



**GREAT YARMOUTH**  
BOROUGH COUNCIL

# Policy and Resources Committee

**Date:** Tuesday, 23 July 2019

**Time:** 18:30

**Venue:** Supper Room

**Address:** Town Hall, Hall Plain, Great Yarmouth, NR30 2QF

## AGENDA

Open to Public and Press

### 1 APOLOGIES FOR ABSENCE

To receive any apologies for absence.

### 2 DECLARATIONS OF INTEREST

You have a Disclosable Pecuniary Interest in a matter to be discussed if it relates to something on your Register of Interests form. You must declare the interest and leave the room while the matter is dealt with.

You have a Personal Interest in a matter to be discussed if it affects

- your well being or financial position
- that of your family or close friends
- that of a club or society in which you have a management role
- that of another public body of which you are a member to a greater extent than others in your ward.

You must declare a personal interest but can speak and vote on the matter.

Whenever you declare an interest you must say why the interest arises, so that it can be included in the minutes.

<b>3</b>	<b><u>MINUTES</u></b>	<b>4 - 10</b>
	To confirm the minutes of the meeting held on the 11 June 2019.	
<b>4</b>	<b><u>FORWARD PLAN</u></b>	<b>11 - 14</b>
	Report attached.	
<b>5</b>	<b><u>NORFOLK STRATEGIC PLANNING FRAMEWORK V2 - ADOPTION</u></b>	<b>15 - 20</b>
	Report attached.	
<b>6</b>	<b><u>REVISION OF LOCAL DEVELOPMENT SCHEME</u></b>	<b>21 - 32</b>
	Report attached.	
<b>7</b>	<b><u>LOCAL PLAN PART 2 UPDATE - FOCUSED CONSULTATION ON AMENDMENTS</u></b>	<b>33 - 123</b>
	Report attached.	
<b>8</b>	<b><u>HALL QUAY PLANNING BRIEF CONSULTATION UPDATE AND ADOPTION</u></b>	<b>124 - 163</b>
	Report attached.	
<b>9</b>	<b><u>ANNUAL DEBT RECOVERY REPORT FOR 2018-19</u></b>	<b>164 - 173</b>
	Report attached.	
<b>10</b>	<b><u>REVENUES WRITE OFF REPORT</u></b>	<b>174 - 183</b>
	Report attached.	

11	<b><u>COUNCIL TAX SUPPORT (REDUCTION) SCHEME 2020</u></b>	<b>184 - 186</b>
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Report attached.

12	<b><u>PROVISION OF BODY WORN VIDEO CAMERAS</u></b>	187 - 194
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Report attached.

13	<b><u>REVIEW OF POLLING DISTRICTS, POLLING PLACES AND</u></b>	<b>195 -</b>
	<b>POLLING STATIONS</b>	<b>197</b>

Report attached.

<b>14</b>	<b><u>RECORDS MANAGEMENT AND DATA PROTECTION</u></b>	<b>198 - 215</b>
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Report attached.

**15 ANY OTHER BUSINESS**

To consider any other business as may be determined by the Chairman of the meeting as being of sufficient urgency to warrant consideration.

## 16 EXCLUSION OF PUBLIC

In the event of the Committee wishing to exclude the public from the meeting, the following resolution will be moved:-

"That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in the relevant paragraph of Part I of Schedule 12(A) of the said Act."

# Policy and Resources Committee

## Minutes

Tuesday, 11 June 2019 at 18:30

### Attendance

Councillor Smith (in the Chair); Councillors P Carpenter, Flaxman-Taylor, Grant, P Hammond, Myers, Plant, Wainwright, B Walker, C M Walker, Wells, and Williamson.

Also in attendance :

Mrs S Oxtoby (Chief Executive Officer); Mrs K Watts (Strategic Director); Mr N Shaw (Strategic Director); Mrs K Sly (Finance Director); Ms C Whatling (Monitoring Officer), Mrs L Snow (Capital Projects and Senior Accountant), Mrs C Sullivan (Project Manager) and Mrs S Wintle (Corporate Services Manager)

### **1 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor T Wright.

### **2 DECLARATIONS OF INTEREST**

There were no declarations of interest declared at the meeting.



### **3 MINUTES**

The minutes of the meeting held on the 19 March 2019 were confirmed.

### **4 FORWARD PLAN**

The Committee received and considered the forward plan.

It was agreed that the item relating to North Quay be removed from Forward Plan. It was that a Full Member briefing would be held on the 4<sup>th</sup> July at 5pm to discuss this matter and then this would be taken to Full Council for consideration.

### **5 FEES AND CHARGES - MEMORIALS AND TOWN HALL**

The Committee received and considered the Project Manager's report which asked the Policy and Resources Committee to note and approve for recommendation to Full Council the fees and charges for the Town Hall and the Waterways Memorials for 2019/20.

Councillor Wainwright felt that fees for those people wishing to hold a private party should also be considered as well as wedding functions. The Chairman advised that the Head of IT would be bringing a further report to the Committee to discuss this matter.

Councillor Plant advised that this report had been brought forward due to the contract for the catering and functions facility coming to an end.

Councillor Plant referred to the benches within the Borough and suggested that the charges needed to be Borough wide not just set for the Waterways. The Chief Executive Officer advised that there was a need for a consistent charging scheme for these facilities but suggested this be looked at a later date.

Councillor Hammond suggested that the charge for the hire of rooms at the Town Hall be set at the same for both Friday and Saturday evening events.

Councillor Wells asked with regard to the timescales for the wider report being brought back to the Committee. The Chief Executive Officer advised that this would be an operational report and not a Committee report, but that comments from the Committee would be feedback to the Head of IT, Marketing and Events.

Members discussed the proposed fees for room hire of the Assembly Rooms and the packages that could be provided.

Councillor Williamson questioned the current contract at the Waterways and asked whether the operators of the facility would want to extend their facilities offered. The Project Manager advised that they were exploring opportunities on this matter.

RESOLVED

That the Committee recommend to Full Council the fees and charges for the Town Hall and the Waterways Memorials for 2019/20.

### **6 EQUINOX ENTERPRISES LTD UPDATE**

The Committee received and considered the Strategic Director's report which provided Members with an update on the activities of Equinox Enterprises Ltd.

Councillor C M Walker asked with regard to the vandalism on the site, the Strategic Director advised that a 24 hour security guard has been appointed to survey the site although some cases of vandalism have still occurred although have declined slightly he also advised that this has been reported to the police.

Councillor Hammond asked with regard to potential purchasers and he was advised that 29 interested parties have been contacted by Bycrofts Estate Agents.

Councillor Plant advised that the site provided a different offer to other local developers and that phase 2 on the site was being progressed.

Councillor Walker asked with regard to phase 2 and 3 and whether the Council had put plans together to ensure continuation of the site, the Strategic Director advised that the Head of Property and Asset Management would be bringing a report back to the Committee in September which would include a range of options and that it was hoped these would be continuous.

Councillor Wainwright asked whether phase 2 and 3 would include rental properties, reference was made to 2.7 within the Strategic Director's report whereby a rental company would be a separate entirety company as part of Equinox Enterprises where the Council could hold separate market rental properties for those residents who do not wish to buy a property.

RESOLVED :

That the Committee note the update of activities of Equinox Enterprises Ltd.

## **7 ANNUAL PERFORMANCE REPORT 2018/19**

Members considered the Strategic Director's report which provided a summary with regards to the Council's performance against the priorities in the Plan and its key performance measures for 2018/19

Councillor Williamson asked in relation to the Development of surface water drainage programmes Surface Water Drainage, the Strategic Director advised that this matter had been chased with Anglian Water but a response had not been received to date. Councillor C M Walker pointed out the importance of this measure being addressed. It was agreed that a letter be sent from the Policy and Resources Committee to Anglian Water to reiterate the concerns raised with regard to this measure.

Councillor Plant referred to the report and stated that in his opinion the figures were heading in the right direction in that a number of the measures were within green and amber.

Councillor Wainwright referred to the Fair funding review measure being

highlighted as green and raised concern with regard to the way forward in light of the unknown with national government. It was advised that this was a measure of the Council and that the Council had completed all necessary objectives for this measure. The Finance Director advised that this measure was with regard to 2018/19 targets. Councillor C M Walker asked if there was an impact in not knowing the outcome of national government, the Finance Director advised that budgets had been modelled around potential impacts.

Councillor Plant commented that the work Officers had undertaken with regard to budgets and reports coming forward remained positive and that Officers were continuing to work hard to ensure the future of the Town Centre.

Councillor Wainwright referred to HN05 and asked whether these measures were reported directly from GY Norse. The Strategic Director advised that this measure was collated on the number of residents who had completed a survey and pointed out that not all residents completed survey requests. It was suggested that the Housing and Neighbourhoods Committee investigate this matter. Councillor Wainwright then referred to HN09 disabled facilities grant, the Chief Executive Officer advised that the figures listed were based on an average and reassured Members that the Housing Director was working hard to bring the figure down in line with the County Council.

Councillor Hammond commented with regard to the satisfaction surveys and suggested that these should be sent back to the Borough Council and not directly to Norse, it was also suggested that this could be completed on line. Councillor Grant advised that an online app was being looked into with regard to this matter.

RESOLVED :

1. That the Committee approve the Annual Performance Report 2018/19.
2. That Service Committee's will receive quarterly update reports on all key projects and performance measures during 2019/20 with the aim obtaining/maintaining a green status (on target) on all key projects and performance measures.

## **8 2018/19 TREASURY MANAGEMENT OUTTURN REPORT**

The Committee received and considered the Finance Director's report which presented the treasury management activity for the 2018/19 financial year.

The Finance Director advised that some training would be undertaken for Members with regard to Treasury Management.

Councillor Wells asked with regard to short term borrowing and what the Council's description of the short term loan, the Finance Director advised that this was one year.

RESOLVED :

That the Policy and Resource's Committee recommend to Council that approval be given to the Treasury Management outturn report and indicators for 2018/19.

## **9 FINANCIAL OUTTURN REPORT 2018-19**

The Committee received and considered the Finance Director's report which presented the draft outturn position for the General fund, Housing Revenue Account and Capital Programme for the 2018/19 financial year.

The Finance Director passed on thanks to the Finance Team for their hard work.

In discussing the report, Members were advised that an additional recommendation for an allocation of funding to be set aside for events was to be considered. Some concern was raised with regard to this additional funding requirement in light of the upcoming BID renewal process. The Chief Executive Officer advised that the funding would be set aside to underwrite any commitments made by the Bid in case of an unsuccessful Bid process.

Councillor B Walker asked who would be organizing the Maritime Festival, the Chief Executive Officer advised that there was a separate Maritime Festival Committee who will oversee the running of the event.

RESOLVED :

That the Policy and Resources Committee recommend to Council :-

1) The outturn position for the general fund revenue account for 2018/19 as included in the report and appendices;

2) The transfers to and from reserves (general and earmarked) as detailed within the report and Appendix along with an updated reserves statement (Appendix C);

3) Transfer the surplus of £307,262 to the general reserve;

4) The financing of the 2018/19 capital programme as detailed within the report and at Appendix D;

5) The updated capital programme 2019/20 to 2021/22 and the associated financing of the schemes as outlined within the report and detailed at Appendix E.

6) The approval of the allocation of £30,000 from year end surplus to underwrite the commitments for the 2019-20 events, pending the outcome of the BID ballot.

## **10 FUTURE PROVISION OF THE COUNCIL'S PROCUREMENT FUNCTION**

The Committee received and considered the Finance and Strategic Director's report which presented for approval the future provision of the procurement service for the Council to be provided by South Norfolk District Council.

Councillor Williamson asked whether the Council would move away from the digital procurement portal and it was advised that this would be looked into and developed.

Councillor Wells asked with regard to the merger of South Norfolk and Broadland District Council, the Finance Director advised that Broadland District Council do not have their own procurement service.

RESOLVED :

1. That Policy and Resource approve under section 113 Local Government Act 1972 the proposal for South Norfolk Council to undertake the Council's procurement function up to May 2022 subject to a formal agreement being put in place between the parties;
2. That an agreement be developed between Great Yarmouth Borough Council and South Norfolk Council to support the proposal with authority being delegated to the Finance Director and the Monitoring Officer (acting jointly) to determine and sign the terms of the agreement.

## **11 REVIEW OF THE DATA PROTECTION ACT (PREVIOUSLY GDPR POLICY) AND FREEDOM OF INFORMATION ACT POLICIES**

The Committee received and considered the Corporate Services Manager's report which asked Members to approve revised versions of the Data Protection Act and Freedom of Information Act Policies.

RESOLVED :

That the revised policies be approved.

## **12 REGULATION OF INVESTIGATORY POWERS ACT 2000 (RIPA) MEMBER NOTIFICATION**

Members considered the Corporate Services Manager's report which sought to advise Members that no requests had been made for surveillance to be undertaken under the Regulatory Investigatory Powers Act 2000 for the financial year 2018-19.

RESOLVED :

That the report be noted.

## **13 ANY OTHER BUSINESS**

Councillor Williamson raised some concern with regard to the Litter on the Gorleston Bypass, the Chairman advised that this was an ongoing issue whereby Highways England once cutting the grass are supposed to inform GYBS that this has been undertaken.

Councillor Plant asked whether Highways could be approached to clean and sweep the road to avoid any further negative outcome. The Committee agreed that the Chief Executive Officer approach Highways on this matter.

The meeting ended at: 20:00

## Forward Plan for Policy & Resources Committee

	<b>Matter for Decision</b>	<b>Report by</b>	<b>Pre Agenda Meeting (PAM)</b>	<b>Policy &amp; Resources</b>	<b>Economic Development</b>	<b>Environment</b>	<b>Housing &amp; Neighbourhoods</b>
1	Council Tax Reduction Scheme Options to Consult on	Head of Customer Services	15/07/19	23/07/19			
2	Endorsement of Revised Norfolk Strategic Planning Framework	Licensing and Elections Manager	15/07/19	23/07/19			
3	Hall Quay Planning Brief Consultation update and adoption	Head of Planning & Growth	15/07/19	23/07/19			
4	Local Plan Part 2 Update - Focused Consultation on Amendments	Corporate Services Manager	15/07/19	23/07/19			
5	Provision of Body Worn Video Cameras	Head of Customer Services	15/07/19	23/07/19			
6	Revenues Annual Debt Report	Head of Customer Services	15/07/19	23/07/19			
7	Records Management and Data Protection	Head of Planning & Growth	15/07/19	23/07/19			
8	Revenues Write Off Report	Head of Customer Services	15/07/19	23/07/19			
9	Review of Polling Districts, Polling Places and Stations	Principal Strategic Planner	15/07/19	23/07/19			
10	Crematorium Tea Room - Business Case for Capital	Head of Customer Services	02/09/19	10/09/19			
11	Period 4 Budget Monitoring - General Fund	Finance Director	02/09/19	10/09/19			
12	Sentinel Partnership Board - Six Monthly Report from Board	Strategic Director (KW)	07/10/19	15/10/19			
13	Review and updating Pre-Application Charging (Development Control)	Head of Planning & Growth	07/10/19	15/10/19			
14	Fees and Charges Policy	Finance Director	07/10/19	15/10/19			

	<b>Matter for Decision</b>	<b>Report by</b>	<b>Pre Agenda Meeting (PAM)</b>	<b>Policy &amp; Resources</b>	<b>Economic Development</b>	<b>Environment</b>	<b>Housing &amp; Neighbourhoods</b>
15	Medium Term Financial Strategy	Finance Director	07/10/19	15/10/19			
16	Council Tax Discounts Report	Head of Customer Services	18/11/19	26/11/19			
17	Council Tax Reduction Scheme Report	Head of Customer Services	18/11/19	26/11/19			
18	Council Taxbase Report	Head of Customer Services	18/11/19	26/11/19			
19	Period 6 Budget Monitoring - General Fund	Finance Director	18/11/19	26/11/19			
20	2020/21 Budget Report - General Fund	Finance Director	27/01/20	04/02/20			
21	Period 10 Budget Monitoring - General Fund	Finance Director	09/03/20	17/03/20			
22	Annual Action Plan 2019/20	Strategic Director (KW)	TBC	TBC			
23	Customer Services - Customer Care Standards	Head of Customer Services	TBC	TBC			
24	Housing System Capital Budget - Business Case for the Housing Management IT System Replacement	Housing Director	TBC	TBC			
25	Market Redevelopment - Options	Head of Property and Asset Management	TBC	TBC			
26	Review of Corporate Plan	ELT	TBC	TBC			





Council
07/11/19
19/12/19
19/12/19
19/12/19
20/02/20

Subject: Norfolk Strategic Planning Framework v.2 – Adoption

Report to: Policy & Resources Committee 23 July 2019

Report by: Nick Fountain, Senior Strategic Planner (Planning & Growth)

## **SUBJECT MATTER**

**Endorsement of the completed joint Norfolk Strategic Planning Framework (version 2), and continuation of the established arrangements for joint working between the Norfolk planning authorities.**

## **RECOMMENDATIONS**

**That the Policy & Resources Committee:**

- 1) Endorse the Norfolk Strategic Planning Framework on behalf of GYBC; and**
- 2) Agrees the continuation of the joint working arrangements that were established to prepare the Norfolk Strategic Planning Framework, in order to continue to meet the evolving requirements of the planning ‘duty to cooperate’.**

## **1. INTRODUCTION**

- 1.1 The Borough Council is subject to a statutory ‘duty to cooperate’ with other planning authorities (and other specified organisations) in respect of planning matters that affect more than one planning authority area. The majority of such issues for GYBC relate to the other Norfolk authorities’ areas (though there are also important issues in relation to Waveney/East Suffolk and further afield).
- 1.2 In order to address these issues, the nine Norfolk planning authorities (Districts, County and Broads Authority) have worked together for two years to produce a non-statutory ‘Norfolk Strategic Planning Framework’ (NSPF). This provides an agreed broad framework, in a Statement of Common Ground (SoCG), to support individual authorities’ local plans. The Policy & Resources Committee agreed the first version of this document in February 2018. Following legislative changes and the completion of supporting work, a second version has been produced updating the NSPF. This document has now been agreed by the Joint Member Forum, and is being presented to each of the participating authorities for formal endorsement.
- 1.3 The longstanding good working relationships between the Norfolk authorities on planning matters were extended and formalised in 2015 to undertake preparation of the Framework. This included establishment of (what is now known as) the Norfolk Strategic Planning Member Forum to oversee the work, a strengthened

role for the Norfolk Strategic Planning (officer) Group, and a financial contribution from each authority to jointly fund a Project Manager, Project Assistant and various jointly commissioned research.

- 1.4 These arrangements have worked well and continue to develop. The joint commissioning of various pieces of research – such as a Strategic Flood Risk Assessment for all the county apart from Breckland and the Caravans and Houseboats Need Assessment for most of the county – is believed to have saved each authority five-figure sums compared to the cost of commissioning work individually.
- 1.5 The Joint Member Forum now recommends that these arrangements are continued for a further two years (in the first instance), in order to carry forward the matters identified in the Framework and meet the evolving demands of national policy and guidance in regard to the Duty to Co-operate. This would involve a contribution of £10,000 per annum for GYBC, and continuing input by Strategic Planning officers to the work of the group.

## **2 THE DUTY TO CO-OPERATE**

- 2.1 The Duty to Co-operate was introduced by the 2011 Localism Act and requires direct co-ordination between local planning authorities to resolve strategic ‘cross-boundary’ issues. Local planning authorities are now tested at local plan examinations as to whether they have cooperated with neighbouring authorities (and other relevant bodies) in practice, and whether the results of this provide for the effective planning of the area. This can be challenging, and numerous local planning authorities across England have found themselves in very difficult circumstances, both reputationally and practically, as a result of having their local plans rejected on either of these grounds.
- 2.2 The importance of the Duty to Co-operate is that it must be discharged in an ongoing manner from the start of the plan-making process up until the submission of the Local Plan for examination. More recently, the National Planning Policy Framework (February 2019) requires that one of more Statements of Common Ground must be prepared to document the latest progress in addressing strategic cross-boundary issues.

## **3 THE NORFOLK STRATEGIC PLANNING FRAMEWROK**

- 3.1 The [Norfolk Strategic Planning Framework document](#), and the joint work involved, addresses the current requirements, and to some extent anticipates the additional future requirements. The Framework provides a jointly agreed identification of the key strategic ‘cross-boundary’ issues, and the way that they will be approached by the individual authorities. This is extremely valuable, for GYBC and the other Norfolk authorities, in demonstrating at Local Plan examinations that the two aspects of the formal Duty to Co-operate have been met, and in providing evidence to justify particular substantive proposals.

- 3.2 The Framework has been developed through a 'bottom-up' approach, with the detailed engagement of all the authorities. As a result, the Framework supports and develops the current understandings and intentions across the Norfolk authorities. In the first version of the framework these were crystallised in a set of 23 formal agreements within the Framework (25 agreements are now proposed), none of which represented a radical departure from existing expectations.
- 3.3 These, and the rest of the document, are judged consistent with and supportive of GYBC's strategic ambitions, explicitly acknowledging, for example, Beacon Park and South Denes on the business front; and the dualling of the Acle Straight on the infrastructure front. Its approach to the scale and distribution of housing recognises GYBC's difficulty in meeting its housing target, and the long agreed treatment of the Broads component of that need. There is a particular focus on housing delivery, and the range of joint work informing and flowing from the Framework will be helpful to GYBC in addressing its own particular challenges in that regard.
- 3.4 The preparation of the Framework has largely been carried out by officers from the participating authorities (principally heads of planning policy), coordinated and supported by a jointly funded part-time Project Manager and Project Assistant. Additional specialist input has been obtained from, for example, economic development officers, New Anglia LEP, Environment Agency, development industry involvement, and the commissioning of consultants.
- 3.5 There is [a joint public website](#) (hosted by the County Council), which was used for the consultation, and where the Framework and various supporting documents can be seen, along with papers for the Joint Member Forum meetings (which are open to the public).
- 3.6 The preparation of the Framework was overseen by the Joint Member Forum (properly, the Norfolk Strategic Planning Member Forum). This Group has member representation from each of the nine participating authorities, and is currently chaired by Councillor John Fuller, Leader of South Norfolk Council. The GYBC Member representative is currently Councillor Graham Plant. The Joint Member Forum has now agreed the Framework, and asks each of the participating authorities to formally endorse it.
- 3.7 The main updates and changes to the revised version of the NSPF (from that of the first version) are relatively minor, reflecting existing joint working arrangements, but can be summarised as follows:
- 25 agreements, the additional 2 being coordination on minerals and waste matters and an agreement to maintain the framework in place and reviewing at least every two years
  - Updated 'Local Housing Need' figures across the authorities in line with the Government's standard methodology
  - Reported joint working beyond the county boundary (with Suffolk, Cambridgeshire and Lincolnshire)

- Updated the roll out of 5G telecommunications infrastructure and included shared objectives

#### **4 CONTINUATION OF WORKING ARRANGEMENTS**

- 4.1 The arrangement outlined above has proved very satisfactory, and during the course of the three years in operation has developed in strength and effectiveness, as well as saving individual authorities tens of thousands of pounds through joint commissioning of studies.
- 4.2 There is an immediate need to continue to develop some of the work instigated in preparing the Framework (e.g. that on housing delivery), and to carry forward some of the agreements (e.g. a Norfolk Green Infrastructure Strategy). The Framework itself is not an end point, and it will need to be monitored, updated and adapted going forward to address emerging Government 'duty to cooperate' requirements and developing 'cross-boundary' issues.
- 4.3 The existing arrangements provide an effective and economic way of achieving this, and the Joint Member Forum has agreed to recommend to the participating authorities that this is carried forward with the SoCG (the framework) to be reviewed and updated at least every two years.

#### **5 CONCLUSIONS**

- 5.1 The Norfolk Strategic Planning Framework is an innovative and helpful means by which the Norfolk planning authorities undertake and demonstrate their obligations under the 'Duty to Cooperate'. This is already very helpful to the Borough Council in a variety of ways, and its contents are consistent with the Council's current plans and aspirations.
- 5.2 The arrangements established and formalised for preparation of the Framework have been found effective and economic. It is considered to be in the Borough Council's interests to continue these for a further two years to complete work in hand and anticipated, and allowing a review within a reasonable period.

#### **6 FINANCIAL IMPLICATIONS**

- 6.1 Continuation of this work would involve a commitment of continuing officer and member involvement, and £10,000 per annum from each district (including GYBC). (The Broads Authority would contribute £5,000 and the County Council provides administrative support and funds the East of England Forecasting Model which informs the joint work.) The GYBC £10,000 contribution, and officer time input, would be met from within the existing Strategic Planning budget.

#### **7 RECOMMENDATIONS**

**That the Policy & Resources Committee:**

- 1) Endorses the Norfolk Strategic Planning Framework on behalf of GYBC;**

and

- 2) Agrees the continuation of the joint working arrangements that were established to prepare the Norfolk Strategic Planning Framework, in order to continue to meet the evolving requirements of the planning 'duty to cooperate'.

## 7 BACKGROUND PAPERS

None.

## 8 LINK

- Draft track-changes version 2 framework: <https://www.norfolk.gov.uk/-/media/norfolk/downloads/what-we-do-and-how-we-work/policy-performance-and-partnerships/partnerships/strategic-member-forum/norfolk-strategic-planning-framework-draft-july-2019.pdf>
- Norfolk Strategic Planning Framework Member Forum (includes meeting agenda and minutes, etc.) <https://www.norfolk.gov.uk/what-we-do-and-how-we-work/policy-performance-and-partnerships/partnerships/norfolk-strategic-planning-member-forum>
- [Policy & Resources Committee Meeting Paper, February 2018](#)

*Areas of consideration: e.g. does this report raise any of the following issues and if so how have these been considered/mitigated?*

Area for consideration	Comment
Monitoring Officer Consultation:	N/A
Section 151 Officer Consultation:	N/A
Existing Council Policies:	The NSF will help delivery of the Local Plan Part 1 (Core Strategy), and provide an important part of the evidence to support the Local Plan Part 2 (Development Management, Policies and Site Allocations and Revised Housing Target) at Examination. The associated work on housing delivery will be helpful for the emerging Housing Strategy and Action Plan.
Financial Implications:	See section 6 of report.
Legal Implications (including human rights):	N/A
Risk Implications:	If the recommendations are not agreed, there is a risk that GYBC will struggle to meet its obligations under the planning 'duty to cooperate', and fail to get

	its Local Plan Part 2 through examination.
Equality Issues/EQIA assessment:	N/A
Crime & Disorder:	N/A
Every Child Matters:	N/A



Subject: Revision of Local Development Scheme

Report to: Policy & Resources Committee 23 July 2019

Report by: Kim Balls, Senior Strategic Planner

**SUBJECT MATTER**

**An update to the Local Development Scheme, which is the future programme and timetable for the preparation of Local Plan Documents**

**RECOMMENDATIONS**

**That the Local Plan Working Party agrees the attached replacement Local Development Scheme to be recommended to the Policy and Resources Committee for adoption**

**1 INTRODUCTION**

1.1 The Council needs to update its current 'Local Development Scheme' (LDS), which dates from January 2018. This public document shows the Council's intended programme of Local Plan document preparation.

1.2 Progressing the completion of the Local Plan is identified as a priority in the Corporate Plan. The Local Development Scheme is a statutory obligation and sets out the timetable and range of future documents, including those involved in completing (and eventually replacing) the Local Plan.

**2. LOCAL PLAN DOCUMENTS FUTURE PROGRAMME**

2.1 The Borough Council is obliged to publish, and update from time-to-time, an LDS showing the planning documents it intends to prepare over the following three years.

2.2 The primary purpose of the LDS is to inform the public, developers and other stakeholders of the Council's intentions; Local Plan documents submitted for examination must have been previously identified in the LDS. The Council is also obliged to report performance against the LDS timetable in its (annual) Monitoring Reports.

2.3 The Council's current LDS was adopted in January 2018 but is now outdated due to slippage in the Local Plan Part 2 timetable, and a need to provide the formal basis for production and publication of the North Quay Supplementary Planning Document. The update also provides the opportunity to outline a revised timetable for the preparation of the Local Plan review to better complement the Local Plans of other Norfolk Local Planning Authorities.

2.4 A draft replacement LDS (text only) is attached to this report. The changes from the previous LDS are summarised in the following table:

**Table 1: Comparison of between currently adopted and proposed LDS**

Plan documents proposed in 2018 Local Development Scheme	Reason for change	Plan documents proposed in 2019 Local Development Scheme
<b>Local Plan Part 2: Detailed Policies and Site Allocation</b> (Development Plan Document)	Revision of forward timetable to reflect slippage	<b>Local Plan Part 2: Detailed Policies and Site Allocations</b> (Development Plan Document)
<b>Next Local Plan</b> (for period 2021-2036)	Timetable adjusted to reflect delay to (current) Local Plan Part 2 and alignment with the Local Plans of other Norfolk LPAs	<b>Next Local Plan</b> (for period 2021-2041)
<b>Hall Quay</b> (Supplementary Planning Document)	Minor revision to clarify milestones dates for post consultation feedback and adoption	<b>Hall Quay</b> (Supplementary Planning Document)
<b>The Conge</b> (Supplementary Planning Document)	Revision of forward timetable to reflect slippage.	<b>The Conge</b> (Supplementary Planning Document)
<b>King Street Area</b> (Supplementary Planning Document)	No longer being pursued due to current limited potential to bring forward the intended leisure development in this location.	n/a
n/a	A need for a Supplementary Planning Document for this area was identified in the Core Strategy (Policy CS17) with respect to regenerating North Quay as one of the major waterfront areas.	<b>North Quay</b> (Supplementary Planning Document)

2.5 The Local Plan Part 2 (Detailed Policies and Site Allocations document) is the most

substantial and pressing element of the Council's development plan-making work. Substantial progress has been made and a 'draft' plan was subject to public consultation between August and September 2018. However, work has fallen behind the timetable previously envisaged due to:

- Additional work arising from successive changes in government requirements, initiatives and consultations e.g.
  - national revisions to the way in which the Council calculates its 'local housing need', requiring identification and assessment of further potential housing allocations to meet this need;
  - major update to the Council's adopted Monitoring & Mitigation Strategy and publication of additional planning guidance to ensure planning applications meet the requirements of the Habitats Regulations Assessment (HRA) in light of recent European Court rulings;
  - several updates to the National Planning Policy Framework (most recently, in February 2019)
- Significant major project work (e.g. Beacon Park Masterplan and Town Centre Masterplan) requiring team resources.

2.6 The outline timetable shown in the draft LDS (attached) is the shortest time in which there is a reasonable prospect of completing the Local Plan and other documents, given the range of uncertainties, competing priorities and the loss of the Strategic Planning Manager through retirement in April 2019 (his replacement team will commence in post on 12<sup>th</sup> August 2019).

2.7 Other risks include yet further changes to the national planning regime affecting document production (a further revision to the national housing need methodology is expected sometime in 2019, for example). In addition, it should be noted that once the Local Plan Part 2 has been submitted for examination, the timetable is then largely in the hands of the Inspector.

### **3. FINANCIAL IMPLICATIONS**

3.1 The Council has already committed to producing the Local Plan Part 2: Detailed Policies and Site Allocations and the various Supplementary Planning Documents and budgeted accordingly. Staffing resources are available (subject to other competing demands) for completion of the documents within the current establishment, and general costs within the existing Strategic Planning budget.

### **4. RISK IMPLICATIONS**

4.1 There are various risks to the proposed timetable of preparation, as set out in paragraphs 2.6 and 2.7 above.

### **5. CONCLUSIONS**

5.1 There is a need for the Council to agree a new Local Development Scheme, setting out the Local Plan and other documents it intends to prepare and the timescales for these. These have both changed since the previous Scheme was adopted in 2018, and a

proposed replacement is attached.

## **6. RECOMENDATIONS**

**That the Local Plan Working Party agrees the attached replacement Local Development Scheme to be recommended to the Policy and Resources Committee for adoption on behalf of the Council.**

## **7. BACKGROUND PAPERS**

- Planning and Compulsory Purchase Act 2004 (as amended)
- Great Yarmouth Borough Council
  - Local Development Scheme, January 2018
  - Local Plan Annual Monitoring Report (2017-18)
  - Corporate Plan

## **8. ATTACHMENT**

Draft (replacement) Local Development Scheme 2019-2022

*Areas of consideration: e.g. does this report raise any of the following issues and if so how have these been considered/mitigated?*

<b>Area for consideration</b>	<b>Comment</b>
Monitoring Officer Consultation:	Consultation via Executive Leadership Team
Section 151 Officer Consultation:	Consultation via Executive Leadership Team
Existing Council Policies:	Compliant with the Corporate Plan and Local Plan Core Strategy (adopted December 2015)
Financial Implications:	See Section 3 above
Legal Implications (including human rights):	The Council is obliged by law to keep its plans up to date, and to publish and revise from time to time a Local Development Scheme
Risk Implications:	Risks to anticipated timetable – see paragraph 4 above.
Equality Issues/EQIA assessment:	n/a
Crime & Disorder:	n/a
Every Child Matters:	n/a

## EXECUTIVE SUMMARY

Great Yarmouth Borough Council intends to undertake preparation of the following plan documents during the period 2019 to 2022:

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### DEVELOPMENT PLAN DOCUMENTS

The Local Plan (2013-2030) Part 2: Detailed Policies and Site Allocations Developments Plan Document; and (once that is complete)

A replacement Local Plan (2021-2041) Development Plan Document

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### SUPPLEMENTARY PLANNING DOCUMENTS

**Hall Quay Supplementary Planning Document**

**The Conge Development Brief**

**North Quay Supplementary Planning Document**



## INTRODUCTION:

This Local Development Scheme sets out Great Yarmouth Borough Council intended programme of formal planning document preparation over the period 2019 to 2022. The Council's plans cover the whole of the Borough excepting those parts lying within the Broads 'national park'<sup>1</sup>.

