemption (and discussing the matter in private) outweighs the public interest in disclosing the information.

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***16 Greater Norwich Local Plan - exempt appendix (to follow)**

***17 NRL assurance and consideration of the Threescore phase 3 outline business case Exempt Appendices**

- This report is not for publication because it would disclose information relating to the financial or business affairs of any particular person (including the authority holding that information) as in para 3 of Schedule 12A to the Local Government Act 1972.

***18 Managing Assets (Non-housing) NAIE - Exempt Appendix**

- This report is not for publication because it would disclose information relating to the financial or business affairs of any particular person (including the authority holding that information) as in para 3 of Schedule 12A to the Local Government Act 1972.

***19 Managing assets (Housing)**

- This report is not for publication because it would disclose information relating to the financial or business affairs of any particular person (including the authority holding that information) as in para 3 of Schedule 12A to the Local Government Act 1972.

Date of publication: **Tuesday, 29 June 2021**

Cabinet

16.30 to 18.00

9 June 2021

Present: Councillors Waters (chair), Harris (vice chair), Jones, Kendrick, Packer and Stonard

1. Public Questions/Petitions

There were no public questions.

2. Declarations of interest

There were no declarations of interest.

3. Minutes

RESOLVED to agree the accuracy of the minutes of the meeting held on 14 April 2021 subject to the following corrections:-

Item 5 - Norwich City Services Business Plan – KEY DECISION

The period of the Business plan to be amended to 2021-24

The following resolutions were omitted from the minutes:-

Item 8 - Development of Three Score Phase 3

RESOLVED to –

(2) Delegate the decision to direct award RG Carter Ltd the construction contract for the development of social housing at Three Score phase 3, subject to the limits set out in the exempt appendix, to the executive director of development & city services

Item 15 - Award of the contract for the replacement of the district heating plant at Alnwick Court – KEY DECISION

RESOLVED to delegate approval to the Executive director of community services in consultation with the portfolio holder for social housing to award the contract for the replacement of the district heating plant, buried underground network pipework and internal dwelling heating systems at Alnwick Court sheltered housing scheme at an

estimated value of £450,000. The final award value will be within existing allocated budget.

Item 16 - Award of a contract for the roofing upgrades and repairs programme to Council dwellings – KEY DECISION

RESOLVED to approve the award of a contract for the delivery of the roofing upgrades and repairs programme to Aspect Group Services Limited for the period 1 June 2021 to 31 March 2024, subject to annual budget setting and satisfactory performance and quality being met.

Item*22 - Managing assets (non-housing)

The minute is amended to state that Councillor Harris declared a conflict of interest and left the meeting during consideration of this item

4. Equality, diversity, and inclusion policy 2021-22

Councillor Davis, cabinet member for social inclusion, presented the report and referred, in particular, to the objectives of the policy with regard to development of an equality, diversity and inclusion strategy; redesign of council services and reshaping of teams, understanding of communities and celebration of diversity and the recruitment of a diverse and representative workforce.

In response to a question from Councillor Bogelein, Councillor Davis said that she anticipated that training would be compulsory but would check this with officers

RESOLVED to approve the Equality, diversity and inclusion policy 2021-22 as set out in the report.

5. Customer experience and digital strategy 2021-24

Councillor Harris, deputy leader and cabinet member for social housing, presented the report. She referred, in particular to the objectives of the strategy to deliver effective and positive experiences for the council' customers through collaborative working within the Council. The Council's covid recovery plan had committed the council to consider how services could be delivered differently to enable the council to become more resilient, modern and flexible. The improvement of digital services and increasing take up would enable focus to be given to those who did not have access to these channels or who had complex and varying needs.

The chair commended the authors on the excellent work in producing the report.

Councillor Bogelein expressed concern about the difficulties experienced by some residents in reporting drug related anti-social behaviour incidents in the city. The executive director of community services agreed to provide a reply on this issue to Councillor Bogelein.

RESOLVED to:-

- (1) approve the Customer Experience and Digital Strategy 2021-24 subject to additional wider consultation on the principles, with final sign off delegated to the Executive Director of community services, in consultation with the cabinet members for social housing and resources, following consideration of any changes needed in response to consultation;
- (2) ask the Executive director of community services to check if there could be information/ contact details (inc. phone numbers) put in Citizen of any orgs who could help people who are digitally excluded by providing assistance in accessing grants for mobile data/ broadband, and the opening times of the digital hubs

6. Budget monitoring provisional outturn 2020/21

Councillor Kendrick, cabinet member for resources presented the report and commented, in particular on the medium-term financial challenge which the Council faced, the impact of the Covid-19 pandemic, and the underspend in the Housing Revenue account, which had also been due to delays in non-essential repair work and retendering of some contracts.

The chair commented on the highly unstable financial climate in which the Council was operating currently and that the impact of the pandemic would be an ongoing issue for some time.

Councillor Harris, deputy leader and cabinet member for social housing, highlighted the numerous aspects of service delivery which had been affected by current climate, particularly delays in deliveries of supplies and contractual work.

Councillor Bogelein asked a question raised by residents who were concerned about the environmental impact of the tennis courts at Heigham Park and had requested an urgent review of the project. Councillor Packer, cabinet member for health and well-being said that there had been a number of reports to committees highlighting the benefits of this project and he did not consider that a further review was warranted. , The Executive director of corporate and commercial services, pointed out that provision for this project had already been agreed within the capital programme and the council had agreed to award the contract for the project.

RESOLVED to

- (1) note the financial outturn for 2020/21 for the General Fund, HRA and capital programme;
- (2) note the consequential balance of the General Fund and Housing Revenue Account balances;
- (3) note the transfers to earmarked reserves and the subsequent impact on balances;

- (4) delegate to the executive director of corporate and commercial services, in consultation with the executive director of development and city services, executive director of community services and the cabinet member for resources, the approval of carry-forwards of unspent 2020/21 capital budgets still required, to the 2021/22 capital programme.

7. Corporate performance and risk report, quarter 4 2020-21

Councillor Waters, leader of the council, presented the report which detailed the progress against delivery of the corporate plan priorities, key performance indicators and update on corporate risk for quarter four of 2020-21. He commended the authors of the report on producing a thorough review which highlighted the ways in which the authority had adapted to the financial and resource challenges of the Covid pandemic.

Referring to performance indicator 51 (income clients have gained through money/debt advice), Councillor Davis said that an incredible amount of work had been done by the relevant team in meeting demand from tenants moving to Universal Credit during the pandemic.

Councillor Harris, deputy leader and cabinet member for social housing also commended officers on the excellent performance of the team dealing with homelessness highlighted in performance indicator 61.

Councillor Waters, leader of the council, then referred to the corporate risk register. This also highlighted the impact of the pandemic, the effects of Brexit, both positive and disruptive, and cyber security issues affecting IT systems on a regular basis.

Councillor Bogelein requested a review of the indicators on neighbourhood safety to ensure they were more specific and would require a more detailed review of the council's work in this area. In response, the Senior strategy officer said that the methodology had already been reviewed and the response rate had improved.

RESOLVED to

- (1) note the progress on the key performance indicators for quarter 4 and the corporate risk register; and
- (2) ask officers to circulate the list of safeguarding councillors and champions

8. 5-Year air quality action plan for Norwich

Councillor Waters, leader of the council, presented the report and referred to the action measures to be progressed during the period 2020-25.

The public protection officer said that the targets within the action plan were based on nitrogen oxide.

In response to a question from Councillor Davis, Councillor Stonard, cabinet member for sustainable development, said that the fact that there had be no fines issued for vehicle idling was evidence that this element of the policy was proving effective.

Councillor Davis expressed concern about the number of old buses operational in the Norwich area and asked what steps were being taken to encourage the use of modern vehicles with low emissions. The public protection officer said that First Bus had agreed to remove all but Euro 5 and Euro 6 buses by 2023.

Councillor Bogelein was concerned that insufficient emphasis given to domestic wood burning within the action plan and suggested that adoption of the plan should be delayed to allow further discussion on these concerns., The executive director of development and city services, said that the plan set a benchmark not a limit on the Council's aspirations for dealing with air quality issues.

RESOLVED to approve the air quality action plan and agree that it be submitted to the Department of Environment, Food and Rural Affairs.

9. Award of a contract for district heating at the Devonshire Street area of Norwich

Councillor Harris, deputy leader and cabinet member for social housing, presented the report.

Councillor Bogelein expressed concern that the Council was investing in another gas heating scheme rather than a renewable energy scheme.

RESOLVED to approve the award of a contract for district heating at the Devonshire Street area of Norwich to Gasway Services Limited, from 8 September 2021 to 31 October 2022 as detailed in the report.

10. Exclusion of the public

RESOLVED to exclude the public from the meeting during consideration of items *11 to *14 (below) on the grounds contained in the relevant paragraphs of Schedule 12A of the Local Government Act 1972 (as amended).

***11. Corporate Performance and Risk Report, Quarter Four 2020-21 – Exempt Appendix (Paragraph 3)**

Councillor Waters, leader of the council, presented the report.

RESOLVED to note the exempt appendix to the report.

***12. Managing assets (housing and non-housing) (Paragraph 3)**

Councillor Harris, executive member for social housing, presented the report.

RESOLVED to approve the disposal of the land identified in the report to Broadland Housing Association to support the development of affordable homes and to secure the promotion and improvement of the economic, social and environmental well-being of the City of Norwich.

***13 Managing assets (housing) (Paragraph 3)**

Councillor Harris, executive member for social housing, presented the report

RESOLVED to approve the disposal of the land and building identified in the report.

***14 Managing assets (non-housing) (Paragraph 3)**

Councillor Kendrick, executive member for resources, presented the report

RESOLVED to approve the disposal of the land identified in the report.

CHAIR



Committee Name: Cabinet

Committee Date: 07/07/2021

Report Title: Greater Norwich Local Plan (GNLP) – Submission to the Secretary of State for Independent Examination

Portfolio:	Sustainable and inclusive growth
Report from:	Executive director of development and city services
Wards:	All Wards
OPEN PUBLIC ITEM	

Purpose

To agree to submit the Greater Norwich Local Plan (GNLP) to the Secretary of State for independent examination.

Recommendations:

It is recommended that Cabinet agrees:

1. to recommend to Council that the Greater Norwich Local Plan (GNLP) is sound and to submit the Plan to the Secretary of State for independent examination subject to an agreement in principle being reached with Natural England, in the form of a signed statement of common ground, in relation to the mitigation necessary to protect sites protected under the Habitat Regulations.
2. to recommend to Council to request that the appointed independent inspector make any Main Modifications necessary to make the plan sound and legally compliant;
3. to recommend to Council that it delegates authority to the Executive Director for development and city services in consultation with the Portfolio Holder for Sustainable and inclusive growth to:
 - a. agree minor modifications to the GNLP prior to its submission.

and,

- b. negotiate any main modifications necessary to make the GNLP sound as part of the Independent Examination.

And

4. to commit to proactively identify and bring forward sufficient Gypsy and Traveller site to meet identified needs in accordance with the criteria-based policies of the current and emerging Development Plans.

Policy Framework

The Council has three corporate priorities, which are:

- People living well
- Great neighbourhoods, housing and environment
- Inclusive economy

This report meets the corporate priorities Great neighbourhoods, housing environment, and inclusive economy.

This report addresses the following strategic actions in the Corporate Plan:

- a clean and sustainable city with a good local environment that people value; ensure our services mitigate against any adverse effects of climate change and are efficient to reduce carbon emissions;
- build and maintain a range of affordable and social housing;
- improve the quality and safety of private sector housing;
- continue sensitive regeneration of the city that retains its unique character and meets local needs;
- mobilise activity and investment that promotes a growing, diverse, innovative and resilient economy;
- address barriers to employability and enhance social mobility.

This report helps to update the local plan for Greater Norwich. The GNLP once adopted will replace the Joint Core Strategy for Broadland, Norwich and South Norfolk which currently forms a key part of the local plan for Norwich.

This report helps to meet the following objectives of the COVID-19 Recovery Plan:

- Business and local economy,
- Housing, regeneration and development
- Climate change and the green economy

Report Details

Summary

1. On 20 January 2021 Norwich City Council's [Cabinet](#) approved the publication of the pre-submission version of the Greater Norwich Local Plan (GNLP) under Regulation 19 of the Town and County Planning (Local Planning) (England) Regulations 2012. The publication of the GNLP took place between 1 February and 22 March 2021.
2. The GNLP team have reviewed and assessed the representations submitted in response to the publication of the GNLP. With the exception of matters specifically addressed by the recommendations of this report, it is concluded that the representations received have identified no significant issues, in principle, that cannot be addressed or are such as risk to the GNLP that it should not be submitted.
3. On this basis, it is therefore proposed that Cabinet agrees to recommend to Council that it approves submission of the Greater Norwich Local Plan (GNLP) to the Secretary of State for independent examination, subject to the caveats and delegations specified in the recommendation.

Background

4. Norwich City Council, Broadland District Council, and South Norfolk Council are working together with Norfolk County Council to prepare the Greater Norwich Local Plan (GNLP). The GNLP builds on the long-established joint working arrangements for Greater Norwich, which delivered the Joint Core Strategy (JCS). The JCS plans for the housing and jobs needs of the area to 2026. The GNLP will ensure that these needs continue to be met to 2038. The GNLP includes strategic planning policies and allocates individual sites for development.
5. When adopted the GNLP will become part of the Development Plan for Greater Norwich, and will replace the current Joint Core Strategy and the Norwich Site Allocations and Site Specific Policies Plan. The Norwich Development Management Policies Plan will not be replaced.
6. A joint team of officers from Broadland, Norwich, South Norfolk and Norfolk County Council has prepared the GNLP. The Greater Norwich Development Partnership Board (GNDP) exercises political leadership for the planning activities carried out jointly by the Greater Norwich Local Planning Authorities. The board is made up of three members each from Norwich City Council, Broadland District Council, and South Norfolk Council and a member from the Broads Authority. The group is supported in its role by Director level representation from each Local Authority.
7. On 20 January 2021 Norwich City Council's Cabinet agreed to publish the pre-submission version of the Greater Norwich Local Plan (GNLP) under Regulation 19 of the Town and County Planning (Local Planning)

(England) Regulations 2012. The publication of the GNLP took place between 1 February and 22 March 2021.

8. The publication of the GNLP allowed stakeholders to make representations in respect of whether the GNLP was: 1) legally and procedurally compliant; 2) Sound¹; and 3) in compliance with the Duty to Cooperate. Regulation 19 representations are sent to the independent inspector to be considered as part of the independent examination.
9. A copy of the report of the GNLP Manager to the GNDP meeting of the 24th June 2021 is included as Appendix A. The GNDP report sets out the main issues raised in response to the publication of the GNLP and provides a link to the Statement of Consultation in paragraph 9; this includes summaries of all representations with officer responses, including minor modifications. With the exception of matters set out below, for the reasons specified in the GNDP report it is concluded that representations have identified no significant issues, in principle, that cannot be addressed or are such as risk to the GNLP that it should not be submitted.
10. The exceptional matters relate to the agreement of the necessary mitigation under the Habitat Regulations and demonstrating that the plan will meet the accommodation needs of Gypsies and Travellers. The specific recommendations of this report seek to address these exceptional matters.

Current position/findings

11. The GNLP team have reviewed and assessed the representations submitted in response to the publication of the GNLP. Included as Appendix A is the report of the GNLP Manager to the GNDP meeting of the 24th June 2021. This report sets out the main issues raised in response to the publication of the GNLP. Officer responses to the most significant representations are set out in Table 2 of the report. For the reasons set out within the report, and with the exception of matters set out below, it is concluded that representations have identified no significant issues, in principle, that cannot be addressed or are such as risk to the GNLP that it should not be submitted.
12. The exceptional matters relate to the agreement of the necessary mitigation under the Habitat Regulations and demonstrating that the plan will meet the accommodation needs of Gypsies and Travellers. The specific recommendations of this report seek to address these exceptional matters.
13. When completed the GNLP will become part of the Development Plan, and will replace the current Joint Core Strategy and Norwich Site Allocations Plan. In doing so it will ensure that the Strategic Policies remain up-to-date and that the housing and jobs needs of the area continue to be met to 2038.

¹ Soundness is defined in paragraph 35 of the NPPF and requires a Local Plan to be positively prepared, justified, effective and consistent with national policy

14. In respect of managing development through the determination of planning applications, to the extent that the adopted development plan policies are material to an application for planning permission the decision to grant or refuse permission must be taken in accordance with the development plan unless there are material considerations that indicate otherwise.
15. Whilst policies of the development plan do not become “out-of-date” simply through the passage of time, it is important that plans are kept up-to-date in order to ensure that the policies that they contain carry full weight in the determination of planning applications.
16. Moreover, in its Planning for the Future document published in March 2020, government also set out its intention to set a deadline of December 2023 for all local authorities to have an up-to-date local plan, indicating that government will prepare to intervene where local authorities fail to do so.
17. It is therefore important that the Council make timely progress on the production of the GNLP.

Proposed action

18. In accordance with the report recommendations, it is proposed that Cabinet recommends to Council to agree to submit the Greater Norwich Local Plan (GNLP) to the Secretary of State for independent examination, to request that the appointed independent inspector makes any Main Modifications necessary to ensure soundness and legal compliance, and delegates authority to the Executive Director for development and city services in consultation with the Portfolio Holder for Sustainable and inclusive growth to agree minor modifications to the GNLP prior to its submission and to negotiate any main modifications necessary to make the GNLP sound as part of the independent examination. It is also proposed that Cabinet commits to proactively identify and bring forward sufficient Gypsy and Traveller sites to meet identified needs in accordance with the criteria based policies of the current and emerging Development Plans.

Consultation

19. The GNLP has undergone several stages of statutory consultation since its commencement in 2016, and reports have been provided to both Sustainable Development Panel and Cabinet throughout that period. The relevant portfolio holders have been briefed throughout the process, including the council’s members who sit on the GNLP, Cllr Waters and Cllr Stonard (and until recently Cllr Maguire). As noted above the most recent period of consultation was the Regulation 19 pre-submission consultation in February – March 2021. The responses to this consultation from the public and stakeholders are set out in within a link in paragraph 9 of Appendix A.
20. In addition, [Sustainable Development Panel](#) met on 22 June to discuss the Submission GNLP. Members’ comments included noting the need for

clarification on the timescales for further work on the identification of additional Gypsy and Traveller sites, and the need for further clarification on Environment Agency concerns about water resources. The cumulative impact of extensive development around Norwich on protected species was also noted and interest was expressed in the outcome of the discussions currently taking place with Natural England on the mitigation necessary to protect sites protected under the Habitats Regulations.

Implications

Financial and Resources

21. Any decision to reduce or increase resources or alternatively increase income must be made within the context of the council's stated priorities, as set out in its Corporate Plan 2019-22 and Budget.
22. The GNLP is produced under an agreed budget with contributions from the three councils. Existing staff resources from each of the three authorities are also utilised to support the production of the plan. There are no direct financial implications arising directly from this report. The council's contribution towards the cost of producing the plan is expected to be met from existing budgets. Delays in the progress of the plan are likely result in further costs being borne by each of the three authorities.

Legal

23. The matters of whether the plan is legally and procedurally compliant, and whether the Council's obligations under the Duty to Co-operate is a key test of the independent examination. The publication of the plan allowed for representation to be submitted in regard to the Plan's compliance with these tests. For the reasons set out in section 3, and with the exception of the outstanding matter related to compliance with the Habitat Regulations, it is not considered that any representations made give rise to concern that the plan has not met its legal obligations.
24. If adopted following a successful independent examination, an interested party has 6 weeks to apply for judicial review on the basis that the Plan, or its production, is unlawful. The pre-submission publication of the plan and its subsequent independent examination is proportionate mitigation for this risk.
25. With regards to the management of development, when adopted the GNLP will become part of the Development Plan for the area. In accordance with section 70(2) of the Town and County Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004, to the extent that development plan policies are material to an application for planning permission the decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise. Paragraphs 13-15 above set out the implications for decision making of maintaining an up-to-date Development Plan.

26. Legal advice has been sought on various matters relating to plan development during its preparation, which has been reported to the city council's GNDP members as appropriate, and has helped inform the development of the plan.

Statutory Considerations

Consideration:	Details of any implications and proposed measures to address:
Equality and Diversity	<p>The GNLP has been subject to Equalities Impact Assessment. This is available in the link to evidence base documents under the Background Documents section of this report. In summary, although it is considered that (other than the absence of allocated Gypsies & Travellers' sites) the GNLP is considered to have little impact on the equality of protected groups, there may be opportunities to enhance the life opportunities of some protected groups at planning application stage. The GNLP offers a range of ways to address socio-economic inequality.</p>
Health, Social and Economic Impact	<p>The plan supports healthy communities and health and active lifestyles by encourage green infrastructure and improving connectivity. It also encourages new communities to be well integrated with existing communities and to be attractive places to live. The plan also seeks to ensure that there is good access to services including health car and leisure facilities, and also seeks to deliver high quality new homes.</p> <p>In terms of economic impact the GNLP promotes economic development and seeks to generate the right levels of growth in the right places in order to support the local economy, including by stimulating investment, new infrastructure, and environmental improvements. The plan proposes that the city centre will continue to play a significant role as the economic dynamo of Greater Norwich, by supporting provision of retail and leisure facilities and a range of cultural and tourism attractions and new jobs needed to support housing growth across the plan area.</p>

Crime and Disorder	Policy 2 of the GNLP requires development proposals to 'create inclusive, resilient and safe communities'.
Children and Adults Safeguarding	N/a
Environmental Impact	<p>The plan promotes delivery of transport infrastructure to support existing and new communities and supports modal shift and greater connectivity. Its policies protect and enhance the natural and built environment. It aims to significantly reduce emissions to ensure that Greater Norwich is adapted to climate change and supports and promotes clean growth and progress towards a post-carbon economy.</p> <p>The impact of the plan's proposals on sustainability and other environmental issues has been assessed through the GNLP Sustainability Appraisal (Incorporating Strategic Environmental Assessment) and Habitat Regulations Assessment evidence documents. These reports are available in the link to evidence base documents in the Background Documents section below. This evidence is considered to be robust as noted in the GNDP report at Appendix A. Discussions on the evidence base and how it has assisted in forming policy will be an important part of the examination.</p>

Risk Management

Risk	Consequence	Controls Required
The GNLP has been prepared under an accelerated timetable. As such it was not possible to carry out the Regulation 18D consultation that was agreed by the GNDP board on 10 th July 2020 and subsequently agreed by councils' through updates to their Local Development Schemes (LDS).	Some representations have raised concerns about the lack of a Reg 19D consultation. A number of mitigation measures have been put in place through the accelerated programme to minimise the additional risk posed by removing this stage of consultation.	<p>Mitigation measures include agreement that a streamlined decision making process would be required involving some delegation of authority, eg for the content of minor modifications for issues such as updates of text of plan for clarity.</p> <p>In relation to the Regulation 18D consultation which did not take place, the GNLP team has had</p>

		confirmation that this will not affect the soundness of the plan.
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Other Options Considered

- 27. Cabinet and Council may defer the submission of the GNLP to seek further clarifications prior to its submission, seek further amendments to the plan if it considers the plan is currently unsound or no longer represents an appropriate strategy or it may resolve not to submit the GNLP for independent examination.
- 28. Any of the above options would cause a delay to the progress of the plan. The length of such a delay would depend on the reasons for the decision taken.
- 29. Any amendment to the plan that is proposed would need to be agreed independently by each of the three Councils and, depending on their significance and extent, may require further consultation on the plan or for the pre-submission publication to be repeated. Such a decision would therefore likely lead to significant delays to the plan.

Reasons for the decision/recommendation

- 30. For the reasons set out above under section 'Current position/findings' (paragraphs 11 -17), it is concluded that representations have identified no significant issues, in principle, that cannot be addressed or are such a risk to the GNLP that it should not be submitted.
- 31. In addition, the timely progress of the GNLP is important in order to ensure that the Council's Development Plan remains effective and that the policies of the Development Plan continue to have full weight in the determination of planning application.

Background papers:

Greater Norwich Local Plan, including changes required to the Policies map on adoption of the GNLP (shown in the settlement maps in the Sites plan) - [Downloadable Documents and Forms | GNLP](#)

Sustainability Appraisal, Statement of Consultation and other supporting documents - [Evidence Base | GNLP](#)

Please note that the summary of representations made pursuant to regulation 20 i.e. duly made representations made in response to the pre-submission publication of the GNLP, are summarised in the GNLP report included as appendix A of this report.

Copies of all representations made under regulation 20 will be submitted to the

Secretary of State.

Appendices:

Appendix A: Report to Greater Norwich Growth Board 24th June 2021.

Contact Officer:

Name: Judith Davison

Telephone number: 01603 989314

Email address: judithdavison@norwich.gov.uk

Greater Norwich Development Partnership (GNDP)

Report title	Submission of the Greater Norwich Local Plan (GNLP)
Date	24th June 2021

Recommendation

The Board recommends member councils to:

- 1. Agree that the Greater Norwich Local Plan is sound and to submit the plan to the Secretary of State for independent examination subject to an agreement in principle being reached with Natural England, in the form of a signed statement of common ground, in relation to the mitigation necessary to protect sites protected under the Habitat Regulations;**
- 2. Commit to proactively identify and bring forward sufficient Gypsy and Traveller sites to meet identified needs in accordance with the criteria-based policies of the current and emerging Development Plans.**
- 3. Agree to request that the appointed independent inspector make any Main Modifications necessary to make the plan sound and legally compliant;**

and,

- 4. Delegate authority within the councils to:**

- a. agree minor modifications to the GNLP prior to its submission**

and,

- b. negotiate any main modifications necessary to make the GNLP sound as part of the Independent Examination.**

Section 1 - The purpose of the report

1. The Regulation 19 stage of local plan-making, which for the GNLP took place in early 2021, provides the opportunity to make representations on the legal compliance and soundness of a draft plan. This enables:
 - a. Recommendations to be made to members about whether a plan can be submitted, or alternatively further consultation or a repeat of the Regulation 19 stage is required to enable significant changes to be made to the plan;
 - b. After submission, an Inspector to decide on whether the plan can proceed to examination and, if so, what issues that examination should cover.
2. This report sets out the main issues raised through the Regulation 19 stage of plan-making. It concludes that the representations have identified no significant issues, in principle, that cannot be addressed or are such a risk to the GNLP that it should not be submitted in the near future. The recommendation provides the caveat that submission of the plan is subject to progress being made on key issues relating to protected habitats and Gypsy and Traveller sites.
3. The recommendation also covers delegated authority at the three councils, which will need to be co-ordinated, for the sign-off of minor modifications covering issues such as corrections, updated information and clarification of supporting text stemming from representations prior to submission of the plan. Delegated authority is further recommended to negotiate main modifications during the examination, which are likely to be related to policy content. Both of these measures are the standard approach and are required for the examination to run effectively.
4. Subject to approval, the GNLP report will be considered by the councils in July to decide whether to submit the plan for examination on July 30th. If the plan is submitted at that date, examination is timetabled for November/December 2021 (subject to the Inspector) and adoption for September 2022.

Section 2 – Context

Challenges

5. The GNLP has addressed a number of challenges:

The changing context for plan-making - Since work began on the GNLP in 2016, through the three stages of consultation between 2018 and 2020, and most particularly over the last year, there has been a rapidly changing context for plan-making. In August 2020 the “Planning for the Future” white paper was published by government. It points towards a potentially radical overhaul of the planning system as a whole, including plan-making. Significantly for the GNLP, it highlighted the need for local plans to play their part in addressing the housing crisis nationally and locally. In the short term, government reiterated that the current round of plans in development such as the GNLP must be adopted by the end of 2023. In the longer term, it pointed to a quicker, more certain,

digitised planning system, with an enhanced role for local plans as the main means of public engagement on site selection and development.

Housing numbers for plans - Housing need is established locally using a national standard methodology. Changes proposed to the methodology prior to and as part of the government's August 2020 consultation have subsequently been amended and household projections and affordability data which form part of the methodology are regularly updated. Consequently, though housing need figures have changed somewhat and will change further over time, it is necessary to fix on an appropriate number to produce a plan. In addition, the need is a minimum for any plan, with local plan housing provision also having to take account of economic growth potential and of providing a buffer to ensure delivery of the housing required to address the housing crisis. The approach taken at the Regulation 18 stage of plan-making, which included a number of preferred options and alternative approaches for policies and sites, including consulting on the amount of growth and its proposed locations, has provided flexibility to make changes between plan-making stages.

Sustainable growth – the GNLP promotes the right types of growth in the right locations to facilitate post Covid-19 economic recovery, promote the post-carbon economy, address climate change impacts and support services in our communities. This has been done by maximising the potential of brownfield sites, supporting high technology employment growth, particularly in the Cambridge Norwich Tech Corridor, and providing for greenfield sites for housing growth on the edge of the urban area, towns and villages.

Protecting and enhancing habitats - to ensure growth does not have a negative impact on internationally protected habitats, work has been undertaken at the county level on addressing increased visitor pressure on those habitats. The plan also provides for the protection and enhancement of locally significant habitats and will follow on from the success of the JCS in providing improved green infrastructure.

Representations

6. **No representations have been made that in the view of officers would require further Regulation 18 consultation or a repeat of the Regulation 19 stage.** However, some representations have raised issues which must be addressed before submission, and possibly before and at the examination. In particular, work on protecting key habitats will need to be agreed with Natural England, at least in principle, to enable submission. This is set out in section 3 of this report.
7. Section 4 covers issues which are not considered to require further work prior to submission but seem likely to be dealt with at examination.
8. Overall, 1,316 representations were made on the plan (263 support and 1,053 objections). Appendix 1 provides information on the numbers of representations made in relation to different policies. Please note that this only gives a broad overview of

where concerns and support lie. This is because, for example, considerable concerns about the choice of a housing site in Hingham has been expressed primarily through a co-ordinated representation submitted by the town council rather than through large numbers of separate representations.

9. Appendix 2 provides a concise summary of the main issues raised. It is broadly organised on a policy and thematic basis, though in some cases organisations are named for clarity. A more detailed summary of representations made by different individuals and organisations, which is part of the Statement of Consultation to accompany submission of the plan, and which includes officer responses to the representations, is available [here](#). The full representations made, without officer responses, are available from the GNL website [here](#).

Section 3 - Issues being addressed ahead of submission and beyond

10. It is anticipated that a number of issues raised through representations will be addressed, in many cases prior to, but in some cases subsequent to, submission. These are issues on which agreement can be made, or common ground identified with some outstanding elements to be debated at examination.
11. These issues will be addressed through Statements of Common Ground with organisations leading to proposed minor modifications to be submitted with the plan, or simply by the authorities proposing minor modifications to accompany submission without the need for a statement.
12. Main modifications, such as major changes to policies, cannot be made at this stage of plan-making. If the authorities are of the view that such major changes are required, another Regulation 19 stage would have to take place, or even a return to the Regulation 18 consultation stage. However, such modifications can be consulted on at examination and then recommended by the Inspector's report of the examination to enable the plan to be adopted.
13. Table 1 below sets out ongoing and anticipated work of this type. Members will be updated on progress on this work at the GNDP meeting and subsequently at Cabinets and Full Councils:

Table 1

Issue	Ongoing/required work
<p>Duty to Cooperate (D to C)</p>	<p>The D to C covers strategic scale cross-boundary issues between councils, infrastructure providers and organisations such as the Environment Agency, Historic England and Natural England. More local issues have been raised in some of the representations to the GNLP in relation to the D to C, which in most cases relate to concerns over the consultation process, which is different from the D to C.</p> <p>The most common D to C issue nationally which has created problems for local plans is meeting the excess housing needs of some, mainly urban, areas in neighbouring areas.</p> <p>For Greater Norwich, the Norfolk Strategic Planning Framework (NSPF) provides a series of agreements through its regularly updated Statement of Common Ground which addresses strategic D to C cross-boundary issues. However, in some cases a commitment to future joint work on more specific cross-boundary issues needs to be agreed, such as ongoing engagement with Breckland District Council on water, power and economic synergies which is being addressed through a specific Statement of Common Ground.</p> <p>In other cases, clarification on issues raised at Regulation 19 is required. This is the case with Natural England, with whom in principle agreement will be needed on addressing the issue of visitor impact on internationally protected habitats. This requires the signing of a Statement of Common Ground prior to submission of the plan. This follows from the GIRAMS work, undertaken under the NSPF, to identify avoidance and mitigation measures for potential recreational impacts, which is not yet approved. It is critical that this in principle agreement is reached through a Statement to enable the GNLP to be submitted, as compliance with the Habitats Regulations it relates to is a legal requirement. Lack of agreement with Natural England could also be judged to be a D to C failure which would prevent examination of the plan. There is a lot of work to do on this which risks the timing of submission on July 30th. If this is not achievable, submission should be considered for September.</p>
<p>Gypsies and Travellers</p>	<p>No sites have been submitted through the plan-making process to address evidenced need. Failure to provide for the evidenced need through specific sites in addition to the criteria-based policy for assessing applications (in policy 4 on Homes) is potentially a risk to the plan being found sound. Consequently, we are proactively engaging with existing families/site owners to explore the potential for acceptable expansion of existing sites through the development management process and continuing to explore options to find suitable land in public ownership on which to bring forward a site.</p>
<p>Evidence updates</p>	<p>Work is also ongoing to supplement and update the evidence base (partly in response to representations) including:</p> <ul style="list-style-type: none"> a. A request from Historic England for Heritage Assessments for a number of proposed sites (mainly in the city centre) and inclusion of other heritage evidence;

	<ul style="list-style-type: none"> b. More detail on the timing of the delivery of sites in the housing trajectory; c. Supplementary viability information; d. Updated information on housing, including the types of homes required; e. Updating of the Habitat Regulations Assessment (HRA) to explain the situation and further justify its conclusions relating to the GIRAMS and the finalisation of the Water Cycle Study.
Minor modifications	Minor modifications to the text (not the policies themselves) of the plan will be submitted mainly to address representations from Historic England, Natural England, the Environment Agency and Anglian Water. These largely relate to the Vision and Objectives, policies 2 (Sustainable Communities), 3 (Environmental Enhancement) and 4 (Infrastructure), as well as a number of site allocations. Other proposed minor modifications will cover the limited number of errors identified.

