Cabinet

Members of the Cabinet

Mr J Fuller  Leader, External Affairs
Chairman

Mr M Wilby  Deputy Leader, Communities and Localism
Vice-Chairman

Portfolio Holders

Mrs Y Bendle  Housing and Public Health

Mr D Bills  Innovation and Efficiency

Mr K Kiddie  Environment and Regulation

Mr G Wheatley  Finance and Resources

Agenda

Date
Tuesday 7 May 2013

Time
9.00 am

Place
Cavell and Colman Rooms
South Norfolk House
Swan Lane
Long Stratton Norwich
NR15 2XE

Contact
Claire White  tel (01508) 533669
South Norfolk District Council
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NR15 2XE

Email: democracy@s-norfolk.gov.uk
Website: www.south-norfolk.gov.uk

If you have any special requirements in order to attend this meeting, please let us know in advance
Large print version can be made available
1. To report apologies for absence;

2. Any items of business which the Chairman decides should be considered as matters of urgency pursuant to Section 100 B (4) (b) of the Local Government Act, 1972; [Urgent business may only be taken if, "by reason of special circumstances" (which will be recorded in the minutes), the Chairman of the meeting is of the opinion that the item should be considered as a matter of urgency.]

3. To receive Declarations of Interest from Members;  
(Please see guidance form and flow chart attached - page 5)

4. Minutes of the meeting held on Monday 25 March 2013;  
(attached – page 7)

5. Consideration of Examiner’s Report and Recommendations to the CIL Charging Schedule for South Norfolk;  
(report to follow)

6. Public Consultation on Supplement to Area Action Plan;  
(report to follow)

7. Food Hub –Supplementary Planning Document;  
(report to follow)

8. Memorandum of Understanding with Broads Authority to formalise the treatment of housing and employment needs and delivery in and around the Broads;  
(report attached – page 16)

This report recommends the agreement of the attached Memorandum of Understanding as evidence of the Duty to Co-operate between South Norfolk Council and the Broads Authority. The Broads Authority Executive Area overlaps with several District Authorities in Norfolk and Suffolk. As the Broads Authority does not have housing or employment targets but has a planning function, there is an established protocol for planning practice which they have now formalised in a Memorandum of Understanding (MoU, at Appendix 1). This report also recommends delegated authority to the Director of Growth and Localism, with the approval of the relevant portfolio holder, to sign, update or amend the agreement as future needs arise.
9. **Proposed New Structure for the Management of South Norfolk Council Funding Schemes;**

The purpose of this paper is to present the conclusions of the review of the Grants function findings for Cabinet to consider.

The report sets out:

- General background and findings from the review;
- Proposed management for each of the key grants and corresponding benefits;
- Recommendations

10. **Development Management Pre-Application Strategy**

The drafting of a Development Management Pre-application Strategy has, following a recent Peer Review Challenge, been reviewed and will be brought forward to members in the near future in the form of a wider strategy for development management in South Norfolk.

Tim Horspole
Director of Growth and Localism

11. **Business Case for Purchase of Integrated HR and Payroll System;**

The report presenting the business case for a replacement HR/Payroll system has been deferred to allow sufficient time to undertake a thorough options appraisal. The report is now scheduled to be considered at the June/July meeting of the Cabinet.

Jackie Foglietta
HR and OD Manager

12. **Purchase of Land**

The report has been postponed as insufficient progress has been made. When further progress on the acquisition has occurred an update will be reported.

Renata Garfoot
Head of Asset Management

13. **Cabinet Core Agenda**

(attached – page 33)
14. **Exclusion of the Public and Press;**

To exclude the public and the press from the meeting under Section 100A of the Local Government Act 1972 for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 1 and 3 of Part 1 of Schedule 12A to the Act (as amended)

15. **Procurement of Waste Collection Vehicles;** (report attached – page 35)
   (NOT FOR PUBLICATION by virtue of Paragraph 3 of Schedule 12A of the Local Government Act 1972)

   **Purpose** – to seek agreement to purchase waste collection vehicles
   **Summary** – Approval is sort for the letting of a contract to supply refuse vehicles following completion of an EU procurement law compliant procurement to purchase vehicles as part of a rolling programme of replacement.

16. **Review of Persistent Complainant Status;** (report attached – page 39)
   (NOT FOR PUBLICATION by virtue of Paragraph 1 of Schedule 12A of the Local Government Act 1972)

   Wherever possible, the Council seeks to engage with residents and members of the public regarding concerns that they have on the Council’s operations. Cabinet agreed in 2006 and 2008 that due to persistent complaints being made special measures be introduced in respect of two persistent complainants. These special measures remain in force.

   It is now some time since the previous resolutions, which has resulted in the parties requesting review of the special measures employed. This report sets out the background and present situation, requesting Cabinet to consider how the individuals should be dealt with in future.
CABINET

Minutes of a meeting of the Cabinet of South Norfolk District Council held at South Norfolk House, Long Stratton on Monday 25 March 2013 at 9.00 a.m.

Members Present:

Cabinet: Councillors  J Fuller (Chairman)
Y Bendle, D Bills, K Kiddie, G Wheatley
and M Wilby (for part of the meeting)

Non-Appointed: Councillors  P Allen, T Blowfield, M Edney, C Foulger, M Gray,
N Legg, T Lewis, L Neal and R Savage

Also in Attendance: Mr R Earl – Chairman of Broome Parish Council
Mr T Robson – Politics Student
4 members of the public

Officers in Attendance: The Chief Executive (S Dinneen), the Deputy Chief Executive
(A Radford), the Director of Environment and Housing (A Jarvis), the
Director of Growth and Localism (T Horspole), the Head of Asset
Management (R Garfoot), the Head of Finance (D Lorimer), the
Conservation, Design and Landscape Manager (D Edelston), the
Planning Policy Manager (A Nicholls), the Senior Planning Officer (S
Marjoram) and the Conservation Officer (P Whitehead)

2168  CHAIRMAN’S ANNOUNCEMENTS

The Chairman announced that representations had been made with regard to item 5, the Site Specifics Allocations and Policies Document (Local Plan), late on Friday,
relating to the proposals at Trowse and the position regarding objections received
from Norfolk County Council’s Children’s Services. Officers were currently
attempting to contact relevant officers at Norfolk County Council and the land
owners concerned to ascertain the current position. He therefore proposed that this
item was not considered until after 11am and he apologised for any inconvenience
this might cause members of the public in attendance.

It was noted that Cllr D Blake was currently in hospital having recently undergone
surgery. Members joined the Chairman in wishing him a speedy recovery.
The Chairman welcomed Theo Robson, a politics student from the Notre Dame High School, to the meeting.

2169 DECLARATIONS OF INTEREST

The following members declared interests in the matters listed below:

<table>
<thead>
<tr>
<th>Member</th>
<th>Minute No.</th>
<th>Nature of Interest</th>
</tr>
</thead>
<tbody>
<tr>
<td>*Cllr J Fuller</td>
<td>2176</td>
<td>‘Pecuniary Interest’ as Director of Sentury Ltd, which currently farms land at Broome Heath at sites 440b and 440c</td>
</tr>
<tr>
<td>Cllr T Lewis</td>
<td>2176</td>
<td>‘Other Interest’ as resident of Trowse.</td>
</tr>
</tbody>
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* Cllr Fuller took no part in the debate regarding sites at Broome and Cllr G Wheatley took the Chair for this part of discussions

2170 MINUTES

The minutes of the meeting held 4 February 2013 were agreed as a correct record and signed by the Chairman.

2171 LONG STRATTON AREA ACTION PLAN (AAP)
PREFERRED OPTIONS – REGULATION 18, PUBLIC CONSULTATION

The Subject of the Decision

Members considered the report of the Director of Growth and Localism, which presented Cabinet with the full Long Stratton Area Action Plan Preferred Options Document and Interim Sustainability Report, as a basis for a consultation, to commence in May 2013.

The Chairman referred to the rise in traffic volumes through Long Stratton and the associated environmental impacts and safety concerns. He felt that the proposals provided an excellent opportunity for Long Stratton to expand in a sustainable manner, improving quality of life, providing job opportunities, whilst delivering the much needed bypass.

The Director of Growth and Localism drew attention to the identification of a bypass corridor, which was based on the previously approved Norfolk County Council route to the east of the village, with a number of changes which would allow more development to be accommodated between the village and the bypass. In response to queries, he explained that the proposed bypass did not extend in to Hempnall; this would add considerable expense to the proposal and would require further negotiations with different land owners. Cllr M Gray had noted that reference was made in the consultation Area Action Plan document to the requirement of a roundabout at the Hempnall crossroads (Chapter 5, Housing and Delivering a Bypass). Cllr Gray requested that the roundabout was explicitly referred to, where relevant, throughout the document, and was not simply referred to as “improvements”. Officers agreed to make the required amendments.
The Senior Planning Officer outlined the two potential options on which the consultation was based. Option 1 proposed 1800 new homes in one location, on land to the east. Option 2 proposed 1200 new homes to the east of the village with a further 600 to the North West. Members noted that there were advantages and disadvantages to both options. There was a benefit to all the allocations being placed in the one location, providing an clear link to the proposed bypass. The alternative option which would include a combination of sites would provide the additional benefit of a direct link road between the A140 and Swan Lane and would create more choice and competition, in accordance with the NPPF, potentially leading to better value for residents. The Senior Planning Officer explained that if the housing allocations were split, then so too would the proposed employment areas. Both options proposed an extension to Tharston Industrial Estate, involving the relocation of Stratton Motor Company, which in turn would allow for a new access on to the bypass from the east.

The Chairman referred to the additional option for 1800 units to the east of the village, plus an additional 600 units to the north-west, referred to in the Area Action Plan. The Senior Planning Officer assured members that he had examined this alternative and was satisfied that this was not a reasonable alternative to Options 1 or 2, at this stage.

Cllr T Blowfield, local member for Long Stratton thanked officers for their work and was pleased to report that both he and the other local member for Stratton, Cllr A Pond, had been fully briefed throughout the process. He broadly welcomed both options proposed and he looked forward to the consultation process.

The Senior Planning Officer explained that all local parish councils would be fully briefed, and officers would be available to attend parish council meetings if necessary. The consultation would commence some time in May, the exact date to be confirmed.

The Decision

RESOLVED:

1. To approve the Preferred Options consultation document, subject to minor amendment and that officers proceed with the public consultation of at least eight weeks, commencing May 2013;
2. To delegate authority to the Director of Growth and Localism to make necessary minor changes to the document prior to publication for consultation.

The Reasons for the Decision

To ensure planned and co-ordinated future development in Long Stratton, allowing residents to be involved in shaping communities.

Other Options Considered

None
2172 LONG STRATTON CONSERVATION AREA CHARACTER APPRAISAL AND MANAGEMENT PLAN

The subject of the decision

Members considered the report of the Conservation Officer, which sought approval for the revision of the Long Stratton Conservation Area Character Appraisal and Management Plan.

Cllr K Kiddie commended the report to Cabinet, explaining the importance of both the Conservation Area Character Appraisal and Management Plan and the Long Stratton Area Action Plan, running in parallel.

Officers explained that the work had been undertaken in consultation with colleagues in Planning Policy and they drew attention to the proposed amendments and the revised conservation boundary.

The Chairman praised officers for a very comprehensive piece of work, and members supported the proposed amendments.

The Decision

RESOLVED:

1. To note the comments received from the consultation exercise and the associated officer responses at Appendix A of the report;

2. TO RECOMMEND TO COUNCIL the Long Stratton Conservation Area Character Appraisal and Management Plan, as amended.

The Reasons for the Decision

To provide a sound basis and analysis of the area to assist with development proposals.

Other Options Considered

None

2173 NON-DOMESTIC RATES – AUTHORISATION OF BAD DEBT WRITE-OFF

The subject of the decision

Members considered the report of the Head of Finance, which sought authorisation from Cabinet to write off an uncollectable non-domestic rate debt.

Cllr G Wheatley outlined the report to members, explaining the importance of the debt being written off before 1 April 13, allowing the lost income to be borne by the national non-domestic rate pool. Members noted that should the debt be written off
after 1 April 2013, under the business rates retention scheme, the Council would effectively bear 40% of the cost.

The Decision

RESOLVED: To approve the write-off of the bad debt, as detailed in the report.

The Reasons for the Decision

To ensure that the lost income can be recovered from the national non-domestic rate pool.

Other Options Considered

None

2174 ASSET MANAGEMENT PLAN 2013/16

The subject of the decision

Members considered the report of the Head of Asset Management, which presented Cabinet with an updated version of the Council’s Asset Management Plan.

Cllr G Wheatley referred to the updated Plan as a most comprehensive document and he briefly outlined its contents. Members noted a correction to the report at paragraph 2.2.3; the word “indemnify” to be replaced with “identify”.

The Chairman cited the document as an excellent example of the Council’s organised and professional approach to maintaining its assets. He was proud that the Council had achieved over a 6% return on its investment assets for the period April – December 2012.

Discussion followed with regard to the membership of the Asset Management Group. The Chairman explained that this Group consisted of officers and Cllr G Wheatley as the relevant portfolio holder and local members were invited to attend when necessary. The Chairman reminded members that the development of the Asset Management Plan had involved a joint informal meeting of both the Asset Management Plan Group and the Finance Resource Audit and Governance Committee and he felt this arrangement had worked well. He rejected suggestions that the status of the Asset Management Group required consideration.

The Decision

RESOLVED: To approve the draft Asset Management Plan, subject to minor amendment.

The Reasons for the Decision
To ensure an integrated, sustainable and risk based approach to asset management, seeking optimal use of assets.

Other Options Considered

- To continue with the existing plan

2175 CABINET CORE AGENDA

Members noted the latest version of the Cabinet Core Agenda

2176 SITE SPECIFIC ALLOCATIONS AND POLICIES DOCUMENT (LOCAL PLAN)
CONSULTATION ON PROPOSED AMENDMENTS TO PREFERRED OPTIONS

The subject of the decision

Members considered the report of the Director of Growth and Localism which presented Cabinet with the proposed significant amendments to the Site Specific Allocations and Policies Document Preferred Options. These changes had been proposed following the analysis of representations received during the consultation on the site specific allocations in autumn 2012, and other factual updates. Cabinet noted that these changes would be subject to a consultation period of eight weeks, to run from 27 March to 22 May 2013.

The Director of Growth and Localism stressed that each site put forward had been assessed in accordance with the assessment framework previously agreed by Cabinet. New evidence that had emerged since the site selection had in a number of cases changed the outcome of the assessment. The consultation period to be held from 27 March for 8 weeks would be the final opportunity for members of the public to influence the outcome of the options selected.

Members noted that as the process progressed, more weight could be placed upon the emerging sites and policies; however, full weight could not be applied to them until the document was adopted. The Council was currently about 800 homes short of that required for the 5-year land supply for the South Norfolk part of the Norwich Policy Area.

Members’ attention was then drawn to the changes to the proposed Plan and these were considered by members in turn.

Regarding the sites at Trowse, members noted the late representations from Norfolk Homes in response to the proposed deletion of the two allocated sites. These sites had been deleted following an objection from the Norfolk County Children’s Services regarding the provision of primary school education. The agents to Norfolk Homes had suggested that Norfolk County Council may have withdrawn their objection, as a new strategy for primary education was currently being considered in conjunction with a proposed development at the Deal Ground Site, in close proximity to Trowse, but within the Norwich City Council area. Officers had, that morning, been in communication with officers at Norfolk County
Council. As the County Council was not yet in a position to confirm any new proposals for primary education in the area, it was not inclined to withdraw its objections at this stage. Members agreed that the two sites should be deleted, noting that should the County’s objection be withdrawn during the consultation period, the sites could potentially be reallocated. Cllr T Lewis, local member for Trowse, agreed that this was the most appropriate way forward.

With regard to the allocations at Broome, members noted that site 822a had been deleted and that a new site allocation for 5 dwellings was proposed at Broome Heath (site 440b). The Planning Policy Manager explained that this site, along with 440c (also part of Broome Heath), had previously been subject to objection from the Norfolk Wildlife Trust (NWT), however the Trust had subsequently withdrawn its objections at site 440b and was satisfied that it could accommodate 5 dwellings, subject to certain safeguards.

Mr R Earl, Chairman of Broome Parish Council welcomed the new allocation at site 440b. The Parish Council did not believe that the objections from the NWT with regard to 440c were justified and would support development on this site.

Mr Earl did not support development at site 775, which he felt would have an adverse impact on the local landscape, and was too remote from local schools and shops. He also expressed concerns with regard to drainage and access to the site. Cllr P Allen supported Mr Earl’s concerns, explaining that the allocation would extend ribbon development in to a remote area, too far away from local amenities in neighbouring Ditchingham.

Officers informed Cabinet that there had been no objections from the Highways Authority with regard to the site at 775 and reminded members that it had satisfied the original site assessment criteria agreed by Cabinet. Whilst Cabinet had noted the concerns conveyed at the meeting, on balance, and with no other suitable alternative sites, it agreed that the site should not be deleted. With regard to Broome Heath, members agreed that currently there was not sufficient evidence to support development at site 440c, however should further evidence arise from the NWT during the 8 week consultation period, the site could be reassessed.

Turning to Little Melton, members noted that the allocation had been reduced from 50 to 20, following Highway Authority objections. Officers had received a request from consultants on behalf of Timewell Properties to defer any reduction in the allocation, pending the outcome of 3 current planning applications in Little Melton; however Cabinet agreed that there was no value to be had by deferring the process.

Members considered all other proposed amendments in turn, noting the reasons for change.

After officers had agreed to amend the headings in the consultation document to read “Amendments to sites in the Norwich Policy Area” and “Amendments to sites in the Rural Service villages”, it was

**The Decision**

**RESOLVED:** To approve the proposed amendments to the Preferred Options document, subject to minor changes, and that officers proceed
The Reasons for the Decision

To ensure the co-ordinated delivery of the Joint Core Strategy.

Other Options Considered

- Not to implement all of the proposed amendments
- To add site 440c

2177 EXCLUSION OF PUBLIC AND PRESS

It was proposed, seconded and

RESOLVED: that under Section 100A (4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 Schedule 12A of the Act (as amended).

2178 DISPOSAL OF LAND AT WYMONDHAM

The subject of the decision

Members considered the exempt report of the Head of Asset Management, which sought permission from Cabinet to dispose of land at Harts Farm, Wymondham.

The Head of Asset Management outlined the salient points of the report to members and drew attention to the implications and risks.