Consultation will be an integral part of the preparation of each document identified, and this will be carried out in accordance with the Council's adopted Statement of Community Involvement<sup>2</sup>.

It should be appreciated that the formal documents which this Scheme covers are only part of the forward planning work undertaken by the Council. Other work includes cooperation with other public organisations (including joint non-statutory plans and research); project work to foster developments or environmental improvements; and advice and support to communities preparing neighbourhood plans;

The Council will keep under review progress against the intentions indicated in this document, and report this in its planning Monitoring Report (currently published annually).

The Council may produce a new Local Development Scheme during the period if required to reflect any changes in either the documents to be produced, or the anticipated timetable for their production. These could be affected by, for example, changes in the planning system, resource constraints, or opportunities to aid delivery of the Local Plan Core Strategy by preparing additional Development Plan Documents or Supplementary Planning Documents for particular sites or areas.

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<sup>1</sup> The Broads Authority is the local planning authority for the designated Broads area and prepares its own plans.

<sup>2</sup> <https://www.great-yarmouth.gov.uk/CHttpHandler.ashx?id=1224&p=0>



## CURRENT PLAN DOCUMENTS

### DEVELOPMENT PLAN DOCUMENTS

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- Great Yarmouth Local Plan Core Strategy (adopted Dec 2015)
- Minerals and Waste Local Plans (produced by Norfolk County Council)

Note that in addition to the development plan documents listed above, some 'saved' policies from the former Borough Wide Local Plan (adopted 2001) remain part of the development plan for the time being.

### SUPPLEMENTARY PLANNING DOCUMENTS

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There are currently no extant supplementary planning documents for the Borough plan area.

### PLANNING SUPPORTING DOCUMENTS

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- Statement of Community Involvement (adopted March 2019)
- Annual Monitoring Report (2017/18)
- Local Development Order for Beacon Park (in force April 2012)
- Local Development Order for South Denes (in force May 2012)

## PROPOSED PLAN DOCUMENTS

The following sets out the formal plan documents the Council intends will undergo preparation during 2019-2022.

- **Local Plan Part 2: Detailed Policies and Site Allocations (Development Plan Document)**
- **(New) Local Plan 2021–2041 (Development Plan Document)**
- **Hall Quay Supplementary Planning Document**
- **North Quay Supplementary Planning Document**

Details of these are set out in the following pages.

The Council may potentially also pursue a new Local Development Order for the planned extension of the Beacon Park Enterprise Zone.



## LOCAL PLAN PART 2: DETAILED POLICIES AND SITE ALLOCATIONS

### (DEVELOPMENT PLAN DOCUMENT)

**Description:** This document will provide detailed planning policies for particular sites or topics, including allocations of land for housing or other development, for use in determining planning applications.

**Background:** The Local Plan Core Strategy (adopted in 2015) represents Part 1 of the current Local Plan (2013 to 2030), and sets out the overall scale, distribution and type of development for the Borough.

This Local Plan Part 2 document will provide more detailed policies for use in managing and judging development proposals, to help give effect to the Local Plan Core Strategy through the planning application process.

This document will also take the opportunity to update the local plan to incorporate the new standard methodology for calculating housing need.

**Type of Document:** Development Plan Document

**Coverage:** Whole Plan Area

**Timetable:**

Key Stage	Target Date
Early informal consultation and development of evidence	Prior to Aug 2016
Call for Sites and Suggestions Consultation (Reg. 18)	Aug - Sep 2016
Draft Plan Consultation (Reg.18)	Aug – Sept 2018
Focused Changes Consultation (Reg.18)	Aug – Sept 2019
Publication of Proposed Plan for representations (Reg.19)	Dec 2019 – Jan 2020
Submission of Proposed Plan for Examination	Mar 2020
Examination	Mar 2020 – Oct 2020
Proposed Modifications consultation	Aug-Sep 2020
Adoption	Dec 2020





## **(NEW) LOCAL PLAN 2021–2041**

### **(DEVELOPMENT PLAN DOCUMENT)**

**Description:** This plan will replace the current (2013-2030) Local Plan. At present it is intended the new Local Plan will be a single document, rather than the separate Core Strategy and Site Allocations and Development Management Policies documents as at present.

**Background:** Work will need to commence the review and replacement of the current Local Plan in earnest immediately following adoption of the Part 2: Detailed Policies and Site Allocations document, but evidence gathering will commence in early 2020.

While this work will commence during the 2019-2022 period covered by this Local Development Scheme, the new Local Plan is unlikely to be completed until after 2022, and the dates shown beyond that are highly tentative. (The timetable will be reviewed and updated in future Local Development Schemes.)

The period covered by the new plan is provisionally anticipated to be 2021 to 2041, to complement the Local Plans of other Norfolk Local Planning Authorities, but this will need to be kept under review according to emerging circumstances.

**Type of Document:** Development Plan Document

**Coverage:** Whole Plan Area

**Timetable:**

Key Stage	Tentative Target Date
Early development of evidence and informal consultation	Early 2020 – Summer 2021
Call for Sites and Suggestions Consultation (Reg. 18)	Autumn 2021
Draft Plan Consultation	Spring 2022
Publication of Proposed Plan for comment	Winter 2022/3
Submission of Proposed Plan for Examination	Spring 2023
Examination	Spring – Autumn 2023
Adoption	Late 2023



## HALL QUAY PLANNING BRIEF

### (SUPPLEMENTARY PLANNING DOCUMENT)

**Description:** This document will help to guide the renewal of Hall Quay, creating an exciting new sense of place that has new cafes, restaurants and hotels as the main focus to help widen the Great Yarmouth town centre's visitor economy.

**Background:** The Local Plan Core Strategy (Part 1) sets out the overarching policies that aim to specifically strengthen and encourage a diversity of uses in the main town centres. The planning brief will provide greater certainty and detail to support the delivery of Hall Quay as a new leisure-led quarter for the town centre.

The Local Plan Detailed Policies and Site Allocations (Part 2) will provide further detailed policies for managing and judging development proposals in Hall Quay, implementing the aspirations of the planning brief.

**Type of Document:** Supplementary Planning Document

**Coverage:** The Hall Quay area

**Timetable:**

Key Stage	Target Date
Early informal consultation and development of evidence	Sept 2017 – Jan 2018
Draft Planning Brief consultation	Feb – March 2019
Revision of Document following consultation	Apr – Jun 2019
Adoption	July 2019



## THE CONGE DEVELOPMENT BRIEF

### (SUPPLEMENTARY PLANNING DOCUMENT)

**Description:** This document will help guide the future land assembly and the redevelopment of the Conge to provide a major residential-led mixed use scheme adjacent to Great Yarmouth town centre.

**Background:** The Core Strategy (Local Plan Part 1) sets out policies which seek to promote the Conge as a major mixed-use scheme as part of the overall regeneration of the Great Yarmouth waterfront sites. The development brief will provide greater certainty and detail to support transformational development in the town centre.

It is anticipated that the completed Development Brief SPD will provide greater detail to a Conge allocation policy in the Local Plan Part 2 (Detailed Policies and Site Allocations) to aid with development plan weight and managing, judging proposals in The Conge in line with the completed brief.

**Type of Document:** Supplementary Planning Document

**Coverage:** The Conge area

**Timetable:**

Key Stage	Target Date
Early informal consultation and development of evidence	Sept 2017 – Jan 2018
Draft Development Brief consultation	September 2019
Revision of Document following consultation	October – December 2019
Adoption	January 2020



## NORTH QUAY PLANNING BRIEF

### (SUPPLEMENTARY PLANNING DOCUMENT)

**Description:** This document will help guide transformational regeneration of the North Quay area of Great Yarmouth, creating a new, centrally located neighbourhood with strong connections to the town centre and waterfront.

**Background:** The Local Plan Core Strategy (Part 1) sets out broad policies to regenerate the waterfront facing areas in the centre of Great Yarmouth (including North Quay) for a mixture of new dwellings, employment, retail and leisure floorspace. However, the regeneration potential of North Quay remains affected by complex constraints which significantly affect its viability.

In the process of preparing this planning brief, a suite of studies will be undertaken to better understand the nature of the constraints (such as flood risk, ground conditions etc) and will inform broad options for how the area could be potential re-developed for the uses envisaged in the Local Plan Core Strategy.

**Type of Document:** Supplementary Planning Document

**Coverage:** The North Quay area

**Timetable:**

Key Stage	Target Date
Development of evidence/gathering reports	May – September 2019
Draft Development Brief consultation	October – November 2019
Revision of Document following consultation	December 2019 – Jan 2020
Adoption	February 2020



Subject: Local Plan Part 2 Update – Focused consultation on amendments

Report to: Policy & Resources Committee 23 July 2019

Report by: Nick Fountain, Senior Strategic Planner

## **SUBJECT MATTER**

**Significant policy revisions/additions to the Draft Local Plan Part 2 to be consulted on publicly in summer 2019**

## **RECOMMENDATIONS**

**Policy & Resources Committee resolves that:**

- 1) A focused six-week public consultation will take place on significant revisions/additions to the draft Local Plan Part 2; and**
- 2) Authority is delegated to the Director of Development to, prior to the start of the public consultation:**
  - a. finalise key supporting documents (such as the Draft Sustainability Appraisal report); and**
  - b. make any further appropriate minor refinements/clarifications to policies and supporting text in the Focused Consultation**

## **1 INTRODUCTION**

1.1 The Council consulted on its Draft Local Plan Part 2 (Development Management Policies, Site Allocations and Reduction in Housing Target) during August and September 2018. The Strategic Planning Team has considered representations, updates and other recommendations in confirming, revising or deleting Draft Policies to form the Proposed Local Plan Part 2, the next formal stage of the preparation/adoption process.

1.2 It was originally envisaged that the changes would be added to the Plan and then the Pre-Submission iteration of the Plan be published publicly for a six-week representations period (in effect, a consultation), to be followed afterwards by submission for examination by an independent Inspector. Some of the changes are, however, considered 'significant' in that they are new allocations, new or substantially re-worded policies, or deleted policies. While the legislation no longer distinguishes between draft plans in preparation at 'issues and options' stages and those at 'preferred options' stages, it is considered appropriate in the context of incorporating these significant changes to the Draft Plan consulted in 2018, to consult on focused changes before finalising the Draft Plan.

1.3 Perhaps the most notable of the proposed changes is to allocate further

sites for development. It is considered that this approach will increase the chances of the Borough Council meeting its challenging housing targets, but also reducing elements of risk associated with the examination process. This report considers these additional sites (and policies) in further detail below.

## **2 REASONS FOR FOCUSED AMENDMENTS CONSULTATION**

2.1 The Local Plan Working Party has considered three 'tranches' of representations and the recommended changes to the draft Local Plan Part 2 consulted on in summer 2018. Many of the recommended changes included minor re-wording of policies and the supporting text (i.e. not changing the focus/direction of the policy). However, within these recommended changes to the draft plan there are some notably more 'significant' changes including further site allocations (more than doubling the number of allocated sites in the plan), new policies, amended policies, and deleted policies.

2.2 Unsurprisingly, various landowners and developers made representations during the consultation period seeking to have their sites allocated in the Plan. Government is also increasing the pressure on all authorities to boost housing delivery, to help contribute to their desire to deliver 300,000 homes per year across England by the mid-2020s. Most importantly, though, is that making additional allocations will bolster the Council's argument that the housing numbers set in the Draft Local Plan to meet the planned housing targets will be deliverable (in other words, keeping the housing target the same, but allocating more sites to help meet this target).

2.3 Members will be aware that there are many consented housing sites in the borough which either come forward very slowly, or not at all, and the Local Plan Inspector is certain to raise the deliverability of the proposed allocations as an issue during the examination. The current low housing land supply position (2.55 years at the end of 2017/18, with the 2018/19 figure likely to be only slightly higher) is also likely to concern the Inspector; a Local Plan allocating housing sites needs to demonstrate that, on adoption, there will be at least a five-year housing land supply.

2.4 The recommendations for the Focussed Consultation have been informed by a review of the consultation responses, changes in national policy and practice guidance, the Draft Sustainability Appraisal Report and further internal work.

2.5 Having taken some legal advice, there is a risk that without further consultation on these 'significant' amendments to the Draft Plan, some stakeholders – but perhaps also the Inspector – may consider that there has been insufficient consultation on the content of the Plan prior to its submission. The

reason for this is that the Pre-Submission Representations period is not a “consultation” on the Plan *per se*, but a more formal part of the process, whereby consultees are asked to give their views on whether the Plan has met the legal requirements and the tests of soundness (as set out in the National Planning Policy Framework).

### **3 CONTENT OF FOCUSED AMENDMENTS CONSULTATION**

3.1 A focussed consultation will address ‘significant’ proposed changes to the Draft Local Plan (as previously) consulted in 2018. This will comprise the following:

- Additional draft allocations
  - South of Links Road, Gorleston-on-Sea (500 houses)
  - Emerald Park, Gorleston-on-Sea (97 houses)
  - Shrublands site, Gorleston-on-Sea (for largely healthcare uses)
  - Land north of the A143, Bradwell (600 houses)
  - Land west of Jack Chase Way, Caister-on-Sea (725 houses)
  - West of Potters, Hopton-on-Sea (40 houses)
  - North of Hemsby Road, Martham (103 houses)
  - North of Barton Way, Ormesby St Margaret (32 houses)
  - North of A149, Rollesby (20 houses)
- Additional draft policies
  - Housing requirement for Neighbourhood Areas
  - King Street frontage
  - Telecommunications infrastructure
  - Foul drainage & surface water infrastructure
- Significant amendments to previously consulted draft policies
  - Houses in Multiple Occupation (HMOs)
  - Amendment of Great Yarmouth Town Centre Area
  - Amended Market Gates Shopping Centre
  - Amended Beacon Park District Centre
  - Deletion of Hospital Aircraft Landing Area
  - Deletion of Runham allocations
  - Additional Strategic Gap between Hopton-on-Sea and Corton (in East Suffolk)
- Appendix – alternative sites considered but not allocated (will include all sites, particularly those newly promoted or revised at the 2018 consultation)
- Draft Sustainability Appraisal (update)
- Draft Habitat Regulations Assessment (update)

### **4 ADDITIONAL SITE ALLOCATIONS**

## Overview

4.1 The maps accompanying the site allocations are set out in Appendix 1. The below paragraphs set the wider context of the proposed changes and potential implications.

4.2 Together the additional site allocations total an extra 2,117 houses into the Plan's housing provision (this includes both Key Service Centre sites; if just one of the sites were allocated this would lower housing provision to 1,392 or 1,517 houses respectively). Taking account of the latest housing completions (for 2018-19), planning permissions, an allowance for windfall and the most up-to-date Local Housing Need calculation, this results in a buffer of 50% on the new housing target, a requirement of 5,296 houses. However, this would only represent a buffer of 11% based on the original Core Strategy target of 7,140 houses; a generally accepted minimum buffer is 10%, so this would meet the target, should the Local Plan Inspector **not** accept the Council's arguments for moving to a lower housing overall housing target of 5,140 houses (as set out in the Part 2 Local Plan 2018 consultation).

4.3 Overall, it is considered that the proposed additional allocations provide greater flexibility in delivering housing in the context of the meeting the housing target of the Plan, particularly given the Borough's recent history of housing under-delivery.

4.4 The increase in draft allocations would also result in changes to the overall distribution of growth across the settlement tiers. The Core Strategy sets out in Policy CS2 that housing growth will be split approximately: 35% Main Towns, 30% Key Service Centres (Bradwell and Caister-on-Sea), 30% Primary Villages and 5% Secondary and Tertiary Villages. Based on the provision of an extra 2,117 (all the additional allocations), the split would result in 24% Main Towns, 39% Key Service Centres, 33% Primary Villages and 4% Secondary and Tertiary Villages.

4.5 Additional sites have been identified in the main towns; two of the eight sites identified are within the main town of Gorleston-on-Sea. Policy CS2 notes that the distribution of housing will be flexibly applied, and that much of the housing built should generally be in Main Towns and KSCs. There is a shortage of deliverable and developable housing sites to meet the proportion of development in the Main Towns with limited availability owing to a range of factors including (but not exclusively): the lack of development space; existing land uses; contaminated land; low or non-existent viability; and extensive areas of land at risk of flooding. In this context, the variation in the distribution of housing growth is considered appropriate and in line with Policy CS2.



4.6 It is important to stress that the below discussion and recommendation is **purely** to consider the sites for potential allocation in the emerging Part 2 Local Plan, and any outcomes of this must not be seen as potentially prejudicing the subsequent decisions of the Council on the planning applications; in the normal way, each and every planning application must be (and is) considered on its own merits.

#### Additional site allocations

##### *South of Links Road, Gorleston-on-Sea (500 houses)*

4.7 This site, submitted prior to the 2018 consultation by Norfolk County Council, is located south of the existing settlement of Gorleston with good access to local services including the James Paget University Hospital. The site appears relatively unconstrained. The agents have said that significant preparatory work has already been undertaken, and that development would commence within 5 years and be completed before the end of the plan period. Around 500 dwellings could be provided, and in a development since the site was originally considered, a proportion of these could be provided as sheltered housing or other housing with care, which would be most helpful in the context of the expected substantial increase in the elderly population of the area over the coming years. The proposal includes 1.2ha of commercial/retail uses, around half of which is said to be of interest to a supermarket operator. The southern portion of the overall site would be taken up with recreational uses and help maintain a distinct visual separation between Gorleston and Hopton.

4.8 The site would be accessed off Links Road and not the A47, and a preliminary drawing suggests Links Road would need to be realigned to accommodate a new roundabout providing access to the site. Some further work on the potential impacts on the Links Road/A47 Beacon Park roundabout may also be necessary. The area is relatively well served by public transport and cycle paths, and there is the potential for the design to link to and facilitate use of these features.

4.9 The proposal is considered to represent a sensible urban extension to Gorleston and the wider urban area (notwithstanding that it is located in Hopton Parish) and provide a significant contribution to meeting a range of local needs for housing, including affordable housing and specialist housing for the elderly, alongside a supermarket and some other commercial/retail/employment use.

##### *Emerald Park, Gorleston-on-Sea (100 houses)*

4.10 The site, the home of Gorleston Football Club, has been proposed for residential development, but this is only acceptable if at least equivalent football facilities on a relocation site (East Coast Sixth Form College or elsewhere) will be

provided, with necessary funding being provided. This site is subject to a current planning application, and there is also a linked application for improved facilities at the College; both are under determination at the current time.

*Shrublands site, Gorleston-on-Sea (for healthcare uses)*

4.11 The site is owned by Norfolk County Council and currently comprises a temporary structure providing healthcare, fronting Magdalen Road. There are ambitions to re-organise and develop the site, enhancing local healthcare provision. Part of the site could potentially be used for specialist care accommodation.

*North of A143, Bradwell (up to 600 houses)*

4.12 This site, submitted prior to the 2018 consultation by Badger Building, is located to the north and west of the strategic site currently under construction (Wheatcroft Farm). It has been heavily promoted; a hybrid planning application for the site was lodged in June 2019 and is current under determination. The proposal (in Local Plan terms) is for a phased development, eventually totalling 600 dwellings together potentially with a petrol filling station and some potential small-scale convenience retail. Notwithstanding the proximity to the existing large site under construction at Bradwell (Wheatcroft Farm), the developer believes that there will be a market for their housing and they would deliver at about 30-40 dwellings per year. The developer indicates an early start would be made to the first phases of the development; the planning application is a “hybrid” in which the detailed permission is sought for Phase 1, with most of the remaining elements reserved for future consideration.

4.13 It is fully recognised that this southern part of the Bradwell area already has a large amount of consented development over the coming years, with approximately 1,000 further dwellings (around 90 per year), over the next decade or so. However, this is one of the least environmentally constrained parts of the Borough and is proving both viable for developers and attractive to home buyers and renters. As such it is one of the few parts of the Borough that a seen prompt and continuing housing delivery at high numbers. It is also well located for access to the jobs (being very close to Beacon Business Park and the James Paget Hospital in particular) and has good connections to Gorleston-on-Sea (with its services). Given the environmental and viability constraints elsewhere and the continuing pressing need for housing in the Borough, this site could make a valuable contribution to housing delivery.

4.14 The land immediately north of the site is not allocated, nor has it been proposed for residential allocation. However, it might potentially be submitted for allocation by the landowner for a future Local Plan. Without any prejudice whatsoever for the decisions that could be taken in future Local Plans as to its

acceptability (or otherwise), the site to the north, the only main road adjacent to the site – Church Walk – does not appear ideal to carry a larger volume of traffic. Church Walk also leads into other minor roads in Bradwell before drivers could reach the A143 Beccles Road. There is therefore a proposal to safeguard any potential future highways access to the site from the north from the Badger Building allocation. This could allow traffic to access the A143/Beacon Park link road roundabout more quickly, although further work on the implications of this proposal may be necessary.

*West of Jack Chase Way, Caister-on-Sea (725 houses)*

4.15 This Persimmon site, west of the Caister bypass, was originally recommended for inclusion in the Plan by the Local Plan Working Party in order to meet the original Core Strategy housing target. However, concerns remained that despite being adjacent to Caister-on-Sea it could be difficult to integrate it with the existing settlement; could be highly car-dependent; and the resulting additional junctions and crossings on the bypass would tend to undermine the original purpose of the public investment in this road to relieve Caister-on-Sea from through traffic, and to ease the flow of traffic to and from the northern parishes. As a result, when the Council prepared the Draft Plan in 2018, including the intention to reduce the housing target, this site was removed from the Plan.

4.16 The proposal is for a phased development, eventually totalling 725 dwellings together with a primary school site, healthcare site and a local centre comprising community facilities and retail (amongst other elements). As with the Bradwell proposal, it is understood that when the planning application is made later in the summer, it will be a “hybrid” application, with permission for about 150 dwellings being sought in full (in other words, early delivery of housing is proposed).

4.17 Caister-on-Sea has a good range of local services and facilities, including a secondary school, and various employment opportunities nearby or within easy reach through public transport. It is relatively close to internationally-designated nature conservation sites, particularly North Denes Special Protection Area, which will need to be taken into account.

*West of Potters, Hopton-on-Sea (40 houses)*

4.18 The site is proposed for a mixed use including housing, business use and car parking associated with the Potters Resort, as well as road measures. It is estimated that the development could accommodate up to 40 dwellings. The site also has the potential benefit to assist in addressing the limitations of Longfulans Lane addressed in order to reduce the traffic passing through Station Road.

*North of Hemsby Road, Martham (up to 110 houses)*

4.19 The proposed allocation is not additional to what is included in the Draft Plan, but one planning permission for 108 dwellings identified in that Draft has recently lapsed. It is understood that a developer is pursuing development of this site, and its allocation seeks to ensure that potential delivery is not deterred.

*North of Barton Way, Ormesby St Margaret (32 houses)*

4.20 Ormesby St. Margaret has had relatively few completions and permissions to date and is considered capable of accommodating a little more. The proposed additional allocation is a small portion of a much larger site previously submitted. Subsequent representations suggest a smaller part of the site could be developed in two phases. The allocation recommended is the first of these. It provides 32 dwellings accessed off Barton Way. The site has development on existing development on two sides, and it would 'round off' existing development and not project out into open land. The site lies at the other side of the village to the existing allocation, and yet within reasonable distance of local facilities.

*North of A149, Rollesby (20 houses)*

4.21 In looking across the Secondary and Tertiary Villages, Rollesby appears best placed to accommodate an additional contribution to the additional housing now required. The site is part of a larger one previously identified as an intended draft allocation, but not carried forward to the Draft Plan when the housing target was reduced. A revised boundary provides for 20 dwellings.

4.22 Rollesby Parish Council is currently preparing a neighbourhood plan, and it is understood that there is an intention to allocate sites for housing. Allocation of this particular site would not prevent the Rollesby Neighbourhood Plan now being prepared either (a) choosing an alternative site to allocate (effectively de-allocating this one), or (b) adding one or more other allocations.

## **5 ADDITIONAL DEVELOPMENT MANAGEMENT POLICIES**

5.1 Following review of the comments received at the 2018 consultation, a further four development management policies are recommended for inclusion into the emerging LPP2. The below paragraphs set out the aims and justifications for the additional policies.

### Housing requirement for Neighbourhood Areas

5.2 The revised National Planning Policy Framework (NPPF) requires local authorities to identify housing needs for those preparing neighbourhood plans (designated neighbourhood areas) through their local plans or with an 'indicative housing requirement'. Recent changes in National Planning Practice Guidance have introduced the ability for neighbourhood bodies (those preparing a neighbourhood plan) to assess their own need where local authorities have not identified these. This draft policy sets an 'indicative requirement' which has

considered the overall Local Housing Need, the distribution of growth set out in the Core Strategy, existing housing contributions through completions and permissions, and the constraints of each settlement.

#### Great Yarmouth King Street Enhancement Area

5.3 This recommended policy is directly related to the amended Great Yarmouth Town Centre boundary discussed below. The contracted town centre removes King Street from the boundary, however, this policy recognises the heritage value of King Street and seeks to protect key building features and enhance its historic frontage. See Appendix 1 showing the defined area to be added to the policies map.

#### Telecommunications infrastructure

5.4 The Norfolk Strategic Planning Framework highlights that there are benefits to be gained from consistency of approach across Norfolk improved telecommunications and the rollout of full fibre broadband and 5G. A recent consultation from Government detailed some of the measures that are likely to be required if new developments are to have access to full fibre broadband from move-in day, with the key to this being a Site Connectivity Plan. A 'template' policy has been produced by those in the Norfolk Strategic Framework and this recommended draft policy (with some local adjustments) is proposed to be adapted this for inclusion into the LPP2.

#### Foul drainage & Surface water infrastructure

5.5 Following comments from the Environment Agency, Anglian Water and the Lead Local Flood Authority, a policy has been drafted to address the provision of suitable foul drainage and surface water infrastructure for new development. This builds on Core Strategy Policy CS12 but also supports LPP2's policy to reduce flood risk.

### **6 Significant amendments to previously consulted draft policies**

6.1 Following review of the comments received at the 2018 consultation, some of the policies previously consulted have been 'significantly' amended in terms of the content or intention of the policy. Minor amendments to policies such as adjusted wording are not considered to be 'significant'. The below paragraphs set out the aims and justifications for the amended policies.

#### Amended Houses in Multiple Occupation (HMOs)

6.2 Some amendments to this policy are proposed to better reflect the latest situation and provide enhanced clarity in this complicated policy area.

#### Amended Town Centre Area

6.3 The decline in high street retailing is a national phenomenon, but Great Yarmouth is among the towns hardest hit by these changes. Defining an appropriate town centre boundary for Great Yarmouth in that context is a challenge, given the uncertainties, the policy complexities and perceptions/expectations involved.

6.4 The Draft town centre boundary did allow for change of use out of retail use (except in the Protected Shopping Frontages) but, in light of the continuing, and seemingly accelerated changes, there now needs to be both a tighter town centre boundary and a more forthright recognition of the changes that will be encouraged in the more peripheral areas outside of it.

6.5 The new boundary has been mapped in Appendix 1, alongside the adopted Core Strategy and 2018 consultation versions, to show how it has been changed. The main changes from the boundary consulted on in 2018 are that: The Conge, Brewery Plain, St Nicholas Priory, Hall Quay and the lower part of King Street (beyond St Georges Theatre), have been removed from the boundary with the entirety of Market Gates Shopping Centre added in.

#### Amended Market Gates Shopping Area

6.6 Including the entire shopping centre within the allocation policy would allow greater flexibility for the centre to respond to changing retail and leisure requirements. The draft policy has also been adjusted to maintain core retail (A1) which front the principal entrance and central shopping corridors; and allow greater flexibility for other uses (retail, leisure etc) in the remaining areas of the shopping centre. See Appendix 1 showing the defined allocation area to be added to the policies map.

#### Deletion of King Street/Regent Street Development Area

6.7 The intended supplementary planning document for this area is not currently being carried forward, particularly in the absence of a leisure-based investor, but also considering other town centre projects that are taking precedence.

6.8 Nonetheless, an additional policy to improve and enhance the historic frontages in King Street area (south of St Georges Theatre to Nottingham Way) is being proposed (see paragraph 5.3 above).

#### Amended Beacon Park District Centre

6.9 Following information from the Borough Council's Property Services Team, it is considered that the boundary should be extended beyond just the Sainsbury's planning application to include the facility just south and the surrounding space. See Appendix 1 showing the defined area to be added to the policies map.



#### Deletion of Hospital Aircraft Landing Area

6.10 Following dialogue with the James Paget University Hospital, it has come to light that the landing area for emergency helicopters is no longer required to be safeguarded. The policy is therefore recommended to be removed from the Plan.

#### Deletion of Runham allocations (RM1 & RM2)

6.11 One of the main reasons for allocating these sites in the LPP2 was to meet the proposed NPPF requirement to ensure that 20% of sites allocated are 'small sites'. At the time, only few small sites within the Borough were considered appropriate, with the Runham sites considered the best (or least worst) of the sites available to meet the Government's new requirement. The recently-updated NPPF (in February 2019) removed the small sites requirement. Therefore, the main rationale for allocating these sites no longer exists. In addition, a site in Rollesby has come forward (a higher order settlement) and with better access to local services to contribute to housing provision for secondary and tertiary villages. The recommendation is to remove these allocations (see Appendix 1 for the location of the sites).

#### Additional 'Strategic Gap'

6.12 Following comments from East Suffolk Council, it is considered appropriate to add a strategic gap between Hopton and Corton to maintain a gap between the two expanding settlements spanning over the administrative boundaries. This will also support the aims of the adopted Waveney Local Plan (2019). See Appendix 1 showing the defined area to be added to the policies map.

#### Appendix & supporting documentation

6.13 To demonstrate that the Borough Council has thoroughly considered alternative options, an appendix will be published illustrating and justifying how all new and revised sites have been considered prior to consulting on these focussed changes. The justifications will be short summaries from the Sustainability Appraisal which has considered each site and policy against a range of social, economic and environmental criteria and the alternative options.

6.14 The consultation paper will be consulted along with the supporting updated Sustainability Appraisal and updated Habitat Regulations Assessment.

## **7 NEXT STEPS**

7.1 Assuming that the recommendations are taken forward without major alterations, the focussed consultation will take place for a period of 6 weeks. The significant changes will be incorporated into the plan, along with any further

necessary changes following consultation, forming the 'proposed submission' version (this is the final draft plan submitted to the Secretary of State for independent examination). On this basis, it is envisaged that the plan can be published in December 2019 and submitted for examination in March 2020.

7.2 Whilst this Focussed Consultation will delay the eventual submission of the Local Plan Part 2 for examination (and later adoption) by a few months, it is important to note that much work on preparing the Pre-Submission documentation will continue during the Focussed Changes consultation and analysis period, so keeping the delay to a minimum. Changes to the Local Plan production timetable, the 'Local Development Scheme', are considered in a separate report also being considered at this same Policy and Resources Committee meeting.

## **8 RISK IMPLICATIONS**

8.1 Proceeding with the LPP2 to submission without a focused consultation on the significant changes detailed within this report, would run the risk that some objectors and the Inspector may consider that the plan has not been subject to sufficient consultation during the Plan preparation stage, potentially requiring some remedial work to be undertaken, delaying the Plan adoption process further.

## **9 CONCLUSIONS**

9.1 This report recommends a focused consultation on 'significant' changes to the LPP2 that was consulted in August-September 2018. The report sets out the content including site allocations, new and amended policies, and the reasoning to make such amendments.

9.2 Subject to approval by the Policy & Resources Committee, the focused changes will be consulted on from the end of July for a period of six weeks. Following this consultation, the changes will be incorporated into the Draft Plan with any necessary further amendments before it is approved for publication and then submission to examination.