Section 4 – Potential issues for the examination

14. The actual issues for the examination will be determined by the Inspector taking account of policy and legal requirements, his or her own judgement and the representations that have been made.
15. In the light of the representations made, national policy/guidance and experience of previous examinations, the three key issues for the plan’s examination (if submitted) are most likely to be:
 - a. The overall housing numbers and the locations and deliverability of growth, including site viability and the impact on climate change;
 - b. Addressing Habitats Regulations visitor pressure issues through an agreed approach with Natural England;
 - c. Provision of a site/s to meet the needs of Gypsies and Travellers (though this has not been a focus of representations, expert advice is that this is an issue).
16. Taking account of the broad range of representations made, and subject to progressing the matters set out in the recommendation, officers recommend that the plan as drafted can be submitted. We are confident that well-reasoned arguments can be provided at examination to justify the approach taken in the plan in relation to the issues raised in representations.
17. Table 2 below provides officer summaries of the potential issues for the examination based on the representations that have been made, with officer responses in relation to these issues which will be worked up further as we head towards examination. A number of the representations highlight different interpretations of the National Planning Policy Framework and its supporting guidance.
18. As referenced in paragraph 9 above, Appendix 2 provides further detail of the representations, with full representations available [here](#).

Table 2

A. Process Issues	Officer Response	
Site Selection	<p>The process has been questioned at different levels of the hierarchy, including:</p> <ol style="list-style-type: none"> 1. the role of Sustainability Appraisal (SA) e.g. for sites on the edge of Hellesdon in Horsford parish, with a legal view submitted questioning site selection soundness; 2. Aylsham (the inclusion of an additional site at the Regulation 19 stage – see below); 3. Key Service Centres (particularly site selection in Hingham); 4. Village Clusters (the site selection process involving school catchments has been questioned). 	<p>In relation to representations on the process of plan-making, there is confidence that the approach we have taken is sound. This includes site selection, the use of SA, the Duty to Cooperate and the consultation process overall, including the increase in housing numbers and consequent inclusion of additional sites at the Regulation 19 stage (see below).</p> <p>The role of the SA in site selection and the wider process used in assessing sites have been clearly set out and recorded, with criteria which reflect national planning policy, county-wide and local priorities provided to guide that selection. The introductory section of the Sites Plan explains the process used and settlement booklets identify why the sites were selected in each settlement.</p>
Dependent plans	<p>The role and timing of the South Norfolk Village Clusters plan (including evidencing the amount of growth), along with the Diss and area Neighbourhood Plan’s role in allocating sites has been questioned.</p>	<p>There is flexibility in how Local Plans are produced so that they can be either single or multiple volume documents. In addition, Neighbourhood Plans can allocate sites. The emerging village clusters plan in South Norfolk, now being consulted on, provides evidence that the growth required by the GNLP can be provided for in sustainable locations.</p>
Changes from Regs 18 to 19 (lack of Reg 18D consultation)	<ol style="list-style-type: none"> 1) The lack of consultation on both the overall numbers and additional sites/increased numbers has been criticised (this has particularly been raised in relation to Acle, Aylsham, Horsham St. Faith and Lingwood); 2) The inability to comment on and change settlement boundaries has been raised. 	<p>The 2012 Planning Regulations anticipate that there will be changes in whatever has been consulted upon after the Regulation 18 consultation. It is very common for new sites to be proposed for allocation for the first time at the Regulation 19 stage either because they have only recently become available or the local planning authority needs to supplement its allocations in order better to meet needs.</p> <p>At the Regulation 18C draft plan stage of the GNLP, overall housing numbers were consulted on, alternative sites were</p>

		<p>consulted on as well as those proposed for allocation, and new sites were submitted.</p> <p>The system of plan preparation would be rendered very inflexible if such changes required a further regulation 18 consultation.</p> <p>The decision to not include revisions to settlement boundaries in the plan resulted from the timetable changes stemming for the release of the “Planning for the Future” white paper. Amendments will be possible through any future review of development management policies.</p>
<p>B. Plan content</p>		
<p>Overall housing growth</p>	<p>Representations from different organisations and individuals state opposite views that the plan provides for:</p> <ul style="list-style-type: none"> • Too little housing growth (it doesn’t reflect economic aspirations and there is questioning of the methodology re. housing numbers); • Too much growth (housing need + a 5% buffer is sufficient, insufficient account has been taken of climate change, with the South Oxfordshire plan referenced as a plan challenged on the scale of growth in relation to climate change). <p>Also -</p> <ul style="list-style-type: none"> a) Windfall – a greater or lesser focus should be placed on windfall in calculating housing numbers, and policy 7.5 is considered unworkable; b) Contingency – more contingency sites are required versus none are needed. 	<p>The level of housing need for Greater Norwich is identified by using the government’s standard methodology. Sites do not always deliver as expected so the housing provision figure includes a buffer to address this fallout and ensure delivery of the identified need. The housing provision figure for the plan also provides additional flexibility to allow for higher potential levels of need should this arise as suggested by evidence from the 2018 household projections and through stronger economic growth. If the market for this additional housing does not materialise, they will not be provided.</p> <p>The challenge to the South Oxfordshire plan concerning the scale of growth and its climate change impacts was unsuccessful. Meeting housing need was identified as a key consideration as well as addressing climate change as plans need to provide for economic, social and environmental sustainability.</p> <p>The approach to windfall, which allows for some of the likely delivery to be included as part of overall housing provision, is considered appropriate. As windfall delivery is likely to remain robustly high, it is appropriate to include a limited</p>

		<p>proportion as part of total potential delivery.</p> <p>One contingency site is included should this prove to be required due to low delivery of allocated housing sites.</p> <p>The overall approach, including to windfalls, contingency and having a significant buffer, builds in flexibility to support higher than trend economic growth incorporating the Greater Norwich City Deal if this were to occur.</p>
5-year land supply	<p>Representations (from some in the development industry) question the proposed approach to the 5-year land supply which is based on the housing need identified through the standard methodology without including the buffer.</p>	<p>The figure of 49,492 is potential housing delivery during the plan period, not the housing need. The need is 40,541, calculated using the standard methodology. The latter is proposed to be used to calculate 5-year housing land supply.</p>
The location of growth	<p>1) Settlement hierarchy</p> <p>i) Suggested changes (all to include more growth in specific locations):</p> <p>(1) Wymondham should be a Large Main Town;</p> <p>(2) Mulbarton, Scole and Horsford should be Key Service Centres (KSCs);</p> <p>(3) A separate countryside category is needed.</p> <p>ii) The amount of growth in different parts of the hierarchy:</p> <p>(1) More vs. less in the urban area (sustainability + availability of sites from city centre decline vs. deliverability and market saturation issues), over reliance on Strategic Regeneration Areas with limited evidence (East Norwich and Northern City Centre) and the North East Growth Triangle.</p>	<p>1) The Settlement Hierarchy, which is based on evidence of the services available in different settlements, is considered to be appropriate. Open countryside is in the village clusters level of the hierarchy</p> <p>The overall growth strategy, including housing and jobs numbers and locations, is considered to be well-evidenced and to meet the plan's objectives. This will be achieved by focussing the great majority of growth in the Norwich urban area and in and around our towns and larger villages, thus reducing the need to travel and addressing climate change impacts. At the same time, the strategy allows for some growth in and around smaller villages to support local services. Our strategy maximises the potential of brownfield land and accessible greenfield sites. The strategy also offers a range of types and locations of sites which will help to ensure that the broad range of housing needs of our communities are met, enhancing delivery of the housing by providing opportunities for a range of house providers.</p>

	<p>(2) More/less growth in towns (less in Aylsham, more in Wymondham and Diss, new sites needed in Long Stratton).</p> <p>(3) More/less growth in KSCs – different views with focus on more in Brundall, Hethersett, Loddon, Poringland, Reepham and Wroxham vs. less in Reepham and a different site in Hingham;</p> <p>(4) More/less growth in village clusters.</p> <p>2) The lack of a Green Belt has been criticised;</p> <p>3) New Settlements – there has been questioning of the lack of inclusion of new settlements, whilst an alternative view stated is that policy 7.6 should not prejudice the next plan;</p> <p>4) The Cambridge Norwich Tech Corridor (CNTC) should be a greater focus for growth;</p> <p>5) Undeliverable sites with no promoter or developer should not be in the plan.</p>	<p>2) Regulation 18 included consultation on the potential for a Green Belt. The strategic approach of protecting valued landscapes including strategic gaps provides the policy coverage required. Establishing a Green Belt for the future at this stage will reduce flexibility and place pressure for additional growth required in the future on those areas not included in any Green Belt.</p> <p>3) The GNLP does not allocate any of the proposed new settlements as there are considered to be enough sites to meet needs in and around existing settlements. The strategy takes account of the Government’s proposed changes to the planning system, with policy 7.6 setting out the intention to bring forward a new settlement or settlements through the next strategy and sets out a timetable for that work.</p> <p>4) Forming part of the defined Strategic Growth Area, the CNTC is a major growth focus. Due to high levels of existing commitment in locations such as Wymondham, Hethersett, Cringleford and Easton which are already strategic locations for growth, only limited additional housing numbers have been added in these locations in this plan.</p> <p>5) Further evidence will be submitted showing that undeliverable sites have not been allocated in the plan.</p>
<p>Sites subject to significant/most representations</p>	<p>1) East Norwich (the main concerns are over capacity and deliverability, including from Historic England);</p> <p>2) Anglia Square (the policy should be amended to reflect recent changed intentions concerning the site);</p> <p>3) The UEA Grounds Depot (the allocation should be deleted as the Yare Valley is a priority Green Infrastructure corridor);</p>	<p>Concerns over specific sites and locations for growth will be a key part of the examination and it will be for the Inspector to decide whether modifications are required to the policies we submit. As set out above, officers are confident that the site selection and plan-making process raised in relation to some locations has been sound.</p>

	<p>4) Aylsham (the main concerns are over the process of adding a further site at the Regulation 19 stage and over infrastructure capacity);</p> <p>5) Hingham (the main concern is over site selection);</p> <p>6) The Showground (the main concern is over transport capacity);</p> <p>7) Lingwood (the main concern is over the site selection process adding a new site at the Regulation 19 stage);</p> <p>8) Foulsham (the main concern is over an historic hedgerow);</p> <p>9) Colney (the main concern is over the non-selection of a site).</p>	
Transport	The Norwich Western Link (NWL) should not be in plan, there is insufficient focus on walking, cycling and other sustainable transport and too much focus on aviation.	Although it is not a specific plan proposal, the inclusion of the NWL road reflects its progress by Norfolk County Council as an infrastructure priority, with a Preferred Route announcement made in July 2019. This applies to other improvements to transport including to the airport, rail services, trunk and primary roads and measures to promote active and sustainable transport which are also included in the GNLP.
Climate change	There is insufficient coverage of climate change issues which should be the basis of the plan. This includes the amount, distribution and timing of growth, inadequate targets and monitoring, an inadequate approach to energy and water efficiency and flood risk.	<p>The climate change statement in the GNLP strategy sets out and justifies the broad ranging approach the plan takes to tackling climate change.</p> <p>As set out above, the strategy focusses the great majority of growth in the Norwich urban area and in and around our towns and larger villages, thus reducing the need to travel and helping to address climate change impacts. It also allows for some growth in and around smaller villages to support local services, the loss of which would generate the need for more journeys.</p> <p>The overall housing numbers in the plan are suitable to address the housing shortage in the area, allow for sustainable economic growth to contribute to post Covid-19</p>

		<p>recovery and the move to a post-carbon economy.</p> <p>The climate change targets in the plan are intentionally linked to those of the government to reflect the fact that national targets regularly change so it is appropriate that GN should contribute to those national targets. Thus, targets will be updated locally when they change nationally, as with changes made by the government this year.</p> <p>The GNLP contains policies which cover all relevant aspects of the emerging NSPF proposals for how local plans in the county should address climate change. Minor modifications to the GNLP's Delivery and Climate Change Statement and relevant text supporting policies will be submitted to provide updates on how this emerging policy advice (in agreement 19 of draft NSPF) is addressed. This is mainly achieved through the design of development required by Sustainable Communities Policy 2. The policy covers a broad range of issues related to climate change including access to services and facilities, active travel, electric vehicles, energy and water efficiency, flood risk, sustainable drainage, overheating and green infrastructure.</p>
Infrastructure	Provision is insufficient to support growth (especially for health and schools).	Appendix 1 setting out the infrastructure required to serve growth is based on evidence collected in the GNLP Infrastructure Needs Report. This has been produced by working with the relevant infrastructure providers, including Norfolk County Council for schools and health care providers for health facilities, so are the best available information which provides a planned approach to meeting growth needs. Updates will be made on an ongoing basis if and when circumstances change.
Housing	1) Affordable housing (AH) – the policy would over-deliver against need, there should be no AH requirement on student developments;	1) The homes policy is well evidenced. The affordable housing targets are based on evidence of need and have taken account of viability. Affordable housing is required on student accommodation

	<ul style="list-style-type: none"> 2) The Accessible homes and space standard requirements are not evidenced; 3) Elderly needs should be covered by more allocations, not just general policy support; 4) Self /Custom build shouldn't be a fixed percentage. 	<p>away from UEA. This is required as without doing so, the delivery of sites for student accommodation would reduce the ability to address affordable housing needs.</p> <ul style="list-style-type: none"> 2) The standards set for accessible and adaptable homes are also based on evidence of need and have taken account of viability 3) Allocations have been made for and including housing for older people and policy 5 allows for such accommodation to be provided on any housing site. 4) Promotion of self/custom build is a government priority. The requirement for at least 5% of plots on sites of 40 dwellings plus will support their delivery. It will not be applied if lack of need can be evidenced.
Evidence	<p>Questioning of:</p> <ul style="list-style-type: none"> a) The validity of the Viability study; b) The Habitat Regulations Assessment (HRA) (and Water Cycle Study); c) The Statement of Consultation and lack of compliance with the South Norfolk Statement of Community Involvement; d) Sustainability Appraisal (SA) <ul style="list-style-type: none"> I. Non assessment of reasonable and strategic alternatives; II. Flawed assessment of specific sites; III. Supports a different strategy (there should only be limited new development in the KSCs and villages); IV. Inclusion of a contingency site is not justified; V. Carried forward sites have not been treated comparably with others; 5) Inadequate on carbon assessment and addressing climate change. 	<p>All evidence, including the Viability Study, HRA and SA has been produced by appropriate and experienced professional consultancies using the approaches required by government. As such, the evidence is considered to be robust. Discussions on the evidence base and how it has assisted in forming policy will be an important part of the examination.</p> <p>The process of plan-making, which has included three stages of Regulation 18 consultation, is considered to have complied with requirements.</p>

The Examination

19. The Inspector may, having considered differing views at examination, recommend that main modifications are required for the plan to be found sound. The authorities would have to consult on these and bring them back to the Inspector. If this does prove to be the case, members can only adopt the plan with these main modifications included. Main modifications could relate to any substantive aspect of the plan.
20. If the Inspector takes the view that there is a more serious cause for concern in relation to a major aspect of the strategy, such as the amount or the broad distribution of growth, he or she may write to the planning authorities before the hearings asking why the particular approach was adopted. Then, following initial hearings, if the Inspector concludes that an aspect of strategy is unsound, he or she may adjourn the hearings and issue an Interim Report, setting out what is considered necessary to overcome the concerns. During the adjournment, quick decision making would be required from the authorities to decide how best to proceed and bring proposals back to the Inspector.

Section 5 – Conclusion

21. To reiterate, the representations have identified no significant issues that cannot be addressed or are such a risk to the GNLP that it should not be submitted in the near future.
22. However, the timing of the submission of the plan will be key. This is particularly the case in relation to agreeing the principles of how the Habitats Regulations will be addressed with Natural England. Without this there are significant questions over the legal compliance of the plan and so its submission should be delayed. If the issues set out in the recommendation can be overcome in a short period of time, officers recommend that the plan should be submitted on July 30th. If not, delays until at least September this year will result. If submission were to be delayed to September, the plan should still be able to be adopted within the government's deadline of the end of 2023. The GNLP and then Cabinets and Full Councils will be informed of progress on these key issues to assist their consideration of submission of the plan.

Appendix 1

Representation numbers

This appendix gives a broad overview of those parts of the plan on which the most representations were made. Overall, 1,316 representations were made on the plan (263 support and 1,053 objections). As set out in paragraph 8 of the report, this is only an indication of how wide concerns or support is on issues as co-ordinated representations have been made by some groups and organisations.

Strategy

Section/policy with the most representations:

1. Policy 1 – The Sustainable Growth Strategy (86 reps)
2. Section 2 – Greater Norwich Profile (79 reps)
3. Section 3 – The Vision and Objectives (65 reps)
4. Policy 5 – Homes (57 reps)
5. Policy 3 – Environmental Protection and Enhancement (48 reps)

Section/policy with the most support comments:

1. Section 2 – Greater Norwich Profile (25 supports)
2. Policy 7.1 – The Norwich Urban Area (14 supports)
3. Section 3 – The Vision and Objectives (12 supports)
4. Policy 2 – Sustainable Communities (12 supports)
5. Policy 3 – Environmental Protection and Enhancement (10 supports)

Section/policy with the most object comments:

1. Policy 1 – The Sustainable Growth Strategy (78 objects)
2. Section 2 – Greater Norwich Profile (54 objects)
3. Section 3 – The Vision and Objectives (53 objects)
4. Policy 5 – Homes (51 objects)
5. Policy 3 – Environmental Protection and Enhancement (38 objects)

Sites

Sites with the most representations

1. General Aylsham text and settlement map (68 reps)
2. Policy 0596R – Aylsham (55 reps)
3. General Foulsham text and settlement map (30 reps)
4. East Norwich Strategic Allocation (21 reps)
5. Policy 0605 – Foulsham (18 reps)

Sites with the most support comments:

1. East Norwich Strategic Allocation (5 supports)
2. General Taverham text and settlement map (5 supports)
3. General Poringland text and settlement map (5 supports)
4. Policy 0401 – Norwich (4 supports)
5. Policy CC4 a and b – Norwich (4 supports)

Sites with the most object comments:

1. General Aylsham text and settlement map (67 objects)
2. Policy 0596R – Aylsham (54 objects)
3. General Foulsham text and settlement map (30 objects)
4. Policy 0605 – Foulsham (17 objects)
5. East Norwich Strategic Allocation (16 objects)

Appendix 2

Summary of Main Issues raised

1. The Strategy

Foreword and Introduction

Topic	Main Issues raised
Engagement with Breckland	<p>Breckland DC wants to engage on proposals for new settlements and the South Norfolk villages, particularly to understand how development will impact on power and water infrastructure and to investigate the potential for economic synergies in the Cambridge Norwich Tech Corridor (CNTC). A range of comments covering these issues have been made in relation to a number of elements of the text and policies of the plan. Officers from the GNLP team and Breckland are working together to address consequent concerns raised over the D to C through a Statement of Common Ground (SoCG) on further future co-operative work.</p>
The amount of housing growth	<p>The housing number is unnecessarily high. There is no need to increase the number of houses to be built way beyond the number required by the standard methodology.</p>
Location of growth	<ol style="list-style-type: none">1. Questioning of the North Rackheath allocation concerning the continued interest of developers; and, the viability of providing policy compliant levels of affordable housing2. The Cambridge Norwich Tech Corridor links universities in Cambridge and Norwich with research institutes and science parks, so it is questioned how the large number of homes planned for the North East Growth Triangle links to the employment in the Tech Corridor.3. Concentrating large developments on the edge of Norwich counteracts endeavours to secure an appropriate level of housing in rural villages.4. Mixed messages have been given over Wymondham - removing the 1,000-home contingency is unjustified. Furthermore, that the GNLP over relies on windfall sites, and that the South Norfolk Village Clusters Housing Site Allocations Local Plan cannot be relied upon. <p>A lack of consideration has been given to proposals in North Norfolk. Recent announcements regarding a development of 300+ houses at nearby Badersfield will have an impact on Aylsham, as the majority of children from Badersfield attend Aylsham High School.</p>
Process	<ol style="list-style-type: none">1. Historic England has concerns about development management policies not being reviewed concurrently with the GNLP, and particularly the lack of a strategic policy framework for taller buildings and the skyline, the detailed approach to designated and non-designated heritage assets and heritage at risk.2. The GNLP should have regard to the East Marine Plans, paying attention to the policies and guidance published by the Marine Management Organisation, as well as fulfil Duty to Cooperate obligations.3. Criticism of the approach taken to Aylsham, especially the lack of public consultation amidst the pandemic about the addition of a second site and increasing the total housing requirement to 550 homes.

	<ol style="list-style-type: none"> 4. Not holding the Reg. 18D consultation means there has been no opportunity to comment on the suitability or otherwise of new sites which were brought forward during and around the Reg. 18C consultation, nor to comment on any amendments to policies made since publication of the Reg. 18C consultation documentation. 5. To address climate change, the number of new allocations, particularly in less sustainable locations such as in most of the village clusters, should be kept to the legal minimum. Legal challenges such as that being pursued in South Oxfordshire make it clear that the soundness and legal compliance of Local Plans can be challenged on climate change grounds. Central to this challenge is the contention that South Oxfordshire District Council's Local Plan fails to comply with the Climate Change Act 2008 because of the amount of homes. 6. The GNLP and the South Norfolk Village Clusters Housing Allocations (SNVHCA) should follow the same, or at least a very similar, timetable. 7. The Reg. 19 GNLP Climate Change Statement states that 'growth in villages is located where there is good access to services to support their retention'. It is impossible for this statement to be accurate given the decoupling of the SNVCHA from the GNLP. 8. The decision not to pursue a Green Belt was taken without a full assessment of the evidence, raising questions about both the legal compliance and soundness of the Plan. To address this, CPRE Norfolk suggests a Green Belt on the 'green wedges' model. This evidence is presented in a paper by CPRE Norfolk: 'A Green Belt for Norwich?' 9. There should be closer collaboration in respect of Wroxham/Hoveton. More mention should be made of the numerous neighbourhood plans undertaken at great cost and by a lot of hard work by volunteers. There should also be some acknowledgement of the joint strategic collaboration between Broadland and South Norfolk councils and their joint management teams.
Sustainability + Environmental Impact	<ol style="list-style-type: none"> 1. Clarity is needed on the overall sustainability and environmental impact of the plan in its entirety, including the cumulative sustainability appraisal testing of other plans accompanying the Reg. 19 GNLP. The suggestion is a matrix/progress table for existing policies and allocations – from other existing and proposed DPDs and AAPs, as well as other commitments not already included in policy; 2. The GNLP should list the environmental assets of the area against the System of Environmental-Economic Accounting (SEEA).
GNLP legibility	<p>Acknowledgement is sought that the lessons from the Joint Core Strategy concerning plan legibility have been learnt.</p>
Future proofing	<ol style="list-style-type: none"> 1. There is a need for further analysis about how the Covid-19 pandemic has and is changing peoples' behaviours, and how the GNLP should be future-proofed against these changes. There should a statement in the introduction on how the plan is going to be continually reviewed, and reference made to the Tomorrow's Norfolk, Today's Challenge strategy. 2. The "Planning for the Future" White Paper will quickly supersede the GNLP - it would be helpful to see each council's representations to the Government's proposed changes to the planning system.

Norwich Western Link (NWL)	The NWL, and for some other large-scale road building promoted in the plan, is incompatible with the climate change statement and various other plan statements, ignores the fact that road construction induces demand and is environmentally destructive.
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Greater Norwich Profile

Topic	Main Issues raised
Norwich Western Link (NWL)	As above.
Other transport issues	<ul style="list-style-type: none"> • The GNLP should not commit to expanding the highly polluting and unsustainable aviation industry in policy 4; • Sustainable transport should be part of decision making, be included in the plan and form part of the assessment for development sites; • Respondents dispute the claim that the cycle network is good; • Compulsory installation of electric vehicle charging points is required in houses; • There should be a greater focus on hydrogen-based energy and transport solutions; • Tension exists between carbon emissions being above the national average in rural parts of the area (partly due to a greater reliance on car journeys), the target to reduce carbon emissions, the lack of frequent low-carbon public transport, and the excessive numbers of housing planned.
Housing numbers and Green Belt	<ul style="list-style-type: none"> • CPRE Norfolk view that: <ul style="list-style-type: none"> ○ non-inclusion of a Green Belt (suggested on the 'green wedges' model) is unsound. ○ housing numbers are too high and should be based on the standard methodology + a 5% buffer (this view is shared by individuals, who also state that Brexit and Covid-19 will reduce housing need). • Population projections may change and economic forecasts are too optimistic. By putting forward a higher number of homes to be built, the increase in supply will increase the demand. • Objection to traditional planning approach analysing past trends, projecting them into the future and converting the figures into land requirements. • The 2018 household projections do not actually go far enough. There is no 'slack' in the plan for unexpected growth, or growth in the most sustainable locations.
Location of growth	The proportion of greenfield development (78%) is too high especially as office/retail space in the city centre will be available for redevelopment.
Engagement with Breckland DC	As above.
Infrastructure Needs	The plan needs to refer to the Health and Wellbeing section to the Norfolk Joint Strategic Needs Assessment (JSNA) which is the standard tool when predicting future health needs and trends in order to inform on housing and other factors.

Views from groups and about specific locations	
Norwich Green Party	<p>The Norwich Area Transportation Strategy has been successful in reducing vehicles entering the city centre and increasing the numbers of journeys on foot and by bike, but is a very long way from delivering an upgraded bus infrastructure plan (in the JCS). Suggest that:</p> <ul style="list-style-type: none"> • text and policies should place a greater focus on sustainable transport; • county council seeking much larger road schemes than is necessary for addressing localised problems or for serving new development. <p>The following changes are needed /considerations should be taken account of:</p> <ul style="list-style-type: none"> • An overall carbon budget for Greater Norwich to 2050 consistent with the Climate Change Act 2008 is needed, supported by a strategy and policies in line with the carbon budget trajectory. The Tyndall Centre shows Norwich must cut its carbon emissions by 13% every year to meet its contribution to Net Zero, Broadland and South Norfolk must make cuts of 13% and 14.25% respectively. Carbon emission contribution to sea level rise is a concern. • A lower housing number (42,568 dwellings plus a 5% buffer) is needed resulting in lower development pressures on greenfield sites; • Growth should be concentrated in high density low car developments close to sustainable transport hubs, with a higher concentration around Norwich; • No dispersal of development to small villages which lack services; • No new garden city settlements in open countryside distant from railheads; • Protection of Green Wedges around Norwich; • Development should be built to zero carbon standards that include renewable heating based on renewable energy generation; • Retrofitting of historic development needed; • A transport strategy is needed based on traffic reduction and a high degree of modal shift to bus, walking and cycling; • Norwich Western Link should be abandoned and there should be no further major increases in road capacity; • High nitrogen dioxide levels should be addressed, notably at Castle Meadow.
Natural England	<p>The natural environment section is incomplete, with more focus needed on biodiversity loss, climate change, habitat fragmentation, pollution etc and how the proposed plan may impact on and address these issues. The plan also needs to recognise that recreational disturbance impacts affect not just internationally designated sites, but also locally protected sites.</p>
RSPB	<p>The plan needs to cover other land use categories where soil is an important resource e.g. peat soils provide for carbon capture + habitats.</p>
The Environment Agency	<p>There is no information about the Water Framework Directive (WFD) and risk to water quality. No links are made to risk from development, or that preventing deterioration is a requirement.</p>
Stop Norwich Urbanisation (SNUB)	<ul style="list-style-type: none"> • Questions how London in 90 and plan for a rail halt at Rackheath are addressed; • The expense of exemplar eco-homes in Rackheath questions how planners can insist on deliverable carbon neutral housing; • More references to sustainable drainage systems are needed.

Location specific representations	<ul style="list-style-type: none"> • The plan should acknowledge that development at Rackheath will affect the village of Salhouse due to shared facilities; • Coltishall PC has concerns about the village suffering further from traffic growth due the NWL road and dispersed housing development; • A development promoter supports the Strategic Housing Market Assessment requirement of 3,900 additional communal establishment places for over 75s. A non-allocated care village at Barnham Broom has potential to help to meet the need; • Concern from Bunwell PC about how large-scale developments, such as at Long Stratton, affects villages e.g. high school capacity; • Concerns over primary and secondary school capacity and funding due to the delay in the Rackheath North development; • Aylsham needs a new primary school now and cannot wait until new development is partially or fully completed; • Colney Hall should be removed from the plan as it is outside settlement boundaries; • BAW 2, Bawburgh and Colney Lakes is allocated for a water-based country park but the 2009 Colney Parish Plan suggested a much less intrusive approach. The BAW 2 land should be part of a Norwich Greenbelt involving the Yare Valley.
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Vision and Objectives (V + O)

Topic	Main Issues raised
Support	
Community Facilities and Green Infrastructure	<ol style="list-style-type: none"> 1. Sport England support the development of sustainable communities with good access to green infrastructure, sports facilities, and better opportunities to enjoy healthy and active lifestyles. 2. Rackheath PC state that any new community facilities should be offered within the remit of the Parish Council. 3. Norfolk Biodiversity Partnership support access to greenspace as a key part of what makes a community healthy and attractive.
Water Quality	The Environment Agency supports the V + O but would like to see additional wording on water quality.
Objections	
Scale of growth	The scale of growth is incompatible with achieving the V + O.
Location of Growth	<p>Reps. from the development industry:</p> <ul style="list-style-type: none"> • A new settlement or garden village would better achieve net zero carbon emission development better than 'edge of settlement piecemeal growth'. • The Vision should be strengthened on the importance of the economy in the countryside. <p>Other reps. have stated that windfall conceals the scale of development proposed in villages in South Norfolk.</p>

<p>Growth in Main Towns and KSCs (particularly Aylsham)</p>	<p>Concern expressed by individuals and the Town Council that additional growth in Aylsham included in the Regulation 19 draft plan:</p> <ul style="list-style-type: none"> ○ Is not compatible with the objectives that <i>people should have access to facilities and protecting and enhancing the distinctive characteristics of towns</i>; ○ Will make the scale of growth in Aylsham so great (at 15%) that it will not be possible to integrate existing and new communities; ○ Has not been consulted on and/or gone through the full democratic/plan-making process; ○ Will not be supported by adequate infrastructure, with concern over the need for timely provision of a primary school and transport issues; ○ Extra housing would have to meet carbon neutral standards to ensure greater efficiency in water and energy usage to achieve the V + O. <p>Concern also expressed over the scale of growth in main towns and KSCs overall, in particular in Reepham.</p>
<p>Norwich Western Link (NWL)</p>	<p>Reps. on the NWL from the “Stop the Western Link” campaign (SWL), which comprises ecologists, scientists, lawyers, academics and environmentalists:</p> <ul style="list-style-type: none"> ○ argue that the NWL should be suspended; ○ strongly object to the inclusion of the NWL within the GNLP, stating the plan purports to exclude the NWL when it is manifestly obvious the intention is to include it. SWL finds this pretence to be wholly objectionable. <p>A number of individuals and the CPRE are also oppose the NWL on environmental grounds (destruction of valuable habitats and damage to chalk streams), stating it is in conflict with the green agenda that is expressed later in the strategy, including reducing private car journeys and emissions.</p>
<p>Historic/Natural Environment and Landscapes</p>	<ol style="list-style-type: none"> 1. Representations from Historic England and Natural England propose changes to text on the environment. Historic England have also requested protecting landscapes to be in the V + O. 2. RSPB request clarification on how and by whom the environment will be maintained and enhanced, pointing to the role of landowners.
<p>Quality and density of homes</p>	<p>CPRE contends that it is impossible to ensure that homes will be built at appropriate densities in relation to local character given the independence of the plan for the South Norfolk villages, including concerns over the “minimum” 1,200 figure in the South Norfolk clusters as this has not been consulted on and figures could be much higher.</p>
<p>Carbon monitoring and targets</p>	<p>The Centre for Sustainable Energy recommends taking an approach similar to Manchester based on analysis carried out by the Tyndall Centre which considers baseline emissions and sets a carbon budget. It also suggests that the economy objective should be more explicit about carbon emission reductions and that the infrastructure objective is strengthened to reflect the scale of infrastructure provision required to deliver zero carbon. Other representations have pointed to:</p> <ul style="list-style-type: none"> ● the need for a comprehensive baseline, targets and monitoring of the plan based on reductions from 1990 carbon emission figures; ● the need to reduce transport emissions in rural areas which should be key to the growth strategy by reducing growth in rural areas.

