Examination of Norfolk County Council’s Application for Development Consent Order

The original grounds for the NDR, according to Norfolk County Council were the following advantages:

- Reduce congestion on strategic routes to the north of the city
- Reduce noise, air pollution and accidents for communities in the northern suburbs of Norwich and outlying villages
- Enable the removal of through traffic from the city centre, and implementation of widespread pedestrianisation bus priority measures
- Provide direct access to growth locations, helping to deliver significant housing and employment growth as set out in the EEP RSS/RTS
- Support the continued success of the Norwich economy as the driver to growth across the north of the region
- Provide improved access to north and north east Norfolk

They went onto say that this was important for the following reasons:

- Norwich needs a 21st century transport system, as set out in the Norwich Area Transport Strategy (NATS).
- The NDR allows the development of a complete, sustainable transport system fit for a dynamic regional capital.
- It removes traffic from the city centre and communities on Norwich's northern and eastern fringes.
- The scheme supports business and the economy and ensures that housing and employment growth does not simply add to existing problems.

To date the numerous consultations, studies, enquiries and thousands of man hours have not proven any of the above beyond reasonable doubt that makes a compelling case. Indeed a large number of the above benefits and reasons, if indeed not all of them, could be achieved by developing the alternative route of an inner relief road that has never been appraised despite that fact that it could be achieved for £20m and wholly funded by developers through Section 106 payments.

Norfolk County Council are prepared to use public money to fund the NDR to a minimum of £40m whilst also cutting front line services as reported over a number of years as follows and reported in the Eastern Daily Press:
• **Norfolk’s children’s services department faces £300,000 cuts**
  *Wednesday, October 8, 2014*
  More than £300,000 will need to be cut from the budget for children’s services in Norfolk, councillors’ will hear next week.

• **Norfolk County Council’s social care cuts will hit elderly and disabled**
  *Monday, September 30, 2013.*
  Some of the most vulnerable people in Norfolk will be hit because of proposals to save £56m in what the county council spends on social care, leaders have acknowledged.

• **Future of public services in doubt as East Anglian councils face further multi-million pound cuts**
  *Thursday December 20 2012*
  The future of public services across the region are in doubt as the government’s latest multi-million pound spending cuts confirmed councils’ worst fears.

• **Cuts to front-line Norwich services revealed**
  *Saturday, October 29, 2011*
  City Hall leaders have revealed how they plan to save £600,000 through cuts and changes to front-line services in Norwich - with some public toilets set to close, cutting of grass verges scaled back, tree planting suspended, Christmas lighting reduced and higher charges for burials and allotments.

• **Norfolk County Hall cuts: Children services impact**
  *Wednesday, January 19, 2011*
  The budget for children’s services will see cuts totalling around £24.4m in the coming year followed by £13.6m and £7.3m in the two years after that.

• **Council cuts could lead to death among elderly in Norwich**
  *Saturday, November 20, 2010*
  Severe cuts to social care could cause an increase in preventable deaths among the elderly, warned the Norwich Older People’s Forum.

The Public Services (Social Value) Act 2012 became law on the 8th March 2012 and from 31st January 2013 the Act is 'live’ and commissioners and procurers must adhere to it. The Act, for the first time, places a duty on public bodies to consider social value ahead of procurement. The Act applies to the provision of services, or the provision of services together with the purchase or hire of goods or the carrying out of works.

The wording of the Act states that...

> The authority must consider—

(a) How what is proposed to be procured might improve the economic, social and environmental well-being of the relevant area, and

(b) How, in conducting the process of procurement, it might act with a view to securing that improvement.

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It also opens the door for consultation with stakeholders to better understand social value and improve service specifications, the Act states...

*The authority must consider whether to undertake any consultation.*

SNUB would contend that Norfolk County Council and its agents have not taken the requirements of this legislation into consideration and in particular have failed to undertake a consultation on the alternative to the NDR and in particular the inner relief road. Furthermore the authority has a duty of care to use public money carefully and with consideration to human rights of their residents. SNUB would therefore contend that public money is being wasted here and that the failure to undertake an analysis of the optional inner link road and potentially save millions of public money would prejudice the authorities ability to provide statutory services to the most vulnerable of their residents ie children and the elderly. Their failure to act is tantamount to negligence as the local authority knows about the alternative to the NDR but in failing to appraise the alternative is negligent.