## **10 RECOMMENDATIONS**

**Policy & Resources Committee resolves that:**

- 1) A focused six-week public consultation will take place on significant revisions/additions to the draft Local Plan Part 2; and**



- 2) Authority is delegated to the Director of Development, prior to the start of the public consultation, to
  - a. finalise key supporting documents (such as the Draft Sustainability Appraisal report); and make any further appropriate refinements to policies and supporting text in the Focused Consultation which do not alter their general intent significantly

## **11 APPENDICES**

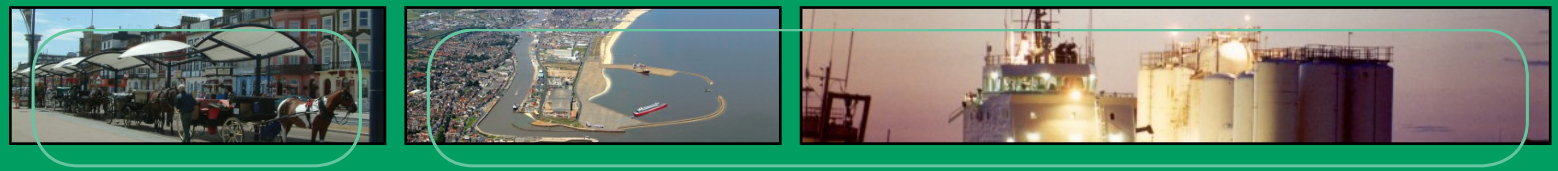
Appendix 1 – Draft Focussed Consultation Document

*Areas of consideration: e.g. does this report raise any of the following issues and if so how have these been considered/mitigated?*

<b>Area for consideration</b>	<b>Comment</b>
Monitoring Officer Consultation:	n/a
Section 151 Officer Consultation:	n/a
Existing Council Policies:	Local Plan Part 1 (Core Strategy) Norfolk Strategic Planning Framework Statement of Community Involvement
Financial Implications:	All costs are allowed for within existing budgets
Legal Implications (including human rights):	Discussed in the paper; the Local Plan must be prepared in accordance with relevant planning legislation
Risk Implications:	Discussed in Section 8
Equality Issues/EQIA assessment:	An Equalities Impact Assessment must be prepared and submitted alongside the Draft Plan
Crime & Disorder:	n/a
Every Child Matters:	n/a

## Appendix 1

## [LIVE] LPP2 Further Focused Consultation - P&R Version



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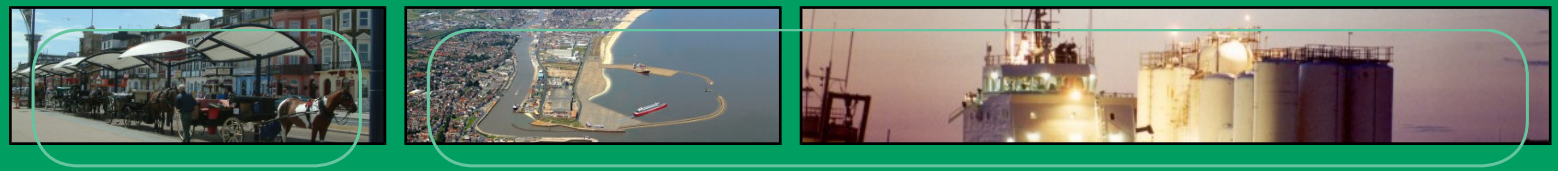


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## 1 About this Consultation







## 1 About this Consultation

### What is the Local Plan Part 2 (Development Management Policies and Site Allocations Plan)?

**1.0.1** Great Yarmouth Borough Council are preparing the Development Management Policies and Site Allocation Plan, known as the 'Local Plan Part 2' to sit alongside the Core Strategy (Local Plan Part 1). Together, both documents will form the development plan for the borough of Great Yarmouth. These documents, along with any Neighbourhood Plan prepared by parish councils, set out the principles and policies against which planning applications are judged.

**1.0.2** The purpose of the Local Plan Part 2 is to provide detailed policies which will help to deliver the broad distribution and type of development already agreed for the period to 2030 and set out in the adopted Core Strategy.

### What is the purpose of this consultation?

**1.0.3** The Borough Council began the formal process of preparing the Part 2 Local Plan following the Core Strategy's adoption in 2015. The Council conducted a 'call for sites' asking for any sites which were potentially suitable for allocation to be submitted to them. In Autumn 2018 the Council undertook a Regulation 18 consultation on its draft plan for the borough. During this consultation the council received a number of responses on a wide range of aspects of the plan. Following a careful review of these responses the council is seeking to make changes to the draft plan. However, a number of these changes are considered to be 'significant', in that they are new allocations, new or substantially re-worded policies, or deleted policies. While the legislation no longer distinguishes between draft plans in preparation at 'issues and options' stages and those at 'preferred options' stages, it is considered appropriate in the context of incorporating these significant changes into the Draft Plan consulted in 2018, to consult on focused changes before finalising the Draft Plan.

**1.0.4** Therefore the purpose of the consultation is to consult upon the new allocations, new policies and significantly amended policies following the Draft Reg 18 consultation. This consultation however does not allow for further consultation upon those policies or potential sites which were previously consulted upon in the draft Reg 18 consultation, unless they are listed as significantly amended policies within this document.

### What will happen next?

**1.0.5** The Council will carefully consider all responses received to this focused consultation and take these into account, together with the representations received during the previous consultation in summer 2018 to prepare the 'Proposed' Local Plan Part 2 i.e. the plan that represent that policies and allocations which the Council wishes to adopt.

**1.0.6** The Proposed Plan will then be subject to a six-week representations period to enable parties to make representations on the 'soundness' of the plan. All comments received will then be collected and together with the Plan itself, submitted to an independent planning inspector on behalf of the Secretary of State for examination. If, at the close of that process, the Inspector is satisfied that the Plan is sound (or can be made sound through modifications), then the Plan can be adopted by the Council.

## 2 Review of Previous Regulation 18 Consultation





## 2 Review of Previous Regulation 18 Consultation

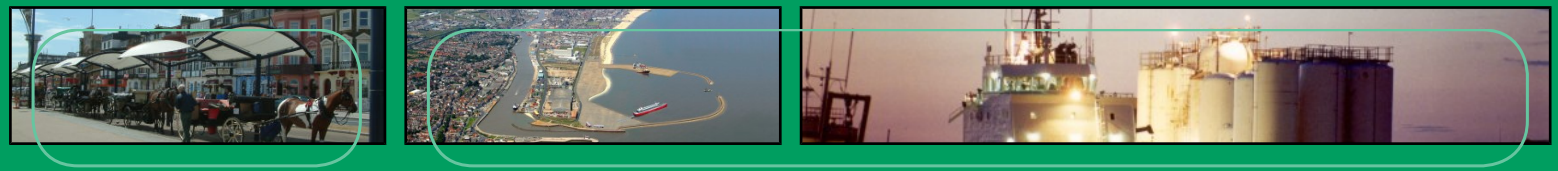
**2.0.1** The Council consulted publicly on its draft Local Plan Part 2 from Monday 20th August 2018 to Sunday 30th September 2018. The documents consulted on comprised:

- Draft Local Plan Part 2
- Draft Policies Map (in several sections)
- Draft Sustainability Appraisal Report
- Draft Habitats Regulations Assessment Report
- Habitats Monitoring and Mitigation Strategy (Revised 2018).

**2.0.2** These were published on the Council's website. Hard copies were available for inspection at sites across the borough and for purchase from the Strategic Planning team. The Strategic Planning team also organised and attended five exhibitions across the Borough during the consultation period, at Great Yarmouth, Gorleston, Ormesby St. Margaret, Hemsby and Belton.

**2.0.3** Comments on the consultation documents could be made directly on-line, by email, letter, or by completing a comments form at the exhibitions. All responses to the consultation can be viewed in full online at <http://great-yarmouth-consult.objective.co.uk/portal>.

### 3 Current Housing Provision





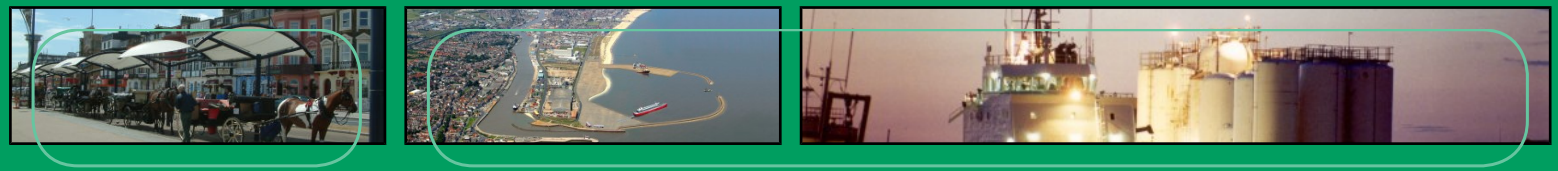
### 3 Current Housing Provision

**3.0.1** Within the Core Strategy (adopted 2015) policy CS3 sets a target of 7,140 new homes. However, the Government has since changed the way it requires Local Planning Authorities to assess the minimum amount of new housing to be provided for in Local Plans. It has introduced its new national standard methodology in order to ensure sufficient housing is being planned for across England as a whole and to reduce the time spent in arguments about the calculations and assumptions of housing need under the previous method.

**3.0.2** The Council is seeking to adopt the new standard method through the Local Plan Part 2. This new standard method does significantly reduce the housing need within the Borough to 5,296 houses. Adoption of the new standard method will not only bring the Borough in line with the Government's latest standard at the earliest opportunity but it also would allow the Council to bring the target to a level which is more realistic and achievable.

**3.0.3** The council also cannot currently demonstrate a 5-year housing land supply; as of April 1<sup>st</sup> 2018, the council has a 2.55 year supply of housing. There is a recent history of under-delivery on the Core Strategy target, with a total of 976 dwellings have been completed since the start of the Core Strategy period until April 2018, as against the stepped target for that 2013-2018 period of 1,500 dwellings, a deficit of 524 dwellings. (The cumulative plan average annual requirement for the same years provides perhaps a better long-term perspective, and against this requirement of 2,010 dwellings, there is a deficit of 1,124 dwellings.). Therefore it is clear that the delivery of the scale of houses set out in the Core Strategy is very challenging and the use of the standard method seems more appropriate and realistic.

## 4 Additional Draft Allocations







## 4 Additional Draft Allocations

**4.0.1** The following chapter lists those 'Additional Draft Allocations' (ADAs) considered necessary to meet the Council's housing requirement using the new standard methodology.

**4.0.2** Together the additional site allocations total an extra 2,117 houses into the Plan's housing provision. Taking account of the latest housing completions (for 2018-19), planning permissions, an allowance for windfall and the most up to date Local Housing Needs calculation, this result in a buffer of 50% on the new housing target, a requirement of 5,296 houses.

**4.0.3** It is considered that the following additional draft allocations provide greater flexibility in delivering housing in the context of the Council meeting the housing target of the Plan, particularly given the Borough's recent history of housing under-delivery.

**4.0.4** Policy CS2 of the Core Strategy splits out planned housing growth across the settlement tiers as: 35% Main Towns, 30% Key Service Centres, 30% Primary Villages and 5% across both Secondary and Tertiary Villages. Based on the provision of an additional 2,117 dwellings (inclusion of the additional draft allocations) this split would change to 24% Main Towns, 39% Key Services Centres, 33% Primary Villages and 4% across both Secondary and Tertiary Villages.

### 4.1 ADA1 South of Links Road, Gorleston-on-Sea

#### Background

**4.1.1** Gorleston-on-Sea is the Borough's 'second' town, located across the River Yare and to the south of the town of Great Yarmouth. It has a current population of around 25,600. Gorleston, as it is more commonly known, runs from the southern part of the west bank of the River Yare, past the river mouth towards the smaller coastal settlement of Hopton-on-Sea. To the west is the connected settlement of Bradwell, effectively forming a large urban settlement.

#### Proposed Allocation

##### Policy ADA1

##### **LAND SOUTH OF LINKS ROAD, GORLESTON-ON-SEA**

Land to the south of Gorleston-on-Sea (25 hectares) as identified on the draft Policies Map is allocated for approximately 500 dwellings with commercial/retail and open space. The site should be developed in accordance with the following site specific criteria:

1. Provision of safe and appropriate access(es) to Links Road (including any consequential improvements between Links Road and the A47 roundabout) with necessary improvements to integrate into the existing pedestrian and cycling networks;



2. **Parking spaces must be in close proximity to dwellings and must comply with the 2007 Norfolk County Council standards, with appropriate width and depth of spaces etc to reduce the desire for on-road parking. Rear parking courts, other than in wholly exceptional circumstances will not be acceptable. Garages must be of sufficient width to accommodate standard modern vehicles;**
3. **A mix of housing sizes, types and tenures, including:**
  - i. **a minimum of 15% affordable housing, provided on site, reflecting the needs and demands of the local area; and,**
  - ii. **provision of retirement and/or extra care and/or care housing equivalent to at least 10% of the total housing for the site (about 50 units), which must be delivered before occupation of the 250th dwelling on the site.**
4. **Provision of new, small scale commercial units or convenience-led retailing, of up to 200 sqm will be sought within the north-western area of the site with appropriate landscaping (particularly to the east);**
5. **Provision of appropriate structural landscaping and new open space to:**
  - a. **mitigate the visual impact of the development, especially from views to the south from Hopton-on-Sea; and,**
  - b. **provide an acoustic barrier to the A47.**
6. **Submission of a site-specific Flood Risk Assessment;**
7. **Submission of details showing how sustainable drainage measures will integrate with the design of the development and how the drainage system will contribute to the amenity and biodiversity of the development. A suitable plan for the future management and maintenance of the SuDS should be included with the submission;**
8. **Submission of a Heritage Statement accompanied by the results of an archaeological field evaluation; and,**
9. **Submission of a shadow Habitats Regulations Assessment, setting out any necessary on-and (if relevant) off-site direct mitigation measures, in addition to the required in-combination financial contribution for mitigation measures per dwelling.**





## Allocation Justification

**4.1.2** Whilst the site proposed is noted to be within the parish boundary of Hopton-on-Sea, the site would in effect represent a sustainable extension to the settlement of Gorleston, with close access to services notably within Gorleston, Bradwell & Beacon Park. The location is in particularly close proximity to the James Paget University Hospital, Beacon Business Park and the schools to the north.

**4.1.3** The draft allocation site is on the southern edge of the built-up area of Gorleston-on-Sea, between the A47 trunk road and Warren Road, a minor residential lane to the east. The site is currently in arable use.

**4.1.4** The site has good access to existing services and facilities in Gorleston-on-Sea and in the future will have good access to a primary school, community centre and retail facilities which are to be provided as part of the major housing development to the south of Bradwell and the proposed Beacon Park District Centre, off Woodfarm Lane. The site is also well located to Beacon Business Park and the James Paget University Hospital. A range of other amenities are accessible by regular public transport of the cycling network.

**4.1.5** Vehicular access is possible off Links Road, which provides a suitable carriageway width for through traffic but may require the provision of a secondary roundabout between the site and the A47/Beaufort Way roundabout. No direct access is to be taken off the A47 trunk road. Necessary improvements to integrate the site into the existing pedestrian and cycling networks will be sought as part of the development of the site. Further preparatory work on the potential impact of the proposed development upon the Links Road/A47 Beaufort Way roundabout may also be necessary.

**4.1.6** The layout and design of the main roads within the site must enable appropriate permeability by buses (i.e. they must be of sufficient width with sweeping bends), with parking levels meeting the requirements of the Norfolk County Council Parking Standards. Rear parking courts will not be acceptable, as the reduced level of surveillance of them means that many people simply will not use them, instead parking on the road outside their house (with the consequences that can bring).

**4.1.7** The site will be expected to provide, on site, 15% affordable homes (approximately 75 dwellings). This level of affordable housing provision has been blended to take account of the site straddling two strategic housing market areas. An element of retirement and/or extra care and/or care housing totaling at least 10% of the housing on site (about 50 units) should also be provided to meet the need's of the borough's ageing population. The site presents an ideal opportunity to accommodate this need when taking into consideration the level of development combined with the site's good accessibility and integration with existing amenities, such as James Paget University Hospital. To ensure timely delivery, the provision of retirement/extra care housing should be provided before the occupation of the 250th dwelling (50%) on the site.

**4.1.8** The site offers the potential to provide an element of mixed use development which would relate well to the services and uses provided at the nearby Beacon Business Park, particularly convenience-led or small commercial units (no more than 200sqm). The location of any proposed retail or commercial development should be concentrated towards the



north-western area of the site to both maximise accessibility and visibility from the strategic road network, whilst reducing the likely impact upon the amenities of existing and future residents to the east.

**4.1.9** The site is relatively flat with open land around. Maintaining a clear gap between the built-up area of Gorleston-on-Sea and that of Hopton-on-Sea is an important consideration. To this end the allocation policy provides for the open space provision to the southern end of the site, together with structural landscaping around the site, that will help to maintain that gap, provide a soft edge to the development and provide an acoustic barrier to the adjacent A47 trunk road. Whilst the precise details of the open space provision will need to be discussed and agreed with the Council at appropriate stages of the scheme, the level of provision must meet the requirements of Policy H12-dp.

**4.1.10** The site is located in an area of low flood risk, and provision of sustainable drainage systems will limit/prevent any increased surface water run-off. The sand-based geology of the site suggests that good drainage can be achieved. A site-specific Flood Risk Assessment will need to be undertaken to support development proposals and detail the surface water strategy.

**4.1.11** The site will regrettably lead to the loss of grade 2 agricultural land. There is little in the way of alternative, poorer quality land available around Gorleston-on-Sea, and, in the context of providing new housing growth that is accessible and has the potential to provide additional facilities and amenities in the local area, this is considered to be a reasonable and justified approach.

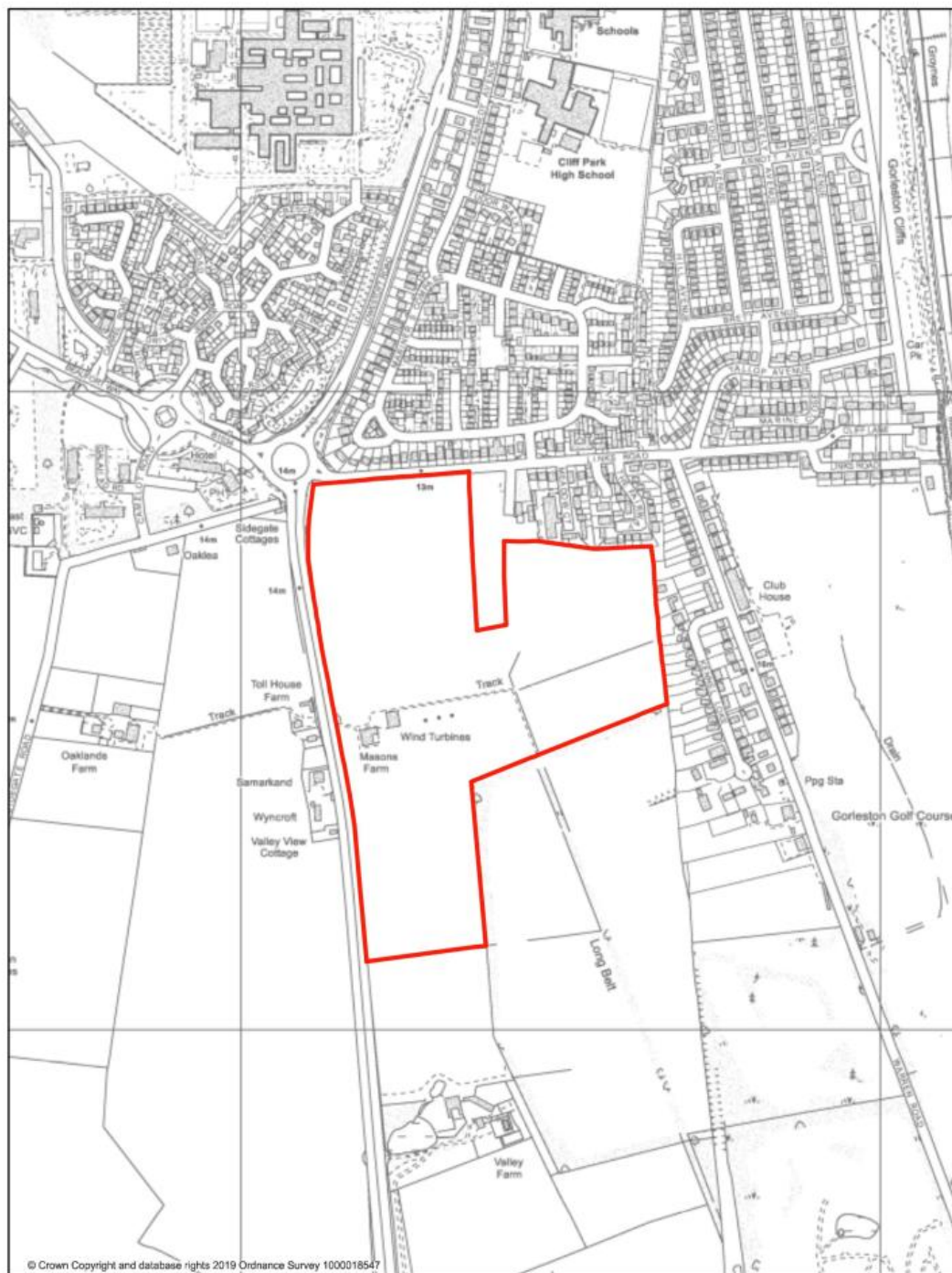
**4.1.12** There is a likelihood of archaeological potential on site and any planning application must be supported by a heritage statement accompanied by the results of an archaeological field evaluation and should demonstrate the impacts of development on archaeological remains and proposals for managing those impacts.

**4.1.13** As a significant site, a Shadow Habitats Regulations Assessment must be prepared and submitted to the Council. This Assessment should set out the potential impacts of the development on nearby Natura 2000 sites and identify necessary on-site and (if necessary) off-site mitigation measures. In addition, the in-combination effects of the development will necessitate the payment of a contribution per dwelling (currently £110), in line with the Council's Habitats Monitoring and Mitigation Strategy.



Map 4.1 Additional Draft Allocation 1: South of Links Road, Gorleston

## ADA1 South of Links Road, Gorleston



**GREAT YARMOUTH**  
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## 4.2 ADA2 Emerald Park, Gorleston-on-Sea

### Allocation Proposal

#### Policy ADA2

##### EMERALD PARK, GORLESTON-ON-SEA

Land at Emerald Park Football Ground (2.3ha) as identified on the draft Policies Map, is allocated for about 100 dwellings. The site should be developed in accordance with the following site specific criteria:

1. **Provision of safe and appropriate vehicular access, to the satisfaction of the local highways authority with appropriate access from the improved section of Wood Farm lane to the south with appropriate improvements to the surrounding road network, including footpaths**
2. **Provide a mix of housing types and sizes, including a minimum of 10% affordable dwellings to reflect the needs and character of the local residential area**
3. **Re-provision of appropriate equivalent recreational facility at a minimum equaling the quality of facility currently available at Emerald Park. The full funding or Re-provision to be secured and demonstrated by legal agreement (ie. section 106 agreement) prior to the loss of any facility at Emerald Park.**
4. **Submission of an archaeological field evaluation prior to development, in accordance with paragraphs 189 & 199 of the NPPF**
5. **Retain existing Trees along the south western border of the site in accordance with the Tree Preservation Orders.**
6. **Where further trees may be removed which are not protected, replacements are provided in suitable alternative locations and remain for the amenity of future residents**

### Allocation Justification

**4.2.1** The draft allocation site is located to the south west of the built-up area of Gorleston-on-Sea. Land immediately to the north and east of the site are used as the Magdalen Recreation Ground with residential and commercial development beyond. To the south lie allotments, beyond which is the James Paget University Hospital. Westwards the land comprises major new residential development that is currently being built as part of the South Bradwell urban extension, with the rest of the Beacon Business Park area located beyond to the south. The site is currently in use as the ground for Gorleston Football Club.

**4.2.2** The site is well related to existing services and facilities in Gorleston-on-Sea. It is within walking distance of primary and secondary educational facilities, the James Paget University Hospital, as well as other facilities and amenities accessible by regular public transport. New community and retail facilities are also planned nearby as part of the South Bradwell urban extension and proposed Beacon Park District Centre.



**4.2.3** The site has been proposed for residential allocation by the current landowner, with Gorleston Football Club proposed to relocate to East Norfolk Sixth Form College. Were this to progress, Emerald Park would obviously be lost a football ground and hence as a community facility – in addition to the Men's First Team, the club runs a Reserves side, a Women's team and a large number of children's teams, and so is a very important part of the local community. It would therefore clearly be inappropriate to allow for any development of this site to take place until the current facility has been relocated to a different site **and** it can be demonstrated that a new site is deliverable and fully-funded. The facilities of the site (pitch standard, spectator stands, admission turnstiles, clubhouse, changing rooms, bar, parking etc) must also (as a minimum) be of sufficient standard to meet the criteria for admission/retention to the league within which Gorleston Football Club's Men's First Team plays (currently the Thurlow Nunn League).

**4.2.4** Vehicular access should be taken off Woodfarm Lane and will require necessary visibility splays for both vehicles exiting and entering the site from Woodfarm Lane. Provision of new footways will be required along Woodfarm Lane to connect the site entrance with existing footway provision adjacent to the school entrance off Oriel Avenue.

**4.2.5** The site has been identified by Norfolk Historic Environmental Service as having considerable archaeological potential. They have requested that a programme of mitigatory work is undertaken to determine the scope and extent of any further work that may be required.

**4.2.6** A planning application for development of this site has been submitted (reference 06/18/0707/O) as well as a planning application for a replacement facility at East Norfolk Sixth Form College (reference 06/18/0533/F) but at the time of this current consultation (July/August 2019) neither have yet been determined.



Map 4.2 Additional Draft Allocation 2: Emerald Park, Gorleston

## ADA2 Emerald Park, Gorleston

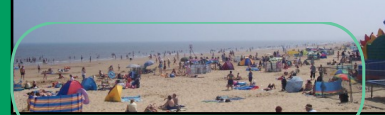


**GREAT YARMOUTH**  
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## 4.3 ADA3 Shrublands Community Facility, Gorleston-on-Sea

### Allocation Proposal

#### Policy ADA3

##### SHRUBLANDS, GORLESTON-ON-SEA

Land at Shrublands, Gorleston on Sea, (2.4ha) as identified on the draft Policies Map, is allocated as a mixed use scheme for healthcare facilities, community facilities and about 40 dwellings. The site should be developed in accordance with the following site specific criteria:

1. **Provision of two vehicular accesses to be taken off Magdalen Way and Trinity Avenue**
2. **Provision of a new healthcare facility to help meet the current and future needs of local NHS providers**
3. **Provision of an appropriate number of care/extra-care beds/housing units**
4. **Retention and reuse of the Grade II farmhouse building as an important historic assets. Its reuse should be complimentary to its historic status**
5. **Parking to be provided for around 160 cars to the Norfolk County Council Parking Standard for the healthcare and community uses**
6. **An element of community use is also provided on site within either the existing buildings or any potential new buildings proposed on site**
7. **Retention of trees where practicable with design and replacements provided where trees are removed**

### Allocation Justification

**4.3.1** The site is allocated for mix use development to facilitate an update to the healthcare and community use currently provided on site. The current healthcare facility is housed in a temporary building which has planning permission, which is due to expire in 2020. This allocation would allow the permanence of the healthcare provision of this site whilst allowing the site to be updated to provide healthcare to future anticipated standards.

**4.3.2** The retention of the Farmhouse building is sought due its historic importance as a Grade II listed building and its significance on the site. The complementary reuse of the building is also sought due to the building being currently unused it could provide some future community or healthcare use within a significant building already existing within the site.

**4.3.3** The site should also provide car parking to meet anticipated demand for the site, to the parking standards set out by Norfolk County Council as the Local Highway authority. The site should also provide appropriate points of access to the satisfaction of the Local Highways authority, taken off Magdalen Way and Trinity Avenue.

**4.3.4** The current availability of community use on site should facilitated in any future scheme for the site and future provision made.

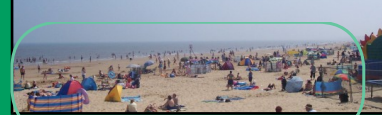




**4.3.5** To provide for the updates to the temporary building and improvements on site an element of housing is allocated to provide funding for these improvements. Housing with care/extra care should be provided.

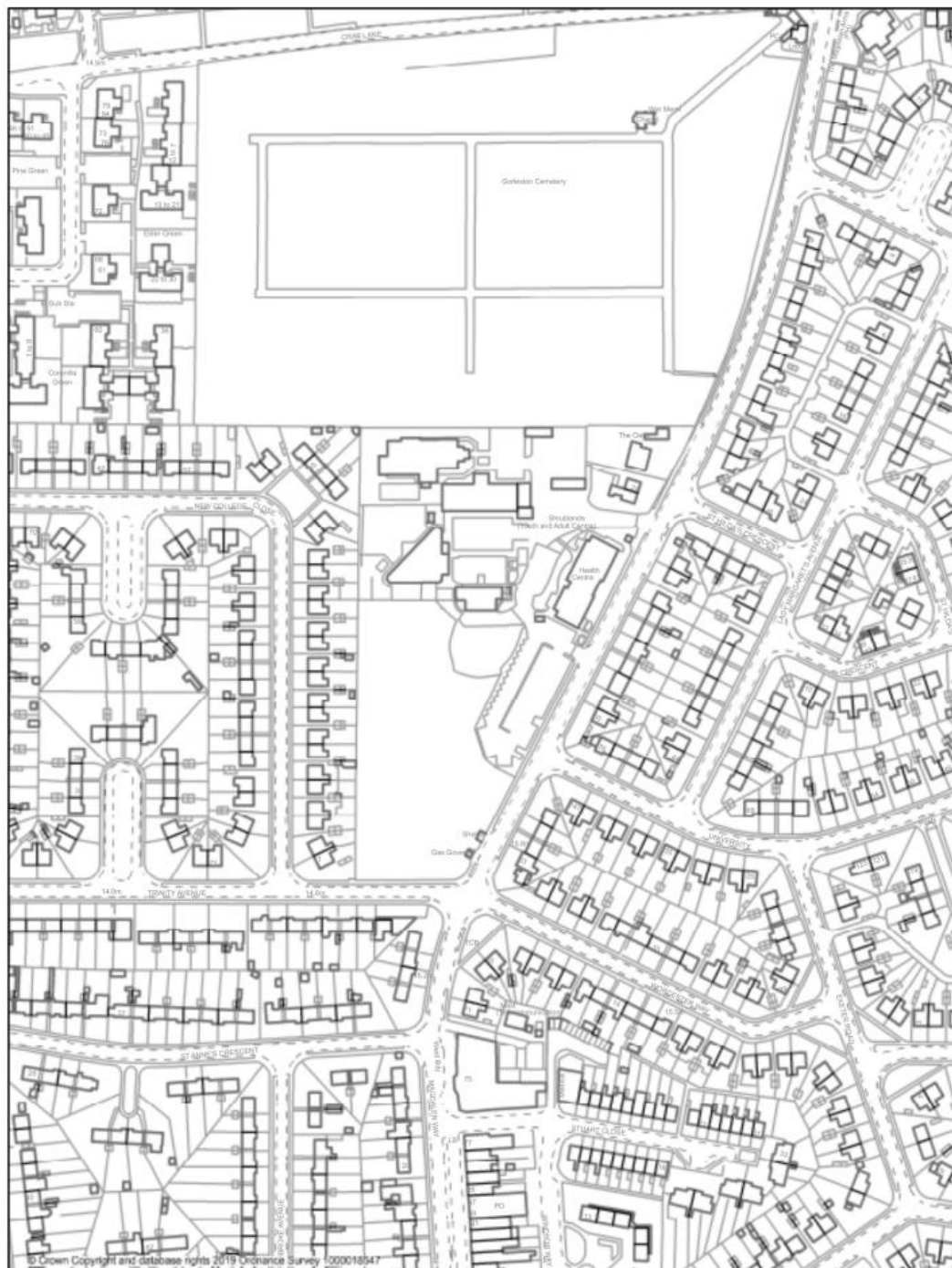
**4.3.6** The retention of trees (and provision of replacements if trees are removed) is also sought where practicable on site for the amenity of local residents, future users of the facilities and future residents.





Map 4.3 Additional Draft Allocation 3: Shrublands Site, Gorleston

## ADA3 Shrublands Site, Gorleston



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## 4.4 ADA4 North of A143, Bradwell

### Allocation Proposal

#### Policy ADA4

##### **LAND NORTH OF A143 BECCLES ROAD, BRADWELL**

Land to the north of the A143 Beccles Road (24 hectares) as identified on the Policies Map is allocated for up to 600 dwellings and for a potential petrol filling station and/or small-scale retail use on land between new Road and the A143 Beccles Road.

The site should be developed in accordance with the following site-specific criteria:

1. **Provision of two vehicular accesses taken off the A143 Beccles Road and New Road with necessary improvements to integrate into the existing pedestrian and cycling networks;**
2. **Parking spaces must be in close proximity to dwellings and must comply with the 2007 Norfolk County Council standards, with appropriate width and depth of spaces etc to reduce the desire for on-road parking. Rear parking courts, other than in wholly exceptional circumstances will not be acceptable. Garages must be of sufficient width to accommodate standard modern vehicles;**
3. **A mix of housing sizes, types and tenures, including:**
  - i. **a minimum of 10% affordable housing, provided on site, reflecting the needs and demands of the local area,**
  - ii. **provision of retirement and/or extra-care and/or care housing equivalent to 10% of the total housing for the site (about 60 units), which must be delivered before occupation of the 300<sup>th</sup> dwelling on the site.**
4. **Provision of appropriate structural landscaping and new open space to meet the policy requirements on site, with strengthened planting on the western boundary particularly important to safeguard the sense of separation between Bradwell and Belton (which lies within a Strategic Gap) (Policy PDP8);**
5. **The allocation for a petrol filling station/small-scale retail site also needs to have appropriate landscaping (particularly to the west) and highways access must be safe and secured from New Road (not the A143 Beccles Road);**
6. **Informal open/recreation space and children's play space must be provided in line with the requirements of Policy H12-dp**
7. **Making appropriate financial contributions to Norfolk County Council's Children's Services ensure that necessary education facilities are available off-site. Appropriate contributions to Norfolk County Council will also be needed to contribute towards library services and provide fire hydrants on site;**
8. **Submission of details showing how sustainable drainage measures will integrate with the design of the development and how the drainage system**



**will contribute to the amenity and biodiversity of the development. A suitable plan for the future management and maintenance of the SuDS should be included with the submission;**

- 9. Submission of a site-specific Flood Risk Assessment;**
- 10. Submission of a Heritage Statement accompanied by the result of an archaeological field evaluation; and,**
- 11. Submission of a shadow Habitats Regulation Assessment, setting out any necessary on- and (if relevant) off-site direct mitigation measures, in addition to the required in-combination financial contribution for mitigation measures per dwelling.**

### **Allocation Justification**

**4.4.1** The draft allocation site is on the western edge of the built-up area of Bradwell, immediately north of the A143 Beccles Road/Beaufort Way (Beacon Park Link Road). Residential development lies to the east and (over the A143) the south-east, where the Beacon Park development continues to be built out. Further south on Beaufort Way is Beacon Business Park, with an extension to the Park allocated in the Core Strategy and emerging Part 2 Local Plan. Woodlands Primary Academy lies just to the north-east of the site.

