East Norwich Delivery Board – Minutes

13 February 2024 – 09:30 – 11:00 Microsoft Teams

Members

Chair: Cllr Mike Stonard (MS) – Leader of Norwich City Council Cllr Paul Kendrick (CP) – Norwich City Council, Cabinet Member for Resources John East – Norwich City Council, Executive Director (Interim), Major Projects Graham Nelson (GN) – Norwich City Council, Executive Director, Development & City Services

Louise Rawsthorne (LR) – Norwich City Council, Chief Executive

Cllr Andrew Jamieson (AJ) – Norfolk County Council, Deputy Leader, Cabinet Member for Finance

Cllr. Graham Plant (GP) – Norfolk County Council, Cabinet Member Highways, Infrastructure & Transport

Chris Starkie (CSt) – Norfolk County Council, Director Growth & Investment Fionnuala Lennon (FL) – Homes England, Head, Market, Partners & Places (South) Rob Rogers/Cally Smith (RR/CSm) – Broads Authority, Director of Operations/Head of Planning

Phil Courtier (PC) – South Norfolk Council & Broadland DC, Director of Place

Officers

Shelley Hall (SHa) – Homes England, Senior Partnership & Business Manager Ian Charie (IC) – Norwich City Council, East Norwich Programme Lead (Interim) Judith Davison (JD) – Norwich City Council, Planning Policy Team Leader Matt Tracey (MT) – Norfolk County Council, Growth & Infrastructure Manager Andrew Turnbull (AT) – Norwich City Council, Development Strategy Manager Sharon Page (SP) – Norwich City Council, Communications Manager, Community Services

ltem	Торіс	Actions
1.	Welcome / Apologies – MS	
	Apologies: Chris Starkie – Matt Tracey attending Rob Rogers/Cally Smith Cllr Jamieson, Cllr Plant Phil Courtier Louise Rawsthorne, Andrew Turnbull, Sharon Page	
2.	Minutes of meeting 17 January 2024 and matters arising – MS	
	 Actions from previous meeting to be updated within this meeting. 	
3.	Project Update – IC	
	River Wensum Navigation – Legal Opinion	

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	IC verbally updated the Board on information contained	
	within the supporting papers.	
	Legal Opinion received from Christopher Stoner KC on 5	
	February 2024 following a consultation on 11 December	
	2023. Weighty tome and time taken shows the complexity	
	and number of interwoven strands.	
	Thirteen takes were from the Opinion to be fed into the part	
	Thirteen takeaways from the Opinion to be fed into the next process of determining an approach/next steps.	
	1) Rivers Wensum and Yare are in defined Navigation area.	
	2) Due to physical situation of the River Yare, there is a	
	case that navigation rights wouldn't be affected by fixed	
	bridges.	
	3) Proposals for bridges do fall under Transport & Works	
	Act – affecting Navigation forms its own category within	
	terms of TWA.	
	4) There are a number of 'Gateway' Tests which need to be	
	satisfied to make application under the TWA - some of	
	which need further examination.	
	5) Highways Act 1988, section 106 also enables authorities	
	to build bridges across navigation channels (potentially the	
	case for the Yare)	
	Could be a good case for a route to pursue an	
	application(s) for fixed bridges over Wensum and Yare,	
	though much depends on the interpretation of the facts by	
	the SoS	
	7) Obtaining an order pursuant to the TWA is neither 'quick	
	nor cheap' due to specialisms and length of time required.	
	8) Critical that the position of Broads Authority is under-	
	stood. There is a case for removing the section of the Yare	
	from the Wensum convergence south from the Navigation Area.	
	9) There have been protective provisions in the past for	
	Agencies such as the BA against statutory nuisance claims	
	if a Parliamentary approval is given (in this case for fixed	
	bridges)	
	10) Transport & Works Act route is preferred route for	
	bridges over Wensum, likely to use the Highways Act for	
	bridges over the Yare.	
	11) Little was said about existing Trowse Rail bridge or	
	Carrow Road bridge and lifting. Need to focus on new	
	bridges but existing bridges form part of the context.	
	12) In our brief – importance of public interest wasn't	
	investigated too much – may wish to seek a Planning	
	Barrister view on these points. Three parts of Broads	
	Authority remit have equal status; none should be	
	prioritised.	