Working with Breckland	Breckland DC comments as above.
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Delivery and Climate Change Statements

Topic	Main Issues raised
Delivery Statement	
Legal process	Reps. from members of the public in relation to Reepham and Aylsham questioned the legality of the plan-making process in relation to consultation (particularly in relation to additional housing numbers and sites at the Regulation 19 stage), including failure to engage with those parish/town councils through the Duty to Cooperate or to take note of local views expressed through consultations.
Working with the private sector	The GNLP committing to working with the private sector to overcome constraints to planning is an insult to all who live and work in communities, including all town and parish councils.
Location of growth	<ol style="list-style-type: none"> 1. Development should be concentrated within the Norwich urban area; 2. The plan should allow for more employment development within the countryside where a rural location can be justified.
Infrastructure	Reference should be made to Norfolk Constabulary's potential infrastructure needs.
Climate Change Statement	
	The Environment Agency supports the climate change statement.
Growth in Aylsham	Additional growth in Aylsham with two sites on the edge of the settlement is not compatible with reducing carbon emissions.
Norwich Western Link road (NWL)	The NWL is incompatible with the climate change statement by leading to increased usage of the private car and increase carbon emissions, as well as damaging the Wensum Valley.
The scale of growth and its environmental impact	<p>Unacceptable climate change and environmental impact of the amount of overall growth with concerns over:</p> <ul style="list-style-type: none"> • resource use, including insufficient standards for energy efficiency (Norfolk Wildlife Trust stated this is the case compared to other authorities) and water efficiency; • the level of population growth, inward migration and continued development, which could better be met elsewhere in the country, being inappropriate for Greater Norwich; • biodiversity (including the need to further promote net gain and green infrastructure in rural and urban areas), reducing overheating, ecosystem protection and the loss of greenfield land; • limited local service provision in new developments; • over reliance on the car and lack of provision for infrastructure for electric cars; • improvements required to rural public transport.
The location of growth	<ol style="list-style-type: none"> 1. The location of growth should address climate change. This should result in inclusion of the "additional" brownfield urban sites, such as those in East Norwich, and the withdrawal of many of the proposed sites in rural locations; 2. The amount of growth in KSCs and the Main Towns is too high.

	The statement and the strategy should be flexible over certain developments which require rural locations and can incorporate sustainability in their design.
Carbon monitoring and targets	<ol style="list-style-type: none"> 1. There's a lack of an effective baseline and carbon reduction targets required for the GNLP to demonstrate how it will meet its legal obligations, with carbon reduction required at the core of all policies; 2. The GNLP approach to carbon reduction is not urgent enough.
Historic environment	Historic England point to the need to reference climate change and the historic environment.

Policy 1 The Growth Strategy

Whilst a number of representations, mainly from the development industry, support policy 1's overall growth strategy, the great majority of representations as set out in the table were objections:

Topic	Main Issues raised
Main issues raised of direct relevance to policy 1	
Procedural Issues	Duty to Cooperate (D to C) <ol style="list-style-type: none"> 1. The GNLP departs from some of the agreements (nos. in brackets) in the NSPF so the D to C has not been met, including: <ol style="list-style-type: none"> a. The planned job growth is not matched by the housing requirement (3); b. The economic needs forecasts use Experian rather EEFM as per the NSPF; c. The housing requirement is not high enough to address the City Deal (13); d. There are insufficient homes for the elderly and students (14). 2. Breckland DC are concerned (particularly over transport issues and energy and water supplies) that there has been insufficient cooperation over the growth in the Strategic Growth Area and South Norfolk villages. 3. A number of respondents (town/parish councils and individuals) have stated that failure to consult sufficiently is a failure on the D to C.
	Consultation <ul style="list-style-type: none"> • The change in housing numbers between Regs. 18 and 19 and the inclusion of an additional site in Aylsham requires additional Reg.18 consultation; • Policies have not followed from the majority consultee response at Reg 18A (on windfall).
	Dependent Plans <ul style="list-style-type: none"> • Can't rely on Diss and South Norfolk Village Clusters sites which will not be tested through the GNLP; • To address the policy vacuum, DM policies for residential applications in the South Norfolk Village Clusters needed.
	New settlements references and policy should be deleted or amended to identify that <i>opportunities will be explored</i> (alongside other options for growth), rather than prejudging a future plan.

<p>Evidence</p>	<ol style="list-style-type: none"> 1. A new Housing/Economic Needs Assessment should be completed before submission. 2. There is no evidence from SoCGs on the anticipated levels of delivery and/or viability of the current or uplifted site allocations. Concerns: <ul style="list-style-type: none"> • that the levels of housing proposed will not be delivered on sites already allocated for over five years; • over a lack of evidence on the uplift in the density on some existing allocations being achievable. 3. Up-to-date evidence base on open space and play is required.
<p>The amount of growth</p>	<p>Climate Change and Growth</p> <ol style="list-style-type: none"> 1. The plan prioritises economic growth and development over legal requirements on climate change, leading to carbon leakage. 2. A large buffer makes it almost certain that climate change targets will not be met. South Oxon’s Local Plan makes it clear that plans can be challenged on climate change grounds. 3. Housing numbers should not be above housing need to minimise: <ul style="list-style-type: none"> • embedded carbon emissions in construction; • emissions from energy and transport emissions. 4. The plan has deferred including climate change policies that will deliver the lowest carbon homes despite the recent NSPF (Ag. 19). <p>Overly dispersed growth is not the best strategy re. climate change.</p> <p>Housing need is higher than in the plan because:</p> <ul style="list-style-type: none"> • The standard method has been miscalculated and is a starting point, with the government’s aim to significantly increase housing supply; • Full account isn’t taken of the needs of students and older people; • There’s a shortfall of 3,704 homes from the City Deal; • The SHMA provides support for a higher local housing need, including affordable housing, than the standard method. <p>Clarity on the methodology used to calculate housing need, along with details of the timing of delivery of allocated sites in the trajectory, should be provided on submission.</p> <p>The housing requirement</p> <ol style="list-style-type: none"> 1. The GNLP is ambiguous and there is no housing requirement set out in strategic policies. A number of reps. (from the development industry) criticise the requirement/target for being too low: <ul style="list-style-type: none"> • Based on the higher housing need and the existing JCS trajectory overestimates, the housing requirement should be 53,207 homes, which includes a buffer of around 24% (18,847 homes 2020-26 and 29,120 from 2026-38); • A higher requirement will aid post Covid-19 recovery; • Others state the buffer should be around 20% but should not include any windfall.

	<p>2. A number of reps. (CPRE, green groups, individuals) state the requirement is too high, most stating that it should be 42,568 (the housing need of 40,541+ 5% buffer), to</p> <ul style="list-style-type: none"> • reduce environmental harm and climate change impacts; • reflect recent demographic changes; • protect the countryside and retain the character of Norfolk; • reflect issues over water supply and quality; • focus growth elsewhere in country where there are more regeneration needs and brownfield opportunities and better infrastructure, reducing the need for internal migration; • prioritise delivery of existing JCS allocations; • allow for flexibility in a time of uncertainty - the housing figures need to be reviewed against Covid-19 and Brexit impacts. <p>3. Many added there should be more use of windfalls in the numbers.</p> <p>4. The Government’s continuance of the existing methodology confirms the housing need as 40,541 so there is no need to add 5,000 homes (no need to take account of 2018 projections or the direction of travel in Planning for the Future).</p> <p>5. CPRE and others variously argue that:</p> <ul style="list-style-type: none"> • housing need can be met through completions (2018 – 20), windfall and brownfield sites, so new greenfield allocations and policy 7.5 are not needed; • there should be phasing of delivery for any homes above housing need included following revisions to the standard methodology; • newly allocated sites should be phased to deliver after commitment; • there is no need for a contingency site. <p>5-year land supply</p> <p>1. The 5-year land supply should not be assessed against housing need, but rather against the total housing figure in the plan.</p> <p>2. The high housing targets in the JCS have led to developers winning appeals on unallocated greenfield sites on 5-year supply grounds so should not be repeated.</p> <p>Employment land</p> <p>1. Over-delivery of employment land as per allocations will lead to either a higher housing requirement or more in-commuting. If monitoring indicates either, review of the GNLP will be needed.</p> <p>2. Reassessment of undeveloped allocated employment sites should lead to undeliverable sites being replaced by alternative allocations, including rural brownfield sites.</p>
<p>Location of growth</p>	<p>Settlement Hierarchy</p> <p>1. Clarity is needed on the purpose of the hierarchy and how it has been used to inform the distribution of growth.</p> <p>2. Various respondents have stated that the hierarchy should be changed as, due to their level of services/existing populations:</p>

	<ul style="list-style-type: none"> • Wymondham should have its own separate classification as a “Large main town” (with more growth); • Mulbarton, Scole and Horsford should be Key Service Centres (KSCs) (with more growth). • Village clusters are based on a questionable approach using school catchments (and numbers should be reduced as the strategy has too great an element of dispersal); • The countryside should be identified in the settlement hierarchy enabling the growth of the rural economy.
	<p>Other comments</p> <p>Various other reps. (mainly from the development industry) have stated:</p> <ol style="list-style-type: none"> 1. In line with the existing strategic approach in the JCS, more growth should be focussed in and around the urban area; 2. Disproportionate levels of delivery proposed in the Norwich urban area will be challenging to deliver and allocations should be distributed more evenly across the hierarchy to ensure diversity, choice, competition and delivery; 3. More growth should be in Main Towns (Wymondham, Aylsham and Long Stratton are specifically identified) and KSCs to support rural economies and ensure delivery. These are even more integral to sustainability due to the current pandemic (home-working, reliance on local services, access to open space); 4. Housing numbers in village clusters should be reduced; 5. New settlements are needed in this plan to create sustainable, beautiful places with clean growth, including promoting strategic growth area/tech corridor. <p>Undeliverable existing/additional allocated homes, particularly on strategic sites, should be redistributed to the most sustainable and deliverable locations (e.g. Wymondham).</p>
	<p>Reps. from CPRE, parish and town councils, individuals and environmental/political groups, stated:</p> <ul style="list-style-type: none"> • More homes should be concentrated in Norwich using brownfield sites and by converting redundant retail and office space; • The village cluster housing numbers are too high due to lack of service provision and increased traffic generation leading to increased carbon emissions, with electric cars doing little to limit impacts. No further allocations beyond those from the JCS should be made in villages, with windfall policy 7.5 removed in favour of prioritising rural exemption sites for affordable housing; • A Green Belt on the Green Wedges model should be included to protect against urban sprawl; • ONS (2018) project that 95% of household increase in the plan period will be 1 or 2 person households so suburban housing estates are the wrong solution.
	<p>Aylsham - Reps. from the town council and others state that housing numbers in the town should be reduced with the removal of the site added between Regs. 18 and 19.</p>

	Breckland DC have concerns over the focus of growth in the A11 Corridor, fearing implications for water and energy supplies and transport in the growth corridor in their district, the cumulative growth including both South Norfolk village cluster allocations and potential new settlements.
Green Infrastructure	Natural England state that the policy needs to be strengthened with regard to the delivery of green infrastructure with cross references to policy 3.
Non policy 1 issues raised A number of significant issues were raised under policy 1 which are of greater relevance to other plan policies plan	
Infrastructure	<ul style="list-style-type: none"> • The Norwich Western Link (NWL) A number of reps. stated that the NWL should not be promoted through the GNLP or transport plans, with the main focus of opposition on impact on the Wensum SAC and increased emissions. • A140 Omission of the upgrading of the A140 between Norwich and Ipswich and concentrating employment in the A11 corridor will not take advantage of growth generated by Freeport East at Felixstowe. • Infrastructure needs are referenced but not quantified, with no indications of where or how they will be provided.
Sustainability Appraisal	No evidence in the Reg. 19 SA that land allocation has been selected based on the least environmental value or of a hierarchy of sustainability compliance.
Sites	A number of proposed allocated and non-allocated sites were supported as they could implement policy 1.
Energy efficiency	Lobby central government to insist on carbon zero building standards. For much of the plan period, the highest standards will not be required. Whole Life Cycle assessments for housing construction (as per London) and elimination of fossil fuel heating are required to reduce emissions.

Policy 2 Sustainable Communities

Topic	Main Issues raised
Water Efficiency	<ol style="list-style-type: none"> 1. No justification for applying an unknown potential future government requirement; should be dealt with through a future local plan review 2. Will policies on water efficiency be sufficient to cope with the cumulative growth of both the GNLP and Breckland?
Climate Change/Energy	<ol style="list-style-type: none"> 1. No coherent climate adaptation policy; policy on climate change, energy etc is inadequate; does not reflect Government carbon emission targets; 2. Electric vehicles will put further pressure on the already constrained energy network; 3. Requirements for energy charging points cannot be in SPD; 4. Requirements for energy charging points have not been taken into account in viability; 5. Requirement for a 20% (or 19%) reduction against Part L of the 2013 Building Regulations is not supported by the evidence; 6. The Greater Norwich Energy Infrastructure Study did not consider neighbouring Breckland district's power needs for the growth already in progress at Attleborough and Snetterton Heath or at Dereham.
Landscape	Reference to strategic gap policies should be deleted.

Policy 3 Environmental Protection and Enhancement

Topic	Main Issues raised
Main issues raised of direct relevance	
The Built and Historic Environment	<ol style="list-style-type: none"> 1. Include more about the distinctive, unique heritage of the area to make the policy more locally specific; 2. Add reference (policy and text) to Historic Landscape Characterisation and Landscape Character Assessments; 3. Need for a historic environment topic paper, Heritage Impact Assessments of certain sites and also taller buildings evidence base.
The Natural Environment	<ol style="list-style-type: none"> 1. Natural England state that there are insufficient measures to ensure that adverse effects on European Sites from visitor pressure would be avoided (as GIRAMS is not adopted). Therefore, the plan is not in compliance with the Habitats Regulations; 2. Biodiversity net gain not included in viability – not demonstrated that allocations are deliverable; 3. To deliver biodiversity net gain off-site there must be a mechanism for developers to pay into a central pot that will be used to deliver biodiversity; 4. The need for GI to be met by development is not adequately defined; 5. The policy and supporting text are inadequate to protect, maintain, restore and enhance the natural environmental assets of the area; 6. Need to explain the hierarchies of site protection and mitigation.

Policy 4 Strategic Infrastructure

Topic	Main Issues raised
Transport	<ol style="list-style-type: none"> 1. Too much emphasis on traditional modes of transport and associated schemes, not enough detail on promoting walking, cycling and other forms of sustainable transport; 2. The policy does not go far enough in terms of reducing carbon emissions and tackling climate change; 3. Opposition to the possible construction of Norwich Western Link on the grounds of environmental damage; 4. Concerns that the lack of an up to date transport planning/evidence base (e.g. LTP4 is still in draft stage) means there is disconnect between sustainable transport and spatial growth planning.
Other Strategic Infrastructure	<ol style="list-style-type: none"> 1. Anglian Water has asked for minor modifications over some terminology; 2. No coverage of waste-water infrastructure, the Water Cycle study and the Water Framework Directive; 3. Norfolk Constabulary should be included within the strategic infrastructure element of policy 4, like health Infrastructure. There should also be a specific reference to a (forthcoming) Police Infrastructure Delivery Paper; 4. There is no detail on the delivery of strategic Green Infrastructure (GI); 5. There is no mechanism to secure education infrastructure.

General	<ol style="list-style-type: none"> 1. Agents have promoted specific sites that they believe to be suitable to support the vision and ambition set out in Policy 4; 2. Breckland District Council has concerns that the cumulative impact of growth identified in the plan could cause further strain on local power and water resources, waste management and transport infrastructure.
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Policy 5 Homes

Topic	Main Issues raised
Affordable Housing	<ol style="list-style-type: none"> 1. The 28% and 33% affordable housing policy, if achieved, would over-deliver against the identified need; 2. The reference to 'at least' 33% is ambiguous.
Viability Testing	Greenfield sites can face high development costs so viability testing should be allowed for at the planning application stage (as is allowed for brownfield sites).
Space Standards	There appears to be no robust evidence that would suggest that development below space standards is a concern in the GNLP area. The policy should provide flexibility to recognise need and viability, where necessary.
Accessible Housing	It will either be necessary to demonstrate a need for accessible housing or delete this part of the policy.
Specialist Housing	The need for 3,857 specialist retirement units in the plan area is based on evidence which is not currently publicly available. Even with the allocations proposed, there remains a significant unmet need for retirement homes and/or beds in residential institutions. Specialist housing for older people cannot be expected on mainstream housing sites and these should be addressed by specific allocations (see Inspector's report on the Vale of Aylesbury Local Plan Policy H6).
Purpose built Student Accommodation (PBSA)	PBSA should not be expected to contribute towards affordable housing provision. Paragraph 64(b) of the NPPF states that PBSA is exempt.
Self/Custom-Build	<ol style="list-style-type: none"> 1. The Councils need to consider the robustness of their self-build register as an evidence base and indicator for demand for self-build plots; 2. The Self/Custom-build has not been tested in viability appraisal work; 3. Objections to fixed percentage for serviced self-build plots on larger housing sites (best in windfall policy 7.5).

Policy 6 The Economy (including Retail)

General points	Main Issues raised
	<ol style="list-style-type: none"> 1. Most responses relate to the promotion of particular sites; 2. There is a need for greater flexibility for the reuse/redevelopment of existing businesses; 3. There is a need to allocate more land, including a large site, smaller sites and land for other types of employment generating uses; 4. There is a need to ensure housing supports sustainable economic growth including town centres, the Cambridge Norwich Tech Corridor (CNTC) and the City Deal; 5. The plan fails to capitalise on the opportunity to further support and direct employment growth to the CNTC; 6. There are insufficient opportunities for economic development in rural areas; 7. There is a need to allocate land to meet the needs of one particular business; 8. There are concerns about the cumulative scale of growth, particularly in the CNTC, on Breckland; 9. The policy does not provide the mechanisms to deliver jobs that fall outside the old B-class uses – the representation has been made in support of unallocated housing sites that include schools and care facilities.

Policy 7 Strategy for the Areas of Growth

Introduction

Topic	Main Issues raised
Process Issues	<ol style="list-style-type: none"> 1. Flawed site assessment process (many reps. suggest flaws with the assessment process or HELAA or SA); 2. Lack of consultation about increase in numbers at Aylsham; 3. Objection to separate South Norfolk Village Clusters Plan.

Policy 7.1 The Norwich Urban Area including the fringe parishes

Topic	Main Issues raised
General	<ol style="list-style-type: none"> 1. Historic England state that the GNLP should include a policy for taller buildings and the skyline (a recommended scope of a study is provided in the rep.); 2. Amend so that all the figures for the allocations are identified as minimums; 3. Smaller employment sites should be allocated in key locations to address the impact of housing growth; 4. Breckland DC has expressed concerns over the impact of cumulative growth.

<p>The City Centre</p>	<p>Northern City Centre</p> <ol style="list-style-type: none"> 1. The agent for the developer of Anglia Square suggests a number of amendments to align policy GNLP0506 with emerging proposals. 2. Clarification is needed that the objective to preserve office accommodation, potentially via an Article 4 Direction, would not apply to Anglia Square, where redevelopment of redundant offices for homes is welcomed. 3. Historic England continues to have significant concerns regarding the approach to development at Anglia Square, including the lack of an HIA; 4. The Northern City Centre Strategic Regeneration Area has a lot of uncertainty and potential for delay re. the Anglia Square allocation. <p>Other elements of city centre policy</p> <ol style="list-style-type: none"> 1. Include protection of valued cultural facilities (para. 92 NPPF); 2. Policy 7.1 is restrictive and not in accordance with NPPF and the revised Use Class Order. Greater flexibility is essential to enable vibrancy and viability. In store retail is declining exacerbated by the pandemic; leisure uses should not be restricted to a defined leisure area. 3. Both support for and objection to the deletion of the bullet point regarding landmark buildings at gateways to the city centre.
<p>East Norwich</p>	<ol style="list-style-type: none"> 1. Historic England have concerns: <ul style="list-style-type: none"> • regarding the impact on Carrow Abbey /Carrow Priory. • over the capacity of the East Norwich sites - detailed HIA is required to inform the development/allocation potential of the sites; 2. The Broads Authority suggest some modifications re. navigation, mapping and the combined approach to the East Norwich sites; 3. The area is a long-term prospect with a high level of constraints and a history of non-delivery. Evidence does not suggest that the sites will come forward. 4. The area includes a County Wildlife Site. Clear policy is required to assess the acceptability of proposals that will affect it. 5. Covid-19 has changed home buyers' priorities (seek outdoor space + rural locations). Question whether demand exists for 4,000 dwellings in the area.
<p>Elsewhere in the urban area</p>	<ol style="list-style-type: none"> 1. Over reliance on the Growth Triangle for delivery within the plan period; 2. Thorpe St Andrew has no new allocations despite the availability of sites; 3. The parish of Honingham has been inappropriately classified as Urban Fringe in association with Easton (Honingham is a rural village).
<p>Distribution and delivery of growth</p>	<ol style="list-style-type: none"> 1. The GNLP is overly reliant upon sites in the Norwich Urban Area, risking market saturation and slow delivery rates. 2. Numerous allocations (75%) have been carried forward from previous local plans and have a track record of not delivering, with no promoter or developer on board. Some have a reliance upon public sector funding + public sector intervention to remedy market failure. 3. Historic England have concerns re. housing figures - Heritage Impact Assessments are required to test and inform the capacity of sites. 4. Insufficient account has been taken of the decrease in retailing in Norwich, which provides for significant redevelopment to housing. 5. Suggested solutions to 1 to 3 above include: <ul style="list-style-type: none"> • New settlement/s; • More rural development.

Contingency	<ol style="list-style-type: none"><li data-bbox="379 197 1501 309">1. The contingency site at Costessey is likely to be ineffective due to constraints. Multiple contingency sites should have been identified in a variety of locations and the trigger mechanism should be earlier than three years.<li data-bbox="379 315 1501 423">2. There is already saturation of allocation sites in the Norwich Urban Area, the contingency site compounds the issue. Under delivery would be better addressed through a more robust evidence-based supply and monitoring.
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Policy 7.2 Main Towns

Topic	Main Issues raised
Aylsham	<ol style="list-style-type: none"> 1. Opposition from the Town Council and residents about both the site allocations and the process for their selection, focussing primarily on the addition of the Norwich Road site (GNLP0596R) being an increase of 83% in new homes from Reg.18 to Reg.19. Arguments against the allocation of 550 homes include: <ul style="list-style-type: none"> • Pressures on infrastructure – on schools, doctors, highways, parking, water supply and sewerage; • The lack of public consultation, and engagement with the Town Council, between Regulation 18C and Regulation 19 is criticised. • The GNLP should be withdrawn and re-consulted upon. 2. Support from a development promoter in Aylsham for the policy as written being consistent with para. 72 of the NPPF.
Diss (with part of Roydon)	<p>Site promoters state that:</p> <ol style="list-style-type: none"> 1. Allocations in Diss are disproportionately low compared to other Main Towns; 2. Housing allocations, including for older people’s housing, should not be devolved to the Neighbourhood Plan; 3. The GNLP should have addressed perceived highways constraints, as opposed to using this matter to limit growth in a highly sustainable town.
Long Stratton	<p>Land promoters argue that the existing strategic allocation may not be deliverable and the GNLP should include a trigger for a review of allocations if the funding bid for the bypass is unsuccessful.</p>
Wymondham	<ol style="list-style-type: none"> 1. Support from the promoters of Silfield Garden Village (SGV) for the approach as drafted limiting piecemeal ‘edge’ growth. SGV would enable: <ul style="list-style-type: none"> • protection the strategic gap between Wymondham and Hethersett and • mitigating recreational pressure on the Lizard County Wildlife Site by the provision of a new Bays River Park. 2. Challenges from promoters of sites on the edge of the town include: <ul style="list-style-type: none"> • ‘mixed messages’ with contingency sites included in Reg. 18C; • the low level of growth is contrary to the town’s inherent sustainability and location on the A11 Cambridge to Norwich Tech Corridor; • further growth would be supported by improvements to water capacity proposed by Anglia Water and improved access to the railway station; • ‘rolling over’ the existing strategic gap policy to Hethersett without a new assessment is unsound; • the development strategy for Wymondham effectively ends by 2030 on the basis that most AAP allocations will be completed by 2026, with approximately 500 dwellings to be delivered beyond that date.

Policy 7.3 Key Service Centres

Topic	Main Issues raised
Various Issues	<ol style="list-style-type: none"> 1. Developers and site promoters suggest the distribution through the settlement hierarchy and/or within KSCs is disproportionate and Brundall, Hethersett, Loddon, Poringland, Reepham and Wroxham should have further allocations; 2. Policy 7.3 does not provide for educational or care/retirement housing needs in Hethersett or support provision of sports facilities; 3. Policy 7.3 should refer to the GI strategy rather than GI maps reproduced in GNLP strategy document; 4. Mulbarton, Horford and Scole should be redefined as KSCs.

Policy 7.4 Village Clusters

Topic	Main Issues raised
Various Issues	<ol style="list-style-type: none"> 1. There are a number of objections to the production of a separate South Norfolk Village Clusters plan. Concern about conflicting policies, an increase in excess of the minimum 1,200 homes not being in accordance with the NPPF. As the spread of development in SN not known, the overall environmental impact has not been assessed; 2. Insufficient mention or consideration of self/custom build; 3. Too much growth in village clusters/objection to dispersal; 4. Too little growth in village clusters, some of the increase in numbers between Regs. 18C and 19 should have gone to villages; 5. Appraisal of settlement boundaries should be undertaken; 6. Policy does not allow for growth and expansion of rural businesses, impact of Covid-19 not adequately assessed, approach to employment overly restrictive; 7. Policy fails to prioritise rural brownfield sites; 8. Objection to the classification of Horsford as a village cluster rather than a KSC.

Policy 7.5 Small Scale Windfall Housing Development

Topic	Main Issues raised
Various Issues	<ol style="list-style-type: none"> 1. The policy is not clear on how it will operate in general and in relation to self-build; 2. The policy is contrary to other policies and aims of the plan to promote sustainable development. It promotes development in unsustainable locations which are not well related to services and promote car use and carbon emissions; 3. The split between parishes for 3 or 5 dwellings is too crude and has monitoring and implementation issues; 4. The policy does not deliver affordable housing (larger allocations would); 5. Sites adjacent to groups of dwellings without a settlement boundary are isolated dwellings in the countryside and therefore contrary to the NPPF; 6. The policy should allow for higher levels of growth e.g. 3 or 5 per site not per parish, or sites up to 9; 7. The “First past the post” approach is unworkable and is not sound; 8. The policy does not support rural growth;

	9. Windfall and homes achieved from policy 7.5 should not be included in Table 6.
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Policy 7.6 – Preparing for New Settlements

Topic	Main Issues raised
Various Issues	<ol style="list-style-type: none"> 1. The policy pre-determines work that has yet to take place on the future distribution of growth; 2. There is no evidence that sustainable extensions to existing settlements have been exhausted; 3. Evidence from elsewhere demonstrates that new settlements struggle to provide affordable housing, particularly in their early stages; 4. There is a need for extensive evidence on viability, deliverability and infrastructure requirements; 5. There is a need for landscape character and heritage impact assessments (Historic England); 6. There is a lack of and need for consultation and engagement; 7. New settlements should be allocated now as they are more deliverable than some allocations.

Appendices

Topic	Main Issues raised
Appendix 1 - Infrastructure	<ol style="list-style-type: none"> 1. Sewage treatment in Aylsham - there should be a clearer plan to address capacity shortfall before any housing development; 2. There is a shortfall of provision in all aspects of health care; 3. Police infrastructure requirements (based on forthcoming evidence) should be included in Appendix 1, with a cross reference to Policy 4; 4. No infrastructure needs have been identified for Hingham, despite the cumulative impacts of development in the town.
Appendix 2 – Glossary	<ol style="list-style-type: none"> 1. Definitions for Listed Building, Local List and Registered Park and Gardens are required. 2. Change Scheduled Ancient Monument to Scheduled Monument.
Appendix 3 - Monitoring	<ol style="list-style-type: none"> 1. The plan is not carbon audited. It is not in line with the Climate Change Act (2008) as required by national policy and guidance; and is unsound in relation to the duties around mitigation; 2. The GNDP councils are significantly behind many leading authorities which have developed binding policies requiring new development to be net zero carbon, reducing carbon emissions in relation to retro-fitting buildings, energy generation and transport.
Appendix 6 – Housing Trajectory	<ol style="list-style-type: none"> 1. A site-by-site list showing the anticipated delivery of housing to evidence the trajectory is needed. 2. The divorcing of the village clusters plan from the GNLP means there is no evidence of the 1,200 homes expected from this part of the plan being deliverable.

2. The Sites

Introduction

- Lack of Heritage Impact Assessments. Insufficient information about the historic environment to support allocations, assessments don't follow Historic England methodology;
- Objections to separate South Norfolk Village Clusters plan.

Norwich

General Comments:

- Cllr Lesley Grahame and Green party representations suggest that: "Whole life cycle carbon analysis is necessary for new development to be sound and meet Climate Change Act legal target" for a number of sites within Norwich.

Policy CC2, 10-14 Ber Street:

- Historic England suggest key listed buildings affected by the development should be referenced. Policy wording should also reference 'Area of Main Archaeological Interest'

Policy CC4a, Rose Lane and Mountergate, land at Mountergate West:

- Anglian Water suggest additional policy criteria on existing surface water sewer on site.
- Cllr Lesley Grahame suggests that Rose Lane community garden should be a green space allocation. Employment welcome but must be compatible with high density residential.

Policy CC4b, Rose Lane and Mountergate, land at Mountergate East:

- The landowner's agent objects to the policy approach to the privately owned designated open space and the approach to landmark buildings. They also seek amendment to the uses on site to include a care home and remove educational facilities.
- Broads Authority request inclusion of early consultation with them in supporting text.

Policy CC7, King Street/Hobrough Lane includes 125-129 King Street and 131-133 King Street and Hoburgh Lane:

- Suggestion from landowner that policy should include criteria for viability appraisal at application stage due to difficult site constraints. Also requests acknowledgement of Norwich City Council's role in providing riverside access.
- Historic England require archaeological assessment to be included in policy criteria.
- Cllr Lesley Grahame suggests that the development must protect existing trees on site & provide proposed river access and walk.

Policy CC8, King Street, King Street Stores:

- Historic England suggest additional policy criteria requiring trial trenching prior to development.
- Policy intention to recreate historic streetscape should be replaced with priority to retrain the mature trees lining the boundary of the site (note that trees have TPOs).
- Cllr Lesley Grahame, Norwich Green Party and Historic England support retention of locally listed buildings on site.

Policy CC10, Land at Garden Street and Rouen Road:

- Policy criterion 1 & 2 are exactly the same, the repeated second point should be deleted.

Policy CC11, Argyle Street:

- Historic England suggest Archaeological Investigation requirement should be included in the policy criterion.

Policy CC15, Lower Clarence Road, car park:

- Policy should list nearby statutory listed buildings.
- Existing trees and hedges should be retained.
- Clause 2 is unclear regarding what is meant by 'built frontages'.

Policy CC16, Kerrison Road: Land adjoining Norwich City Football Club north and east of Geoffrey Watling Way:

- Site promoter does not support provision of a public transport interchange on site and a public transport strategy for the wider east Norwich strategic regeneration area, but would support wording change to: *"Facilitate potential for enhanced pedestrian and public transport access to the wider Norwich strategic regeneration area"*.
- Cllr Lesley Grahame would like to add 2 further points – re-opening of train halt at Trowse + provision of open amenity space.
- Clarification required relating to numbers as there are consents on this site.
- Policy relating to river frontage relates to elements that have now commenced on site.
- Broads Authority suggest early engagement with them is added to supporting text.
- Approach to car free/low car housing should be consistent throughout relevant allocation policies.

Policies CC17 a and CC17b, Land at Whitefriars, Barrack Street:

- Sites referenced CC17a and CC17b are not being carried forward under these boundaries/policies. They have been replaced with GNLPO409AR and GNLPO409BR. It is assumed that the representation made here relates to the new site references: *"This is acceptable and welcomed, subject to social housing, environmental standards and traffic neutrality that make the plan consistent with climate and planning legislation"*

Policy CC18 (CC19), Oak Street and Sussex Street:

- Historic England suggest reference to the Area of Main Archaeological Interest and requirement to produce an archaeological assessment are included in policy criterion.

Policy CC24, Bethel Street, land rear of City Hall:

- Historic England suggest reference to the Area of Main Archaeological Interest.

Policy CC30, Westwick Street car park:

- Historic England - need for a policy requirement for archaeological assessment.

Policy R1, The Neatmarket, Hall Road:

- Promoting agent suggests greater flexibility of use classes in spirit of new class E; also, that wording relating to junction improvements should revert to that in existing policy.