**4.4.2** The site is well related to existing services and facilities in Gorleston-on-Sea. It is within walking distance of primary and secondary educational facilities, the James Paget University Hospital, as well as other facilities and amenities accessible by regular public transport. New community and retail facilities are also planned nearby as part of the South Bradwell urban extension and proposed Beacon Park District Centre.

**4.4.3** The site has been proposed for residential development and is being promoted by Badger Building. A 'hybrid' planning application (part-full, part-outline) for the site has been submitted as of July 2019.

**4.4.4** There will need to be two points of vehicular access to the site, from New Road and Beccles Road, and appropriate improvements for walking and cycling, especially for children accessing schools to the south of Beccles Road. The internal road layout will also need to be appropriate to facilitate walking and cycling and must enable appropriate permeability by buses (i.e. they must be of sufficient width with sweeping bends), with parking levels meeting the requirements of the Norfolk County Council Parking Standards. Rear parking courts will not be acceptable, as the reduced level of surveillance of them means that many people simply will not use them, instead parking on the road outside their house (with the consequences that can bring).

**4.4.5** A range of housing types appropriate to the location must be provided, including 10% affordable housing tenures (delivered within each phase) and space for retirement homes and/or extra-care homes and/or care homes totalling 10% of the housing on site (so about 60 units). It is accepted that not all housing would necessarily be able to be completed by 2030, but delivery should be the maximum possible and would be expected to be a significant majority of the allocated total of 600.





**4.4.6** Landscaping to the west to help preserve the sense of separation of Bradwell from Belton will be particularly important, as the land in between is a “Strategic Gap” (see policy PDP8).

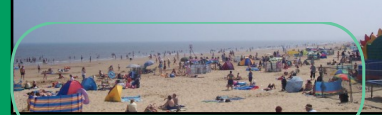
**4.4.7** The area immediately to the north of the site is bounded by Church Walk, with agricultural land beyond. Some connectivity to Church Walk for walking and cycling would be beneficial, and the overall layout of the proposal - especially later phases towards the north of the site - must be flexible to deal with changing circumstances as national and local policy evolves.

**4.4.8** There is a need for informal recreation space/children’s play space and formal recreation space at appropriate locations in the development. The precise details will need to be discussed and agreed with the Council at appropriate stages of the scheme (hybrid application and then reserved matters for subsequent phases), but the level of provision must meet the requirements of Policy H12-dp.

**4.4.9** No on-site provision for education facilities is required by Norfolk County Council Children’s Services – the Woodlands Primary Academy is close by, and a primary school site is safeguarded in the Wheatcroft Farm development site (in Beacon Park) to the south. Appropriate education contributions must be made to Norfolk County Council (as they must be for library stock/infrastructure improvements and the on-site provision of fire hydrants).

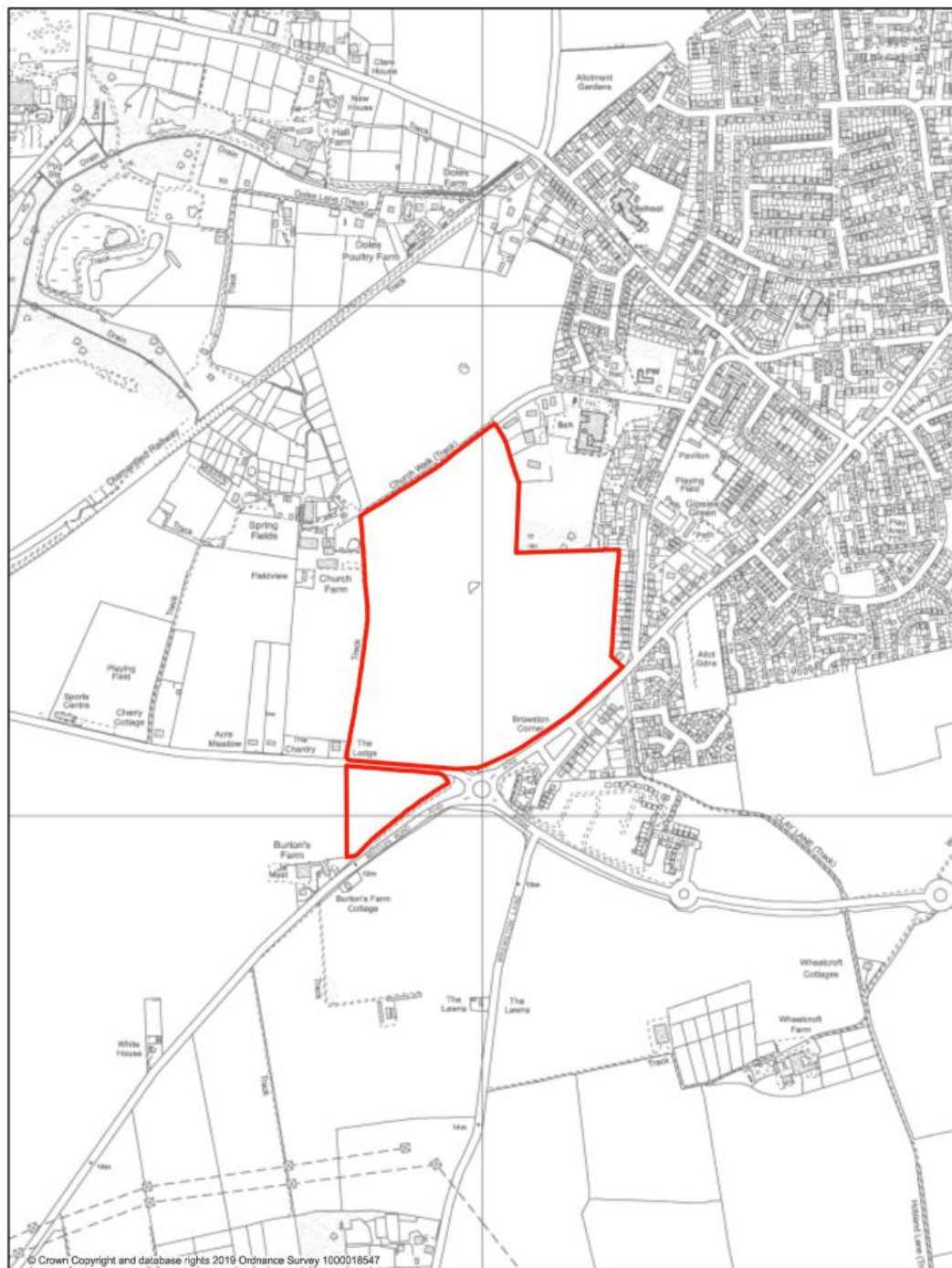
**4.4.10** As a significant site, a shadow Habitats Regulation Assessment must be prepared and submitted to the Council. This Assessment should set out the potential impacts of the development on nearby Natura 2000 sites and identify necessary on-site and (if necessary) off-site mitigation measures. In addition, the in-combination effects of the development will necessitate the payment of a contribution per dwelling (currently £110), in line with the Council’s Habitats Monitoring and Mitigation Strategy.

**4.4.11** A small parcel of land in between New Road and the A143 Beccles Road is allocated for a potential petrol filling station and/or small-scale convenience retail store (no more than 200m<sup>2</sup>). This parcel of land is not appropriate for residential uses and it too must be subject to appropriate landscaping (especially to the west) with highways access only acceptable from New Road (not the A143).



Map 4.4 Additional Draft Allocation 4: North of A143, Bradwell

## ADA4 North of A143, Bradwell



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## 4.5 ADA5 West of Jack Chase Way, Caister-on-Sea

### Allocation Proposal

#### Policy ADA5

##### LAND AT NOVA SCOTIA FARM, CAISTER-ON-SEA

Land to the west of Caister-on-Sea (28.37 hectares) as identified on the draft Policies Map is allocated for residential development of up to 750 dwellings. This should be developed in accordance with the following site specific criteria:

1. Provide for up to 725 dwellings offering a mix of house types and sizes, including at least 10% of this for retirement and/or extra-care housing. The retirement and/or extra-care housing must be provided before occupation of the 363<sup>th</sup> dwelling (or whatever the 50% level is, if the overall number of houses is lower)
2. Set out a phasing strategy that maximises the delivery of housing within the Plan period, with the aim of delivering the site in its entirety by 2030
3. The site will deliver 20% affordable housing on site (145 dwellings)
4. There must be the creation of a series of locally distinctive, walkable neighbourhoods set in an overall framework of a thoughtful and high-quality design ethos, with the non-residential elements integrating effectively and efficiently with residential areas. In particular, there must be a variety of materials and finishes/treatments across the development with innovation and local distinctiveness clearly evidenced. Key major internal roads should be designed to be accessible by buses
5. Parking spaces must be in close proximity to dwellings and must comply with the 2007 Norfolk County Council standards, with appropriate width and depth of spaces etc to reduce the desire for on-road parking. Rear parking courts, other than in wholly exceptional circumstances will not be acceptable. Garages must be of sufficient width to accommodate standard modern vehicles
6. There must be the provision of at least two safe and appropriate vehicle access junctions from Jack Chase Way
7. There must be the provision of safe and appropriate crossing points of Jack Chase Way for walking and cycling so as to encourage the movement of people from the site to the existing Caister-on-Sea village and (just as importantly) vice versa
8. There must be good connections to the wider countryside through the provision/extension of footpaths/ bridleways



- 9. Informal open/recreation space and children's play space must be provided in line with the requirements of Policy H12-dp**
- 10. Land must be safeguarded and made free of charge for a two-hectare site for a primary school (including nursery facilities), to accommodate up to two forms of entry, as well as appropriate financial contributions for education. This should be towards the middle of the allocation site**
- 11. Land must be safeguarded and made free of charge for a one-hectare site for healthcare uses, which should be located towards the middle of the site. If the relevant health authority/ies confirms that the site is not necessary prior to the reserved matters application for the final phase, the site could be released for residential or other uses**
- 12. Land must be safeguarded and made free of charge for a community use building (perhaps a new/relocated village hall/parish council office). This should be towards the middle of the allocation site**
- 13. Land is allocated for a Local Centre of up to one hectare, which could accommodate a small top-up/convenience foodstore and potential small-scale employment uses. It should be located towards the middle of the allocation site**
- 14. Submission of a shadow Habitats Regulation Assessment, setting out any necessary on- and (if relevant) off-site direct mitigation measures, in addition to the required in-combination financial contribution for mitigation measures per dwelling**
- 15. Protect and enhance archaeology, biodiversity and geodiversity across the site and ensure that where appropriate, mitigation measures are undertaken**
- 16. Appropriate landscaping treatment to the site's western boundary must be provided, and street lighting design will be required to limit the visual impact of the proposed development on the wider landscape, including the nearby Broads area**

### **Allocation Justification**

**4.5.1** The site is one of the largest residential developments to be provided in the Borough, and will balance the major growth (already largely committed) at the other Key Service Centre of Bradwell. It is being promoted by the landowner and Persimmon Homes.

**4.5.2** The biggest challenge of the site is to provide a sustainable extension to Caister-on-Sea which would successfully integrate the new community with the existing settlement, when the two are divided by the current Caister bypass (Jack Chase Way). An appropriate solution will be required to ensure safe and easy pedestrian, cycle and vehicular access between the development site and existing settlement, without unduly impeding through traffic or encouraging it to divert (or 'rat-run') through the centre of Caister. It is

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therefore particularly important that there are “pull” factors on the site to encourage the existing residents of Caister to cross Jack Chase Way, such as a primary school, formal recreation facilities and community facilities (perhaps a site for healthcare and/or a relocated/new village/parish hall).

**4.5.3** The design of the whole scheme is exceptionally important. There needs to be a high-quality design ethos, with good variety in house types and styles and a variety of different materials and treatments used, as well as thoughtful landscaping. The layout and design of the main roads within the site must enable appropriate permeability by buses (i.e. they must be of sufficient width with sweeping bends), with parking levels meeting the requirements of the Norfolk County Council Parking Standards. Rear parking courts will not be acceptable, as the reduced level of surveillance of them means that many people simply will not use them, instead parking on the road outside their house (with the consequences that can bring). An “Anywhereville” form of development will simply not be acceptable for the allocation – it must be distinctive and sympathetic to the environment it lies within.

**4.5.4** Development will to be phased as the site is built over a number of years during the plan period. A development of this size, at some distance from the main facilities in Caister will require on site provision of local community and other services. Accordingly, a requirement is imposed for a Local Centre potentially including suitable retail, employment and community type uses. Space must also be reserved and made available freely from charge for a two-hectare site for a new primary school, a one-hectare site for healthcare uses and a potential site for a new/relocated village hall. All these facilities will need to be provided in central areas of the site, so as to be accessible to all future residents, as well as existing Caister residents. The land must be made available (in a serviced state, if appropriate/necessary) early on in the lifetime of the development, and in any case before the occupation of the 250<sup>th</sup> dwelling. If, following later discussions with the Council, it is agreed that there is evidence that safeguarded sites are no longer necessary then the need to provide alternative uses will be discussed with the Council.

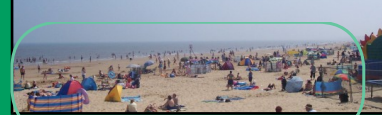
**4.5.5** Similarly, there is a need for informal recreation space/children’s play space and formal recreation space at appropriate locations in the development. The precise details will need to be discussed and agreed with the Council at appropriate stages of the scheme (hybrid application and then reserved matters for subsequent phases), but the level of provision must meet the requirements of Policy H12-dp.

**4.5.6** Historical Environmental Records for the area indicate the likelihood of archaeological remains on the site, as well as various historic assets – Grade-I listed Caister Castle and Caister Roman Fort (a Scheduled Monument), for example. Further investigations will be required to identify any archaeological significance to the development.

**4.5.7** Significant landscaping and carefully designed lighting will be required to limit the site’s impact on the wider landscape is minimised, with particular emphasis on the setting of the Broads to the west and historical structures.

**4.5.8** As a large site, not far from North Denes Special Area of Conservation and other Natura 2000 sites, a shadow Habitats Regulation Assessment must be prepared and submitted to the Council. This Assessment should set out the potential impacts of the development on nearby Natura 2000 sites and identify necessary on-site and (if necessary)



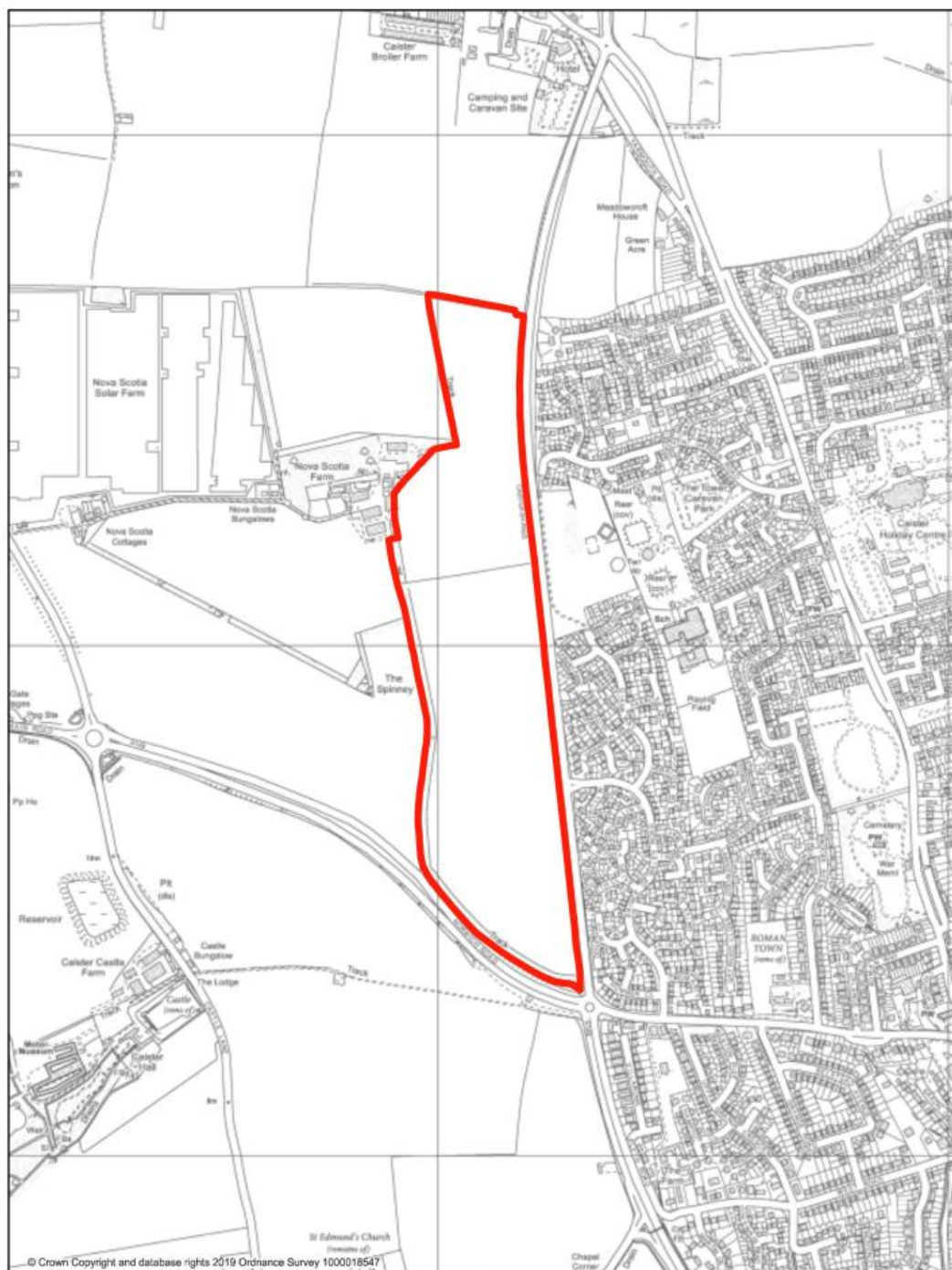


off-site mitigation measures. In addition, the in-combination effects of the development will necessitate the payment of a contribution per dwelling (currently £110), in line with the Council's Habitats Monitoring and Mitigation Strategy.

**4.5.9** A hybrid planning application for the site by Persimmon Homes is in preparation and is likely to be lodged in summer 2019.

Map 4.5 Additional Draft Allocation 5: West of Jack Chase Way, Caister-on-Sea

## ADA5 West of Jack Chase Way, Caister-on-Sea



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## 4.6 ADA6 West of Potters, Hopton-on-Sea

### Background

**4.6.1** The settlement of Hopton-on-Sea is a designated 'primary village' with a good range of local services and facilities including a primary school, GP surgery, dentist, pharmacy, two convenience stores, two public houses, a gym and village hall, all within a reasonable walking distance for residents.

**4.6.2** While the settlement has consistently contributed housing completions since 2013, a single large planning permission represents the majority of the housing commitment for Hopton-on-Sea. To provide more balance between the primary villages' housing commitment, it is considered appropriate to allocate further housing in the village.

### Allocation Proposal

#### Policy ADA6

##### **LAND TO THE WEST OF POTTERS, HOPTON-ON-SEA**

**Land to the West of Coast Road (3.3 Ha) as identified on the draft Policies Map, is allocated for a mixed use development comprising: approximately 40 dwellings, staff accommodation and continued business use for adjacent Potters Resort. The Site should be developed in accordance with the following criteria:**

- 1. Provision of access improvements to the satisfaction of the local highway authority including:**
  - i. The improvement of the current Longfullans Lane in accordance with policy HP1-dp;**
  - ii. Provision of a new access road to 'bypass' Longfullans Lane to be provided through co-operation and co-ordination with the adjacent outline permission to the west (Site 30);**
  - iii. Provision of a footpath on the west side of Coast Road northbound and appropriate crossing measures provided, for the safety of pedestrians and to allow the permeability of development;**
- 2. Car Parking is provided to a satisfactory standard for future residents, staff and visitors of Potters Resort, as not to create a displacement of the current car parking site into the village of Hopton;**
- 3. Staff accommodation, residential and any B8 or other business use will not be in conflict with any existing neighbouring uses in any future design of plans for this site**
- 4. Provide a mix of housing types and sizes, including a minimum of 10% affordable dwellings, to reflect the residential character of surrounding area.**

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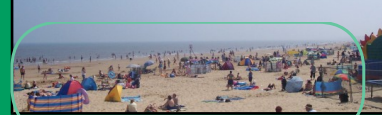
## Allocation Justification

**4.6.3** The site is adjacent to site 30 which was recently permitted to the north of Longfullans Lane and in conjunction could provide a 'bypass' to Longfullans Lane which, as noted within policy HP1-dp, would support a long term ambition by the Borough Council to improve the existing Longfullans Lane. This would provide an alternative route to help manage the traffic from both Potters Resort, other holiday parks within Hopton and to the south (outside the borough boundary).

**4.6.4** The allocation of the site also supports the existing tourism use and business use at Potters Resort. Tourism makes up a large part of the Borough's economy and development of this site would help support its continued use and its input into the local economy.

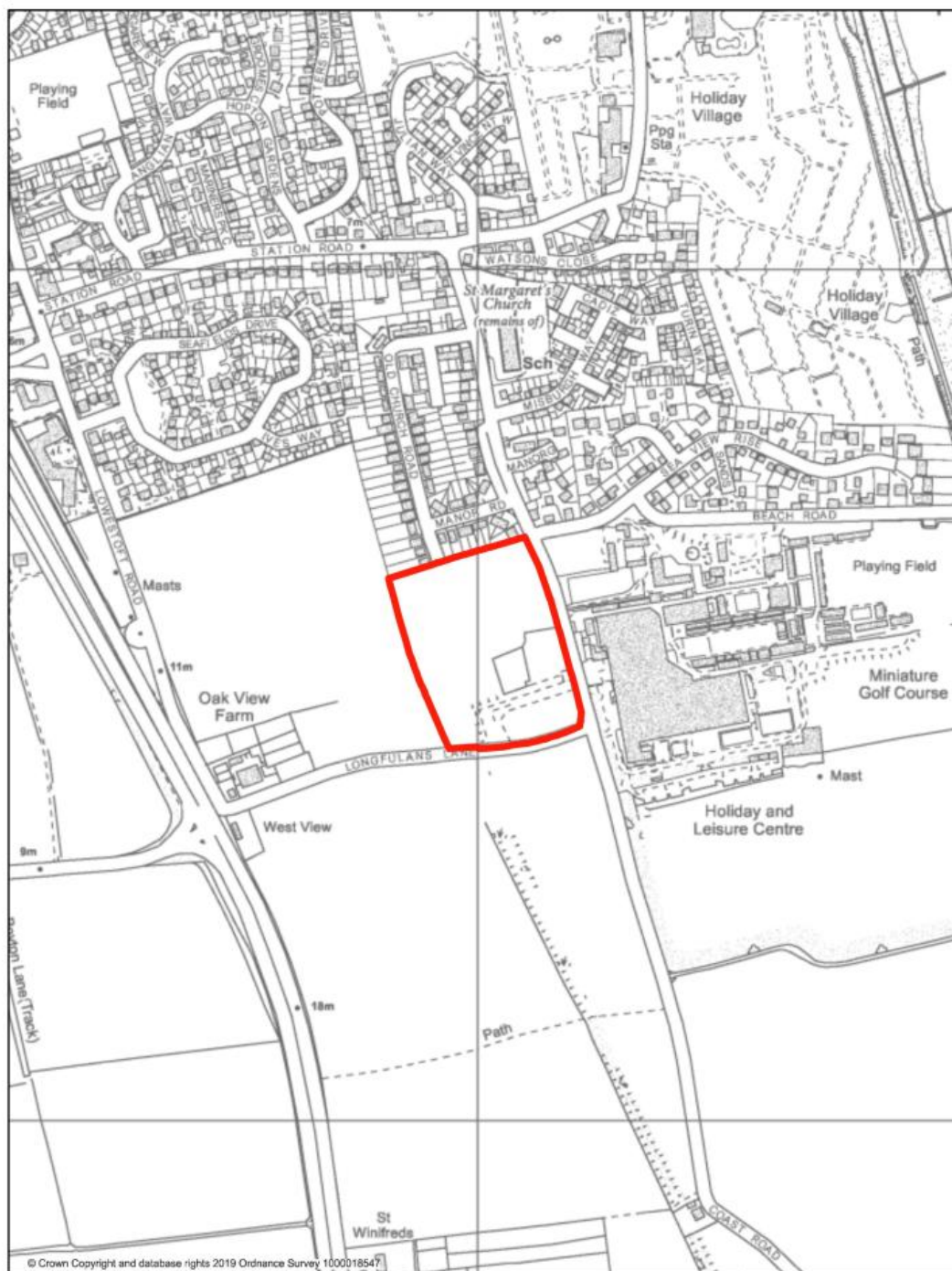
**4.6.5** The primary village of Hopton-on-Sea is one of the least constrained primary villages and is not highly sensitive to development as noted in the Waveney and Great Yarmouth's Settlement Fringe Study (2016). The village also has access to a good range of services as noted previously.





Map 4.6 Additional Draft Allocation 6: West of Potters, Hopton-on-Sea

## ADA6 West of Potters, Hopton-on-Sea



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## 4.7 ADA7 North of Barton Way, Ormesby St Margaret

### Background

**4.7.1** The settlement of Ormesby St Margaret is a designated 'primary village' with a good range of local services and facilities including an infant school and a junior school, a village surgery, a newsagent and other village shops, a post office, a pharmacy, churches, a pub, restaurants and a petrol station.

**4.7.2** In comparison to other primary villages, the settlement has contributed little through housing completions and permissions. To provide more balance between the primary villages' housing commitment, it is considered appropriate to allocate further housing in Ormesby St Margaret.

### Allocation Proposal

#### Policy ADA7

##### **NORTH OF BARTON WAY, ORMESBY ST MARGARET**

Land north of Barton Way, Ormesby St Margaret (1.68 hectares) as identified on the draft Policies Map is allocated for residential development of up to 32 dwellings. The site should be developed in accordance with the following site-specific criteria:

1. Any future development on this site will need to address the requirements of Norfolk Minerals and Waste Core Strategy Policy CS16 - 'safeguarding' in relation to mineral resources.
2. Provide a mix of house types and sizes, including a minimum of 20% affordable dwellings, to reflect the needs and character of the local residential area;
3. Provision of safe and appropriate access to the satisfaction of the local highways authority including:
  - i. Barton Way, Ranworth Drive and Claymore Gardens meeting a size of 5.5m wide (preferably 6.0m) and all junctions between the site and North Road and Station Road being acceptable.
  - ii. Require improvements to the public right of way FP2 along the southern site boundary
4. Well-designed scheme, in keeping with the character of the local area with appropriate landscaping along the north and eastern boundaries of the site



### Allocation Justification

**4.7.3** The site is well located adjacent to the north of the existing built up area with good access to local services and facilities. Vehicular access can be achieved via Barton Way. The site can be easily integrated into settlement with good connectivity and minimal impact upon the surrounding countryside. This small to medium sized site provides a deliverable development opportunity for a housebuilder.



Map 4.7 Additional Draft Allocation 7: North of Barton Way, Ormesby St Margaret

## ADA7 North of Barton Way, Ormesby St Margaret



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## 4.8 ADA8 North of Hemsby Road, Martham

### Background

**4.8.1** The settlement of Martham is a designated 'primary village' and is currently the largest primary village within the Borough. It has an extensive range of local services including a high school (academy), primary school, nursery school, post office, library, public house, two convenience stores and a range of other local village shops.

**4.8.2** The site was not previously allocated within the emerging Part 2 Plan as the site previously had planning permission for 100 units under ref 06/15/0486/F. That permission has recently lapsed but the site remains appropriate for development and so is proposed for allocation.

### Allocation Proposal

#### Policy ADA8 1

##### **LAND NORTH OF HEMSBY ROAD, MARTHAM**

**Land north of Hemsby Road (3.14ha) as identified on the draft Policies map is allocated for mixed use development including business use and up to 108 residential dwellings. The site should be developed in accordance with the following site-specific criteria:**

- 1. Provide a mix of house types and sizes, including a minimum of 20% affordable dwellings, to reflect the needs and character of the local residential area**
- 2. Safe and suitable access to be provided to the satisfaction of the Local Highway Authority**
- 3. Sufficient surface water drainage & foul water strategy are to be provided to the satisfaction of all the relevant water authorities and the Borough Council**
- 4. Submission of an archaeological field evaluation prior to development, in accordance with paragraphs 189 & 199 of the NPPF**
- 5. It can be demonstrated that:**
  - i. An approved contamination remediation scheme has been carried out in full and;**
  - ii. a validation report that demonstrates the effectiveness of the remediation carried out has been submitted to and approved in writing by the Local Planning Authority**



## Allocation Justification

**4.8.3** The site is located to the North of Hemsby Road and has the potential for conjunction and co-operation with the recently permitted site 281 to the north, which is understood to be nearing commencement. This also would provide a distinct eastern edge to the settlement and form the development limits of Martham.

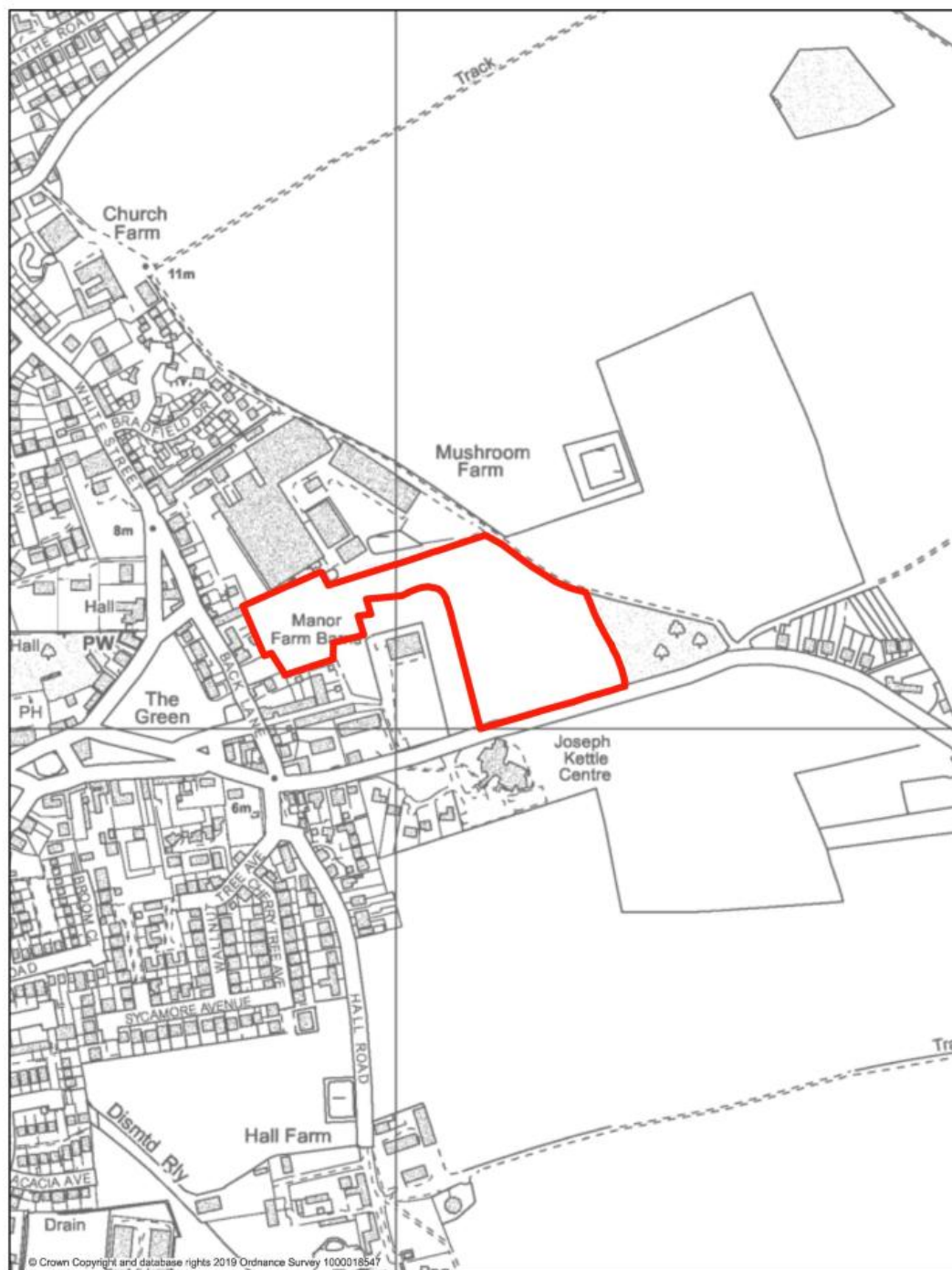
**4.8.4** The site boundary has been amended from a previous planning application to exclude the employment area and an copse of open space. Exclusion from the allocation will avoid it being assumed that the allocation would include replacement of the copse by housing.

