

**Kings Lynn & West Norfolk Borough Council
Site Allocations and Development Management
Policies Plan**

Duty to Cooperate Statement

April 2015

1: Introduction to the Duty to Cooperate

The Duty to Cooperate Statement covers the pre-submission version of the Kings Lynn and West Norfolk Site Allocations and Development Management Policies document Jan 2015 referred to as the 'Local Plan' in this statement. This statement has been issued in draft alongside the Pre-Submission version of the Local Plan to enable all neighbouring authorities, prescribed bodies (under Section 33A of the Planning and Compulsory Purchase Act 2004 as amended by Section 110 of the Localism Act 2011) and all other interested parties to comment on this legal requirement through representation to the Pre-Submission Local Plan.

This statement reflects compliance with the Duty to Cooperate up until the time of going to print (Dec 2014). Further meetings and discussions are taking place with neighbouring authorities and statutory bodies. The outcome of these will be reflected in the final Duty to Cooperate Statement in support of the submission version of the Local Plan.

The Duty to Co-operate (the Duty) is set out in Section 33A of the Planning and Compulsory Purchase Act 2004 (as amended by Section 110 of the Localism Act 2011). This applies to all local planning authorities, county councils in England and to a number of other 'prescribed' bodies. Regulation 4 of the Town and Country Planning (Local Planning) (England) Regulations 2012 sets out who those 'prescribed' bodies are.

Local planning authorities, county councils and other 'prescribed' bodies are required to co-operate with each other to address strategic matters relevant to their areas in the preparation of a development plan document. The new duty relates to sustainable development or use of land in connection with infrastructure which is strategic and that would have a significant impact on at least two local planning areas or on a planning matter that falls within the remit of the County Council.

The duty requires:

- Councils and public bodies to 'engage constructively, actively and on an ongoing bases' to develop strategic policy
- Councils to set out planning policies to address such issues; and
- Councils to consider joint approaches to plan making;

In addition paragraph 181 of the National Planning Policy Framework (NPPF) sets out the strategic priorities where collaboration amongst public bodies is expected and gives further guidance on 'planning strategically across local boundaries'.

Collaborative working is expected between County and District authorities, between authorities with cross boundary issues or other spatial impacts (non- local), and in consultation with Local Enterprise Partnerships and Local Nature Partnerships.

The NPPF states that strategic priorities across local boundaries should be properly co-ordinated and clearly reflected in individual Local Plans. These strategic priorities are:

- The homes and jobs needed in the area;
- The provision of retail, leisure and other commercial development;
- The provision of infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy;
- The provision of health, security, community and cultural infrastructure and other local facilities; and
- Climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape.

Local Planning Authorities are expected to be able to demonstrate evidence of having successfully cooperated to plan for issues with cross-boundary impacts when their Local Plans are submitted for examination. The NPPF also highlights the importance of joint working to meet development requirements that cannot be wholly met within a single local planning authority area, through either joint planning policies or informal strategies such as infrastructure and investment plans.

This is reinforced within the National Planning Policy Guidance (NPPG) published in 2014 which sets out what is required and gives further guidance on the Duty to Cooperate, including that local authority officers and councillors have an important role to play in the process and that the Duty requires active and sustained engagement, working together constructively from the outset of plan preparation.

The outcome of this continual process of engagement is that plans are put in place to provide the land and infrastructure necessary to support current and projected future levels of development.

2: Strategic context

Strategic Geography

The Borough of King's Lynn & West extends from the north Norfolk coast, along the eastern side of The Wash, through the Marshlands, Fens and Brecks to the borders of Lincolnshire, Cambridgeshire and Suffolk. The regional centres of Peterborough, Cambridge and Norwich are some 40-50 miles distant creating a role for King's Lynn as a service centre and economic driver to a sub-region in excess of 200,000 population. Appendix 3 includes a map of the Strategic Planning Area.

The borough is the fourth largest district in England covering an area of some 550 square miles (142,877 hectares) with a population of 147,500 (2011 census). The main population centre is King's Lynn (39,110) though the borough also includes the market town of Downham Market (9,994), the coastal resort of Hunstanton (4,229) and more than 100 villages of varying sizes. Main transport routes include the A47(T) trunk road (Leicester to Great Yarmouth), three principal roads (A10, A17 & A134), a direct electrified rail service to Cambridge and London, sea links to northern and eastern Europe and an extensive system of navigable waterways.

Although outside of the borough, the town of Wisbech abuts the boundary and some of the town's urban area is within the borough. Wisbech presently fulfils the role of a local service centre to the western part of Norfolk although sits within Fenland District Council local authority area.

The diverse nature of the borough, and its geographical size, requires that a significant amount of cross-border, multi organisation working is required to deliver the sustainability objectives set out in the Core Strategy. The full records of these are detailed later in the report.

3. Strategic Development Strategy & Key Relationships

Regional Spatial Strategy

The former strategic planning approach was largely based around the East of England Regional Spatial Strategy process. This acted as the main vehicle for addressing significant strategic matters prior to the introduction of the Duty to Cooperate.

The strategy for West Norfolk as outlined in the East of England Plan (May 2008), was developed with the support of the West Norfolk authorities including the Borough Council.

In May 2010 the Government announced its intentions to revoke the RSS which had included the jobs and housing targets for each authority. It was subsequently revoked on 3 January 2013 and so no longer forms part of the development plan for West Norfolk. However it does provide the record of the evidence which guided and informed the Core Strategy objectives/ priorities for growth.

Local Enterprise Partnership

The Council are currently members of two LEPs; the Greater Cambridge Greater Peterborough Local Enterprise Partnership, and the New Anglia Local Enterprise Partnership for Norfolk and Suffolk. This is due to the fact that while as an authority we sit geographically within Norfolk, we also look towards the Cambridge region as a result of our transport connections. Therefore it is appropriate to engage with both to ensure the Borough is best served at the regional level.

The LEPs identify priorities which include infrastructure improvements, growing jobs, removing barriers to growth, improving skills and raising the regions profile and reputation.

Both LEPs have a Strategic Economic Plan in place, which the Borough Council took an active role in shaping and influencing the direction and content of. The Council's involvement is at a Leader level with attendance at the Member Panel/ Board, there is a Senior Officer Group, and also an Operational level Group attended by

Economic Development officers. The LEPs are the main route of non-statutory government funding for job creation and growth, and our involvement has enabled us to put forward projects for funding.

County level

At a county level the Council are involved in a range of specific policy/ officer groups to ensure a strategic overview, a consistent approach and to share knowledge and information.

Specifically senior officers and Members from throughout the county attend a Duty to Cooperate forum (the Norfolk Strategic Planning Member Forum). The purpose of the Forum is for Members/ Officers to discuss the strategic issues that are planning related and affect all or the majority of Lpas and others affected by the Duty to Cooperate. The Forum discusses the implications of these issues for plan-making and works to achieve a common understanding or approach to that issue. This is set out in Appendix 4 which includes our report to Cabinet seeking the authority's commitment to the Forum. This report also includes the terms of reference, and a discussion on the content and process of the Strategic Framework.

Appendix 4 contains the Norfolk Compendium of Local Plans which brings together the strategic elements of Local Plans across Norfolk, identifying key housing and employment locations, and the status of the Local Plans. Also a Schedule of Future Evidence Work Report which identifies existing evidence, and the evidence likely to be required for Local Plan production. It specifies timing and whether joint/ coordinated studies are needed. This is in draft format.

In addition to the Forum outlined above there is also a Norfolk Strategic Planning Group. This is comprised of senior officers from the County and Districts. In summary it discusses items of interest for forward planning; initiates joint working; and is a conduit to the chief officer group - the Norfolk Planning Officers Group. It is also the body which co-ordinates the operation of the Member Forum detailed above.

General Consultation Arrangements

Throughout the Local Plan process the Council has consulted with all neighbouring Parish, Borough and County Councils at each stage of the Core Strategy and Site Allocations and Development Management Policies process. Similarly statutory and non-statutory organisations/ bodies at each stage were notified, invited to attend events and asked for comment. A full list of those consulted are included within the Statement of Consultation.

As issues were raised by consultees the Council worked with neighbouring local authorities and other bodies to resolve these by using the information provided to inform the choices made and adapting our policy approach to reflect these. The Statement of Consultation, alongside the consultation results themselves, illustrate

this. The Sustainability Appraisal also indicates where consultee comments have informed the choices made, in cases where bodies such as the Environment Agency or Norfolk County Council Highways provided information their views have had a significant influence on policy. Where views could not be reconciled the Council has communicated this and the consultation/ discussion may be taken forward to the examination.

At an officer level we maintain regular contact with colleagues at our neighbouring authorities and other organisations through email/ telephone discussion or meetings as appropriate.

4: Strategic planning priorities

The table below lists the strategic issues taken from the Core Strategy. In many cases these are specific to the borough, and while the general topic itself may have been discussed at the various strategic groups/ forums detailed above it has, at this point, not required cross-boundary working at a strategic level.

Often our work with authorities/ bodies has been around a specific point of concern, a local issue or a particular piece of land or development proposal rather than of a strategic nature. Therefore it is dealt with through the sustainability appraisal process, and the consideration of policy options and decision-making.

The table below details where our 'strategic issues' have more significant implications for another authority/ organisation, and where the Council are working alongside others to take a comprehensive approach to policy making and development. Appendix 1 provides the detail on the cooperative working around these issues. It includes the evidence, partners involved, actions and outcomes, as well as how the cooperation will be continued. Appendix 2 shows a diagram of the Council's relationship with neighbouring authorities around strategic issues for the borough, and Appendix 3 a map of the Strategic Planning Area.

Summary table of strategic working – Further detail and weblinks etc should be included in the template in Appendix 1

Strategic issues from the Core Strategy	Partners, Management and working arrangements	Evidence Base	Outcome	Ongoing cooperation
Spatial Strategy for West Norfolk	The spatial strategy was tested and adopted through the Core Strategy process.			
Sustainable Development Density of Development	There are no strategic issues identified.			
Flood Risk and Climate Change	Norfolk County Council (NCC), local authorities, Regional Flood & Coastal Committees (RFCC) Water related bodies including Environment Agency (EA) and Anglian Water Services (AW). Norfolk Water Management Partnership (NWMP) Steering Groups for specific water related issues.	Member and officer working groups. Strategic Flood Risk Assessment & SFRA: Annex to Level 1. King's Lynn & West Norfolk (KLWN) Settlements Surface Water Management Plan (SWMP).	King's Lynn and West Norfolk Settlements Surface Water Management Plan. Strategic Flood Risk Assessment and Tidal River Hazard Mapping Protocol 2012 – Borough Council & EA.	The NWMP is an ongoing partnership. The KLWN Local Flood Risk Steering Group is ongoing.
Renewable Energy	There are no strategic issues identified.			
Housing Distribution Type, Size, Tenure	The approach to strategic housing issues was tested and adopted through the Core Strategy process. There were no further significant issues raised through the Site Allocations process.			
Affordable	NCC , Norfolk local authorities Planning Agents/ Developers Letting Agents / Landlords Registered Providers Housing Support Providers	SHMAs (2007/14) Affordable Housing Site Viability Studies (2008 - 2013) Borough Council of King's Lynn & West Norfolk	HMA. Core Strategy Policy CS09. Increased delivery of affordable housing on rural exception sites as per policy CS06 & CS09.	Ongoing monitoring of SHMA, Homelessness Strategy, Site Viability and GTANA. Reviews and updates undertaken annually.

Strategic issues from the Core Strategy	Partners, Management and working arrangements	Evidence Base	Outcome	Ongoing cooperation
	King's Lynn Area Resettlement Service	Housing Strategies & Policies Norfolk Joint Strategic Needs Assessment Norfolk wide Studies/ Strategies including; Building Better Futures Strategy, and Area of Outstanding Natural Beauty- Affordable Housing.		
Gypsy & Travellers & Travelling Showpeople	Cambridgeshire County Council (CCC) Cambridgeshire local authorities	Regional Strategy (Policy CS09 discusses the policy approach). Gypsy and Travellers Needs Assessment (2011-14) Recent planning decisions and 5 year supply analysis show we continue to meet demand.	Justification for strategy of relying on 'windfall' sites to deal with predominantly private small scale needs. More certain policy approach	Recent (2014) refresh of the GTANA/ Figures reaffirmed Monitoring and reanalysis as required.
The Economy- The Economy Tourism, Leisure and Town Centre Uses Rural Employment Exception Sites Retention of Employment Land Skills and	There are no strategic issues identified.			

Strategic issues from the Core Strategy	Partners, Management and working arrangements	Evidence Base	Outcome	Ongoing cooperation
Aspirations				
Transport - Strategic Issues	NCC, CCC, neighbouring local authorities Highways Agency KLATS steering group. LTP groups led by NCC. East Anglia Rail Norfolk Rail Policy A47 Alliance & A47 Alliance Steering Group A47 Hardwick Stakeholder & Developer Forum	King's Lynn Area Transport Strategy (KLATS); Norfolk's Local Transport Plan (LTP) & Implementation Plan for 2011-2015 Rail Prospectus for East Anglia / Norfolk Rail Prospectus A47 Studies / Strategies Wisbech Area Transport Studies / Strategies	Core Strategy Policy CS11 Improvements to rail services by May 2017. A47 improvements included in Autumn Statement 2014. A47 Thorney to Wisbech Walton Highway Initial Options Assessment.	KLATS implementation plan reviewed. A47 Alliance Steering Group is ongoing. Norfolk Rail Policy Group is ongoing.
Transport Issues in New Development	There are no strategic issues identified.			
Environmental Assets a) Green Infrastructure,	Steering Group includes - Norfolk County Council (NCC), local authorities, Natural England, Norfolk Wildlife Trust, Environment Agency (EA) and Anglian Water Services (AW).	Green Infrastructure Study Research on existing GI projects around the Borough Green Infrastructure Strategic Plan for Norfolk Adjoining local authorities' GI Strategies considered	Core Strategy Policies CS12 Environmental Assets; CS13 Community & Culture; CS14 Infrastructure Provision Policy DM 19 Green Infrastructure Policy E1.13 King's Lynn GI GI included within particular allocations e.g. West Winch Growth Area (E2.1)	Taken forward through individual projects e.g. Gaywood Valley SURF Project; Wissey Living Landscape project; Ouse Washes Landscape Partnership.
Historic Environment, Landscape Character,	There are no strategic issues identified.			