Cabinet agreed that the proposals of the report were the most appropriate way forward.

RESOLVED: To agree to the proposal as outlined in paragraph 3 of the report, subject to it being demonstrated that there is a need for, and ability to provide the extension(s) to local schools serving the Harts Farm development, in accordance with the S106 agreement.

The Reasons for the Decision

The current site is no longer suitable for current day requirements.

Other Options Considered
None

(The meeting concluded at 12.00 pm)

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Chairman
Consideration of the Examiner’s Report on the South Norfolk Community Infrastructure Levy Charging Schedule

Director of Growth & Localism

The Examiner’s report into the draft Community Infrastructure Levy Charging Schedule for South Norfolk (prepared by the Greater Norwich Development Partnership) modified the proposed charging schedule by reducing the residential rate by 35%.

Given the particular pattern of development proposals and their likely timescale of delivery, this presents South Norfolk Council with a complexity of decision of a different order to its partners. The decision over whether to adopt the revised charging schedule or not requires a more considered evaluation of the risks and clarification of a number of factors.

Whilst it is expedient to adopt CIL in principle, a number of factors requiring clarification and their associated risks are set out in this report for members’ consideration with a recommendation that, subject to a satisfactory clarification of outstanding matters and mitigation of the risks, the charging schedule as amended by the Examiner is adopted shortly after.

Cabinet member(s):
John Fuller, Keith Kiddie

Ward(s) affected:
All

Contact Officer, telephone number, and e-mail:
Tim Horspole, Extension 3806
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1. Background

1.1. The Government introduced the Community Infrastructure Levy (CIL) in April 2010 to enable charging authorities, including South Norfolk Council, to raise a levy on most development to contribute towards the costs of funding important infrastructure. After April 2014, the ability of Section 106 (planning gain) agreements to address wider infrastructure requirements will be reduced, principally restricting it to on-site mitigation. Therefore adoption of CIL becomes increasingly important if infrastructure that unlocks housing and commercial growth is to be delivered.
1.2. The Cabinet at its 5 September 2011 meeting (Min1981) authorised public consultation on a Preliminary Draft Charging Schedule over a six week period 3 October – 14 November 2011. Following this consultation the Council and its partner authorities in the Greater Norwich Development Partnership considered the representations received and a revised Draft Charging Schedule was produced, which proposed the substantially same level of charges in each local authority area. This Draft Charging Schedule was approved for a further four weeks consultation by full Council at its meeting of 23 January 2012 (Min 3106). Consultation commenced on the 6 February 2012 and concluded on the 5 March 2012.

1.3. In July 2012 the Council and its partner authorities in the Greater Norwich Development Partnership agreed to submit the CIL Draft Charging Schedule to the Examiner and this occurred on 10 August 2012. The Examination of the CIL Charging Schedule was undertaken on the 16-17 October 2012. The Examiner’s draft report was received on 4 December 2012, but owing to extensive fact checking and the fact that it was not initially legally compliant, it was not published until February 2012.

1.4. The outcome of the Examiner’s recommendation was to reduce the proposed residential charge by 35% in each of the proposed charging zones relating to two defined housing market areas, one closer to Norwich and the other further away. The proposed charges for commercial development and other uses were left unchanged.

1.5. The consequence of this reduction in the proposed residential charge is that there will be a material shortfall in the anticipated income to provide enabling infrastructure to support future development proposals over and above the shortfall that had already been assumed in the Councils’ initial proposals.

1.6. It is possible that some of this shortfall could be offset by new funding streams that were not contemplated at the time the charging schedule was produced, arising from the Greater Norwich City Deal or by gap-funding from the Growing Places Fund, administered by the LEP or other funding sources including prudential borrowing.

1.7. The Examiner commended the modified CIL Charging Schedule for adoption by the Council. This report recommends the adoption and introduction of the South Norfolk’s CIL Charging Schedule at a future date, subject to clarification of a number of outstanding issues and the mitigation of their associated risks, which will be reported to the Special Meeting of Council on 17 June 2013.

2. Current Position and Issues

2.1. The income to be derived upon the introduction of the CIL will benefit the development of the area and the wellbeing of its residents. Specifically it will help delivery of Joint Core Strategy objectives and projects, for example by enabling investment in parks and green spaces, schools, sustainable transport, new leisure and community facilities. Much of the infrastructure capable of support through CIL will assist provision of housing and employment growth.
2.2. Currently, most planning obligations are negotiated on a case by case basis, using S106 agreements. Many obligations, such as school pupil contributions, library services, travel plan contributions and green infrastructure are calculated on a unit tariff proposed by Norfolk County Council and paid directly to it. From 1 April 2014, new regulations take effect to remove the ability of councils to impose such obligations through S106, but to collect them through the Community Infrastructure Levy.

2.3. The Examiner’s Report (Appendix B) into the draft charging schedule was published in February 2012. He raised a number of issues and asserted that the evidence base for the level of charges proposed across the GNPD area was not strong enough. He accepted evidence put forward by certain developers that the rates proposed for residential development were too high and would pose a significant threat to the viability of housing development. He reduced the residential rates by around 35% and approved the draft subject to such modification.

2.4. The Council does not entirely agree with the Examiner’s reasoning or methodology and has questioned the weight given to some evidence over others. However it accepts that the Examiner has a wide-ranging discretion in law to substitute the Council’s proposals with an alternative schedule.

2.5. The Council is faced with three proposed courses of action.

2.5.1. [i] Adopt CIL as proposed by the Examiner.

2.5.2. [ii] Seek to strengthen the evidence base at the original level and submit it to a future examination, keeping S106 in the meantime

2.5.3. [iii] Vary what elements fall within CIL, that is to reclassify them as falling within S106 rather than CIL.

2.6. The Environment, Regulation and Growth Policy Sub-Committee, in reviewing these options, concluded as follows:

2.6.1. The reduced residential rate, relative to draft charging schedules of other authorities in the region and elsewhere in the country, does reflect variations in the national and regional housing market.

2.6.2. CIL Inspections in other parts of the country have resulted in lower rates than councils hoped for in rural areas. In urban areas higher rates have been sustained.

2.6.3. There was little scope for continuing with S106 in the medium to long term beyond April 2014/5.

2.6.4. There are risks associated with reclassifying certain developer elements under S106, rather than CIL. The extent of the legal impact of future use of S106 and Community Infrastructure Levy is so significant that Counsel’s opinion has been sought. At the
time of writing this report the advice had not been received, but is anticipated to be received before the meeting, so will be shared with the members of Cabinet.

2.6.5. If there is a material shortfall in the anticipated yield from CIL, then the infrastructure projects of partners in the GNDP may need to be re-prioritised and re-ordered both in terms of local projects within each Council area and those strategic elements that contribute to the whole JCS. Some previously identified projects may not be affordable.

2.6.6. South Norfolk Council is both a collection and a spending authority, it will be accountable for delivery of infrastructure in a timely fashion to promote and enable development.

2.6.7. There is a substantial body of planning permissions already agreed that have been subject to S106 and these will not fall within the remit of CIL.

2.6.8. Funding of green infrastructure and other related environmental matters is much more likely through adoption of the Levy Charging Schedule than future reliance on S106 when all tariff based obligations will not be allowable.

2.6.9. South Norfolk, owing to its proximity to Norwich, good communication links and wide choice of development locations, is of premium interest to developers intending to build in the Norwich region. Nevertheless, developers will require phasing of payment of the levy to assist scheme viability.

3. Financial Considerations

3.1. Cashflow Projections
3.2. The graph above shows financial projections from the best available information taking into account the pipeline of existing development consented under S106 and likely future development under CIL. These are based on our local knowledge and broad assumptions as to future development and economic patterns including that there will be at least one period of sustained and rapid economic growth during the JCS plan period up to 2026.

3.3. Insofar as the S106 graphs beyond 2014/5 are concerned, these are for modelling and comparison purposes based on historic levels. Owing to legislative changes they would be unachievable beyond April 2014. The S106 Low projection is much more realistic, but may still be over estimating the future availability of S106 to fund infrastructure outside the specific development that gives rise to it.

3.4. Given the known immediate pipeline of planning applications, it is not expected that any significant CIL income would be received before April 2014 in any event.

3.5. The Community Infrastructure Levy High projection assumes an increase in the charging rate in 2018, following a review on the back of a rising housing market. The Low projection is an extrapolation of the approved charging rate.

3.6. If adopted, at the Examiner’s recommended level, over the plan period, South Norfolk should collect through the Levy upwards of £50m to help fund future infrastructure requirements. Given legislative changes from April 2014, reliance on S106 would result in less than half this figure being made
available. Had the Council’s own CIL proposals been sustained, the levy would have yielded approximately £100m in South Norfolk.

3.7. It should be noted that, whereas the major proportion of S106 monies collected is directed to NCC on a tariff basis to fund County provision for highways, education and green infrastructure, all CIL monies are collected by the district council (subject to approval to delegation of the County Council’s collection of CIL on its own development matters). However, recently approved and enacted regulations (February 2013) now require 15% of CIL monies collected on development within a parish council area to be distributed to it, subject to a cap of £100 per household per year, and 25% where there is a neighbourhood development plan in place.

4. **Options and Risks**

4.1. There is a risk to the Council’s reputation and its ability to deliver infrastructure requirements in adopting the Examiner’s reduced charging schedule in underselling South Norfolk’s prime location for residential development. Should this prove to be so, it would be evidence for an early review of the charging schedule.

4.2. The risk of adoption is tempered by the risk of not adopting the Levy Charging Schedule. The risk of such an approach would be a failure to capture a significant funding source for the delivery of infrastructure to support future growth needs. In addition, this could prejudice our ability to make-good the income shortfall by using the City Deal funding streams. Furthermore, The Council would need a clear alternative strategy for funding infrastructure to support growth without being able to rely as substantially on S106 agreements from April 2014.

4.3. Choosing to re-present the evidence base to a second Inquiry to justify the original proposal would take time and have no guarantee of success.

4.4. Our GNDP partners in Norwich & Broadland have given a commitment to adopt the revised schedule and introduce CIL as from 1st July 2013. If South Norfolk did not adopt, the planning inspector conducting the examination into the remitted parts of the Joint Core Strategy may be entitled to question the degree of certainty of delivery of the essential infrastructure required to accommodate growth across the three GNDP districts.

5. **Issues to be Clarified**

5.1. In principle it is recommended that The Council adopts Community Infrastructure Levy, but there are a number of South-Norfolk-specific unresolved points that need to be addressed before it is possible to set a date for that implementation.

5.2. There are large residential development schemes in process of development management. These applications have been negotiated on the basis of contribution to infrastructure through S106 Agreements, and both the
applicants and the Council have devoted significant resource in preparing these proposals. As negotiations have progressed, there has been no suggestion that the S106 levels proposed would undermine the financial viability of the applications, even though it was the lack of viability that concerned the Examiner the most.

5.3. To allow these proposals to commence under these S106 obligations, it is recommended that the introduction of the Charging Schedule be timed so as to avoid the need for wasteful renegotiation and reconsideration of schemes that have, or will shortly be considered by the Development Management Committee.

5.4. The CIL Regulations are yet to be published insofar as Community-led plans are concerned. Cringleford is the subject of such a plan. The regulations, their implications and apportionment of any CIL arising and any conditions pertaining to it are not yet fully known.

5.5. The issues around the possibility of reclassifying some developer contributions to S106 or otherwise clarify the responsibility for funding these elements between various GNDP authorities are still unclear.

5.6. The GNDP published a draft infrastructure list, schedule and framework in August 2012 as a background document to the Examination. From this, each district partner in the GNDP will need to clarify its own S123 Infrastructure list. Determining the extent to which these will be re-ordered in the light of the reduction in the proposed charging schedule and, in turn the order in which projects/authorities will receive funds as monies are received from developers, is likely to require clarification and discussion. Once the level of CIL is known, The Environment, Regulation and Growth Policy Sub-Committee felt that agreements relating to the order of priority between the various GNDP Councils and between local and strategic projects should be made to give clarity and avoid uncertainty and are, in any event, desirable in the interests of good governance.

5.7. Given these issues, it is a realistic option to adopt the Charging Schedule, but delay its introduction until later in the financial year, as late as 31 March 2014, subject to satisfactory clarification of these points. Given the limited anticipated income from CIL during the year, it is not expected that such an outcome would have a significantly adverse impact on either the City Deal or ability to fund wider infrastructure improvements.

6. Other Relevant Matters

6.1. In the interest of clarity and to avoid any duplication of funding of a planning obligation from both Community Infrastructure Levy and S106, withdrawal of the support and implementation of ‘Infrastructure, Service and Amenity Requirements for New Development Norfolk County Council Standards (updated 2013)’ is proposed.

6.2. The Norfolk County Council has requested charging and collection authorities in Norfolk to accept delegation of collection of the levy for County development
matters (mainly education, minerals and waste). This is in the interests of efficiency and means that there will be only one collection authority for Community Infrastructure Levy in South Norfolk. Acceptance of this delegation is, therefore, recommended.

7. **Relevant Corporate Priorities**

7.1. Enhancing our quality of life and the environment we live in.

7.1.1. The Community Infrastructure Levy should enable the more timely delivery of significant infrastructure ahead of, or in line with housing and community development.

7.2. Promoting a thriving local economy.

7.2.1. The introduction of the Community Infrastructure Levy is designed to support growth and the local economy.

7.3. Supporting communities to realise their potential.

7.3.1. The Reg 123 list includes the essential community infrastructure associated with the growth plans embodied in the Joint Core Strategy.

7.4. Driving services through being businesslike, efficient and customer aware.

7.4.1. Financial and planning processes are ready to be implemented in readiness for the introduction of the Levy.

8. **Proposal and Reasons**

8.1. On balance, legal, reputational and financial factors effectively outweigh any notional disadvantage from the introduction of the Community Infrastructure Levy. In principle, it is recommended that CIL is introduced. The changed legal situation from 1 April 2014 reduces the scope of the Council continuing to use S106, as an alternative to a levy, to fund anything other than on-site mitigation and affordable housing.

8.2. It is desirable to have a general alignment between the GNDP authorities, especially within the context of the City Deal.

8.3. It is in the interests of good governance that outstanding issues are clarified before the date of implementation is set. A report could be presented as soon as to the Special Meeting of Council on 17 June 2013. These are:

8.3.1. Counsel advice on S106 and CIL implications for funding infrastructure

8.3.2. Partnership and parish discussions on:
8.3.2.1. the finalisation of a Reg 123 list for South Norfolk

8.3.2.2. alternative funding of infrastructure items and

8.3.2.3. pooling and application of receipts

9. Recommendations

The Leader of the Council has delegated to the Cabinet the power to make the decisions set out in the recommendations below.

That the Cabinet:

1. Recommend to Full Council:

   The adoption of South Norfolk’s Community Infrastructure Levy Charging Schedule (Appendix A), as modified by the Examiner’s Report (Appendix B), in accordance with Section 213 of the Planning Act 2008 and Regulation 25 of the Community Infrastructure Levy Regulations 2010 (as amended 2011 and 2012), subject to:

   a) satisfactory progress on matters listed in para. 8.3 above and

   b) agreement of the specified date at which the charging schedule takes effect.

2. To adopt a Community Infrastructure Levy payment installment policy (Appendix C).

3. Acknowledge that under Regulation 55, Community Infrastructure Levy Regulations 2010 (as amended 2011 and 2012), discretionary relief for exceptional circumstances will not be granted.

4. Endorse the withdrawal of support and implementation of ‘Infrastructure, Service and Amenity Requirements for New Development Norfolk County Council Standards (updated 2013)’

5. Endorse the delegation to South Norfolk District Council of collection of Community Infrastructure Levy from Norfolk County Council on its own development matters.
APPENDICES

Appendix A - South Norfolk’s Community Infrastructure Levy Draft Charging Schedule
Appendix B - The Examiner’s Report into the Greater Norwich Development Partnership’s Community Infrastructure Levy Charging Schedule
Appendix C - Community Infrastructure Levy payment draft installment policy
South Norfolk Council Community Infrastructure Levy
Draft Charging Schedule

1. Introduction

1.1. This charging schedule is produced jointly by Broadland District Council, Norwich City Council and South Norfolk Council, working together with Norfolk County Council.

1.2. Each of the district councils will be the “Charging Authority” for their area and a separate charging schedule must be produced for each district. This charging schedule covers the part of the South Norfolk Council area for which the council is the local planning authority. Therefore it does not include the parts of the authority that are within the Broads Authority (where separate arrangements for developer contributions apply).

1.3. The Community Infrastructure Levy (CIL) provides a fair and transparent system of developer contributions for the provision of infrastructure required to support development in accordance with the Joint Core Strategy (JCS) for Broadland, Norwich and South Norfolk. The Charging Schedule sets out the Levy for different types and locations of development that will apply in the JCS area. While the investment provided by CIL is crucial for the delivery of sustainable development, it is not designed to fully fund all the infrastructure requirements of the area.

1.4. The accompanying document, Community Infrastructure Levy: Background and Context, outlines the evidence that has been used to develop this charging schedule, how infrastructure will be prioritised through the Local Implementation Plan and Programme (LIPP) and the Partnership’s evolving approach to governance and delivery. It explains the links between the CIL, Planning Obligations, and on-site infrastructure provision. An indicative list of the types of infrastructure that the CIL will help fund, or which will be delivered through conditions or legal agreements, is included in Appendix 1. This list does not form part of the Charging Schedule and will ultimately be published separately in accordance with CIL Regulation 123 and kept up to date on a regular basis.

2. Liability for CIL

2.1. When planning permission is granted, South Norfolk Council as the Charging Authority will issue a Liability Notice setting out the Levy that will be due for payment when the development is commenced. Applicants are advised to agree who will be responsible for this liability before submitting their planning application. Where no-one has assumed liability to pay the Levy, the liability will automatically default to the landowners of the relevant land and their successors in title.
2.2. Applicants should note that CIL will be charged on all qualifying development for which a planning permission is issued after the date of adoption of this Charging Schedule, regardless of when the application was validated.

3. **Geographical zones**

3.1. As noted above the Broads Authority area is not covered by this Schedule. The remaining parts of Broadland and South Norfolk are divided between Inner and Outer charging zones for residential development. These charging zones are defined on the maps in Appendix 1.