Policy R13, Gas Hill, Site of former Gas Holder:

- Norwich Green Party and Cllr Lesley Grahame advocate retaining this site as woodland for biodiversity and climate objectives given the acknowledged constraints of the site.

Policy R17, Dibden Road, Van Dal Shoes and car park:

- The site promoter objects to the criterion relating to retention/reuse of existing buildings. Wording requiring '*high quality, locally distinctive design*' repeats requirements of strategic policies & places undue emphasis on this site which is misleading.

Policy GNLP0068, Duke Street, land adjoining Premier Inn and River Wensum:

- Historic England suggest inclusion of reference to Area of Main Archaeological Interest.

Policy GNLP0133BR, Land adjoining the Enterprise Centre Earlham Hall (walled garden and nursery):

- Historic England suggest a Heritage Impact Assessment is required for the whole campus.

Policy GNLP0133C, Bluebell Road (UEA, land north of Cow Drive):

- Anglian Water - existing water mains on site, suggest inclusion in policy.

Policy GNLP0133DR, Land between Suffolk Walk and Bluebell Road:

- Public objection to loss amenity open space and biodiversity. Impact on Yare Valley and wildlife. Impact of increased student numbers on local infrastructure and amenities.

- Historic England suggest a Heritage Impact Assessment (HIA) is required for whole campus.
- Comprehensive objection from Yare Valley society – allocation is contrary to national and local policies, the area is protected by the current local plan; Yare Valley is a priority Green Infrastructure project in the Greater Norwich Infrastructure Plan.

Policy GNLP0133E, UEA Grounds Depot:

- Public objection to loss amenity open space and biodiversity. Impact on Yare Valley and wildlife. Impact of increased student numbers on local infrastructure and amenities. Suggest allocation removes building works in this area to protect green corridor of the Yare Valley.
- Support from Environment Agency as development is sited in Flood Zone 1 area of allocation site & is in accordance with SFRA & previous EA comments.
- Support from site promoter subject to suggested changes to be more flexible regarding scale and massing of allowed development & difficulty in achieving cycle & pedestrian connections to sites outside of their ownership.
- Comprehensive/substantial objection from Yare Valley society – allocation is contrary to national and local policies as well as inconsistent with strategic policies of the GNLP; the area is protected by the current local plan; Yare Valley is a priority Green Infrastructure project in the Greater Norwich Infrastructure Plan.

Policy GNLP0401, Duke Street, former EEB site (Dukes' Wharf):

- Minor typographical/wording suggestions from Broads Authority.
- Support from Environment Agency and Historic England.
- Additional criteria relating to existing water main suggested by Anglian Water.

Policy GNLP0409AR, Land at Whitefriars:

- Support from Environment Agency – ‘text does not acknowledge that the site is in future Flood Zone 3a but flood risk issues should be able to be addressed on a site specific basis’.
- Additional criteria relating to existing surface water sewer suggested by Anglian Water.
- Suggested revisions to/re-ordering of policy wording by Historic England. Suggest inclusion of reference to Area of Main Archaeological Interest. Suggest a Heritage Impact Assessment is required for this site.

Policy GNLP0409BR, Land at Barrack Street:

- Additional criteria relating to existing surface water sewer suggested by Anglian Water.
- Suggested minor revision to policy wording by Historic England. Suggest a Heritage Impact Assessment is required for this site.

- **Objection from Site promoter** - Mixed use requirement is not evidenced to be viable or deliverable, the allocation is inconsistent with strategic policies. The inconsistency of parking policies between local authority areas throughout the plan undermines the attractiveness of City sites for business/employment uses. Suggestion that the site boundary is not correct (*however, boundary is in accordance with site promoter's reg 18C representation*). Sustainability Appraisal is misleading as it refers to expired consents for this site. Site promoter has provided suggested alternative allocation policy wording.

Policy GNLP0451, Queens Road and Surrey Street, land east of Sentinel House:

- Objection from site promoter on behalf of developer – the site has extant consent for student accommodation due to commence on site summer 2021. The site allocation policy is considered unsound for three reasons: i) Unjustified and ineffective heritage requirements. ii) Unjustified and ineffective approach to affordable housing. iii) Unjustified and ineffective approach to landscaping and biodiversity. (Suggested revision to policy wording to make sound provided by agent)
- Minor alterations to wording and reference to the Area of Main Archaeological Interest into the policy suggested by Historic England.

Policy GNLP0506, Anglia Square:

- Agent on behalf of site developer – suggests that the site boundary should be extended to include the area underneath the flyover. A comprehensive suggestion for revised supporting text has been provided by the agent. The agent has also suggested a comprehensive review of the allocation policy wording.
- Additional criteria relating to existing water mains, foul and surface water sewers suggested by Anglian Water.
- Significant concerns raised by Historic England relating to scale height and density. Suggestion that the allocation figure should be reduced from the current 800 to 600. Aside from housing, the permissible extent of other development on site is unclear. A Heritage Impact Assessment (HIA) should be prepared for the site. Suggested reinstatement of historic street pattern and suggested wording revision provided to policy.
- Comprehensive objection from Norwich Green Party – consider the policy repeats the same elements which lead to a lack of public support for the rejected scheme. 800 homes should be a maximum and this figure should include any potential student accommodation. Objection raises issues relating to: existing artistic community, provision of multi-storey car park/carbon emissions, more ambitious energy efficient design, landmark building. Proposal should reflect medieval street pattern, reference green open space and high-quality landscaping; low car environment.

Policy GNLP1061R, Land north of Norwich International Airport, Imperial Park:

- Historic England suggest reference to nearby Horsham St Faith Conservation area and heritage assets is made within policy.
- Site promoter on behalf of site owner supports an allocation subject to changes to policy requirements. Site boundary to be extended to include land at Petans, policy needs to provide a mixture of aviation and non-aviation uses in line with endorsed airport masterplan (current policy wording is inconsistent and overly restrictive). Ancillary uses should also be allowed to make site more sustainable.

Policy GNLP2114, Muspole Street, St Georges Works:

- Objection from site promoter. 110 homes, 5,000 sqm offices/managed workspace and potentially other ancillary uses is not achievable. Revised wording suggested.

Policy GNLP3054, Duke Street, St Marys Works:

- Historic England suggest that a detailed HIA is prepared for this site. Minor amendment of policy wording and reference to the Area of Main Archaeological Interest into the policy suggested.
- Site promoter objection – number of homes should not be ‘minimum’ but ‘in the region or order of’. The requirement to justify the housing type against a local community need is not considered to be justified or consistent with national policy. Suggestion that policy is amended to allow full or part retention of the locally listed building. Suggested revision to policy wording provided in representation.

East Norwich Strategic Regeneration Area

- Protecting wildlife and heritage sites, and water storage for the event of flooding will be critical the success or otherwise of the project.
- Opportunity to provide pedestrian and cycle links to Whitlingham enabling reduced carbon emissions through sustainable modes of transport.
- Introduction of a road bridge to Yarmouth Road would change the quiet suburban character of Thorpe, add noise and pollution, reduce air quality. It would threaten marshland biodiversity and water storage capacity, and reduce the amenity of the river Wensum, thereby undermining the River Wensum Strategy and conservation areas.
- Resident consultation is vital in the design and development of this new site.
- Low car development would reduce harm. Energy efficiency standards should reflect the best aspirations.
- Suggest opening former rail halt at Trowse to serve ENSRA & County Hall + bus connections to UEA, NRP & N+N Hospital.
- Potential impact of ENSRA on Whitlingham Country Park should be mitigated by extending the country park to cater for increased demands.
- The area is prone to flooding and development will need to mitigate against this risk.
- Any energy generation should be from recognisably clean sources (not combustion).

- Policy map should show area of utilities site in the Broads Local Authority area (allocated in their adopted local plan)
- The functioning of existing Carrow Yacht Club should be protected in the policy.
- The presence of County Wildlife Site does not preclude development, and this should be made clear in the allocation policy.
- Environment Agency *“Whilst we are able to find this allocation sound, there is no mention of the need to preclude development on a large part of GNLPO360 due to being Flood Zone 3b, and there is no mention on the need to not increase flood risk elsewhere and therefore provide flood storage. There is lots of mention of ‘flood resilient construction’ when this tends to mean the buildings can recover from a flood, while we would require buildings to have raised floor levels to prevent them flooding in the first place. It is however possible that perhaps this is just differing terminology and the intention is the same as us. It is positive that the SFRA Site Summary Table includes lots of detail as to what is required to develop the site, so therefore this information should be covered here.”*
- Historic England raise significant concern with the proposed number of dwellings allocated which may have a harmful impact on the historic environment (there are numerous heritage assets on this site). Strongly advise that a HIA is prepared for ENSRA sites. Some suggested amendment to wording has been provided by Historic England.
- Dentons suggests that the viability and therefore deliverability is not sufficiently evidenced. This should not be deferred to an SPD stage. The requirements of the ENSRA SPD have not been adequately established in policy 7.1 and site allocation GNLPO360/3053/R10. This relates to the scope, timing and scale of the masterplanning process and whether elements of it are Justified and will be Effective.
- Rosconn Group – No evidence that ENSRA will realistically yield this level of development in GNLP plan period. Significant Infrastructure requirements and flood risk indicates that site is more appropriate for long term than medium-long term. L2SFRA indicates areas of land in floodplain likely to affect amount of land available for development & mitigation needed. But no sequential test evidence is provided to demonstrate selection of these sites instead of sites elsewhere.

Norwich Site Assessment Booklet:

- Site GNLPO478 (Land east of Green Lane West) has not been allocated due to Highways related reasons – it is suggested that an engineered solution could be found & that the site should be allocated.
- Land allocated at Colney Hall is misleading to allocate the entire area as it contains historic parkland that should not be developed & which is outside of the development boundary.
- Cringleford Parish Council challenges the GNLP’s Regulation 19 proposals for the Parish of Cringleford. The number of homes allocated does not respect the figure of 1,200 in the adopted Cringleford Neighbourhood Plan. The GNLP has ignored comments of the Parish made under Regulation 18 and is proposing a 32% increase

over planned residential dwellings without providing evidence of need for the additional housing in Cringleford. Challenge that the plan meets the criteria of compliance with duty to cooperate (disregard of neighbourhood plan & parish council comments to previous consultations).

- Historic England suggest site assessments appear to be lacking. The assessments do not follow the 5-step methodology set out in HE advice note 3. They do not properly consider the significance of the heritage assets, the impact of development upon the significance of those assets and do not consider mitigation and enhancement. This is of particular concern for sites where additional HIA was recommended at reg 18 but has not been carried out. Concerns regarding the indicative capacity of a number of sites. HE considers that Norwich's historic character is under pressure. we consider that it is essential evidence base document is prepared outlining the site capacities and the assumptions that have been made in reaching these figures, particularly for the sites in the City.

Urban Fringe

- **Historic England** - The changes made to Site Policies in view of comments made at Reg 18 are welcomed. Continue to advise that **Heritage Impact Assessments (HIAs)** should be prepared in advance of the EIP. This applies to Colney Hall GNLPO253 in particular.
- **Costessey** - COS3/GNLPSL2008 (Overwood Lane) changes to Settlement limit suggested.
- **KES2 employment site** has the capacity to deliver in the region of 30, 000 sq. meters of employment floorspace so expansion suggested.
- Further evidence of Housing Need is required to justify increase in numbers at **Cringleford** in relation to NP and site allocated with uplift.
- **Showground, Costessey** COS5/GNLP2074
 - amendments suggested to include small restaurants, café, PH, etc.
 - retail and leisure will add greatly to the over stretched local road network and contradicts Policy 2 of Neighbourhood Plan.
- The site at **Farmland Road, Costessey**, offers an appropriate opportunity to deliver growth in a manner that is appropriate.
- **Drayton Site DRA1** - Carried Forward Sites / Planning permissions / GNLP Policy Requirements require update to reflect permissions.
- **Drayton – GNLP0290** (unallocated) Recommended changes to Policy 5 to enable viability of care homes, and Policy 3- as it does not specifically refer to CWS - proposed amended text to set out a clear benefit a development can provide, such as a 10% biodiversity net gain.
- **Taverham site 0337R** should include Police Station Norfolk Constabulary / NPS (DTC)
- **Code Developments** – (Horsford) on behalf of Drayton Farms - The plan has failed to justify through proportionate and consistent evidence the selection of allocated site GNLP0337(Taverham), identified contingency site GNLP2043/0581 and the rejection of Reasonable Alternative sites **GNLP0332R and GNLP0334R (Hellesdon**

north) as site assessment is not transparent. Legal opinion obtained. Additional medium sized site allocations should be identified in order to reduce the over-reliance of the plan's supply of housing on large-scale development sites. Site HEL4/GNLP1019 allocated for Open Space should be deleted and considered for housing under sites GNLP0332R and GNLP0334R instead.

- **Code Developments** – Hellesdon (on behalf of Jarrolds) – objects to Site Assessment and outcome of not allocating clients' Site GNLP2173 – for Housing. There are inconsistencies in Site Assessment and SA Report approach taken between HEL1 'carried fwd sites' and 'new sites' GNLP2173.
- **Easton PC** – DTC – Easton EAS 1: - objection to the additional 90 dwellings on the last parcel of allocated land, to the east of Easton Gymnastics Club.
- **Lanpro** – Rackheath – GNLP2166 should be allocated for 200 dwellings as unlikely to impact to Rackheath Hall unlike GNLP0132
- **La Ronde Wright** - Sprowston – New site promoted - west of Blue Boar Lane near garden centre - unallocated in the GT AAP
- **Bidwells** Sprowston - GNLP0132 – Request flexibility on affordable housing requirement due to infrastructure requirements for High School and additional requirements by AW for pumping station to serve the surrounding area.
- **Sprowston** - Request that GNLP3024 is allocated for mix and community uses to complement nearby housing developments.
- **Norfolk Wildlife Trust** – Sprowston - recommended text modification to site GNLP0132 adjacent to Ancient Woodland -GI requirement
- The **SFRAs** done are defective as maps have not been followed through properly. With regards to the NEG, massive development has been approved within a massive flood plain that is close to sea level and where tidal effects are observable for miles.
- **Broads Authority**- recommended text for clarity for Policy 3 with respects to the built and historic environment. heritage impact assessment is required by government guidance for any application that affects any heritage asset or their setting.

Main Towns

Aylsham

- Substantial objections from 65 residents, as well as Aylsham Town Council, concentrating on the addition of GNLP0596R, and the increase in housing requirement to 550 new dwellings, without further consultation prior to progressing to the Regulation 19 stage. The soundness of the GNLP is challenged, in respect to its evidence and justification for the housing allocated. Issues include the demand on infrastructure such as highways and education provision, and sewerage capacity.
- An objection from the promoters of site GNLP0336 west of A140 argues for the inclusion of their site - the assessment process failed to take account of a variation of their proposal that would provide 150 homes instead of 300 homes.

- In relation to GNLP0596R on Norwich Road the promoter has reiterated their support for the site's allocation, whilst clarifying that the policy should be amended to exclude pedestrian connections via Copeman Road. Historic England raises the potential impact on the nearby Grade II Diggins Farmhouse. A minor modification put forward by Anglian Water is to amend the policy wording to allow for access to maintain the foul drainage infrastructure running through the site.
- In relation to GNLP0311/0595/2060 on Burgh Road the promoter has reiterated their support for the allocation, whilst suggesting minor modifications to reduce the carriageway width, and to clarify that their obligation is to provide land for the school (and not the school itself). A minor modification is put forward by Anglian Water to safeguard access for the maintenance of the water supply, foul and surface water drainage infrastructure that runs through the site.

Diss

- Objections from promoters that focus upon the strategic growth figure for Diss, and the devolution of site allocations to the Neighbourhood Plan. Sites in question include: DIS1, DIS3, GNLP0250/0342/0291, GNLP0599, GNLP1044, and GNLP1045.
- Diss Town Council state that a footway/cycleway is required as part of GNLP01022 (Frontier Site) northwards towards to join Frenze Hall Lane.

Harleston

- Minor modifications are put forward by Anglian Water to allocation policies GNLP2108, GNLP2136, HAR 4, HAR 5, and HAR 6 to safeguard access for the maintenance of the water supply, foul and surface water drainage infrastructure that runs through the sites.
- A development promoter wishes to see the settlement boundary to the south of Harleston redrawn around GNLP2109 and GNLP2136.

Hethel (Strategic Employment Area)

- The settlement boundary should be updated, reflecting changes such as the development of the Classic Team Lotus building.
- Norfolk Wildlife Trust states that policies should specifically address potential impacts on the County Wildlife Site and ancient woodland from impacts including encroachment and light pollution.
- Historic England state that policies should mention the impacts on nearby Grade II listed Little Potash/Brunel House and Corporation Farmhouse.
- Promoters on behalf of Goff Petroleum object to the non-allocation of their site for a new energy research centre (site reference GNLP0116R).

Long Stratton

- The strategic approach to Long Stratton should be changed, with promoters arguing for inclusion of their site GNLP0354, GNLP4033, and GNLP4034.

Wymondham

- The strategic approach to Wymondham should be changed, with promoters arguing for inclusion of their sites GNLP006 (north Wymondham) and GNLP0320 (south of Gonville Hall Farm).

- A generic comment from the Environment Agency for all Wymondham site allocations states that the latest version of the Water Cycle Study shows that Wymondham Water Recycling Centre will be over capacity post growth. The latest findings and recommendations from the WCS should be incorporated and reflected in the Local Plans and Site Allocations.

Key Service Centres

- Broads Authority would like dark skies consideration inserted into Acle site policy;
- Acle site promoter wants additional policy requirement for phasing plan for road;
- In Acle, Brundall, Hethersett, Hingham, Loddon, Anglian Water requests additional policy and supporting text elements in some sites with underlying water assets;
- Developers and site promoters suggest sites in Blofield should be allocated/included in settlement boundary;
- Pigeon proposed a school on GNLP0352 in Brundall, but this use was not assessed;
- Brundall BRU2 Unsound to allocate for open space as housing permitted and development has commenced;
- Page 40 of Hethersett site assessment booklet contains an error in that the site descriptions have been set under the wrong heading;
- Site GNLP0503 in Hingham has been withdrawn during Reg19;
- GNLP0520 Hingham Site policy for surface water only deals with site, not lower surrounding areas;
- Chedgrave PC considers duty to co-operate has been failed, entire process has been inadequate re involvement of public.
- Richard Bacon: Plan does little to address education needs in Poringland. NCC has need and funding allocation for primary school in Poringland, plan should address this.
- Reepham GNLP0353R in 2019 use changed to include employment land 1.6ha (as well as housing and potential expansion of GP). Part 1 booklet neglects to mention employment. Rep has not been taken into account when selecting sites contrary to reg 18(3) which requires all reps taken into account. Reg18C rep repeated employment, and submitted access strategy. Highways view unchanged. (NB site booklet did not include employment in table stage 1 (part 3, post-reg18c) but correct description in stage 4.)
- Reepham REP1 allocation is not deliverable, as evidenced by application 20200847, viability information of which shows 141 homes, only 20% affordable housing, and sports hall on alternative site (stated by developer).
- Unsound not to allocate housing in Poringland, partly due to dispersal strategy. Commitment has reduced as housing has been delivered in the village. GNLP0494R is suitable, available, deliverable. Site access given as constraint, but access was not disputed by Highways Authority in recent application 2017/2871. For GNLP0485R, **failed to consider school and country park while pressing need for school in Poringland and GI in Greater Norwich.** Highways Authority have not considered evidence submitted during Reg18C.

- Hingham booklet: contradictions in site assessments, decisions on some sites are flawed, not based on proportionate evidence. Highway Authority evidence is disputed, mitigation afforded to allocated sites could be applied to other sites. No reference to town centre. Conclusion in booklet justifies predetermined decision to allocate 0520.

Broadland Village Clusters

- Anglian Water objections regarding assets within the boundary of allocated sites, requesting new text and policy requirement (BLO5, 0297, FOU2, 0264, HNF1, 0188);
- Foulsham – significant opposition focussing on issues of historic hedgerow and access;
- Horsford – recent flooding being investigated by NCC;
- Horsham St Faith – increase in numbers without consultation, Historic England objection – request for HIA;
- Lingwood – introduction of 4016 without consultation;
- Marsham – alternative site 3035, Historic England objection – request for HIA;
- Lack of allocation in Great and Little Plumstead cluster;
- Reedham – lack of consistency – no safe route to school;
- South Walsham – potential change of access point.

Non-Residential

- Policy BKE3 -- Brooke Industrial Estate – Norfolk Wildlife Trust request policy update to include an ecological assessment to reflect proximity to Atlas Gravel Workings CWS.
- **Review of strategic gaps** required. The promoter of GNLPO177-BR has completed an initial assessment for the Hethersett- Cringleford strategic gap. They argue that development can be accommodated without resulting in coalescence between the two settlements.

Costessey Contingency Site

- **Historic England** – A Heritage Impact Assessment be undertaken.
- **Code Developments** – Additional contingency sites should be identified.
- **Barton Wilmore** – As the site can deliver educational land at the beginning of the period it should be a full allocation. Revisions to site policy include 977 dwellings @35 dph.
- **Client Earth** - Site could contribute towards the urbanisation of countryside.
- **Various sites** suggested for allocation instead of having a contingency site.

3. Evidence Studies

Equalities Impact Assessment

- Highway safety concerns (Raised by Hingham Town Council – specific to Hingham)

Green Infrastructure Study

- Hingham Conservation area is out of date, the boundary was revised in 2016. Need to know if any other boundaries used are out of date.

Gypsy and Travellers

- The Gypsy/Traveller Accommodation Assessment is flawed, failing to take proper account of need and supply;
- Accusations of improprieties in planning overall leading to extensive breaches of Human Rights and Equalities legislation.

Habitat Regulations Assessment (HRA)

- Not legally compliant – HRA incomplete.
- Not sound – inadequate evidence to demonstrate that no adverse effects on European Sites (incomplete HRA) (both Norfolk Wildlife Trust).

HELAA

- Incorrect HELAA assessment of sites at Coltishall and Silfield Garden Village

Statement of Consultation

- Lack of Reg 18d consultation for people to have their say
- SNC SCI not complied with and consultation not on the 'Have your Say page of the SNC website

Strategic Flood Risk Assessment

- Fundamental concern with the production and use of FRAs and SFRA for development sites – not just locally, but nationally;
- A single map linking the all groundwater flood susceptibility areas in GNLP and one for Surface Water flood areas would give a holistic picture for these matters in the GNLP area;
- It is surprising that maps showing the extent of major floods have not been produced;

- It would be informative if planners published information on the number and location of flooded properties in their area in the last 50 years and the dates when these properties were built;
- Allocation of site on land north of Tuttle Lane East, Wymondham (currently unallocated) is suggested would alleviate flood issues related to the river Tiffey.

Sustainability Appraisal

- Spatial strategy is not justified – other reasonable alternatives have not been properly appraised;
- SA is flawed in its assessment of specific sites and consideration of alternatives (inc strategic alternatives e.g. Hethersett / Cringleford, Silfield Garden Village proposal, Long Stratton);
- SA findings support a different approach to site allocation – avoiding as far as possible new development on greenfield land and in unsustainable locations (e.g. KSCs and villages);
- Contingency sites not justified (based on size and not speed of delivery);
- Carried forward allocations have not been treated comparably with other sites (no evidence or proper assessment);
- SA is inadequate in terms of carbon assessment and addressing climate change.

Viability Study

- Benchmark Land Value (BLV) -- £100,000/acre is not justified. The £348,000/acre adopted in the 2017 Hamson CIL is fully supported by a respondent.
- Typology 11 (strategic sites) – the gross to net areas assumption is unrealistic. To achieve 88% net to gross site area on a Typology 11 development is not practical or feasible in reality.
- Revenue Assumptions are not sound – concern exists that the private sale revenues assessed in the Viability Appraisal remains excessive. Using the housebuilder's actual sale prices (all of which are publicly accessible on Land Registry), the range of values recorded was £1,866/m² to £3,634/m².
- Developer Profit on Gross Development Value (GDV)– the reduction from 20% to 17.5%. The reduction in developer profit is un-justified.
- Build costs for apartments –the appropriate BCIS rate should be applied.
- The Viability Appraisal does not include a typology to fit the East Norwich Strategic Regeneration Area and specific viability appraisals for strategic sites are not provided.
- Sales-values, build costs and benchmark land values are too generic and not backed up by comparable evidence.

Water Cycle Study

Summary of main issues raised:

- Not legally compliant – WCS incomplete and so insufficient evidence to meet Habitat Regulations
- Not sound – WCS incomplete so insufficient evidence on water quality to show no impacts on SACs (both Norfolk Wildlife Trust).



Committee Name: Cabinet

Committee Date: 07/07/2021

Report Title: Home options policy

Portfolio:	Councillor Harris
Report from:	Executive director of community services
Wards:	All wards
OPEN PUBLIC ITEM	

Purpose

To seek approval for the adoption of an updated Home Options allocations policy.

Recommendation:

It is recommended that approval is given to adopt the updated policy

Policy Framework

The Council has three corporate priorities, which are:

- People living well
- Great neighbourhoods, housing and environment
- Inclusive economy

This report meets the 'People Living Well' corporate priority

This report addresses 'Tackle rough sleeping and homelessness' strategic action in the Corporate Plan

Report Details

Background

1. Part VI of the Housing Act determines that local authorities must have an allocation scheme to determine priorities between applicants for

social housing and to set out the procedure to be followed when allocating social housing in their area. In Norwich, the allocation scheme is called Home Options.

2. There are currently 3600 applicants for social housing in Norwich.
3. An effective and legally compliant housing allocations policy ensures that use of social housing to meet local needs is optimised.
4. The current Home Options allocations policy dates from October 2015 and needs updating to incorporate new legislation and statutory guidance
5. The update also presents the opportunity to ensure that policy reflects local needs and issues.

Policy changes

6. The draft updated 2021 Home Options policy is included as Appendix A.
7. The aims which we seek to address within the updated policy are:
 - Incorporate new legislation and statutory guidance
 - Ensure that policy is further refined in order to focus on prioritising those families in the greatest housing need.
 - Expedite through-flow from hostels and reduce rough sleeping
8. There are 1560 families waiting for social housing through the Home Options scheme which causes strong demand for two and three bedroom houses. On average 5 houses per week are advertised and allocated through the Home Options scheme. Given this imbalance in supply and demand for houses, it is important that we refine policy to ensure that those families with the greatest need are prioritised.
9. Children in flats is the second most common reason for families seeking rehousing in Norwich. Currently all families with children aged 10 years or under living in a flat with no garden on the same level receive a unit of priority. In order to prioritise families in housing need more effectively, we now seek to remove priority for those families living in a flat which have their own garden, regardless of what level the flat is on. This means that families in those council flats which have their own gardens will be considered as adequately housed and no longer receive priority. As a result, those families in towers and large blocks of flats will have a greater chance of success.
10. Overcrowding is the most common reason for families seeking rehousing in Norwich. Currently all families with children of mixed gender sharing a bedroom, where the eldest child is six or older, receive a unit of priority for overcrowding. In order to prioritise families in housing need more effectively, we now seek to only award a unit of priority for overcrowding where there are children of mixed gender sharing a bedroom and the eldest child is ten or older. This means that families with older and teenage children of mixed gender that share a bedroom will have a greater chance of success.
11. This change would also bring our allocations policy into line with current housing benefit regulations, a disparity which can cause affordability issues for clients rehoused into accommodation which technically meets their housing needs but where housing benefit regulations determine as under-occupying. This results in full housing benefit not being paid and means the client must meet the rent shortfall from their own funds, causing affordability issues.

12. Currently all children living within a household are considered in any assessment of overcrowding regardless of age. In order to prioritise families in housing need more effectively, we now seek to only take into consideration children over the age of six months, with the expectation that an infant child will share a bedroom with their parents until that point.
13. In order to achieve our aims the following key changes have therefore been recommended:
- The terms of the award of priority banding for those facing homelessness are amended to reflect the requirements of the Homelessness Reduction Act 2018 (para 2.11.9 and 2.11.20 of the updated policy)
 - Qualification criteria is amended to include those not subject to immigration control due to the EU Settlement scheme 2020 (para 2.4.3)
 - Policy is amended to reflect changes to the Norwich Hostel Move-on protocol 2021, by which means qualifying hostel residents are moved-on into suitable independent accommodation (para 2.12.20 and Appendix B).
 - To ensure effective prioritisation of families living in blocks of flats the unit of priority awarded to households that have children aged 10 years or under in a flat will no longer apply where the flat has its own garden.
 - To bring policy into line with housing benefit ('bedroom tax') legislation and ensure effective prioritisation of those in greatest need, the council will change the way it assesses overcrowding so that two children of different gender are expected to share a bedroom until the oldest child is 10 years old, at which time the family is classed as lacking one bedroom and receives a unit of priority (para 2.12.6).
 - To ensure effective prioritisation of those in greatest need, the council will change the way it assesses overcrowding so that an infant under 6 months old is expected to share a bedroom with their parents (para 2.12.6).

Next steps

9. Should the policy be agreed, it will be published on the council's website and come into effect July 1st, 2021.

Consultation

1. The portfolio holder, the public and other stakeholders including hostel providers, support agencies and registered providers have been consulted. Responses were supportive and no major issues were noted.

Implications

Financial and Resources

1. Any decision to reduce or increase resources or alternatively increase income must be made within the context of the council's stated priorities, as set out in its Corporate Plan 2019-22 and Budget.

The Home Options scheme fulfils a statutory function and is funded through the general fund and housing revenue account. Income is derived from charging all fourteen participating social landlords £100 per allocation. Through this means an income of £150,000 is generated into the general fund through the Home Options scheme. All participating landlords have been consulted about the policy changes. There are no proposals in this report that would reduce or increase resources.

Legal

2. Part VI of the Housing Act determines that local authorities must have an allocation scheme to determine priorities between applicants for social housing and to set out the procedure to be followed when allocating social housing in their area. The 2015 policy no longer meets legal requirements. The updated 2021 allocations policy meets the requirements.
3. As set out in section 13, the policy has also been updated to meet the requirements of the Homelessness Reduction Act 2018.
4. In ensuring that the updated policy meets statutory requirements, we have incorporated detailed legal advice from East Anglian Chambers and NPLaw. The policy is legally compliant.

Statutory Considerations

Consideration:	Details of any implications and proposed measures to address:
Equality and Diversity	Positive impact. An Equality Impact Assessment has been completed and is appended to this report. The policy meets the requirements of the Public Sector Equality duty and the Equalities Act 2010.
Health, Social and Economic Impact	Positive impact. The policy is designed in order to ensure that those with greatest health, social and economic need for social housing are prioritised.
Crime and Disorder	Positive impact. The policy enables the council to take account of crime and disorder issues through its use of sensitive lets and its qualification criteria
Children and Adults Safeguarding	Positive impact. The policy promotes the welfare and safeguarding of children and vulnerable adults
Environmental Impact	No impact

Risk Management

Risk	Consequence	Controls Required
Not having a policy which meets legal requirements.	Legal challenge and government intervention.	Monitoring of policy and incorporating legal advice.
Not having a policy which ensures throughflow from hostels and supported accommodation.	An increase in rough sleeping and homelessness	Monitoring efficacy of the hostel move-on protocol.
Not having a policy which effectively prioritises those in the greatest need.	An increase in housing need Customer dissatisfaction Reputational risk	Monitoring of policy to ensure that those in greatest housing need are prioritised.

Other Options Considered

5. In terms of updating the policy to meet new legislation, there is no alternative.

6. In terms of policy changes designed to expedite hostel move-on, the alternative is to do nothing, which would have a negative effect on those in significant need of appropriate housing.

7. In terms of policy changes designed to prioritise long term local residents, the council could under law adopt a longer, qualification-based residence criteria rather than the 6 months currently required. Any such change would have an adverse effect on move-on from hostels, causing a silt-up within the hostel system and an increase in rough sleeping.

Reasons for the decision/recommendation

8. An effective and legally compliant housing allocations policy will ensure that use of social housing to meet local needs is optimised.

Background papers: None

Appendices:

Appendix A: Home Options policy 2021

Appendix B: 2021 Norwich hostel move-on agreement

Contact Officer:

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Norwich Home Options Allocation Scheme:

This document contains the allocation scheme of:

Norwich City Council

1.1 Introduction:

1.1.1 This allocation policy explains the rules that determine how Norwich City Council (known throughout this document as 'the council') allocates social housing properties. It sets out the priorities and procedures that the council will follow in the letting of social housing to applicants on its housing register.

1.1.2 The Registered Providers (Housing Associations) that are part of the scheme are known throughout this document as 'scheme landlords'. These are listed in Appendix A.

1.2 Background:

1.2.1 The allocation scheme is also known as Home Options. Under the scheme, the council and scheme landlords advertise their properties for rent on a weekly basis on its website and invite bids on each property from applicants who are registered with the scheme.