Strategic issues from the Core Strategy	Partners, Management and working arrangements	Evidence Base	Outcome	Ongoing cooperation
Biodiversity and Geodiversity – Protection of SPA species – Stone Curlews	NCC, Suffolk Coastal Council, Breckland District Council, Forest Heath District Council, St. Edmundsbury District Council Natural England, Wildlife Trusts, RSPB, Forestry Commission, NFU, CLA Various landowners	Sharp et al (2008) The effect of housing development and roads on the distribution of stone curlews in the Brecks HRA documentation for the West Norfolk Core Strategy (2010), and subsequent HRAs for the Site Allocations and Development Management Policies Document (2009 -2014)	Common policy approaches in relevant local plans and planning applications/ development proposals. Breckland Planning Forum Emerging drafts of more focussed approach to classes of development	Ongoing discussion and further assessments may result in policy changes.
Potential for adverse impacts on Natura 2000 sites	NCC Natural England Norfolk Duty to Cooperate Member Forum Norfolk Strategic Planning Group Norfolk Biodiversity Partnership Norfolk Coast AONB Partnership	Habitats Regulations Assessments (HRA) Report (for Sites Allocations and Development Management Policies Document)	Sites Allocations and Development Management Policies Document - tailored policies for the housing allocations. Able to refine our HRAs for the Site Allocations Document.	Monitoring mechanisms in place. Research to provide a robust framework to guide green infrastructure and inform future plans in housing allocations and provision of green infrastructure.
Landscape Protection – Norfolk Coast Project (NCP) (AONB)	Core Management Group- North Norfolk District Council, NCC, Great Yarmouth Borough Council, Broads Authority, DEFRA, Natural England	AONB Management Plan (2009). A draft revised Management Plan to cover the period to 2019 is being agreed by partners currently. Evidence gathered for the	A more co-ordinated approach to the role of the AONB in addressing social, economic as well as environmental – landscape issues across the designated area.	The Borough Council is a member of the Core Management Group for the Project, contributing financially to the running of the Project.

Strategic issues from the Core Strategy	Partners, Management and working arrangements	Evidence Base	Outcome	Ongoing cooperation
		Management Plan acts as a check to our policy approach. Recent evidence collected includes a study of visitors to sensitive sites as a contribution to the recreational pressures issue dealt with as a separate sheet in this Report.	There have been representations from the NCP about some proposed allocations however these are site specific.	
Community and Culture	There are no strategic issues identified.			
Kings Lynn	There are no strategic issues identified.			
Downham Market	There are no strategic issues identified.			
Hunstanton	There are no strategic issues identified.			
Rural Areas	There are no strategic issues identified.			
Coastal Areas	All coastal local authorities from Lincs. to Essex, Natural England (NE), led by Environment Agency (EA). WECMS Project Group, Advisory Group, Key Stakeholder Sub Group (KSSG). LGA Coastal Special Interest Group (SIG) (all coastal local authorities in England). Anglian Coastal Monitoring Group (ACMG) (all coastal local authorities from Lincs. to Essex + EA).	The Wash Shoreline Management Plan (SMP); The Wash East Coastal Management Strategy (WECMS); The North Norfolk SMP.	Coastal Flood Risk Planning Protocol Policies DM11 Touring & Permanent Holiday Sites & DM18 Coastal Flood Risk Hazard Zone (Hunstanton to Dersingham) from the Site Allocations and Development Management Policies Document.	Structures being set up to oversee future funding and policy issues. SMP monitoring through East Anglian Coastal Group (EACG).

Strategic issues from the Core Strategy	Partners, Management and working arrangements	Evidence Base	Outcome	Ongoing cooperation
	<p>SMP Groups The Wash CSG The Wash EMF</p> <p>North Norfolk CSG North Norfolk EMF</p>			
Implementation	<p>Norfolk Strategic Services Coordinating Group Norfolk Strategic Planning Group Norfolk Infrastructure Plan Steering Group Local Strategic Partnership – West Norfolk Partnership Strategy Group Specific meetings with service/infrastructure providers e.g. education, health, police, fire and letters/questionnaires requesting information/service plans/capital programmes, etc. CIL Viability Study - developers/agents briefings.</p>	<p>Infrastructure Studies (2010 & 2014) CIL Viability Study (Nov. 2013) Draft Infrastructure Requirements List (Regulation123 List) Nov. 2014</p>	<p>Norfolk Infrastructure Plan BCKLWN Infrastructure Studies 2010 & 2014 Draft Infrastructure Requirements List (Regulation123 List) Nov. 2014 Core Strategy Policy CS14 Infrastructure Provision/Appendix 3 Delivery Framework July 2011</p>	<p>Norfolk Strategic Services Coordinating Group, Norfolk Strategic Planning Group and WNP Strategy Group are ongoing. Regular/ongoing discussions with service/infrastructure providers. Consultation on CIL Viability/Draft Infrastructure Requirements List (Regulation123 List) ongoing.</p>

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Appendix 1: Strategic Planning Issues

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Strategic Flood Risk Assessment

<p>1. Strategic Planning issue</p>
<p>Strategic Flood Risk Assessment - taking account of Strategic Flood Risk. Much of the Borough is low-lying and affected by either tidal or fluvial flood risk. It is important to take account of this in planning future land allocations. River catchments and coastal zones extend over wide areas and don't respect local authority boundaries. Surface water flooding is also a risk that must be considered in our planning strategy.</p>
<p>2. Evidence base</p>
<ul style="list-style-type: none"> • Strategic Flood Risk Assessment & SFRA: Annex to Level 1. • King's Lynn & West Norfolk (KLWN) Settlements Surface Water Management Plan (SWMP).
<p>3. Strategic Partners</p>
<p>Norfolk Water Management Partnership (NWMP) (officer) & NWMP Strategic Forum (Members) - Environment Agency (EA); Internal Drainage Boards (IDBs), Anglian Water Services (AWS), Norfolk County Council (NCC) as Lead Local Flood Authority (LLFA), Middle Level Commissioners, Norfolk Fire & Rescue Service, local authorities, Regional Flood & Coastal Committees (RFCC)</p> <p>EA; IDBs, AWS, NCC as LLFA were on the SFRA steering group & SWMP steering group.</p> <p>KLWN Local Flood Risk Steering Group – NCC, EA, IDBs, Borough Council, AWS.</p>
<p>4. Actions</p>
<p>Action: Understand strategic flood risk issues in the Borough through the preparation of a SFRA. Partners: as above in 3. Outcome: Strategic Flood Risk Assessment & SFRA: Annex to Level 1</p> <p>Date: Dec. 08 & Apr. 10 (modified Oct. 10)</p>
<p>Action: Understand the risk of surface water flooding through the preparation of a SWMP Partners: as above in 3. Outcome: KL & West Norfolk Settlements Surface Water Management Plan</p> <p>Date: early 2015</p>

5. Outcomes from strategic working

King's Lynn and West Norfolk Settlements Surface Water Management Plan

NCC has been working with the Borough Council, the EA, AWS, IDBs and consultants Capita Symonds to produce a SWMP for King's Lynn and other selected settlements in West Norfolk.

The other settlements included in the SWMP are: Burnham Market, Dersingham, Downham Market, East and West Rudham, Feltwell, Gayton, Heacham, Hunstanton, North and South Creak, Shouldham, Southery, Snettisham, Terrington St. Clement and Wimbotsham.

The SWMP has analysed the predicted consequences of surface water flooding to property, businesses and infrastructure and those areas identified to be at more significant risk will be selected as Local Flood Risk Zones. Further studies of ordinary watercourses and groundwater have been recommended to gain a comprehensive understanding of local flood risk in the Borough.

It is hoped to complete these further studies by January 2015 and publish the results of both reports by Spring 2015.

Strategic Flood Risk Assessment and Tidal River Hazard Mapping Protocol 2012 – Borough Council & EA.

SWMP & SFRA influenced Policy DM21 Sites in Areas of Flood Risk of the Site Allocations document. All allocations had regard to the SFRA. The overall settlement strategy in the Core Strategy was influenced by the SFRA Annex to Level 1.

Appendix 3: Approach to Flood Risk and Appendix 4: Flood Risk Protocol of the Site Allocations document reflect the SFRA and joint working with the EA.

6. Ongoing cooperation

The NWMP is an ongoing partnership.
The KLWN Local Flood Risk Steering Group is ongoing.

Affordable Housing

1. Strategic Planning issue
<p>Affordable Housing West Norfolk has significant demand for affordable housing as evidenced in the Strategic Housing Market Assessment (SHMA) 2014 and via the Councils Housing Register.</p> <p>The provision of affordable housing is a complex area of work for the Council and requires effective relationships particularly between the Councils Housing & Planning department along with other external partners such as Registered Providers, and developers, to ensure an adequate supply of good quality affordable housing in the Borough.</p>
2. Evidence base
<p>SHMA 2007 SHMA Update 2014 Affordable Housing Site Viability Study 2008 Affordable Housing Site Viability Study Update 2010 Affordable Housing Site Viability Study Update 2013 Gypsy & Traveller Accommodation Needs Assessment (GTANA) 2011 Gypsy & Traveller Accommodation Needs Assessment update 2014 Housing & Support Needs of Black & Minority Ethnic Communities in Norfolk 2007 Area of Outstanding Natural Beauty- Affordable Housing 2005 Borough Council of King's Lynn & West Norfolk Homelessness Strategy 2012-2014 Borough Council of King's Lynn & West Norfolk Affordable Housing Policy 2011 Borough Council of King's Lynn & West Norfolk Long Term Empty Homes Strategy 2013-2016 Strategic Model of Care report Oct 2008 (Norfolk County Council) Building Better Futures Strategy NCC Norfolk Joint Strategic Needs Assessment Home Energy Conservation Act Report 2013-15</p>
3. Strategic Partners
<p>Breckland District Council North Norfolk District Council Norfolk County Council Adult Social Services NCC Other Norfolk Councils Planning Agents Developers Planning Consultants Letting Agents Registered Providers</p>

Housing Support Providers
Landlords
King's Lynn Area Resettlement Service

4. Actions

Action : Joint commissioning of SHMA 2007 on sub-regional basis
Partners North Norfolk District Council & Breckland District Council
Outcome: Useful comparisons and identification of common issues and housing market areas
Date : 2006/ 2007

5. Outcomes from strategic working

- Identification of contained Housing Market Area (HMA)
- Two tier approach to affordable housing thresholds and proportions as per policy CS09 of the adopted Core Strategy
- Dynamic approach to affordable housing thresholds and proportions to ensure that the need to provide affordable housing is balanced with scheme viability as per policy CS09.
- Increased delivery of affordable housing on rural exception sites as per policy CS06 & CS09.

6. Ongoing cooperation

On going monitoring of SHMA, Homelessness Strategy, Site Viability and GTANA. Reviews and updates undertaken annually.

Gypsies and travellers – Accommodation needs

<p>1. Strategic Planning issue</p>
<p>Gypsies and travellers – Accommodation needs</p> <ul style="list-style-type: none"> • The area of West Norfolk and immediate neighbours in Cambridgeshire display a high level of demand for sites for gypsies and travellers. • Local authorities in the Cambridgeshire area together with West Norfolk commissioned CCC to prepare a Gypsy and Traveller Accommodation Needs Assessment (GTANA). • This joint work sought to deal comprehensively with needs, including potential cross border tensions.
<p>2. Evidence base</p>
<ul style="list-style-type: none"> • Work to support the Core Strategy 2011 was based on the Regional Strategy and demand at that time. (Policy CS09 discusses the policy approach) • The primary evidence base more recently was the 2014 study which endorsed the previous demand levels and predicting forward showed amount and type of demand. • Recent planning decisions and 5 year supply analysis show we continue to meet demand
<p>3. Strategic Partners</p>
<ul style="list-style-type: none"> • King’s Lynn and West Norfolk Borough Council • Cambridgeshire County Council • All districts in Cambridgeshire
<p>4. Actions</p>
<ul style="list-style-type: none"> • Joint commissioning of evidence through the GTANA. • Joint testing of technical evidence base. • Agreement to the findings of the study and appropriate actions through plan preparation to address needs. • Process: <ul style="list-style-type: none"> ○ Evidence commissioned ○ Agreement ○ Review process ○
<p>5. Outcomes from strategic working</p>
<ul style="list-style-type: none"> • Role of the geography of West Norfolk is recognised as part of the wider sub region • Justification for strategy of relying on ‘windfall’ sites to deal with predominantly private small scale needs

- More certain policy approach

6. Ongoing cooperation

- Recent (2014) refresh of the Gypsy and Traveller Accommodation Needs Assessment
- Figures reaffirmed
- Further monitoring and reanalysis planned

Strategic Transport

1. Strategic Planning issue
Strategic Transport - to plan for strategic transport improvements to accompany planned growth.
2. Evidence base
King's Lynn Area Transport Strategy (KLATS); Norfolk's Local Transport Plan (LTP) Connecting Norfolk – Norfolk's Transport Plan for 2026 & Connecting Norfolk Implementation Plan for 2011-2015 Norfolk County Council (NCC); Once in a Generation – A Rail Prospectus for East Anglia; Norfolk Rail Prospectus (NCC); A47 Gateway to Growth (NCC); Highways Agency (HA) East of England Route Strategy; Highways Agency A47 Corridor Feasibility Study; A47 Hardwick Junction Study (NCC/Mott MacDonald); Cambridgeshire County Council (CCC)/Skanska A47 Thorney to Wisbech Walton Highway Initial Options Assessment; Wisbech Area Transport Study (CCC); Draft Wisbech Market Town Transport Strategy 2014 (CCC).
3. Strategic Partners
KLATS steering group – NCC led; Norfolk Green, Morstons (developer), Chamber of Commerce, Highways Agency. LTP groups led by NCC. East Anglia Rail Alliance – MPs, LEPs, Local authorities, Rail User Groups, business & other groups. Norfolk Rail Policy Group – led by NCC, with other LAs (officers and Members), Network Rail, rail operators, user groups. A47 Alliance & A47 Alliance Steering Group – led by NCC, with CCC, Peterborough UA, HA, other LAs (officers and Members), RAC, Chamber of Commerce, LEPs, MPs, MEPs. A47 Hardwick Stakeholder & Developer Forum – ATLAS; developers,

landowners, business representatives, Norfolk Green, NCC.