4. **Charging Schedule (£ per m2)**

<table>
<thead>
<tr>
<th>Use Class</th>
<th>Zone A</th>
<th>Zone B</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential development (Use classes C3 and C4 excluding affordable housing) including domestic garages, but excluding shared-user/ decked garages.</td>
<td>£115</td>
<td>£75</td>
</tr>
<tr>
<td>Development resulting in large convenience goods based stores of 2,000m2 gross or more (For the purposes of CIL a convenience goods based store is one where more than 50% of the net floor area is intended for the sale of convenience goods. Convenience goods are food, alcoholic and non-alcoholic beverages, tobacco, periodicals and newspapers, and non-durable household goods)</td>
<td></td>
<td>£135</td>
</tr>
<tr>
<td>All other retail (Use classes A1-A5) and assembly and leisure development (D2)</td>
<td></td>
<td>£25</td>
</tr>
<tr>
<td>Sui generis akin to retail i.e. shops selling and/or displaying motor vehicles, petrol filling stations, retail warehouse clubs</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sui generis akin to assembly and leisure i.e. nightclubs, amusement centres and casinos</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Uses falling under C2, C2A and D1</td>
<td></td>
<td>£0</td>
</tr>
<tr>
<td>Fire and Rescue Stations, Ambulance Stations and Police Stations which are Sui Generis.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>All other types of development covered by the CIL regulations (including shared-user/ decked garages)</td>
<td></td>
<td>£5</td>
</tr>
</tbody>
</table>

The chargeable rate will be index linked to the national All-in Tender Price Index published from time to time by the Building Cost Information Service of the Royal Institution of Chartered Surveyors; and the figure for a given year is the figure for 1st November of the preceding year. In the event that the All-in Tender Price Index ceases to be published, the index will be the retail prices index; and the figure for a given year is the figure for November of the preceding year.
5. **How the Chargeable Amount will be Calculated**

5.1 The District Council will calculate the amount of CIL chargeable to a qualifying development utilising the formula set out in Part 5 of the CIL Regulations 2010 (as amended). In summary the amount of CIL chargeable will be calculated as follows:

\[
\text{CIL Rate} \times \text{Chargeable Floor Area} \times \text{BCIS Tender Price Index (at Date of Planning Permission)}
\]

\[
\text{BCIS Tender Price Index (at Date of Charging Schedule)}
\]

5.2 The Chargeable Floor Area makes allowance for previous development on the site.

5.3 The net chargeable floor area amounts to the gross internal area of the chargeable development less the gross internal area of any existing buildings that qualify for exemption on the site.

5.4 This summary does not take account of every aspect of the Regulations. The CIL Regulations are available to view online at www.gndp.org.uk.

6. **Collecting Authority**

6.1 The collecting authority for the above payments will typically be the District Council (i.e. the determining authority/Charging Authority) where the development takes place. However, in some instances, it may be the County Council that grants planning permission and, in these circumstances, it would be the County Council who would be the collecting authority (under Regulation 10(4)). Where the County Council is the collecting authority it will pay the Charging Authority the appropriate amount of CIL inline with Regulation 76.

7. **Discretionary relief**

7.1 Development by charities for charitable use is a statutory exemption under Regulation 43. It is not the current intention to make discretionary relief available in the area under Regulations 44, 45 or 55. This will be kept under review.

8. **Staging of Payments**

8.1 It is the intention of the authorities to produce an Instalment Policy setting out:

a. The date on which it takes effect, which must be no earlier than the day after the instalment policy is published on the website;

b. The number of instalment payments;

c. The amount or proportion of CIL payable in any instalment;

d. The time (to be calculated from the date the development is commenced) that the first instalment payment is due, and the time that any subsequent instalment payments are due; and

e. Any minimum amount of CIL below which CIL may not be paid by instalment.
Where there is no instalment policy, payment will be payable in full at the end of a period of 60 days beginning with the intended commencement date of development.

A draft policy is set out in appendix 4 of ‘Community Infrastructure Levy: Background and Context”

9. **Payment in Kind**

9.1. Under Regulation 73, of the Community Infrastructure Levy Regulations 2010, as amended, the Charging authority may, at its own discretion, consider accepting land as payment in kind in lieu of CIL. This will only normally be considered for land in excess of that needed to deliver the infrastructure required by the permitted development (e.g. if the development permitted requires a new school of scale x, the land for a school of scale x will be provided without cost and not in lieu of CIL). The value of land for in lieu payment will be determined by an independent valuer.

10. **Review**

10.1. With clear evidence of a substantial funding gap for the infrastructure needed to support the development of the area it will be important to ensure that the level of CIL income is maximised. Therefore, the three councils intend to commit to an early review of CIL within two years of the adoption of the charging schedule, with a view to raising the rates to take account of market recovery.

11. **Further Information**

11.1. This Charging Schedule is prepared in accordance with the Community Infrastructure Levy Regulations. National guidance and further details about the Levy can be found on the Communities and Local Government website, at www.communities.gov.uk.

11.2. This Charging Schedule has been informed by local evidence regarding infrastructure requirements and the impact of a Levy on the economic viability of development, full details of which can be found on the GNDP website at www.gndp.org.uk.
Appendix 1

Charging Zone Boundary Maps

Map 1: Commercial
Map 2: Residential
Map 3: North west sector
Map 4: South west sector
Map 5: South east sector
Map 6: North east sector
For more information or if you require this document in another format or language, please contact the GNDP:

**email:** cil@gndp.org.uk  
**tel:** 01603 430144
PLANNING ACT 2008 (AS AMENDED)

SECTION 212(2)

REPORT ON THE EXAMINATION OF THE DRAFT COMMUNITY INFRASTRUCTURE LEVY CHARGING SCHEDULES FOR BROADLAND DISTRICT COUNCIL, NORWICH CITY COUNCIL AND SOUTH NORFOLK COUNCIL

Charging Schedules submitted for examination on 10 August 2012
Examination hearings held on 16 and 17 October 2012
Non Technical Summary

This report concludes that the Community Infrastructure Levy Charging Schedules proposed by Broadland District Council, Norwich City Council and South Norfolk Council do not provide an appropriate basis for the collection of the levy in the Greater Norwich area as drafted. The evidence shows that the rates proposed for residential development are too high and would pose a significant threat to the viability of housing development in the area. However, I consider that such non-compliance with the drafting requirements can be remedied by the making of modifications which I recommend. Such modifications are specified at Appendix A to this report and are designed to reduce the residential rates by around 35%. Subject to such modifications the draft is approved.

Introduction

1. This report contains my assessment of the Community Infrastructure Levy (CIL) Charging Schedules for three councils – Broadland District Council, Norwich City Council and South Norfolk Council, hereafter referred to as the Councils. The basis for this assessment is Section 212 of the Planning Act 2008. It considers whether the schedules are compliant in legal terms and whether they are economically viable as well as reasonable, realistic and consistent with national guidance (Charge Setting and Charging Schedule Procedures – DCLG – March 2010).

2. To comply with the relevant legislation a local charging authority has to submit what it considers to be a charging schedule which sets an appropriate balance between helping to fund necessary new infrastructure and the potential effects on the economic viability of development across the area. In this instance the three authorities are proposing identical charging schedules save for Norwich City which has a separate rate for flats in blocks of 5 storeys and above, and is entirely within zone A. The basis for the examination is the written material and representations submitted, the material presented to the hearings held on 16 and 17 October 2012 together with the further written submissions in response to matters raised at the hearing sessions. The three draft charging schedules were submitted for examination on 10 August 2012 together with Statements of Modifications. The Modifications relate to changes to the Draft Charging Schedules published in February 2012 and have been consulted on for a period of four weeks in accordance with the requirements of the Community Infrastructure Levy Regulations 2010 (as amended).

3. The Councils propose two charging zones described as Zone A and Zone B. The Zones are only relevant to residential development. The proposed charges in £ per sq. m. are: Residential Development (Use Classes C3 and C4 excluding affordable housing) including domestic garages, but excluding
The evidence - is it appropriate and does it support the proposed charging schedules?

Infrastructure planning evidence

4. The basis for the infrastructure needs is provided by the Joint Core Strategy (JCS) for the three authorities adopted in March 2011. Following a partially successful legal challenge the JCS is now adopted with the exception of the policies relating to the distribution of housing growth in the Norwich Policy Area part of Broadland District. The implications of the remittal of some policies for part of the area do not materially affect the justification for a CIL because the overall scale of growth is not affected. The JCS sets out the main elements of growth that will need to be supported by further infrastructure. An unchallenged infrastructure schedule submitted by the Councils with identified funding from other sources shows that some 54% of the infrastructure needs of the area remain unfunded at present. This amounts to £378 million and hence a basic requirement for the imposition of a CIL charging regime is in place.

Residential viability evidence

5. In relation to the Councils’ evidence, CIL viability assessment work was undertaken by GVA Grimley Ltd (GVA) and, in relation to the impact of garages on residential sale prices, by Mott MacDonald. The Councils also produced supplementary evidence on residential viability, the viability of flats in Norwich City and the viability of large scale convenience goods based retail development. Norfolk Property Services provided evidence on the build cost of flats in Norwich City. I have considered all this evidence and all the representations made as well as the additional viability evidence submitted to the examination by the Councils following advice from the Homes and Communities Agency (HCA).

6. A “final” report from GVA was published in December 2010 and an errata was added in June 2011. The errata dealt with current market values based on discussions with local agents and available sales information for land with planning permission (or resolutions to grant permission) with circa 25% affordable housing provision. In August 2011 a further piece of work was done by GVA relating to the proposed charging zone boundaries.

7. The initial work done by GVA identified four residential market areas – Central (focussed on Norwich), Inner (settlements close to Norwich), Outer (the rural areas) and the A11 Corridor. Subsequent work by GVA, based on market evidence including Land Registry data, resulted in a simplification of the four zones into two charging zones by combining the Central, Inner and
A11 market areas into a single zone A. Inevitably there are some anomalies in the delineation of the two zones and it is understandable that some of those making representations consider that, for example, the villages of Thurton, Loddon and Hales should be in Zone A and not Zone B. However the Councils, in accordance with Government guidance which warns against over complicating charging zones, have devised a relatively simple and logical approach based on general property values. This provides a sound basis for a two tier charging system for residential development.

8. A fundamental element of the work done by GVA deals with benchmark land values in 4 areas originally identified. Central £500,000 per acre, Inner and A11 corridor £210,000 – £250,000 per acre and Outer £200,000 per acre. These benchmark values represent the existing use value of land plus an element of hope value assuming planning permission for residential development and a requirement for 25% to 35% affordable housing but with no allowance for CIL.

9. Bearing in mind that the cost of CIL needs to largely come out of the land value, it is necessary to establish a threshold land value i.e. the value at which a typical willing landowner is likely to release land for development. Based on market experience in the Norwich area the Councils’ viability work assumed that a landowner would expect to receive at least 75% of the benchmark value. Obviously what individual land owners will accept for their land is very variable and often depends on their financial circumstances. However in the absence of any contrary evidence it is reasonable to see a 25% reduction in benchmark values as the maximum that should be used in calculating a threshold land value.

10. In addition to the advice from GVA, the Councils produced their own viability work described as Supplementary Evidence on Residential Viability (Document EV6) based on a model provided by Norfolk Homes and using advice from the Homes and Communities Agency. This supplementary assessment provides a series of calculations based on the residual valuation approach and includes for comparison purposes valuations using “developer assumptions”. This material provides a range of valuations based on 2 types of hypothetical scheme – a 250 dwelling scheme in charging zones A and B and a 25 dwelling scheme in Zone A. The range is derived from changing inputs such as the level of affordable housing, costs, gross development value and level of S106 contributions. Private sector developers challenge this material on several grounds. In this instance significant differences between the Councils and the developer assumptions relate to contingencies and overhead costs.

11. One of the characteristics of the residual valuation approach is that the results are very sensitive to the assumptions made in the calculation. Taking as an example hypothetical Scheme 1, 250 dwellings in Zone A.

<table>
<thead>
<tr>
<th>Contingency</th>
<th>Councils</th>
<th>Developer Assumptions</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2.5% of build costs</td>
<td>5.0% of build costs</td>
</tr>
</tbody>
</table>
These differences obviously have significant consequences for other costs such as finance with the result that the Councils residual land valuation is £6,815,497 whereas the developer assumptions residual is £2,941,895. Significantly this very large difference takes no account of different views about how the profit margin should be calculated. The private sector argues that the profit should be calculated on Gross Development Value (GDV) at a rate of 20 -25% for open market units and 6% for social housing rather than the 20% of build/site/overhead costs favoured by the Councils. The difference amounts to over £2.4 million pounds. At the hearing session GVA accepted that basing profit on GDV is the usual approach in this area because of the risks involved and the cost of capital in the current market. However GVA conceded that using a percentage on costs approach is sometimes adopted. The Broadland District Council representative concurred with the view that using profit on GDV is the usual approach in the Norwich area.

12. Furthermore the private sector argues that the Councils’ approach to the cost of finance is flawed as it is based on a fixed % build cost and takes no account of the cash flow of a scheme over its lifetime. The private sector also contends that the Councils’ general approach to values is flawed as it takes no account of how far cost inflation would erode the benefit of any increase in property prices.

13. The Councils sought to counter the private sector arguments by producing a revised residual valuation for Scheme 1 using a 5% contingency and the 20% on GDV approach to profit favoured by the private sector. This third residual valuation produced yet another view about the residual land value - £3,929,234 - for Scheme 1. In response Savills say that this valuation underestimates the cost of finance by £2,200 per unit and continues to underestimate the cost of overheads by £9,500 per unit. In addition Savills, quoting the guidance issued by the Local Housing Delivery Group, (Viability Testing Local Plans June 2012 – hereafter described as “Harman Guidance”) say that the cost of servicing large green field sites is underestimated by at least £10,000 per unit. Savills point out that around 50% of the future housing in the area is expected to be built on large green field sites.

14. The Councils obtained agreement from HCA to publish information supplied in November 2011. Not unexpectedly the HCA seeks to justify its approach by, for example, arguing that the profit margin suggested by the developer is too high assuming involvement by a registered affordable housing provider thereby reducing the risk.
15. The difficulty is that there is seldom, if ever, only one correct approach to assumptions in residual valuations and indeed at the hearings GVA accepted that the residual method is open to what they described as “manipulation”. The discrepancies in the figures illustrate the difficulty of reaching a properly informed view based on the residual valuation approach where there is disagreement about the inputs.

16. The supplementary valuation material in EV6 demonstrates what the Councils describe as a “high degree of variability in assessing viability using a residual land value model”. The Councils note that using developer cost assumptions and applying the proposed CIL charges means that less than the full affordable housing requirement would be met but that with a relatively small increase in house prices schemes “will be significantly more viable and able to deliver appropriate levels of affordable housing”. In essence looking at affordable housing and the property market the approach taken by the Councils is that the market will recover to some extent relatively soon and that an improved market would enable the full level of affordable housing to be provided on many more sites than at present.

17. The private sector view is different. While supporting the concept of a CIL charge and acknowledging the need for substantial infrastructure improvements, the consensus view of the private sector representatives is that the housing market in the area is weak and relatively fragile. Savills contends that housing delivery in the area is 54% below target in the 3 years to March 2011 demonstrating the weakness of the market. The private sector view is that the proposed rates for residential development would seriously inhibit development and significantly undermine the delivery of the housing growth sought in the JCS.

18. The Councils counter this by pointing out that developers continue to discuss major schemes with local planning authorities in the area and that large scale housing applications are anticipated in the short term.

19. Clearly the evidence presented to the examination contains some important elements where there is a significant amount of disagreement between the private sector view and the Councils. For the following reasons it is considered that the fears of the private sector about the negative impact of the proposed residential charge are well founded.

20. First, based on the views of the private sector and recent delivery rates, it is evident that the housing market in the area is not robust. In this context it is noted that the National Planning Policy Framework (NPPF) expects the CIL to incentivise new development. I fully appreciate the Councils are keen to promote growth and see the delivery of infrastructure as important to the creation of sustainable well planned communities. In this context I acknowledge that the Councils have sought to take into account the impact of the recession. This was one of the considerations in its decision to propose a much lower rate than that originally recommended by its professional advisors. The original rate was recommended on assumptions about a return to what was described as a “normal market” based on mid 2007 conditions. However the evidence indicates that the reduction proposed by the Councils is not large enough.
21. Secondly, the Councils are relying to some extent on an improvement in the market. Thus for example the conclusion in the supplementary evidence (EV6) refers to “relatively small increases in house prices” and the fourth scenario for scheme A Zone 1 is described as viable “if house prices increase in real terms by just 7%”. Bearing in mind the uncertainty about the future of the property market the advice in the Harman guidance is that plan policies for the first five years should work on the basis of current values and costs. While aimed at local plan policies this advice is logically also applicable to CIL charges. In any event the Councils did not adequately counter the argument that if increases in house prices are taken into account it is also necessary to have regard to the impact of cost inflation.

22. Thirdly the work done by the Councils to demonstrate what funds are likely to be available for CIL (Appendix 1 of the Note following Day 1) relies on the full 25% of the benchmark land value being available for the CIL “pot”. While this may sometimes be the case it is unlikely that it will always apply. Even if some landowners may be prepared to accept less than 75% of the benchmark value, the 25% figure should be treated as a maximum and not an average. Using 25% to try to establish what the theoretical maximum amount in a CIL “pot” may be is reasonable, but when thinking about setting a CIL charge in the real world it would be prudent to treat it as a maximum that will only apply on some occasions in some circumstances.

23. Fourthly the JCS seeks affordable housing at a rate of 20% for sites of 5 – 9 dwellings, 30% for 10 – 15 dwelling sites and 33% for sites of 16 or more dwellings. The Councils believe that the CIL charge would allow at least 20% affordable housing to be delivered in all locations and its approach is that where viability is an issue the percentage of affordable housing will need to be negotiated in accordance with policy 4 in the JCS. Whatever the merits of this approach in terms of pragmatism, it seems clear that in setting its CIL rate the Councils are prepared to compromise on their affordable housing policies, whereas they should have taken all of their policy requirements, including affordable housing, into account when setting the CIL rate.

24. Fifthly in its viability work the Councils have been unduly optimistic about the likely costs of development. Of particular concern is an over-simplistic approach to finance and cash flow considerations, a likely under-estimation of the cost of servicing large green field sites (taking as a guide the Harman estimates) and the use of build costs rather than GDV as a basis for calculating overheads and profit margins.

