

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

Item	Topic	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 <ul style="list-style-type: none">• Actions from previous meeting to be updated within this meeting.	
3.	Project Update – IC River Wensum Navigation – Legal Opinion	

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	<p>IC verbally updated the Board on information contained within the supporting papers.</p> <p>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.</p> <p>Thirteen takeaways from the Opinion to be fed into the next process of determining an approach/next steps.</p> <ol style="list-style-type: none"> 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) 6) 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 understood. 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. 	

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	<p>13) Ongoing collaboration with existing partners is key point to moving forward.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>Trowse Underpass Feasibility: WSP are making good progress in looking at structure, geotechnical, transport, ecological aspects, highways and drainage.</p> <p>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.</p> <p>Other Project items are covered elsewhere on the Agenda.</p>	<p>IC/JE</p> <p>IC</p>
4.	<p>Planning Update – GN:</p> <p>1) <u>GMLP</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 GNMP to formally endorse plans. Then Cabinet and Council meetings at three authorities for March. Anticipated 28 March final adoption of plan.</p> <p>2) <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.</p>	

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	<p>discussions continue. Discussions also continue with Britvic-Unilever as landowner.</p> <p>The issue or timescale was raised. NCC hope that discussions between parties can continue at pace, with, also, the planning position becoming clear.</p> <p>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.</p>	
6.	<p>Project Plan – IC / JE:</p> <p>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.</p>	IC
7.	<p>Strategic Development Consultants Brief – JE</p> <p>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.</p>	JE/IC
8.	<p>East Norwich Budget – JE / IC:</p> <p>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.</p>	JE/IC
9.	<p>AOB – MS None</p>	
	<p>Next meeting 12 March 2024, 09:30 – 11:00</p>	