Cambridgeshire County Council A47 Thorney to Wisbech Walton Highway Initial Options Assessment. The purpose of the study is to identify and assess potential options for improving this section of the route (taking into account previous work).

Wisbech Area Transport Study 2008 & 2013 – Fenland; CCC.

Draft Wisbech Market Town Transport Strategy 2014 (part of Cambs. LTP3) – Fenland; CCC.

4. Actions

Action: KLATS2 final report & implementation plan produced.

Partners: NCC

Outcome: Report & implementation plan produced 2010.

Date: 2010

Action : Rail Prospectuses produced

Partners: as in 3 above

Outcome: investment in improving Ely North junction leading to ½ hourly services in May 2017

Date: E Anglia Rail Prospectus 2012 (reviewed 2014); Norfolk Rail Prospectus 2013

5. Outcomes from strategic working

KLATS – Core Strategy transport policy/specific measures taken forward.

Rail – dualling of Ely North junction to enable ½ hourly services to/from King's Lynn by May 2017.

A47 – recognition by Government of need for A47 improvements in Autumn Statement 2014.

A47 Thorney to Wisbech Walton Highway Initial Options Assessment. The purpose of the study is to identify and assess potential options for improving this section of the route (taking into account previous work).

Hardwick Junction (A47) Study by Mott MacDonald for Norfolk County Council 2014

West Winch / North Runcton allocation – Policy E2.1

6. Ongoing cooperation

KLATS implementation plan reviewed.

A47 Alliance Steering Group is ongoing.

Norfolk Rail Policy Group is ongoing.

Green Infrastructure

<p>1. Strategic Planning issue</p>
<p>Green Infrastructure (GI) - to plan for strategic green infrastructure improvements to accompany planned growth.</p>
<p>2. Evidence base</p>
<p>Green Infrastructure Strategy Stage 1 Report Sept 2009 Green Infrastructure Study Stage 2 Final Report May 2010 2013 research by Mott MacDonald on existing GI projects around the Borough Green Infrastructure Strategic Plan for Norfolk – being prepared by Norfolk County Council</p>
<p>3. Strategic Partners</p>
<p>Steering Group: King's Lynn & West Norfolk Borough Council (BCKLWN), Entec consultants, Anglian Water Services Ltd, Environment Agency, Natural England, Water Management Alliance, Norfolk Wildlife Trust, Norfolk County Council.</p> <p>Wider consultation – 2 stakeholder meetings & a number of meetings (Downham Market & Hunstanton Town Councils; BCKLWN Open Space & Planning Policy Sections; author of Wash Green Infrastructure Masterplan (Stage 1).</p> <p>Adjoining local authorities' GI Strategies considered – Thetford, Cambridge Sub Region, The Wash.</p>
<p>4. Actions</p>
<p>Action: prepare a Green Infrastructure Strategy Partners: as above Outcome: Report & Strategy produced 2009 & 2010. Date: 2009 & 2010</p>
<p>5. Outcomes from strategic working</p>
<p>Core Strategy Policies CS12 Environmental Assets; CS13 Community & Culture; CS14 Infrastructure Provision Policy DM 19 Green Infrastructure</p>

Policy E1.13 King's Lynn GI

GI included within particular allocations e.g. West Winch Growth Area (E2.1)

6. Ongoing cooperation

Taken forward through individual projects e.g. Gaywood Valley SURF Project; Wissey Living Landscape project; Ouse Washes Landscape Partnership.

Protection of SPA species – Stone Curlews

1. Strategic Planning issue

Protection of SPA species – Stone Curlews

- The Breckland Special Protection Area is as the title suggests a statutory designated area and needs to be afforded protection.
- The stone curlew is one of the three ground nesting birds covered by the designation.
- The area covers parts of x2 counties, and parts of x4 districts. There is also involvement from Natural England.
- The interaction of potential development with the protected interests has been crystallised by a study commissioned by Breckland District Council in 2008.
- The Core Strategies / local plans for those districts all contain policies to achieve protection.
- Habitats Regulations Assessments for plans within the area have given very careful consideration to the research in considering development proposals, and policies are embedded in the decision making processes.
- Further work has recently been commissioned by Breckland District Council to review the operation of policy. At the same time Natural England has convened a working group (the Breckland Planning Forum) of local authorities and landowners to establish more focussed approaches on different types of development proposals to ease the perceived burdens resulting from the original approach.

2. Evidence base

- Sharp et al (2008) The effect of housing development and roads on the distribution of stone curlews in the Brecks
- HRA documentation for the West Norfolk Core Strategy (2010), and subsequent HRAs for the Sites Plan (2009 -2014)

3. Strategic Partners

- KLWN Borough Council
- Norfolk County Council
- Breckland District Council
- Suffolk County Council
- Forest Heath District Council
- St. Edmundsbury District Council
- Natural England
- Wildlife Trusts
- Various landowners
- RSPB

<ul style="list-style-type: none"> • Forestry Commission • National Farmers Union • Country Land and Business Association (CLA)
<p>4. Actions</p>
<ul style="list-style-type: none"> • Common policy approaches in relevant local plans • Common approach to planning applications and development proposals in the area • Formation of the Breckland Planning Forum • Emerging drafts of more focussed approach to classes of development
<p>5. Outcomes from strategic working</p>
<p>As above for 4.</p>
<p>6. Ongoing cooperation</p>
<p>There is general recognition that further consideration needs to be given to the restrictive approach in place to date. An additional report 'Clarke and Lilley (2013) – Further assessments of the relationship between building and stone curlew distribution' has been prepared and Natural England are facilitating a discussion as to potential adjustments to the current approach. This may result in policy changes.</p> <p>The Breckland Planning Forum continues to meet.</p>

Potential for adverse impacts on Natura 2000 sites (SPAs, SACs and Ramsar sites)

<p>1. Strategic Planning issue</p>
<p>Potential for adverse impacts on Natura 2000 sites (SPAs, SACs and Ramsar sites) through increased recreational pressure associated with planned new housing development.</p> <p>Two main areas of strategic (cross boundary) concern identified are</p> <ul style="list-style-type: none"> • Any impact on the stone curlew population associated with the Brecks Special Protection Area (in Breckland District) from future occupants of housing developments in the extreme south of the West Norfolk Borough. (<i>n.b. This is dealt with in a separate 'Strategic Planning Issue' entry.</i>) • Any impact on the coastal SPA and SAC beyond the boundary in North Norfolk District arising from the combined future occupants of housing development allocations in the north of the Borough (e.g. Sheringham, Dersingham) and around King's Lynn.
<p>2. Evidence base</p>
<p>Habitats Regulations Assessment Report (for Site Allocations and Development Management Policies Plan)</p> <p>This in turn draws on a range of other sources, in particular Natural England SSSI condition surveys.</p>
<p>3. Strategic Partners</p>
<p>Norfolk County Council Natural England</p> <p>Norfolk Duty to Cooperate Member Forum</p> <ul style="list-style-type: none"> Breckland District Council Broadlands District Council Broads Authority Great Yarmouth Borough Council Norfolk County Council North Norfolk County Council Norwich City Council South Norfolk District Council Suffolk County Council (Observer) <p>Norfolk Strategic Planning Group (Officer Group)</p> <ul style="list-style-type: none"> Breckland District Council Broadlands District Council Broads Authority Environment Agency Great Yarmouth Borough Council Norfolk County Council North Norfolk County Council

Norwich City Council
South Norfolk District Council

Norfolk Biodiversity Partnership
membership as NSPG above plus -
Anglian Water
Forestry Commission
Natural England
British Trust for Ornithology
Farming and Wildlife Advisory Group
Norfolk and Norwich Naturalists' Society
Norfolk Wildlife Trust
RSPB
University of East Anglia
Water Alliance

Norfolk Coast (AONB) Partnership
Norfolk County Council
North Norfolk District Council
Borough Council of Kings Lynn and West Norfolk
Great Yarmouth Borough Council
Broads Authority
Community representatives

4. Actions

Action : Ongoing discussions in a range of groups as to

- the challenge of identify with any confidence what impact certain housing would have on designated sites (from the perspective of both authorities planning growth, and bodies responsible for managing designated sites);
- the difficulty of gauging the relative impact of new housing populations compared to those impacts arising from existing residential populations and from tourism;
- emerging experience among partners of objections/concerns re plans and developments, and methods of addressing these.

Partners: Norfolk Strategic Planning Group, Norfolk Biodiversity Partnership
Outcome: Agreement to pursue joint research to establish key parameters (brief attached). This will inform future plans and HRAs, and help decide scales and types of 'diversionary' green infrastructure for planned allocations in current proposed plan housing allocations

Date: 4th September 2014 (Norfolk Strategic Planning Group); 8th October 2014 (Norfolk Duty-to-Cooperate Member Forum).

Action : Identify programmed and proposed additional green infrastructure around the Borough that could reduce recreational pressure on designated sites (including those across LPA boundaries). BCKLWN funded and NCC provided the expertise to collate, update and map.

Partners : Norfolk County Council.

Outcome: 'Programmed and Proposed Green Infrastructure Projects' around the Borough.

Date : February to June 2013

Action : Joint working, with BCKLWN complete coding of, and assisting with analysis of visitor surveys undertaken by Norfolk Coast Partnership.

Partners: Norfolk Coast (AONB) Partnership

Outcome: Better understanding of the range and distribution of visitor pressures on sensitive coastal sites, including additional information for Plan HRA.

Date : January to July 2013

5. Outcomes from strategic working

The cooperation enabled the Borough to

- tailor the policies for the housing allocations and show how adverse impacts on designated sites will be avoided;
- refine its Habitats Regulations Assessment for the Site Allocations and Development Management Plan.

A continuing issue is that, in the absence of clear and convincing evidence of the relative scale of new and existing visitor adverse impacts, and given the precautionary basis of habitats and environmental assessments, it is difficult to rebut or contextualise suggestions of potential harm even if these are themselves unsupported by evidence.

6. Ongoing cooperation

- 1) The plan includes monitoring mechanisms to gauge whether, as intended, adverse impacts from the relevant housing allocations are avoided. Policies affected.
- 2) The agreed joint research should provide a more robust framework to guide development of green infrastructure to serve the relevant new developments, and to inform future plans in both the allocation of housing and the provision of green infrastructure and enhanced or additional countryside recreational opportunities to relieve any potential pressure on the designated sites.

Action : Firm up the provision of a King's Lynn to Hunstanton footpath as part of the green infrastructure needed to mitigate recreational pressures arising from housing in King's Lynn, and in particular that at South Wootton (adjacent to the former railway line).

Partners : Norfolk County Council

Outcomes:

- A. Confirmation of NCC's commitment to designating a coastal path between King's Lynn and Hunstanton during the Plan period, and its

awareness of the potential of parts of the former railway line (including that adjacent to the South Wootton proposed allocation) as a route for this path.

- B. Inclusion of the line of the former King's Lynn - Hunstanton railway line in the Proposed Plan's protective policy 'DM13 – Former railway trackways'.

Date : A – 3rd February 2014;

B – Approved by Council 27 November 2014

Landscape protection – Norfolk Coast Project (AONB)

1. Strategic Planning issue
Landscape protection – Norfolk Coast Project (AONB) <ul style="list-style-type: none">• The statutory designation of the Norfolk Coast (North of King’s Lynn to Great Yarmouth) as an Area of Outstanding Natural Beauty is a significant factor when dealing with development proposals in the coastal area in West Norfolk.• The potential tension from protecting the quality of the landscape at the same time as ensuring appropriate development can take place could be a problem.
2. Evidence base <ul style="list-style-type: none">• The Core Strategy acknowledges the quality of the coastal area and also the value in economic terms of tourism.• The current AONB Management Plan expires in 2014 (having been previously agreed in 2009).• The Norfolk Coast Project undertook a review process (workshops, draft documents, consultations, both with constituent authorities and other stakeholders).• A draft revised Management Plan to cover the period to 2019 is being agreed by partners currently.• Whilst the evidence gathered has been primarily for the Management Plan itself it is a check to the appropriateness of the Core Strategy or other policies.• Examples of recent evidence collected includes a study of visitors to sensitive sites as a contribution to the recreational pressures issue dealt with on a separate sheet in this Report.
3. Strategic Partners
(As Core Management Group) <ul style="list-style-type: none">• Kings Lynn and West Norfolk Borough Council• North Norfolk District Council• Norfolk County Council• Great Yarmouth Borough Council• Broads Authority• DEFRA• Natural England
4. Actions
<ul style="list-style-type: none">• Core Management Group meetings held approximately quarterly

- As appropriate the Borough Council considers AONB issues, most recently at the Borough Council Cabinet on 4 November 2014 where the proposed revised Management Plan and Memorandum of Agreement were endorsed.