25. Finally the statutory CIL guidance and the Harman guidance make clear that it is important to avoid assuming that land will come forward at the margins of viability. Thus the use of what is termed a “viability cushion” is recommended. No doubt the Councils are aware of this and believe that they have allowed an adequate viability cushion, but, even assuming that their basic figures are correct, the “cushion” allowed for is inadequate. The need for a substantial “cushion” is particularly important on green field sites where, as the Harman advice notes, prospective sellers are often making a once in a lifetime decision and are rarely distressed or forced sellers. A large proportion of the anticipated development in the area will be on large green field sites.
26. The combined impact of these factors leads to the conclusion that the rate for residential development should be reduced. The extent of the reduction is open to question. Using the residual valuations only to answer this question is unreliable because of the wildly different results in them. Accordingly the issue has also been looked at in terms of the anticipated CIL “pot” by taking into account the estimated contribution from the land price and the anticipated consequence of substituting a CIL charge for most of what were previously infrastructure funds raised through S106 agreements. Following the discussion on day one of the hearings the Councils helpfully provided a supplementary “Note” providing their assessments of what the “pot” might be.

27. At the hearings Savills suggested that within strategic housing areas and assuming affordable housing at 18%, either a S106 charge or a CIL charge (but not both) of about £30 per m. sq. would be acceptable. Some of the other private sector representatives at the hearing sessions considered that this would be too low given the infrastructure needs of the area. At the earlier Preliminary Draft Charging Schedule stage Ptarmigan Land Ltd (later Hethersett Land Ltd) suggested a rate of around £100 for residential development in Zone A. At the hearing this suggestion was confirmed as being the position taken by Ptarmigan although it was not repeated in the written representations made by Hethersett Land Ltd. In response to the Councils’ Note, Savills have refined their suggestions and now propose a rate of £60 – £65 with 18% affordable housing in Zone A and between £35 and £46 per sq m in Zone B. Morston Assets response to the Note is that within the inner city locations the threshold land value will need to be within 10% of the benchmark value because land owners are likely to require greater incentives to bring forward land that is already in commercial use. On this basis there would be less available for the CIL “pot” and Morston Assets argues for a maximum charge of £55 per sq. m. in central areas.

28. Whichever way it is looked at it is not possible to arrive at a definitive answer that is indisputably correct. I consider that the calculations in Appendix 1 of the Councils’ Note are a reasonable starting point subject to the following considerations. First the land price per acre should be at the lower end of the range suggested. Secondly, the difference between the benchmark value and the threshold value should be regarded as 15%. Thirdly the assessment should assume 33% affordable housing in accordance with the target for sites of 16 or more dwellings in the JCS. Although not precise such an approach seeks to take into account the higher development costs suggested by the private sector and provides for a viability cushion. On this basis it can be broadly concluded that the rate within the City should be reduced by a minimum of around 35% and by a similar figure in the South Norfolk/Broadland fringe of Norwich area. Having regard to the probability of high servicing costs of large green field sites it is reasonable to argue that the reduction in the latter area should be increased. There is no reason why the same logic should not apply to the parts of the area subject to the Zone B charge. The overall conclusion is therefore that the residential rate in both Zone A and Zone B should be reduced by around 35% or more.

Non Residential viability Evidence

29. In relation to non-residential development the proposal involves a charge of
£5.00 per square metre for office and industrial development. This very low charge reflects the weak market for office and industrial development. At the hearings the option of a nil charge for these types of development was discussed. A consensus view emerged that this nominal charge, which would represent only about 0.5% of average build costs, would not threaten the overall viability of these forms of development. On this basis this level of charge for office and industrial development is acceptable.

30. Retail development, where the proposals involve a charge of £135 for developments of over 2000 sq m and £25 for other retail development is contentious. Three major supermarket operators objected to the proposals. One disputed area is the validity of having different rates for different sized retail outlets given that Regulation 13 of The Community Infrastructure Regulations 2010 provides for different rates by zone or by intended uses of development but does not make reference to size. However the Regulations do not prohibit different charges within the same use class provided that the difference is based on viability evidence and the way the premises are used.

31. In this instance the Councils distinguish between large retail stores traditionally used for major weekly or less frequent convenience shopping and other retailers, including convenience stores used primarily for irregular “top up” shopping. This distinction in the way the stores are generally used is backed up by viability evidence produced by GVA showing that large scale food-based stores are able to support a very high charge and remain viable. The hypothetical example tested by GVA for a 75,000 sq. ft. convenience store with 400 parking spaces showed that depending on whether the store was developed by an operator or a developer the residual land value would be in the order of £10 - £14 million pounds compared to a residential benchmark of £1.5 - £3.5 million. On this basis large convenience stores are judged to be capable of easily meeting a CIL charge of £135 per sq.m.

32. The Councils have also produced convincing evidence showing that convenience stores above 2000 sq. m. are operated almost exclusively by major national retailers and are aimed at providing what is described as a “main food shopping function”. Stores below this largely perform a local top up function. This use distinction is reinforced by viability evidence (albeit dated at 2007) showing that a major national retailer such as Sainsbury has average sales per sq. m. of over £10,000 whereas the comparable figure for smaller convenience retailers is less than £3,500.

33. In relation to other retailers GVA produced satisfactory evidence showing that the viability of such stores is relatively weak with for example town centre vacancy rates increasing steadily since 2008.

34. WM Morrison Supermarkets PLC, Sainsbury’s Supermarkets Ltd and Asda Stores Ltd contend that the rate for large stores is too onerous. Based on the written submission by Indigo Planning Limited on behalf of Sainsbury’s Supermarkets Ltd it is not clear whether Sainsbury’s appreciate that the intention of the Councils is to largely replace S106 agreements with the CIL charge but in any event none of these organisations produced any quantitative evidence to support their assertions. In view of the lack of supporting evidence little weight can be given to the representations made by these supermarket operators.
35. My conclusion regarding the proposed retail rates is that the Councils have provided satisfactory evidence justifying the proposed charges.

Other Matters

36. All the written representations have been considered. A number of these relate to matters that are not within the scope of this examination. For example whether or not CIL is a justified tax, how the CIL money is spent and what discretionary relief is made available are not matters for this examination.

37. McCarthy and Stone Retirement Lifestyles Ltd argue for a rate based on net saleable area for their type of specialist type of accommodation. However they do not provide any convincing viability evidence and in any event it is completely unrealistic to expect charging schedules to be made flexible and varied enough to cater for a variety of considerations particular to different types of residential accommodation providers.

Conclusion

38. The Councils have tried to be realistic in terms of achieving a reasonable level of income to address an acknowledged gap in infrastructure funding, while ensuring that a range of development remains viable across the area. For non-residential development this objective has been met. However for residential development the rates in both Zone A and Zone B pose a significant threat to the viability of schemes. Within the Greater Norwich area the residential market is not robust and the rates suggested would not meet the NPPF requirement that they “support and incentivise new development”. I recommend that the rates for residential development are modified to reduce them by around 35% (EM1) as specified at Appendix A.

LEGAL REQUIREMENTS

<table>
<thead>
<tr>
<th>National Policy/Guidance</th>
<th>The Charging Schedules do not comply with the National Policy/Guidance as drafted, unless modification EM1 (or other sufficient modification) is made.</th>
</tr>
</thead>
<tbody>
<tr>
<td>2008 Planning Act and 2010 Regulations (as amended 2011)</td>
<td>The Charging Schedules comply with the Act and the Regulations, in respect of the statutory processes and public consultation.</td>
</tr>
</tbody>
</table>

39. I conclude that the three Councils’ Community Infrastructure Levy Charging Schedules do not satisfy the requirements of Section 212 of the 2008 Act in respect of the viability of residential development. In accordance with Section 212A of the 2008 Act (as amended) and the 2010 Regulations (as amended 2011) I therefore recommend that the Charging Schedules be modified to address the rates for residential development. With
recommendation for modification **EM1 in Appendix A**, I recommend that the drafts are approved.

*Keith Holland*

Examiner

This report is accompanied by:

Appendix A (attached) – Modification that the examiner specifies so that the Charging Schedules may be approved.
**Appendix A**

Modification EM1, recommended by the Examiner to allow the Charging Schedules to be approved.

**Broadland District Council**

1. **Charging Schedule (£ per m2)**

<table>
<thead>
<tr>
<th>Use Class</th>
<th>Zone A</th>
<th>Zone B</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential development (Use classes C3 and C4 excluding affordable housing) including domestic garages, but excluding shared-user/ decked garages.</td>
<td>£75</td>
<td>£50</td>
</tr>
</tbody>
</table>

**Norwich City Council**

2. **Charging Schedule (£ per m2)**

<table>
<thead>
<tr>
<th>Use Class</th>
<th>Zone A</th>
<th>Zone B</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential development (Use classes C3 and C4 excluding affordable housing) including domestic garages, but excluding shared-user/ decked garages.</td>
<td>£75</td>
<td>Not applicable</td>
</tr>
<tr>
<td>Flats in blocks of 5 storeys and above</td>
<td>£65</td>
<td>Not applicable</td>
</tr>
</tbody>
</table>

**South Norfolk Council**

3. **Charging Schedule (£ per m2)**

<table>
<thead>
<tr>
<th>Use Class</th>
<th>Zone A</th>
<th>Zone B</th>
</tr>
</thead>
<tbody>
<tr>
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<td>£75</td>
<td>£50</td>
</tr>
</tbody>
</table>
Appendix C

Indicative Policy for staging payments of Community Infrastructure Levy
The Community Infrastructure Levy Regulations 2010 (as amended)

In accordance with Regulation 69 (b) of the Community Infrastructure Levy (Amendment) Regulations, 2011, South Norfolk District Council (the Charging Authority) will apply the following instalment policy to all development which is CIL liable.

This policy will come into effect on (date to be determined).

In all cases, the calculation of the total amount payable will include the value of any payment in kind as assessed by an independent person.

Number, Proportion and Timing of Instalments

Development incurring CIL liability equal to or over £ 2,000,000
Four instalments.
1. 60 days after commencement: 15%
2. 270 days after commencement: 15%
3. 540 days after commencement: 20%
4. 720 days after commencement: 50%

Development incurring CIL liability £ 1,000,000 to £1,999,999
Three instalments.
1. 60 days after commencement: 20%
2. 360 days after commencement: 30%
3. 540 days after commencement: 50%

Development incurring CIL liability £60,000 to £999,999
Two instalments
1. 60 days after commencement: 25%
2. 360 days after commencement: 75%

Development incurring CIL liability up to £ 59,999
One instalment at 60 days after commencement of the
South Norfolk Council, in partnership with Norfolk County Council has produced an Urban Design Framework document entitled ‘Connecting South Wymondham’. Improving access to and from South Wymondham is identified as a key element of the evolving Wymondham Area Action Plan (WAAP) and ‘Connecting South Wymondham’ will be an important background evidence document for the WAAP. The primary aim of the ‘Connecting South Wymondham’ document is to help demonstrate how improved connectivity from South Wymondham to the town centre (roads, pedestrians and cyclists) could be achieved and delivered, along with improved access to the rail station. Members are recommended to agree that the document should be sent out for eight weeks’ public consultation, from Wednesday 8 May 2013.

Cabinet member(s): John Fuller
Ward(s) affected: Abbey, Cromwells, Northfields, Rustens, Town
Contact Officer, telephone number, and e-mail: Chris Watts, (01508) 533765 cwatts@s-norfolk.gov.uk

1. **Background**

1.1. The Council is currently preparing an Area Action Plan for Wymondham, which was subject to a ‘Preferred Options’ public consultation between January and March 2013. The evolving Wymondham Area Action Plan (WAAP) identifies land to the south of the town as the preferred location for 1200 houses and improving access to and from South Wymondham is a key element of these proposals. Although consultation responses are still being assessed at the time of writing, there is general support for the need for connectivity improvements between South Wymondham and the town centre as expressed in Chapter 12 of the WAAP. The ‘Connecting South Wymondham’ document will be a valuable piece of background evidence to support the policies and proposals in the WAAP.
1.2. Historically, the area to the south of Wymondham town centre has been perceived by people living in the town as being both physically and psychologically disconnected from the town centre by the railway line that bounds its north side and the B1172 that runs east to west. This area has struggled to realise its full development potential, mainly due to shortcomings in access and connectivity to the town centre. This is despite the area being in close proximity to the town centre, nearby employment uses, the railway station (with frequent services to Norwich and Cambridge) and its easy accessibility to the River Tiffey valley.

1.3. Recent developments, including new housing at Right Up Lane, have been constructed as stand-alone initiatives and it is considered that a framework is now required to ensure that a well integrated plan is delivered for the remaining areas of opportunity. If the identified constraints to development can be overcome there is a real opportunity to create an outstanding mixed use environment in South Wymondham which will benefit the town and strengthen communities (both new and existing).

1.4. South Norfolk Council has worked in partnership with Norfolk County Council to produce a draft Urban Design Framework for the area entitled ‘Connecting South Wymondham’. The primary aim of this document is to improve the connectivity of the existing and proposed new housing development in the south of Wymondham (allocated in the WAAP) to the town centre and wider town, with a focus on high quality development. Improving access to the train station for those with disabilities or those with young children (i.e. in pushchairs) has long been a desire too and must be explored.

2. Current Position and Issues

2.1. Land to the south of Wymondham is also currently subject to two undetermined planning applications for housing (with other elements, such as a new primary school), which together total 1230 units. Discussions are on-going with the developers of the land, so the ‘Connecting South Wymondham’ document can, if approved for consultation, provide a useful tool for negotiations.

2.2. The main issues identified, with suggested methods of being addressed, in the ‘Connecting South Wymondham’ document include:

- Overcoming, or much reducing, the severance effect of the Harts Farm/London Road (B1172) junction, a busy car-dominated locale which is particularly unfriendly for pedestrians and cyclists to navigate when seeking to travel from South Wymondham to the town centre (and vice versa). Improving this junction by replacing the traffic light pedestrian crossings at Harts Farm/London Road with pedestrian and cycle safe priorities over calmed and slower vehicular traffic will improve accessibility to the town centre from the south of the town. Improvements to this junction will change the feel of the area to create a more urban environment rather than the
current overly dominant junction arrangement which has changed little from the days when the road was part of the main A11 trunk road.

- The need to create a welcoming gateway to the town by making enhancements to the public realm and streets, including along Station Road that enhances frontages and the setting of the rail station and Conservation Area. These changes will improve the look and feel of the area and create a more positive approach to the town centre for both residents and visitors to the town.

- Overcoming, or at least much reducing, the severance effect of the railway by exploring options to improve pedestrian and cycle accessibility under the bridge. This will have the benefit of improving the connectivity for pedestrians and cyclists from the area south of the railway line to the station and further afield to the town centre and wider town.

- The desire to make accessibility (and other improvements) to both the railway station and its operational services. This must include exploring options to improve access to the station for those with disabilities or people with young children in pushchairs.

- The need to review and improve signage in the area where appropriate, including the potential to enlist volunteers from the local community to carry out a ‘signage and street clutter’ audit. This could help to foster ownership and pride in the local community.

- Promoting the amenity and recreational value of the river valley with enhanced connectivity, including new pedestrian/cycle friendly routes throughout the area and enhanced links to surrounding areas.

3. **Proposal and Reasons**

3.1. For the ‘Connecting South Wymondham’ document to have some weight as a background evidence document for the WAAP it is considered necessary for it to benefit from a formal public consultation. The Council’s Statement of Community Involvement states that any such consultation should take place for a period of at least eight weeks. Public consultation will also give the document some weight in decision making on planning applications once the WAAP is adopted.

3.2. To allow the Wymondham Area Action Plan to progress to the pre-submission stage, it is important that public consultation on the ‘Connecting South Wymondham’ document takes place promptly and it is proposed that the consultation period runs from Wednesday 8 May to Wednesday 3 July.

3.3. The ‘Connecting South Wymondham’ document was considered by the Local Planning Steering Group at their meeting on Thursday 25 April. The main points raised were the need to clarify the highways strategy in the document, the fact that improving disabled access to the station should be essential rather than desirable and the need to ensure that pathways were suitable to accommodate mobility scooters and the like. These comments have been taken into account and appropriate changes made to the document.
4. **Other Options**

4.1. There are other options available:

   - Do nothing. This would not be a preferable option as the opportunities identified in the ‘Connecting South Wymondham’ document would not be fully realised, to deliver improved connectivity to the town centre and also the railway station.

   - Not to use the ‘Connecting South Wymondham’ document as a background evidence document for the WAAP.

   - Include the ‘Connecting South Wymondham’ document as a background evidence document for the WAAP, but without undertaking public consultation.

4.2. It is felt that these options would not be helpful in ensuring that the WAAP is founded on a credible and robust evidence base. Not using the document at all in the context of the WAAP would fail to give the supporting evidence that is so important to demonstrate how improved connectivity from South Wymondham to the town centre could be achieved and delivered. Including the document as a background evidence for the WAAP without public consultation would give the document less weight in decision making.

5. **Relevant Corporate Priorities**

5.1. Enhancing our quality of life and the environment we live in – this document has the potential to improve the connectivity and accessibility of South Wymondham to the town centre and wider town, thus improving the quality of life and environment for local people.

5.2. Promoting a thriving local economy – improved connectivity and accessibility to the town centre has the potential to promote businesses in Wymondham town centre and encourage people living in the South Wymondham to use the town centre.

5.3. Supporting communities to realise their potential. - this document offers local residents the opportunity to shape future development in their community and help establish infrastructure requirements.

6. **Implications and Risks**

6.1. Financial – the cost of undertaking public consultation on the document is included in existing budgets.

6.2. Environmental – the document offers the opportunity to maximise accessibility to the Tiffey Valley and enhance the quality of urban environment.

6.3. Equalities – public consultation will encourage wide involvement across the local community.
6.4. Risks – delays in public consultation on this document could result in delays in production of the WAAP which would see development in Wymondham continue to progress in an uncoordinated manner.

7. Conclusion

7.1. The ‘Connecting South Wymondham’ document provides an opportunity to implement an integrated solution to deliver improved connectivity and accessibility between existing and new development in South Wymondham and the town centre and wider town. It will form a valuable background evidence document to support the WAAP.

8. Recommendations

8.1. Cabinet is recommended to agree that the ‘Connecting South Wymondham’ document be part of the background evidence base for the WAAP and should therefore be sent out for eight weeks public consultation commencing on Wednesday 8 May and finishing on Wednesday 3 July.

8.2. Cabinet is also recommended to agree that any minor amendments following Cabinet can be agreed by the Director of Growth and Localism and the Portfolio Holder prior to public consultation.
Connecting South Wymondham
Urban Design Framework
Consultation Draft
May 2013
South Norfolk Council has worked in partnership with Norfolk County Council to produce an Urban Design Framework document entitled ‘Connecting South Wymondham’. Improving access to and from South Wymondham is identified as a key element of the evolving Wymondham Area Action Plan (WAAP) and ‘Connecting South Wymondham’ is an important background evidence document for the WAAP.