**4.8.5** Martham is identified as a primary village in the Core Strategy and the settlement has a good range of services and facilities located in the east and centre of the settlement. Therefore this site having previously gained consent would be a reasonable extension to the built up area of Martham and provide good access to a range of services in an appropriate level of the settlement hierarchy.



Map 4.8 Additional Draft Allocation 8: North of Hemsby Road, Martham

## ADA8 North of Hemsby Road, Martham



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## 4.9 ADA9 North of A149, Rollesby

### Background

**4.9.1** Rollesby is a relatively well serviced secondary village comprising two separate but socially linked hamlets by a footpath. Rollesby's services and facilities include a primary & nursery school, restaurant/takeaway, rural business park, a hair salon and a village hall. The settlement also benefits from bus services along the main road providing connections to larger settlements including Great Yarmouth and (in Broadland district) Acle.

### Allocation Proposal

#### Policy ADA9

##### LAND OFF BACK LANE, ROLLESBY

Land north of A149, Rollesby (0.84 hectares) as identified on the draft Policies Map is allocated for residential development of up to 20 dwellings. The site should be developed in accordance with the following site-specific criteria:

1. **Provision of safe and appropriate access to the satisfaction of the local highways authority including a new road to with appropriate footpaths to serve the future residents**
2. **Provide a mix of house types and sizes, including a minimum of 20% affordable dwellings, to reflect the needs and character of the local residential area;**
3. **Sewerage and surface water capacity upgrades required.**
4. **Appropriate landscaping treatment of the sites boundaries, and street lighting design will be required to limit the visual impact of the proposed development on the setting of Broads and on the wider landscape.**

### Allocation Justification

**4.9.2** The site is located north of the main road, with the main settlement lying adjacent to the south west. A primary school is situated to the west and the site is very close to bus services from the main road. Therefore with its close proximity to services and bus route the site would represent sustainable development of a small scale within a secondary village.

**4.9.3** The site also balances growth between the tiers of settlement Hierarchy with a large number of allocations within the Main Towns, Key Service centers and Primary Villages. Whilst keeping the proportion of development in Secondary and Tertiary villages at 4%, which is generally in line with policy CS2 of the Core Strategy anticipating around 5% of new development to be allocated within the Secondary and Tertiary villages.



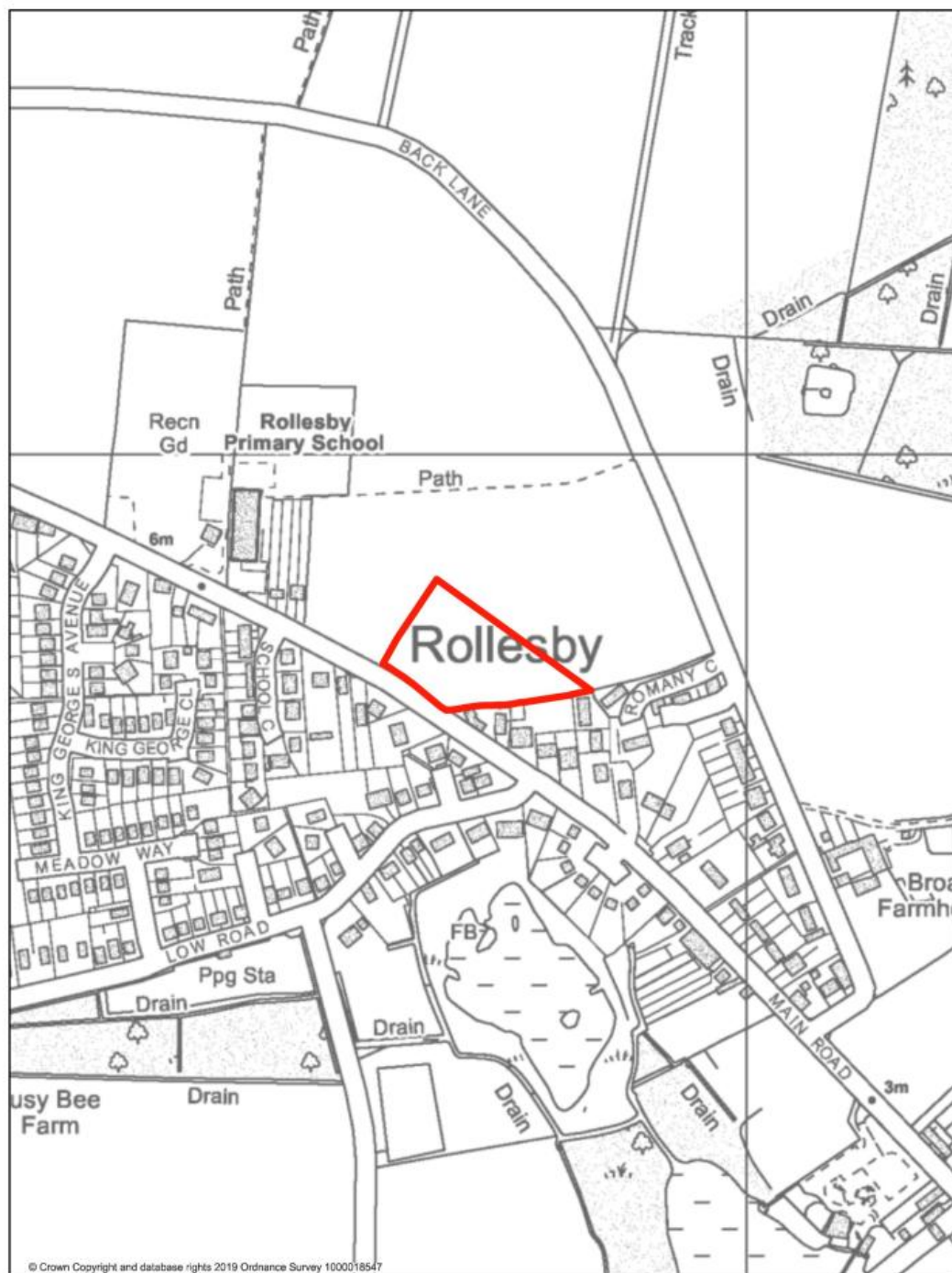
**4.9.4** The site would also be appropriate within the context of Secondary villages with other more unconstrained villages within the hierarchy, such as Filby and Fleggburgh, receiving a significant numbers of permissions and completions there is little remaining housing need in those villages. Therefore this site would redress the balance of future growth within the Secondary villages whilst in a sustainable location.

**4.9.5** The site is also in close proximity to the Broads Authority area, therefore as close to such a significant asset, appropriate landscaping would be required to mitigate any impact development could pose upon the area designated for its landscape and wildlife quality.



Map 4.9 Additional Draft Allocation 9: North of A149, Rollesby

## ADA9 North of A149, Rollesby



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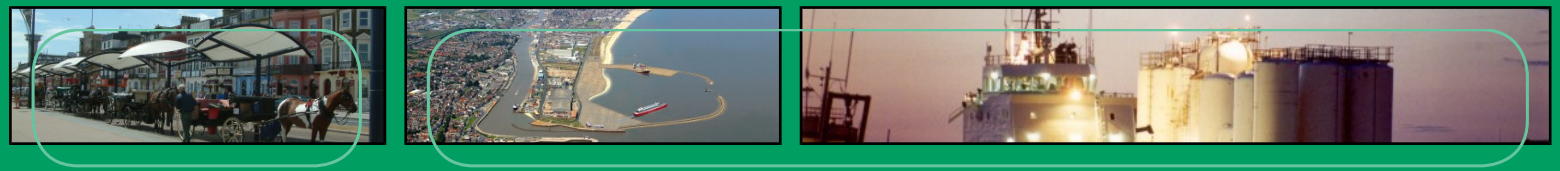


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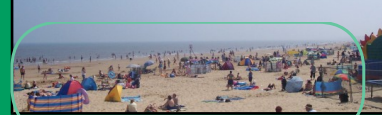


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## 5 Additional Draft Policies







## 5 Additional Draft Policies

**5.0.1** The following chapter lists a further four Additional Draft Policies (ADPs) for inclusion in the Local Plan Part 2. These were considered necessary following review of the comments received during consultation on the emerging Local Plan Part 2 in August 2018.

### 5.1 ADP1 Neighbourhood Plan Area Housing Requirements

#### Policy Proposal

##### Policy ADP1

#### HOUSING REQUIREMENTS FOR NEIGHBOURHOOD PLAN AREAS

The following are the 'indicative housing requirements' for the designated neighbourhood areas, including those parts (where applicable) which lie within the designated Broads Area:

Settlement	Indicative housing allocation requirement
Rollesby	20
Hopton-on-Sea	40
Winterton-on-Sea	0
Hemsby	190
Fleggburgh	0
Filby	0

These indicative figures should be applied with a degree of flexibility. Significant reductions are unlikely to be acceptable because of the strategic need to contribute the above housing provision to the overall housing requirement and distribution of housing growth. Additional dwellings above this requirement may be allocated by neighbourhood plans where this is consistent with:

- the settlement size, provision of facilities and infrastructure (including road, pedestrian and cycle access);
- the conservation and enhancement of the landscape, heritage, environment and wildlife qualities of the area and its surroundings, with particular regard to formal designations of these (where applicable); and
- the proportion of overall planned Borough housing growth indicated for that tier of the settlement hierarchy by Policy CS2



## Policy Justification

**5.1.1** A neighbourhood plan is a formal plan and can be prepared by a local community (usually a parish council). It provides the opportunity to shape (but not prevent) development in the area. Once adopted a neighbourhood plan forms part of the development plan as the policies are used to help decide planning applications in the area.

**5.1.2** A neighbourhood plan can allocate sites for development including housing. In accordance with paragraphs 65 and 66 of the NPPF, the above policy sets out the indicative housing requirement figures for the Borough's designated Neighbourhood Areas.

**5.1.3** The indicative housing allocation requirement figures derive from the consideration of the Local Housing Need set out in Policy UCS3-dp, the distribution of housing growth in accordance with Policy CS2 and the constraints and opportunities within the settlement tiers, and the respective contributions to housing growth from housing completions, planning permissions, and projected windfall over the plan period within each settlement. The individual settlement contributions are set out in the below table.

Settlement	Housing Completions	Housing Permissions	Windfall Allowance	Indicative Housing Allocation Requirement
Primary Villages				
Winterton-on-Sea	35	7	11	0
Hopton-on-Sea	54	221	26	40
Hemsby	49	159	26	190
Secondary Villages				
Rollesby	6	17	10	20
Fleggburgh	34	25	11	0
Filby	28	26	11	0

## 5.2 ADP3 King Street Enhancement Area

### Policy Proposal

#### Policy ADP3

#### GREAT YARMOUTH KING STREET FRONTAGE

This section of King Street (as defined on the draft Policies Map), formerly within the Town Centre Area comprises many buildings of historic value in a variety of uses.



**To preserve and enhance the historic assets and overall appeal of this area, the Council will:**

- a. encourage the restoration and renovation of existing retail units;**
- b. support the residential conversion of buildings currently in retail use; and**
- c. in all development proposals, expect the historic character of the buildings to be enhanced (at the least maintained) by restoring/retaining attractive features of the building frontage that contribute to the heritage, local distinctiveness and general appearance of King Street.**

### **Policy Justification**

**5.2.1** This policy provides flexibility to regenerate this area over time towards a more residential offer whilst enhancing its historic qualities as a periphery to the town centre. Such enhancements can take place by retaining and restoring key building features of the facades, these could include (but should not be limited to): doors, windows, sills, arches, balconies, railings, and the continued use of original materials where they are still in place.

**5.2.2** The Borough Council will ensure that the historic environment and variety of retail uses will continue to provide a strong 'sense of place' to King Street, which is a vital component in its regeneration. Accordingly, the policy supports the continued use of existing retail units in this area, particularly where there are opportunities to enhance buildings currently in a poor condition.

**5.2.3** Restrictions to some types of 'permitted development' will apply in this area as the entire area covered by this policy lies within the adopted King Street Conservation Area with many of the buildings listed.



## Map 5.1 Additional Draft Policy 3: King Street Frontage

### ADP3 King Street Frontage



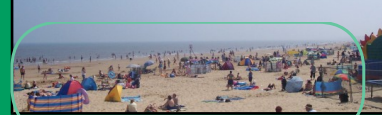
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## 5.3 ADP4 Telecommunications

### Policy Proposal

#### Policy ADP4

##### TELECOMMUNICATIONS

**New or improved telecommunications infrastructure will be encouraged and supported where:**

- 1. The installation and any associated apparatus is sited and designed to minimise any unacceptable impact on visual and residential amenity, highway safety, the historic environment and the character and appearance of the area where it would be sited**
- 2. Any building-mounted installations would not have an unduly detrimental impact on the character of appearance of the building; and,**
- 3. It has been demonstrated that there are no reasonable opportunities for sharing a site, mast or facility with existing telecommunications infrastructure in the vicinity that would result in a greater visual impact**

**The Council will continue to work with the telecommunication industry to maximise access to super-fast broadband, wireless hotspots and improved mobile coverage for all residents and businesses. In pursuance of this, new development proposals will be required to demonstrate either:**

- i. The proposal will deliver the most viable high-speed broadband connection; or,**
- ii. Where fibre connections cannot be currently provided, infrastructure within the site should be designed to facilitate fibre installation in the future.**

**For relevant development proposals, the Council may also require applicants to submit a Site Connectivity Plan setting out how the fibre connections will be connected to the site in a timely and efficient manner.**

### Policy Justification

**5.3.1** This policy adds detail to the policies within the Core Strategy, Particularly CS6(k): 'Supporting the delivery of high speed broadband and communications technology to all parts of the Borough.

**5.3.2** The policy also provides a framework for the future improvement of telecommunications particularly where fibre broadband cannot be provided currently seeking infrastructure to facilitate its future installation should be provided.



**5.3.3** The Council also will continue to work closely with the telecommunication industry to improve access to high speed broadband alongside other partnerships such as through the Norfolk Strategic Planning Framework and Better Broadband for Norfolk.

**5.3.4** The Council also acknowledge the impact of technology, particularly fibre & high speed broadband, to facilitate home-working. This, reducing the need to travel, also meets wider sustainability objectives outlined within both the Core Strategy and the Local Plan Part 2.

## 5.4 ADP5 Foul Drainage

### Policy Proposal

#### Policy ADP5

##### FOUL DRAINAGE

**In line with the aims of the water framework directive; Development proposals should demonstrate:**

- 1. that adequate foul water treatment and disposal infrastructure already exists; or can that the necessary infrastructure can be provided in time to serve the proposed development.**
- 2. that no surface water connections should be made to the foul system and connections to the combined or surface water system should only be made in exceptional circumstances where there are no feasible alternatives (this applies to new development and redevelopments). Foul and surface water flows should also be separated where possible**
- 3. that suitable access is safeguarded for the maintenance of water resources and drainage infrastructure**

**Proposals would also be supported where they support the aims of the water framework directive by improving the condition of the watercourses, including measures such as installing fish and eel passes where appropriate.**

### Policy Justification

**5.4.1** All proposals in the Great Yarmouth Borough will be assessed and determined with regard to the management and mitigation against flood risk from all sources, The policy in conjunction with policies E7-dp and E9-dp adds further detail to policy CS12 and policies CS13. Adding detail particularly around foul water and surface water infrastructure and its current/ future provision from development proposals.

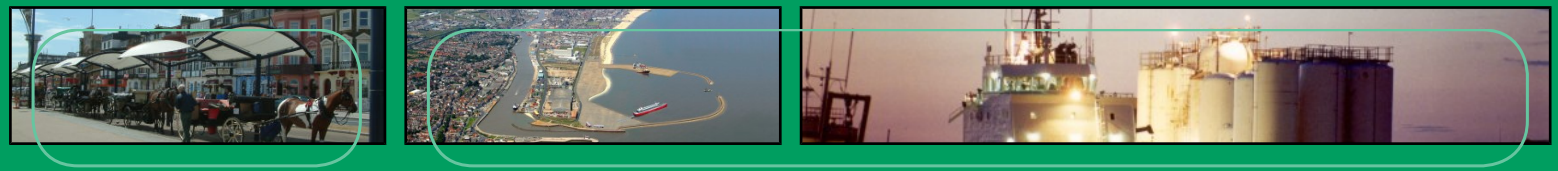
**5.4.2** The policy also gives flexibility around the improvement of watercourses, incorporating measures which will improve the condition, whilst they must support the aims of the Water Framework Directive.



**5.4.3** The council will also continue to seek the advice of the Statutory water bodies on site specific proposals (such as but not limited to; Anglian Water, Lead Local Flood Authority & the Environment Agency).

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## 6 Further Changes to Previous Draft Policies







## 6 Further Changes to Previous Draft Policies

**6.0.1** Following review of the comments received during the previous Local Plan Part 2 consultation (August 2018), a number of policies have been 'significantly' amended in terms of their content or intention of the policy. The following chapter lists those changes to 'Previous Draft Policies' (PDPs), setting out the aims and justification for the amendments.

### 6.1 PDP1 Housing in Multiple Occupation

#### Policy Proposal

##### Policy PDP1

##### HOUSES IN MULTIPLE OCCUPATION

The provision of Houses in Multiple Occupation (including, but not limited to, those in use class C4 and related *sui generis* uses) will be permitted where these will support the well-being of their occupants and neighbours, and maintain and (where practicable) enhance the character and amenity of the locality.

New HMOs will not be permitted in the designated 'Seafront Area' and 'Back of Seafront Improvement Area' due to the need to protect the character and nature of these areas. New HMOs will also not be permitted in the designated 'Hall Quay Development Area' due to the desire for specific types of high-quality re-development here.

The concentration of HMOs in a local area must not significantly imbalance the current mix of housing types there (i.e. use class C1 hotels, guest houses and related types and use class C3 dwelling houses). In particular, any proposal that would result in the 'sandwiching' of a single residential or tourist accommodation property between two or more *sui generis* HMOs will not be acceptable.

For proposed *sui generis* uses, any proposal that would result in more than 20% of properties within 50 metres of the application site being *sui generis* HMOs (judged as being within 50m of the frontage of any part of the property, on either side of the road, including any side roads) will not be acceptable.

For all HMO proposals:

- i. There must be provision of adequate practical bin storage for the number of potential occupants out of sight from the street (e.g. within the curtilage to the rear of the property), or in covered bin storage within a frontage curtilage of a scale and of a design which maintains or improves the character and amenity of the area);
- ii. The daily functional uses must not unacceptably harm the amenity of adjoining and nearby residents through visual and/or noise intrusion, and/loss of privacy (see Policy G3-dp).



All applications for planning permission will need to state the number of rooms (bedrooms and shared living space), the space per room, and the number of people proposed to occupy each bedroom (which will normally only be one or two). The number and size of kitchens and bathrooms must also be stated in the application and must be adequate for the number of people proposed to be accommodated in the HMO.

Any HMO proposals will need to at least meet (but ideally exceed) the minimum room dimensions required to secure a licence from the Council's Environmental Services section under the Housing Act 2004 (or any amended or subsequent legislation), even in cases where a licence is not required.

The Borough Council will produce practical guidance for those considering converting premises to HMOs, which will clarify when planning permission, Environmental Health licensing and/or Building Regulations approval is required, and what the respective combined requirement for these means for each of the different types of HMO.

## Policy Justification

**6.1.1** Houses in Multiple Occupation (HMOs) are, for planning purposes, those properties being shared by three to six tenants who form two or more (separate) households and who share a kitchen, bathroom and/or toilet (use class C4). Those HMOs with seven or more tenants living there, comprising two or more separate households, are classed as a "large" HMO (which are classed as *sui generis*, rather than in use class C4). *(Note that the definition of a "large" HMO under the 2004 Housing Act is slightly different to the planning definition, needing to be five or more tenants, comprising two or more households, in a building at least three storeys high, with the sharing of key facilities.)*

**6.1.2** The town of Great Yarmouth has been a popular tourist destination for over 100 years, and as a result many hotels, guest houses, boarding houses, bed-and-breakfasts and the like were built on the seafront and the roads close to the seafront. Although many are still operational and contribute hugely to the tourism offer of the Borough, changes to tourism patterns over the past 40 years or so have seen a decline in traditional bucket-and-spade holidays, with the result that there has been a reduction in the demand for such holiday accommodation. A number of such buildings, particularly but not exclusively located behind the main seafront, have been converted (either in whole or in part) into residential uses, mostly self-contained flats or HMOs.

**6.1.3** Various national changes to the tax and benefits systems have also "encouraged" landlords to convert some smaller properties to HMOs elsewhere in the town and Borough, too. As a result, over recent decades, there have been a significant number of conversions to HMOs in the Borough, particularly in Great Yarmouth town itself. The pressure for conversions of existing guest houses, hotels etc and C3 dwellings to HMOs remains strong, as it can often be much more lucrative for a landlord to run an HMO than (say) a guest house.

**6.1.4** HMOs undoubtedly play an important role in providing lower-cost accommodation in the Borough, and the Council is keen to ensure that where they are proposed (and present) they are of good standard. However, HMOs can sometimes have amenity impacts both on



their residents and on adjoining residents. The Council is therefore anxious to ensure that any new HMO proposals are appropriately located and designed, and that there is not an over-concentration of HMOs in any one area. Considerations such as parking provision, bin storage and general amenity will help to maintain the quality of the local environment for both existing and new residents, and relevant other Local Plan policies will need to be taken into account (such as CS9, G3-dp and I1-dp).

**6.1.5** Changes to the General Permitted Development Order in 2010 enable standard residential houses (class C3) permitted development rights to convert to a class C4 HMO dwelling. Due to the existing numbers and concentration of HMOs in the borough, the Council adopted an 'Article 4' Direction in September 2012, covering the whole area of the Borough (excluding those falling within the Broads Authority). The effect of the Article 4 direction is to remove the permitted development rights for class C3 dwellings to convert to class C4 HMOs, and so means that all such proposals require express planning permission.

**6.1.6** Whilst it is possible for both "small" (C4) and "large" (*sui generis*) HMOs to cause amenity impacts (if not planned and operated appropriately), the greater risk of unacceptable amenity impacts, and also impacts on the character of the area, tends to occur with new *sui generis* HMOs. At least some C4 HMOs may have no greater impact on amenity, character and parking (for example) than C3 dwellings, so a slightly less restrictive policy approach in terms of concentration is appropriate.

**6.1.7** Having a 20% (*sui generis*) HMO limit on properties within 50m of any part of the curtilage of a proposed new *sui generis* HMO is considered to strike a pragmatic balance between:

- i. recognising the need for low-cost accommodation in the Borough, and that conversion to an HMO can sometimes be the most cost-effective way of keeping, or returning a vacant, building to active use;
- ii. the amenity and/or character impacts that can sometimes occur with HMOs; and
- iii. being fairly straightforward to calculate and measure on the ground.

**6.1.8** Even if only a small part of an existing HMO's curtilage is within 50m of a proposed new *sui generis* HMO, this will be taken into account in assessing the 20% limit. In calculating this percentage, the Council will count HMOs which: i) have an extant planning permission for such *sui generis* use; or ii) have a Certificate of Lawfulness for such use; and/or iii) have a Housing Act licence for "large" HMO use. Any evidence that another property in the vicinity may be in use as a *sui generis*/"large" HMO without the necessary permission and licence (a not uncommon scenario) – for example, that an enforcement notice has been served – may also need to be taken into account. For the avoidance of doubt, any authorised C4 HMOs will **not** be counted in the 20% limit.

**6.1.9** For some limited areas of the Borough, further HMOs would undermine the particular plan proposals for them. The 'Great Yarmouth Seafront Area' (see Policy GY7-dp) is still dominated by hotels, guest houses, restaurants, amusement arcades, tourist attractions etc, and the conversion of any buildings there to HMOs would risk diluting the overall character and tourism 'offer' of the Golden Mile. No new HMOs (whether C4 or *sui generis*) will therefore be permitted there. The 'Back of the Seafront Area' (see Policy GY8-dp) has been, and remains, under significant pressure for new HMOs – many such conversions have taken place over recent decades. Where former guest houses etc are being considered for





alternative uses, the Council will prefer changes from holiday use to normal C3 dwelling houses and business premises rather than new HMOs, to try to develop a different character to the area. The designated 'Hall Quay Development Area' (see Policy GY3-dp) is proposed for specific types of high-quality re-development, reflecting the historic character, sensitivities and leisure potential of the area. As such, new HMOs will not be permitted there. For fuller information on these areas, please see the relevant Local Plan policies.

**6.1.10** Most, but not all, HMOs require a licence from the Council's Environmental Services department to operate lawfully (see the Environmental Services website [here](#) for details of the licencing process and standards required) and for some conversions and all new builds, Building Regulations standards will also need to be complied with. Licencing is a legally separate process from planning permission – there will be some circumstances where planning permission is required but a licence is not required, some occasions where a licence is required but not planning permission, but in most cases both planning permission and a licence will be needed.

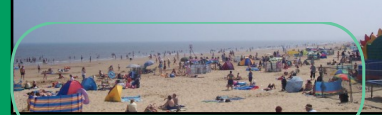
**6.1.11** Whilst the licencing and Building Regulations regimes cover the adequacy (or otherwise) of HMO kitchens and bathrooms, as stated above, there may be cases where planning permission is being applied for in the absence of a licence. Inadequate bathroom and/or kitchen space and facilities (particularly) in some proposed/existing HMOs is a significant issue in the Borough. It is therefore imperative that this information is provided in any application so that a judgement in planning terms can be made as to whether the living conditions would be acceptable in facilities and amenities terms.

**6.1.12** A minimum of two bathrooms and two kitchens for a *sui generis* HMO and a minimum ratio of one kitchen and one bathroom for every six occupants for HMOs with more than 12 bedrooms will be expected. This ratio ensures that the provisions reflect the standards of C4 HMOs considered through permitted development to merit the permitted change from C3. However, the size and usability of kitchens and bathrooms must also be taken into account in considering the appropriateness.

**6.1.13** The respective requirements for planning permission and Environmental Health licensing for HMOs are therefore complex, not fully consistent with one another and can be difficult to understand. This can lead to confusion and uncertainty, sometimes resulting in inadvertent non-compliance with legislative and/or planning requirements and planning and licencing enforcement challenges for the Council. In order to help mitigate these problems, the Council will produce simple integrated guidance which will make it easier for all to understand the specific requirements for particular types of HMO property when both sets of requirements (where applicable) are combined.

**6.1.14** It is strongly recommended that prospective HMO applicants seek pre-application and pre-licencing advice from the Council before progressing schemes. It is recommended that all applicants apply for planning permission before making a licence application, as there may be elements of any planning permission which would need to be reflected in the consideration/contents of a licence.

**6.1.15** In order to prevent 'doubling up' (two or more people living permanently in a HMO room only of sufficient size for a single resident, and so on for larger rooms – which is known to occur in the Borough), a condition will be appended to a planning permission restricting the number of occupants who can permanently reside in each room.



## 6.2 PDP2 Amendment of Great Yarmouth Town Centre Boundary

### Policy Proposal

#### Policy PDP2

#### AMENDMENT OF GREAT YARMOUTH TOWN CENTRE BOUNDARY

The draft Policies Map is amended by the re-alignment of the Great Yarmouth Town Centre Boundary

### Policy Justification

**6.2.1** The decline in high street retailing is a national (and international) phenomenon however Great Yarmouth is among some of the towns hardest hit by these changes, with high vacancy rates (above the national average) and declining footfall. It has become increasingly necessary to positively manage the shift away from purely town centre retailing by reducing the amount of retail floorspace, whilst at the same time recognising that the vitality of the town centre remains important for a range of uses and services, and to community identity. Defining an appropriate town centre boundary for Great Yarmouth in that context is a challenge, given the uncertainties, policy complexities and perceptions/expectations involved.

**6.2.2** An amendment to the Great Yarmouth Town Centre Boundary (as currently designated in the Core Strategy) was previously proposed through the Local Plan Part 2 consultation in August 2018. This amendment proposed an extension of the town centre boundary in order to fully accommodate The Conge and Hall Quay areas of the town within the town centre boundary. This was considered appropriate at the time to reflect the policy aspirations of these areas i.e. allowing greater flexibility to permit more 'town centre' types uses within these areas.

**6.2.3** Taking into consideration received feedback from the previous consultation, it is no longer considered necessary to extend the town centre boundary in order to accommodate both Hall Quay and The Conge as their own proposed allocation for town centre uses (via draft policies GY3-dp and GY4-dp) in an up to date plan would necessarily allow such proposals to come forward without the need to undertake either sequential or impact testing.

**6.2.4** It is proposed that the areas designated on the draft Policies Map for Hall Quay (GY3-dp) and The Conge (GY4-dp) are removed from the Great Yarmouth Town Centre Boundary. By removing these two areas a much more focused town centre boundary can be proposed and concentrated on the main retail circuit e.g. the Market Place, Market Gates, Market Row, Broad Row, Regent Street (west) and King Street (north), reflecting the traditional shopping areas of Great Yarmouth. This proposed Great Yarmouth Town Centre Boundary has been illustrated in **red** on Map 6.1.

**6.2.5** It is also proposed that King Street (south), running between St Georges Theatre and Nottingham Way, be removed from the existing Great Yarmouth Town Centre Boundary. Over the past 10 years the 'natural' contraction of the town centre has been most apparent



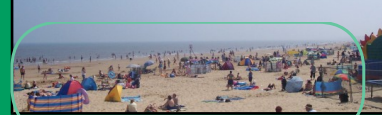
here, with many retail of the retail units being either converted out of traditional shopping uses or remaining vacant. An additional draft policy (ADA3) has been included as part of this consultation to help manage the ongoing transition of this area out of 'traditional shopping' uses whilst seeking to retain the street's strong sense of place and character.

**6.2.6** For the purposes of applying the sequential and impact tests for new retail proposals, a smaller town centre boundary also reduces the risk of further retail development sites coming forward elsewhere in the town area (which might be a considerable distance away from the main retail circuit) without due regard to their impacts on existing, committed and planned investments, further undermining the vitality and viability of Great Yarmouth town centre.

**6.2.7** The Council is also in the process of seeking to amend its existing retail allocation requirement which was laid down in Policy CS7 of the Core Strategy. This retail requirement was adopted in 2015 but based upon the Council's 2011 Retail and Leisure Study and is no longer considered reflective of the current retail environment and could lead to the existing unmet policy requirement being deliberately used to support out of town centre development.

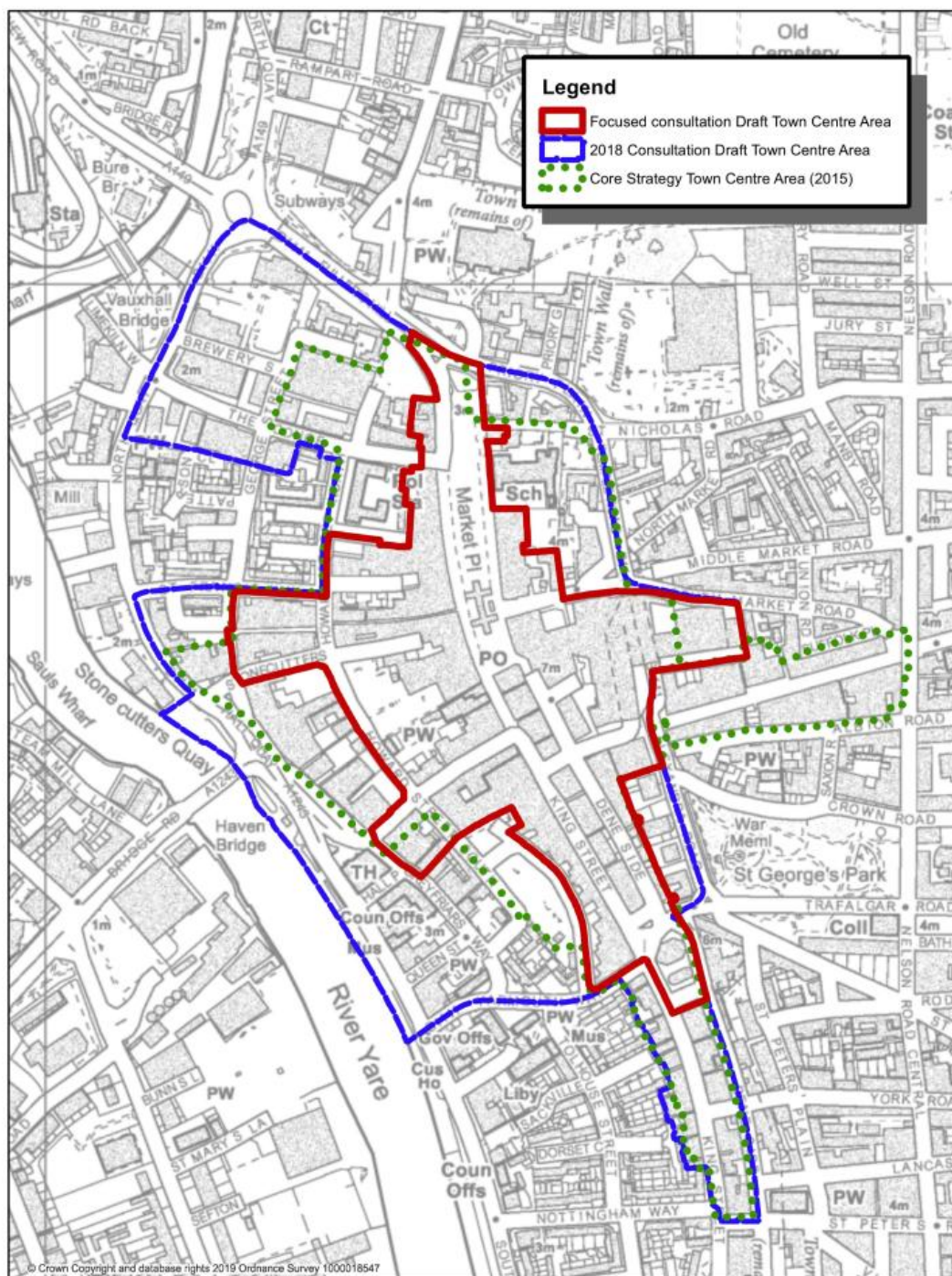
**6.2.8** A refresh of the retail floorspace capacity model will be undertaken during the summer and is anticipated to significantly reduce the amount of new retail floorspace need to 2030. Subject to the outcome of this exercise, a further focused consultation may be undertaken later in 2019 to seek views on an amendment to Core Policy CS7.