5. Outcomes from strategic working

- There has been a more co-ordinated approach to the role of the AONB in addressing social, economic as well as environmental – landscape issues across the designated area.
- Whilst there have been representations from the NCP about some proposed allocations these are site specific, and the wider role of the Sites Plan in distributing growth, promoting economic growth whilst protecting the landscape has been acknowledged.

6. Ongoing cooperation

- The Borough Council is a member of the Core Management Group for the Project, contributing financially to the running of the Project.

Wisbech Fringe

<p>1. Strategic Planning issue</p>
<p>Wisbech Fringe – To plan for strategic growth to the east of the town of Wisbech, working alongside Fenland District Council to deliver a comprehensive approach to development.</p>
<p>2. Evidence base</p>
<ul style="list-style-type: none"> • Fenland District Council (FDC) - Fenland Local Plan adopted May 2014. • FDC Duty to Cooperate Statement (in particular Appendix 6) Sept 2013. • Wisbech Area Transport Study Feb 2013. • FDC Infrastructure Delivery Plan Feb 2013. • Statement of Common Ground Fenland District Council Local Plan Core Strategy between FDC, Highways Agency, Cambridgeshire County Council, Borough Council of Kings Lynn & West Norfolk, Norfolk County Council Oct 2013. • KLWN Infrastructure Study (2010 / 2015 version underway). • FDC/ KLWN Joint Member Statement – Joint working between Kings Lynn and West Norfolk Borough Council and Fenland District Council to address growth around Wisbech Oct 2010.
<p>3. Strategic Partners</p>
<ul style="list-style-type: none"> • Fenland District Council • Norfolk County Council • Cambridgeshire County Council • Highways Agency
<p>4. Actions</p>
<p>Action : Adoption of Fenland District Council- Fenland Local Plan 2014 Partners: Fenland District Council Outcome: Adoption Date : May 2014</p>
<p>Action : Ongoing 'Wisbech Development Group' work/ meetings Partners : FDC/ KLWNBC / CCC / NCC / Highways Agency / landowners and agents Outcome: Working towards a masterplan for allocations to the east of Wisbech, to facilitate delivery of the site. Date : 2014/2015</p>
<p>5. Outcomes from strategic working</p>
<ul style="list-style-type: none"> • Adoption of FDC Local Plan – policy LP7 Urban Extensions and LP8

Wisbech

- Progression of Site Allocations and Development Management Policies Document – policy F3.1 Wisbech Fringe
- Completion of joint transport modelling work to inform the allocation and facilitate the delivery of sites – Wisbech Area Transport Study
- Ongoing ‘Wisbech Development Group’ meetings, which are working towards a masterplan for allocations to the east of Wisbech, to facilitate delivery of the site.

6. Ongoing cooperation

- Ongoing ‘Wisbech Development Group’ meetings which are will continue until a masterplan is agreed, and/or a planning application is submitted.
- Monitoring o policies within each Local Plan
- Continued consultation on policy issues/ applications between authorities.

Coastal Management

<p>1. Strategic Planning issue</p>
<p>Coastal Management - adopting the appropriate planning response to long term coastal management issues identified in the Shoreline Management Plans for our area.</p>
<p>2. Evidence base</p>
<ul style="list-style-type: none"> • The Wash Shoreline Management Plan (SMP); • The Wash East Coastal Management Strategy (WECMS); • The North Norfolk SMP.
<p>3. Strategic Partners</p>
<p>East Anglian Coastal Group (EACG) (all coastal local authorities from Lincs. to Essex, Natural England (NE), led by Environment Agency (EA).</p> <p>WECMS Project Group, Advisory Group, Key Stakeholder Sub Group (KSSG).</p> <ul style="list-style-type: none"> • Project Group – EA, Borough Council, Royal Haskoning consultants • Advisory Group – as above + parish/town councils, Hunstanton Chamber of Commerce, County Council, NE, NFU, landowners rep., caravan park/chalet parks rep., Cliff Top residents rep., Central Regional Flood & Coastal Committee (RFCC), Norfolk Historic Environment Service, King's Lynn IDB. • KSSG – as above + individual chalet owner groups, other individual environmental & heritage organisations, individual landowners. <p>LGA Coastal Special Interest Group (SIG) (all coastal local authorities in England).</p> <p>Anglian Coastal Monitoring Group (ACMG) (all coastal local authorities from Lincs. to Essex + EA).</p> <p>SMP Groups – Client Steering Group (CSG) & Elected Members Forum (EMF) & Key Stakeholder Groups (KSG).</p> <ul style="list-style-type: none"> • The Wash CSG: <ul style="list-style-type: none"> - Lincolnshire County Council - Royal Society for the Protection of Birds - Boston Borough Council - Natural England - Wash & North Norfolk Coast European Marine Site Management Scheme

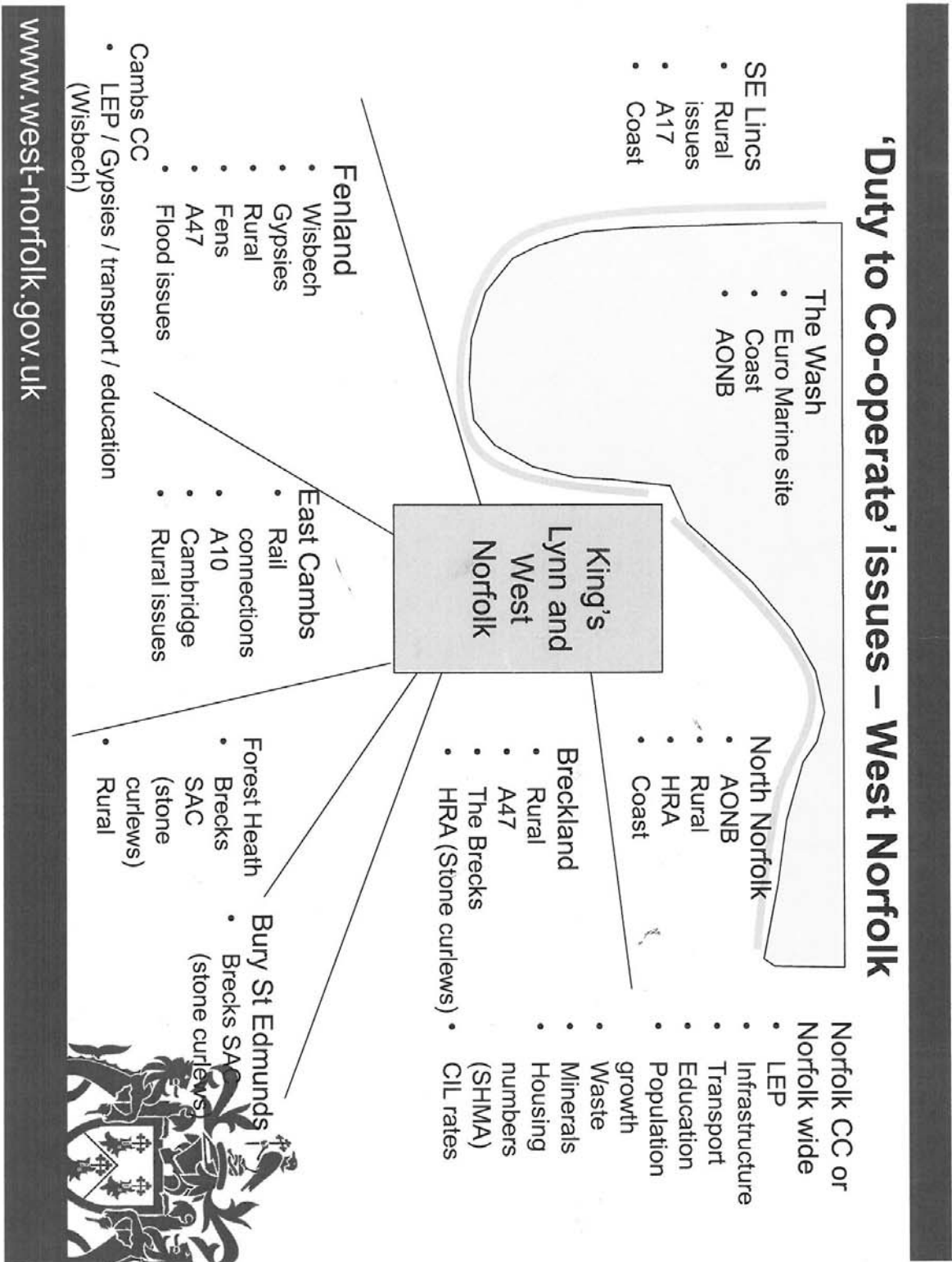
<ul style="list-style-type: none"> - Wash Estuary Management Plan Officer - Boston Borough Council - South Holland District Council - Water Management Alliance - National Environmental Assessment Service (NEAS) - Norfolk County Council - East Lindsey District Council <ul style="list-style-type: none"> • The Wash EMF comprised elected member representatives from client local authorities and members of the Environment Agency's Regional Flood Defence Committee. <ul style="list-style-type: none"> • North Norfolk CSG: <ul style="list-style-type: none"> - main client local authorities, plus representatives from Natural England and other authorities such as Norfolk County Council. <ul style="list-style-type: none"> • North Norfolk EMF: <ul style="list-style-type: none"> - elected member representatives from: <ul style="list-style-type: none"> • North Norfolk District Council • Norfolk County Council • Regional Flood Defence Committee (RFDC).
<p>4. Actions</p>
<p>Action : Preparing the joint Wash East Coastal Management Strategy Partners: EA Outcome: Draft Strategy recommended for Council (29 January 2015) approval at 2 Dec 2014 Cabinet Date : 2014</p>
<p>Action : Preparing the Coastal Flood Risk Planning Protocol Partners : EA Outcome: Agreed with EA in 2010 Date : Sept. 2010</p>
<p>5. Outcomes from strategic working</p>
<p>Coastal Flood Risk Planning Protocol Policies DM11 Touring & Permanent Holiday Sites & DM18 Coastal Flood Risk Hazard Zone (Hunstanton to Dersingham)</p>
<p>6. Ongoing cooperation</p>
<p>Structures being set up to oversee future funding and policy issues. SMP monitoring through EACG.</p>

Implementation

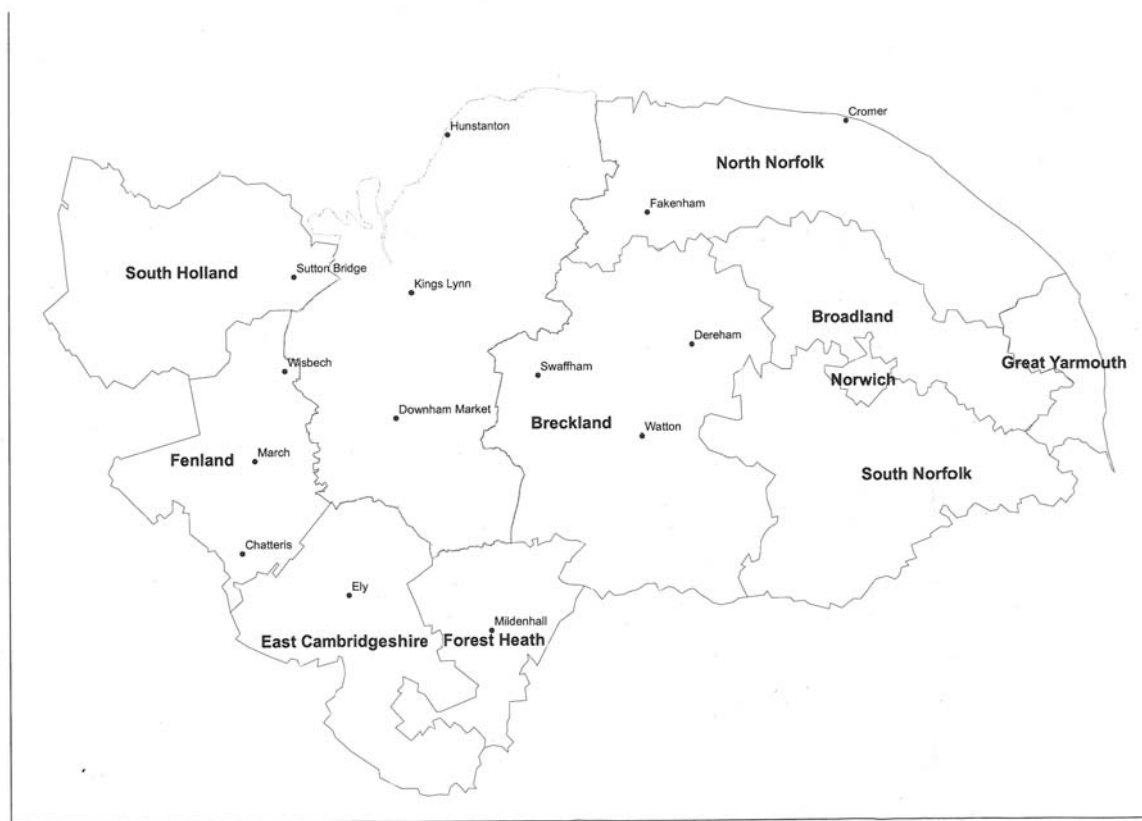
1. Strategic Planning issue
Implementation - to plan for the infrastructure needed to accompany planned growth.
2. Evidence base
2010 Infrastructure Study (other background documents are listed within) 2014 Infrastructure Study (other background documents are listed within) CIL Viability Study (Nov. 2013) Draft Infrastructure Requirements List (Regulation123 List) Nov. 2014 Norfolk Infrastructure Plan Update 2014
3. Strategic Partners
Norfolk Strategic Services Coordinating Group – (Chair) Shaping Norfolk’s Future Borough Council of King’s Lynn and West Norfolk ICT Services, Norfolk County Council Planning, Performance & Partnerships, Norfolk County Council Anglian Water Norwich City Council Children’s Services, Norfolk County Council NHS Norfolk Transport Strategy, Norfolk County Council UK Power Networks Greater Norwich Development Partnership Norfolk Fire and Rescue Children’s Services, Norfolk County Council South Norfolk District Council Wherry Housing Association Planning Strategy, Norfolk County Council Environment Agency Norfolk Property Services North Norfolk District Council Broadland District Council North Norfolk District Council RAF Marham Norfolk and Waveney Mental Health Trust Norwich City Council Anglian Water Norfolk Strategic Planning Group – all Norfolk local authorities. Norfolk Infrastructure Plan Steering Group: Anglian Water UK Power Networks