The primary aim of the ‘Connecting South Wymondham’ document is to help demonstrate how improved connectivity from South Wymondham to the town centre (roads, pedestrians and cyclists) could be achieved and delivered, along with improved access to the rail station. The document has a focus on high quality development based on principles of sustainable development.
Why are we preparing an Urban Design Framework?

Historically, the area to the south of Wymondham town centre has been perceived by people living in the town as being both physically and psychologically disconnected from the town centre by the railway line that bounds its north side and the B1172 that runs east to west. This area has struggled to realise its full development potential, mainly due to shortcomings in access and connectivity to the town centre. This is despite the area being in close proximity to the town centre, nearby employment uses, the railway station (with frequent services to Norwich and Cambridge) and its easy accessibility to the River Tiffey valley.

Recent developments, including new housing at Right Up Lane, have been constructed as stand-alone initiatives and it is considered that a framework is now required to ensure that a well integrated plan is delivered for the remaining areas of opportunity. If the identified constraints to development can be overcome there is a real opportunity to create an outstanding mixed use environment in South Wymondham which will benefit the town and strengthen communities (both new and existing).

Land to the south of Wymondham is also currently subject to two undetermined planning applications for housing (with other elements, such as a new primary school), which together total 1230 units. Discussions are on-going with the developers of the land to agree a highways solution that is acceptable to both South Norfolk Council and Norfolk County Council.

The ‘Connecting South Wymondham’ document provides a useful framework for negotiations, as well as providing an opportunity to deliver improved connectivity and accessibility to integrate existing and new development in South Wymondham and the wider town.
How can you get involved?

South Norfolk Council is inviting comments on this ‘Connecting South Wymondham’ document and the public consultation period will run from 8 May 2013 to 3 July 2013. Please ensure that any comments are received by 5pm on Wednesday 3 July 2013.

You can make comments in a number of ways:

E-mail: You can email your comments to us at lp@s-norfolk.gov.uk

Drop it in: You can drop off your comments at the Wymondham Town Council offices

Post: You can post your comments to the address shown below.

Copies of the consultation document will also be available to view at the following locations:

• Wymondham Town Council Offices, 14 Middleton Street
• Wymondham Library, Back Lane
• South Norfolk Council Offices, Swan Lane, Long Stratton

Further information can be found on the South Norfolk Council website at www.south-norfolk.gov.uk/wymondham or by contacting us at:

Planning Policy Team
South Norfolk Council
Swan Lane
Long Stratton
Norfolk
NR15 2XE
Tel: 01508 533836
AIMS AND OBJECTIVES OF THE FRAMEWORK

The broad aims of the Urban Design Framework are:

- To connect south Wymondham with the wider town;
- To ensure high quality development of the area;
- To ensure development is based on principles of Sustainable Development.

More specific objectives of the UDF will be:

- Overcome, or much reduce, the severance effects of the town by the Harts Farm Road / London Road (B1172);
- Make the most of opportunities for appropriate development along the B1172 to create a more urban environment;
- Improve pedestrian crossing / cyclist experience of Harts Farm Road / London;
- Highway improvements to London Road / Harts Farm Road to promote its shared use;
- The enhancement to the public realm and streets, including along Station Road that enhances frontages and the setting to the Station and Conservation Area;
- Much improved pedestrian and cycle connectivity and access to the town centre from the Station and areas to the south of the railway line;
- Overcome, or much reduce, the severance effects of the railway line by improving pedestrian and cycleway connectivity;
- Accessibility and other improvements to the railway station and its operational services;
- Review and improve signage where appropriate;
- Promoting the amenity and recreational value of the River Valley with enhanced connectivity; New pedestrian/cycle friendly routes throughout the area and enhanced links to the surroundings;
- Creation of welcoming public spaces and gateways, as a priority to include an enhanced setting to Railway Station.

The Urban Design Framework will achieve these objectives by:

- Assessing the constraints and opportunities of the area;
- Guiding the physical form, design and uses for key sites and areas;
- Promoting sustainable movement networks to optimise the quality of life for residents and businesses;
- Highlighting the public realm, key public spaces and facilitating its enhancement.
Wymondham town centre
Wymondham railway station
Wymondham Abbey
Existing employment areas
Existing secondary school
Existing primary school
Existing food shopping
The Lizard County Wildlife Site
The movement corridor between South Wymondham and the town centre is characterised by a wide range of land uses. The corridor has been broken down into a number of character areas that identify the constraints and opportunities for each of those areas.
SILFIELD ROAD: WHAT WE ARE TRYING TO OVERCOME

- Poor gateway features at key entry points into Wymondham.
- Wide junctions interrupt footways and makes crossing the highway hazardous.
- Poor separation of pedestrians and cyclists from vehicles.
- Narrow footpaths and uneven surfaces causes obstruction to the movement of pedestrians, cyclists and those with disabilities or people using pushchairs.
- Limited continuity of footpaths along east side of Silfield Road forcing pedestrians to cross the road at multiple points to complete journey.
- Poor distinction between public and private spaces and boundary treatments along the edge of footways, particularly where private gardens interrupt footpaths.
- Grass verges and landscaping poorly maintained and managed.
RAILWAY STATION ENVIRONMENTS : WHAT WE ARE TRYING TO OVERCOME

- Poor gateway features at key entry points into Wymondham Railway Station.
- Restricted pedestrian access under railway bridge, particularly for bicycles and those with disabilities or people using pushchairs.
- Limited safe crossing points across the mini roundabout junctions of Silfield Road, Rightup Lane and Station Road.
- Narrow footpaths and uneven surfaces along Station Road causes obstruction to the movement of pedestrians and cyclists.
- Poor quality public realm and boundaries treatments along the edges of footways and highways, particularly Cemetery Lane and the former Sale ground site.
- Poor signage and way finding to the Railway Station, town centre and key destination points.
- No level access to railway platform to the west of the station. Pedestrians currently forced to cross the railway line over a footbridge with no provision for those with disabilities, mobility problems or people using pushchairs.

[Appendix: Images of the areas mentioned above]
STATION ROAD EMPLOYMENT ENVIRONMENTS: WHAT WE ARE TRYING TO OVERCOME

- Narrow footpaths and uneven surfaces along Station Road causes obstruction to the movement of pedestrians and cyclists.

- Poor quality public realm and boundaries treatments along the edges of footways and highways, particularly along the edge of Ayton Road Industrial Estate.

- Wide junctions along east side of Station Road interrupts footways, making crossing the highway hazardous.

- Poor quality street frontage along Station Road caused by Ayton Road Industrial Estate and the former Sale Ground site.

- Poor legibility and limited direct pedestrian routes towards the town centre and the railway Station.

- Streetscape dominated by highways and unattractive grass verges along edge of industrial estate with minimal pubic realm opportunities.
LONDON ROAD / STATION ROAD JUNCTION : WHAT WE ARE TRYING TO OVERCOME

- Severe severance to the town centre created by the London Road (B1172) and the Harts Farm Road and Station Road signalised junction.

- Confusing and cluttered highways signage for both pedestrians and motorists.

- Poor gateway features at key entry points into Wymondham town centre along Harts Farm Road, London Road and Station Road.

- Poor townscape quality dominated by highways infrastructure and pedestrian barriers.

- Poor legibility and confusing routes across signalised junction towards the town centre, Avenue Road and east and west along Harts farm Road / London Road.

- Low quality boundaries treatments and street frontages.

- Wide junctions dominated by traffic making crossing the highway hazardous.

- Limited pedestrian connectivity or dedicated cycle routes across junction towards the town centre, the railway station and east and west towards Browick Park and the police HQ.
THE LIZARD: WHAT WE ARE TRYING TO OVERCOME

- Unclear distinction between public realm and private plots.
- Uneven surfaces along main road causes obstruction to the movement of pedestrians, cyclists and vehicles.
- Poor quality public realm and boundaries treatments along the edges of highway, particularly along the informal soft edge and open space to the north of The Lizard.
- Poor vehicular access under the railway bridge, particularly for emergency vehicles, which are forced to access The Lizard via an unmade track to the east that links to Right Up Lane.
- Poor legibility or clear pedestrian routes between The Lizard and the town centre.
SOUTH WYMONDHAM OPPORTUNITIES

There are widespread opportunities for the better use of land, visual enhancement and highway and access improvements throughout the area to enhance the pedestrian/cycle experience of the journeys that take place between South Wymondham, the railway station and the town centre.

To realise these opportunities a number of improvements have been suggested by the developers of the sites in South Wymondham that could be implemented in the short to medium term, which have been summarised at the beginning of this framework in the Aims and Objectives section.

Amongst these improvements include enhancing access under the railway line, creating a footway/cycleway along the eastern side of Silfield Road, providing signalised crossings and improving the London Road / Harts Farm Road / Station Road junction.

In addition to these, South Norfolk District Council, working in partnership with Norfolk County Highways, have identified opportunities to ensure that a well integrated plan can be delivered for the remaining areas of opportunity to maximise connectivity between South Wymondham and the town centre. Amongst these improvements promoted by South Norfolk and Norfolk County Council Highways include visual enhancements, better use of development opportunities, new gateways at entry points into Wymondham and improved pedestrian and cycle access to overcome the severance effects of the railway line and London Road / Harts Farm Road.
SILFIELD ROAD : WHAT WE WOULD LIKE TO ACHIEVE

- Create a new gateway at the entry point into Wymondham, travelling north along Silfield Road after the A11 bridge crossing.

- Introduce pedestrian and cycle crossings over road junctions, which currently interrupt footways and makes crossing the highway hazardous.

- Create a dedicated pedestrian and cycle route along the entire east side of Silfield Road to minimise the number of crossing points to the opposite side of the road to complete journeys.

- Widen footpaths and make good uneven surfaces to enable better movement of pedestrians, cyclists and those with disabilities or people using pushchairs.

- Enhance boundary treatments along edges of footpaths and the highway by introducing planting, walls, railings and different surface treatments to enable better distinction between public and private spaces.

- Introduce additional tree planting and vegetation along grass verges and agree a landscaping management plan.
SILFIELD ROAD: IMPROVEMENTS PROMOTED BY SOUTH NORFOLK COUNCIL

1. Introduce additional tree planting and vegetation along grass verges to reinforce ‘boulevard’ concept and ensure a landscaping management plan is in place.

Expected delivery: Short Term (1—2 years)

2. Enhance boundary treatments along edges of footpaths and the highway by introducing planting, walls, railings and different surface treatments to enable better distinction between public and private spaces.

Expected delivery: Medium Term (2—5 years)

3. Introduce pedestrian and cycle crossings over road junctions, which currently interrupt footways and makes crossing the highway hazardous.

Expected delivery: Short to Medium Term (1—5 years)
RAILWAY STATION ENVIRONMENTS: WHAT WE WOULD LIKE TO ACHIEVE

- Introduce gateway features at Wymondham Railway Station and key entry points into Wymondham.

- Improve pedestrian access under railway, particularly for bicycles and those with disabilities or people using pushchairs.

- Provide safe and attractive pedestrian crossing points across Station Road and Cemetery Lane.

- Enhance connectivity of pedestrian and cycle routes between the town centre, Cemetery Lane and the Railway Station by improving footpaths and creating clear and legible routes.

- Widen footpaths and make good uneven surfaces along east side of Station Road and Cemetery Lane to enable improved movement of pedestrians and cyclists.

- Enhance boundary treatments along edges of footpaths and the highway by introducing landscaping, walls, railings and different surface treatments.

- Explore opportunities for providing an 'at grade' pedestrian and cycle access to the east railway platform from Station Road.

- Rationalise and improve signage and way finding to the Railway Station, town centre and key destination points.
1. Create a gateway feature adjacent to Wymondham Railway Station by ensuring that any future development proposals opposite the station are capable of delivering high quality development that enhances the setting of the Listed Railway Station buildings and act as a landmark.

   Expected delivery: Medium to Long Term (2—5+ years)

2. Explore and seize any opportunities for providing a dedicated pedestrian route under the railway for bicycles and those with disabilities that connects into the wider movement network between South Wymondham and the town centre.

   Expected delivery: Medium to Long Term (2—5+ years)

3. Introduce safe and attractive pedestrian and cycle crossings across road junctions at Station Road and Cemetery Lane, which currently interrupt footways and makes crossing the highway hazardous.

   Expected delivery: Short to Medium Term (1—5 years)
RAILWAY STATION ENVIRONMENTS: IMPROVEMENTS PROMOTED BY SOUTH NORFOLK COUNCIL

4. Enhance boundary treatments along edges of footpaths and the highway boundaries by introducing landscaping, walls, railings and different surface treatments to enable better distinction between public and private spaces.

Expected delivery: Short to Medium Term (1—5 years)

5. Explore opportunities for providing an ‘at grade’ or ramped pedestrian and cycle access to the east railway platform from Station Road. Explore removal of unused railway siding between goods yard and platform.

Expected delivery: Medium to Long Term (2—5+ years)

6. Carry out a signage and street clutter audit utilising volunteers from the local community to rationalise and improve signage and highways infrastructure in accordance with Norfolk County Highways advice. Include way finding signage and information boards at the railway station that identify key destination points.

Expected delivery: Short Term (1—2 years)
EMPLOYMENT ENVIRONMENTS: WHAT WE WOULD LIKE TO ACHIEVE

- Widen footpath and create cycle route along south side of Station Road to enable improved movement of pedestrians and cyclists between the town centre and South Wymondham.

- Enhance boundary treatments along edges of footpaths and the highway adjacent Ayton Road Industrial Estate by introducing additional landscaping, walls and railings to enable better separation of public and private spaces.

- Reduce width of junctions along north side of Station Road where footways are interrupted by highways and introduce safe crossing points to mitigate against highway hazardous.

- Explore development opportunities for enhancing the quality of the street frontages along Station Road and the former Sale Ground site by introducing active frontages onto the highway.

- Rationalise and improve signage and way finding to the Industrial Estate, Railway Station, town centre and key destination points.
EMPLOYMENT ENVIRONMENTS: IMPROVEMENTS
PROMOTED BY SOUTH NORFOLK COUNCIL

1. Widen footpath and create cycle route along south side of Station Road to enable improved movement of pedestrians and cyclists between the town centre and South Wymondham.

Expected delivery: Short to Medium Term (1—5 years)

2. Enhance boundary treatments along edges of footpaths and the highway adjacent Ayton Road Industrial Estate by introducing additional landscaping, walls and railings to enable better separation of public and private spaces.

Expected delivery: Medium Term (2—5 years)

3. Reduce width of junctions along the north side of Station Road and introduce pedestrian and cycle crossings by providing safe and attractive pedestrian routes from Ayton Road Industrial Estate onto the south side of Station Road.

Expected delivery: Medium to Long Term (2—5+ years)
4. Explore development opportunities for enhancing the quality of the street frontages along Station Road and the former Sale Ground site by introducing active frontages onto the highway.

Expected delivery: Short to Medium Term (1—5 years)

5. Carryout a signage and street clutter audit utilising volunteers from the local community to rationalise and improve signage and highways infrastructure in accordance with Norfolk County Highways advice. Rationalise and improve signage and way finding to the Industrial Estate, Railway Station, town centre and key destination points.

Expected deliver: Short Term (1—2 years)
LONDON ROAD / STATION ROAD JUNCTION : WHAT WE WOULD LIKE TO ACHIEVE

- Reduce pedestrian severance to the town centre created by the London Road (B1172) and the Harts Farm Road and Station Road signalised junction by exploring alternative junction designs.

- Rationalise and improve signage and way finding to the town centre, the Railway station and key destination points.

- Introduce gateway features at key entry points into Wymondham town centre along Harts Farm Road, London Road and Station Road.

- Enhance townscape quality by reducing highways infrastructure and removing pedestrian barriers.

- Provide clear and legibility pedestrian and cycle routes towards the town centre, from Station Road and east and west along Harts farm Road / London Road.

- Introduce dedicated cycle routes across the London Road junction towards the town centre, the railway station and east and west towards Browick Park and the police HQ.

- Enhance boundary treatments along edges of footpaths and the highway by introducing landscaping, and high quality public realm treatments to enable better distinction between public and private spaces.

- Explore development opportunities for enhancing the townscape quality along Norwich Road and Harts Farm Road by introducing new uses and public realm.
LONDON ROAD / STATION ROAD JUNCTION: IMPROVEMENTS PROMOTED BY SOUTH NORFOLK COUNCIL

1. Explore alternative junction designs that improve pedestrian and cycle movement to the town centre across the existing London Road (B1172) / Harts Farm Road and Station Road signalised junction.

Expected delivery: Medium Term (2—5 years)

2. Reduce the need for signals and barriers, where practical, to improve pedestrian/cycle access across the junction and movement to the town centre, the Railway station and key destination points.

Expected delivery: Medium Term (2—5 years)

3. Create gateway features on London Road and Harts Farm Road that help to create a sense of arrival into Wymondham town centre and slow traffic down towards the junction. Explore features such as public art, street trees, surface treatments and development opportunities along the edges of the highway.

Expected delivery: Medium to Long Term (2—5+ years)
4. Provide clear and legibility pedestrian and cycle routes and signage towards the town centre, the railway station and east and west towards Browick Park and the police HQ.

Expected delivery: Medium Term (2—5 years)

5. Enhance boundary treatments along edges of footpaths and the highway by introducing new landscaping and high quality public realm, to enable better distinction between public spaces and traffic.

Expected delivery: Medium Term (2—5 years)

6. Carry out a signage and street clutter audit utilising volunteers from the local community to rationalise and improve signage and highways infrastructure in accordance with Norfolk County Highways advice. Rationalise and improve signage and way finding to the town centre for both pedestrians/cyclists and motorists.

Expected delivery: Short Term (1—2 years)
THE LIZARD: WHAT WE WOULD LIKE TO ACHIEVE

- Upgrade existing surface treatments along the main road to enable improved access for vehicles, cycles and pedestrians.

- Enhance boundary treatments along edges of footpaths and the highway by introducing landscaping, and high quality public realm treatments to enable better distinction between public spaces and private plots.

- Provide clear distinction between car parking areas and the open space to the north of The Lizard, as well as looking at ways of accommodating parked cars more sympathetically.

- Provide an emergency access road to the east of The Lizard by maintaining a permanent vehicular link to Right Up Lane.