Map 6.1 Previous Draft Policy 2: Amendment of Great Yarmouth Town Centre Boundary

## PDP2 Great Yarmouth Town Centre Boundary



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## 6.3 PDP3 Amended GY2 Market Gates Shopping Centre

### Policy Proposal

#### Policy PDP3

##### MARKET GATES SHOPPING CENTRE

**Land at Market Gates Shopping Centre, as identified on the draft Policies Map, is allocated for mixed town centre uses including retail and leisure.**

**To maintain core retail frontages within Market Gates, any new proposals which provide frontage to the Market Gates entrance; or, provide frontage along the principal shopping corridor between Market Place and Regent Road; will be determined against the plan's 'Protected Shopping Frontage' policy (R2-dp).**

### Policy Justification

**6.3.1** During the previous draft plan consultation, Policy GY2-dp proposed to allocate the Market Gates multi-storey car park for a mix of retail and leisure uses to enable a potential new cinema operator and associated leisure facilities to locate within the town centre. Draft Policy GY2-dp did not include the remainder of the Market Gates Shopping Centre complex i.e. the core shopping area, which was instead designated within another former draft policy 'GY5-dp' (King Street/Regent Street Development Area). This intended to identify a much broader 'area of search' in which to locate a new leisure-based anchor development into the town.

**6.3.2** Draft policy 'GY5-dp' has been subsequently deleted from the proposed plan due to the limited interest to locate a new cinema or major leisure operator within the King Street area of the town. This is explained in greater detail in draft Policy PDP4. Furthermore, draft policy PDP2 proposes to shrink the town centre boundary thereby removing this general area from being within the designated town centre.

**6.3.3** The Market Gates Shopping Centre complex remains as the Council's preferred location for a new leisure-based anchor (such as a new town centre cinema) therefore the draft policy above has been amended to allocate all of the Market Gates Shopping Centre complex for retail and leisure uses. This allows the shopping centre greater flexibility to respond and diversify to rapid changes in the retail and leisure industry, and is consistent with national policy. New retail and leisure uses here would also be considered as complementing existing and surrounding uses and helping to strengthen the mixed use functions of the town centre.

**6.3.4** Whilst the (above) proposed allocation policy has been amended to allow greater flexibility, it remains necessary to retain, where possible, certain areas within the Market Gates Shopping Centre for core A1 shopping uses. Market Gates is the premier covered shopping facility in borough, highly visible from, and connected to, the Market Place, and performs a key anchor role for the town centre. It is likely that the viability and vitality of the town centre would be significantly undermined should these highly prominent shopping



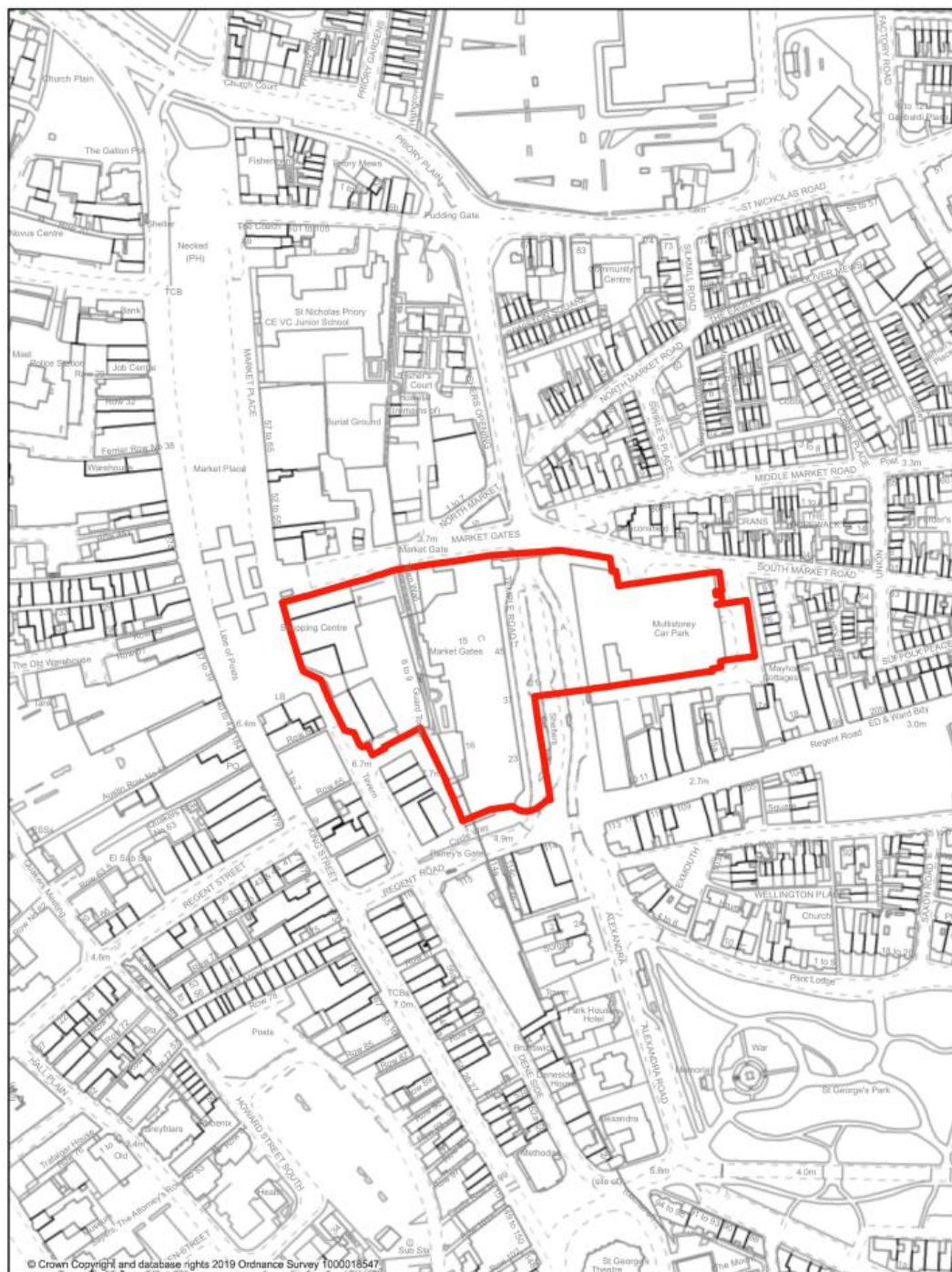
centre units, which provide active frontage to Market Gates (and by extension, to Market Place); and those which contribute significantly to the functioning of the town's main 'shopping circuit' be taken out of core retail uses.

**6.3.5** To ensure that the Market Gates Shopping Centre retains some focus on core retail uses, it is proposed that where new proposals come forward on any units which either provide frontage to the main shopping centre entrance off the Market Place, or on those units which provide frontage along the principal internal shopping corridor between Market Place and Regent Road, such proposals would be determined against the Council's proposed 'Protected Shopping Frontage' policy. This policy does not necessarily preclude other retail uses e.g. food & beverage proposals from being allowed, but seeks to maintain a principal focus upon core A1 shopping uses.



## Map 6.2 Proposed Draft Policy 3: Market Gates Shopping Centre

### PDP3 Market Gates Shopping Centre

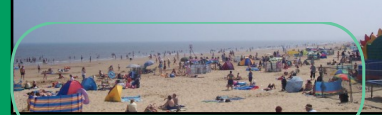


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## 6.4 PDP4 Removal of GY5 King Street Development Area

### Policy Proposal

#### Policy PDP

##### King Street/Regent Street Development Area

~~Redevelopment of the area around the King Street/Regent Street junction area, as identified on the Policies map, will be promoted to achieve a leisure-based anchor development for the town centre.~~

~~A Supplementary Planning Document will be prepared to detail proposals and guide the process of implementation.~~

### Policy Justification

**6.4.1** Policy GY5-dp was included in the previous draft plan to identify an area within the town centre where a new leisure-type anchor development could be located, and guided by the preparation of a future Supplementary Planning Document (SPD). This area was identified in the Great Yarmouth Town Centre Masterplan (May, 2017) as a broadly suitable location to complement the existing retail offer and promote the evening economy in the town.

**6.4.2** In the time since the draft plan was consulted, the intended policy approach to this area of King Street has changed in light of the proposed contraction of Great Yarmouth Town Centre Boundary (Policy PDP2) which removes this area of King Street from the defined 'town centre'; the proposed widening of uses allocated at Market Gates Shopping Centre (Policy PDP3); which is considered better placed to deliver the type and scale of new leisure uses proposed for the town centre; and, the focus on encouraging complementary new food and beverage uses in Hall Quay (Policy GY3-dp).

**6.4.3** Though it is proposed to remove this area of King Street from being within the 'defined town centre', it's transition from a largely retail to residential led area is being necessarily managed by Policy ADP3 (King Street Frontage) to provide guidance to existing and proposed uses, particularly where there are opportunities to enhance historic buildings currently in a poor condition.



## 6.5 PDP5 Removal of GN4 Hospital Aircraft Landing Area

### Policy Proposal

#### Policy PDP5

##### HOSPITAL AIRCRAFT LANDING AREA

~~Land west of James Paget Hospital, as indicated on the Policies Map, will be maintained as open space for the landing and take-off of emergency response aircraft in connection with the hospital, and for recreational use.~~

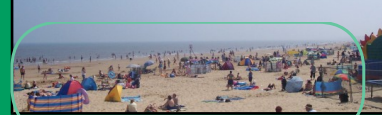
### Policy Justification

Policy GN3-dp was included in the previous draft plan to continue safeguarding an area of open space to the south-west of the hospital which enables emergency response aircraft to land and take-off close to the facility.

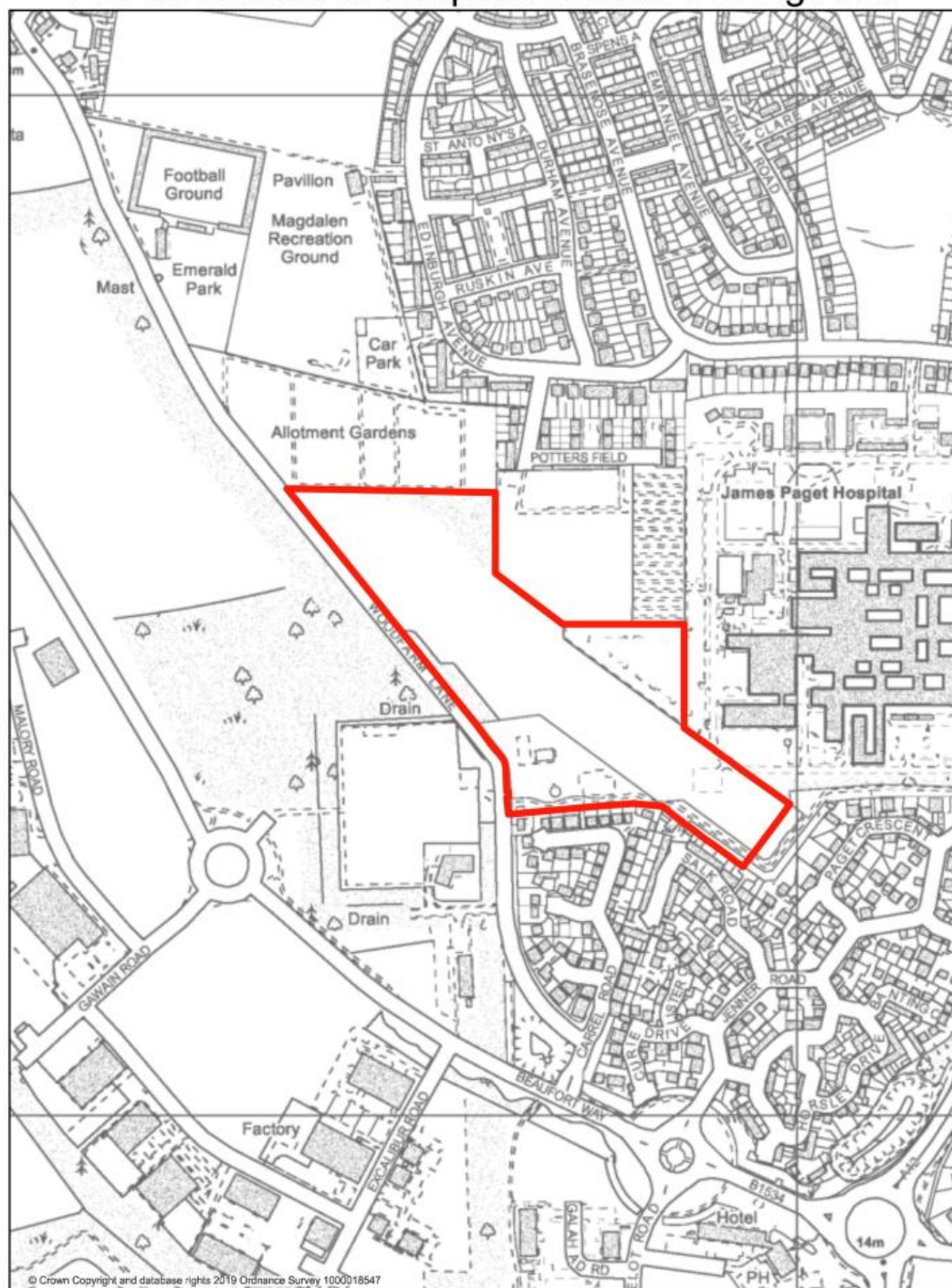
**6.5.1** Since previous consultation on the draft plan, the James Paget University Hospital have acknowledged that the amount of land necessary for this purpose has been significantly reduced due to aviation advancements and revised safety standards. Given that the area is no longer operationally required by the hospital and in the ownership of the Borough Council, it is no longer considered necessary to safeguard the area, therefore it is proposed to delete the policy and allocation.

**6.5.2** The proposed change has been reflected on the updated Gorleston policies map.





## PDP5 Deletion of Hospital Aircraft Landing Area



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## 6.6 PDP6 Amended BL1 Beacon Park District Centre

### Policy Proposal

#### Policy PDP6

##### BEACON PARK DISTRICT CENTRE

The Town and District Centres are defined on the draft Policies Map.

At the Beacon Park District Centre the focus will be encouraging uses which support the day to day retail and community needs for the residents of the Beacon Park growth area.

**A. This will be principally facilitated by:**

- 1. Supporting a retail-led scheme of approximately 3.5 hectares within the defined Beacon Park District Centre boundary, to provide:**
  - i. a retail food superstore**
  - ii. a petrol filling station**
  - iii. other complementary uses ancillary to the above**
- 2. Supporting the following wider uses on approximately 3.8 hectares within the defined Beacon Park District Centre boundary to support more generally the vitality and viability of the new District Centre:**
  - **Retail (particularly food and beverage);**
  - **Car showrooms;**
  - **Social & healthcare facilities;**
  - **Educational facilities;**
  - **Leisure/art and cultural uses.**

**B. The following development principles will be sought in the proposed planning and layout of the Beacon Park District Centre:**

- i. New retail food and beverage uses, petrol filling stations and car showrooms should be positioned with clear visibility and proximity from Beaufort Way;**



- ii. **Structural landscaping should be provided along the north-western perimeter of the site;**
  - iii. **The overall design layout should not have a harmful impact upon residential amenity, traffic or the environment that could not be overcome by the imposition of conditions.**
- C. **The Borough Council will continue to liaise with Norfolk County Council and the James Paget University Hospital to bring forward an appropriate access solution to enable a direct connection between the district centre and hospital.**

### **Policy Justification**

**6.6.1** During the previous consultation, draft policy BL1-dp proposed to allocate an area of land between Beaufort Way and Woodfarm Lane for a new district centre. The identification of a new district centre is referred to in Policy CS18(g) of the Core Strategy which seeks to provide 'new community, retail and health facilities to meet the day to day needs of new and existing residents and improve, where possible, existing facilities in Bradwell and Gorleston'.

**6.6.2** The previously proposed allocation area was identified around land that had been granted planning consent for a new major foodstore and minor ancillary retail units including a petrol filling station. Since consultation on the draft plan the planning consent has lapsed, although there remains continued interest in providing a new foodstore within this general location.

**6.6.3** The proposed allocation policy has therefore been amended to enable greater flexibility in the format, type and scale of a potential new foodstore coming forward. The size of the allocation has also been enlarged from that which was previously consulted to better reflect the extent of land in the Council's ownership and to encourage the location of a greater range of ancillary facilities that may support the viability and vitality of the Beacon Park District Centre, thus helping to reduce the need and length for residents and workers to travel for general day to day facilities.

**6.6.4** It is necessary to allow a degree of flexibility in the site design to accommodate the anticipated layout and positioning of the proposed uses within the district centre, particularly in relation to likely access and goods and servicing requirements. Proposed uses such as car showrooms, petrol filling stations or retail food and beverage e.g. pubs and restaurants would likely require clear visibility and proximity from the main highway and thus will be encouraged near to Beaufort Way or the access spur from the Beaufort Way roundabout.

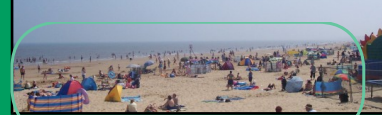
**6.6.5** New residential development is planned beyond the north-western boundary of the proposed district centre, therefore structural landscaping should be provided along this perimeter boundary to provide a softer edge to the development and help reduce the likely impact of the planned commercial uses upon the amenities of future residents to the north.



**6.6.6** The James Paget University Hospital is a major employment base but has poor pedestrian access to nearby facilities and services and would benefit from an improved connection to the proposed district centre. A desire line between the hospital and the district centre exists across an area of open land that is currently safeguarded as a landing and take-off area for emergency aircraft accessing the hospital.

**6.6.7** The James Paget University Hospital have confirmed that this area of land is no longer needed for this purpose and this plan proposes to remove its safeguarded designation (see draft Policy PDP5), which may allow an enhanced pedestrian connection to be realised. The Borough Council will continue to liaise with the highways authority and the James Paget University Hospital to seek to bring forward this aspiration.





Map 6.4 Previous Draft Policy 6: Beacon Park District Centre

## PDP6 Beacon Park District Centre



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## 6.7 PDP7 Removal of Runham allocations RM1 & RM2

### Allocation Proposals

#### Policy

##### LAND NORTH OF THE STREET, RUNHAM (western element)

~~Land north of The Street (0.5 ha) as identified on the Policies Map is allocated for residential development of 5 dwellings. The site should be developed in accordance with the following site specific criteria:~~

- ~~1. Provision of safe and appropriate access to be taken off of The Street, to the satisfaction of the local highways authority~~
- ~~2. Provision of a new bowling green on adjacent land to the east (see Policy RM2-dp)~~
- ~~3. Submission of an archaeological field evidence prior to the development, in accordance with paragraph 128 of the NPPF~~
- ~~4. The layout and design of the site should reflect the rural character of settlement as a Broads village~~

#### Policy PDP7

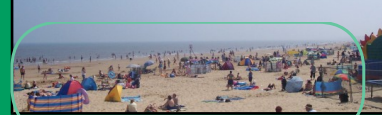
##### Land north of The Street, Runham (eastern element)

~~Land North of The Street (0.48ha), as indicated on the Policies Map, is allocated for use as a bowling green.~~

### Allocation Justification

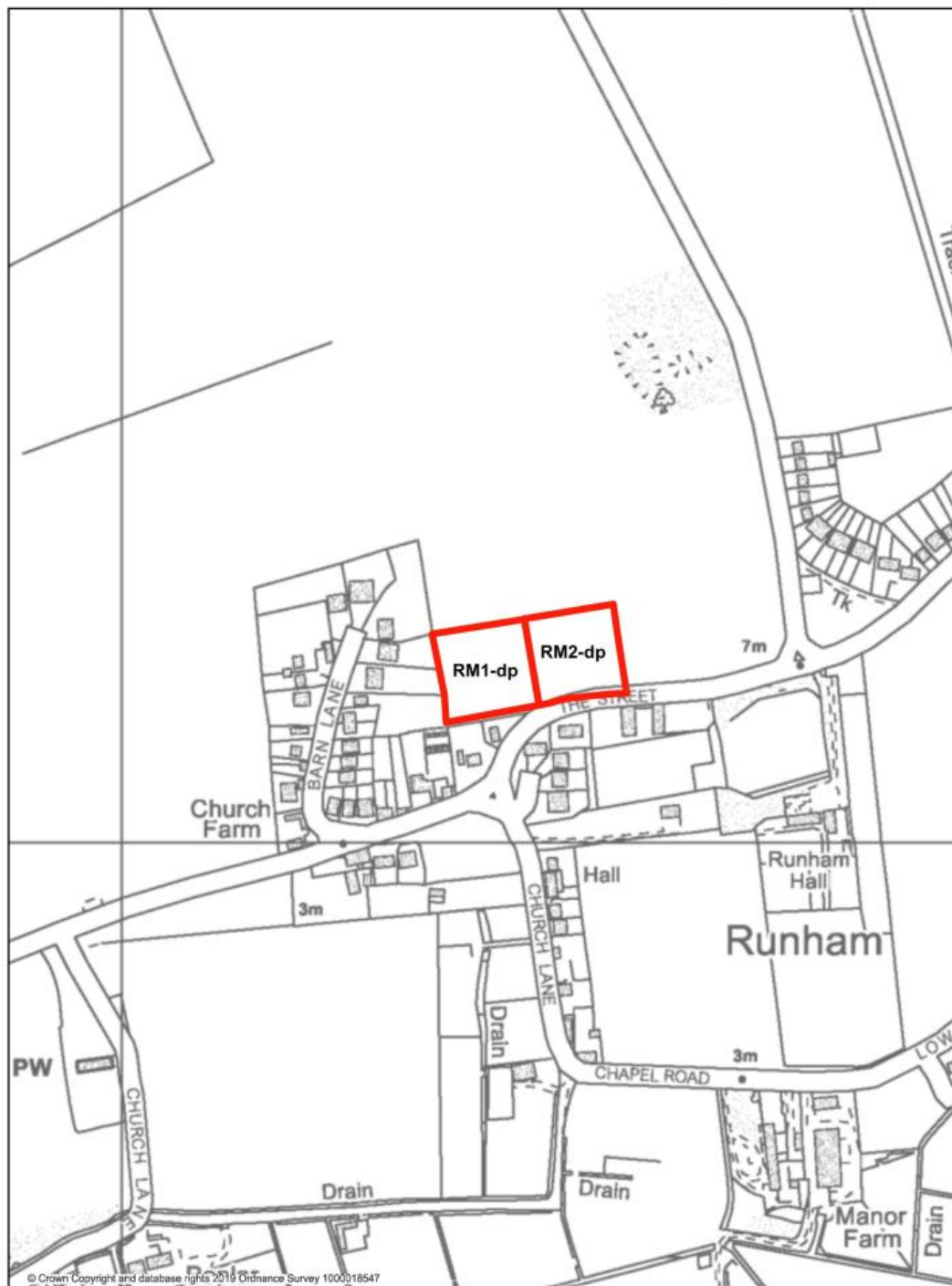
**6.7.1** One of the main reasons for allocating these sites in the LPP2 was to meet the proposed NPPF requirement to ensure that 20% of sites allocated are 'small sites'. At the time, only few small sites within the Borough were considered appropriate, with the Runham sites considered the best (or least worst) of the sites available to meet the Government's new requirement. The recently-updated NPPF (in February 2019) removed the small sites requirement. Therefore, the main rationale for allocating these sites no longer exists. In addition, a site in Rollesby has come forward (a higher order settlement) and with better access to local services to contribute to housing provision for secondary and tertiary villages.





## Map 6.5 Previous Draft Policy 7: Deletion of Runham Allocations

### PDP7 Deletion of Runham Allocations RM1-dp & RM2-dp



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## 6.8 PDP8 Additional Strategic Gap

### Policy Proposal

#### Policy PDP8

##### Strategic gaps between settlements

The gaps between the following settlements, as identified on the draft Policies Map, will be protected from development which significantly reduces either the physical size of the gaps themselves, their general openness or, where relevant, their rural character:

- Great Yarmouth and Caister-on-Sea
- Bradwell and Belton
- Gorleston-on-Sea and Hopton-on-Sea
- Caister-on-Sea and Ormesby St Margaret
- Hopton-on-Sea & Corton (East Suffolk Local Planning Authority Area)

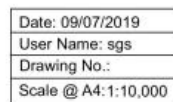
### Policy Justification

**6.8.1** This policy amends the previous draft Strategic Gap policy (G2-dp) that was consulted on in August-September 2018 to include reference to maintaining a strategic gap between Hopton-on-Sea and Corton. The remainder of the draft policy remains unchanged from the 2018 consultation version.

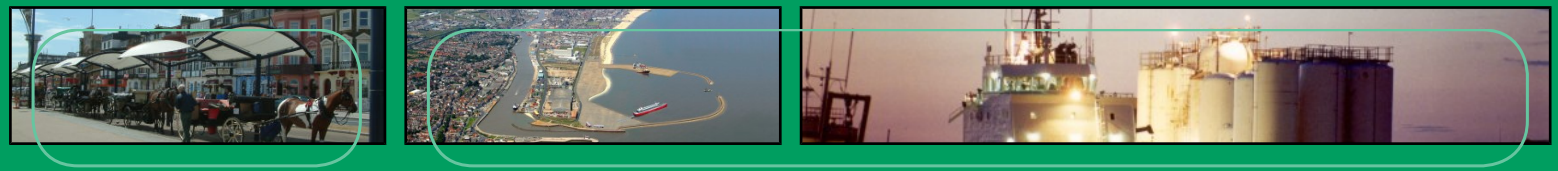
**6.8.2** There is a desirability in maintaining a clear separation between Hopton-on-Sea and Corton (within East Suffolk and where significant development is planned). Although most of the potentially affected area between the settlements is outside the Borough of Great Yarmouth i.e. within East Suffolk, the proposed application of this policy would ensure a consistent alignment with East Suffolk Council's approach (in their adopted Waveney Local Plan) to reduce the risk of future coalescence between the settlements of Hopton-on-Sea and Corton.



## PDP8 Additional Strategic Gap



## A Appendix A Alternative 'new' sites





## A Appendix A Alternative 'new' sites

**A.0.1** During the Regulation 18 draft plan consultation Great Yarmouth Borough Council invited responses from both site owners/ promoters for further information on existing sites, regardless of their status within the plan, as well as proposals for any new sites for consideration for their inclusion within the plan.

**A.0.2** Appendix A covers the alternative new sites which were proposed to the Council through the draft plan consultation and any sites previously proposed with amended boundaries. Any sites which were previously submitted have been revised or where further information has been submitted, but have not had the site boundaries amended, have been reassessed within the sustainability appraisal where evidence demonstrated a change in this assessment was necessary.



Subject: Hall Quay Planning Brief Consultation Update & Adoption

Report to: Great Yarmouth Town Centre Members Working Group  
Policy & Resources Committee

8 July 2019  
23 July 2019

Report by: Kim Balls, Senior Strategic Planning (Planning & Growth)

## **SUBJECT MATTER**

**Following endorsement by the Great Yarmouth Town Centre Members Working Group, to update Members on progress of the Hall Quay Planning Brief including: a report of public consultation, refinements to the planning brief and subsequent adoption as a Supplementary Planning Document (SPD) to the Great Yarmouth Development Plan.**

## **RECOMMENDATIONS**

**Policy and Resources Committee are asked to support the following recommendations:**

- 1. Members are asked to endorse the progress of the Hall Quay Planning Brief, including the report of public consultation and post-consultation changes**
- 2. Members are asked to adopt the Hall Quay Planning Brief (appendix 2) as a Supplementary Planning Document (SPD)**
- 3. Members are asked to delegate authority to the Director of Development (in consultation with the Chairperson of Policy & Resources Committee) prior to the publication of the Hall Quay Planning Brief, for minor amendments and presentational improvements.**

## **1 EXECUTIVE SUMMARY**

1.1 The Hall Quay Planning Brief has been prepared to provide further detailed policy and guidance to unlock the future potential of Hall Quay as a new restaurant/café-based area within Great Yarmouth Town Centre, as well as promoting new public realm improvements, guiding new development and providing measures to help raise the environmental and historic quality of the area.

1.2 The Planning Brief is underpinned by the aspirations of the adopted Great Yarmouth Town Centre Masterplan (2017) and will provide supplementary planning policy to the Great Yarmouth Local Plan Core Strategy (part of the adopted Development Plan for the borough of Great Yarmouth). The policies and guidance included within the planning brief will be a material consideration when determining planning applications made within the Hall Quay Planning Brief Area, providing greater clarity and strategic direction to landowners, developers, residents and visitors of what the Council expects of future development for Hall Quay.

1.3 At its meeting on 5<sup>th</sup> February 2019, the Policy and Resources Committee endorsed a draft Hall Quay Planning Brief version for public consultation, undertaken between 18 February and 17 March 2019. The statutory consultation has now been completed and the planning brief updated into a proposed 'adoption' version. A summary of received consultation responses and post-consultation changes to the planning brief are provided in Appendix 1 to this report.

1.4 The purpose of this report is to update members on the preparation of the planning brief taken thus far, noting the feedback received from the public consultation, subsequent post-consultation changes made to the planning brief and a recommendation that Policy & Resources Committee (23 July 2019) adopt the Hall Quay Planning Brief as a Supplementary Planning Document (SPD) to the Great Yarmouth Development Plan.

1.5 Note that this report is only accompanied with a post-consultation 'Word' version of the Hall Quay Planning Brief (Appendix 2) and does not present the visual quality/setting out of the finished document. A professionally published version of the planning brief is currently being prepared by the Council's in-house design team and will be completed for the meeting of the Policy & Resources Committee. It is proposed that delegated approval be sought from Members to allow, if required, any minor amendments or presentational improvements following presentation at Policy & Resources Committee.

## **2 BACKGROUND**

2.1 The preparation of the Hall Quay Planning Brief forms one of the main outputs of 'Project E - Unlocking the potential of Hall Quay', one of six key implementation projects of the Council's adopted Great Yarmouth Town Centre Regeneration Framework & Masterplan (May 2017). The general aims of this project being to:

1. Develop a general land use and planning concept for Hall Quay; and
2. The re-landscaping of Hall Quay.

2.2 The Council already has a development plan policy in place within its adopted Local Plan Core Strategy (Policy CS7) which seeks to improve the vitality and viability of its retail centres, however this policy is strategic and applicable to all centres within the borough and necessarily lacks a detailed focus to concentrate major change in Hall Quay.

2.3 This planning brief has therefore been prepared to provide further detailed policy and guidance to more closely define the type, size and form of development that is both specific and potentially acceptable within the Hall Quay area. In summary, the planning brief's main planning policies seek to facilitate:

- New food, beverage and potentially hotelier and cultural uses in the area;
- Major new highway infrastructure and public realm improvements;
- New development opportunities fronting Howard Street South; and,
- Improvements which may help raise the historic and environmental quality of the area.

2.4 Throughout the preparation of the Hall Quay Planning Brief there has been significant Member input, with drafts presented to, and feedback received by, the Great Yarmouth Town Centre Members Working Group.

2.5 On 5 February 2019, Policy and Resources Committee recommended that a draft version of the Hall Quay Planning Brief be endorsed for public consultation in accordance with the Council's adopted Statement of Community Involvement.

### 3 STATUTORY CONSULTATION

3.1 A four-week public consultation on the draft Hall Quay Planning Brief commenced on Monday 18 February and ended on Sunday 17 March 2019. Direct notification of the consultation was sent to:

- all local council members;
- relevant statutory consultees;
- residents and businesses within the planning brief area;
- local businesses, developers and property/estate agents operating within the Great Yarmouth area.

A positive press release was issued, and a public notice placed in the Great Yarmouth Mercury and on social media platforms.

3.2 During the consultation period, copies of the document and comments form were made available at the Town Hall in Great Yarmouth, on the Council's website and at all public libraries throughout the Borough. A poster display setting out the aspirations of the planning brief was erected in the Town Hall reception for the duration of the consultation period, with members of the Strategic Planning Team available to answer any questions. Regular social media updates were also made.

3.3 At the close of consultation, responses were received from 9 different individual and organisations, totalling 23 specific comments overall.

3.4 A summary of the consultation responses received, officer's response and subsequent post-consultation changes to the planning brief are set out in Appendix 1 of this report and were shared with the Great Yarmouth Town Centre Members Working Group on 8 July 2019.

#### Key matters arising from the public consultation

3.5 Feedback received on the draft planning brief was generally positive and particularly supportive of the proposed planning considerations and policies. Minor suggested amendments to the planning brief included allowing a wider base of leisure uses on ground floor units e.g. museum/galleries to complement the food and beverage offer, and refinements to policies and guidance related to flood risk, urban biodiversity, and proposed business uses in Hall Quay.