1.2.2 Norwich is an area of very high housing need and it must be remembered that Home Options does not produce any more affordable housing but provides a fairer, more efficient and transparent way of allocating the social housing available

1.3 Scheme objectives:

1.3.1 The key objectives of the scheme are to:

- Meet the legal requirements for the allocation of social housing.
- Focus resources on those in the most need.
- Operate a scheme which is, fair, transparent and easy to use.
- Help meet the housing needs of Norwich residents
- Allow scheme users, through the transparent nature of the scheme, to have an understanding of their housing situation and, therefore, to make informed decisions.
- Make best use of Norwich's social housing stock.
- Encourage and support balanced and sustainable communities.
- Prevent homelessness and reduce the use of temporary accommodation
- Encourage through flow from hostel accommodation in order to reduce rough sleeping.
- Operate the scheme so that it improves accessibility and customer service for vulnerable groups in Norwich.
- Make sure those who have the greatest need for housing have the greatest opportunity to get it
- Pay due regard to the aims of the Greater Norwich Homelessness Strategy (2020-25)
- Meet the council's corporate priorities of ensuring a healthy city with good housing and a fair city.

1.4 Legal framework:

1.4.1 This allocation scheme complies with the legal framework for allocating social housing, laid down in the 1996 Housing Act and takes account of government guidance on the allocation of accommodation.

1.4.2 This allocations scheme pays due regard to the Public Sector Equality Duty and the Equalities Act 2010

1.5 How does the scheme work?

1.5.1 Home Options is a choice-based lettings scheme. The council and scheme landlords advertise their vacant properties to those on the housing register. The adverts include a detailed description of the property. Applicants on the register can then bid for the property of their choice if they meet the qualifying criteria.

1.5.2 The successful applicant will be selected from those who have bid for the property and meet the stated qualifying criteria. Selection will be based on the highest band, followed by the banding date where there is more than one applicant from the same band.

1.5.3 Feedback will be provided on what demand there was for previously advertised properties. This will help applicants to make informed choices.

1.5.4 This policy and a summary scheme guide are available free of charge at the website www.norwich.gov.uk. A paper copy of the full policy is available upon request from City Hall at a cost of £25.00.

2.0 Application Procedure:

2.1 How to apply

2.1.1 To apply for a social housing property in Norwich an applicant must be registered with Home Options.

2.1.2 Applications to Home Options can be made in person at City Hall or over the telephone on 0344 980 3333. All applications will involve a discussion of an applicant's housing need with an adviser.

2.1.3 Home Options is a scheme which is based on verification. All applicants will be required to provide evidence of their household circumstances including income, savings and housing history.

2.2 Who can apply?

2.2.1 Residents of the UK who are over 18 years old can apply to Home Options however this does not guarantee an application will be taken or that the applicant will be re-housed under the scheme.

2.2.2 By law, there are defined groups of applicants who cannot be re-housed through the scheme. There are also exceptions or restrictions to an application which may apply.

2.2.3 Under the Housing Act 1996, local authorities must consider whether applicants are eligible for housing assistance. The council will apply the relevant legislation that is in place at the time of application.

2.3 The applicant's household

2.3.1 The council will decide in each case as to whether the people included in the application by the applicant will be considered as a part of the household for purposes of assessing housing need.

2.3.2 Any person wishing to be included as part of an applicant's household must satisfy the Council that they are a permanent member of the applicant's household and show that it is reasonable to expect them to reside with the applicant on a continuing basis.

2.3.3 The council will generally not consider the following as members of an applicant's household:

- Anyone who falls within legislation prohibiting them from having recourse to public funds or is an asylum seeker
- Non-dependent children who have not lived within the household continually throughout their adult lives
- Other adult relatives
- Any family member not resident in the UK at the time of the application
- Friends and acquaintances
- Lodgers
- Live in help
- Students living away from home with their own rent liability

2.3.4 Only dependent children that form a permanent part of the household can be considered. Only if an applicant is evidenced to have their child stay with them for four or more nights a week can they be classed as part of the applicant's household when making an assessment. Temporary arrangements or contact arrangements cannot be considered and household size will be determined upon evidence that any living arrangements are permanent, and the applicant can demonstrate to the council's satisfaction that they have full-time, permanent responsibility for the child. Where a formal residence agreement is not in place, the council will consider:

- Who the children usually live with

- Who has financial responsibility for the children
- The length of time any arrangement has been in place
- Where the children go to school
- Any other relevant information

2.3.5 In cases where an applicant wishes to include their children in their Home Options application, this will not be considered where those children have adequate accommodation available to them elsewhere, for example with another parent

2.3.6 Household members can only appear on one Home Options application.

2.3.7 Households that have been accepted to adopt or foster a child will be assessed as if they have assumed parental responsibility upon written confirmation from Norfolk County Council being provided.

2.3.8 Where an applicant feels that an additional bedroom is needed for a carer, this can only be considered where we have evidence of the need for permanent night-time care from a non-family member who requires their own bedroom to sleep in on a continuing basis. 'Waking care' will not be taken into consideration

2.3.9 Where the family unit is not currently residing together, the assessment will be based on the part of the household that occupies accommodation that provides them with the most suitable housing providing there is a reasonable expectation that they should reside together.

2.3.10 Where an applicant has been assessed in accordance with the Mental Capacity Act 2005 as being unable to hold or to manage a tenancy, they may be suspended from the register until a suitable advocate is appointed to act on their behalf.

2.3.11 For an applicant to become a tenant and enter into a tenancy agreement, they must have the mental capacity to understand the contract. If an applicant does not have the capacity to understand the contract, an application should be made to the Court of Protection by an advocate for the tenancy agreement to be signed on their behalf.

2.3.12 Unborn children will not be considered as part of the assessment. A child cannot be added to an application until the applicant has provided a copy of the birth certificate.

2.3.13 For people in prison, applications can be made within 8 weeks of release if the client meets qualification and local connection criteria. In such instances the client does not need to apply for housing in person and applications will be accepted from a third party on behalf of a person in custody, for example by a Prison Resettlement Officer as part of a Resettlement Plan where third-party consent has been given

2.3.14 Only household members that meet the qualification criteria set out in this policy will be included in an application.

2.4 Eligibility:

2.4.1 The council may only allocate accommodation to people who are defined as 'qualifying persons'. Subject to: the requirement not to allocate to persons from abroad who are ineligible; the exception for members of the Armed and Reserve Forces; and the exception for social tenants who need to move for work related areas, the council may decide the classes of people who are, or are not, qualifying persons. These requirements and exceptions are set out below.

2.4.2 Persons from abroad

i) A person or persons will be ineligible if they are a person from abroad who is ineligible for an allocation of housing accommodation by virtue of being subject to immigration control within the meaning of the Asylum and Immigration Act 1996 unless of a class of person prescribed by regulations made by the Secretary of State.

ii) Eligibility for housing assistance can be affected if there is a change in the immigration status of the applicant(s), and therefore eligibility for an allocation of housing will be kept under review. The applicant is responsible for informing the council of any change in their immigration status.

iii) The Home Options team will determine the eligibility of an applicant, based on immigration status, by applying the legislation that is in place at the time of the application and the point of allocation.

iv) Applicants whose households include a person from abroad who is ineligible will not be afforded priority if they are only homeless or in housing need as a consequence of the presence of the ineligible person.

v) The council will not allow a joint application where one of the applicants is a person from abroad who is ineligible.

2.4.3 EEA nationals and their family members will continue to be treated as 'persons not subject to immigration control' where they:

i) have acquired limited leave to enter and remain in the UK (also known as pre-settled status) by virtue of the EU Settlement Scheme.

ii) were frontier working in the UK prior to 31st December 2020; or

iii) were lawfully living in the UK by 31st December 2020 but have still to apply to or acquire status under the EU Settlement Scheme before the deadline of 30th June 2021 and are covered by the Citizens' Rights (EU Exit) regulations 2020 (Grace period SI).

2.5 Qualification for housing in Norwich

2.5.1 The Localism Act 2011 allows councils to make local decisions about who qualifies for social housing in their area in order to ensure that local objectives and the needs of local residents are met.

2.5.2 The decision that an applicant does not qualify for an allocation may occur at the time of joining the housing register, at any time during the life of the application, at the time the applicant is allocated a property, or when the applicant has bid and has been short-listed for a property. The Home Options team will make the decision.

2.5.3 To ensure that the council's housing policies benefit local people, applicants must currently live in Norwich and have been continuously resident for at least the last 6 months. If applicants cannot provide satisfactory evidence that they meet these criteria, an application will not be taken. For household members to join an application, the same criteria apply.

2.5.4 Exceptional circumstances will be considered. In such cases, the decision as to whether an applicant qualifies will be determined by a Housing Options team leader or manager, or by the council's assessment panel.

Examples are:

- Somebody who needs to live in Norwich as they have a significant need to be near specific medical or family care which is unavailable elsewhere.
- Applicants over 60 who have a specific need for sheltered housing in Norwich to be near medical care or family support unavailable elsewhere.
- The applicant needs to move to Norwich where failure to meet that need would cause extreme hardship to themselves or others
- Households accepted as homeless under the Housing Act 1996 where the council has accepted a fully duty to rehouse
- Care-leavers with an overarching family connection to Norwich who, due to their care needs have been placed out of area by Norfolk County Council Children's Services.
- Applicants that can demonstrate a lifelong residential connection to Norwich which has been broken for only a short time.

These are examples and this list is not exhaustive

2.5.5 Residents in prison, bail hostel, hospital or approved premises, or those households placed in temporary, residential, or supported accommodation in Norwich by another local authority will not gain a local connection and time spent in such premises will not count toward local connection.

2.5.6 Applicants whose only residential connection to Norwich is through further education or student accommodation will not be considered as having gained local connection. Student accommodation is that provided by an educational establishment or where a student exemption certificate has been provided for council tax purposes.

2.6 Exception to the criteria: tenants moving for work related purposes

2.6.1 The residential qualification does not apply to tenants of social housing needing to move for work-related reasons where failure to meet that need would cause hardship, who can evidence that they meet the criteria set out in the 2015 Regulations (SI 2015/967).

2.7 Exception to the criteria: Armed and Reserve Forces

2.7.1 The council is committed to ensuring that Service personnel and their families have access to appropriate accommodation when they leave the armed forces. Under the terms of the Armed Forces Covenant, to which the council is signatory, the local connection criteria will not apply to the following:

- Those who are currently serving in the regular forces or who were serving in the regular forces at any time in the five years preceding their Home Options application.
- Bereaved spouses or civil partners of those serving in the armed and reserve forces where (i) the bereaved spouse or civil partner has recently ceased or will cease to be entitled to reside in Ministry of Defence accommodation following the death of their spouse or civil partner and (ii) the death was wholly or partly attributable to their service.
- Existing or former members of the reserve forces who are suffering from a serious injury, illness or disability which is wholly or partly attributable to their service.
- Divorced or separated spouses or civil partners of Service personnel who are required to move out of accommodation provided by the Ministry of Defence.

Under these terms, the council can ensure that current and former service personnel in urgent housing need are awarded preference in line with the priority need bands.

2.8 Those who will not qualify: need considerations

Home Options policy aims to manage expectations realistically and to focus resources on those in most need of them. Therefore, having considered the provisions made in the Localism Act 2011, the following applicants will not qualify:

- Applicants who are tenants of scheme landlords who have made a 'right to buy' application on their property.
- Applicants who are tenants of scheme landlords and are in the process of carrying out a mutual exchange or have completed a mutual exchange in the previous 12 months.
- Applicants who have been housed through the scheme will not be able to reapply for Home Options for a 12-month period from the commencement of their new tenancy. This restriction does not apply where the household circumstances have changed and the property is no longer suitable or where there are extenuating circumstances.
- Applicants who have been housed through the council's private sector leasing scheme (Let NCC) or through a loan from the council's homeless prevention fund will have their Home Options application cancelled and will not be able to reapply for a 12-month period from the commencement of their new tenancy. This restriction does not apply where the household circumstances have changed and the property is no longer suitable or where there are extenuating circumstances.
- Clients who have been sponsored to enter the country in the last five years based on an undertaking given by a sponsor that accommodation was available (and where that sponsor is still alive)
- Applicants who own or have an interest in a property as a freeholder, leaseholder, a part-owner through shared ownership, including part commercial/residential property, in the UK or abroad will not qualify unless there are extenuating circumstances, as determined by a review panel. Examples of extenuating circumstances could be someone who requires sheltered housing in Norwich or someone who has been accepted as statutorily homeless.

2.9 Those who will not qualify: behaviour considerations

The council, scheme landlords and Norwich residents have a right to expect certain standards of behaviour. The council has the power to determine whether, in its opinion, applicants or members of their household have been guilty of unacceptable behaviour serious enough to determine that they should be disqualified from the Home Options scheme.

Some examples of the type of behaviour that could mean that an applicant does not qualify for the Home Options scheme are:

- Serious rent arrears which, in the council's view, would entitle the landlord to a possession order.
- Causing deliberate damage to a property.

- Causing anti-social behaviour such as nuisance to neighbours, discriminatory behaviour or harassment, abuse, violence, or intimidation to the community or to council staff.
- Conviction for using or allowing a property to be used for illegal or immoral purposes
- Committing domestic abuse.
- Conviction for violent crime or the supply, use or possession of drugs.
- Conviction of a criminal offence in the property or in the locality of the property
- Eviction from hostel or temporary accommodation
- Being convicted of, issued with, or accepted a sanction for Benefit or Council Tax fraud within the last five years.
- Making a false statement in order to obtain accommodation
- Failing to provide relevant information that has been reasonably requested to verify an application for housing

These are examples and this list is not exhaustive

The examples relate to both current and former tenancies and apply no matter who the landlord is, when they happened or what form of tenancy was held. Paragraphs 5.0.4 & 5.0.5, together with Appendix B, deal with the way in which applicants may demonstrate that they have addressed past behaviour in order to requalify.

Decisions are made on a case-by-case basis, with each case judged on its own merits.

2.10 Public protection arrangements

Applicants subject to multi-agency public protection arrangements can only access the register with the consent of the Housing Options manager. Each case will be considered on its own merits in determining whether an application will be accepted.

2.11 Assessment of applications:

2.11.1 Legal background:

2.11.2 All applicants who are eligible and who qualify for Home Options will be placed in the appropriate banding based on an assessment of their housing needs. This is to ensure that the council allocates homes to those in the greatest assessed need and to ensure that its legal obligations are met.

2.11.3 The council is required by law to give reasonable preference in the scheme to people with high levels of assessed housing need:

- i) People who need to move on welfare or medical grounds (including grounds relating to a disability),

- ii) People who need to move to a particular locality of the city to avoid hardship to themselves or others,
- iii) People living in unsanitary, unsatisfactory, or overcrowded housing, and
- iv) People who are homeless within the meaning of the Housing Act 1996, and people who are owed a particular statutory duty by any local housing authority under section 190(2), 193(2) or 195(2) (or under section 65(2) or 68(2) of the Housing Act 1985 or who are occupying accommodation secured by any such authority under section 192(3).
- v) Former and serving members of the armed or reserve forces who have an urgent housing need or need to move because of a serious injury, medical condition or disability sustained as a result of their service
- vi) Bereaved spouses and civil partners of members of the armed forces leaving services family accommodation following the death of their spouse or partner

2.11.4 Applicants outside the reasonable preference categories can also be given additional consideration to meet local priorities.

2.11.5 Applications are processed by the council's Home Options team, in accordance with this policy.

2.11.6 The housing need bands:

Each application will be assessed to determine the level of housing need of the household and placed into one of five bands:

Emergency band:	Emergency priority
Gold band:	High priority
Silver band:	Medium priority
Bronze band:	Urgent/High/Medium priority but with reduced preference
Standard band:	No priority

Banding will only be awarded where the applicant's circumstances have been verified.

2.4.7 An applicant's circumstances and therefore their level of housing need and banding is subject to change. As such, an applicant's Home Options banding is kept under continuous review.

Every applicant is responsible for ensuring that they provide correct and up to date information

The criteria for being placed in each band are as follows:

Emergency band

2.11.8 This band is intended to meet the needs of applicants in extreme circumstances and will only be issued in certain situations where an applicant needs urgent re-housing to ensure their well-being or safety.

An applicant in Emergency band is expected to place two bids per week with the guidance of their housing adviser and accept the first suitable available property which they successfully bid for. As examples, circumstances where emergency status may be awarded include:

- An applicant has an extremely urgent medical need, as determined by a Housing Options team leader or manager or the council's assessment panel.
- Those applicants requiring urgent hospital discharge where their current accommodation is totally unsuitable for their needs
- Those applicants required to leave their homes as a result of an emergency prohibition order served in relation to the premises under the Housing Act 2004 or as the result of action taken by the Norfolk Fire and Rescue Service
- Other extreme circumstances as determined by the Housing Options manager or assessment panel.

Gold band

2.11.9 Homelessness and homeless prevention:

Applicants to whom the council has accepted a prevention of homelessness or relief of homelessness duty, who are assessed by their housing adviser as likely to be in priority need. Applicants will have completed and kept to a personalised housing plan made with a housing adviser, will place two bids per week with the guidance of their adviser and will be entitled to one suitable offer of accommodation. Refusal of the offer or failure to engage with advice will mean the council's duty is ended and gold banding will be removed.

2.11.10 Severe medical need:

Critical medical needs directly relating to the applicant's accommodation or need for accommodation as determined by a Housing Options team leader or manager, or by the council's assessment panel.

Medical priority is only awarded where an applicant needs urgent re-housing due to a strongly evidenced, serious and enduring medical condition or disability, which is severely and permanently affected by their current accommodation.

Examples of severe medical need determining the award of gold band:

- The applicant is housebound through mobility issues and moving to alternative accommodation would alleviate this.
- The applicant's life is at risk.

- The applicant is unable to move around their current accommodation, and cannot access kitchen or bathing facilities
- A member the household is severely disabled and needs substantial adaptations to help meet their needs but these cannot be carried out in their current accommodation
- The applicant has a terminal illness and alternative accommodation would allow for suitable care to be provided
- The applicant has a severe and enduring medical condition which is significantly exacerbated by poor housing conditions and the accommodation cannot be repaired and no other remedies are available.
- Armed Forces members and veterans suffering from mental or physical ill health as a result of their service.

These are examples and this list is not exhaustive

2.11.11 **Welfare:**

Where the applicant or member of their household is being grievously and adversely affected by their current accommodation and there is an urgent need to move for welfare reasons.

This may include situations such as:

- Infirmary due to old age
- The need to give or receive care
- A vulnerable applicant is being exploited within their accommodation putting them at risk
- To help avoid a residential placement where an applicant, with the necessary support mechanisms in place, is capable and best suited to independent living.
- The applicant is participant in a witness protection programme
- This list is not exhaustive and other exceptional circumstances will be considered.

Assessment will be subject to a thorough investigation of all the circumstances by the council's assessment panel and the degree of priority awarded will depend on the circumstances of the case.

2.11.12 **Housing Conditions:**

Applicants have no access to a kitchen and/or bathroom.

Or

A prohibition order or demolition order has been served in relation to the applicant's dwelling by the council's private sector housing team. This

indicates that the property contains one or more category 1 hazards that probably cannot be remedied.

Or

An improvement notice has been served in relation to the applicant's dwelling by the private sector housing team and

- The remedies that are needed to reduce the hazard will require the property to be vacated for a significant period
- The cost of the remedies is beyond the means of the applicant (where applicable)
- The remedies will make the property unsuitable for occupation by the applicant

In such cases the award of priority banding is dependent upon individual circumstances, which will be considered on a case-by-case basis by a Housing Options team leader or manager.

2.11.13 Overcrowding:

Applicants lack two or more bedrooms.

2.11.14 Under-occupation/council interest:

Tenants of council or scheme landlord accommodation are under occupying by two or more bedrooms and prepared to move to significantly smaller accommodation or are occupying a substantially adapted property that they no longer require that the housing options manager assesses would be in high demand from applicants in need of those adaptations.

2.11.15 Decommissioning:

Where a cabinet decision has been made to decommission a council property, gold band will be awarded to any tenant having to move home as a result.

2.11.16 Violence/Harassment:

Where there is significant evidence of serious harassment or violence toward a household, where a change of accommodation within Norwich could be reasonably expected to alleviate the problem and there is no other remedy. In such instances banding will be awarded by a housing advisor working with the client to prevent their homelessness or as the result of a of a submission to the assessment panel.

2.11.17 Care leavers

Where an applicant is leaving local authority care and is assessed as needing to move on (as determined by a Housing Options team leader or manager following the required evidence and risk assessment being submitted from

Children's Services), where the applicant has completed a tenancy awareness course, support plan outcomes have been met and there is a suitable support package in place so that the council is satisfied that the applicant is able to successfully manage their own tenancy. Referrals can be accepted from four weeks before the applicant leaves care. Applicants will have completed and kept to a personalised housing plan made with a housing adviser, will place two bids per week with the guidance of their adviser and will be entitled to one suitable offer of accommodation. Refusal of the offer will mean that gold banding will be removed.

2.11.18 Let NCC

Where the applicant meets the criteria set out under the LetNCC tenant incentive scheme (Appendix C)

2.11.19 Multiple Needs:

Applicants with a combination of medium needs.

Silver band

2.11.20 Homelessness and homeless prevention:

Applicants to whom the council has accepted a prevention of homelessness or relief of homelessness duty and those who are 'rough sleeping' or 'sofa surfing', who are assessed by the council's housing advice team as not likely to be in priority need. Applicants will have completed and kept to a personalised housing plan made with a housing adviser, will place two bids per week with the guidance of their adviser and will be entitled to one suitable offer of accommodation. Refusal of the offer or failure to engage with advice will mean the council's duty is ended and silver banding will be removed.

2.11.21 Medical:

Significant medical needs directly relating to the applicant's accommodation or need for accommodation as determined by a Housing Options team leader, manager or by the council's assessment panel. For example:

- Applicants with an evidenced, enduring, and significant medical or disability problem which seriously affects their ability to manage in their current accommodation, where a move would resolve the issue and no other remedy is available.

2.11.22 Welfare:

Where the applicant or member of their household is being seriously and adversely affected by their current accommodation, the issue cannot be remedied and there is a significant need to move for welfare reasons.

Assessment will be subject to a thorough investigation of all the circumstances and the degree of priority awarded by the council's assessment panel will depend on the circumstances of the case.

2.11.23 Housing Conditions:

A hazard awareness notice has been served by the council's private sector housing team. In relation to a category 1 or 2 hazard at the applicant's dwelling and:

- The remedies that are needed to reduce the hazard will require the property to be vacated for a significant period; or
- The cost of the remedies is beyond the means of the applicant (where applicable); or
- The remedies will make the property unsuitable for occupation by the applicant

A suspended improvement notice or prohibition order exists but a foreseeable change in the applicant's circumstances will cause it to become active and result in a high priority situation.

In such cases the award of priority banding is dependent upon individual circumstances, which will be considered on a case-by-case basis.

2.11.24 Overcrowding

Applicants lack one bedroom.

2.11.25 Under-occupation:

Applicants in council or scheme landlord accommodation, who are under occupying by 1 bedroom and are willing to move to smaller accommodation.

2.11.26 Children in flats or maisonettes:

Applicants with a child or children aged ten or under and living in a flat or maisonette that does not have a garden.

Where a household includes a child or children aged six or under and the applicant lives in a property on the third floor or above where there is no lift access, an extra unit of priority will be added. Please note that any combination of issues related to children in flats would not normally exceed gold band.

This category will not be awarded for those children who were born when the current accommodation was accepted.

2.11.27 Let NCC

Where the applicant meets the criteria set out under the LetNCC tenant incentive scheme (Appendix C)

Bronze band (reduced preference)

2.11.28 Priority but no two-year residential connection:

Applicants who have lived in Norwich beyond the six-month qualification period but do not have a two-year residential connection to Norwich and who have a verified need which would otherwise result in emergency, gold or silver band, will be placed in the bronze band. See also section 2.12.5

2.11.29 Reduced preference:

Applicants with one of the assessed needs as detailed in emergency, gold, or silver band but who have been assessed for reduced preference as set out in section 2.12. In such cases, any criteria applied to the original banding will apply equally once reduced preference has been applied.

Standard band

All other applicants to the scheme will be placed in the standard band:

2.11.30 Adequately housed:

Applicants who live in a property that is adequate to meet their needs in terms of property type, size, and facilities.

2.11.31 Supported Housing/Hostels:

Applicants in supported housing/hostels and undergoing a resettlement programme and either not yet ready to move on or not engaging fully with the programme (based on the required evidence from an accredited supporting agency)

Or

Applicants in supported housing/hostels who do not participate in the hostel move on agreement.

2.11.32 Deliberate worsening of circumstances and becoming homeless intentionally

Applicants who are assessed by the council as having created or worsened their housing circumstances through their own actions or omissions, including those found to be intentionally homeless under homelessness legislation. This includes applicants who would otherwise be in a priority band.

Examples:

- An applicant giving up accommodation that was suitable or more suitable for them than the accommodation they have moved into and which it was reasonable to continue to occupy.
- An applicant creating overcrowding by allowing family and/or friends to move into their home, which has worsened their housing situation.
- An applicant moving into a property that was unsuitable for their needs from the outset.
- An applicant being unable to continue to occupy accommodation due to their deliberate action or omission.
- Homeowners who have transferred or gifted their property to another person
- Applicants who have dispersed or deprived themselves of assets or capital which could have reasonably been used to secure housing.

These are examples and this list is not exhaustive

2.12 Methods of assessment

2.12.1 Reduced preference

2.12.2 Section 166A(5) of the Housing Act (1996) as amended by the Homelessness Act 2002 allows allocation schemes to give reduced preference where the behaviour of an applicant (or member of their household) affects their suitability to be a tenant.

In such circumstances, where tenancy conditions have been breached, an assessment will be made as to whether the applicant's behaviour merits their not qualifying for Home Options or whether an application can be taken and reduced preference applied.

2.12.3 An applicant will be given reduced preference if the council is satisfied they:

- Are a current or former tenant of any landlord with rent arrears but these are not at a level where possession action would normally be taken or there are other debts owed to the landlord or council
- Are a current or former tenant of any landlord who has failed to maintain a rented property in a proper and reasonable condition or has otherwise breached their tenancy conditions.

2.12.4. In exceptional circumstances, applicants will be given additional preference despite meeting one of the criteria outlined above. Examples of where this may be appropriate are:

- Where a scheme landlord seeks discretion as current rent arrears are caused by welfare reform due to under-occupation and the applicant is seeking to downsize, is keeping to a repayment arrangement and is working with the landlord to address arrears.

- Where a person is fleeing violence and has rent arrears.

2.12.5 Assessment of residential connection:

An applicant with no 2-year residential connection but who due to their needs would otherwise be in emergency status, gold or silver band will have their priority downgraded by the council to bronze band unless one of the following exceptions apply:

- Care-leavers with an overarching connection to Norwich who, due to their care needs, have been placed out of area by Children's Services.
- Households accepted by the Housing Options manager under the National Witness Protection Scheme
- Members of HM regular armed forces or who were serving in the regular forces at any time in the five years preceding their Home Options application, bereaved spouses or civil partners of those serving in HM regular armed forces or existing or former members of the reserve forces who are suffering from a serious injury, illness or disability which is wholly or partly attributable to their service. See also section 2.7.1.

2.12.5 Significant financial resources:

Applicants that have sufficient income or savings which it would be reasonable for them to use to meet their housing need whose circumstances determine that they would otherwise be in emergency, gold or silver band will have their priority downgraded to bronze band.

Assessment of overcrowding:

2.12.6. The council will use the following guidelines to assess the level of overcrowding.

- Couples, married couples and civil partners are expected to share a bedroom.
- A room intended as a bedroom but used for another purpose will still be classified as a bedroom.
- Where a child has a home elsewhere but chooses to live with another adult, this will not be counted when assessing overcrowding.
- A single person or couple can occupy one bedroom.
- Two children of the same gender are expected to share a bedroom up to the age of 16. When the oldest child is 16 years old, the family is classed as lacking one bedroom.
- Two children of different gender are expected to share a bedroom until the oldest child is 10 years old, at which time the family is classed as lacking one bedroom.
- Where adults aged 16 or over are sharing a room, but not living as a couple, they will be classed as lacking one bedroom.

- An infant under 6 months can share a bedroom with their parents.

Assessment of multiple/cumulative need:

2.12.7 Where a household's circumstances meet more than one assessed housing need, this will be considered by the council when prioritising the applicant. When a household has two or more housing needs within any one band, they will be moved one band higher to take into account the multiple needs. Any assessment of cumulative need will not normally exceed gold band.

Assessment of medical needs:

2.12.8 Priority will be awarded based on information supplied by the applicant

2.12.9 The role of the assessment panel is to assess the degree of medical need relating to an applicant's current accommodation and whether this merits additional priority to move to a more suitable property.

2.12.10 A Housing Options team leader, manager and/or assessment panel will assess each case on its merits to determine whether medical priority should be awarded.

2.12.11 Where an applicant's ill health is not directly related to their present housing, then medical priority will not be awarded.

2.12.12 Where the medical panel has assessed that an applicant has a specific medical need for an adapted property, their Home Options application will be given an accessibility rating, which gives additional preference over applicants not in need of adaptations when bidding for adapted properties.

2.12.13 Where adaptations to the applicant's home have been completed in the last 5 years in order to address a household medical need, no Home Options medical assessment will be considered unless there has been a significant change of circumstances.

2.12.14 Each household is restricted to submitting one Home Options medical assessment per annum unless there has been a significant change in circumstances such as a new diagnosis or significant deterioration in condition.

Assessment of welfare needs:

2.12.15 This will be carried out by a Housing Options team leader or manager or an assessment panel.

2.12.16 Each case will be assessed on its merits to determine whether welfare priority should be awarded. The Home Options team leader or assessment panel will look at whether the situation is targeted, serious and

enduring, whether it is directly affected by the applicant's present housing and whether it would improve if the applicant were re-housed.

Assessment of under-occupation

2.12.17 Priority for under-occupation will not be awarded where the applicant chose to move into a property which they would under-occupy and their circumstances have not changed.

Assessment of housing conditions:

2.12.18 This will be carried out by the council's private sector housing team. Assessment will be carried out in line with the Housing, Health and Safety Rating System and priority awarded as set out in the bands above.

Assessment of homelessness:

2.12.19 This will be carried out by the council's advice and homelessness service in line with the Housing Act 1996 as amended by the Homelessness Act 2002 and Homelessness Reduction Act 2018. Priority will be awarded as set out in the bands above.

Supported Housing/Hostels:

2.12.20 Applicants in supported living or hostels participating in the hostel move-on scheme will be allocated properties in accordance with that scheme (Appendix A)

Assessments for applicants who are members of staff or elected members of the council:

2.12.21 Applications from elected members or members of their family will be dealt with by the Housing Options manager. The award of a priority band and/or an allocation to elected members or to members of their family will need to be authorised by the Chief Executive Officer.

2.12.22 Applications from staff members will be dealt with by the Housing Options manager. The award of a priority banding and /or an allocation to staff members will need to be authorised by the council's Director with responsibility for housing.

2.13 Determination of application date:

2.13.1 All applications will be awarded an 'effective date' by the council. This is usually the date on which the Home Options application was made. The date will determine who is successful in being offered a property where two or more people from the same band bid on the same property.

2.14 Change in circumstances:

2.14.1 If an applicant's circumstances change it is their responsibility to inform the council so that their application can be reassessed. Examples of a change of circumstances could include the serious deterioration in a medical condition, threat of homelessness or an increase in household size due to the birth of a child. Following the reassessment, if the applicant moves into a higher band their effective date will be the date that the council was notified of, or provided with evidence of, their change of circumstances. Alternatively, if an applicant moves into a lower band then the effective date will revert to the original date they applied for Home Options.

2.14.2 If a proof of pregnancy is provided (MATB1) the unborn child will be classed as a child for the purposes of property size eligibility only and there will be no change to banding.

2.14.3 It is the applicant's responsibility to ensure that their contact details are kept up to date.

2.15 Revision of applications:

2.15.1 Every Home Options applicant is sent a revision form on the anniversary of their application to ensure that their circumstances are kept up to date. They are required to update, sign and return the form to confirm they wish to remain on the housing register. The Home Options application will automatically be cancelled if the form is not returned.

2.16 Property size qualification:

Each applicant will be assessed by the council, to determine what size of property they qualify for. It is expected that participating landlords will seek to maximise occupation of available properties. A general guide showing property size qualification for different household sizes is set out in a table at Appendix E however, each participating landlord may choose to take account of local issues in determining what household size is eligible to bid for a property. This will be made clear at point of advertisement. Any potential affordability or housing benefit issues arising from this will be discussed with the applicant prior to their accepting the tenancy.

2.17 Notification of applications:

2.17.1 Once a Home Options application has been assessed the applicant will receive notification from the council confirming the band in which they have been placed.

2.18 Cancellation of applications:

2.18.1 Applications will be cancelled by the council for the following reasons:

- The applicant requests cancellation

- The applicant's circumstances change and they are no longer eligible
- The applicant's circumstances change and they no longer qualify
- The applicant fails to return a revision form
- The applicant is found to have made a false or deliberately misleading statement in connection with their application
- The applicant moves outside the Norwich boundary.
- The applicant has refused offers or failed to attend viewings on five occasions, where no other restrictions apply.