- Improve signage and pedestrian/cycle routes between The Lizard and the town centre, including promotion of the County Wildlife Site and The Lizard Pastures.

Expected delivery: Short to Medium Term (1—5 years)
### IMPLEMENTATION PLAN

The implementation plan sets out the activities defined by the opportunities in the ‘Connecting South Wymondham’ document.

<table>
<thead>
<tr>
<th>Opportunity</th>
<th>Activities</th>
<th>Likely lead</th>
<th>Timescale</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>SILFIELD ROAD</strong></td>
<td>Gateway feature after A11 bridge crossing.</td>
<td>Developers.</td>
<td>2 – 5 years</td>
</tr>
<tr>
<td></td>
<td>Pedestrian/cycle crossings over existing road junctions.</td>
<td>Norfolk County Highways in partnership with developers and South Norfolk Council.</td>
<td>1 – 5 years</td>
</tr>
<tr>
<td></td>
<td>Pedestrian/cycle route along east side of Silfield Road.</td>
<td>Developers.</td>
<td>1 – 5 years</td>
</tr>
<tr>
<td></td>
<td>Enhanced boundary treatments along Silfield Road.</td>
<td>Norfolk County Highways in partnership with South Norfolk Council and Wymondham Town Council.</td>
<td>2 – 5 years</td>
</tr>
<tr>
<td></td>
<td>Tree planting and landscaping within existing grass verges.</td>
<td>Norfolk County Highways in partnership with South Norfolk Council and Wymondham Town Council.</td>
<td>1 – 5 years</td>
</tr>
<tr>
<td><strong>RAILWAY STATION ENVIRONMENTS</strong></td>
<td>Gateway feature at Railway Station.</td>
<td>Developers in partnership with Norfolk County Highways and South Norfolk Council.</td>
<td>2 – 5+ years</td>
</tr>
<tr>
<td></td>
<td>Dedicated pedestrian/cycle tunnel under railway line.</td>
<td>Developers in partnership with Network Rail, Greater Anglia, Norfolk County Highways and South Norfolk Council.</td>
<td>2 – 5+ years</td>
</tr>
<tr>
<td></td>
<td>Pedestrian crossing at the junction of Silfield Road with Station Road and Right Up Lane.</td>
<td>Developers.</td>
<td>1 – 5 years</td>
</tr>
<tr>
<td></td>
<td>Enhanced boundary treatments along Cemetery Lane.</td>
<td>Norfolk County Highways in partnership with South Norfolk Council and Wymondham Town Council.</td>
<td>2 – 5 years</td>
</tr>
<tr>
<td></td>
<td>Provision of an 'at grade' or ramped access to the east railway platform from Station Road.</td>
<td>Developers in partnership with Network Rail, Greater Anglia, Norfolk County Highways and South Norfolk Council.</td>
<td>2 – 5+ years</td>
</tr>
<tr>
<td></td>
<td>Improved signage and way finding, including street clutter and signage audit.</td>
<td>Norfolk County Highways in partnership with South Norfolk Council and Wymondham Town Council.</td>
<td>1 – 2 years</td>
</tr>
<tr>
<td><strong>EMPLOYMENT ENVIRONMENTS</strong></td>
<td>Widen pedestrian/cycle route along south side of Station Road.</td>
<td>Developers in partnership with Norfolk County Highways and South Norfolk Council.</td>
<td>1 – 5 years</td>
</tr>
<tr>
<td></td>
<td>Development opportunities along Station Road and former Sale Ground site identified.</td>
<td>South Norfolk Council.</td>
<td>1 – 5 years</td>
</tr>
<tr>
<td></td>
<td>Enhanced boundary treatments along Station Road.</td>
<td>Norfolk County Highways in partnership with South Norfolk Council and Wymondham Town Council.</td>
<td>2 – 5 years</td>
</tr>
<tr>
<td></td>
<td>Improved signage and way finding, including street clutter and signage audit.</td>
<td>Norfolk County Highways in partnership with South Norfolk Council and Wymondham Town Council.</td>
<td>1 – 2 years</td>
</tr>
<tr>
<td>Opportunity</td>
<td>Activities</td>
<td>Likely lead</td>
<td>Timescale</td>
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<td>------------------------------------------------------------------------------</td>
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</tr>
<tr>
<td>LONDON ROAD / STATION ROAD JUNCTION</td>
<td>New junction at London Road &amp; Station Road.</td>
<td>Developers in partnership with Norfolk County Highways and South Norfolk Council.</td>
<td>2 – 5 years</td>
</tr>
<tr>
<td></td>
<td>Improved pedestrian/cycle crossings over Norwich Road and Station Road junction.</td>
<td>Developers in partnership with Norfolk County Highways and South Norfolk Council.</td>
<td>2 – 5 years</td>
</tr>
<tr>
<td></td>
<td>Gateway features on London Road and Harts Farm Road.</td>
<td>Norfolk County Highways in partnership with South Norfolk Council.</td>
<td>2 – 5+ years</td>
</tr>
<tr>
<td></td>
<td>Clear and legible pedestrian/cycle routes between the town centre, the railway station and west toward Browick Park and police HQ.</td>
<td>Norfolk County Council Highways in partnership with South Norfolk Council.</td>
<td>2 – 5 years</td>
</tr>
<tr>
<td></td>
<td>Enhanced boundary treatments and development opportunities along London Road and Harts Farm Lane.</td>
<td>Norfolk County Highways in partnership with Wymondham Town Council and South Norfolk Council.</td>
<td>2 – 5 years</td>
</tr>
<tr>
<td></td>
<td>Improved signage and way finding, including street clutter and signage audit.</td>
<td>Norfolk County Highways in partnership with Wymondham Town Council and South Norfolk Council.</td>
<td>1 - 2 years</td>
</tr>
<tr>
<td>THE LIZARD</td>
<td>Upgraded surface treatments along main road for vehicles and pedestrians/cycles.</td>
<td>Developers.</td>
<td>1 – 5 years</td>
</tr>
<tr>
<td></td>
<td>Enhanced boundary treatments along the main road and front of terraces.</td>
<td>Norfolk County Highways in partnership with Wymondham Town Council and South Norfolk Council.</td>
<td>2 – 5 years</td>
</tr>
<tr>
<td></td>
<td>Sympathetic car parking along the soft edge of the open space along to the north of The Lizard.</td>
<td>Developers in partnership with Norfolk County Highways.</td>
<td>2 – 5 years</td>
</tr>
<tr>
<td></td>
<td>Permanent Emergency Access between the Lizard and Right Up Lane.</td>
<td>Developers.</td>
<td>1 – 5 years</td>
</tr>
<tr>
<td></td>
<td>Improved signage and pedestrian/cycle routes between The Lizard and the town centre.</td>
<td>Norfolk County Highways in partnership with Wymondham Town Council and South Norfolk Council.</td>
<td>2 – 5 years</td>
</tr>
</tbody>
</table>
Draft Supplementary Planning Document (SPD) providing Guidance for the Delivery of a ‘Food and Agriculture Hub for Broadland, Norwich and South Norfolk’

Planning Policy Manager

Policy 5 of the Joint Core Strategy (JCS) for Broadland, Norwich and South Norfolk refers to the development of a flagship food and farming hub serving the needs of Norfolk. Broadland District and South Norfolk Councils, supported by Norwich City and Norfolk County Councils, have produced a draft Supplementary Planning Document (SPD) which sets out the kind of uses that would be appropriate as part of a food and agriculture hub and the principles that would be used to test any planning applications that came forward for such a use. The draft SPD is attached as Appendix A and it is proposed to consult on this draft for at least six weeks during summer 2013.

Cabinet member(s): John Fuller
Ward(s) affected: All
Contact Officer, telephone number, and e-mail: Simon Marjoram 01508 533810 smarjoram@s-norfolk.gov.uk

1. **Background**

1.1. In 2006 a feasibility study was undertaken on behalf of Shaping Norfolk’s Future into the prospects for a food hub. The study identified a possible range of supportive enterprises, both infrastructure and knowledge based, which are needed to help achieve ‘a step change in the scale of the potential market for local producers’. As such the study supported the concept of a cluster of uses that could be located in the Norwich area, utilising proximity to existing research and educational establishments.

1.2. Policy 5 (The Economy) of the Joint Core Strategy (JCS) refers to the development of a flagship food and farming hub serving the needs of Norfolk. The supporting text to Policy 5 notes that this would allow local producers to ‘coordinate activity and access larger markets’. A hub could also include a relocated livestock market for the area plus some ancillary supporting businesses. More recently the Government has consulted on ‘Shaping a UK Strategy for Agri-tech’ (BIS, October 2012), which highlights the need to support
innovation which builds on the scientific research and development in food and life sciences. Food and life sciences are strongly represented in the Norwich area, specifically at the Norwich Research Park, and development of this sector is a key element of the successful City Deals bid. Consequently the SPD includes the possibility of facilitating argi-tech uses as part of the food and agriculture hub.

1.3. A Supplementary Planning Document (SPD) which is not location specific and against which any planning applications can be assessed, is the most appropriate route for delivering the JCS requirement. The SPD, a consultation draft of which is attached as Appendix A, sets out the main considerations that will apply to any proposals for a food and agriculture hub. The SPD does not create new planning policy, but supplements Policy 5 of the JCS by providing more detailed guidance. The final adopted SPD would be a material consideration in the determination of any future planning application in Broadland or South Norfolk.

2. **Current Position and Issues**

2.1. The attached SPD is not geographically specific and could be applied to any proposals that come forward for a food and agriculture hub. As noted below, the SPD sets outs out the criteria the local planning authorities will use in terms of assessing the location, scale and proposed uses.

2.2. Since the need for a food and farming hub was identified in the JCS, a submission has been made for a potential site to the west of Easton, as part of the Local Plan Site Specific Allocations and Policies process. This particular suggestion raises a number of concerns, including the scale and mix of uses and the difficulty with allocating a site that crosses the boundary between South Norfolk and Broadland. In 2012 the Council consulted on Easton as a possible location for a food and farming hub in the emerging Local Plan. This consultation also sought suggestions for other possible locations; however none were forthcoming from landowners or developers. Following the submissions made by the Easton site promoter to the 2012 consultation, the scale and mix of uses remains a concern, as is the fact that the likely first phase is outside South Norfolk.

2.3. Given the concerns with the specific proposals put forward to date, South Norfolk and Broadland District Councils, supported by Norwich City and Norfolk County Councils, have produced the attached draft SPD for delivery of a food and agriculture hub. This is considered the most appropriate way to implement this element of JCS Policy 5.

2.4. An earlier draft of the SPD was considered by the 28 January 2013 Local Planning Steering Group, where the contents were noted.
3. **Proposal and Reasons**

3.1. A Supplementary Planning Document (SPD) adds further detail to the policies in the Local Plan, in this case Policy 5 of the JCS, and provides further guidance on particular issues. Although not part of the Development Plan, SPDs go through a consultation process and are adopted by the local planning authority, and can be used as a material consideration when determining relevant planning applications. Because the JCS does not specify a particular size or location of site, or the variety of uses a food hub could encompass, an SPD provides the most appropriate to guide landowners and developers on these issues.

3.2. Sections 1 and 2 of the draft SPD set out the role of the document, including its context it terms of the policies of the JCS and the National Planning Policy Framework (NPPF). Section 3 sets out what considerations will be applied to proposals, specifically relating to (1) Location, (2) Scale and Design, and (3) Uses. Amongst other things, the SPD requires proposals to be close to areas of population and to establishments (e.g. education, research and training institutions) with links to the food and agriculture sector and with good access to the main road network and public transport links. Proposals should be appropriate in scale and design and should not undermine established centres or strategic employment locations. Initial proposals will need to present an overall master plan for the hub and will not be expected to exceed 10 hectares. Clear justification will need to be given for the floorspace of the specific primary and ancillary uses proposed in any planning application.

3.3. It is proposed that Broadland and South Norfolk Councils will consult on the draft SPD for a period of at least six weeks. The consultation will include:

- Publication on the South Norfolk Council and Broadland District Council websites, with links to/from other websites as appropriate;
- Notification of/consultation with town and parish councils, neighbouring authorities and relevant organisations, such as the Local Enterprise Partnership and bodies representing the farming and business communities;
- Notification of likely interested parties such as agents.

3.4. The results of the consultation will be considered by South Norfolk and Broadland District Councils and a final version of the document considered for adoption by each Council.

4. **Other Options**

4.1. Not to develop an SPD. As noted above, a site has been suggested for a food and farming hub and the Council could allocate part of that site in the emerging Local Plan; however, a significant part of the site is in Broadland district, and a joint SPD produced under JCS Policy 5 provides the opportunity to deal with a cross-boundary proposal in a more coordinated way. Other applications could also be considered on their merits against the NPPF and existing planning policies, but given the potentially large-scale, specialist nature of a food and
agriculture hub, the more detailed guidance in an SPD would provide greater clarity for landowners, developers, the public and other interested bodies.

5. Relevant Corporate Priorities

5.1. Promoting a thriving local economy. The SPD is intended to guide and facilitate proposals for a food and agriculture hub which is part of supporting the rural economy and rural diversification in the JCS area.

6. Implications and Risks

6.1. Financial – there will be some costs involved in producing the document and undertaking consultation, shared with other authorities, which will be met from existing staff resources and budgets.

6.2. Legal – the final, adopted SPD would be a material consideration in determining planning applications for food and agriculture hub proposals.

6.3. Environmental – The SPD offers opportunities to address the environmental issues related to potential proposals for a food and agriculture hub.

7. Conclusion

7.1. An SPD providing ‘Guidance for the Delivery of a Food and Agriculture Hub for Broadland, Norwich and South Norfolk’ is seen as the most appropriate way to help guide and evaluate proposals in a consistent way across the JCS area. As such it is proposed to consult on the draft SPD attached as Appendix A.

8. Recommendations

8.1. Cabinet is recommended to:

   a) approve the draft Supplementary Planning Document on ‘Guidance for the Delivery of a Food and Agriculture Hub for Broadland, Norwich and South Norfolk’, attached as Appendix A, and to instruct the officers to proceed with public consultation of at least six weeks during summer 2013, jointly with Broadland District Council; and

   b) delegate authority to the Director of Growth and Localism to make necessary minor changes to the document (including grammatical corrections and factual updates) prior to publication for consultation.
Guidance for the delivery of a food and agriculture hub for Broadland, Norwich and South Norfolk
Supplementary Planning Document

Consultation Draft March 2013
Contents

1. Introduction
2. Planning Policy context
3. Criteria for consideration of a proposal
4. Application

Appendices
Appendix 1 - Extract from Broadland, Norwich and south Norfolk Joint Core Strategy - Policy 5: the Economy
1. **Introduction**

1.1 This Supplementary Planning Document (SPD) sets out the main considerations that will apply to any proposal for a food and agricultural sector “hub” in the greater Norwich area (the area of Broadland district, Norwich City and South Norfolk district local planning authority areas). It supplements policy 5: The Economy in the Broadland, Norwich and South Norfolk Joint Core Strategy (JCS) adopted March 2011 (see Appendix 1). As such, this SPD does not create new planning policy, but it provides further interpretation and guidance on the application of the JCS policy, and so will be a material consideration in the determination of an application for planning permission.

1.2 The following sections explain the planning policy context to the SPD, set out the criteria that will be applied to a development proposal and indicate the type of uses that will be considered appropriate.

1.3 The Joint Core Strategy, including policy 5, was subject to a Sustainability Appraisal (incorporating Strategic Environmental Assessment) and Appropriate Assessment under the Habitat Regulations. As this SPD is not forming new policy, but merely supplements the JCS policy, a specific Sustainability Appraisal or Appropriate Assessment for the SPD is not necessary and has not been undertaken.
2. Planning Policy Context

2.1 This SPD expands on policy 5: The Economy contained in the Broadland, Norwich and South Norfolk Joint Core Strategy Development Plan Document, adopted March 2011. That policy states: *The rural economy and diversification will also be supported by: ........ the development of a flagship food and farming hub serving the needs of Norfolk and supporting the agri-food sector in and around greater Norwich.* In addition, supporting text explains: *5.42 A food and farming hub will support local agriculture by providing opportunities for local producers to co-ordinate activity and access larger markets, provide a focus for ancillary supporting business and suppliers, and an opportunity for the re-location of the livestock market. Any proposal will need to be carefully located and controlled to ensure it fulfils this role in a sustainable way, with any retailing fulfilling an appropriate role in the retail hierarchy.* (full policy and text in Appendix 1). Therefore, a proposal for a food and agricultural hub in an appropriate location, and of an appropriate scale and range of uses is supported in principle.

2.2 The retail hierarchy is set out in Policy 19: The hierarchy of centres in the JCS. This states: *The development of new retailing, services, offices and other town centre uses as defined by government guidance will be encouraged at a scale appropriate to the form and functions of the following hierarchy of defined centres:* before listing the hierarchy as Norwich City Centre, specified town and large district centres, specified large village and district centres, and local centres. Consequently, the focus for retailing is on existing centres, appropriate to their level in the hierarchy. In addition, supporting text states at para 6.74: *no potential has been identified for additional out-of-centre retailing.* Therefore, although an element of retailing may be acceptable within the hub, this should be ancillary to the main uses and of a scale and type that does not impact on existing centres.

2.3 The policies in the JCS were developed in accordance with national planning policies at the time. Also, the JCS policies conform to the new National Planning Policy Framework published 27 March 2012. This contains national level policies on issues such as building a strong economy, ensuring the vitality of town centres and supporting a prosperous rural economy, as well as on housing, transport, infrastructure, and environmental matters.

2.4 Of particular relevance to this SPD are the following paragraphs from the NPPF:

20. To help achieve economic growth, local planning authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century;

24. Local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. They should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered.
When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale.

25. This sequential approach should not be applied to applications for small scale rural offices or other small scale rural development.

26. When assessing applications for retail, leisure and office development outside of town centres, which are not in accordance with an up-to-date Local Plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500 sq ). This should include assessment of:

- the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and
- the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area, up to five years from the time the application is made. For major schemes where the full impact will not be realised in five years, the impact should also be assessed up to ten years from the time the application is made.

27. Where an application fails to satisfy the sequential test or is likely to have significant adverse impact on one or more of the above factors, it should be refused.

28. Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should:

- support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings;
- promote the development and diversification of agricultural and other land-based rural businesses;
- support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres; and
- promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship.
34. Plans and decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. However this needs to take account of policies set out elsewhere in this Framework, particularly in rural areas.