<p>Transport Planning (Norfolk County Council) Great Yarmouth Borough Council Borough Council of King's Lynn and West Norfolk Norfolk Fire and Rescue Environment Agency Greater Norwich Development Partnership Anglian Water Norfolk County Council (Better Broadband for Norfolk) UK Power Networks</p> <p>Local Strategic Partnership – West Norfolk Partnership Strategy Group</p> <p>WNP Strategy Group Members:</p> <p>Heather Farley – (Chair) Chief Executive West Norfolk Voluntary and Community Action Andy Johnson – High School rep David Buckley – Norfolk Constabulary Ray Harding – BCKLWN Sandra Summerfield – Norfolk County Council Lindsey Clarke – Job Centre Plus Sue Crossman – WN Clinical Commissioning Group (CCG) Julia Sharp – Norfolk and Suffolk Community Rehabilitation Company (NSCRC) David Pomfret – College of West Anglia Ady Portlock – RAF Marham Val Newton – Queen Elizabeth Hospital</p> <p>Specific meetings with service/infrastructure providers e.g. education, health, police, fire and letters/questionnaires requesting information/service plans/capital programmes, etc.</p> <p>CIL Viability Study – developers/agents briefings.</p>
<p>4. Actions</p>
<p>Action: Infrastructure surveys and plans produced 2010 & 2014 Partners: as above Outcome: plans produced 2010 & 2014 Date: 2010/2014</p>
<p>Action: Preparation of Infrastructure Delivery Plan (IDP) for West Winch growth area Partners: major landowners/developers/Norfolk County Council Outcome: agreed IDP Date: likely early 2015</p>

<p>Action: development of a CIL Partners: major landowners/developers/Norfolk County Council Outcome: CIL Viability Study /Draft Infrastructure Requirements List (Regulation123 List) Nov. 2014 Date: ongoing</p>
<p>5. Outcomes from strategic working</p>
<p>Norfolk Infrastructure Plan BCKLWN Infrastructure Studies 2010 & 2014 Draft Infrastructure Requirements List (Regulation123 List) Nov. 2014 Core Strategy Policy CS14 Infrastructure Provision/Appendix 3 Delivery Framework July 2011</p>
<p>6. Ongoing cooperation</p>
<p>Norfolk Strategic Services Coordinating Group, Norfolk Strategic Planning Group and WNP Strategy Group are ongoing. Regular/ongoing discussions with service/infrastructure providers. Consultation on CIL Viability/Draft Infrastructure Requirements List (Regulation123 List) Nov. 2014</p>



Appendix 3 - Map of Strategic Planning Area (SPA)



Appendix 4 – Norfolk Strategic Planning Member Forum

REPORT TO CABINET

Open/Exempt		Would any decisions proposed :		
		Be entirely within Cabinet's powers to decide	YES/NO	
		Need to be recommendations to Council	YES/NO	
Any especially affected Wards	Mandatory/	Is it a Key Decision YES/NO		
None, all wards affected.	Discretionary /			
	Operational			
Lead Member: Cllr V Spikings E-mail: cllr.vivienne.spikings@west-norfolk.gov.uk		Other Cabinet Members consulted: Cllr N Daubney, Cllr B Long		
		Other Members consulted:		
Lead Officer: Alan Gomm E-mail: alan.gomm@west-norfolk.gov.uk Direct Dial:01553 616237		Other Officers consulted: Chief Executive and Management Team		
Financial Implications YES/NO	Policy/Personnel Implications YES/NO	Statutory Implications YES/NO	Equal Impact Assessment YES/NO If YES: Pre-screening/ Full Assessment	Risk Management Implications YES/NO
If not for publication, the paragraph(s) of Schedule 12A of the 1972 Local Government Act considered to justify that is (are) paragraph(s)				

Date of meeting: 31 March 2015

STRATEGIC PLANNING ISSUES – POTENTIAL ‘DUTY TO CO-OPERATE’ ARRANGEMENTS FOR NORFOLK

<p>Summary</p> <ol style="list-style-type: none"> 1. Duty to Cooperate is an important element of Local Plan making. There are examples where Plans have been withdrawn or have failed their examination because the approach has not been adequate. 2. The Borough Council does continue to cooperate with relevant organisations, but the approach needs to be formalised to minimise risks. 3. The proposed Non-Statutory Shared Strategic Framework for Norfolk will formalise the county’s approach to the Duty to Cooperate. It is a format that
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has been used elsewhere in the region with success in examinations of Local Plans.

4. This framework will set out agreed approaches to common cross boundary issues across the county (such as housing, jobs, transport and water which is necessary to meet the National Planning Policy Framework (NPPF) requirement to promote sustainable development and to assist economic growth whilst providing for environmental protection) for the Local Planning Authorities to seek to address in their Local Plans.
5. There will be an element of staff time and monetary contribution to produce the framework.

Recommendation

It is recommended that Cabinet agree that:

1. The Borough Council is part of a shared non-statutory strategic framework in respect of the 'duty to co-operate'
2. In principle Option 3 represents the most appropriate mechanism in the circumstances
3. An Officer steering group and employed project management plus limited consultancy is the most appropriate delivery model
4. A commitment is given to a budget of approximately £25k over two financial years.
5. The terms of reference for the Member Duty to Cooperate Group are agreed.

Reason for Decision

Formal cooperation on Planning Policy matters with councils in Norfolk through a non-statutory strategic framework would assist in discharging the duty to co-operate requirements as well as potentially lead to efficiency savings in commissioning a joint evidence base.

1. Background

1.1 The duty to cooperate (DTC) was created in the Localism Act 2011, and amends the Planning and Compulsory Purchase Act 2004. It places a legal duty on Local Planning Authorities, County Councils in England and public bodies to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local and Marine Plan preparation in the context of strategic cross boundary matters.

1.2 The duty to cooperate is not a duty to agree, however, local planning authorities should make every effort to secure the necessary cooperation on strategic cross boundary matters before they submit their Local Plans for examination.

1.3 Local planning authorities must demonstrate how they have complied with the duty at the independent examination of their Local Plans. If a local planning authority cannot demonstrate that it has complied with the duty then the Local Plan will not be able to proceed further in examination. There have recently been a large number of local plans nationally which have been stalled or halted, at great expense, by failure to address duty to cooperate requirements.

1.4 The Localism Act states that relevant bodies must '*...engage constructively, actively and on an ongoing basis...*'

1.5 This report sets out the proposed approach to meet this requirement with the Councils in Norfolk.

2. Duty to Co-operate activity to date

2.1 The Borough Council continues to cooperate in the following ways:

- a) Duty to co-operate workshops set up with county and neighbouring councils
- b) Regular attendance at Norfolk Strategic Planning Officers Group
- c) Regular attendance at Norfolk Duty to Co-operate (DTC) Member Forum
- d) Involvement in Gypsy and Traveller Accommodation Assessments.
- e) Commissioning of joint work/evidence base
- f) Development of joint approaches to specific locations e.g. Wisbech Fringe in Fenland
- g) Working with Natural England and others to ensure protection for Stone Curlews for The Brecks area

3. Formalising the approach to the Duty to Cooperate

3.1 The DTC Member Forum at their meeting on 14 January 2015 considered five different approaches to formalising duty to cooperate in Norfolk. These were:

1. Informal cooperation (i.e. continue the current approach)
2. Structured cooperation through a memorandum of understanding
3. Formal cooperation through a shared non-statutory strategic framework
4. A statutory joint strategic plan
5. A statutory single local plan.

3.3 The DTC Member Forum agreed the position that Norfolk Local Planning Authorities should consider and endorse option 3 - formal cooperation through a shared non-statutory strategic framework. It was considered that options 1 and 2 were less effective and options 4 and 5 were potentially constraining of a local approach to decision making and would be unwieldy to produce and manage.

3.4 The formal cooperation route through a shared non-statutory strategic framework has a number of positive features:

- The approach is used in Cambridgeshire
- It has been used successfully in some examinations of Local Plans in that area
- Will involve the production of a document which covers some cross boundary issues such as housing, flooding and green infrastructure
- Has the objective of each Local Planning Authority seeking to address the cross boundary issues as set out in the framework in their Local Plans
- It is a non-statutory framework and does not need to be examined by the Planning Inspectorate
- Would require a small team to manage the production of the framework
- Will enable joint evidence base commissioning which could result in cost savings in the long term
- Will consider the issue of housing allocations around the county. The approach will provide evidence for each local plan through which the housing numbers in individual areas could be formalised
- Will have a governance structure in place which should help to address any potential differences in views on issues of cooperation.

3.5 Following the DTC Member Group Forum, officers were asked to produce a further detailed paper which address; governance structure; Officer involvement; and resources

and budget. This was agreed (with minor changes) by the Member Forum on 16 March. The agreed paper (incorporating the minor changes) is attached at Appendix 1.

4. Issues and co-operation beyond the county boundary

4.1 The approach discussed in this paper covers the Councils in Norfolk only. Co-operating with adjacent County / District Councils is of great importance to the Borough Council as well. Indeed, Norfolk districts which border Suffolk / Cambridgeshire and Lincolnshire need to cooperate with them as well. It is not envisaged that a similar mechanism will be necessary for these areas.

4.2 The Norfolk DTC Member Group is aware of the requirement to cooperate beyond Norfolk and that is something to be considered as the plans for producing the framework are worked up in detail initial discussions have already taken place with Suffolk authorities, and we have a working relationship to Cambridgeshire as well.

5. Conclusion

- The 'Duty to Cooperate' is an important element of Local Plan making, and is a legal requirement. There are examples where Plans have been withdrawn or have failed their examination because the approach has not been adequate.
- The proposed Non-Statutory Shared Strategic Framework for Norfolk will formalise the county's approach to the Duty to Cooperate. It is a format that has been used elsewhere in the region with success in examinations of Local Plans.
- This framework will set out agreed approaches to common cross boundary issues across the county for the Local Planning Authorities to seek to address in their Local Plans.
- There will be an element of staff and monetary contribution to produce the framework.
- It is recommended that Cabinet agree to the Borough Council being part of the formal cooperation through a shared non-statutory strategic framework, with the arrangements as set out in Appendix 1.
- The Member Forum on 16 March agreed the recommendation that individual authorities:
 1. Endorse that the Strategic Framework should in the first instance focus on those areas identified in Table 1 and be produced using a structure outlined in Table 2 and the timetable outline in paras 3.8-11;
 2. Recommend that each authority formally agrees to participate in the preparation of the framework and agree to contribute up to a maximum of £15,000 in 2015/16 and £10,000 in 16/17 (per district/borough/city. Broads Authority 50% of this, Norfolk County Council 200%) to cover the anticipated costs;
 3. Write formally to the LEP and the all Suffolk authorities to request confirmation of whether or not they wish to participate in preparation of the framework and whether they are prepared to share costs.
- The framework was considered by the Chief Executives Group in early February, and was broadly welcomed subject to enhanced linkages to existing pan – Norfolk groups.

6. Options Considered

6.1 Five options were considered as above at 3.1 – 3.3, and refined to Option 3 as presented above.

7. Policy Implications

7.1 The Framework proposed is *not* intended as a policy document, it is there to provide evidence for Local Plan Examinations that co-operation has taken place appropriately. So, in that sense there are no policy implications, those decisions about the local policy for the Borough area continue to be taken at the local area.

8. Financial Implications

8.1 The above costs would mean under a conservative scenario of the work being financed solely by the planning authorities across Norfolk the costs faced by each district authority should be a maximum of £15,000 each in the next financial year (2015/16) with no more £10,000 each in the following financial year, assuming there is no separate decision to commission further work. (It was recommended that the Broads Authority would pay 50% of the district level, and Norfolk County Council 2005 of this.)

8.2 These costs can be met from the broader Local Plan reserve for these two years.

9 Personnel Implications

9.1 None specifically arising from this report.

10 Statutory Considerations

10.1 The 'duty to cooperate' (DTC) was created in the Localism Act 2011, and amends the Planning and Compulsory Purchase Act 2004. It places a legal duty on Local Planning Authorities, County Councils in England and public bodies to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local and Marine Plan preparation in the context of strategic cross boundary matters.

11 Equality Impact Assessment (EIA)

11.1 None arising from this report.

12 Risk Management Implications

12.1 Local planning authorities must demonstrate how they have complied with the duty at the independent examination of their Local Plans. If a local planning authority cannot demonstrate that it has complied with the duty then the Local Plan will not be able to proceed further in examination. There have recently been a large number of local plans nationally which have been stalled or halted, at great expense, by failure to address duty to cooperate requirements.