Item	Торіс	Actions
	13) Ongoing collaboration with existing partners is key point to moving forward.	
	FL stated that it is good to have the opinion of the KC and it highlights concerns with regards to expense, time and essentially deliverability. This is the correct time to have the advice and work through as a Delivery Board for the deliverability of fixed bridges.	
	MT mentioned the potential use of Highways legislation – being able to digest all the KCs opinion is necessary to help inform next steps. Proposals would need to consider those bridges which would be publicly maintained Highways.	
	Need further discussions and collaboration before engagement with partners to move project forwards. JE and IC are trying to add pace and momentum. Further analysis to be brought back to future meetings where recommendations are made. March Board will receive an update, but this will be too soon to have a clear programme of next steps due to the need for feedback to/from lawyers.	IC/JE
	Trowse Underpass Feasibility: WSP are making good progress in looking at structure, geotechnical, transport, ecological aspects, highways and drainage.	IC
	Work has to be completed by end of March to comply with funding. Report back to March Board and to a following Board after Network Rail's turnaround time for providing comments has yielded a response.	
	Other Project items are covered elsewhere on the Agenda.	
4.	Planning Update – GN:	
	 <u>GNLP</u> – now received fact checked version of inspector's report stating that the plan is sound – a well written, competent document. Any technical comments to inspectors by end of next week. After that, due to formally publish inspectors report. Meeting of GNDP to formally endorse plans. Then Cabinet and Council meetings at three authorities for March. Anticipated 28 March final adoption of plan. <u>SPD</u> – lots of work being undertaken in relation to updating the document. Targeting public consultation in late summer with adoption of SPD by the end of 2024. 	

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	 <u>Development Management - Carrow Works</u>, continuing to deal with application that is of some significant variance to emerging policy framework and masterplan. Applicant has not progressed matters since it was formally validated in August last year. The position was put to the applicant to engage and respond on key matters before end of January, or the application would be reported to Committee for determination in March. <u>Deal Ground</u> –the landowner has instructed work to stop on the Reserved Matters application. There hasn't been any further movement over the last few weeks on, critically, flood mitigation proposals sought by the Environment Agency. A timetable for determination will be established, following prioritisation of the Carrow Works application. 	GN
	It was noted that the Development Management updates are disappointing and proactive communication by the Council will be key at this time.	
	FL wanted clarification on the Deal Ground site. GN responded that should the Reserved Matters application be refused, the Outline permission for building of 670 homes would lapse with no process of appeal for the application. This creates potential for an opportunity to achieve a more masterplan-compliant scheme, involving, potentially, both the private and/or public sector.	
5.	Private Investment Update – JE	JE
	 Norwich CC have been engaging with an investor, with a site visit and meeting with senior executives in late January. They would like to engage further on investment in East Norwich, and regular meetings are to be set up to continue momentum and dialogue. They have the remit to invest in sites such as EN and can see the opportunity here. 	
	MS concurs that it was a constructive visit and they seem genuinely interested as they want to invest in areas where they already have a presence. Reinforces that if sites are brought to market, there is the potential to deliver schemes more in line with the masterplan and to produce more credible proposals.	JE/GN
	 Fuel Properties have announced that they have a backer and new funders imminently coming on board. GN and JE met with the backers, and further 	

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	discussions continue. Discussions also continue with Britvic-Unilever as landowner.	
	The issue or timescale was raised. NCC hope that discussions between parties can continue at pace, with, also, the planning position becoming clear.	
	IC raised the point that Private Equity funders are good at keeping their ear to the ground for market opportunities, and that with several ideas having been raised in the past, the idea of repurposing the large warehouses on the east of the site for film studio and related use could achieve more developer interest, if such proposals could be shown to be viable, work with the remainder of the site and satisfy planning requirements.	
6.	Project Plan – IC / JE:	IC
	IC gave an update on the use of Microsoft Project software for preparation of a more detailed Project Plan, with a supporting summary of a 'Plan on a Page', which identifies key milestones, activities and interlinkages.	
7.	Strategic Development Consultants Brief – JE	JE/IC
	A draft brief will be finalised shortly, with input from Homes England, to enable procurement of Consultants. The work is important given there are a number of matters related to both landowner/developer position, and planning, that need resolving to enable delivery options to become clearer, and, for the preparation of a Strategic Outline Business Case. As part of soft market testing, a number of potential organisations who could undertake this work have been informally approached.	
8.	East Norwich Budget – JE / IC:	JE/IC
	Council's budget for '24/25 went through Cabinet in mid January. £270k is to be allocated to East Norwich, with the additional identification of earmarked reserves to add to this Discussions continue with Homes England and the County Council about additional budget for 2024-25.	
9.	AOB – MS None	
	Next meeting 12 March 2024, 09:30 – 11:00	