2.5 Other policies in the NPPF, JCS or other development plan documents produced by the local planning authorities may also be relevant to a particular proposal. In addition, in accordance with normal planning practice other material considerations will also be taken into account in determining an application for planning permission.

2.6 More recently the Government has consulted on ‘Shaping a UK Strategy for Agri-tech’ (BIS, October 2012), which highlights the need to support innovation which builds on the scientific research and development in food and life sciences. Food and life sciences are strongly represented in the Norwich area, specifically at the Norwich Research Park, and development of this sector is a key element of the successful City Deals bid. Consequently the SPD includes an element of facilitating argi-tech uses as part of the food and agriculture hub.
3. Criteria for consideration of a proposal

3.1 Following on from the above policies a proposal for a food and agriculture hub will need to comply with the following:

(1) Location

The site should be located close to Norwich and the related areas of population, with good public transport links and access to the main road network (ie one or more of the A47, A11, A140 South, and proposed Northern Distributor Road). Any necessary junction or highway improvements should take into account other development that may take place in the area.

The location should also be able to take advantage of potential functional links with other elements of the food and agriculture sector, including proximity to education / training and research establishments.

(2) Scale and design

The scale and design of the development should be appropriate in terms of:

- Relationship with adjoining communities
- Minimising any potential environmental impacts, including in terms of landscape, countryside, agricultural land quality, noise, smells, drainage, wildlife, and residential amenity.
- Access provision, including any necessary improvements to the highway network and public transport.
- Not impacting on the viability and vitality of strategic employment areas or city/ town/ district centres.
- Not impacting on the viability of other Local Plan allocations, such as strategic housing sites
- A demonstrable need for the amount and type of floorspace proposed, with the development to be phased to reflect the identified needs and provision of necessary infrastructure.

Initial proposals will need to present an overall master plan and will not be expected to exceed 10 hectares.

(3) Uses

Any uses proposed will need to be closely and directly linked to food production and agriculture. The primary focus should be on crops, products etc from the greater Norwich area, though for certain elements (for example where obtaining produce from a wider area would be necessary for a use to be viable) this might extend to other parts of East Anglia.

Acceptable primary uses will include:

- Storage and distribution of agricultural produce
Storage and distribution of agricultural products (i.e. have undergone processing)
Storage and distribution of agricultural equipment, machinery and supplies
Storage and distribution of livestock (e.g. livestock market)
Haulage services related to the above storage and distribution
Veterinary services

In addition, subject to the proportion constituting no more than approximately 10% of the area by floorspace, an element of other uses ancillary and subsidiary to the above uses will also be acceptable, including
- Offices necessary as part of a primary use
- Agri-tech businesses which make use of the local agri-science base
- Processing of agricultural produce
- Manufacture of food products
- Manufacture of non-food agricultural products (e.g. timber fencing)
- Manufacture of agricultural equipment, machinery and supplies
- Education / training related to agriculture and food
- Display, wholesaling and retailing of agricultural and food products.

Clear justification, in terms of the benefit proposals make to the overall hub, will be needed for significantly exceeding 10%.

A food and agriculture hub will not be a suitable location for large-scale food manufacture/processing or general manufacturing, offices, storage, distribution or other uses not clearly linked to the primary uses.
4. Application

4.1 The criteria set out in this document will be used to help guide the consideration of any applications for planning permission for a “food and agriculture hub” within the local planning authority areas of Broadland, Norwich and South Norfolk. The main consideration will be the policies of the adopted Joint Core Strategy, particularly policy 5; and any other relevant policies contained in other planning documents of the three authorities, together with the policies of the National Planning Policy Framework. This Supplementary Planning Document will be taken into account as a “material consideration”, as will any other factors that are regarded as “material” to the consideration of a specific proposal.

4.2 For any planning permission that is given, it is likely that conditions will be applied to ensure that the development takes place in an appropriate manner and in accordance with the relevant policies and guidance.

4.3 Potential applications are encouraged to discuss any proposals with the relevant planning authority prior to submitting a planning application.
Appendices

Appendix 1 Extract from Broadland, Norwich and South Norfolk Joint Core Strategy adopted March 2011

Policy 5: The economy

The local economy will be developed in a sustainable way to support jobs and economic growth both in urban and rural locations. This will:

• provide for a rising population and develop its role as an engine of the wider economy
• facilitate its job growth potential with a target at least 27,000 additional jobs in the period 2008-2026
• increase the proportion of higher value, knowledge economy jobs while ensuring that opportunities are available for the development of all types and levels of jobs in all sectors of the economy and for all the workforce

Sufficient employment land will be allocated in accessible locations consistent with the ‘Policies for places’ in this strategy to meet identified need and provide for choice.

In particular:

• the needs of small, medium and start-up businesses will be addressed through the allocation of new smaller scale employment sites and the retention of, and the potential expansion of, a range of existing small and medium employment sites across the area and by requiring the provision of small-scale business opportunities in all significant residential and commercial developments. Flexible building design and innovative approaches will be sought in new and existing residential developments to encourage local working and business opportunities
• larger scale needs will be addressed through the allocation of sufficient land to provide a choice and range of sites. Development Plan Documents and investment strategies will ensure that a readily available supply of land is maintained throughout the Joint Core Strategy period
• investment strategies will focus on overcoming constraints to the release and development of key sites
• land identified for employment uses on proposals maps will only be considered for other uses that are ancillary and supportive to its employment role. Employment land with potential for redevelopment for other uses will be identified in supporting DPDs or SPDs

Opportunities for innovation, skills and training will be expanded through:

• facilitating the expansion of, and access to, vocational, further and higher education provision
• encouraging links between training/education provision and relevant business concentrations including co-location where appropriate

• support for enterprise hubs at Norwich Research Park, the University of East Anglia, EPIC (East of England Production Innovation Centre), and Hethel, and at easily accessible locations in the area

Tourism, leisure, environmental and cultural industries will be promoted. This will be assisted by:

• the general emphasis of the Joint Core Strategy on achieving high quality design, resource efficiency, environmental enhancement and retention of local distinctiveness

• implementation of the green infrastructure network

• encouragement for appropriate development including sustainable tourism initiatives

• encouragement for development that creates a supportive environment for cultural Industries

• promotion of the creative industries cluster

• support for cultural initiatives including festivals

The rural economy and diversification will also be supported by:

• a preference for the re-use of appropriate redundant non-residential buildings for commercial uses, including holiday homes to support the tourism industry (affordable housing may be an acceptable alternative use)

• promotion of farmers markets, farm shops and cottage industry, including

• e-commerce in villages

• the development of a flagship food and farming hub serving the needs of Norfolk and supporting the agri-food sector in and around greater Norwich

• promoting the development of appropriate new and expanded businesses, which provide either tourism or other local employment opportunities

Contributes to spatial planning objectives 1, 3, 4, 8 and 9

5.38 Achieving the full economic potential of the area is dependent on improved connectivity, including the implementation of the priorities set out in the sustainable transport policy and maintaining and enhancing the environment and quality of life in the area. Research suggests that the local economy has the potential to provide sufficient jobs to support the level of housing growth proposed. Indeed jobs growth will be dependent on housing growth. Jobs and employment potential should be a key priority when considering any form of development, especially rural development.
5.39 Enhancing the knowledge economy and promoting innovation will be important across all sectors and parts of the area. However, the expansion of activity at the Norwich Research Park, a refocus on employment and education in and around the city centre, and building on the early success of the Hethel Engineering Centre will play a fundamental role.

5.40 A range and choice of employment sites are allocated and retained, including sites suitable for workshop and light industrial type uses.

5.41 Tourism, leisure, and cultural industries are recognised as crucial sectors in the local economy that are also fundamental to local quality of life and the attraction and retention of other businesses and staff.

5.42 A food and farming hub will support local agriculture by providing opportunities for local producers to co-ordinate activity and access larger markets, provide a focus for ancillary supporting businesses and suppliers, and an opportunity for the re-location of the livestock market. Any proposal will need to be carefully located and controlled to ensure it fulfils this role in a sustainable way, with any retailing fulfilling an appropriate role in the retail hierarchy.

5.43 A wide range of businesses can be appropriate in rural areas, either because they are of a scale that is appropriate to a small town or village, they serve local needs or because they have a particular connection to the area such as rural leisure and tourism.

References
05 Area-wide policies, Policy 5
- PPG4 Industrial, commercial development and small firms
- PPS7 Sustainable development in rural areas
- East of England Plan Policies E1-E6
- East of England Regional Economic Strategy
- Greater Norwich Economic Strategy 2009-2014
- Employment Growth and Sites and Premises Study (2008)
- Feasibility Study for a Conference Centre and Concert Hall for the Greater Norwich Area (2009)
Memorandum of Understanding with Broads Authority to formalise the treatment of housing and employment needs and delivery in and around the Broads

**Director of Growth and Localism**

This report recommends the agreement of the attached Memorandum of Understanding as evidence of the Duty to Co-operate between South Norfolk Council and the Broads Authority. The Broads Authority Executive Area overlaps with several District Authorities in Norfolk and Suffolk. As the Broads Authority does not have housing or employment targets but has a planning function, there is an established protocol for planning practice which they have now formalised in a Memorandum of Understanding (MoU, at Appendix 1). This report also recommends delegated authority to the Director of Growth and Localism, with the approval of the relevant portfolio holder, to sign, update or amend the agreement as future needs arise.

<table>
<thead>
<tr>
<th>Cabinet member(s):</th>
<th>Ward(s) affected:</th>
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<tbody>
<tr>
<td>John Fuller</td>
<td>All</td>
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</table>

Contact Officer, telephone number, and e-mail: Anita Ragan 01508 533848 aragan@s-norfolk.gov.uk

1. **Background**

1.1. Following the formal revocation of the East of England Plan in January 2013, and the introduction of a formal ‘Duty to Co-operate’ for public bodies through the Localism Act 2011, the Broads Authority has prepared a Memorandum of Understanding to reflect the need for an "explicitly agreed approach to determining the strategic allocation of housing and employment growth with respect to the Broads area, in order to ensure that the Broads is properly conserved and the risks from flooding are minimised".

1.2. Although the Broads Authority was not allocated any housing or employment targets in the East of England Plan, it retains planning powers to prepare a Local Plan (Local Development Framework) and determine planning applications.

1.3. The protocol until now is for Local Authorities which cover part of the Broads – including South Norfolk Council – to make provision for growth in their districts outside the Broads Authority area. The Broads Authority is free to make allocations in their area, but paragraph 7.6 of their adopted Core Strategy states that the Broads is an area of general housing restraint, and only a few allocations are made in its emerging Site Specific Allocations document. Any housing
development taking place within the Broads Authority area is recorded as windfall development in the relevant district.

2. Current Position and Issues

2.1. The East of England Plan was revoked on 3 January 2013 by the Secretary of State under powers contained in the Localism Act 2011. However, the Localism Act also introduced the Duty to Co-operate, requiring local authorities and other public bodies to work together on strategic planning issues.

2.2. The Broads Authority is a partner in the GNDP (although not part of the JCS) and we have co-operated on planning matters for several years.

2.3. The long-standing approach to strategic planning in the Broads Authority area—that districts assess and plan for the needs for their whole area, but plan to accommodate all this growth outside those parts of the their area falling within the Broads—is not proposed to be changed. However, the Broads Authority feels it would be of value to formalise the existing arrangements and agreements it has with its 'parent' local authorities.

2.4. As a consequence, the Broads Authority has prepared a Memorandum of Understanding (MoU) on the “Treatment of housing and employment needs and delivery in and around the Broads” and would like to see all the ‘parent’ authorities (Norwich City, Broadland, North Norfolk, Great Yarmouth, South Norfolk, Waveney, Norfolk County and Suffolk County) sign the MoU.

2.5. The MoU includes clauses to: support limited development within the Broads Authority area under certain conditions (such as for tourism development); to seek provision of affordable housing in line with adopted standards (Joint Core Strategy Policy 4); for the Broads Authority to retain New Homes Bonus for development in the Broads Authority area within South Norfolk, but for such development to contribute to South Norfolk’s windfall statistics; and to consider (jointly with SNC) a specific variation of these arrangements for any significant developments.

2.6. The contents of the MoU reflect long-standing practice in South Norfolk, and formalising the MoU as a record of the co-operation between South Norfolk Council and the Broads Authority would be helpful in contributing to South Norfolk’s emerging Local Plan evidence base for co-operating with other authorities.

2.7. The Memorandum of Understanding expires at the end of March 2021, and contains a clause requiring 6 months notice to withdraw from the agreement before this date. The Broads Authority states the entire agreement is not considered to be enforceable, but could be used as evidence to support submission of Local Plan documents on all sides.
3. Proposal and Reasons

3.1. That South Norfolk Council should sign a Memorandum of Understanding with the Broads Authority on the “Treatment of housing and employment needs and delivery in and around the Broads”.

3.2. Signing the MoU will demonstrate compliance with the Duty to Co-operate for plan-making for both South Norfolk Council and the Broads Authority, and will formalise the continuation of current practice.

3.3. Delegating authority to amend or update the MoU will simplify the process should national policy, planning regulations or other circumstances change in future.

4. Other Options

4.1. We could decide not to agree the MoU. This would not be consistent with the duty to co-operate and could have implications for the soundness of our own documents and those of the Broads Authority at examination stage.

5. Relevant Corporate Priorities

5.1. Enhancing our quality of life and the environment we live in. The Broads offers a valuable contribution to the environment and the quality of life for many South Norfolk residents. It is in the interests of these and wider district residents and businesses to protect the special qualities of the Broads. The MoU re-states the general approach of precluding larger-scale development within the Broads area.

5.2. Promoting a thriving local economy. The MoU reflects the limited development potential in the Broads. However, the Broads Local Plan does emphasise the importance of tourism and tourism-related development in sustaining economic development in the Broads.

5.3. Supporting communities to realise their potential. Appropriate small-scale developments (such as affordable housing and tourism-related developments) are already permitted in the Broads area, and this will not change.

5.4. Driving services through being businesslike, efficient and customer aware. By publishing the current practice in a brief note, the MoU will be easily

6. Implications and Risks

6.1. Legal –. The Localism Act introduced the Duty to Co-operate and the NPPF requires Local Plans to be prepared in co-operation with neighbouring authorities and other public bodies. Whilst the MoU is not legally required, it will help demonstrate that South Norfolk’s Duty to Co-operate has been met.

6.2. Environmental – as the MoU formalises existing practice, which severely restricts development in the Broads Authority area to protect its special qualities, there are no environmental implications.

6.3. Risks – None.
7. **Conclusion**

7.1. The Memorandum of Understanding does not alter the existing long-standing practice of co-operation between the Broads Authority and South Norfolk Council, but provides a formalised agreement for the purposes of demonstrating compliance with the Duty to Co-operate for both bodies.

8. **Recommendations**

8.1. Cabinet is recommended to approve the MoU at Appendix 1 and delegate authority to the Director of Growth and Localism to sign it.

8.2. Cabinet is also recommended to delegate authority to the Director of Growth and Localism to update the MoU in future as necessary, with the approval of the relevant portfolio holder.
APPENDIX 1

Duty to Cooperate
Treatment of housing and employment needs and delivery in and around the Broads
Draft Memorandum of Understanding

John Clements  Broads Authority Planning Policy Officer
              Tel. 01603 750050
              email john.clements@broads-authority.gov.uk

12 November 2012

Introduction
On the anticipated demise of the Regional Spatial Strategy, there is a need for an explicitly agreed approach to determining the strategic allocation of housing and employment growth with respect to the Broads area, in order to ensure that the Broads is properly conserved and the risks from flooding are minimised.
It is proposed that districts continue to assess needs for whole of their area, and provide land to meet whatever level of planned delivery derived from that within their planning areas or elsewhere outside of the Broads. Hence there would continue to be no strategic housing or employment target for the Broads area. Housing and employment development completions in Broads area (usually windfalls) would, however, continue be counted by the relevant districts towards meeting their housing targets.

Memorandum of Understanding

Parties:
Broads Authority (as sole local planning authority and special purpose statutory authority for the designated Broads area);
Broadland District, Great Yarmouth Borough, North Norfolk District, Norwich City, South Norfolk District and Waveney District Councils (as housing authorities, in their role supporting economic development in their administrative areas, and as local planning authorities for that part of their areas outside the Broads) [hereinafter referred to as ‘the Districts’];
Norfolk and Suffolk County Councils (in their role in strategic planning under the ‘duty to cooperate’, in development monitoring and economic development, etc.).

In recognition of
a. the responsibilities of all the parties as planning and related authorities for areas in and around the Broads;
b. the responsibilities of the Districts as housing authorities, and of all the council parties for economic development of their areas;
c. the duty to cooperate on strategic planning matters imposed on the parties by the Localism Act 2011;
d. the duty of all the parties to have regard to the Broads statutory purposes imposed by the Norfolk and Suffolk Broads Act 1989 (as amended), these purposes being
   i. conserving and enhancing the natural beauty, wildlife and cultural heritage of the Broads;
   ii. promoting opportunities for the understanding and enjoyment of the special qualities of the Broads by the public; and
   iii. protecting the interests of navigation.
e. the Government's stated intention to revoke the regional spatial strategy (East of England Plan) which formally allocated strategic housing and employment targets to the districts but not the Broads;

f. the general inappropriateness of significant housing and employment development in the Broads, and the potential risks to the area associated with housing and employment targets, in the light of

i. the status of the Broads as a national park equivalent, which the National Planning Policy Framework states has the highest status of protection in relation to landscape and scenic beauty, and where conserving landscape and scenic beauty, wildlife and cultural heritage should be given the greatest weight;

ii. the 'National Parks and the Broads - UK Government Vision and Circular 2010', which states 'The Government recognises that [these areas] are not suitable locations for unrestricted housing and does not therefore provide general housing targets for them'.

iii. the serious risk of flooding affecting almost the whole of the Broads area (the boundary of which largely follows the extent of the flood plain), and

g. the relatively limited housing need arising within the Broads as a result of its small population, and generally relatively aged and wealthy residents;

The parties agree the following approach to the strategic planning of housing and employment growth for the area:

2. The Districts will assess, for planning purposes, the housing and employment needs of their whole administrative areas, and plan for the delivery wholly outside of the Broads area (whether in the same district or elsewhere) of such housing and employment development as considered appropriate, except where specific circumstances are identified, and agreed with the Broads Authority, where a development to meet a particular need (e.g. local or affordable) can be satisfactorily accommodated within the constraints of the Broads area.