13 Declarations of Interest / Dispensations Granted

Background Papers

None

APPENDIX A Discussion paper from Duty to Co-operate Member Forum

APPENDIX B Terms of Reference for the Duty to Co-operate Member Forum

Name of policy/service/function	Duty to Co-operate – Non Statutory Strategic Planning Framework				
Is this a new or existing policy/ service/function?	New / Existing (delete as appropriate)				
Brief summary/description of the main aims of the policy/service/function being screened. Please state if this policy/service rigidly constrained by statutory obligations	The Non-Statutory Shared Strategic Framework for Norfolk will formalise the county's approach to the Duty to Cooperate. It is a format that has been used elsewhere in the region with success in examinations of Local Plans. There are statutory obligations under the Localism Act 2011				
Question	Answer				
<p>1. Is there any reason to believe that the policy/service/function could have a specific impact on people from one or more of the following groups according to their different protected characteristic, for example, because they have particular needs, experiences, issues or priorities or in terms of ability to access the service?</p> <p>Please tick the relevant box for each group.</p> <p>NB. Equality neutral means no negative impact on any group.</p>		Positive	Negative	Neutral	Unsure
	Age			x	
	Disability			x	
	Gender			x	
	Gender Re-assignment			x	
	Marriage/civil partnership			x	
	Pregnancy & maternity			x	
	Race			x	
	Religion or belief			x	
	Sexual orientation			x	
	Other (eg low income)			x	
Question	Answer	Comments			
2. Is the proposed policy/service likely to affect relations between certain equality communities or to damage relations between the equality communities and the Council, for example because it is seen as favouring a particular community or denying opportunities to another?	Yes / No				
3. Could this policy/service be perceived as impacting on communities differently?	Yes / No				
4. Is the policy/service specifically designed to tackle evidence of disadvantage or potential discrimination?	Yes / No				
5. Are any impacts identified above minor and if so, can these be eliminated or reduced by minor actions? If yes, please agree actions with a member of the	Yes / No N/A	Actions: None			

Corporate Equalities Working Group and list agreed actions in the comments section		Actions agreed by EWG member:
Assessment completed by: Name Alan Gomm		
Job title LDF Manager	Date	

Norfolk Duty to Cooperate Member Forum – March 2015

Non Statutory Strategic Framework – Content and Process

1. Purpose of report

1.1 The purpose of this report is to take forward the recommendations agreed when the Forum met on 14th January to consider options for how to discharge the duty to cooperate on an on-going basis. The Forum agreed to:

1. Endorse the principle of option 3 - formal cooperation through preparation of a shared non-statutory strategic framework.
2. Recommend that each constituent authority agrees formally to take forward option 3 at its earliest convenience subject to later agreement of:
 - A) Amended terms of reference for the member Duty to Cooperate Forum;
 - B) Appropriate officer and member working arrangements; and
 - C) Budget and timetable to support preparation of the shared non-statutory framework.
3. Instruct officers to prepare detailed reports on matters 2 A-C for consideration at the next member Duty to Cooperate Forum meeting.

1.2 Individual endorsement by each authority of option 3 is still ongoing. At the time of writing no authority has refused to endorse what was agreed at the last meeting. A verbal update will be given to the meeting on progress. This report seeks to address recommendation 3 and in particular 2B and C.

1.3 The NPPF states (paragraph 181) that *“Local planning authorities will be expected to demonstrate evidence of having effectively cooperated to plan for issues with cross-boundary impacts when their Local Plans are submitted for examination. This could be by way of plans or policies prepared as part of a joint committee, a memorandum of understanding or a jointly prepared strategy which is presented as evidence of an agreed position”*. It also should be recognised that joint working on strategic planning issues can also lead to improved outcomes for Councils in terms of resource efficiency and delivery of sustainable growth.

1.4 In the light of the NPPF and the previous agreement this report seeks to identify a preferred approach on how best to prepare a non-statutory Strategic Framework. In order to consider the process for preparation of the framework it has been necessary to consider the possible content of the framework. To some extent this is an iterative exercise. If the Forum decides to address a more comprehensive range of issues thoroughly in the framework this will have implications for the working arrangements,

budget and timetable. In practice there are a multiplicity of options that could be taken but discussion amongst the officers has resulted in a single recommended preferred approach being proposed for discussion.

- 1.5 Revised Terms of Reference for the Forum have been prepared (separate report) in the expectation that agreement will be reached in relation to the preparation of a framework document. These may require further amendment after this meeting, following which they will be recommended to member authorities for approval.

2 Purpose, Scope, and Content of the Framework

2.1 A Framework document is not a statutory development plan and it will not include development plan policies or be subject to independent examination. Unlike the formal plan making process a non-statutory framework document is not subject to any specific regulatory requirements and it need not be subject to public consultation or sustainability appraisal although there is nothing to preclude these being done. The content of the Framework and the process for its preparation are matters for the Councils to collectively decide. The Framework is intended to guide and inform the preparation of individual Local Plans and ensure that strategic land use issues of cross boundary significance are properly addressed.

2.2 The NPPF states (paragraphs 156 and 162) that Local Plans should include strategic policies, and LPAs should work with other authorities and providers to meet forecast demands and deliver:

- homes and jobs;
- retail, leisure and other commercial development;
- infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and coastal change management;
- minerals and energy (including heat);
- health, security, community and cultural infrastructure and other local facilities;
- climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape;
- nationally significant infrastructure.

2.3 As a guide this list is indicative of the type of subject areas (derived from the social, economic and social components of sustainable development) where there is an expectation that a co-operative approach *may* be desirable. At an early stage a decision needs to be reached about which of these raise genuinely strategic issues *and* are likely to have cross boundary implications, which would necessitate, or be best addressed, via a co-operative approach.

It is not necessary for *all* cross boundary issues to be addressed in a strategic framework document; for example, depending on the issue it might be equally appropriate for authorities to produce bi lateral agreements (memorandums of understanding or similar) or to separately evidence how a co-operative approach has been taken. Whilst the Framework is initially intended to be prepared on behalf of the Norfolk planning authorities it will need to demonstrate how issues of cross boundary significance beyond Norfolk are being considered.

2.4 Table 1 below outlines those issues which: officers consider are most likely to raise strategically important cross boundary considerations and where a co-operative approach would therefore be helpful; and identifies the key evidence that will be required

to understand and address the issue and suggests how this might be prepared. This should not be regarded as an exhaustive list and the final content of the document must be kept under review as evidence is prepared. The aim would be that the resulting Framework would provide a set of agreed *objectives* which would influence the subsequent spatial distribution of growth in the next round of Local Plans.

Table 1. Potential Content of Framework Document

Topic Area	Framework to address	Evidence needed to support	Preparation process
Spatial Vision	<p>What is the overall spatial vision for the area (to include Norfolk, adjacent counties and the wider region as necessary) and to identify and describe the key drivers and constraints in relation to growth. To include a spatial portrait and overall direction of travel addressing:</p> <p>Quality of life; response to challenge of climate change; key headlines in terms of what is being aimed for in relation to role of settlements and key growth locations. Summary of impacts of broad population, economic, environmental, social trends and implications of known national and local policies. To have a longer term vision – will need to look beyond 2036.</p>	<p>Mainly drawn from review of local and national policy documents and further evidence sources referred to below plus census and ONS/CLG projections of population and households. Climate change and coastal changes. May be a need to commission some further work to fill any gaps or interpret evidence.</p>	<p>Initially prepared by existing Strategic Planning Officer Group to identify any information gaps and revised as Framework preparation progresses and additional evidence becomes available.</p>
Homes	<p>What is the overall quantity of homes to be provided between 2016 and 2036?</p> <p>What is the proposed</p>	<p>SHMA – assessment of objectively assessed housing need and demand factors.</p>	<p>Five District SHMA nearing completion. Possible reconciliation/consistency checking if others' SHMAs are within area of Framework.</p>

	<p>distribution of housing growth between District Council administrative Areas? If there are constraints to growth how could these be addressed?</p> <p>Information on types and tenures including possible shared approaches to meeting affordable needs?</p>	<p>Housing Growth Strategy. SHMAs and other evidence to be drawn together to derive an agreed Housing Growth Strategy.</p> <p>SHLAAs – Assessment of ‘unconstrained’ housing capacity.</p> <p>Constrained Capacity–Need to consider and address other capacity/constraint considerations not covered in SHLAAs.</p>	<p>SHLAAs to be completed to a consistent methodology and open to mutual scrutiny and challenge across the entire area covered by the Framework. Work to be undertaken by relevant LPA staff to an agreed timeframe (<i>with consultant support if necessary/appropriate?</i>).</p>
Economic Development	<p>Demonstrate understanding of the strengths and weaknesses of the local economy, likely growth areas, patterns of distribution and inter-relationships. Reference to the SEP and investment/economic strategies.</p> <p>Identification of indicative job growth targets and land supply implications/spatial implications for planning policy.</p>	<p>Employment Growth Study.</p> <p>Further runs of EEFM.</p>	<p>Externally commission via consultancy to a brief produced involving County Council(s) and LEP.</p> <p>County Council to arrange EEFM runs (possibly to inform above study).</p>
Infrastructure	<p>Are there any key infrastructure constraints or opportunities (physical,</p>	<p>Analysis of current evidence base to identify possible constraints and</p>	<p>To be produced by officers working with staff from key agencies such as EA and</p>

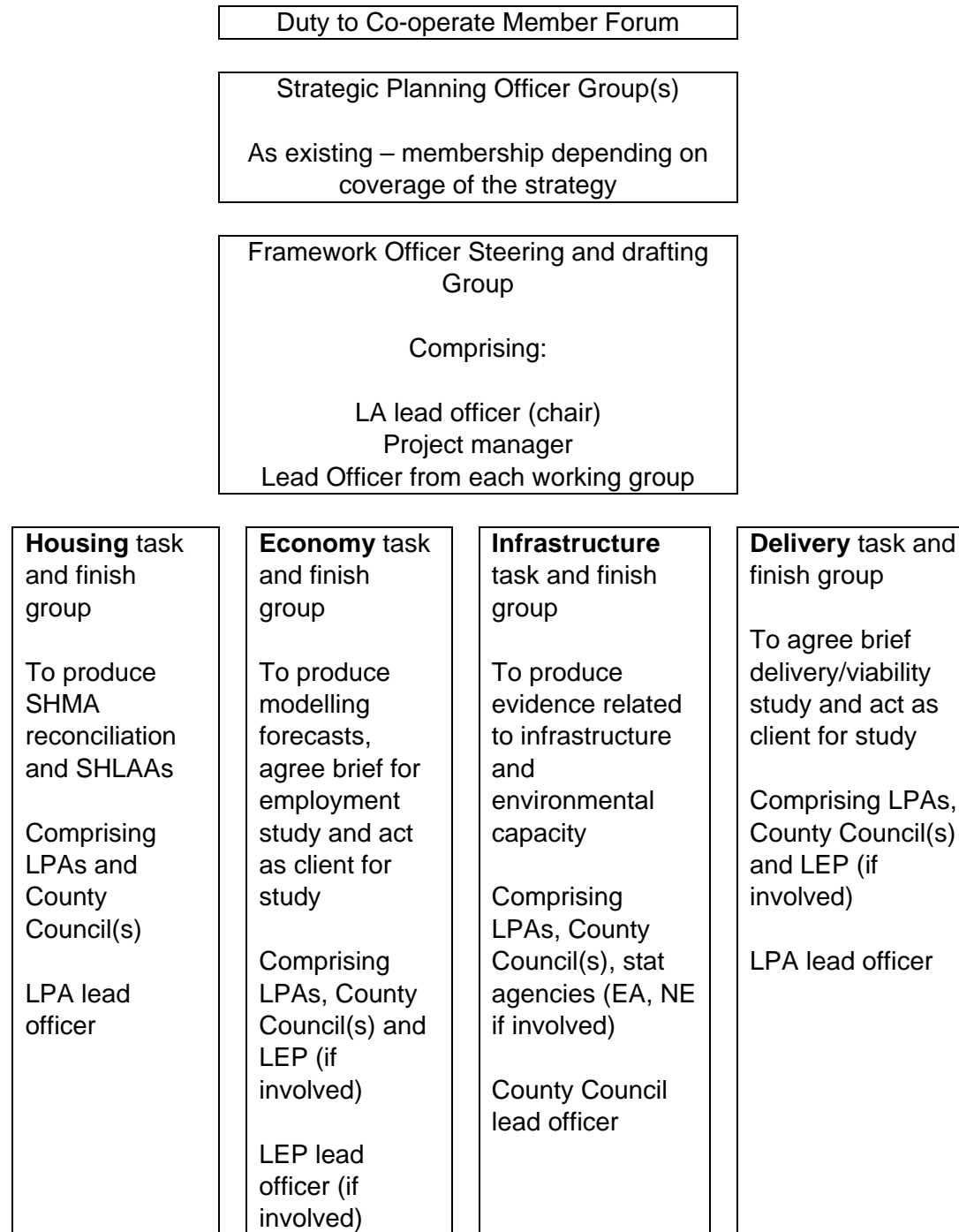
	<p>social and/or environmental) which are likely to impede growth or influence its distribution <i>at a strategic scale?</i></p> <p>To address transport infrastructure (road, rail and other sustainable modes), green infrastructure, water issues (both supply and disposal), and flooding.</p> <p>Potential to include high level statement in relation to other physical and social infrastructure approach – health, education, broadband etc if significant and cross boundary.</p>	<p>opportunities, and whether further work is necessary to inform high level strategy.</p>	<p>NE.</p>
Delivery	<p>Is the development market in the area likely to be sufficiently strong to support delivery of the growth needs identified in a sustainable manner?</p> <p>Is any further stimulus necessary to deliver?</p>	<p>High level market forces/viability assessment focussing on issues associated with strategic scale growth proposals as opposed to more dispersed/smaller scale development.</p>	<p>Externally commissioned</p>

2.5 There are a wide range of other topic areas where cross boundary issues may arise as Plan preparation proceeds but at this stage it is considered that the Framework should focus on those issues which are likely to influence the broad spatial distribution of growth.