3.6 Encouraging a slightly wider base of uses in Hall Quay, such as a new museum or art gallery would be in general conformity with the Council's adopted 'town centre' policies in its Core Strategy and could help to increase 'dwell time' in Hall Quay and the town centre more generally. As such it would not be considered inappropriate to widen the planning brief to include such uses on the ground floor, and particularly where they may be supported by internal food and beverage uses.

3.7 Specific issues raised during the consultation were primarily related to the emerging re-design of the local highway and public realm along Hall Quay, particularly seeking the retention of bus stops/taxi ranks/parking bays along Hall Quay and ensuring that any proposals meet relevant highway design guidance and standards.

3.8 Members should note that guiding the proposed re-landscaping and public realm improvements in Hall Quay is one of the key projects of the Town Centre Masterplan and is currently progressing, with funding available through New Anglia Local Enterprise Partnership's Local Growth Fund (LGF). Since March 2019, Highway, design and planning officers from the Borough and County Council have met to discuss and refine the Hall Quay highway/public realm design concept, incorporating the feedback received from the planning brief consultation, to pull together a preferred design option for Hall Quay.

3.9 On 20 June 2019, members of the Great Yarmouth Transport & Infrastructure Steering Group agreed a preferred design option for the Hall Quay highway/public realm improvements with public consultation currently underway (for 4 weeks between 8 July and 2 August 2019). Members of the Great Yarmouth Town Centre Working Group have also endorsed the consultation scheme.

3.10 To ensure consistency, the guiding development principles included within the Hall Quay Planning Brief have now been updated to reflect the current highway/public realm design option.

3.11 Other comments received during the public consultation identified minor inaccuracies and typographical errors within the planning brief. These do not change or significantly alter the thrust of the document and have been amended where appropriate.

3.12 An 'adoption' ready version, incorporating all the post-consultation changes to the Hall Quay Planning Brief is attached in Appendix 2.

## **4 FINANCIAL IMPLICATIONS**

4.1 None.

## **5 RISK IMPLICATIONS**

5.1 None

## **6 CONCLUSIONS**

6.1 The Hall Quay Planning Brief is underpinned by the Great Yarmouth Town Centre Masterplan (2017) and will help guide future development proposals in Hall Quay in the pursuance of facilitating:

- New food, beverage and potentially hotelier and cultural uses in the area;
- Major new highway infrastructure and public realm improvements;
- New development opportunities fronting Howard Street South; and
- Improvements which may help raise the historic and environmental quality of the area.

6.2 Statutory public consultation has been undertaken on the Hall Quay Planning Brief and the document updated, where appropriate, to reflect the consultation feedback received.

6.3 The Hall Quay Planning Brief will carry material weight in the determination of planning applications and formally provides supplementary planning policy to the Great Yarmouth Local Plan Core Strategy. As such, it is necessary that the Hall Quay Planning Brief be adopted as a Supplementary Planning Document (SPD).

## **7 RECOMMENDATIONS**

**Policy and Resources Committee are asked to support the following recommendations:**

- 1. Members are asked to endorse the progress of the Hall Quay Planning Brief, including the report of public consultation and post-consultation changes**
- 2. Members are asked to adopt the Hall Quay Planning Brief (appendix 2) as a Supplementary Planning Document (SPD)**
- 3. Members are asked to delegate authority to the Director of Development (in consultation with the Chairperson of Policy & Resources Committee) prior to the publication of the Hall Quay Planning Brief, for minor amendments and presentational improvements.**

## 8 ATTACHMENTS

1. Appendix 1 Summaries of Draft Hall Quay Planning Brief Consultation Responses
2. Appendix 2 Hall Quay Planning Brief (post-consultation version)

## 9. BACKGROUND PAPERS

- Great Yarmouth Town Centre Masterplan (2017) – Follow this [link](#)
- Economic Development Committee 7 January 2019 – Follow this [link](#) (see item 8)
- Policy & Resources Committee – 5 February 2019 – Follow this [link](#) (see item 7)

Area for consideration	Comment
Monitoring Officer Consultation:	via Executive Leadership Team
Section 151 Officer Consultation:	via Executive Leadership Team
Existing Council Policies:	Local Plan Core Strategy (Local Plan Part 1) & Statement of Community Involvement Great Yarmouth Town Centre Masterplan (2017)
Financial Implications:	See Section 4 above
Legal Implications (including human rights):	The Council is obliged to consult the public and specified bodies in preparing such plans.
Risk Implications:	n/a
Equality Issues/EQIA assessment:	n/a
Crime & Disorder:	n/a
Every Child Matters	n/a



## Appendix 1: Summaries of Draft Hall Quay Planning Brief Consultation Responses

The representation summaries, officer response and proposed post-consultation changes are listed below and have been grouped against the section numbers in the Draft Hall Quay Planning Brief.

The full consultation responses can be viewed, alongside the Draft Hall Quay Planning Brief itself, at <http://great-yarmouth-consult.objective.co.uk/portal/current/hallquay/hqpb>

### Summaries:

#### Section 2 'Site Context & Surrounding Area'

<u>Representations Summary:</u> <ol style="list-style-type: none"><li>1. CLLR. CASTLE – Supportive of planning brief area, consider including 6-7 George Street (Tombstone Saloon &amp; Brewery). Prominent corner site.</li><li>2. HISTORIC ENGLAND – Consider including extracts from historic mapping to demonstrate how quayside has changed over time. Table 1 notation to include reference to listed buildings.</li><li>3. INDIVIDUALS - Agree</li></ol>
<u>Officer Response:</u> <ol style="list-style-type: none"><li>1. Planning brief boundary defines Hall Quay perimeter block and those frontages directly onto Hall Quay. Units to east of George Street (including 6-7 George Street) remain outside of the draft planning brief boundary but remain within the town centre boundary where uses including restaurants/cafés remain permissible (subject to other policies in the plan).</li><li>2. Comments noted and welcomed.</li><li>3. Comments noted and welcomed.</li></ol>
<u>Recommendation:</u> <ol style="list-style-type: none"><li>1. <b>No further changes to Hall Quay planning brief boundary.</b></li><li>2. <b>Consider inclusion of historic mapping and changes to Table 1 as suggested.</b></li><li>3. <b>No further changes necessary.</b></li></ol>

#### Section 3 'Policy Context'

<u>Representations Summary:</u> <ol style="list-style-type: none"><li>1. CLLR. CASTLE – Refers to the need to introduce controlled parking in town centre due to respond to planned intensification of uses in Hall Quay. Protecting residential amenity and assured parking for existing and proposed operating businesses.</li><li>2. INDIVIDUALS - Agree</li></ol>
<u>Officer Response</u> <ol style="list-style-type: none"><li>1. New car parking policies for Great Yarmouth Town Centre have been drafted as part of the preparation of the emerging Local Plan Part 2.</li><li>2. Comments noted and welcomed.</li></ol>
<u>Recommendation</u> <ol style="list-style-type: none"><li>1. <b>No further changes necessary.</b></li><li>2. <b>No further changes necessary.</b></li></ol>

#### **Responses related to Section 4 – Hall Quay Opportunities**

<u>Representations Summary:</u> <ol style="list-style-type: none"><li>1. CLLR. CASTLE – Refer to retention of bus stops in Hall Quay area to maintain access to new quarter. Suggests relocating taxi rank (from Star Hotel) to Regent Street or Stonecutters Way.</li><li>2. HISTORIC ENGLAND – Identified opportunities are welcomed. Encourage proposals for alterations/enhancements on highway and public realm to take account of advice in Manual for Streets (1&amp;2) and HE's own "Streets for All: Advice for Highway and Public Realm Works in Historic Places".</li><li>3. LOCAL BUSINESS – Some migration of professional business (A2 uses) to Hall Quay from</li></ol>
--

South Quay/Queen Street (HKB Wiltshires/Larkes). Large clearing banks on Hall Quay (now vacated) presents opportunity to cluster further professional businesses in Hall Quay.
<p><u>Officer Response:</u></p> <ol style="list-style-type: none"> <li>1. Views noted and welcomed. New highway proposals for Hall Quay (including removal and replacement of existing taxi ranks, lay-by and bus stops) are currently preparation and will be consulted on later in 2019.</li> <li>2. As above.</li> <li>3. It is acknowledged and recognized that both the amount and type of floorspace needed in the town centre is continually shifting and needs to remain flexible to maintain local vitality. The intention of the planning brief is to primarily foster a new cluster of food &amp; beverage uses in the town centre by maximizing the current opportunity presented by a close group of large, vacant buildings with generous ground-floor sizes that could be appropriately converted to restaurants and café etc. The importance of encouraging new office type uses/business is also recognized for the value it provides in generating spend and footfall throughout the day in town centres. As such, the planning brief is supportive of B1 uses relocating to particular buildings in Hall Quay, on ground or upper floors and particularly where a ground floor frontage is supported.</li> </ol>
<p><u>Recommendation:</u></p> <ol style="list-style-type: none"> <li>1. <b>Planning brief will reflect the latest Hall Quay highway design aspirations which are currently being prepared.</b></li> <li>2. <b>As above.</b></li> <li>3. <b>Planning brief policies will clarify/reiterate support for new or relocated business uses (B1) within the planning brief area.</b></li> </ol>

<b>Responses related to Section 5 – Draft Planning Considerations</b>
<p><u>Representations Summary</u></p> <ol style="list-style-type: none"> <li>1. CLLR. CASTLE – Consideration of appropriate street lighting which “ties-in” with conservation enhancements currently planned for the Rows. Consideration of planting measures i.e. “plane” trees.</li> <li>2. NATURAL ENGLAND – Suggests incorporating policies which enhance urban biodiversity i.e. bat roost/bird box provision within built developments. SPD may provide opportunities to enhance the character and local distinctiveness of the surrounding and built environment for example through green infrastructure provision and access to, contact with nature.</li> <li>3. HISTORIC ENGLAND – Draft planning considerations welcomed, particularly emphasis on improving existing historic frontages where there have been inappropriate alterations.</li> <li>4. LOCAL BUSINESS - Town already has extensive food &amp; beverage offer i.e. Seafront, Market Place, Regent Road/Alexander Road. Food offering at Hotels i.e. Star, Imperial, Troll Cart. Confliction between Planning Brief and Town Centre Masterplan i.e. Cinema proposal. New food &amp; beverage offer should be established alongside cinema location.</li> <li>5. INDIVIDUALS – Seek establishment of museum/art gallery devoted to historic development of the town. Time &amp; Tide has limited space. Seek café/restaurant linked to museum/gallery.</li> <li>6. INDIVIDUALS - Enhancement of Rows to encourage people to move between Market Place and Hall Quay. Public realm improvements i.e. better lighting, improved pavements, more seating.</li> </ol>
<p><u>Officer Response:</u></p> <ol style="list-style-type: none"> <li>1. Views noted and welcomed. The location and type of new street lighting, street furniture, tree etc. will be considered alongside the new highway &amp; public realm proposals for Hall Quay which are currently under preparation and will be consulted on later in 2019.</li> <li>2. Noted. Policy CS11 of the adopted Local Plan Core Strategy seeks to ensure that all new development appropriately enhances biodiversity. The Council does yet have any specific guidance; therefore this may be more appropriately taken on a case by case basis specific to the proposal.</li> <li>3. Comments noted and welcomed.</li> <li>4. It is recognised that the town has an existing food &amp; beverage offer, however it is relatively dispersed across the town and further beyond (i.e. seafront which provides for a different offer and customer base). Fostering a cluster of food &amp; beverage uses in Hall Quay has the potential to generate critical mass of people to support other uses beyond merely retailing.</li> </ol>

<p>5. Comments noted and welcomed. The principle of locating a new museum/gallery in this area would be in general conformity with Core Policy CS7 and could help to increase 'dwell time' in Hall Quay and the town centre more generally to support food &amp; beverage uses. Proposals for museum/art gallery uses would be particularly welcomed where they support internal café uses.</p> <p>6. Noted. The aims of the planning brief have been aligned with the objectives of the GY Rows Project. Where possible, active frontage will be encouraged or maintained at key pedestrian crossings where Hall Quay and individual Rows intersect.</p>
<p><u>Recommendation:</u></p> <ol style="list-style-type: none"> <li><b>1. Planning brief will reflect the latest Hall Quay highway design aspirations which are currently being prepared.</b></li> <li><b>2. Planning brief to refer back to CS11 with respect to biodiversity enhancements.</b></li> <li><b>3. No further changes necessary.</b></li> <li><b>4. No further changes necessary.</b></li> <li><b>5. Planning brief policies will be amended to encourage a wider mix of retail/cultural uses i.e. food, beverage and museum offer.</b></li> <li><b>6. No further changes necessary.</b></li> </ol>

<b>General Responses to the Draft Planning Brief</b>
<p><u>Representations Summary</u></p> <ol style="list-style-type: none"> <li>1. CLLR. CASTLE – Wider acknowledgement of difficulties accessing funding to implement such transformation projects.</li> <li>2. NATURAL ENGLAND – Acknowledgement that whilst Supplementary Planning Documents (SPDs) are unlikely to give rise to likely significant effects on European Sites, they should be considered as a plan under the Habitats Regulations Assessment (HRA) and Strategic Environmental Assessment (SEA) Regulations.</li> <li>3. HISTORIC ENGLAND – Reiterates overall support for Planning Brief.</li> <li>4. LOCAL BUSINESS – Corrections to some inaccuracies in Appendix C i.e. current use of buildings.</li> <li>5. INDIVIDUAL – Coordinated plan for Hall Quay is welcomed. Empty derelict 'non-listed' buildings not sold within short time frame should be compulsory purchased. ½ (free) parking slots along Quay should be retained.</li> </ol>
<p><u>Officer Response:</u></p> <ol style="list-style-type: none"> <li>1. Comments noted.</li> <li>2. The planning brief SPD provides policies and guidance which are supplementary to the strategic policies in our adopted Core Strategy (which has already been assessed under the SEA and HRA regulations) and does not provide for 'growth' that is beyond that specified in the Core Strategy. For completeness, an SEA screening opinion was undertaken for the draft SPD and concluded that significant adverse effects were not anticipated, negating the need to undertake a full SEA.</li> <li>3. Support welcomed.</li> <li>4. Comments noted and welcomed.</li> <li>5. Comments noted. In relation to highway &amp; public realm improvements – these will be considered alongside the new emerging highway design concept for Hall Quay, that is currently under preparation and will be consulted on later in 2019.</li> </ol>
<p><u>Recommendation:</u></p> <ol style="list-style-type: none"> <li><b>1. No further changes necessary.</b></li> <li><b>2. No further changes necessary.</b></li> <li><b>3. No further changes necessary.</b></li> <li><b>4. As suggested, amend planning brief and appendices as appropriate.</b></li> <li><b>5. No further changes necessary.</b></li> </ol>



# HALL QUAY PLANNING BRIEF



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# EXECUTIVE SUMMARY:

The Hall Quay Planning Brief has been prepared to provide supplementary planning policy to the Great Yarmouth Local Plan Core Strategy, part of the adopted Development Plan for the borough of Great Yarmouth. This document will be a material consideration when determining planning applications made within the Hall Quay Planning Brief Area.

The Planning Brief provides further detailed policy and guidance, capitalising on major new highway-led investment such as the Third River Crossing, to unlock the potential of Hall Quay as a new restaurant/café-based area for Great Yarmouth town centre, as promoted by the Council's adopted Great Yarmouth Town Centre Masterplan (2017).



## I. Introduction

### I.1 Purpose of the Planning Brief

The purpose of this planning brief is to set out the land-use planning requirements and development principles that the Council will use to determine planning applications within the Hall Quay area of Great Yarmouth. The document therefore, is an essential guide in the formulation of development proposals and a useful planning tool to aid pre-application planning discussions.

The planning brief identifies opportunities for new development, provides guidance and sets out key planning considerations and development parameters to provide confidence for investors and others about the direction of change within Hall Quay.

Landowners, developers, residents and businesses can use this planning brief to understand the strategic ambitions for Hall Quay and what support and assistance the Council will provide to those seeking planning permission for changes of use and conversion of existing buildings.

The principles objectives for the implementation of the Hall Quay planning brief are to:

- Grasp the opportunity to add to the town centre's food, beverage and cultural offer;
- Grow a cluster of uses which supports the town's early evening/night time economy;
- Encourage the development of new, high quality residential and tourist accommodation;
- Make the most of some fine, adaptable historic buildings (some listed);
- Reorganise the traffic layout, taking advantage of the planned reduction in throughflow traffic to create a space that appeals to pedestrians; and,
- Enhance the public realm and townscape of the area.

### I.2 Status of the Planning Brief

The planning brief is a non-statutory form of guidance that is capable of being a material consideration in the determination of planning applications within the defined Hall Quay Planning Brief Area. The planning brief supplements development policies within the the Council's adopted Local Plan Part 1 (Core Strategy) and emerging Local Plan Part 2 (Detailed Policies and Site Allocations). Local Plan policies of relevance to development in the Hall Quay area are listed in Section 3.

The Borough Council adopted the Hall Quay Planning Brief as a Supplementary Planning Document (SPD) on the 23 July 2019.

### I.3 Preparation of the Planning Brief

The Council has prepared this planning brief in consultation with individual landowners and Norfolk County Council in relation to the development of potential specific sites and a preferred movement and public realm strategy for Hall Quay.

The planning brief builds on public consultation feedback received from residents and businesses operating within the Hall Quay area, as well as advice from statutory consultees including Historic England and Natural England.

A number of adjustments have been made to this planning brief in response to the issues raised by the consultation respondents.







Figure 1. The Planning Brief Site





## 2.1 Site Description and Location

Hall Quay is situated on the east side of the River Yare, is centrally located in the town, it is approximately 300m from Great Yarmouth's Market Place and is within a 5 minute walk of Great Yarmouth rail station (to the north west) and Great Yarmouth bus station (due east), with the seafront beyond about 15 minutes' walk away (a site location plan and wider context plan are included in Appendix 1 & 2).

Hall Quay functions as a key gateway into the town, and other than the A47 Breydon Bridge crossing further north and along the river, is the gateway to Great Yarmouth town centre from Southtown, Gorleston-on-Sea, Bradwell and places further south and west.

The Hall Quay planning brief area is bound by the following: Stonecutters Way on its northern boundary (though this boundary varies to include the perimeter block which includes the Red Leaf Restaurant (4-5 Hall Quay); Howard Street North on its east side; Regent Street and Hall Plain on its south side and the River Yare on its western side.

The planning brief area can be broadly described in two parts. The first is the traditional terrace of commercial buildings such as the Star Hotel and former banks,<sup>1</sup> as well as the Town Hall for Great Yarmouth Borough Council. The second broad part is Hall Quay itself, characterised by the expanse of road surfaces, traffic infrastructure (lights, guard rails etc) and the Stonecutters Quay car park.<sup>2</sup>

The existing highway network arrangement has a significant impact on the character of Hall Quay. While the current arrangement generally work well for the distribution of vehicular traffic, the quay itself is much less "friendly" to pedestrians, cyclists and those with disabilities.<sup>3</sup> The level of highway engineering is partly since there are currently only two bridge crossings into the town from the west, hence Haven Bridge, Hall Quay, North Quay and South Quay must handle a considerable amount of vehicular traffic entering and leaving the town centre.



## 2.2 Existing Land Uses and Buildings

Within the boundary area of the planning brief, over 20 individual buildings provide frontage to Hall Quay on its northern, eastern and southern sides. A few number of buildings provide frontage to Regent Street, Howard Street South and Stonecutters Way, completing the Hall Quay perimeter block.

The planning brief area was traditionally regarded as the town's 'civic quarter', home to the Council's main offices (Town Hall) and formerly a majority of the town's national clearing banks. Whilst all the banking institutions have since closed, a small commercial presence remains in the area, some having relocated to Hall Quay from other more peripheral areas of the town (such as Queen Street) where multiple conversions to residential uses have occurred. Two of the former clearing bank units have been recently granted planning consent for (ground floor)

A3 & A5 uses. Another former banking unit is awaiting planning consent for (ground floor) A3 & A5 use.

To the rear of the main frontage block of Hall Quay is the frontage to Howard Street South which is relatively free of building forms (with exceptions which include some fine historic buildings). Howard Street South has traditionally supported servicing and car parking for those that front directly on to Hall Quay. This also applies to the frontage along Stonecutters Way where a surface car park occupies the junction with Howard Street South.

Table 1 and Figure 2 indicates the following types of land and building uses within the planning brief area (at the time of adoption) including any recent planning changes relevant to the buildings. An in-depth analysis of individual properties located within the planning brief area is provided in Appendix 3.

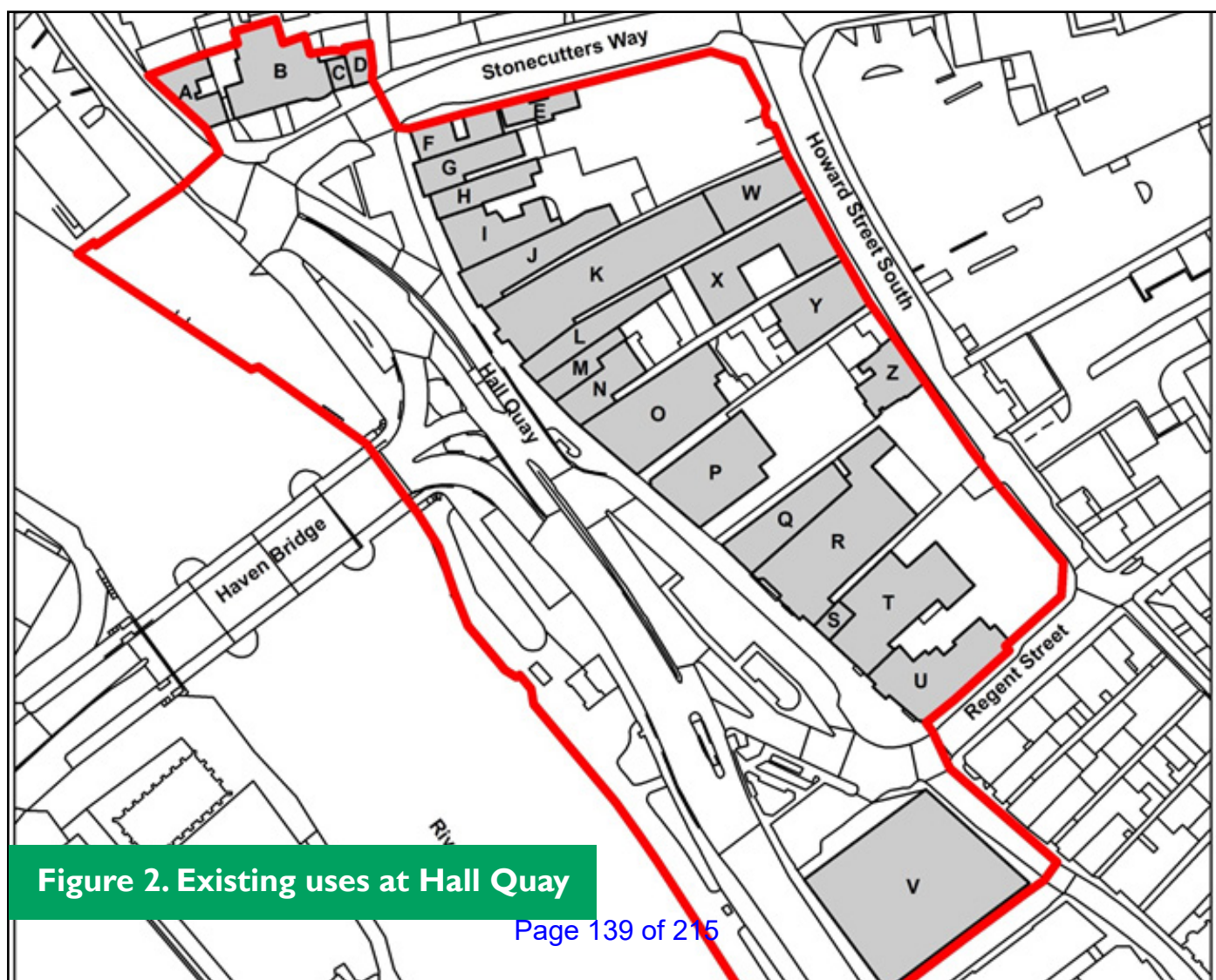


Figure 2. Existing uses at Hall Quay



Map Reference	Address	Current Use	Notes
A	No.3 Hall Quay	Estate Agents	
B	No.4-5 Hall Quay	Restaurant: (g/f)	
Residential: (1st & 2nd floors)	Grade II listed. Improvements to frontage funded by shopfront improvement grant		
C	No.6 Hall Quay	Vacant	Grade II listed. Former estate agents
D	No.7 Hall Quay	Estate Agents	
E	Slipper Baths, Stonecutters Way	Residential	
F	10-12 Stonecutters Way	Residential	
G	No.11 Hall Quay	Vacant	Former offices
H	No.12 Hall Quay	Offices: (g/f & 1st floor)	
Residential: (2nd flr)			
I	No.13 Hall Quay 'Dukes Head'	Pub, Restaurant	Grade II listed.
J	No.14 Hall Quay	Vacant	Former Bank
K	No.15 Hall Quay	Vacant	Grade II listed. Former Bank. Planning application (CoU mixed use ground floor and residential above) Not yet determined.
L	No.16 Hall Quay	Offices: (g/f & 1st floor)	
Residential: (2nd flr)	Grade II listed.		
M	No.17 Hall Quay	Offices: (g/f & 2nd flr)	
Charity: (rear block)			
N	No.18 Hall Quay	Offices: (g/f & 1st flr)	
Residential: (2nd flr)			
O	No. 19-20 Hall Quay	Vacant	Grade II listed. Former Bank. Planning approval (CoU ground floor to A1, A3 and A5, residential above).
P	No. 21-22 Hall Quay	Offices: (g/f and 2nd flr)	Planning approval (residential use on upper floors)
Q	No.23 Hall Quay	Vacant	Grade II listed. Former Bank. Planning approval (CoU ground floor to A3 & A5, residential above)
R	No.24 Hall Quay 'Star Hotel'	Hotel	Grade II listed. Recently refurbished and reopened in 2017.
S	No.25A Hall Quay	Offices	
T	No.25 Hall Quay	Hostel: (g/f & 1st flr)	
U	No.26 Hall Quay	Offices: (g/f)	
Residential: (1st flr)			
V	Town Hall, Hall Quay	Offices/Assembly use	Grade II* listed. Multi-use facility i.e. in addition to GYBC's main office is also a wedding venue, conference uses.
W	No.76-77 Howard St South	Offices: (g/f)	
Residential (1st flr)			
X	Brahams Court, Howard St South	Residential	
Y	No.72 Howard St South	Pub/Restaurant	
Z	No.69 Howard St South	Pub	

**Table I. Existing uses at Hall Quay**



# OPPORTUNITIES FOR EXISTING LAND USES AND BUILDINGS

A new food & beverage offer  
Great Yarmouth Town Centre has a clear role to play in driving forward the development of the Borough into the future; however, in an ever-competitive retail environment, the town centre must seek to re-balance the retail offer to continue to hold market share against other competing centres such as Norwich and Lowestoft, as well as online competition.

A qualitative need assessment undertaken to inform a Great Yarmouth Retail Study, concluded that the town centre would benefit from an improvement and widening of its food and beverage offer and that opportunities to encourage new 'clusters' within the town (especially where the needs of tourist and locals inter-lap) should be explored.

A gap analysis was undertaken to inform this planning brief, exploring the current health of the town centre, current retailer requirements, as well as the type and quality of new food & beverage uses that could be supported in Hall Quay. The high-level recommendations concluded that Hall Quay could benefit from both increasing the number and range of restaurants and cafés, especially from multiple operators; and, from potentially introducing a chain/boutique hotel to diversify the choice and offer within the Town Centre.





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## 2.3 Scale & Massing

Hall Quay provides a lively and interesting variety of building scales and styles. Far from being plain or conforming to a single form or type, the buildings surrounding Hall Quay are varied in building height, style, width, façade treatment, fenestration and material.<sup>(4-9)</sup>



5

The predominant building height is three commercial storeys with a wide variety of architectural expressions within building façades i.e. clear ground floor shopfronts and fascias, narrow frontages, larger floorplates and dormer windows within roof spaces. Certain buildings have a strong heritage character and are statutorily listed (See Table 2; Figure 3 overleaf), whereas others are relatively plain or modern in style (and not listed). This interesting assemblage of buildings, taken together, provides an excellent backdrop to support new uses and activities in this quarter of the town centre.



6

## 2.4 Heritage & Conservation

Hall Quay, along with South Quay, has very important historical significance in the context of the town and contains some of the finest buildings. The quayside is reminiscent of an important period of maritime activity in the history of Great Yarmouth. Sea-faring vessels were historically moored on the east bank of the River Yare (this partly still occurs), and a railway line passing through Hall Quay between Vauxhall Station and South Denes would principally transport fish from the port, before closing and being removed in 1959.



7

Another historical feature of Hall Quay are the various rows that run in an east-west pattern towards the market and which are found between buildings facing the quay and are over-sailed by many of the more historic buildings fronting Hall Quay.



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The planning brief area is entirely situated within a conservation area (No.3 Hall Quay/ South Quay) and contains nine listed building which provide a high quality, historic character to the area and helps frame views and provide important landmarks (illustrated in Figure 3 overleaf).

Map Reference	Building Address	Listed Status (and Norfolk Heritage Record ref)
B	4-5 Hall Quay 'former Conservative Club'	Grade II (NHER 12026)
C	6 Hall Quay	Grade II (NHER 34423)
I	13 Hall Quay 'Dukes Head'	Grade II (NHER 12027)
K	15 Hall Quay	Grade II (NHER 34424)
L	16 Hall Quay	Grade II (NHER 34425)
O	19 Hall Quay	Grade II (NHER 25981)
Q	23 Hall Quay	Grade II (NHER 34426)
R	24 Hall Quay	Grade II (NHER 34427)
V	Town Hall	Grade II* (NHER 28932)

**Table 2. Listed buildings at Hall Quay**



Hall Quay is dominated at its southerly end by the impressive Victorian Town Hall,<sup>10</sup> a Grade II\* listed building built in red sandstone which is an important and grand 19th century town hall building.



Its “bookend” on the northwest end of the quay is Havenbridge House,<sup>11</sup> an imposing 20th century seven storey-office block which detracts from the historic setting and conservation area generally by its height, scale and form. Recent re-cladding has seen a marked improvement to its appearance.

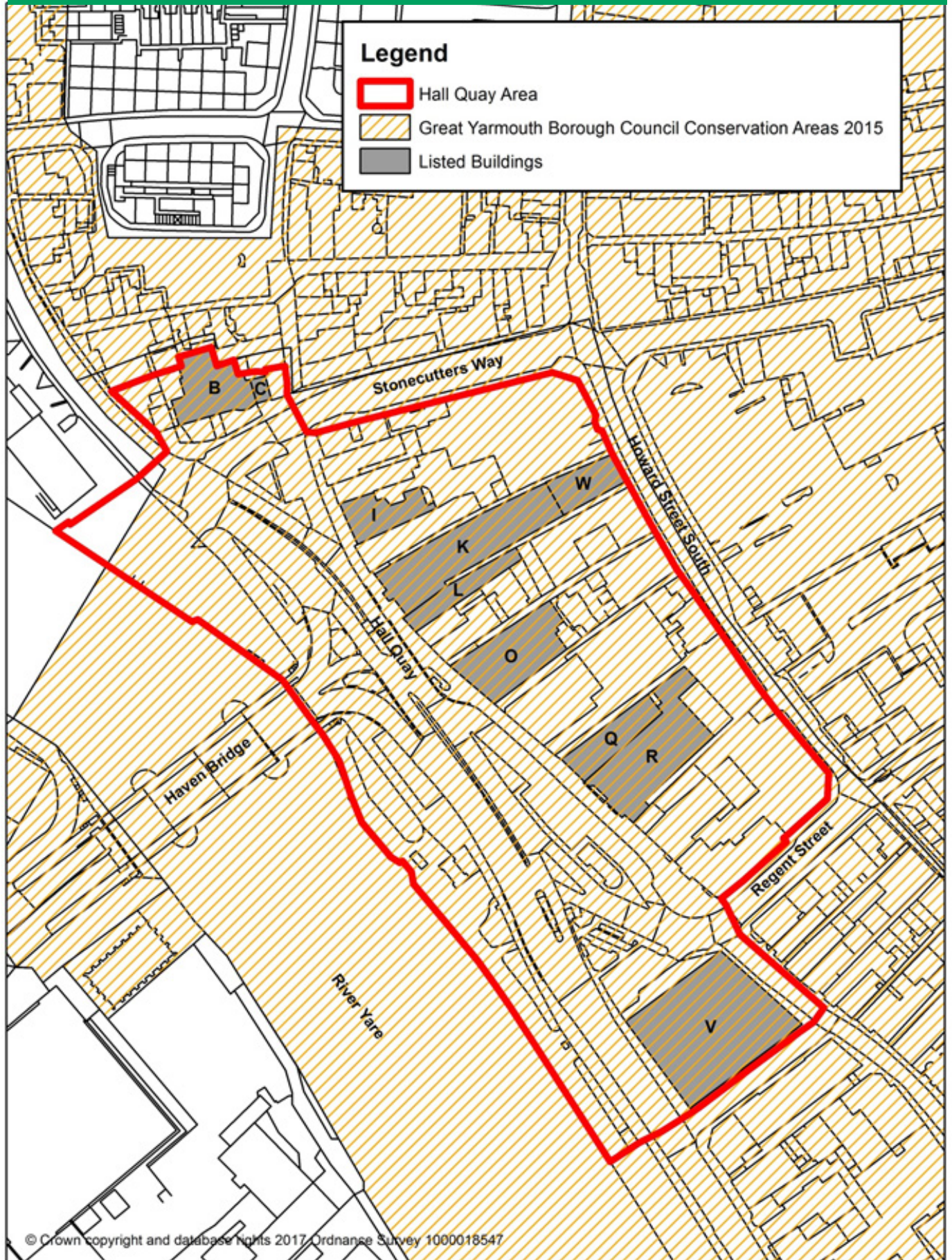


Howard Street South, which forms the easterly edge of the planning brief boundary, does not present a uniform frontage;<sup>12</sup> however, there are still a few fine buildings along this street.