2.19 Refusals or failure to attend viewings:

2.19.1 Where no other restrictions apply to the award of banding and an applicant has bid for five properties, which they have refused or where they have failed to attend the viewing without good cause, then their circumstances and banding will be reviewed. If these refusals are considered by a Housing Options team leader or manager to be unreasonable or without grounds, then the Home Options application will be cancelled and no new application will be accepted for a minimum twelve-month period.

2.20 Misrepresentation or withholding of information

2.13.1 It is a criminal offence for anyone to try and obtain accommodation from the council by knowingly giving a false statement or withholding information.

2.13.2 If we suspect that an applicant has given false information or withheld information, we will investigate. The Home Options application will be suspended while the investigation is carried out.

2.13.3 Failure by an applicant, or someone acting at their instigation, to inform the council of changes to their application, contrivance of circumstances or the deliberate withholding, or misrepresentation of information relevant to their housing circumstances, will mean that the applicant will not qualify for Home Options and their application will be cancelled for an indefinite period and can be reviewed only after a minimum twelve-month period. Any such action may also result in criminal prosecution. If found guilty the applicant could be liable to a fine and/or imprisonment.

2.13.4 The scheme landlord may seek possession of a tenancy that was granted as a result of a false statement and may also attempt to recover any costs incurred.

3.0 Accessing the housing options:

3.1 Finding a home:

Once applicants are registered on Home Options they can start looking for a social housing property of their choice.

3.2 Advertising of vacant properties:

3.2.1 Social rented properties will be advertised on a weekly basis.

3.2.2 Social rented properties will be advertised in two main categories. These will be:

- For all applicants.
- For existing (transfer) tenants of the council and scheme landlords only.

By these means the council will seek to ensure that at least 20% of allocations made through Home Options are to existing tenants.

3.2.3 Properties will be advertised in the following ways:

- In a newsletter
- At the council's website

The scheme guide and website explain in detail how and where to access the advertised properties.

The Home Options bidding cycle runs for the seven days from Wednesday midnight each week.

3.3 Promotion of other housing options:

3.3.1 Information will also be provided about the other housing options we will be promoting through the scheme including:

- Help to stay in your current home (Disabled Facilities Grants, dementia grants and other discretionary loans etc.)
- Rent Deposit Schemes
- LetNCC scheme
- Discretionary Housing Payments
- Mutual exchanges
- Help to access properties for shared ownership

3.4 Property descriptions:

3.4.1 Properties advertised will, wherever possible, carry a photograph of the property or similar and will have a description of the property. This description will usually include the following information:

- The type of property (house, flat etc.)
- The tenure of the property (social rented housing, affordable rent, shared ownership etc.)
- The number of bedrooms the property has
- The location of the property

- The level of accessibility the property has for people with mobility problems/wheelchair users
- Any services provided to the property e.g. wardens, caretaker etc.
- The heating type the property has
- Any age restrictions on the property (sheltered etc.)
- Whether pets are allowed
- Availability of outside space (garden etc.)
- The rent of the property and the service charges. Social rented properties can sometimes have two different rent levels of 'social rent' and 'affordable rent' and each landlord has their own criteria for which rent level applies to which type of property. This should be clearly explained on each advert, where this is relevant.
- Special information (location of bus routes/ other amenities etc.)
- Whether the property is available to all applicants or transfer applicants only

3.4.2 Applicants must qualify for the size of property as advertised.

3.4.3. The landlord will ascribe tenancy type(s) for their advertised properties.

3.5 Bidding/application process:

3.5.1 Provided the applicant meets the stated qualifying criteria they can bid for the property by the deadline given.

3.6 Deadlines for bids:

3.6.1 Bidding closes at midnight every Wednesday. Bids received after the specified deadline will not be considered unless there are extenuating circumstances. Any such retrospective bids must be agreed by the Housing Options manager and a record kept of the reasons for acceptance of the retrospective bid held on record for audit purposes.

3.7 Bidding methods:

3.7.1 Applicants can bid in the following ways:

- On the website, www.norwichhomeoptions.org.uk
- In person at City Hall
- Over the telephone to the Home Options team.

3.8 Disqualified bids:

3.8.1 Applicants are restricted to making two bids for social rented properties per week. Applicants will not be considered for any property for which they do not meet the qualifying criteria. For example, a single person would not be considered for a three-bedroom property.

3.8.2 Where an applicant who has been awarded a priority banding to reflect a specific housing need has bid for a property which does not meet this housing need, their bid will not be considered. For example, an applicant in a priority band based on a medical need for a ground floor property will not be considered if they have bid for a house or upper floor flat.

3.9 Selection of the successful bids:

3.9.1 At the end of the advertising cycle a shortlist will be drawn up from all applicants that have applied for a property. At this point the banding and qualification of any shortlisted applicant will be reviewed for accuracy.

3.9.2 The offer of accommodation will be made to the person in the highest band that meets the qualifying criteria. If there is more than one applicant in the band, the offer will be made to the applicant who has been waiting the longest within that band. If the applicant with the highest priority refuses the property it will be offered to the next highest bidder and so on.

3.9.3 In order to maximise use of adapted properties, where a property has had adaptations to improve accessibility, the scheme landlord has the right to allocate the property to the applicant that has bid who is in greatest need of those specific adaptations at that property. As such, an occupational therapist may be invited to viewings of adapted properties to advise on suitability.

3.9.4 A risk and support needs assessment will be carried out for all applicants. As a result, restrictions may be placed on the area or property which the applicant will be considered for. Applicants will not be offered a property where a risk to themselves or others has been identified.

3.10 Making the offer:

3.10.1 The successful applicant will be contacted by the landlord whose property they have applied for to arrange an accompanied viewing. More than one applicant may be invited to the viewing. Photographic identification from the applicant will be required at the viewing.

3.10.2 Applicants will usually be contacted within three working days of the advert for the property closing. If an applicant cannot be contacted following multiple attempts the next person on the shortlist will be contacted. It is therefore important that all applicants ensure they are contactable or else they may lose out on a property they have applied for.

3.10.3 Applicants have 48 hours to decide whether to accept the offer of accommodation. If no response has been received after this time, the next person on the shortlist will be offered the property.

3.10.4 If an applicant refuses the offer, the property will be offered to the next on the shortlist, and so on until the property is let.

3.10.5 Scheme landlords reserve the right to carry out an assessment on applicants to ensure the particular property is appropriate. If the landlord deems the property not to be suitable for the applicant, the property would then be offered to the next applicant on the shortlist.

3.10.6 Offers of accommodation may be withdrawn if it is found that the information supplied by the applicant was incorrect or if they are deemed due to their behaviour to not qualify (e.g. if they have accrued rent arrears that were not previously known about).

3.11 Hostel move-on

The Norwich hostel move on agreement (appendix D) sets out how applicants in participant hostels and supported accommodation who meet the criteria will be allocated social housing.

3.11 Feedback:

3.11.1 The scheme landlords give feedback as to the results of the properties that have previously been advertised at the 'recent lets' section of the website, and in the Home Options newsletter.

3.11.2 The information provided for each property will be:

- The address
- Number of bids
- Band of the successful applicant
- Application date of the successful applicant

3.11.3 The council will never include any personal details of successful applicants in the feedback.

3.11.4 This feedback is important to applicants as it will help to identify which property types and areas are most popular and so where their best chances are of making a successful bid. It will also allow applicants the knowledge to decide whether they would be better served by pursuing alternative options to social housing.

3.12 Properties excluded from the scheme:

3.12.1 The council reserves the right to exclude certain properties and housing schemes from the allocations system. Examples of where this may occur are:

- Where a property is needed urgently to deal with an emergency.
- Specialist housing schemes, for example Housing with Care Schemes will also be let outside the allocations scheme.

3.13 Direct lets:

3.13.1 In certain circumstances the council will allocate properties directly to applicants, outside of the usual process.

3.13.2 Illustrative examples of direct lets are as follows:

- Where an allocation is required to ensure protection of the public, for example, following a decision made by a Multi-Agency Public Protection Panel meeting, or where an applicant has been referred as part of the witness protection scheme.
- Where the council or a scheme landlord has entered a special arrangement with a support agency in order to accommodate especially vulnerable or challenging clients. Any such arrangement will be governed by an agreement signed off by the Head of Housing.
- Where the tenant of a scheme landlord's home is being repaired and is not occupiable so that they need to be moved from the property on a temporary or permanent basis.
- Where a client has been accepted as statutorily homeless, they will be direct let the first suitable available property.
- As part of the council's 'hostel move-on' scheme (see Appendix V)

3.13.3 A tenancy may also be allocated by the council or scheme landlord, regardless of other priorities, where the applicant has enjoyed established occupancy of the property, has a reasonable expectation of a property of that type and would be a suitable tenant, (e.g. non-secure tenants, or carers or family members with no succession rights.) In deciding whether to make an offer of a tenancy the landlord will consider whether the property is of a suitable size and type for the applicant's household and the conduct of the applicant in terms of rent arrears and tenancy conditions.

Decisions to allocate properties outside of Home Options will be authorised by the Housing Options manager and held on record.

3.14 Sensitive lets:

3.14.1 Sensitive lets are used where a specific issue has been identified in a particular area or block, making a property unsuitable for allocation to some applicants. When considering a sensitive let, instead of allocating a property to the applicant at the top of the list, the landlord will consider the suitability of each applicant who has bid for the vacancy. This will be based on information held about the applicant and on knowledge of the property, its location or neighbours.

3.14.2 The council will only use sensitive lets in exceptional circumstances. In order to ensure that all decisions on sensitive lets are accountable, transparent and monitored, all decisions must be agreed by the Housing Options manager and the respective manager of the scheme landlord and a record held on file.

3.15 Local lettings plans

Local lettings plans are used by landlords to develop policies and letting arrangements that:

- Respond to local housing need and demand
- Help to suitably match applicants to properties; and
- Help them to achieve a balanced housing mix within a particular area.

The main aim of a local lettings plan is to build a strong and sustainable community.

3.15.1 Local lettings plans are generally used when allocating new build housing for the first time. New build developments are unusual in terms of housing allocations because of the number of properties that are available for let in a short period of time in one area.

This makes sure that:

- new build programmes meet the widest possible range of needs; and
- the council avoids the creation of groups of vulnerable households in specific communities.

In order to make sure that all decisions on local lettings agreements are accountable, transparent and monitored, all decisions must be agreed by the Housing Options manager and the respective manager of the scheme landlord and a record held on file.

3.16 Sheltered housing

3.16.1 Sheltered housing is accommodation designed specifically for older people. Residents may pay an additional charge for support services.

3.16.2 The minimum age for the landlord to consider an applicant for sheltered housing will be clearly stated when each property is advertised.

3.16.3 The council and scheme landlords may carry out a needs and risk assessment for customers who bid for sheltered housing properties, to ensure the services provided are appropriate to their needs. This will be done as part of the offer process.

4.0 Statement on equal access:

The council and scheme landlords are committed to ensuring equality of opportunity in all elements of the scheme. This means that we seek to ensure that priority for housing is based on housing need and that housing policies are fair to all sections of the community regardless of age, disability, gender, marriage and civil partnership, pregnancy and maternity, race, religion or belief, or sexual orientation.

We want our services to be accessible to everyone who lives in Norwich. If you need extra help to be able to use our services, such as translation and interpretation services, large print or signing, please tell us.

All applicants for housing or rehousing may be asked to provide details of age, disability, gender, marriage and civil partnership, pregnancy and maternity, race, religion or belief, or sexual orientation. This is to allow us to assess the application properly as well as to monitor who is allocated housing, and to ensure that properties are being offered and allocated fairly.

4.1 Advice and assistance:

4.1.1 The council will ensure that everybody in Norwich seeking housing can easily access the information and assistance they require to use the scheme effectively and we will provide advice on the range of housing options open to them. Staff will be available throughout office hours to provide advice and assistance on the full range of housing options available through the scheme.

4.2 Vulnerable groups:

4.2.1 Due to the nature of Home Options, particularly the need for applicants to be proactive in the process, the council realises it is essential that vulnerable and excluded people can participate effectively. The council will therefore ensure all relevant staff are well trained so that they can assist vulnerable applicants to access and use the scheme.

4.2.2 All literature will be available in a large font and written in plain and unambiguous language. The website is compatible with screen readers and has browse aloud capability.

4.2.3 The council will also hold an 'assisted applicants list' for those who, due to their vulnerability, require additional help with the scheme. This additional help includes helping applicants bid for available homes or sending the property brochures directly to people who cannot access the internet.

4.2.4 The 'assisted applicants list' can be accessed by applicants or their support workers informing the council. This service will only be available for the most vulnerable clients as determined by the council.

4.2.5 To ensure vulnerable groups are not being disadvantaged under the scheme, the council will monitor systems to ensure all groups are using the scheme successfully.

5.0 Reviews of decisions:

Notifying an ineligible or non-qualifying applicant:

5.0.1 The council will notify an applicant in writing of any decision that they

- Are ineligible for Home Options

- Do not qualify to join Home Options.

In each instance, the council will give clear grounds for the decision.

5.0.2 An applicant can ask for a review of certain decisions made regarding Home Options. These are:

- That they are not eligible or do not qualify
- Their band and effective date
- The type of property that they can bid/apply for

5.0.3 A request for a review of a decision must be made in writing within 21 days of receipt of the decision. The decision will be reviewed by a Housing Options team leader or manager or, in complex cases, an assessment panel. The role of the reviewer is to ensure that policy has been correctly applied. Reviews will be carried out within 56 days of the request being received and the applicant will be notified in writing of the decision. The council may extend these timescales if there are exceptional circumstances.

5.0.4 In requesting a review of their qualification for Home Options, the applicant will normally be expected to show that they have addressed issues which caused them not to qualify for the scheme over a minimum 12-month period, clearly demonstrating to the council's satisfaction that their behaviour has been addressed and they are able to independently maintain a tenancy. The applicant's individual circumstances will be fully considered as part of any review and each case will be treated on its merits.

5.0.5. Where an applicant does not qualify for Home Options through rent arrears, the council has set out in Appendix B the repayment arrangements and timeframes expected to be maintained in order for the applicant to demonstrate that the issue is being satisfactorily addressed.

5.0.6 An applicant does not have the right to ask for a further review. If an applicant is still unhappy following the review, they can make a complaint through the council's complaints procedures.

5.1 Complaints procedure

5.1.1 If an applicant is dissatisfied with any aspect of the management of their Home Options application, other than where a review can be made, they should follow the council's complaints procedure, details of which can be found at the website www.norwich.gov.uk.

5.2 The Local Government Ombudsman

5.2.1 If a complainant is not satisfied with the action the council takes, he or she can send a written complaint to the ombudsman. A complainant must give the organisation an opportunity to deal with a complaint first, using its complaints procedure.

The Local Government Ombudsman can be contacted at:

Local Government Ombudsman
The Oaks No 2
Westwood Way
Westwood Business Park
Coventry CV4 8JB

Tel: 01904 380200 Website: www.lgo.org.uk

6.0 Confidentiality statement

6.0.1 Norwich City Council is committed to protecting the rights of privacy and processing will be conducted fairly, lawfully and transparently in accordance with the General Data Protection Regulation (EU 2016/679) and all other applicable data protection law ('Data protection legislation'). Further details can be found at the council's website.

6.0.2 All applications for housing will be dealt with in a confidential manner. Information held under the scheme will not be disclosed to any third party, except in accordance with data protection legislation.

6.0.3 When an application is made to Home Options, the applicant will be asked to give permission for information to be obtained from, or shared with, third parties, which would be required to enable the Home Options assessment or an allocation of housing to proceed.

6.0.4 By submitting an application, the applicant agrees to information sharing with scheme landlords.

7.0 Monitoring/changes to the scheme

7.1 Scheme monitoring:

7.1.1 The scheme will be monitored directly by the Housing Options manager. The manager will, where necessary make recommendations for changes to the scheme, taking into consideration the following:

- Application and bidding data, property turnover and demand
- That the highest needs applicants and those who are vulnerable are using the scheme effectively
- The scheme's performance in meeting its agreed targets
- Feedback from applicants and stakeholders
- That the scheme continues to address local housing issues.

7.2 Changes to the scheme:

7.2.1 The council reserves the right to expand, change or alter any element of the scheme, as and when required, to meet changes in housing need, capacity, resources and legislation. Any major changes to the scheme will be

carried out through a report of the Housing Options Manager to the council executive, following consultation with scheme landlords.

Norwich hostel move-on agreement 2021

- This agreement is made the 5th day of April 2021 between:
 - Norwich City Council
 - YMCA Norfolk
 - St Martins Housing
 - Sanctuary Supported Living
 - Hinde House (Orwell Housing Association)
 - Hope into Action
 - House of Genesis
 - Home Group
 - Ripley Project
 - Pathways Norwich
 - Umbrella Housing
 - The Benjamin Foundation
 - (herein referred to as "the parties")
- The parties wish to co-operate in order to establish and maintain a hostel move-on scheme
- The parties have agreed to enter into this agreement to record their respective intentions.
- The purpose of the scheme is to provide a co-ordinated route into and out of hostel and supported accommodation services in Norwich.

The parties agree as follows:

1. Objectives

The agreed objectives are as follows:

- To reduce rough sleeping and homelessness in Norwich.
- To operate the scheme so that those in greatest need can access hostel accommodation quickly and easily.
- To provide a co-ordinated hostels system in Norwich which makes best use of its resources.
- To enable clients to move through different stages of supported accommodation to best meet their needs.
- To ensure all hostel clients who are deemed ready to move-on are able to do so quickly with the appropriate support to ensure sustainability.

The parties agree and undertake to co-operate fully with each other for the achievement of these objectives.

2 The process

2.1 Nominations arrangements

The hostel provider parties agree that all of their bed-spaces not covered by pre-existing nominations agreements will be allocated in accordance with this agreement on the following basis:

- An initial assessment of the client's needs and potential accommodation outcomes will be considered by the parties as part of the referral process and will be ongoing. Issues such as social care needs, local connection and potential for move-on will be considered as part of the assessment.
- Following assessment, homeless and rough sleeper clients will be referred into accommodation appropriate to their needs as determined by the commissioned outreach service and/or Norwich Accommodation Meeting and/or Norwich City Council with the agreement of the provider.
- Clients can be moved between provision where it is agreed by the Norwich Accommodation Meeting and the providers.
- Individual services retain the right to refuse a referral should they deem the risk too high.

- Vacancies created by successful move-on will be discussed at the Norwich Accommodation Meeting, with a focus on optimising bed-spaces.

2.2 Move-On for hostel residents

- Applicants in supported housing/hostels who participate in the Norwich hostel move on agreement who are assessed as needing to move on as determined by a member of the Housing Options team and the Norwich Accommodation Meeting will be direct let into appropriate social housing tenancy following the required evidence and risk assessment being submitted from the current support provider. Home Options qualification criteria will apply.
- The client must have demonstrated that they are able to maintain a tenancy, for example, but not limited to, through an approved tenancy awareness course so that it is reasonably expected that any tenancy will be sustained.
- The applicant will complete a personalised housing plan with a Home Options officer. Any special housing requirements will be agreed and set out in this document.
- Applicants that meet the criteria set out above but who are subject to 'reduced preference' (for example because they do not have a two-year local connection) will be placed in the bronze band.
- In both instances, applicants will only receive one offer of accommodation, which they are expected to accept. If the client refuses the offer, they are able to request a review on the grounds of reasonableness and suitability. Reviews will be carried out by a review panel in accordance with Home Options policy.

2.3 The role of Norwich Accommodation Meeting

The Norwich Accommodation Meeting takes place fortnightly with representatives of each of the parties and outreach services. It is expected that each representative is able to make operational decisions on behalf of their respective organisation. In addition to the activities set out above, the Norwich Accommodation meeting will:

- Make decisions on current vacancies and share information with other hostel providers. Where required, the meeting will make decisions on moves between providers and explore the moving of clients from one provider to another to prevent eviction and abandonments.

- Discuss clients who are threatened with eviction from hostels and supported accommodation and explore ways this can be prevented
- Where appropriate, discuss current rough sleepers and their potential accommodation solutions within the hostel system.
- Discuss clients ready for move-on into social housing through Home Options and any issues affecting this.
- Monitor the efficacy of this scheme.

3. Practicalities

3.1 Term of the Agreement

- The agreement shall remain in force for the term of five years.
- The agreement will be reviewed after two years
- Should the parties wish to extend the term, this will be done by variation to this agreement three months prior to the end of term and with the agreement of the parties.

3.2 Sharing and Handling of Information

- The parties shall ensure that they and their employees observe all their obligations under General Data Protection Regulation which arise in connection with this agreement.
- Prior to the issue of any press release or making any contact with the press on any matter relating to the agreement the parties shall consult with each other, initially through the Norwich Accommodation Meeting.

3.3 Confidentiality

Each party shall keep the other's information confidential unless:

- The information was already lawfully known
- Disclosure or use of the information is necessary to meet the terms of this agreement;

- Disclosure is required by law (including under the Freedom of Information Act 2000) or disclosure is permitted by the Human Rights Act 1998.

3.4 Variation

- No amendment to or variation of this agreement shall take effect unless it is agreed by the parties in writing and signed by an authorised representative of each of the parties.

3.5 Termination

- A party may only terminate this agreement by giving the other parties six months' written notice or forthwith by notice to the others if another party has committed a material breach of this agreement which is incapable of remedy.
- If this agreement is terminated the parties agree to co-operate to ensure an orderly cessation of the scheme as set out in this agreement and in particular addressing the following consequences of termination:

3.6 Complaints and Disputes Resolution

Complaints in relation to the performance, success or otherwise of this agreement shall be passed, in the first instance, to the Housing Options manager at Norwich City Council who will try and resolve them with the relevant parties.

Where resolution is not reached, the issue will be escalated to the directors of the involved services.

SIGNED BY

For and on behalf of



Committee Name: Cabinet

Committee Date: 07/07/2021

Report Title: Article 4 direction to remove permitted development rights for the conversion of offices to residential

Portfolio:	Sustainable and inclusive growth
Report from:	Executive director of development and city services
Wards:	Mancroft, Lakenham, Town Close, Thorpe Hamlet
OPEN PUBLIC ITEM	

Purpose

To seek delegated authority for the Executive director of development and city services, to make an Article 4 direction to remove permitted development rights for the conversion of offices to residential within Norwich city centre.

Recommendation:

The Council proceeds with the introduction of a non-immediate Article 4 direction, and that:

- 1) Delegated authority be given to the Executive director of development and city services, in consultation with the Portfolio Holder, to make an Article 4 direction to remove permitted development rights for the conversion of offices to residential within Norwich city centre;
- 2) If the government change the NPPF to require article 4 directions to be limited to situations where this is necessary to protect an interest of national significance, delegated authority should be given to cease its introduction without having to seek further authority from cabinet.

Policy Framework

The Council has three corporate priorities, which are:

- People living well
- Great neighbourhoods, housing and environment

- Inclusive economy

This report meets the inclusive economy and the great neighbourhoods, housing and environment corporate priorities.

This report addresses the following strategic action in the Corporate Plan:

- Improve the quality and safety of private sector housing
- Mobilise activity and investment that promotes a growing, diverse, innovative and resilient economy.

This report helps to meet the following adopted policies of the Council:

Norwich Development Management Policies Local Plan (Adopted Dec 2014): DM2: Ensuring satisfactory living and working conditions, DM12: Ensuring well planned housing development, DM17: Supporting small business, DM19: Encouraging and promoting major office growth. It also supports policy 7.1 of the emerging Greater Norwich Local Plan.

This report helps to meet supporting the local economy objective of the COVID-19 Recovery Plan.

Report Details

Context

1. In July 2020, a report was presented to the Sustainable Development Panel to seek views on the need and possible introduction of an Article 4 direction to remove permitted development rights for the conversion of offices to residential within Norwich city centre. Members unanimously voted in favour of recommending to Cabinet that the Council proceeds with the introduction of a non-immediate Article 4 Direction. The report from that meeting can be found [here](#) along with the minutes of that meeting which can be read [here](#).
2. Following this decision officers proceeded with drafting the direction, producing maps and writing the Cabinet report; however before the item was discussed at Cabinet new legislation took affect which unfortunately meant that the Council had to delay making the direction. A brief summary of the relevant changes are set out below:
3. On 1st September 2020 changes were made to the Use Class Order. 3 new use classes were introduced which replaced a number of previous use classes. One of the new use classes is Class E (commercial, business and service). Class E now includes shops, financial and professional services, restaurants and cafes, B1(a) offices, gyms, healthcare, day nurseries/ childcare so class B1(a) offices has now fallen away.

4. Whilst changes had been made to the Use Class Order in September 2020, the relevant legislation which allowed offices to change use to residential without the need for full planning permission was still Class O of the Town and Country Planning (General Permitted Development) (England) Order 2015. Class O referenced “*change of use of a building and any land within its curtilage from a use falling within **Class B1(a) (offices)** of the Schedule to the Use Classes Order*”. However the amendments to the Use Class Order which were introducing on 1st September 2020 effectively revoked class B1(a) which meant that the Class O right would become meaningless after the transitional period. Until the General Permitted Development Order was also amended we did not know what would replace Class O and there was nothing therefore that we could refer to in an Article 4 direction. Based on the advice from NPLaw, unless the Council was willing to pay compensation (which could potentially be huge), the earliest it would be possible to withdraw office to residential conversion Permitted Development rights with an Article 4 direction would be 12 months after the Class O replacement/amendment comes into effect.
5. A report was brought to SD panel on 1st October 2020 setting out the implications of the changes in legislation and this report can be found [here](#) and the minutes of the meeting are available [here](#). Members of the panel agreed to delay the introduction of the article 4 direction until further details of the changes to the General Permitted Development Order were known.

Recent changes to legislation and the National Planning Policy Framework

6. On 21st April 2021 an amendment to the General Permitted Development Order came into force. A new class (Class MA) has been introduced which allows uses falling within Class E (commercial, business and service) to change to residential without the need for planning permission from 1st August 2021. There are a number of conditions to this including that buildings must be vacant for a period of at least 3 months immediately prior to the date of the application for prior approval and that the floorspace of the existing building shall not exceed 1,500 square metres.
7. Whilst this new MA classes now provides clarity, it also causes concern to officers as this confirms that the government still intends to allow changes of use from offices to residential but it also now allows all Class E uses (including retail, financial and professional services, food and drink, businesses, medical and health services, creches and leisure uses) to change to residential without the need for full planning permission which has the potential to significantly impact upon our city centre.
8. Furthermore it should be noted that the government has recently consulted on proposed changes to the National Planning Policy Framework and one of the proposed changes concerns Article 4 directions. The government is considering changing the wording of paragraph 53 of the NPPF. Currently article 4 directions should be limited to situations where this is necessary to protect local amenity or the well-being of the area but it is proposed to change this to only allow article 4 directions to be made

where they are limited to situations where this is essential to avoid wholly unacceptable adverse impact or be limited to situations where this is necessary in order to protect an interest of national significance. The government also intends to set out that they should apply to the smallest geographical area possible.

9. The government has not yet published its response to the consultation so there is no indication of when or if changes will be made to the NPPF and if changes are made which of the options they would bring forward. However this does show the government's intention to reduce the level of control Local Planning Authorities will have, and could potentially make article 4 directions much harder or near impossible to introduce in the future.
10. Whilst changes to legislation now mean that we can proceed with the introduction of a non immediate article 4 direction, due to the uncertainty presented by possible changes to the NPPF, officers have sought legal advice on whether we can still proceed with the introduction of the article 4 direction at this time. NPLaw advised that due to the timing of making of the direction and bearing in mind proposed changes to the NPPF which may make it harder to introduce article 4 directions, it is not without risk of failure. Notwithstanding this they have set out that provided that the officer's report makes Members aware of the risk, it is worth proceeding if the evidence still supports the approach.
11. Officers also contacted Ramidus to provide an update to their study and the information base. Effectively this ensures that the evidence base is updated first to address the issue of whether the COVID pandemic is likely to affect the requirement for office space in the city and that the figures in respect to the loss of office space is up to date. The findings of this are set out in the following section.

Updated evidence base

12. Ramidus were commissioned in 2020 to produce a report looking into Norwich office accommodation and as part of this was asked to advise on the need for an article 4 direction. A copy of this report can be found [here](#) and based on their advice that an article 4 direction was urgently needed we decided to proceed with introducing one. However since this study was undertaken in July 2020, the office economy has largely been functioning with people working from home. This has led to much speculation as to whether there is still a need for office accommodation with some commentators suggesting that this could be the end of offices as we know them.
13. We have therefore approached Ramidus to provide a supplementary note to their report, specifically looking at how things have changed in the past 14 months and to give their thoughts on the impact of COVID on the office market, particularly in Norwich.

14. This short report entitled 'The impact of the Covid pandemic on the office market, with reference to the city of Norwich' forms a background document to this report (see appendix 1) and the main findings are summarised below:

- Covid has demonstrated that people can work from home on a scale and in ways not envisaged by the mainstream before. Post pandemic, working from home will be more prevalent than before the pandemic with many people likely to choose hybrid working i.e. three days in the office, two days at home
- The impact on physical footprint is not clear. Whilst in the past 20 years occupancy densities have risen from c15 sq m per desk to c9 sq m per desk these trends are likely to be reversed due to the search for healthier work environments.
- Changes in the economy and society are bringing about major changes in the demand for offices. Networks will be the defining features of the office economy, underlining the need for the central business district to offer more than office blocks.
- City centres will need to work harder to provide places that people want to visit and enjoy as well as work. Aviva has announced that it will be moving staff back into the city from peripheral business parks. City centres provide services, lifestyle, leisure and networking opportunities that business parks simply cannot match.
- Much has been written about office demand and there have been observations about long-term changes to behaviour around commuting, working patterns, office layout etc. The office has a key social function, not to mention areas such as training, mentoring, leadership, corporate ethos etc. These needs have not disappeared. The pandemic is likely to have a negative impact overall; however it is difficult to foresee a structural change in the quantum of demand for offices in Norwich city as a direct result of covid, particularly due to Norwich having a diverse base of smaller occupiers who, because of their sheer size, have fewer opportunities to save space through working from home.
- The emerging role of the office is to provide a dynamic, experiential, healthy, lower density, welcoming and functional environment; one that focuses on connectivity, collaboration, socialising and learning. One benefit of working from home is the avoidance of lengthy and expensive commutes. But this is not really a feature of the Norwich market which has a more compact urban morphology.
- The pandemic is likely to be used by property owners to justify conversion of offices to residential on the grounds that office demand is in decline. But the best that can be said about this position is that it is unproven, driven by transient land values rather than well-established understanding of urban geography, and the city's valuable strategic stock of space should not be gambled on a hunch.
- The impact of the pandemic on demand for office space is likely to be less than is generally referred to in the media. This applies to cities generally, and to Norwich in particular. There will be an impact, there will be more working from home and office workplaces will evolve to suit changing preferences. But the headline quantum

of demand is unlikely to fall precipitously. It is because of this generally positive outlook for offices in Norwich that there continues to be the belief that there remains a requirement for an Article 4 Direction in the city centre to protect office uses from conversion to residential use.

15. As part of the evidence base, data was collected on the number of prior approval applications and full planning applications that involved the change of use of offices to residential. Previously the data went up to December 2019. An update has been made and now includes all approved applications up to the middle of May 2021 and a summary of the findings are as follows:
- Whilst only one prior approval application was approved between April 2019 – March 2020 there has been a significant increase in applications in 20/21 with a total of 14 prior approval applications approved between April 2020 and March 2021 which if all implemented would provide 192 homes and result in a loss of 11,740 sq m of office floorspace. However some of these have been resubmissions of previous applications and if these are discounted to avoid double counting then the total number of homes to be provided are 89 and the total loss of floorspace is 4,960 sq m.
 - Since the introduction of permitted development rights for office to residential conversions in May 2013 the total number of residential units permitted through this route is 1069 and the total loss of floorspace is 72,398 sq m.
 - Whilst a number of the most recent prior approval applications have been on small sites, one notable application is Vantage House, Fisher Lane. This was identified within the Ramidus report as a strong possibility for a digital hub and identified as a building which needs article 4 direction protection as soon as possible. Whilst the Council has now focused on Townsend House for a digital hub, the study highlights that this is an important office building which should not be lost to residential.
 - In terms of full planning permissions a further 5 applications have been approved since December 2019. This would provide a total of 29 homes and result in a loss of 2,503 sqm of office floorspace. This means that since May 2013 a total of 793 residential units have been permitted and this has the potential to result in the loss of 51,634 sqm of office floorspace if all built out.
 - Since May 2013 the total loss of office floorspace (if all implemented) is 124,032 sq m and the total number of residential units provided is 1,862.
16. The above would suggest that there is still very much a need to introduce an article 4 direction to enable the Council to protect offices of strategic importance. The Council is not opposed to office to residential per se, and an article 4 direction does not prevent all offices changing to residential but instead it enables the Council to control it and to consider all material planning considerations including the impact that the loss of offices will have upon our economy as well as ensuring that housing is of good quality.