Furthermore SNUB contend that Norfolk County Council are not ensuring that public funds are spent on activities that provide the greatest benefits to society, and that they are spent in the most efficient way contrary to the guidance in the Green Book. The Green Book states that all new policies, programmes and projects, whether revenue, capital or regulatory, should be subject to comprehensive but proportionate assessment, wherever it is practicable, so as best to promote the public interest. SNUB contends that NCC is not promoting public interest in forging ahead with the NDR and not assessing the alternatives in a proportionate manner.

Furthermore SNUB contends that the link between the proposed NDR and the Joint Core Strategy (JCS) has not been examined thoroughly particularly as Inspector Vickery’s report of the JCS in November 2013 stated the following in his Overall Conclusion and Recommendation:

> "The Plan has a number of deficiencies in relation to soundness and legal compliance for the reasons set out above which mean that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the Act. These deficiencies have been explored in the assessment sections above.

> The Councils have requested that I recommend main modifications to make the Plan sound and/or legally compliant and capable of adoption. I conclude that with the recommended main modifications set out in the Appendix the Joint Core Strategy for Broadland, Norwich and South Norfolk, the Broadland Part of the Norwich Policy Area Local Plan satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework."

Inspector Vickery made six modifications of which two, the five year land supply and the Average Build Rate, have not been achieved within the time period set by him in his final report. The logical conclusion of the failure to achieve these modifications is the JCS is not legally sound and without a legally sound JCS the NDR is not viable. The JCS is due to be reviewed in 2017 and we would suggest that it would be sensible to wait until then to make any decision on the NDR.

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We can therefore see that the alternative to the NDR, which would provide the following benefits which, when compared to the original benefits and reasons for the NDR as stated at the start of this letter, make it a viable alternative that should be assessed:

- It is a shorter and more direct route from The A47 East to the Airport
- It therefore has to be more cost effective
- It is an A class road not a dual highway therefore more cost effective
- It can be achieved in a much quicker timescale.
- It allows business park and housing that has been approved to proceed
- It can be funded by CIL and S106 monies
- No bridges are required so it is much more cost effective
- No local roads need to be blocked off therefore better traffic movement
- It picks up Postwick Park & Ride (BRT)/it picks up Broadland Gate/it picks up Lothbury Business Park.
- By going through the very end of Racecourse Plantation it preserves the separation of Thorpe End and the woods provide a natural sound pollution barrier.
- It picks up the large Industrial Area of Salhouse Road
- It picks up Tesco Super Store
- It picks up Sprowston Park & Ride(BRT)
- It takes a more direct route through the Beyond Green development then on to Norwich Airport.
- It preserves historic Parkland and Buildings
- It does not consume valuable productive farmland
- It reduces unnecessary radial traffic movements saving time, fuel, and less pollution
- The opportunity cost of moving ahead with our option allows release of monies for A47/A14 improvements.

The last point is particularly important as this would see improvements to the European trunk road network which the NDR would never achieve. The dualling of the complete A47 would complement the current works on the A11 thus improving the links to known employment sites in the west of Norwich and on the east coast for the growing off shore renewable energy industry.

The NDR and the JCS was always meant to support employment sites in the North East growth triangle however there has been no “anchor tenant” announcements for major employment opportunities. Indeed all of the employment growth, including those promoted by the Anglia Local Enterprise Partnership, has been in the South or West of Norwich, along the A11 corridor and on the east coast. The planned expenditure on the NDR and the JCS would merely see the promotion of thousands of houses and a dual carriageway to enable the residents to travel to work!

SNUB are concerned that Norfolk County Council do not have the capability or capacity to undertake this major project and that they have a track record of failing local residents and the use of their money. The Kings Lynn incinerator fiasco is an example of this inability to deliver on major projects.
and their capability to even adequately explain the loss and mishandling of our earlier response to the consultation is a worrying sign that local residents will once again be left short, literally and metaphorically in the case of the NDR, and see yet another waste of public money whilst they are quite prepared to cut services to our loved ones.

Indeed Norfolk County Council, in their latest propaganda publication to local residents⁴, is seeking suggestions with regard to how they can make savings in their budget for 2015/16. SNUB would say the biggest saving they could make is not to build the NDR and use available funding from developers to build an inner orbital road that would deliver enough new homes for the next 20 years, link existing business parks and employment sites and provide public transport links into the city. This would negate the need to build on green belt and agricultural sites.

Our recommendation to SoS should be to reject the DCO itself.

Yours sincerely

Stephen Heard
Founding Chair Stop Norwich Urbanisation (SNUB)

⁴ Your Norfolk publication; Issue 46; Autumn 2014