3. Preparing a Framework - Process

- 3.1 Given the relatively focussed content of the framework listed above and the financial constraints on local authorities the option of seeking to recruit a new planning resource to lead the work is not favoured. The view was taken that existing local authority staff were likely to be best placed to draft the Framework itself from the evidence base available and a small number of commissioned studies. External work will only be commissioned where absolutely necessary and the initial expectation was that this may only be required in relation to employment and viability/delivery studies.
- 3.2 This would mean that the financial contribution needed for the work would be minimised but there would be a significant resource required in terms of officer time. There is currently little spare capacity within the policy teams of the partner authorities as a number are heavily engaged in finalising local plan documents although this situation has the prospect of easing over time as plans are adopted. Some of the work that will be required could be regarded as 'mainstream activities' such as the preparation of Strategic Land Availability Assessments and will just require re-phasing of existing local plan work programmes to deliver what is necessary in accordance with an agreed timetable.
- 3.3 Experience from working on Local Plans in the Greater Norwich area suggests that joint working of local authority staff can be highly efficient and effective but that in order to be successful it requires a level of dedicated project management and administrative support to ensure that appropriate responsibilities are assigned, meetings organised, progress reports prepared, external consultancy commissioned and remedial action taken where milestones are missed. This will be required to support a series of task and finish working groups to do the work needed. A possible structure in relation to the member forum is illustrated in Table 2.
- 3.4 In order to put these structures in place a number of steps would need to be taken. Due to the time taken to recruit an early step will need to be recruitment to project manager and admin support post. The current expectation is the project manager post would only be part time (possibly 0.5fte) although having the scope to alter working hours throughout the period of employment would be an advantage. The administrative support is anticipated being full time. These staff would need to be hosted in one of the LPA offices (there would be advantages if the hosting authority was the one which provided the LPA lead officer). Another authority would need to agree to be the employing authority for the staff involved (this could be either another LPA or a County or the LEP). The employing authority would be responsible for drafting the job description, person specification and grading for the post, agreeing with the partner authorities and holding the shared budget for the production of the framework.
- 3.5 Establishing the membership of the officer groups should be more straightforward. The membership of the task and finish groups and the level of work involved will vary. All LPAs will not need to be involved in all of the task and finish groups. However, each task and finish group will need to report back regularly to the steering group and at key stages to the member forum. It is suggested that reports will be needed to the Member Forum prior to briefs being issued for external commission and on draft evidence reports before they are finalised and published.

Table 2: Possible Structure



Possible Budget implications

3.6 The budget remains uncertain at this stage. Key variables in determining this will be the coverage of the Framework (the greater the coverage the lower the cost to each authority involved), and the willingness of the partners such as the County Council(s), LEP and statutory agencies to assist with the process both in terms of the financial contribution and staff resources to assist with the work. However, the following costs have been estimated:

- Staff Project Manager £40,000pa (including on-costs, assuming 0.5fte)
- Admin support £30,000pa (including on-costs assuming 1fte)
- Economic Evidence - initial estimate c£40,000 (one off cost)
- Strategic Infrastructure and viability/deliverability – initial estimate c£30,000 (one off cost)

3.7 The above costs would mean under a conservative scenario the costs faced by each district authority should be a maximum of c£15,000 each in the next financial year (2015/16) with no more £10,000 each in the following financial year (Broads Authority 50% of this rate, and Norfolk County Council 200% of this rate), assuming there is no decision to commission further work.

Timetable

3.8 Assuming the Forum is content to endorse the recommendations in this report it will take some time to gain a formal decision from each of the participating authorities about participation on the joint exercise. In practice it will be the early part of the summer before endorsement is gained (June/July 2015). This will inevitably delay the process of appointing the project manager, establishing working groups, and drafting briefs for external commissioned work. In practice it is considered that September 2015 will be the earliest post holders and lead officers will be in place and work is able to commence in earnest.

3.9 The primary research phase and production of the key evidence base is considered likely to take at least six months (complete by March 2016). Spring 2016 is likely to be a period of fairly intense work for the staff involved in the steering and drafting group to produce the first draft of the framework in the light of the Forum's reaction to the evidence base produced.

3.10 Notwithstanding the absence of any legal requirement for consultation it is suggested that the process will need to feature the ability for the public and interest groups who have not been directly involved in the process to have their say on the emerging framework. This will add at least 3 months to the preparation timetable.

3.11 Allowing for time to analyse and consider any comments received on the draft document and for engagement with each of the adopting authorities on the final content of the document the earliest possible date that the Forum may be in a position to recommend adoption of a framework to the adopting authorities is likely to be the first meeting in 2017. In order to minimise any impact of this timetable, Local Plans are likely to need to be developed in parallel (if preparation is not already underway).

Recommendation

It is recommended that the forum agrees to:

- 1) Endorse that the Strategic Framework should in the first instance focus on those areas identified in Table 1 and be produced using a structure outlined in Table 2 and the timetable outline in paras 3.8-11;

- 2) Recommend that each authority formally agrees to participate in the preparation of the framework and agree to contribute up to a maximum of £15,000 in 2015/16 and £10,000 in 16/17 per district authority to cover the anticipated costs, with the Broads Authority contributing 50%, and Norfolk County Council 200%, of a district level contribution;
- 3) Write formally to the LEP and the all Suffolk authorities to request confirmation of whether or not they wish to participate in preparation of the framework and whether they are prepared to share costs.

Report prepared by Mark Ashwell (NNDC) and Graham Nelson (Norwich City)

Norfolk Duty to Cooperate Member Forum – March 2015

Revised Terms of Reference

Purpose of report

1. To seek approval for up-dated Terms of Reference for the work of the Duty to Co-operate Members forum.
2. The Members Forum was established in 2013 in response to the Duty to Co-operate when preparing Development Plans. It has met on a roughly quarterly basis under Terms of Reference which defined its role as:
 1. To discuss strategic planning issues that affect local planning authorities
 2. to understand the viewpoints of other authorities
 3. to consider and comment upon relevant supporting evidence base to support local plans (as appropriate)
 4. to consider the need for joint or coordinated working on particular topics or evidence
3. At the Forum meeting in January 2015 it was recommended to Member Authorities that the forum steers the preparation of a non-statutory strategic framework to inform the preparation of Local Plans. Revised Terms of Reference (attached) have been prepared in the expectation that agreement will be reached in relation to the preparation of this framework document. These reflect the emerging role of the forum, reference the enabling legislation, and outline the governance arrangements. These may require further amendment after this meeting, following which they will be recommended to member authorities for approval.

Recommendation

It is recommended that the Forum agrees to:

Recommend to member Authorities that the attached revised Terms of Reference are agreed.

Report prepared by Mark Ashwell (NNDC, Tel 01263 516325, mark.ashwell@north-norfolk.gov.uk)

Draft Revised Terms of Reference

Duty to Co-operate Members Forum

Terms of Reference (Jan 2015)

1. Introduction

1.1 The Localism Act 2011 inserts section 33A into the Planning and Compulsory Purchase Act (2004) the requirement for authorities and certain public bodies to engage on key issues under a 'Duty to Cooperate' when preparing Development Plan Documents (principally Local Plans), and other Local Development Documents.

1.2 The Act states, *inter alia that* Local Planning Authorities must:

'...engage constructively, actively and on an on-going basis in any process by means of which activities within subsection (3) are undertaken.....'

1.3 The Duty to Cooperate is a legal test when local plans are independently examined and Local Planning Authorities will need to provide evidence to demonstrate that they have undertaken the duty. Local Plans are also examined for their overall soundness. To discharge the soundness test work undertaken under the Duty to Co-operate must be demonstrably effective, examinations to-date suggest that as a minimum this will require:

- Genuine Member level co-operation.
- A continuous process of co-operation throughout plan preparation.
- Co-operation across all cross boundary strategic issues.

1.4 Norfolk Authorities have a strong record of working together through a range of both formal and less formal mechanisms. A Strategic Planning Officer Group has been established for many years and in January 2014 a Members Forum was established with the overall purpose of ensuring that the requirements of the Duty were met. This comprised Members from each of the Norfolk District Councils and the Broads Authority together with Norfolk County Council (the 'Core Group') supported by the Norfolk Strategic Planning Officer Group and meet on a quarterly basis to progress work under the duty. Its Terms of Reference were most recently reviewed in January 2015 (these Terms).

2. The Forum

2.1 The Forum's overall purpose is to ensure that when preparing Development Plans the requirements of the Duty to Cooperate is discharged in a way which enhances the planning of strategic matters and minimises the risk of unsound Plans. It will provide the political input and steerage necessary to discharge the duty.

Powers

2.2 The Forum has agreed to meet for the purposes set out in these terms of reference to provide a vehicle for cooperation and joint working between local authorities and other parties within Norfolk and across any other area over which the duty may be applied. They will act together in accordance with their powers under sections 13, 14 and 33A of the Planning and Compulsory Purchase Act and Section 1 of the Localism Act 2011 for this purpose.

2.3 For the avoidance of doubt, the Forum cannot exercise any of the functions of a Local Planning Authority or competent authorities, such as setting formal planning policy or exerting control over planning decisions, nor can it amend any decisions made by other bodies such as the LEPs unless such powers have been expressly delegated to the Forum by one or more of its members. The Forum will recommend actions to the member authorities and others insofar as this is necessary to discharge the Duty.

Specific Activities

2.4 The Forum will address matters relating to the Duty to Cooperate to comply with Section 33A of the Planning and Compulsory Purchase Act 2004. In summary it will:

- Identify spatial planning issues of strategic importance that impact on more than one local planning area across Norfolk and a wider geographical area where appropriate to do so and provide the basis for working collaboratively within, and outside, of the 'core group' across a range of organisations and geographies as might be appropriate to address cross boundary strategic issues.
- Recommend the most appropriate land use planning approach to better integration and alignment of strategic spatial planning across Norfolk and a wider geographical area where appropriate.
- Provide the evidence that the Local Authorities are working 'constructively, actively and on an ongoing basis' on strategic planning matters to support delivery of Local Plans which will be able to be assessed as 'sound'.
- With the agreement of member authorities, oversee the joint commissioning and preparation of evidence necessary to determine the most appropriate strategic spatial approach to cross boundary issues.

Expected Outcomes

- The timely production and review of an *evidence base* sufficient to address cross boundary strategic land use issues, to identify where such issues arise and recommend actions to the member authorities to address them.
- The preparation and agreement of a *single non-statutory shared strategic framework* document to inform Local Plan preparation covering, as a minimum, any cross boundary strategic land use issues relating to:
 - homes and jobs;
 - retail, leisure and other commercial development;
 - infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and coastal change management;
 - minerals and energy (including heat);
 - health, security, community (e.g. schools) and cultural infrastructure and other local facilities;
 - climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape;
 - nationally significant infrastructure.
- An evidenced (documented) approach to cooperation across strategic cross boundary issues at a Member level and throughout the process of Local Plan Preparation.

And, as a result of the above, a collaborative approach towards addressing strategic issues and delivering sustainable growth in Norfolk.

3. Governance and administrative arrangements.

Membership

The Core Group will consist of one Member from each of Norfolk County Council, Norwich City Council, South Norfolk District Council, North Norfolk District Council, Broadland Council, Breckland District Council, the Borough Council of King's Lynn and West Norfolk, Great Yarmouth Borough Council and the Broads Authority. The membership of the group will be determined by each authority via annual nomination, preferably of the Planning Portfolio Member or equivalent for each authority. Each authority should also nominate substitutes should the nominated Member not be able to attend particular meetings.

Membership of the Core Group will be kept under review and adjusted to reflect any wider geography over which it might be determined appropriate to cooperate.

Chairmanship and vice chairmanship will be determined by the Forum and reviewed each year.

Format of Meetings

Meetings will be held in private and will comprise the appointed Members and Officers from each authority. Other members of any of the constituent authorities may attend to observe, though not participate. Others (specialists, representatives of other organisations, consultants etc) may attend and present at the meetings by invitation. An Agenda and papers will be circulated in advance of each meeting and informal action notes will be taken for internal/ member use only. (Clarity to be sought in relation to the treatment of exempt information in case such a situation should arise at some point in the future.)

Public Information/website

The agenda and a brief note of any recommendations made back to LPAs will be made public via a Duty to Cooperate web page on the NCC website.

Frequency of meetings

Initially every two months, or at intervals to be agreed, hosted in the first instance by Norfolk County Council.

Secretariat

The secretariat for the group will be provided on a rotating basis commencing with the County Council.

Decision Making

The Forum is not a decision making body and will recommend actions to partner Authorities. It will aim to reach a consensus wherever possible. Its recommendations are not binding on the actions of any of the partners.

(Cabinet Decision sheet)

BOROUGH COUNCIL OF KING'S LYNN AND WEST NORFOLK

CABINET DECISION SHEET

**Decision Sheet from the Meeting of the Cabinet held on Tuesday,
31 March 2015 at 5.30pm in the Committee Suite, King's Court,
Chapel Street, King's Lynn**

PRESENT: Councillor N J Daubney (Chairman)
Councillors A Beales, A Lawrence, B Long, and D Pope.

Apologies for absence were received from Councillors Lord
Howard, Mrs E Nockolds and Mrs V M Spikings.