3. The Broads area will have no strategic housing target, or any other need to deliver a particular quantum of housing or employment development.

4. The Broads Authority will continue to support limited housing and employment development within the Broads area where this meets identified local needs or supports Broads purposes.

5. The Broads Authority will give particular weight to the desirability of developing affordable housing within its area where this can be accommodated within the constraints outlined above. It will also seek provision of affordable housing, or contributions to affordable housing provision, from market housing development within its area, in line with the adopted standards of the relevant district council.

6. Such housing and employment development as does take place within the Broads will be reported to the relevant district, and will be counted as windfall by the district towards its housing and employment delivery target(s). (It will, however, continue to be counted as within the Broads for the purposes of New Homes Bonus.)
7. Without prejudice to the generality of the above, in any case where the potential for a significantly large development is identified within the Broads, the desirability of making a specific variation to the above arrangements will be considered jointly by the Broads Authority and the relevant council.

8. The approach outlined above will inform the preparation of the parties' development plans, so far as it is relevant.

9. This Memorandum of Understanding shall expire at the end of March 2021 (the RSS plan period), or on such earlier date as mutually agreed.

10. In the event of any of the parties deciding to unilaterally withdraw from operation of this understanding they will give the other parties 6 months notice of this.

[Ends]

Signed..............................................................................................................................

On behalf of...........................................................................................................................

Date.......................................................................................................................................
Proposed new structure for the management of South Norfolk Council funding schemes.

Funding Manager

The purpose of this paper is to present the conclusions of the review of the Grants function findings for Cabinet to consider.

The report sets out:

- General background and findings from the review;
- Proposed management for each of the key grants and corresponding benefits;
- Recommendations

Cabinet member(s): Martin Wilby

Ward(s) affected: All

Contact Officer, telephone number, and e-mail: Nina Cunningham 01508 533745 ncunningham@s-norfolk.gov.uk

1. Background

1.1 On 29 October 2012, Cabinet considered the outcomes of the Neighbourhood Board Scrutiny Task and Finish Group. In doing so, Cabinet agreed that once the Funding Manager was in post, a review group should be formed to assess the Grants Panel, and in particular whether the Neighbourhood Boards should have responsibility for local funding applications.

1.2 Given the close alignment of the role of Neighbourhood Boards with the funding schemes being reviewed, in conjunction with the time scale of the review, it was agreed that the recommendations of the Grants Review Group should be reviewed by the Localism Committee.

2. Current Position and Issues
2.1 The initial review of funding schemes currently in place established that there are essentially five different types of grants, four of which fund similar types of activity while two member-led committees (the grants panel and the Neighbourhood Boards) are able to award/recommend funding for similar types of activities. In addition, a number of one-off payments are also being awarded by officers on an annual basis from teams across the Council. The result is a confusing array of grants (some of which are called similar names) which Members are keen to simplify.

2.2 Over time, confusion over competing funding streams has also arisen as a result of establishing new funds without reference to overall grants provision. The County Council Construction Fund and South Norfolk Alliance make awards of their own (in addition to providing funding to the Grants Panel); Neighbourhood Boards make capital grants as part of Social Action Projects—all these deriving their funding from the same ultimate source, i.e. second homes money. This, combined with very broad eligibility criteria, has led to applicants being able to secure grants from more than one South Norfolk Council pot derived as well as repeat-applications to the same funding pots in different years. To address this, a centralised database of funding applications will be created to track applications/awards and avoid multiple applications.

3. Proposal and Reasons

3.1 The Grants Review Group put forward two proposals, as presented at Appendix 1.

3.2 The Localism Committee considered both options presented by the Grants Review Group. These, in turn, were reviewed by officers and Scrutiny Committee—details of which can be found on Appendix Two. The following proposals are set out to address the issues raised by the LGA peer-review in conjunction with transparency issues, equity of opportunity for applicants and the ability of the Neighbourhood Boards to take on additional responsibility and meet the remit of this Cabinet-led review.

Neighbourhood Fund

3.3 The Neighbourhood Fund (£62K) should remain as a centrally-managed grant which would be launched on an annual basis and considered on an ongoing basis until the fund is spent. A simplified two-stage application process will be put in place.

3.4 Stage 1: Once the Fund is launched, applicants from within the District will be invited to bid for funding up to a maximum of £2k on a first come, first served basis. A simple online application process will provide fast track access to the fund and assurance that a set of strict SNC eligibility criteria have been met. A two-page application form will be available as an interim measure and for those without internet access.

3.5 Stage 2: the relevant Neighbourhood Board chair and Local Member will make funding recommendations in consultation with the delegated officer.
Once all three parties are in agreement, the decision on funding applications will be taken by the delegated officer – the Director of Growth and Localism.

3.6 In the absence of the Neighbourhood Board chair or where the Neighbourhood Board chair is the same person as the Local Member, the Vice Neighbourhood Board Chair (on the understanding that they are a District Member) will, for the purposes of making recommendations on NF applications, take the place of the Neighbourhood Board chair.

3.7 Funding assessment against the current criteria (subject to minor updates\(^1\)) for this grant will be delegated to the Director of Growth and Localism in conjunction with Cllr Martin Wilby.

3.8 If agreed, it is proposed that this grant is launched within a relatively short time scale to accelerate implementation.

3.9 As this grant will no longer be able to fund projects with a greater value than £2K, applications for larger amounts of funding will be channelled towards more appropriate sources of funding.

3.10 To adhere to transparency rules, all delegated funding decisions made will be notified on the website within a set timeframe.

Benefits of this proposal include:

3.11 Changing the award process will enable simplification of the current grants process through the removal of a Committee;

3.12 A simplified application, appraisal and award process which is proportionate to the level of funding being requested. Improved efficiencies will have benefits for both the applicant (shorter lead-in times) and the Locality Officers (who will have more time available to support larger funding applications);

3.13 Projects from across the District will continue to be able to apply for this funding regardless of which Neighbourhood Board they are part of, allowing those areas which are more proactive to continue making applications without being disadvantaged by the Neighbourhood Board funding formula;

3.14 Subject to funding availability, applicants will be able to apply to this fund on an ongoing basis. There will be no specific submission deadlines as applications will be processed as and when they are received and decisions made within a strict fast tracked timeframe;

3.15 This grant is easily distinguishable from both Social Action Projects and the Capital Grant as thresholds and eligibility for funding will be established and clearly communicated and

\(^1\) Updates to the current set of criteria will include removal of the reference to £5k threshold, updating of the application guidance to reflect the new x2 page form and the new job titles for the Locality Officers.
3.16 This proposal represents a transparent process which is fit for purpose and better able to demonstrate measureable outputs.

**Capital Grant (£150k)**

3.17 It is proposed that the Capital Grant fund is managed by Cabinet and forms part of the capital programme. This funding will be used to support 2-3 projects per annum which meet the strategic requirements of the Council (for example health and young people are currently high priorities) which have been identified by local Members and/or Neighbourhood Boards and fall within communities with a demonstrably low level of current facilities. Any such schemes should also be well placed to attract match funding. Cabinet is best qualified to make these strategic decisions with a clear overview of the opportunities and challenges identified by its committees. The Localism Committee will be asked to propose capital projects to Cabinet for consideration within the Council's capital programme. If agreed, proposals will be recommended to Cabinet alongside the budget proposals for the following year.

3.18 Due to the timing of this review, it is proposed that a transition period is agreed, during which proposals for 2013/14 funding will be invited. The Localism Committee will be asked to review and comment upon applications prior to approval by Cabinet.

*Benefits of this proposal include:*

3.19 A grant distinct from a) funding schemes managed by the Neighbourhood Boards, and b) small grants which will allow SNC to plan and commission capital investment in line with its key priorities and external funding opportunities;

3.20 A process which curtails double dipping between SNC grants pots;

3.21 A transparent process whereby eligibility and appraisal criteria are agreed by Cabinet and funding decisions are taken at publically held meetings (from 2014/15);

3.22 A grant which can better demonstrate measureable outputs.

**Affordable Housing Grant (£461K)**

3.23 Affordable housing is enabled in the District by making use of a number of potential funding streams. These include Registered Provider borrowing, Homes and Communities Agency (HCA) funding, recycled grant, partner actual and in-kind contributions and so on.

3.24 Cabinet approved the Grants Panel's role to award the Affordable Housing Grant in November 2012. However, given the findings from the Grants review group, it is recommended that Member involvement in the Affordable Housing Grant scheme should be facilitated through the Housing and Public Health Policy Committee in accordance with the assessment criteria agreed by Cabinet in November 2012.
3.25 The Committee will make recommendations on funding proposals, following which the Director for Environment and Housing will make the funding decision up to a value of £99,999. Funding applications could average in the region of £60K and could range from £1,000 to up to £100,000. In this context, the proposed process will ensure that decisions can be made using a delegated officer.

3.26 Funding decisions will normally need to be made within a timeframe of three weeks following receipt of application. The delegated officer will utilise the Housing and Public Health Policy Committee to consider the recommendations where possible; otherwise Members of the Committee will be asked for their views and the overall view of the Committee will be provided to the delegated officer by its Chairman.

3.27 When decisions need to be taken more quickly (due to the competitive funding environment in which local authorities operate), in-principle agreements will be made within external prescribed timescales. These funding decisions will be taken by the delegated officer, the Director of Environment and Housing, in consultation with the Policy Committee’s Chairman up to £99,999. Members of the Housing and Public Health Policy Committee will be advised of these decisions at the earliest opportunity.

3.28 Should any such funding decisions total more than £100k, the decision will be referred to Cabinet for a decision.

3.29 All delegated funding decisions will be notified on the website within a set timeframe.

Benefits of this proposal include:

3.30 The Housing and Public Health Policy Committee is well placed to advise and add value to these funding applications;

3.31 Decisions will be able to be made within the prescribed timescales;

3.32 The process offers the required level of transparency; as Cabinet has already approved the funding criteria and, going forward, funding recommendations will be provided by the relevant committee in consultation with the delegated officer;

3.33 As there appears to be no valid function for the Grants panel within this proposed structure, it is recommended that this Panel is discontinued, transferring functions to more appropriate mechanisms for recommendations/decisions.

4. Other Options

4.1 As a point of reference, two options were originally proposed within the Grants Review panel paper, attached as Appendix One. While Option 1 gained the majority vote of the Grants review group for meeting the brief, both options were presented to the Localism Committee for their consideration.
5. **Relevant Corporate Priorities**

5.1 Enhancing our quality of life and the environment we live in.

5.2 Supporting communities to realise their potential.

5.3 Driving services through being businesslike, efficient and customer aware.

6. **Implications and Risks**

**Financial**

6.1 In a climate of financial uncertainty, SNC is likely to be delivering more in partnership in order to make best use of scarce resources. It is, therefore, imperative that the process for awarding and evaluating SLAs is consistent across the Council, robust in nature and proportionate to the amount of funding involved.

Any decision on the current process of awarding grants and SLAs should clearly be able to demonstrate a saving in administration costs.

**Legal**

6.2 Determining how to allocate grant funding from within a set budget is primarily an Executive (Cabinet) function within a Local Authority. However, as the proposed changes entail disbanding the Grants Panel, Council will be required to authorise the change to the Constitution. The Monitoring Officer report to Council on 13 May will include a proposal for this change to be made, subject to Cabinet's approval.

**Risks**

6.3 Developing a consistent set of processes for awarding and managing SNC funding schemes will ensure that SNC is in a more secure position should 'right to challenges' be submitted.

6.4 Completing the review of funding within the proposed timeframe will help to ensure that there are robust processes for funding schemes within the 'implementation phase' when the audit of 'Partnerships' is undertaken in the Summer.

6.5 The process for awarding the Affordable Housing Grant needs to be agreed imminently as SNC wants to maximise inward investment opportunities and does not want the reputational damage of delaying the process; applications for this funding will form part of a wider application package with other organisations also considering funding bids.
7. **Conclusion**

7.1 Cabinet are advised to endorse the recommendations set out in this paper which collates advice from the Grants Review Group, Localism Committee, LGA peer review, Scrutiny Committee and Officers.

8. **Recommendations**

8.1 It is recommended that:

8.1.1 The proposals on the future of funding streams as set out in Section 3 are adopted;

8.1.2 The Grants panel to be discontinued and no further funding awards are made through this group.

8.1.3 Good practice is captured from this group and where appropriate, incorporated within the new processes going forward.

8.1.4 Further work is undertaken to determine the baseline of current and proposed South Norfolk Council Service Level Agreements. It is recommended that additional work is undertaken and initial considerations presented to the Localism Committee in July.

8.1.5 A discreet piece of work is undertaken with the Localism Committee to clearly define and provide guidance on Social Action Projects.

8.1.6 The outcome of the work undertaken on SLAs and SAP’s is presented to Scrutiny Committee at first meeting on the 18th December 2013 as part of the Council Funding Review.

8.1.7 District and parish councillors are briefed once funding schemes are implemented to advise of the structure, channels of communication and contacts within the Council.
Appendix One

For reference purposes only- (Please note that for the purposes of this Cabinet report, the outcomes from the Localism Committee supersede Option 1 and Option 2 presented by the Grant Review Group)

Grants Review Group- Findings and Recommendations

Findings

SNC funding schemes form a very important strand for the delivery of the Localism Act- helping people to help themselves. With the establishment of the Neighbourhood Boards and additional funding streams being made available to applicants both from SNC and others - the funding landscape is confusing for applicants and Members alike. In addition the application and evaluation processes need to better enable Members to demonstrate value for money when they award funding.

This review of SNC funding schemes, as requested by Cabinet in November 2012 is an opportunity to simplify and improve the management and accountability of SNC funding schemes. While the Grants review group agreed that SNC should continue to issue small grants on a competitive basis to those applicants that meet the eligibility criteria. It was agreed that given the limited amount of time which the group has been awarded to do this work -two options should be described within this paper for the consideration of this committee.

Option 1 -recommends that:

The management of both the Capital grant and Neighbourhood grant should be transferred from the Grants Panel to the Neighbourhood boards to manage.

If decisions on bids for Affordable Housing Grant are to be made by elected members, the Grants Panel would be well placed to take on this role. These transfers of responsibilities would only take effect once the set of agreed ‘transitions provisions were been out in place.

To ensure that SLA’s are consistently managed, it is recommended that a member led committee should be in place to review and monitor these agreements.

Option 2 -recommends that:

An allocation of additional time is granted to allow for all of the relevant recommendations from the Neighbourhood Boards T&F group to be implemented. Once complete, the work of the Grants review group should continue to deliver its remit.

Appendix Two

Scrutiny report -see attached
Recommendations from Scrutiny Committee

Scrutiny Officer

This report details the recommendation of Scrutiny Committee to Cabinet, arising from the consideration of the Proposed new structure for the management of South Norfolk Council funding schemes report at the meeting of Scrutiny Committee on 10 April 2013.

Cabinet member(s):  Ward(s) affected:
Martin Wilby  All

Contact Officer, telephone number, and e-mail:
Emma Nangle 01508 533747 enangle@s-norfolk.gov.uk

1. Proposed new structure for the management of South Norfolk Council funding schemes

1.1. Scrutiny Committee considered the report on the proposed changes to the management of the Council’s funding schemes at its meeting on 10 April 2013, following the Localism Committee’s consideration of the Funding review Group’s recommendations at its meeting on 19 March 2013. A request was made that the final report to Cabinet was initially pre-scrutinised ahead of a decision by Cabinet in order to provide Scrutiny’s feedback on the proposals and make any recommendations as appropriate.

1.2. In considering the report, Scrutiny Committee discussed each of the grants that are awarded by the council; neighbourhood fund, capital grant and affordable housing grant. Members were happy with the proposals put forward regarding the latter two schemes, however sought clarification on a number of points in relation to the proposed operation of the neighbourhood fund. Scrutiny Committee commented on a number of aspects of the planned changes to the operation of neighbourhood fund, including:

1.2.1. The difference between the way the council manages capital and revenue grants;
1.2.2. consistency amongst members involved in advising on the awarding of grants
1.2.3. awarding funding on a first come, first served basis

1.3. Scrutiny Committee resolved to make the following recommendations to Cabinet:

1. The proposals on the future of the funding streams as set out in the report are adopted.
2. The Grants Panel be discontinued and that no further funding awards are made through this group.

3. Good practice is captured from the Grants Panel and where appropriate incorporated within the new processes going forward.

4. Further work is undertaken to determine the baseline of current and proposed South Norfolk Council Service Level Agreements and that additional work is undertaken and initial considerations presented to the Localism Committee in July 2013.

5. A discrete piece of work is undertaken with the Localism Committee to clearly define and provide guidance on Social Action Projects.

6. The outcome of the work to be undertaken regarding SLAs and SAPs is presented to the Scrutiny Committee at its meeting on 18 December 2013 as part of the Council Funding Review.

7. The Scrutiny Committee reviews the new structure for the management of South Norfolk Council’s Funding Schemes in March 2014.

8. District and parish councillors are briefed once funding schemes are implemented to advise of the structure, channels of communication and contacts within the Council.

2. Recommendations

2.1. That Cabinet endorse the recommendations of Scrutiny Committee outlined above.
## CABINET CORE AGENDA 2013

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<td>24 April (Committee)</td>
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**COUNCIL: MONDAY 13 MAY 2013**

| 17 June | O                                  | Finance, Performance & Risk Report Q 4                                               | D Lorimer               | G Wheatley     |
|         | O                                  | Materials Recycling Facility                                                         | P Kearsey               | G Wheatley     |
|         | K                                  | Business Case for Purchase of Integrated HR and Payroll System                      | LMickleborough          | K Kiddie       |
|         | O                                  | Lease of Land for Sewage Works                                                       | A Jarvis                | G Wheatley     |
|         | O                                  | Capital & Treasury Review Q4                                                        | J Foglietta             | G Wheatley     |

**SPECIAL COUNCIL: MONDAY 17 JUNE 2 PM**

| 22 July | O                                  | Finance, Performance & Risk Report Q 1                                               | D Lorimer               | G Wheatley     |
|         | O                                  | Capital & Treasury Review Q1                                                         | P Kearsey               | G Wheatley     |

**9 Sept**

Key decisions are those which result in income, expenditure or savings with a gross full year effect of £100,000 or 10% of the Council’s net portfolio budget whichever is the greater which has not been included in the relevant portfolio budget, or are significant (e.g. in environmental, physical, social or economic) in terms of its effect on the communities living or working in an area comprising two or more electoral divisions in the area of the local authority.