Risks

17. Whilst officers feel that we should still proceed with the introduction of the article 4 direction there is a risk of failure. The government appears intent on reducing the level of control the Local Planning Authorities have which has not only been demonstrated through the increased use of permitted development rights but also through the recent consultation on the NPPF which if brought forward will make it much harder or near impossible to introduce article 4 directions for change of use to residential. As noted above at present we have no indication of if or when these changes will be made.
18. There has been much written about this within the planning press with some commentators believing that this is the end of the road for article 4 directions and that Councils will not get them and there will not be any exemptions.
19. Notwithstanding the above, it should be noted that the government has extended the period in which existing article 4 directions can be used up until 31st July 2022. The timeframe does enable those authorities that currently have an article 4 direction in place, to go through the process of introducing a new article 4 direction which can then refer to the new use class order and general permitted development order. So long as these authorities press ahead and introduce one quite swiftly, then they should be able to confirm the new one before the old one becomes defunct.
20. In summary therefore, whilst there is a significant risk that the article 4 direction may fail, our case is supported by overwhelming evidence and is geographically limited (as shown in figure 1) and we feel that we have the evidence base to satisfy the current wording of the NPPF and potentially the option which requires their use to be limited in order to avoid wholly unacceptable adverse impacts. Our concern however is that if the NPPF is changed we would not be able to demonstrate that the loss of offices will affect something of national importance and therefore the recommendation to cabinet should be that we will cease work on the introduction of the article 4 direction if this is the case.
21. Furthermore given the majority of work has already been done, the further financial resource implications are relatively minimal. It should however be noted that at this current point in time we have no evidence to put in place an article 4 direction to prevent the change of use from other town centre uses (including retail) to residential and the article 4 direction should only refer to Class E (g) (i) (an office to carry out any operational or administrative functions).

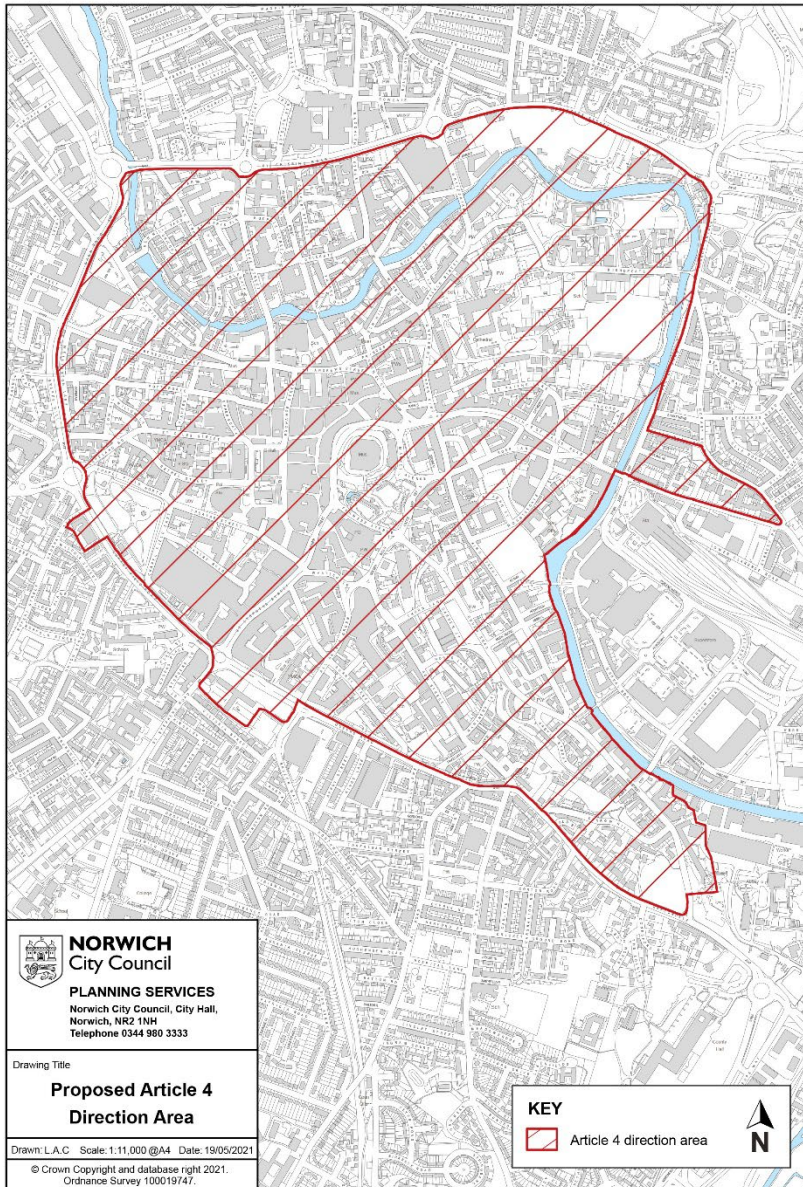


Figure 1: Proposed article 4 direction area

Timescales

22. The timescales for introducing a non-immediate directions are quite lengthy due to the need to give 12 months' notice of its introduction in order to avoid compensation claims. Below is an indication of the likely timescale for the introduction of the article 4 direction.

SD panel report	22 June 2021
Decision made by cabinet to make the direction	7 July 2021
Notice served to land owners/occupiers affected (if practicable)/ site notice/ press advertisement giving at least 21 days to make representation	July 2021

Copy of direction and notice to Secretary of State	July 2021
End of consultation period	August 2021
Consideration of representations	September 2021
SD panel report	18 November 2021
Cabinet report	8 December 2021
Direction confirmed	December 2021
Notice served to land owners/occupiers affected/ site notice/ press advertisement confirming the direction	December 2021
Copy of direction and notice to Secretary of State	December 2021
Intended date of coming into force	July 2022

Consultation

23. A paper was taken to Sustainable Development Panel on 22nd June 2021 recommending that we should proceed with the introduction of the article 4 direction in line with the recommendations proposed within this report. Members attention was drawn to the risks. The discussion mainly focused on the remaining financial costs of bringing forward the direction but Members agreed that despite the risks, given that the majority of work had already been done that we should proceed. The vote was unanimous.
24. There will be a consultation as part of the process (see timescales above).

Implications

Financial and Resources

25. The majority of work has already been done on introducing the article 4 direction and therefore the further financial resource implications are relatively minimal. There will be a financial cost associated with the required publicity for introducing an Article 4 direction. It is expected that this will be met from existing budgets. The Ramidus study was funded through Towns Deal funding.

Legal

26. NPLaw advised that due to the timing of making of the direction and bearing in mind proposed changes to the NPPF which may make it harder to introduce article 4 directions, it is not without risk of failure. Notwithstanding this they have set out that provided that the officer's report makes Members aware of the risk, it is worth proceeding if the evidence still supports the approach.

Statutory Considerations

Consideration:	Details of any implications and proposed measures to address:
Equality and Diversity	The LPA is not able to secure affordable housing under prior approval applications. The impact of this report to make an article 4 direction will not have any direct impacts but, once the direction is confirmed and come into force, the Article 4 direction will enable the LPA to secure affordable housing where it is viable.
Health, Social and Economic Impact	<p>The size and quality of flats delivered through permitted development rights have often been substandard as they are not of sufficient size or provide sufficient natural light or external amenity space to provide a good quality of life for future residents. The impact of this report to make an article 4 direction will not have any direct impacts but, once the direction is confirmed and come into force, removing permitted development rights will enable the LPA to have more controlled over internal and external amenity for future residents for example through requiring flats to meet national space standards.</p> <p>There has been an uncontrolled loss of office accommodation within Norwich since the introduction of permitted development to convert offices to residential and it has been identified within a recent study that Norwich's office economy is in a fragile and vulnerable condition. The impact of this report to make an article 4 direction protecting Norwich's office economy will not have any direct impacts but, once the direction is confirmed and come into force, this will enable the LPA to consider whether the loss of an office building within the city centre is acceptable on a case by case basis. This will allow stock that is truly redundant to change use while, on the other hand, being able to protect space of strategic value. This therefore has the potential to have a positive impact on economic development.</p>
Crime and Disorder	Neutral impact
Children and Adults Safeguarding	Neutral impact
Environmental Impact	Under prior approval applications no physical alterations can be made to the building. If required these come forward as a separate application. The impact of this

	<p>report to make an article 4 direction will not have any direct impacts but, once the direction is confirmed and come into force, having one planning application for the change of use and physical alterations will enable the LPA to better consider the impacts of the development in order to ensure that the proposal enhances the built environment. It will also enable the LPA to secure landscaping via a condition which will have a positive upon both the natural and built environment.</p> <p>Under prior approval applications the LPA is not able to require 10% of energy to be from decentralised and renewable or low carbon energy sources. The impact of this report to make an article 4 direction will not have any direct impacts but, once the direction is confirmed and come into force, the Article 4 direction will enable the LPA to consider energy for all sites of 10 or more dwellings.</p>
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Risk Management

Risk	Consequence	Controls Required
There is a significant risk that the article 4 direction may fail as the government may make article 4 directions harder to introduce.	<p>Given the majority of work has already been done, the further financial resource implications are relatively minimal.</p> <p>Publicising the fact that the Council intends to introduce an article 4 direction could lead to a temporary increase in prior approval applications</p>	Our case is supported by overwhelming evidence and is geographically limited) and the outcome of the government's consultation on the NPPF is not yet know. For this reason it is considered best to proceed at this point in time.

Other Options Considered

27. The alternative option is to not introduce an article 4 direction. This option is not recommended as it would prevent the Council from having any future control over the conversion of offices to residential through permitted development rights.

Reasons for the decision/recommendation

28. Whilst there is a risk that the article 4 direction may fail, our case is supported by overwhelming evidence and is geographically limited. Furthermore given the majority of work has already been done, the further financial resource implications are relatively minimal.

Background papers:

[A review of Office Accommodation in Norwich, Ramidus, July 2020](#)

Appendices:

The impact of the Covid pandemic of the office market, with reference to the city of Norwich, Ramidus, May 2021

Contact Officer:

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Appendix 1

The impact of the Covid pandemic on the office market, with reference to the city of Norwich

Supplementary note to: *Review of Office Accommodation in Norwich* (July 2020)

It is now 14 months since the first Covid pandemic lockdown measures in March 2020. Since that time, the 'office economy' has been largely functioning with people working from home. This has been perhaps the largest ever closure of normal business in peacetime. In the early stages there was widespread speculation about the hollowing out of city centres and the collapse of office work as we know it. A year later, and there is emerging a more sober assessment and consensus around the future office market. A switch from 'revolution' to 'evolution'. This brief note summarises my thoughts on the current debate about the impact of Covid on the office market, with reference to Norwich.

Working from home

One thing that the Covid pandemic has demonstrated above all else is that people can work from home on a scale, and in ways, not envisaged by the mainstream before. There is no evidence of companies that have disappeared as a result of not being able to access their offices for normal work; and even very large finance houses, accountants, lawyers and so on have managed a form of business as usual throughout the period. Indeed, some are reporting increases in productivity.

The key questions are around the degree to which this will happen and what impact it will have on companies' physical footprints. For example, one of the mainstream predictions is that many companies will move to 'hybrid working', whereby people will spend an average of three days in the office and two days elsewhere. The logic of this suggests that companies will need only 60% of the space they previously occupied.

There seems to be little doubt that, post-pandemic, WFH (and its variant working from anywhere) will be more prevalent than before the pandemic. However, agile working and flexible working had been on the increase before the pandemic and, in some senses, it has simply acted as an accelerant to this established trend. The specific achievement of Covid has been to break, permanently, the management by presenteeism model; organisations will no longer be able to insist that everyone is in the office together, nine-to-five.

Impact on footprints

The impact on physical footprints is less clear. Many observers are suggesting a reduction in demand by anything between 20% and 40%. But it is clear that a more nuanced response is required. For example, while occupancy densities have risen from c15 sq m per desk to c9 sq m per desk over the past twenty years, and while many organisations have introduced at least an element of hot desking, these trends will need to be reversed in the search for healthier work environments. Furthermore, there will be additional net demand for space allocated to socialising, collaborating, meeting and so on.

A report from KPMG in April 2021 showed that between August 2020 and March 2021, the number of global companies intending to cut back on office space had fallen from 69% to 17%. Indeed, announcements from major employers have been very mixed. For example, Facebook, HSBC, Microsoft, Nationwide, Société Générale, Twitter have all announced long-term and widespread WFH strategies. By contrast Amazon, Goldman Sachs, Google, JP Morgan and Morgan Stanley are all encouraging staff to

return.

Evolution of the office economy

Office work and office occupation have been undergoing rapid change for the past two decades in response largely to digital technology; but also in response to wider pressures including: cost efficiency, sustainability, health and wellbeing, personal choice over workstyles and competition for skilled staff. As stated in our report for Norwich City Council (*A review of office accommodation in Norwich*, July 2020) , changes in the economy and society are bringing about major changes in the demand for offices. Economic, business, technological and social pressures are pushing on the 'knowledge economy', bringing about change in the amount of space required; the nature of buildings; workplace design and workplace management. As firms adopt more agile, networked approaches, offices will become 'less generic' and less single purpose, and will work harder to provide choice and flexibility.

Larger, hierarchical, task-driven corporate islands had begun to change and build networks of organisations, individuals and specialists, each bound together by a common sense of purpose and shared interest. Business ecosystems will involve large and small companies working together, with contingent workers and specialists across extensive and collaborative relationships. Networks will be the defining feature of the office economy, underlining the need for the CBD to offer more than office blocks.

City centres

In the post-pandemic era, city centres will need to work harder to provide places that people want to visit and enjoy, as well as work. They will need to become safer and cleaner, and provide experiential, amenity-rich and public transport oriented places.

In an era when job mobility has never been higher (nor, perhaps, job security, lower), and when small businesses, contract workers, contingent workers and specialists all rely on rapid and frictionless transfer between contracts, city centres provide broad, deep and accessible job markets. In Norwich, Aviva has announced that it will be moving its staff back into the city centre from peripheral business parks, reflecting a trend that had been evident in some cities before the pandemic. City centres provide services, lifestyle, leisure and networking opportunities that business parks simply cannot match.

Office demand

Much has been written about this, including the 'end of the office' narrative and observations suggesting long-term changes to behaviour around commuting, working patterns, office layouts and so on. In reality many of the changes being discussed have been a feature of the direction of travel in real estate over the past two decades. But the office has a key social function, not to mention areas such as training, mentoring, leadership, corporate ethos and so on. These needs have not disappeared. While the pandemic is likely to have a negative impact overall, it is difficult to foresee a structural change in the quantum of demand for offices in Norwich city as a direct result of COVID-19.

Large, corporate occupiers and SMEs procure and occupy space in subtly different ways. Norwich does not have a large base of large office employers, who are the most likely to institute footprint reductions as a result of the pandemic. Instead, Norwich has a more diverse base of smaller occupiers who, because of their sheer size, have fewer opportunities to save space through WFH; and for whom the 'business park option' is much less attractive than for larger firms.

Flexible workspace

Long-term, inflexible and capital intensive real estate has been yielding to a commodity model for several years, in the form of the flexible space market; space is turned on and off as required by customers, while receiving value adding service from a provider. This aspect of the office market is likely to be in the ascendancy post-pandemic. It is also an aspect of how property owners manage their risk in the post-pandemic market, by leasing space longer term to intermediary service providers.

The office workplace

The changes described in this paper add up to a re-definition of the role, or purpose of the workplace. Its previous role was as a relatively static backdrop to process-dominated work, with a rigid, hierarchical workforce. Undifferentiated workers were managed within a one-size-fits-all approach in which cost minimisation was paramount.

The emerging role of the office is to provide a dynamic, experiential, healthy, lower density, welcoming and functional environment; one that focuses on connectivity, collaboration, socialising and learning. It will help define and express the values of the employer. There is also likely to be more focus on how air circulation is handled. Specifically air will need to be drawn up (away from staff) and out of the building, with much less recirculation. Not all buildings will be amenable to this, but many town centre offices with natural ventilation, in a city such as Norwich, will be very attractive to smaller occupiers in particular.

Physical concentration and mass transit connections (which are increasingly sustainable) will endure as a model for urban development. One of the oft-cited benefits of WFH is the avoidance of lengthy and expensive commutes. But this is not really a feature of the Norwich market, with a more compact urban morphology.

Overview

The pandemic is likely to be used by property owners to justify conversion of offices to residential on the grounds that office demand is in decline. But the best that can be said about this position is that it is unproven, driven by transient land values rather than well-established understanding of urban geography, and the city's valuable strategic stock of space should not be gambled on a hunch.

I believe that the impact of the pandemic on demand for office space will be less than is generally referred to in the media. This applies to cities generally, and to Norwich in particular. There will be an impact, there will be more WFH and office workplaces will evolve to suit changing preferences. But the headline quantum of demand is unlikely to fall precipitously. It is because of this generally positive outlook for offices in Norwich that I continue to believe there remains a requirement for an Article 4 Direction in the city centre to protect office uses from conversion to residential use.

Dr Rob Harris, Principal
Ramidus Consulting Limited
17th May 2021



Committee Name: Cabinet

Committee Date: 07/07/2021

Report Title: NRL assurance and consideration of the Threescore phase 3 outline business case

Portfolio:	Resources
Report from:	Executive director of development and city services
Wards:	Bowthorpe
OPEN PUBLIC ITEM	

Purpose

To consider a report provided by Savills regarding assurance on the NRL business plan prior to the Council considering further investment in the company to deliver the plan. To consider the outline business case provided by NRL for the development of part of Three Score Phase 3 and agree to delegate authority to dispose of this land to NRL to facilitate the development subject to the business case.

Recommendation:

To, having regard to the independent assurance report provided by Savills and the NRL outline business case for Three Score Phase 3:

- a) recommend to Council that provision for the necessary loan finance and share capital (currently estimated at up to £4.0m) be approved for inclusion in the capital programme £2m (2021/22) and £2m (2022/23);

Subject to council approval of a) above to;

- b) delegate authority to the Executive Director of Development and City Services in consultation with the Portfolio Holder for Resources to dispose of land to NRL at the value set out in the exempt appendix (see para 6 of exempt appendix 3) to deliver the private housing element of the scheme;
- c) delegate authority to the Executive Director of Development and City Services in consultation with the Portfolio Holder for Resources to appropriate land to the HRA to deliver the social housing element of the scheme (as set out in para 10 and 11 of exempt appendix 3); and

- d) delegate authority to the Executive Director of Corporate and Commercial Services in consultation with the Portfolio Holder for Resources to enter into a new loan facility agreement with NRL to fund approved shareholder investment.

Policy Framework

The Council has three corporate priorities, which are:

- People living well
- Great neighbourhoods, housing and environment
- Inclusive economy

This report meets the *Great neighbourhoods, housing and environment corporate priority*

This report helps to meet the *Build and maintain a range of good quality affordable and social housing* adopted policy of the Council

This report helps to meet *Housing, regeneration and development* priority of the COVID-19 Recovery Plan

Report Details

Background

1. At its meeting on 10th March Cabinet considered the Norwich Regeneration Limited Business Plan 2021/22 that the company is required to produce under its articles of association. It agreed to welcome the Business Plan for Norwich Regeneration Limited for 2021/22 and, among other things, agreed that:
 - NRL should move forward to develop a detailed business case for the development of Three Score Phase 3 as described in the Business Plan to allow the shareholder to consider further investment in this scheme;
 - The Council as shareholder should support this activity so that robust business case can be established to enable the Council to make investment decisions; and
 - To instruct that officers to obtain expert independent advice, scrutiny and assurance in relation to the NRL business Plan and its underlying assumptions before agreeing to detailed business cases.
2. The business plan for the company for 2021/22 was contained in an exempt appendix to the March report. It sets out NRL's vision, mission, values, objectives and business principles, and outlined how financial performance and governance have been improved. It also described three schemes for further development during 2021/22 that may require further investment by the Council. The first of these schemes was an element of Three Score phase 3. Another site at Ber Street will be further considered later in the year.

Assurance on the NRL Business Plan

3. Following March cabinet Savills were appointed to undertake the due diligence work. Their report is commercially sensitive and is attached as exempt appendix 1. Overall the report offers a considerable level of assurance on the NRL Business Plan.
4. It concludes that “Whilst we report differences in approach compared to that presented by NRL in their business plan, our overall opinion is that there should be sufficient margin generated through both key projects to provide confidence for NCC to continue to invest in the vehicle as a means to generating both capital and revenue receipts. Clearly the historic debt position generates challenges for NRL (whilst at the same time enables NCC to generate additional revenue through interest charges against historic loans). However there does appear to be a positive direction of travel within the business, which can only continue if it is supported through the identification of sites which enables NRL to allocate its central costs against a larger number of projects.”
5. It goes on to further conclude that “The alternative to further investment into the NRL vehicle may be to essentially write-off the current debt position against the company. We are of the opinion that such a move would be premature at this stage, given our appraisal of both sites in question suggests opportunity to generate both revenue and capital receipts for the Council through the form of interest and capital debt repayments through future sales.”
6. With regard to the emerging business case for the proposed NRL scheme in relation to part of Three Score Phase 3 (which is considered further later in this report) it concludes that the project “should generate sufficient value through future sales to repay respective delivery costs, alongside allocated central costs made to each project reflecting a Service Level Agreement (SLA) between the Council and NRL, and interest incurred against historic debt held by NRL. Indeed sensitivity analysis has suggested that there is some degree of buffer in terms of worsening sales performance and/or increased costs which may provide some further assurance in the deliverability of proposals.”

NRL Business Case for Three Score

7. Subsequent to the decision of Cabinet in March 2021 NRL has continued to progress the development of the Business Case for development at Three Score phase 3. The latest version of this emerging business case is attached as exempt appendix 2. It should be noted that: a) this business case has developed since the Savills assurance report was produced so figures in the two separate appendices may not exactly correspond; b) the business case should still be considered as outline; c) the business case relates only to a part of the site at Three Score Phase 3 – most of the site is due to be developed by the HRA for social housing and Cabinet agreed the outline business case for this investment in July 2020 and authority to award contracts for the appointment of design and construction contractors in April 2021.

8. Until the scheme receives reserved matters planning consent (the site already has outline planning permission) and costs can be finalised through contract arrangements there can be no certainty regarding the design or cost figures presented. Nevertheless there is a high degree of confidence in these as the company continue to build on the adjacent site so if highly familiar with the conditions of the site and local market.
9. The outline business case is due for consideration by the NRL board on 1st July. A verbal update will be given to the meeting about whether the outline business case was endorsed or not.
10. The business case envisages that NRL construct 23 dwellings this comprises 4 x 2 bed homes, 11 x 3 bed homes and 8 x 4 bed homes. Construction is due to commence in October 2021 and the build programme is forecast to last for 20 months, completing in April 2023. Although the first properties are forecasted to be complete by August 2022 with sales revenues being realised between December 2022 and June 2023.
11. The business case notes that due to the success of Trinity Gardens it is anticipated that the company will repay a further £4m of the existing loan facility in 2021/22. This will enable NRL to reduce the interest payments that it owes but will require a new loan facility to be agreed in order to fund the Three Score Phase 3 development.
12. To deliver the Three Score Phase 3 development the business case identifies the need for a new loan facility from the Council as shareholder of £2m in March 2022 and a further £2m in 2022/23 to fund working capital for the scheme. The requested facility will comprise equity shares and loans to maintain a gearing ratio of not more than 75% debt. The loan interest rate is calculated as being 4.5% over base rate (currently 4.6%).
13. Whilst the details of the business case are commercially sensitive the total value of the homes built are expected to be around £7m. Anticipated profits arising from the development would be used to meet the operating costs of the company, pay down historic debt and contributing considerably to the overall financial stability of the company.
14. The business case is predicated on NRL's articles of association and delivering development that is an alignment with the 2040 Norwich Vision which puts sustainability at the centre of all development. Resultantly, these homes will be delivered to very high environmental standards taking a fabric first approach and informed by PassivHaus principles, in line with the delivery of the homes from earlier stages at Three Score. All development is also built in accordance with nationally described space standards.
15. The environmental housing performance standard is to target a low carbon approach that will drive for the energy certification of each dwelling. Energy performance certificates (EPCs) are a rating scheme to summarise the energy efficiency of each home. The home is given a rating between A (Very efficient) - G (Inefficient). The calculation of the energy rating on the EPC is based on the Standard Assessment Procedure (SAP). NRL's approach is to deliver the most efficient homes possible within the financial envelope and demonstrate best value. Highly performing home should therefore deliver the lowest fuel

bills for the home owner and band A is the target. The certificate uses the same scale to define the impact a home has on the environment. Better-rated homes should have less impact through carbon dioxide (CO2) emissions. To note: the average property in the UK is in band D.

16. As NRL completes the design phase throughout the summer and concludes the planning strategy and RIBA Stage 4 detailed design, the residential viability appraisal will demonstrate key element cost categories that influence the overall construction cost of each dwelling and the company can take key decisions on achieving the target performance levels best on expenditure versus return.

17. The emerging scheme at Three Score Phase 3 is illustrated below. It should be noted that this may be subject to change through consultation and planning processes, and the delineation of land between NRL and the HRA is only approximate at this stage (HRA development shown greyed out).



Land Transfer and Disposal

18. The land at Three Score Phase 3 is an asset currently held by the Council's general fund. In order to undertake both the development envisaged in the NRL business plan for private sale and the HRA led development approved in July 2020 it will be necessary for land transfer to take place.

19. Prior to NRL undertaking the development of the private housing they will need to acquire the land from the Council. The value of the land is set out in the exempt appendix (appendix 3). It should be noted that this value is in accordance with a revised valuation from NPS property consultants, rather than a full independent red book valuation. However, it should be noted that the independent Savills report also considered the value of this land and concluded its value was very similar to this. Therefore, it is proposed to dispose of the land to NRL at this value.
20. The exact boundary of the land to be disposed of to NRL and appropriated to the HRA will be determined following the determination of detailed designs. Therefore, authority is requested to determine the exact areas and complete the transfers under delegated authority.

Implications

Financial and Resources

21. The city wholly owns NRL and provides all of its investment capital. City's investment in NRL at 18 June 2021 is £14.024m comprising £10.15m loan and £3.874m equity shares.
22. The company repaid £5.5m of loans in March and April 2021. A further £4.45m will be returned to the city in 2021/22.
23. To deliver the business case NRL will require further investment. The NRL board is expected to request the shareholder invests a further £2m in March 2022 and a further £2m in 2022/23 to fund working capital for this development scheme. The facility will comprise equity shares and loans to maintain a gearing ratio of not more than 75% debt. The loan interest rate will be 4.5% over base, currently 4.6%.
24. Officers are seeking the delegated authority to enter a new facility agreement with NRL to fund Threescore phase 3.
25. The overall equity investment in the company does not increase through this development. There remains a risk that the existing equity might not be recovered, this would have a subsequent effect on capital receipt available for other investments. The business case suggests that this scheme will provide a positive contribution to mitigation of this risk.
26. Due to retained losses in NRL the city has made a provision against the investment the company of £3.25m. This is a £0.75m improvement since March 2020 reflecting the enhanced financial performance. The level of impairment will continue to be reviewed annually to reflect financial performance.
27. The company and the city will continue to work closely together to monitor the cash position and reduce costs where appropriate, with the aim of reducing the peak loan and equity requirement. The managing director of the company continues to target overhead reduction within the company.

Legal and Governance

28. The detail of the loan agreement will be drawn up by the Council solicitor's at NPLaw.
29. Suitable security will be placed on the assets of the company including the land to be transferred.
30. Considerable improvements have been made to the governance and oversight of the company over the past year with the appointment of 2 independent non-executive directors. Recently further measures have been taken to reduce the potential for conflicts of interest between Council and Company with the Council's Portfolio Holder for Resources stepping down as a director of the company. Furthermore a shareholder panel has been set up to increase the overview and scrutiny of company performance.

Statutory Considerations

Consideration:	Details of any implications and proposed measures to address:
Equality and Diversity	N/a
Health, Social and Economic Impact	Delivery of new homes and building to enhanced space and environmental standards should have positive impacts on health and social considerations
Crime and Disorder	Scheme has been designed with a view to maximise surveillance of open spaces
Children and Adults Safeguarding	N/a
Environmental Impact	See paras 14 and 15 above. Ongoing environmental impact of houses likely to be considerably less than most other new homes currently being built in Norwich

Risk Management

Risk	Consequence	Controls Required
Not gaining planning permission for the development	Delay in being able to deliver the scheme and possible increase in costs.	Extensive pre-application engagement and consultation on the detail of design. Risk substantially mitigated by outline consent being in place
Financial risk	NRL not being able to repay or provide return on the investment.	See sensitivity testing in business plan assurance report (appendix 1)

		See risk management approach outlined within the business case (appendix 2).
Reputational risk	NRL not being able to deliver on the standards or timetable set out in the business plan or individual business cases	Improved governance measures put in place for the company (see paras 28-30)

Other Options Considered

31. Do nothing – this would fail to meet housing needs or make best use of the land asset held by the Council.
32. To build out the entirety of the site for social housing – this would be possible although it would create a problem for NRL as it would cast considerable doubt on its ability to deliver its business plan and put at risk council investment previously made in the company. Whilst meeting more of the acute housing needs development would lack social balance.
33. To sell the site on the open market – possible increased financial return to the Council in the short term. However, doesn't meet housing needs so well, is likely to result in homes built to a lower environmental standard and risks the development of houses being stalled by a third party.

Reasons for the decision/recommendation

34. It is considered that the Council's corporate objectives are best delivered by acceptance of the business plan and taking the appropriate steps to facilitate the development through taking the steps set out in the recommendations.

Background papers:

None

Appendices:

Exempt appendices supplied.

Contact Officer:

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Committee Name: Cabinet

Committee Date: 07/07/2021

Report Title: Managing Assets (non-housing)

Portfolio:	Cllr Paul Kendrick
Report from:	Executive director of development and city services
Wards:	Catton Grove

Purpose

For cabinet to consider the disposal of land identified in this report.

Recommendation:

To approve

- a) the disposal of land identified in the report jointly with the County Council.
- b) The commencement of a process to procure a selling agent.
- c) To delegate authority to accept the most advantageous offer for the site to the Executive director of development and city services in consultation with the Cabinet member for resources; and
- d) To seek revisions to the lease/an option agreement on the Norwich City Services Limited depot to secure a right of renewal ahead of sale.

Policy Framework

The Council has three corporate priorities, which are:

- People living well
- Great neighbourhoods, housing and environment
- Inclusive economy

This report meets the Inclusive economy corporate priority.

This report addresses the Mobilise activity and investment that promotes a growing, diverse, innovative and resilient economy strategic action in the Corporate Plan as well as meeting the objective of being a Financially stable and resilient organisation.

View the [Corporate Plan 2019-22](#)

This report helps to meet Securing the council's finances and Business and the local economy recovery themes of the COVID-19 Recovery Plan.

Report Details

Background

1. Norwich Airport Industrial Estate (NAIE) is owned by Norwich City Council and held on express trust for Norfolk County Council, effectively giving joint ownership. Income derived from the estate is divided 60% Norfolk County Council and 40% Norwich City Council.
2. NAIE covers an area of approximately 119 acres (48 hectares) created out of a joint initiative by the councils to develop an airport facility and separately an adjoining industrial estate on land previously occupied by the former RAF Horsham St Faiths military airfield. Some of the original airport hangers and associated buildings remain as re-purposed industrial and commercial units, however, the majority of the buildings on the estate were constructed from the 1970s onwards on ground leases of 60 to 125 years in length. Many of the buildings have been converted for a variety of purposes and are now also intermingled with newer, but still outdated, structures.
3. In total there is around 120,000 m² (gross floor area) of accommodation with the majority (circa 90%) being light and general industrial / warehousing (including an element of ancillary office space for those businesses) with the remainder being office space. A high proportion of the pre 1970 estate consists of re-purposed airport hangers and associated buildings that have been adapted over the years to meet modern business needs which differ from the original use of the building in question. However, most of the buildings on the estate were constructed from the 1970's onwards and let on ground leases of 60 to 125 years in length. There are vacant plots and development sites amounting to nearly 15 hectares, including a site allocated in the Local Plan for approximately 35 new homes.
4. Two companies (Heatrae Sadia and Anglian windows) have historically anchored the Estate and accounted for 40% of the income. Heatrae Sadia has ended production at NAIE and they have leased their site to Lotus Cars Ltd.
5. The estate is managed by NPS Norwich Limited and the councils receive a joint total net income of around £0.8m. Gross income is fairly consistent at just under £1.1m per annum.

Previous & Recent Studies

6. Both Councils, for several years, have been considering how to maximise the potential of the Norwich Airport Industrial estate. Several jointly commissioned reports have identified that for the estate to realise its full potential for tenants, future businesses and the creation of employment, investment is required.