9. **REPORTS**

<p>1) Strategic Planning Issues – Potential Duty to Co-Operate – Arrangements for Norfolk (page 9)</p>	<p>RESOLVED: 1) That the Borough Council is part of a shared non-statutory strategic framework in respect of the 'duty to co-operate'.</p> <p>2) That in principle it be agreed that Option 3 represents the most appropriate mechanism in the circumstances</p> <p>3) That an Officer Steering Group and employed project management plus limited consultancy is the most appropriate delivery model</p> <p>4) That a commitment is given to a budget of approximately £25k over two financial years.</p> <p>5) That the terms of reference for the Member Duty to Cooperate Group are agreed.</p> <p>Reason for Decision Formal cooperation on Planning Policy matters with councils in Norfolk through a non-statutory strategic framework would assist in discharging the duty to co-operate requirements as well as potentially lead to efficiency savings in commissioning a joint evidence base.</p>
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Norfolk Compendium of Local Plans

(See attached separate document Appendix 4A)

Norfolk Strategic Planning Member Forum

Wednesday 14th January 2pm

Cranworth Room

County Hall

Agenda

1. Welcome, introductions and apologies
2. Minutes and matters arising from meeting of 08 October 2014
3. Reports
 - a. D2C Position Statement
 - b. Compendium of Local Plans (draft attached)
 - c. SHMAs – verbal update on progress on the central Norfolk SHMA (Breckland, Broadland, North Norfolk, Norwich and South Norfolk) and any emerging issues. Plus any issues from surrounding areas.
 - d. Duty to Cooperate Options Report
 - e. Schedule of future evidence work report
4. AOB
5. Dates of Next Meetings (proposed):

Wednesday, 16 April 2015 - 2pm

An alternative pre-purdah date is currently being explored via doodle poll with members and will be confirmed on the 14 January.

Wednesday, 9 July 2015 – 2 pm

Wednesday, 15 October 2015 – 2 pm

Draft Schedule of Future Evidence Work Report

Background

Based on the requirements of paragraphs 156, 162 and 181 of the NPPF (see paragraphs 2 and 3 of the Duty to Cooperate Options report), this schedule sets out an update from the December 2013 Duty to Cooperate Evidence paper on the scope of the evidence that it is considered will be needed for Local Plan production. It provides a brief assessment of existing evidence and what additional evidence is likely to be required, along with timing priorities and an assessment of whether the joint or coordinated studies are needed.

At the member forum meeting on 8th October 2014, there was discussion concerning the potential establishment of an ongoing contribution from each district to pay for the common evidence base required by all authorities for plan making to address the Duty to Cooperate. Members requested that officers set out in greater detail the joint evidence base required with associated costs to ensure that Duty to Cooperate requirements are met.

This paper provides a current overview of evidence required. The approach to developing the evidence base, and the costs associated with it, will be dependent on the decisions made by members on the Duty to Cooperate Options Report also on this agenda.

Recommendation

That members note the content of the evidence schedule.

Issue	Evidence - what we have got	Evidence - what we need	Priority	Need for Joint Study (JS) or simple co-ordination or co-operation (C)
Housing need	<p>GYBC and Kings Lynn and West Norfolk have up to date SHMAs; A Central Norfolk (Broadland, Norwich, South Norfolk North Norfolk and Breckland) update is close to completion. This will contain an assessment of the number and type of dwellings required to 2036, including affordable housing, housing for the elderly and student accommodation.</p> <p>The regularly updated East of England Forecast model also provides trend based forecasts of housing need to 2031 for each district, for Norfolk and for the LEP area, but does not provide detail on the types of housing required</p>	Complete SHMAs for all the districts based on housing market areas.	1	(C) However, as part of this, this are bilateral joint studies –central Norfolk etc.
Distribution of housing	All districts apart from GYBC have a housing target, mainly to 2026.	<p>Based on the findings of the SHMAs, there will be a need to provide revised housing targets looking forward to 2036 for each district. Strategic Housing Land Availability Assessments (SHLAAs) will be required to assess where the housing need identified for each housing market area can be met. Coordination of housing targets will be required across Norfolk and with neighbouring councils in adjoining counties such as Waveney in Suffolk and Fenland in Cambs.</p> <p>-----</p> <p>Mechanism for agreeing apportionment of housing numbers will be required – see options 1 to 5 in main paper</p>	2	(C) Common understanding / methodology needed to ensure consistency.

Issue	Evidence - what we have got	Evidence - what we need	Priority	Need for Joint Study (JS) or simple co-ordination or co-operation (C)
Gypsy and Traveller housing need	Norfolk County Gypsy and Traveller Accommodation Assessment (GTAA) 2007 and RSS Single Issue Review which provided a target for the number of pitches up to 2011. Gypsy and traveller strategy – A partnership document for Norfolk and Suffolk 2012. Each district has also undertaken GTAA separately or in Kings Lynn & West Norfolk's case with neighbouring authorities in the Cambridge/Peterborough area.	Coordination of gypsy and traveller target across Norfolk and neighbouring councils in adjoining counties such as Waveney in Suffolk and Fenland in Cambs.	2	(C)
Employment needs / Economic Growth study (possibly including retail, leisure and tourism development study)	Each district has an Employment Land Study to assess employment needs. The New Anglia Strategic Economic Plan covers main growth sectors in Norfolk and Suffolk but does not look at employment land needs. The regularly updated East of England Forecast Model (EEFM) also provides trend based forecasts of jobs growth to 2031 for each district, for Norfolk and for the LEP area.	Consider joint assessments for Local Plan reviews to identify employment land growth needs and to assess economic strengths and weaknesses. This could be done LEP wide to complement the Strategic Economic Plan (SEP), potentially also providing evidence on issues such as retail change, leisure and tourism development needs.	2	(JS) The degree of detail is important. Having got the LEP(s) and their aspirations, this would be likely to provide an overview. It should draw on the EEFM outputs. Each area will play to its strengths but the main output should be cross boundary implications / influences (possibly including Cambridge, Peterborough and Ipswich)
Transport	Local Transport Plan 3 2011 for Norfolk. NATS. Traffic Assessment for the Northern Distributer Road (does not cover the whole county. Traffic Assessment for the A12/A143 Link Road at Bradwell. Traffic model for GYBC Local Plan.	Assessment of the traffic and public transport impact of Local Plans across Norfolk and neighbouring councils in adjoining counties such as Waveney in Suffolk. Take account of any national schemes e.g. A47 improvements	2	(C) Joint Studies e.g. through the A47 Alliance with business cases etc. have been done. As noted the

Issue	Evidence - what we have got	Evidence - what we need	Priority	Need for Joint Study (JS) or simple co-ordination or co-operation (C)
				LTP3 covers the whole county as does the Norfolk Infrastructure Plan and its transport elements.
Green infrastructure (GI)	Broadland, Norwich and South Norfolk have combined evidence and delivery plans for GI. Other districts have undertaken their own GI evidence. Funding is in place for a Norfolk wide GI gap analysis study.	GI study for the county to ensure that linkages between GI in neighbouring districts are considered. Potential for delivery plan to identify co-ordinated priority schemes	2	(JS) Likely to be able to make use of existing evidence and plans, but a delivery plan might be more important as a joint document especially if linked to the HRA recreational pressures issue.
Recreational pressure on designated nature conservation sites	Each district has undertaken Habitat Regulation Assessments for their respective Local Plans	Cumulative impacts needs to be fully assessed. Joint assessment on recreational pressure for Local Plan reviews. Visitor pressure study currently being progressed. Consider wider joint Appropriate Assessment for all Local Plan reviews.	1	(JS) as being progressed currently.
Water cycle study	Each district has undertaken Habitat Regulation Assessments and Water Cycle Studies for their respective Local Plans. These could be reviewed, with assistance from the Environment Agency, when specific site allocations are known to assess if further work is needed.	Cumulative impact needs to be fully assessed on a catchment area basis to assess the strategic water infrastructure that will be required to support identified growth needs. ----- Water supply issues covered by AW and Essex and Suffolk Water Resources Management Plans (WRMP). The AWS WRMP has identified sufficient water supplies but consideration for a how the	3	(C) (or (JS) for a longer term approach) Initially, a limited review is required. This should be based on the outputs of the housing and employment studies to ensure no immediate issues are raised

Issue	Evidence - what we have got	Evidence - what we need	Priority	Need for Joint Study (JS) or simple co-ordination or co-operation (C)
		longer term will be achieved would be a valid approach. A GI Study, water resources and flood risk studies could all be part of a longer term joint study.		through increased numbers or from changes since last WCS to supporting environmental assessments. The need for further studies should then be assessed. The county wide Strategic Services Co-ordinating Group could play a role here
Flood Risk	<ul style="list-style-type: none"> • Stage 1 SFRAs identifying flood risk zones, • Stage 2 SFRAs where development is required in areas at some risk of flood 	An early limited review of SFRAs once housing need/distribution is known. If underlying models have not changed for an identified catchment it is likely that no further action would be required.	3	(JS) (C) Joint studies, based on drainage basins, with cooperation across boundaries on specific issues.
Landscape character	Natural England nationally defined character areas and Local Landscape character assessments	County wide assessment to inform Local Plans and SA/HRA	3	(C) Potential to use existing information
Historic Landscape character	County wide assessment	County wide assessment to inform Local Plans and SA/HRA or Local assessments where greenfield development is	3	(C) Most likely to be an individual district issue

Issue	Evidence - what we have got	Evidence - what we need	Priority	Need for Joint Study (JS) or simple co-ordination or co-operation (C)
		proposed		
Biodiversity capacity/quality	<ul style="list-style-type: none"> • Biodiversity offsetting pilot work • Likely recreational pressure study 	County wide assessment to inform SA/HRA	2	<p>(C)</p> <p>Important to note the HRA issue above</p> <p>A GI study, Recreation pressure study and biodiversity offsetting capacity study are all proposed. A joint study that covers all and provides a holistic review and solutions to these issues since there is significant overlap should be considered. This would also provide a holistic approach to HRA issues.</p>
Climate change	Norfolk Climate Change Strategy, GNDP Sustainable Energy Study, Shoreline Management Plans	<p>Climate change, as a very large topic, could be broken down into constituent topics, including:</p> <ul style="list-style-type: none"> • Coastal processes • Energy • Sustainable development and mitigation/adaptation <p>Shoreline Management Plans could be a key source</p>		<p>(C)</p> <p>Potential aligning with New Anglia LEP and seeking advice from Wild Anglia LNP on this matter.</p>

Issue	Evidence - what we have got	Evidence - what we need	Priority	Need for Joint Study (JS) or simple co-ordination or co-operation (C)
		documents for this.		
Health and wellbeing	Coverage of health issues in current local plans	Ongoing engagement with health professionals to address strategic needs	2	(JS) for higher level facilities (e.g. hospitals) and (C) for local facilities (e.g. new surgeries to serve growth areas)
General Infrastructure needs - education, hospitals, police, electricity, gas, digital	Needs studies for local plans. Utilities company's plans	Either Strategic strategy showing general needs at the county/district scale or Updated needs studies once general pattern of development is identified	3	(C) and to some extent (JS) There is a real opportunity to make use of Strategic Services Group for these subjects. The Norfolk Infrastructure Plan (NIP), or a development of it, provides a basis for work.

Report prepared by Mike Burrell, Norwich City Council, 8th December 2014

Extract taken from-

Norfolk Strategic Planning Member Forum

Wednesday 14 January 2015

Council chamber

County Hall

Draft Meeting Note

Councillors	Attended	Apologies
Cllr Cabbell-Manners – North Norfolk District Council	✓	
Cllr Fuller – South Norfolk District Council	✓	
Cllr Gray – Broads Authority	✓	
Cllr Harrison – Norfolk County Council	✓	
Cllr Kiddle-Morris – Breckland Council - Chair	✓	
Cllr Vivienne Spikings – Kings Lynn & West Norfolk		x
Cllr Stonard – Norwich City Council	✓	
Cllr Vincent – Broadland District Council	✓	
Cllr Williamson - Great Yarmouth Borough Council	✓	
Supporting Officers	Attended	Apologies
Mark Ashwell – North Norfolk District Council	✓	
Natalie Beal – Broads Authority	✓	
Mike Burrell – Norwich City Council	✓	
Richard Drake – Norfolk County Council – Minerals & Waste	✓	
David Glason – Great Yarmouth Borough Council	✓	

Alan Gomm – King’s Lynn and West Norfolk Borough Council	✓	
Phil Mileham – Breckland Council	✓	
Phil Morris – Norfolk County Council	✓	
Graham Nelson – Norwich City Council	✓	
Adam Nicholls – South Norfolk Council	✓	
Stuart Rickards – Environment Agency		x
John Pitchford - Suffolk County Council	✓	
Sam Slade – Norfolk County Council	✓	
Kate de Vries – Norfolk County Council - Minutes	✓	
John Walchester – Broadland District Council	✓	
Laura Waters – Norfolk County Council	✓	

e) Schedule of future evidence work report

- AG introduced the paper, explaining it listed the evidence LPAs need to have in order to prepare local plans. Housing need has already been discussed today, and reference made to the Recreational study. Some top priority work - priority one – is already underway. Priorities do vary for individual LPAs, and sometimes bi-lateral work is appropriate when an issue has strategic importance for two adjoining districts. This working document will encourage partners to review relevant evidence, its currency, and the geographic basis for refreshment. Some evidence may be up to date, some require bi-lateral engagement, others require pan-Norfolk joint refresh.
- There will be a number of linkages with other agencies and forums. Under the Duty LPAs need to engage with a range of bodies, such as Natural England.
- The Chair asked for comments. There were none.
- **AGREED:** to note the paper.