7. Following these previous studies, both councils were prompted to consider whether disposing of NAIE would be a viable option to deliver the capital investment required on the estate alongside alternative models whereby some or partial ownership was maintained.
8. In light of this, three further pieces of work have been commissioned to provide:
 - a) Full property liability information for the estate to provide a 'data-room' (along with lease information) for would be purchasers of NAIE, carried out by Carter Jonas;
 - b) A red book valuation carried out by Savills, which has for the first time provided us with detailed and complete valuation advice based on a robust and complete data set supporting their conclusions; and
 - c) Information on possible joint venture structures and partners should the council choose to purchase the county council's share carried out by BNP Paribas on behalf of the city council alone.
9. Whereas 8 a) and b) were commissioned by both councils, c) was commissioned by the city council alone. The nature of the trust agreement between the two councils enables either Council to achieve such a disposal with the other (i.e. jointly) or buying out the others share at market value. On the basis of the advice received, the County Council are taking a report to their cabinet meeting on 05 July 2021 to seek authority for the disposal of the whole of NAIE.
10. A summary and discussion of reports identified above is provided within the exempt appendix to this report. The appendix is exempt from publication as it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972. The public interest test has been applied and it is considered that the public interest in maintaining the exemption outweighs the public interest in disclosing the information at this stage. The information is exempt due to information being commercially sensitive.
11. With publication of the red book valuation the council needs to decide whether to sell NAIE jointly with the county council or to purchase the whole or parts of the estate. An options appraisal is provided within the exempt appendix which considers disposal, acquisition and partial acquisition options. Whilst in theory do-nothing is an option, this has previously been rejected as NPSN showed that without additional investment, continuation of current management practice would not be sustainable. Furthermore, the county council can force a disposal, as mentioned above, thereby leading the council back to the other options.

Financial and Resources

12. Any decision to reduce or increase resources or alternatively increase income must be made within the context of the council's stated priorities, as set out in its Corporate Plan 2019-22 and Budget.

13. A full assessment of the financial implications of the decision is provided within the exempt appendix. Delivery of a capital receipt to the council could be utilised in a number of ways which would assist the future capital plan and medium term financial strategy and will be considered further as part of the financial planning prior to the 2022/23 budget and MTFs refresh in February 2022.
14. It is anticipated that an accelerated development program by a commercial investor would result in higher property tax income for city, namely business rates and council tax receipts.

Legal

15. By virtue of section 123 of the Local Government Act 1972 the city council has the necessary statutory powers to dispose of its land. This section also states that on a disposal, the council are under a statutory obligation to obtain the best consideration that can reasonably be obtained for the land.
16. Achieving best consideration will also ensure that the council is not caught by the European Commission's State Aid rules.
17. If any part of the site consists of open space land, section 123(2A) of this Act states that the council must follow certain statutory requirements to advertise the disposal of the said areas of open space land.
18. In this case whilst there are some vacant parcels of land and woodland within the area in question, these are fenced off and not accessible to the public or used for public recreation.

Statutory Considerations

Consideration:	Details of any implications and proposed measures to address:
Equality and Diversity	Sale of the estate will result in the transfer of the freehold interest but this is not anticipated to have any material equality and diversity implications.
Health, Social and Economic Impact	Based on current values for industrial land it is anticipated that a new investor would invest in the estate and redevelop parts of it, this would assist in delivering new employment premises, job growth and associated tax receipts.
Crime and Disorder	No material implications.
Children and Adults Safeguarding	No material implications.
Environmental Impact	No material implications, however a potential benefit in disposal would be to fast track investment in the estate which in turn is likely to lead to energy performance improvements in buildings.

Risk Management

Risk	Consequence	Controls Required
A change in the level of market interest.	Reduced capital receipt.	Based on advice from Savills the risk is considered to be low likelihood at the current time but could be high impact. Moving to marketing quickly minimises this risk. Acceptance of a final offer will require further approval of the cabinet member and executive director.
Reputational risk	Impact on reputation of council	The reputational risk of leaving the estate without additional investment is considered to be greater than that of taking the decision to dispose of the estate and secure much needed private investment in the estate to help deliver associated benefits of supporting local businesses, job creation, renewing this part of the city and realising a capital receipt to help deliver local services.

Other options considered

19. See paragraph 11 above.

Reasons for the decision/recommendation

20. The future of the estate has been under review for some time, and it has been necessary to consider if we would jointly dispose of the estate with the county council, acquire the county council share, or acquire the county council's share of parts of the estate.

21. Given the relatively high valuation of the estate and the significant capital sums needed to be invested in the estate, as well as resource requirements, acquisition of the whole or part of the estate is not recommended based on the evidence gained within the reports which have been summarised in the appendix. Joint ventures have been explored however this would still require significant resource and there is a trade-off between capital input, revenue return and control, whereby the council would lose significant control and revenue return if a partner is providing significant capital investment.
22. It is, however, important to note that the council would retain some control over the future of the estate given its role as a local planning authority.
23. Specific regard has been given to the NCSL depot. Whilst the lease has security of tenure it is recommended that an ability to renew the lease when it expires in 19 years' time is secured ahead of sale to minimise operational risk in the future.
24. Disposal of the estate would bring significant inward investment as well as resource, expertise and capital not readily available to us. In addition, a commercial investor would be better placed to realise the wider economic benefits that would flow from investment in a shorter timescale. This in turn would help renew and refresh this part of the City which is in need of investment. In turn this delivers a capital receipt to the council which would have a material impact in meeting future budget challenges in the mid term financial strategy. Accelerated investment in the estate by a commercial investor would also realise greater tax receipts to the Council.
25. Therefore, having considered the options available to secure investment, offices have concluded that the disposal of the City Council's interest in the estate is the most advantageous route to securing its long-term success.

Background papers: n/a

Appendices:

1. Site plan
2. Exempt Appendix

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Committee Name: Cabinet

Committee Date: 07/07/2021

Report Title: Scrutiny committee report to Cabinet

Portfolio:	Cllr Kendrick, resources
Report from:	Chief executive/Executive Director
Wards:	All wards
OPEN PUBLIC ITEM	

Purpose

The purpose of this report is to ask cabinet to note the formation of a scrutiny select committee.

Recommendation

To note the recommendations made at the meeting of scrutiny.

Policy Framework

The Council has three corporate priorities, which are:

- People living well
- Great neighbourhoods, housing and environment
- Inclusive economy

This report meets all the corporate priorities

This report addresses all the strategic actions in the Corporate Plan

This report helps to meet all adopted policies of the Council

This report helps to meet all the objectives of the COVID-19 Recovery Plan

Developing a work programme for the scrutiny committee

1. When the scrutiny committee considers which items to include on the work programme, it is useful to do so in the context of what the focus is for the council over the coming year and to look at how activity aligns to the council's corporate plan, policies and the COVID-19 recovery plan.
2. At the May meeting due to ongoing work around the forward plan for cabinet and potentially getting some input from directorates on upcoming pieces of work that the scrutiny committee might wish to consider, the committee agreed to set the topic for June and July only. The topic for June is 'fly-tipping, communal bins and bins left on pavements' and the July topic is 'air pollution from woodburning'. An additional work programming meeting has been set for 9 September to consider topics for the rest of the civic year.
3. It was agreed to hold an additional meeting of scrutiny on 4 November 2021 to scrutinise the business plans of Norwich City Services Ltd and Norwich Regeneration Limited.
4. At the meeting of scrutiny on 24 June it was resolved to;
 - convene a select committee on fly-tipping and communal bins comprised of three Labour members, one Green Party member and one Liberal Democrat member.
5. Members discussed various points that the select committee may wish to focus on but the final terms of reference would be for the select committee to decide. Discussion included;
 - Looking at good practise in other councils
 - The interface between Norwich City Services Ltd, Biffa and Norwich City Council
 - Looking at data on the costs of fly tipping
 - The siting of communal waste bins
 - Enforcement issues around the abuse of communal bins
 - Looking at factors that have led to the increase in fly tipping in recent years
 - Utilising technology, including the use of apps.

Consultation

6. Ward councillors, portfolio holders, the public or other stakeholders have not been consulted (statutorily or otherwise). However the public are encouraged to submit topics for scrutiny via an interactive form on the council's website.

Implications

Financial and Resources

7. Any decision to reduce or increase resources or alternatively increase income must be made within the context of the council's stated priorities, as set out in its Corporate Plan 2019-22 and Budget.
8. Any impact on resources resulting from this report will be accommodated within existing budgets or the relevant approvals will be sought if additional budget is required.

Legal

9. There are no specific legal considerations at this stage.

Statutory Considerations

Consideration:	Details of any implications and proposed measures to address:
Equality and Diversity	None at this stage.
Health, Social and Economic Impact	None at this stage.
Crime and Disorder	None at this stage.
Children and Adults Safeguarding	None at this stage.
Environmental Impact	None at this stage.

Risk Management

Risk	Consequence	Controls Required
Include operational, financial, compliance, security, legal, political or reputational risks to the council	Not applicable.	

Other Options Considered

10. There have been no other options considered for this report, as it is a factual report based on the outcome of committee meetings that have already taken place.

Reasons for the decision/recommendation

11. This report will allow cabinet to be informed of the recommendations from the scrutiny committee meeting held on 27 May and 24 June 2021.

Tracking Information

Background papers: none

Appendices:

none

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Committee Name: Cabinet

Committee Date: 07/07/2021

Report Title: The award of a contract for retrofit external insulation

Portfolio:	Portfolio holder for safe and sustainable city environment
Report from:	Executive director of community services
Wards:	University ward
OPEN PUBLIC ITEM	

Purpose

- To consider delegating authority to award a contract for green homes grant – retrofit external insulation

Recommendation:

- To delegate approval to the Executive director of community services in consultation with the leader of the council to award the contract for green homes grant – retrofit external insulation at an estimated value of £500,000. The final award value will be within existing allocated budget.

Policy Framework

The Council has three corporate priorities, which are:

- People living well
- Great neighbourhoods, housing and environment
- Inclusive economy

This report meets the Great neighbourhoods, housing and environment corporate priority

This report addresses 'Improve the quality and safety of private sector housing' strategic action in the Corporate Plan

This report helps to meet housing, regeneration and development objective of

Report Details

- 1.01 As part of the government funded Green Homes Grant scheme we have been awarded funding to improve 50 private sector homes in Norwich by installing external wall insulation.
- 1.02 This will be on ex-social housing which we have identified as being low energy efficiency and residents are likely to be low income. This work is required as part of our grant delivery.
- 1.03 These works will lead to significant carbon and utility bill savings for these properties but must be completed by 30 September 2021.
- 1.04 In order to complete these works, we need to contract an installer to provide them.
- 1.05 A number of different frameworks were identified to provide these works however they were not able to identify suppliers with enough capacity to deliver these works within the funding deadlines.
- 1.06 We have received quotes to deliver this work to recommended standards and with high enough capacity to complete these.
- 1.07 These quotes will be assessed to ensure value for money and good quality works for our residents.
- 1.08 All companies will conform to the standards of the Green Homes Grant scheme.
- 1.09 Approval to delegate the award is sought as the cabinet timetable does not allow for a report be brought to cabinet identifying the winning supplier and the works to be delivered in the timeframe required. Therefore, cabinet is requested to delegate the decision to the Executive director of community services in consultation with the leader of the council
- 1.10 The decision to award the contract will be published as a Key Decision and therefore members will have the opportunity to review this decision.

Consultation

- Portfolio holders are aware of the project and the need for it to be commenced within the timescales set out in this report.

Implications

Financial and Resources

Any decision to reduce or increase resources or alternatively increase income must be made within the context of the council's stated priorities, as set out in its Corporate Plan 2019-22 and Budget.

- There are no proposals in this report that would reduce or increase resources – all works are externally funded by the BEIS Green Homes Grant awarded to the council in January 2021

Legal

- We do not foresee any legal complications from this
- The grant has previously been assessed and approved by our legal team

Statutory Considerations

Consideration:	Details of any implications and proposed measures to address:
Equality and Diversity	N/A
Health, Social and Economic Impact	N/A
Crime and Disorder	N/A
Children and Adults Safeguarding	N/A
Environmental Impact	This work will improve the fabric of some of the worst performing homes in Norwich, considerably reducing carbon emissions from them.

Risk Management

Risk	Consequence	Controls Required
Issues with installation impacting residents	Reputational blow to council Possible remedial works required	All installers will be Trustmark registered Regular inspections by council staff will take place Proposed risk is therefore low
Works not installed by scheme deadline	Loss of reputation to council	Approved contract will allow works to take place

Other Options Considered

Do nothing: The funding has been applied for and approved, if we do not complete the works then it will be lost and the low income homes will not benefit from the savings from having solar panels installed. This option is not recommended.

In house provision: Norwich City Council does not have any existing in-house provision for this work. This option is not recommended.

Joint venture provision: The service cannot currently be provided by any of the Councils current joint ventures or partnerships. This option is not recommended

Reasons for the decision/recommendation

1. This approach is recommended so that works can be completed on schedule, in line with the requirements of the grant

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Committee Name: Cabinet

Committee Date: 07/07/2021

Report Title: The award of a contract for Structural and civil engineering consultancy services

Portfolio:	Councillor Gail Harris, Portfolio holder for social housing
Report from:	Executive director of community services
Wards:	All Wards
OPEN PUBLIC ITEM	

Purpose

To consider delegating authority to award a contract for structural and civil engineering consultancy services.

Recommendation:

It is recommended to delegate approval to the Executive Director for Community Services in consultation with the Portfolio Holder for Social Housing to award the contract for structural and civil engineering consultancy services at an estimated value of £800,000 (£200,000 per annum). The final award value will be within the existing allocated budget.

Policy Framework

The Council has three corporate priorities, which are:

- People living well
- Great neighbourhoods, housing and environment
- Inclusive economy

This report meets the Great neighbourhoods, housing, environment corporate priority

This report addresses the 'good quality housing' strategic action in the Corporate Plan

This report helps to meet people living well adopted policy of the Council

This report helps to meet Housing, regeneration and development objective of the COVID-19 Recovery Plan

[View the Corporate Plan 2019-22](#)

[View the COVID-19 Recovery Plan](#)

Report Details

Identification of need and background

1. NPS Norwich Ltd manage the maintenance and repair of the authority's social housing property portfolio. This is comprised of approximately 18,500 (including approximately 3,000 leasehold properties) conventional low- and high-rise properties with reinforced concrete stairways, walkways and landings, system-built properties, concrete framed high rise flats, timber framed dwellings and other properties of miscellaneous types of construction.
2. In order to maintain the property stock in good condition it is necessary to develop an ongoing programme of property assessments, repairs and maintenance as appropriate. This forms the planned works stream and it will be the responsibility of the successful supplier to work closely with NPS Norwich Ltd to identify and deliver. The consultants prepare reports containing recommendations for necessary works and provide justification for the works via specialist reports. Work is then procured and in some instances the consultants also provide a clerk of works or supervisory role when works are in progress. Overall responsibility for project delivery is with NPS Norwich Ltd.
3. In order to maintain the property stock in good condition it is also necessary at times to be prepared to respond quickly and effectively to urgent situations where properties have been subject to flooding, structural failure, subsidence, fire, damage as a result of severe weather and the effects of poor ground conditions (e.g.: solution features, chalk workings etc). This forms the responsive work stream and it will be the responsibility of the successful supplier to work closely with NPS Norwich Ltd to identify and deliver this.
4. The current contract expires on 31 July 2021 and as this cannot be extended, we shall be out of contract for a period of approximately one month. During this period and in accordance with the council's contract procedures, the Business relationship and procurement manager has confirmed the request for services during this period can be dealt with by the incumbent supplier via an Exemption Request, providing the value does not exceed £50,000. This exemption has been approved.
5. The new contract is proposed to commence on 01 September 2021 contract period for four years, consisting of an initial two-year term with

the option to extend for a further two years depending on performance and budget.

6. NPS Norwich have requested and received approval from the Executive director of community services and the Portfolio holder for social housing that the award of this contract be taken to Cabinet on 7 July 2021 as delegated authority.
7. We anticipate, subject to delegated authority approval and the subsequent call-in period that the award of the contract will be made by the end of July ready for the new contract commencement date of 01 September 2021.

Procurement Process

8. An open tender opportunity was advertised on the Council's E procurement portal (In-Tend) and contracts finder on 09 June 2021. The closing date for tender returns is Wednesday 07 July 2021 with evaluation due to take place from the following day.
9. The winning supplier will be that which shows best value for money and meets the quality criteria specified in the tender. The evaluation has been weighted 70% price and 30% quality.
10. The winning supplier should be known by Friday 16 July 2021.
11. The winning supplier will be required to confirm they can deliver the scheme during the required project timescale.
12. It is anticipated that the contract will start on 01 September 2021 for the initial two year period.

Approval to award

13. Approval to delegate the award is sought as the procurement timetable does not allow for a report to be brought to Cabinet identifying the winning supplier in the time frame allowed. Therefore, Cabinet is requested to delegate the decision to the Executive director of community services in consultation with the Deputy Leader and Cabinet member for social housing.

Consultation

14. No consultation process is required.

Implications

Financial and Resources

15. The cost of the work is expected to amount to £200,000 per annum. Once the value of the purchase order has been spent, another purchase order will be raised for the same value. Therefore, over a four year

period, the anticipated spend will be £800,000.

16. The service will be funded from the 2021/22 Housing Revenue Account structural repairs budget which was approved at Cabinet and Full Council in February 2021.
17. The budgets required to service the contract in future years will be confirmed by NPS through the annual setting process each February through Cabinet and Full Council.
18. Any decision to reduce or increase resources or alternatively increase income must be made within the context of the council's stated priorities, as set out in its Corporate Plan 2019-22 and Budget.
19. There are no proposals in this report that would reduce or increase resources

Legal

20. The contract will require and ACE Agreement No1 (2009) and ACE Schedule of Services part G (D) 2017 type of contract and will incorporate the Council's standard terms and condition.

Statutory Considerations

Consideration:	Details of any implications and proposed measures to address:
Equality and Diversity	Council's Standard policy included as part of tender package.
Health, Social and Economic Impact	
Crime and Disorder	
Children and Adults Safeguarding	Council's Safeguarding Policy statement. Included as part of tender package
Environmental Impact	Supplier will be required to consider design proposals which have an environmental benefit

Risk Management

Risk	Consequence	Controls Required
Failure to have a suitable contract in place and suitable level of annual budget allocated will expose the Council to the risk of failing to	Inability to manage, make safe and repair housing stock in a effective and timely manner. This	High level of risk if request to delegate award is not approved at Cabinet.

have a process in place to effectively manage structural defects and exceptional incidents e.g.: fire, flood, lightning etc) in its housing portfolio.	has the potential to present health and safety risks to tenants, residents, and the general public.	
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Other Options Considered

21. Do nothing: If the service is not carried out the implications are that a property could fall into further disrepair resulting in health and safety issues, decants of residents, loss of revenue income and depreciation of market value. There are also tenant's safeguarding and mental health related concerns. In addition to this we would receive increased tenant and councillor enquiries, complaints and possible press enquiries which would have a negative impact on the council.
22. In house provision: Norwich City Council does not have any existing in-house resources or skills to carry out these services.
23. Joint venture provision: the service cannot be provided by any of the council's current joint ventures or partnerships at this current time.
24. Identify a single supplier to award the contract to without competition: This route would be contrary to Contract Procedures as the value is estimated to be £800,000.
25. Utilise an existing framework: Frameworks were explored but as these are highly specific works a framework does not exist for this particular service.
26. Establish competitively tendered contract with one supplier: Run a competitive procurement exercise looking for a single supplier to meet the council's requirements. Following this route will ensure the opportunity will be made available to the competitive market, promoting value for money, yet reaching SMEs and local suppliers and is likely to achieve a better value for money outcome. Timescales allow for the requirement to be fulfilled by this method.

Reasons for the decision/recommendation

27. To ensure continuity of service provision between the end of the existing contract and the award of the new contract to the winning supplier.

Background papers: none

Appendices:

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Committee Name: Cabinet

Committee Date: 07/07/2021

Report Title: The award of a contract for the development of former Kings Arms Public House site at 100 Mile Cross Road

Portfolio:	Deputy leader and social housing
Report from:	Executive director of development and city services
Wards:	Mile Cross
OPEN PUBLIC ITEM	

Purpose

To award a contract for the development of the former Kings Arms Public House site at 100 Mile Cross Road.

Recommendation:

To award the contract for the for the development of the former Kings Arms public House site at 100 Mile Cross Road and agree the final contract sum, subject to a maximum of the figures in the exempt appendix to follow.

Policy Framework

The Council has three corporate priorities, which are:

- People living well
- Great neighbourhoods, housing and environment
- Inclusive economy

This report meets the *Great neighbourhoods, housing and environment corporate priority*

This report addresses *Great neighbourhoods, housing and environment* strategic action in the Corporate Plan

This report helps to meet the *Build and maintain a range of good quality affordable and social housing* adopted policy of the Council

This report helps to meet *Housing, regeneration and development* priority of the

Report Details

Background

1. The Former Kings Arms site at 100 Mile Cross Road has lain derelict and has been the focus of anti-social behaviour and fly tipping for a number of years. Following Cabinet approval in March 2020, a Compulsory Purchase Order (CPO) was sought, the legal process continued throughout 2020. In parallel with this, design work was undertaken with the objective of securing planning consent. Title for the site was vested with the council in December 2020, planning consent for 5 houses for the HRA was also granted in December 2020.
2. The housing design includes a “fabric first” approach to reducing energy use, and to ensure properties will be compliant with emerging standards for low-carbon heating and hot water. Properties are also designed to exceed national space standards and to be compliant with standards such as *Building for Life* and *Secured by Design*.
3. The council was also successful in acquiring the neighbouring property at 42 Glenmore Gardens, a former council home, sold under right to buy. The incorporation of part of the garden of this property will provide for a much better access and development of the former Kings Arms pub site. The dwelling and remaining garden will be retained as part of the council's stock.
4. In January 2021 work commenced on procurement of a project manager and development agent to lead the construction phase. In March 2021 Broadland Housing Association were appointed to the role and commenced work on preparation of the construction tender specification.

Procurement Process

5. The procurement exercise has been undertaken by the procurement team and Broadland Housing Association who are working on behalf of the council, to find a single supplier as a further competition under the Norfolk County Council Framework Reference NCCT41795 Major Construction Works, Lot 1.
6. The opportunity was advertised on the city council's e-tendering portal In-Tend on 28 April 2021 with a tender return date of 01 June 2021.
7. The tenders will be evaluated with a maximum of 70% of the available marks awarded for price and 30% of the marks awarded for quality criteria.
8. The tender evaluation is being led by Broadland Housing Association and their appointed subcontractor who are acting on behalf of council, and supported by the council's Growth & Development Coordinator and Chaplin Farrant Architects. Broadland Housing Association's sub-contractor are undertaking a commercial review of the tender returns and will issue tender tracking schedules to the contractors to ensure qualifications/clarifications are assessed as required.

9. The tender evaluation process will be complete before cabinet on 07 July and the winning supplier will be advised at the meeting by way of an exempt addendum. The item will be required to be exempt as the initial notification to award process to the successful supplier (subject to approval) will be within the 10-day standstill period. The contract will be awarded subject to consideration of the final contract sum as per the recommendation.

10. On the basis of the tenders received, we anticipate, subject to cabinet approval, to issue the official award after the call-in period in order to start on site in late August.

Consultation

11. Previous consultation took place as part of the Planning and CPO phases of the project. Consultation was not relevant to procurement of a construction contractor.

Implications

Financial and Resources

12. The financial implications are covered in the exempt appendix to this report.

Legal

13. The contract will be subject to standard JCT terms and conditions.

Statutory Considerations

Consideration:	Details of any implications and proposed measures to address:
Equality and Diversity	Neutral impact
Health, Social and Economic Impact	Positive impact – provision of high-quality affordable dwellings, one of which is a bungalow with a specification suitable for tenants with limited mobility
Crime and Disorder	Positive - Development of the former Kings Arms pub site removes a problem site and a focus of anti-social behaviour and fly tipping
Children and Adults Safeguarding	Neutral impact
Environmental Impact	Positive – delivery of 5 homes designed to high environmental (fabric first) standards, with no requirement for fossil fuel heating. Houses are in a sustainable location close to cycle and bus links.

Risk Management

Risk	Consequence	Controls Required
Risk that the supplier could fail during the life of the contract (L)	The works would not be completed and would not be completed to the timeline.	Under the framework employed, contractor accounts were audited and checks carried out. In addition, the council can undertake a <i>Dunn and Bradstreet</i> financial analysis upon appointment
Risk of cost inflation during the construction process (M-H)	Cost uncertainty and increased build costs could undermine project viability	Contract to be let as Design & Build JCT type at an agreed price.
Risk of poor quality construction / subcontracting (L)	Poor quality finishes to interior / exterior of properties	Plot passports created, specifying key design details
Risk of poor general construction quality (L)	Construction defects	Performance bond subject to retention by client if required
Programme delay (L)	Delayed delivery of housing to the client	Liquidated damages (including loss of NCC rent) to be included in the contract.
Neighbour disturbance (M)	Disruption due to construction, deliveries, closure of footpath (Glenmore Gardens-Mile Cross Rd)	Site management plan details substantial measures to limit disturbance. During the period when footpath closure is required, a diversion will be in place.
Piling works required on site due to ground conditions (L)	Risk that future defects in neighbouring properties could be blamed on construction on Kings Arms site	A condition survey of neighbouring properties will be undertaken prior to construction
Project management resource	The council has insufficient resource to cover project management / employer's agent activity.	Broadland Housing Association were appointed to fulfil PM/EA role.

Other Options Considered

14. Do nothing: If the work is not carried out the site will remain undeveloped and subject to anti-social behaviour, and housing will not be delivered.
15. In house provision: Norwich City Council does not have any existing in-house provision for this work.
16. Joint venture provision: The service cannot currently be provided by any of the Councils current joint ventures or partnerships.
17. Identify a single supplier to award the contract to without competition: This route would be contrary to Contract Procedures as the value is circa £1.2m.
18. Establish competitively tendered contract with one supplier: Timescales did allow for the requirement to be fulfilled as a competitive procurement exercise advertised as an 'open' procedure to look for a single supplier to meet the council's requirements. However, as the Norfolk County Council Framework Reference NCCT41795 Major Construction Works, Lot 1 was already in existence, a further competition exercise was carried out between the seven suppliers under the framework which still promoted value for money.
19. Discussion took place in late 2020 as to the appropriate form of contract to employ in tendering construction. A traditional contract (in which Construction / Design / Management responsibilities remain with the principal designer) was considered. A traditional contract of this type involves the client bearing increased cost and design risk, albeit at a lower contract price.

Reasons for the decision/recommendation

20. Cabinet publicly committed to the CPO and subsequent development of the site in 2020, non-development of the site was not therefore a realistic option. In late 2020 the Housing Commissioning Board in consultation with the council's Section 151 officer expressed a preference for Design and Build. This will result in a modest increase in construction costs since under this scenario suppliers take responsibility for the design, and price in additional risk accordingly. During 2021, the availability and cost of materials (due to both Brexit and the ongoing Covid situation) do appear to indicate higher costs than in estimates made 12-18 months ago. Against this uncertain background, a Design & Build contract gives the council increased confidence in project costs

Background papers:

None

Appendices:

Exempt appendix to follow.

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Committee Name: Cabinet

Committee Date: 07/07/2021

Report Title: The award of contract for specialist ground improvement and associated structural work

Portfolio:	Councillor Gail Harris, Portfolio holder for social housing
Report from:	Executive director of community services
Wards:	All Wards
OPEN PUBLIC ITEM	

Purpose

To consider awarding a contract for specialist ground improvement and associated structural work

Recommendation:

To award the contract for specialist ground improvement and associated structural work at an estimated value of £2,000,000 over four years (£500,000 per annum). The final award value will be within the existing allocated budget.

Policy Framework

The Council has three corporate priorities, which are:

- People living well
- Great neighbourhoods, housing and environment
- Inclusive economy

This report meets the Great neighborhood's, housing, environment corporate priority

This report addresses the 'good quality housing' strategic action in the Corporate Plan

This report helps to meet people living well adopted policy of the Council

This report helps to meet the Housing, Regeneration and Development objective of the COVID-19 Recovery Plan

[View the Corporate Plan 2019-22](#)

[View the COVID-19 Recovery Plan](#)

Report Details

Identification of need and background

1. This contract is to appoint a contractor to deliver structural repairs that arise unexpectedly like subsidence, flood, fire, sink holes etc, in order to maintain the property stock in good condition and to protect its residents from potential health and safety issues. It is therefore necessary to be prepared to respond quickly and effectively to urgent situations where properties have been subject to flooding, structural failure, subsidence, fire, damage as a result of severe weather and the effects of poor ground conditions (eg: solution features, chalk workings etc). This forms the responsive work stream and it will be the responsibility of the successful supplier to work closely with NPS Norwich Ltd to identify and deliver this.
2. Ground stabilisation, structural and associated cosmetic repair works are required to a range of structural defects including foundations, sunken ground slabs, lack of restraints to floors and roofs, under strength roof structures, inadequate wall ties, defective concrete elements, and under strength suspended floor structures.
3. The work is responsive and specialist in nature, therefore works will be advised to the successful supplier on an adhoc basis, as and when required over the contract period. However, the council has a list of addresses which require work now and these will be issued upon award of contract.
4. The contract period is for up to four years, consisting of an initial two-year term with the option to extend for a further two years, depending on performance and budget
5. Potential suppliers were advised that the level of funding is not guaranteed for 4 years as the Council cannot foresee the number of responsive referrals that will be received. Any expenditure in years 2022/2023; 2023/2024 and 2024/2025 is subject to annual budget approval.

Procurement Process

6. The procurement exercise has been undertaken in accordance with Norwich City Council's contract procedures. It has been conducted fairly, transparently, in an open and regularised way that conforms to relevant legal requirements.

7. An open tender opportunity was advertised on the council's e-procurement portal and contracts finder on 15 April 2021 and the tender return date was 28 May 2021.
8. The tenders are being evaluated with a maximum of 40% of the available marks awarded for price and 60% of the marks awarded for quality criteria.
9. The tender evaluation process is currently underway and will be completed before cabinet on 07 July. Cabinet will be advised of the outcome of the tender process by way of an exempt addendum at the meeting of the 07 July. The item will be required to be exempt as the initial notification to award process to the successful supplier (subject to approval) will be within the 10-day standstill period.
10. On the basis of the tenders received, we anticipate, subject to cabinet approval, to issue the official award after the call-in period in order for the contract to start 01 September 2021.

Consultation

11. No consultation process is required.

Implications

Financial and Resources

12. The cost of the work is expected to amount to £500,000 per annum. Once the value of the purchase order has been spent, another purchase order will be raised for the same value. Therefore, over a four-year period, the anticipated spend will be £2,000,000.
13. The works will be funded from both the capital and revenue budgets which were approved by Cabinet and Council in February 2021. Capital costs for works associated with maintaining the structural integrity of a property will be from the structural upgrade budget within the HRA capital programme whilst revenue costs resulting from minor repairs which do not maintain or add value to our asset (such as sink holes in gardens or minor structural remedial works to boundary walls etc.) will be funded from the HRA revenue structural repairs budget.
14. Any decision to reduce or increase resources or alternatively increase income must be made within the context of the council's stated priorities, as set out in its Corporate Plan 2019-22 and Budget.
15. There are no proposals in this report that would reduce or increase resources.

Legal

16. The contract will be subject to a JCT intermediate contract 2016 and CDM Regulations 2015 together with the Terms and Conditions for data controller to data processor contracts of Norwich City Council.

Statutory Considerations

Consideration:	Details of any implications and proposed measures to address:
Equality and Diversity	Council's Standard policy included as part of tender package.
Health, Social and Economic Impact	
Crime and Disorder	
Children and Adults Safeguarding	Council's Safeguarding Policy statement. Included as part of tender package
Environmental Impact	Supplier will be required to consider design proposals which have an environmental benefit

Risk Management

Risk	Consequence	Controls Required
Failure to have a suitable contract in place and suitable level of annual budget allocated will expose the Council to the risks associated with not having an effective process to manage unforeseen structural defects and incidents such as fire, flood, lightning etc in it's housing portfolio.	Inability to manage, make safe and repair housing stock in an effective and timely manner. This has the potential to present health and safety risks to tenants, residents and the general public.	High level of risk if request to delegate award is not approved at Cabinet.

Other Options Considered

17. Do nothing: If not resolved the implications are that a property could fall into further disrepair resulting in health and safety issues, decants of residents, loss of revenue income and depreciation of market value. There are also tenant's safeguarding and mental health related concerns. In addition to this we would receive increased tenant and councillor enquiries, complaints and possible press enquiries which would have a negative impact on the council.

18. In house provision: Norwich City Council does not have any existing in-house resources.
19. Joint venture provision: the service cannot be provided by any of the Councils current joint ventures or partnerships at this current time.
20. Identify a single supplier to award the contract to without competition: This route would be contrary to Contract Procedures as the value is potentially £2m over the four years.
21. Utilise an existing framework: These are highly specific works and knowledge of the market suggests that there are limited local suppliers who are not represented on existing frameworks.
22. Establish competitively tendered contract with one supplier: Run a competitive procurement exercise looking for a single supplier to meet the council's requirements. Following this route has ensured the opportunity was made available to the competitive market, promoting value for money, yet reaching SMEs and local suppliers and is likely to achieve a better value for money outcome. Timescales allowed for the requirement to be fulfilled by this method.

Reasons for the decision/recommendation

23. To ensure timely establishment of a contract enabling the delivery, by a single supplier, of all types of specialist structural repairs.

Background papers:

Recommendation to award a contract report. Project NRW/HCS/10087/P
Author: Sara Crowley, Contracts Officer Date: June 2021

Appendices: An exempt appendix will be brought to cabinet on 07 July 2021.

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