There is no single, predominant building material within Hall Quay; however, the use of clay pantiles and slate on roofs as well as red brick, flint and some stone, stucco and terracotta can all be seen.



Figure 3. Hall Quay Heritage Constraints Map





# **OPPORTUNITIES FOR HERITAGE & CONSERVATION**

In recent years there has been a concerted effort to generally improve the historical urban fabric and interpretation of the Hall Quay area. Many of these initiatives have been led and funded by both public and voluntary sector groups.

## **THE ROWS**

The Rows project, led by the Great Yarmouth Preservation Trust, and funded by the Great Places Scheme, commenced in 2017 and sought to enhance the historic Rows through various on street repairs and artistic interventions. These included installing new cast iron name plates - bearing the historic 'names' of individual Rows - within six rows providing connections between Hall Quay and Howard Street South.

## **SHOPFRONT IMPROVEMENT GRANT SCHEME**

The Shopfront Improvement Grant Scheme, launched by the Borough Council in 2017, provided shop owners a way of injecting investment into poor quality shopfronts (at a maximum of £3,000 and 25% match funded by the shop owners) with the intention of improving the overall appearance of the area to entice further investment and spend in the town.

To date the scheme has helped to directly improve about 20 shopfronts in the town centre, most notably funding façade refurbishment of the Star Hotel and 4-5 Hall Quay, a prominent three storey historic building at the northern end of Hall Quay. Though the shopfront improvement scheme is expected to wind down in 2019, there remains other buildings within the planning brief area, some being listed, which would benefit for further façade enhancement.





LLOYDS

BANK

LIMITED

H&B WILKINSON'S



## 2.5 Highways, Access, movement & parking

Hall Quay is a key node between the River Yare and Great Yarmouth's town centre and forms a major decision making point for pedestrians, cyclists and vehicles proceeding north (on North Quay) towards the A47 and rail station; south (on South Quay) to the South Denes peninsula, seaside, port and industrial areas; east towards the town's retail centre; or west over Haven Bridge to access Gorleston and the south-western parts of the Borough.

Hall Quay itself is a vehicular dominated street that incorporates a signalised junction at Haven Bridge with staggered pedestrian crossing points parallel to the main carriageway and various slip roads at the building edges providing rear vehicular access and parking. Dozens of additional highway pieces of furniture i.e. pedestrian refuges, guard rails, raised central verges, traffic signal posts and signage further reinforce the dominance and prioritisation of vehicular based traffic through the area.<sup>13</sup>

At the north-west area of Hall Quay lies Stonecutters Car Park which provides 'pay & display' spaces for 41 vehicles, including two for those with disabilities. At the corner of Stonecutters Way and Howard Street South lies a Euro Car Park with spaces for 50 vehicles.

A lay-by opposite the Star Hotel provides a dozen short stay (30 minute) car parking spaces, as well as a taxi rank and loading bay area. The lay-by is accessed directly off the south-bound Hall Quay carriageway but is frequently used as a 'cut through' for motorists performing an illegal right-hand turn to re-enter the north-bound Hall Quay carriageway.<sup>14</sup> A smaller lay-by, accessed off a small slip road opposite buildings between 10 to 13 Hall Quay provides a further six short stay car parking spaces.

Three smaller private parking courts are included within the Hall Quay perimeter block, providing customer and employee parking for The Dukes Head PH; HKB Solicitors and The Star Hotel. Access to parking courts to the rear of The Dukes Head PH and HKB Wiltshires is served off the Hall Quay carriageway.

Presently, cycling is mainly accommodated along the road surface, though a short cycle lane merges into Hall Quay from Stonecutters Way (in a south-bound direction) along the building frontages between 10 and 13 Hall Quay. This terminates at the main pedestrian crossing opposite Haven Bridge.

Most pedestrian movement is accommodated alongside the terrace of buildings which line the east side of Hall Quay, and along the river edge to the south of Haven Bridge. Crossing of existing road lanes and islands can be challenging due to the need to navigate multiple separate crossings over lanes of vehicular traffic.<sup>15</sup> Those with disabilities face significant challenges, albeit dropped curbs and blister paving are provided as part of the highway crossings.







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## 2.6 Public realm & landscape

The public realm of Hall Quay is principally comprised of highway features, therefore both the setting and materiality offered in Hall Quay does not compliment the historic status and importance of the site and its buildings within it.

Vehicle turning lanes on and off Haven Bridge provides for relatively sterile environments in areas such as Stonecutters Quay car park, disconnected from the rest of the quay.

The areas outside; the Town Hall, the historic buildings fronting the quay, and along the river (south of the bridge) are more pedestrian-friendly but provides little in the way of soft planting (trees or greenspace) which could both visually and physically reduce the dominance of the highway as well as improving the setting for historic buildings and the Town Hall as a civic space.

Whilst there is a strong sense of vehicular dominance along Hall Quay, the overall expanse of space between the built edge and the river-front offer the opportunity for the reallocation of space and enhancement of the streetscape as capitalised by the likely reduction in traffic by the Great Yarmouth Third River Crossing.

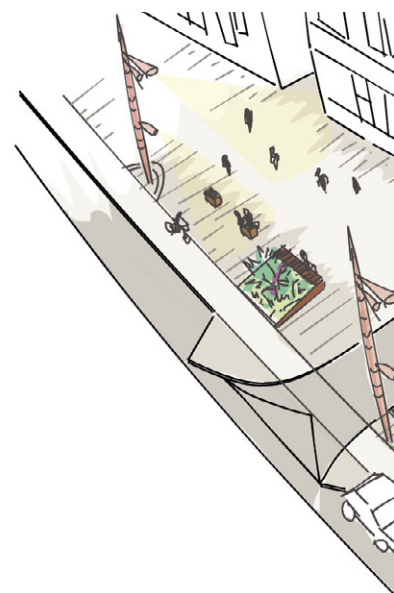
The scheme is being funded through the New Anglia Local Enterprise Partnership 'Local Growth Fund' and will be subject to public consultation in the summer of 2019 with construction planned in early 2020

## 2.7 Flood Risk

The buildings that form the perimeter block between Stonecutters Way, Howard Street South, Regent Street and Hall Quay are in Flood Zone 1. The central part of Hall Quay is within Flood Zone 2, as are the buildings at the corner of Stonecutters Way and The Rows. Havenbridge House and the entire east side of the river, up to approximately 50 metres from the rivers' edge, is in Flood Risk Zone 3.

In 2014, the Borough Council, together with Norfolk County council and Anglian Water, jointly produced a Surface Water Management Plan.

This plan, together with actions already undertaken to reduce the risk of both coastal and fluvial flooding within the borough, will provide support in the long term to reduce the risks from flooding posed to Great Yarmouth, including to Hall Quay.





# PUBLIC REALM & LANDSCAPE OPPORTUNITIES

16

Norfolk County Council are currently developing a highway-led improvement scheme to revitalise the public realm outside of the buildings fronting Hall Quay, as well as improving pedestrian and cycling facilities at the existing pedestrian crossings.

The emerging scheme proposes, the removal of the underutilised loop of road in front of the Star Hotel; and the rationalisation of the one-way triangle formed by the western end of Stonecutters Way to provide new landscaped public realm areas for enhanced pedestrian activities. Indicative artist impressions of the proposed public realm enhancements (outside the Star Hotel) are provided in images 16 and 17.

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### 3. Policy Context

This section provides an overview of the existing policy context in which the planning brief sits, summarising the key policy issues as they relate to the area. The policies set out within them are not repeated in this brief.

#### 3.1 Great Yarmouth Corporate Plan

Developing and improving Great Yarmouth's Town Centre is a key priority in the Borough Council's Corporate Plan. The aim is to refocus interest in the town centre in the short term whilst supporting greater, long term transformational change towards a commercially attractive and viable town centre. It identifies a need for a long-term strategy to plan key changes and guide investment in the area. This has been fulfilled through the Council's recently adopted Great Yarmouth Town Centre Masterplan (May 2017).

The Great Yarmouth Town Centre Masterplan identifies 6 priority areas (see "a to e" *to the right*) geared at generating new investment and employment opportunities in the town centre by 2025.

This planning brief encompasses Area "E" of the Great Yarmouth Town Centre Masterplan, the general aims being to adopt guidance that ensures existing buildings are conserved and developed appropriately and establishing a new food and beverage cluster in the area.

The full Corporate Plan and Great Yarmouth Town Centre Masterplan can be viewed from the Council's website.

#### 3.2 Great Yarmouth Development Plan

The current Development Plan primarily comprises the Great Yarmouth Local Plan Part 1 (Core Strategy), adopted in December 2015. The Local Plan Part 2 (Development Management Policies and Site Allocations) is currently in preparation and is anticipated for adoption early 2020. A small number of policies in the (largely) former 2001 Local Plan

also remain 'saved' and in force pending the adoption of Part 2 of the current Local Plan. The following outlines the relevant policies, particularly those pertinent to the Hall Quay Planning Brief Area and its potential for development change.

#### 3.3 Local Plan Part 1 – Core Strategy Policies

The following summarises the key relevant Core Strategy Policies. The full policies and their associated supporting text can be viewed from the Council's website.

- Policy CS7 – Strengthening our centres

The Council aims to focus new development and investment, principally in Great Yarmouth town centre and seek to improve its vitality and viability through encouraging a diversity of uses, enhancing the evening economy, enhancing appearance, safety and quality and promoting the short and long term re use of vacant buildings.

- Policy CS1- Focusing on a Sustainable Future

When considering development proposals, the Council will take a positive approach, working positively with applicants and other partners to jointly find solutions so that proposals that improve the economic, social and environmental conditions of the borough can be improved wherever possible.

- Policy CS6 – Supporting the Local Economy

The Council will work to ensure that the conditions are right for new and existing businesses to thrive and grow, and to make the local economy less seasonally dependant

- Policy CS8 – Promoting tourism, leisure and culture

The Council aims to support and encourage a year-round tourism offering, supporting



proposals which meet changes in consumer demands

- Policy CS9 – Encouraging well-designed, distinctive places

The Council will ensure that new developments are of a high quality and both draw inspiration and respect the location

- Policy CS10 – Safeguarding local heritage assets

The Council will promote the conservation, enhancement and enjoyment of the historic environment

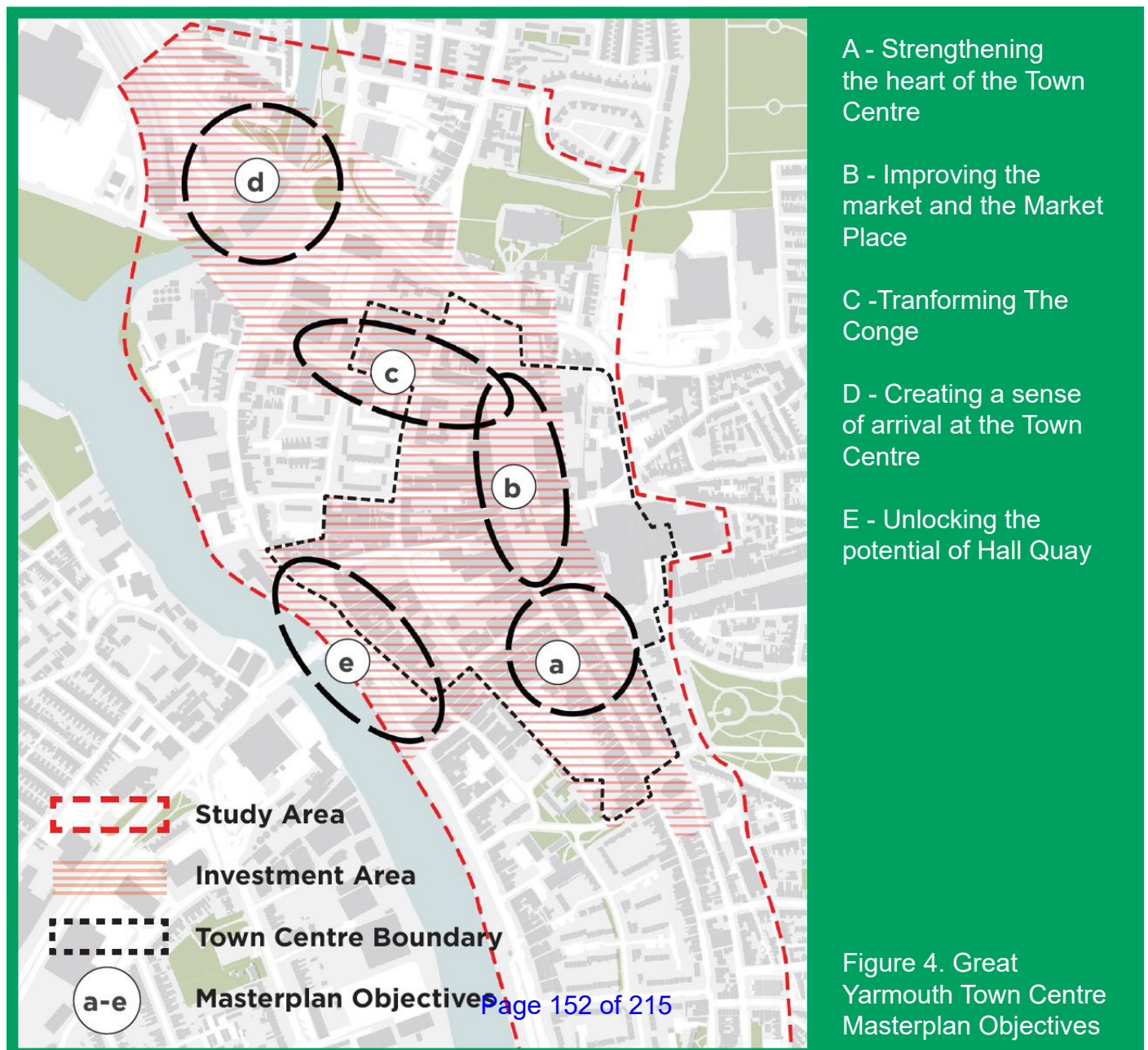
- Policy CS13 – Protecting areas at risk of flooding or coastal change

The Council will ensure a sustainable and practicable approach to flood risk and coastal change and ensure development does not increase the risk of flooding elsewhere.

- Policy CS14 –Securing appropriate contributions from new development  
The Council will ensure that all new development militates against any extra pressure placed on existing infrastructure.

- Policy CS16 – Improving accessibility and public transport

The Council will work together with partners to make the best use of and improve existing transport infrastructure, with a focus on better management and the provision of sustainable transport options



### 3.4 Remaining 'Saved' Policies from the former 2001 Borough-Wide Local Plan

The following summarises the main relevant policies pertinent to the Hall Quay planning brief area and potential for development change. The full text of these policies can be viewed via the Council's website (Note: these policies will be superseded on adoption of Part 2 of the current Local Plan, anticipated early 2020).

- Policy HOU7 – New residential development

Hall Quay is within the urban area of Great Yarmouth where the Council will generally permit residential development.

- Policy SHP15 – Hot food take-aways

The Council may permit hot food take-aways (that are not situated within the main shopping frontages) where it does not result in an overconcentration, nor adversely affect adjoining or neighbouring occupiers or affect the character of the local area.

- Policy TCM20 – Urban public parking improvement

Hall Quay is situated within the Urban public parking improvement area where the Council will work towards improving the public parking provision through the identification of new parking sites, potential part and ride and temporary parking areas.

- Policy BNV12 – Great Yarmouth town centre medieval streets and rows

The Council will maintain the town's medieval street network and rows and encourage, where possible their reinstatement where previously lost as a consequence of development.

- Policy REC11 – Protection of community and street scene

The Council will refuse proposals which would erode the provision of land which contributes positively to the community or street scene, particularly in areas identified on the proposals map.

### 3.5 Relevant Emerging Policies

The draft Local Plan Part 2 (Development Management Policies & Site Allocations) was subject to wider public consultation between August and September 2018. The draft plan included an emerging policy 'GY3-dp' which corresponds to the designated Hall Quay Planning Brief Area, setting out the main approach to facilitating new development and environmental enhancements within the area. This draft policy (*replicated to the right*) is not yet adopted however it indicates the Council's intended policy direction for managing future development proposals within the Hall Quay area.

Note that the precise wording of the emerging policy may be subject to change by the point of formal adoption.

Other relevant draft policies, which have been subject to public consultation through the Local Plan Part 2 are provided opposite.

- Policy UCS7a-dp – Change to Great Yarmouth Town Centre Boundary

This proposed change to the Great Yarmouth Town Centre Boundary would include the entire area of Hall Quay up to the Rive Yare. The current town centre boundary does not include the area west of the curtilage of the buildings fronting Hall Quay.

- Policy R1-dp – Location of retail development

This proposed policy specifies where new town centre uses, in particular retail uses will be encouraged. This seeks to specifically encourage food and beverage type 'retail' uses within the proposed Hall Quay planning brief area.

- Policy R5-dp – Food and drink uses

This proposed policy specifies where new food and drink uses will be encouraged, and specifically supports their contribution in areas such as the Hall Quay planning brief area.

- Policy GY13-dp Hall Quay/Haven Bridge Area visitor mooring facilities



### Hall Quay Development Area (Emerging Policy Option)

The key aim for Hall Quay is to create an exciting new sense of place, to improve the image of the town and its offer to residents and visitors.

In order to achieve this, a mix of uses, developments and environmental enhancements will be facilitated that will help to:

1. Address a gap in the town centre's food and beverage offer, principally focused on promoting new café's and restaurants; but not A5 (hot food takeaways) use;
2. Complement and improve the wider town centre's early evening/night time economy;
3. Provide new, high quality hotels (C1 use) to support the town's growing tourist and visitor economy;
4. Provide high quality residences; and
5. Renovate and convert existing buildings to appropriate uses, and bring buildings back into permanent active use, and make the most of listed and other heritage buildings.

The following measures will be applied in furtherance of this, particularly in relation to buildings fronting onto Hall Quay:

- A. Cafés and restaurants (A3 use), drinking establishments (A4 use) and hotels (C1 use) will be positively encouraged;
- B. Other uses (including A1, A2 and B1) will be supported where they provide an active ground floor frontage (i.e. window displays, entrances, and views of internal activity); and
- C. Residential uses will only be supported above ground floor level

To help deliver the objectives for the Hall Quay Development Area, projects will be undertaken and influenced to:

- i. Reduce the dominance of traffic and highway uses along Hall Quay;
- ii. Improve the public realm and townscape of the area; and
- iii. Improve pedestrian linkages with the rest of the town centre, including The Rows, where possible.

A Supplementary Planning Document will be produced to refine the proposals, guide the process of achieving the above ambitions, and more closely define the type, size and form of development.

## 5. Guiding Development Principles

The section sets out the detailed guiding development principles and policies with which any proposal coming forward within the planning brief area will be required to demonstrate compliance against.

### 5.1 Land use principles

To establish a new food & beverage cluster in the town, new café and restaurant uses will be generally supported, and particularly encouraged, where proposed on ground floor units within:

- o 4-5 Hall Quay;
- o 15 Hall Quay;
- o 19-20 Hall Quay;
- o 23 Hall Quay; and
- o 24 Hall Quay.

A new museum or art gallery may also be supported, and particularly encouraged where this would include an internal food and beverage offer as part of the overall scheme.

To support the town's growing tourist and visitor economy, the upgrading, expansion or enhancement of the existing visitor accommodation, and food and beverage offer at the Star Hotel will be generally supported. Provision for an additional, high quality hotel may also be supported within the planning brief area.

New or relocated financial and professional uses (A2) and other commercial uses (B1) in the planning brief area will be generally supported. Within those buildings fronting Hall Quay, such uses will be preferred on upper floors. Proposed A2 or B1 uses will only be supported on ground floors where these provide an active ground floor frontage to Hall Quay.

New residential uses in the planning brief area will be generally supported. Within those buildings fronting Hall Quay, such uses will be preferred on upper floors only.

Opportunities to improve short stay mooring facilities along the river edge of Hall Quay will continue to be explored by the Council.

### 5.2 Access & Movement

The existing road network and level of highway engineering in Hall Quay should be simplified to reduce the dominance of traffic in the area and to provide an attractive environment for businesses including cafes and restaurants to thrive.

New highway and landscaping proposals in Hall Quay should:

- Provide new public open space to facilitate outdoor seating and dining areas by converting the layby and parking bays in front of the buildings situated between 20 & 26 Hall Quay (whilst retaining an access to the rear of 13 Hall Quay).
- Provide new public open space to the front of 10 to 14 Hall Quay by removing and re-landscaping the one-way spur off Stonecutters Way (whilst retaining an access through to the rear of 13 Hall Quay).
- Provide improvement to the pedestrian crossing in front of the Town Hall.
- General rationalisation of highway infrastructure, signs and lines, to improve the pedestrian crossing experience.

Existing car parking to the rear of Hall Quay should be generally retained to provide parking for businesses, residents and tenants.

### 5.3 Building Design and Conservation

New development proposals may be supported on surface car parking to the rear of 10-13 Hall Quay and rear of 25-26 Hall Quay where it is:

- Limited to three residential stories in height, with potential for a fourth recessed storey in form of a 'lightweight' storey or floor space in the roof;

- Of a high-quality design, complements nearby heritage assets and is both respectful and complementary to their setting;
- Provide for on-site residential parking provision; or,
- If existing parking needs to be retained, the design should consider incorporating undercroft parking on the ground floor level.

Proposals which involve the conversion or change of use of buildings fronting Hall Quay, particularly between 3 to 7 Hall Quay, and 11 to 20 Hall Quay, will be expected to investigate measures to improve the façade of the frontage, in order to help raise the quality and value of the area. This could include consideration of:

Inappropriate replacement windows and doors being replaced with timber windows to the original patterning (if known)

- Replacement roofing materials being returned to the original material
- Further large flat roofed dormer windows being discouraged
- Use of cast iron rainwater goods being encouraged
- Removal of paint and other inappropriate surface finishes from brickwork

Principal points of access to both ground floor and upper floors should be maintained from Hall Quay (rather than Howard Street South) to help maintain/create active frontages to Hall Quay.

When considering building conversion proposals where planning permission and/or Listed Building Consent is required, it is recommended to consult the Council before submitting an application to establish key issues and requirements that require detailed consideration.

Pre-application advice is free for listed building matters.





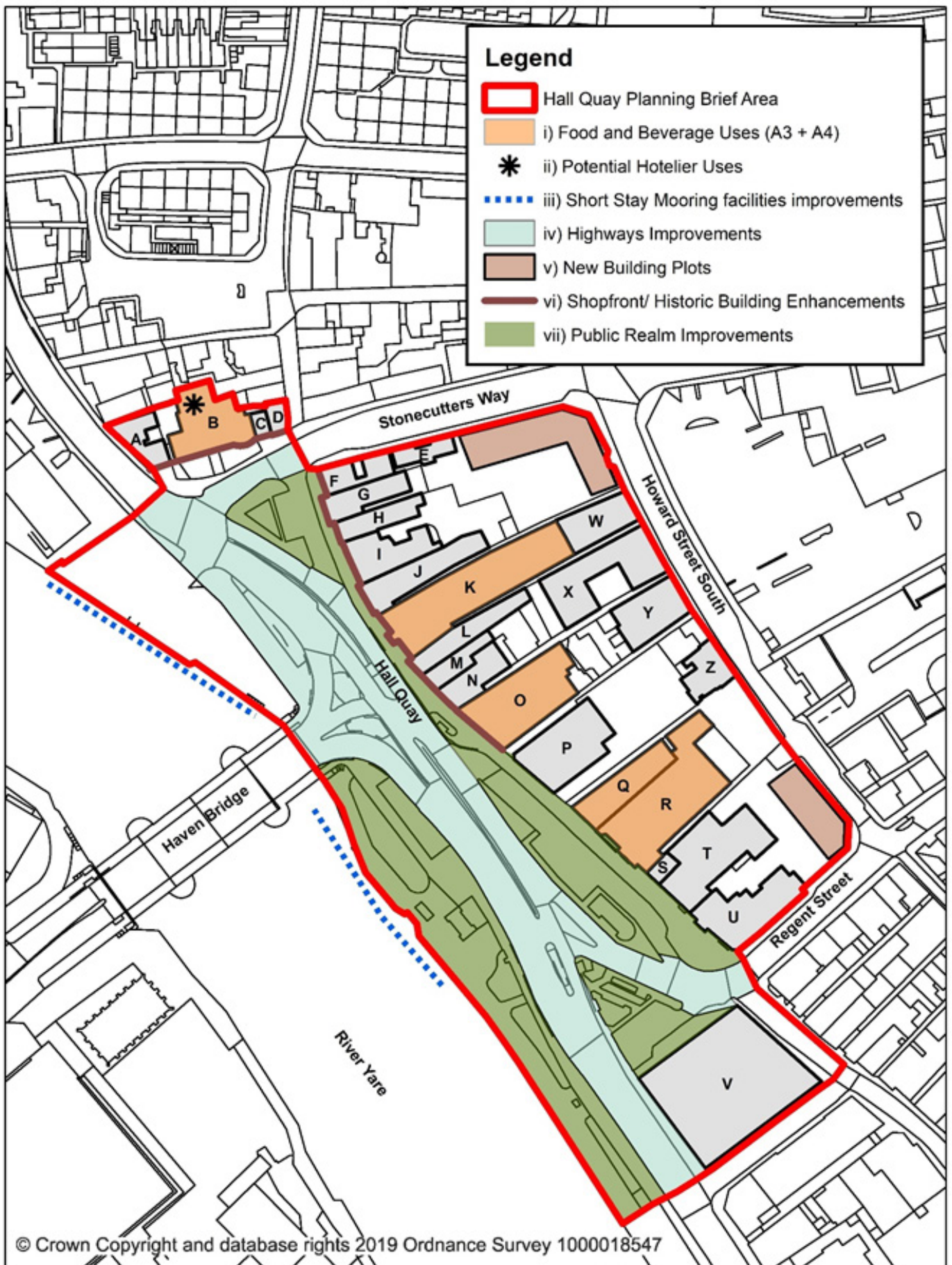


Figure 5. Hall Quay Policy Framework Map



## 5.4 Landscaping & public realm

The landscape approach to Hall Quay should provide a relatively uniform surface treatment to unify the character and appearance of the whole space. This should specifically encourage, or at least, not preclude:

- The facilitation of an outdoor seating/dining experience outside of the buildings between 21 to 26 Hall Quay to help establish a new food and beverage cluster,
- Space for new soft landscaping, such as trees or planting to help screen the public realm (visually and physically) to reduce noise, enhance tranquillity and better define this part of the space.

Hoarding at the corner of Stonecutters Way and Howard Street South should be replaced or enhanced with more appropriate forms of enclosure (in the absence of new development) and softened with tree planting.

Historic directional signage and interpretation panels should also be encouraged in Hall Quay at key nodal points informed by the Council's current Wayfinding Strategy and Rows Project. The alignment and integrity of The Rows must be retained and any proposals that may impact on their use and setting i.e. access to rear buildings and/or conversions should be assessed carefully and in liaison with the Council's Conservation team.

## 5.5 Flood risk

Design and construction of new schemes for public highway will need to safeguard as much as possible against the risk of flooding by using appropriate surfacing, storage and storm water outfall measures at the detailed design stage. Sustainable Drainage techniques (SuDS) should be used where possible in any new surface and landscape design.

For new buildings or building conversion, advice should be sought in relation to required finished floor levels, drainage requirements and mitigation measures at the design stage from the Borough Council, Norfolk County Council, the Environment Agency as necessary.



## 6. Implementation

### 6.1 Delivery

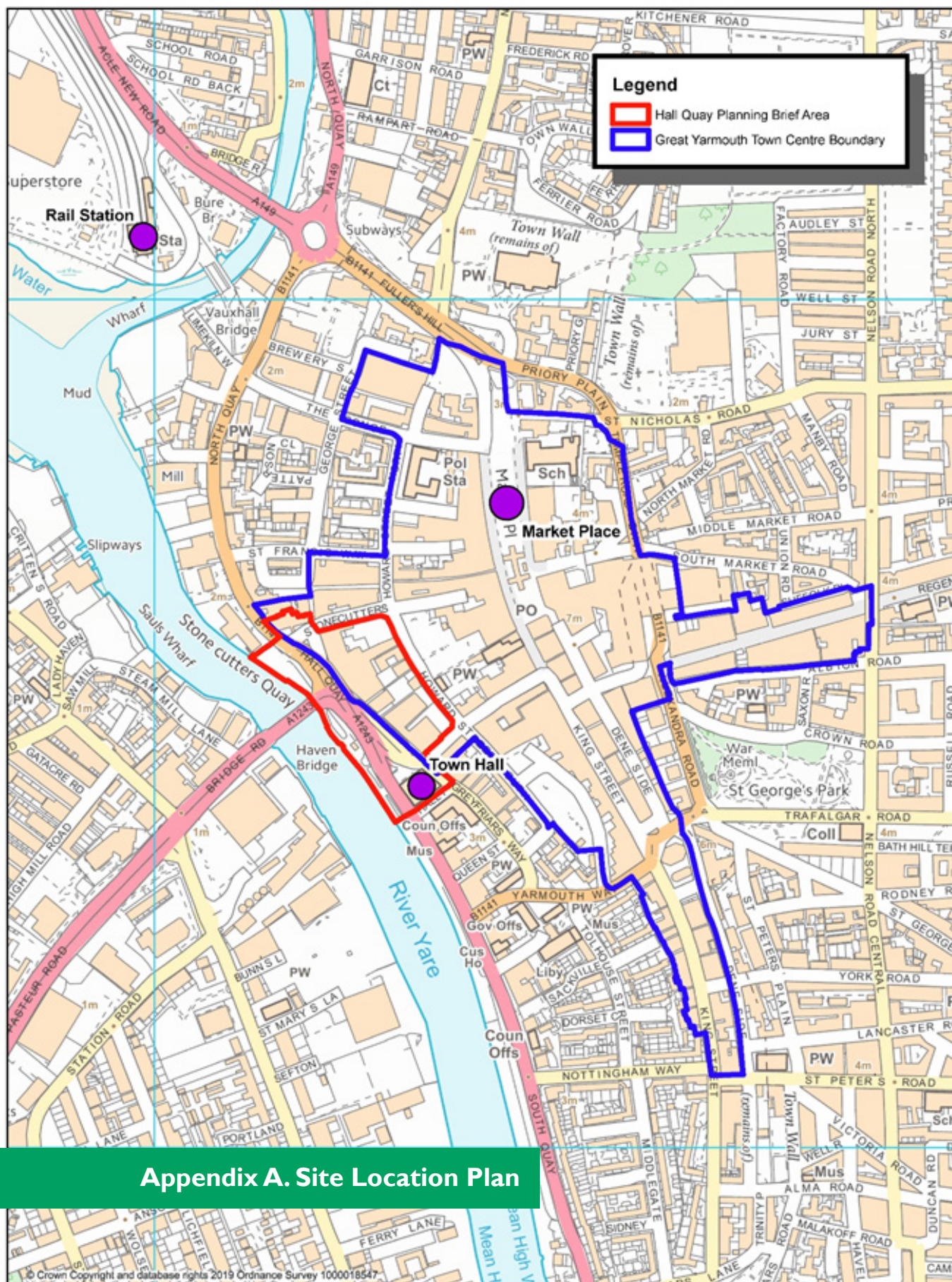
This planning brief has identified a series of critical objectives to implement future change within the Hall Quay area, of which, many are predicated on the timely delivery of both emerging and committed schemes which directly relate to Hall Quay or will help to shape proposals on the periphery.

The table below identifies the key deliverable objectives this planning brief is seeking to achieve and provides further information as to how and whom these will be achieved by and during which timescales.

Key Deliverable Objectives	How will it be achieved?	By what timescales?
Reducing dominance of highway uses and street furniture running through Hall Quay	<p>Plans for new right hand turn over Haven Bridge and re-landscaping of Hall Quay is currently being prepared.</p> <p>Exploration of other funding streams to facilitate higher quality urban environment, i.e. Heritage Lottery, Arts Council, Coastal Communities</p>	<p>Scheme delivery scheduled for October 2019 (funded by NALEP Local Growth Fund)</p> <p>On-going.</p>
Establishing new food and, beverage 'clusters'	<p>Proactive Council engagement with interested or prospective retail, restaurant, cafe operators and vendors.</p> <p>Providing business support/guidance to prospective start-ups</p> <p>Marketing and re-branding of Hall Quay as new 'quarter' through local (i.e. Great Yarmouth Business Improvement District, Press, Chamber of Commerce) and national (i.e. REVO, MIPIM) promotional vehicles</p>	<p>On-going.</p> <p>On-going.</p>

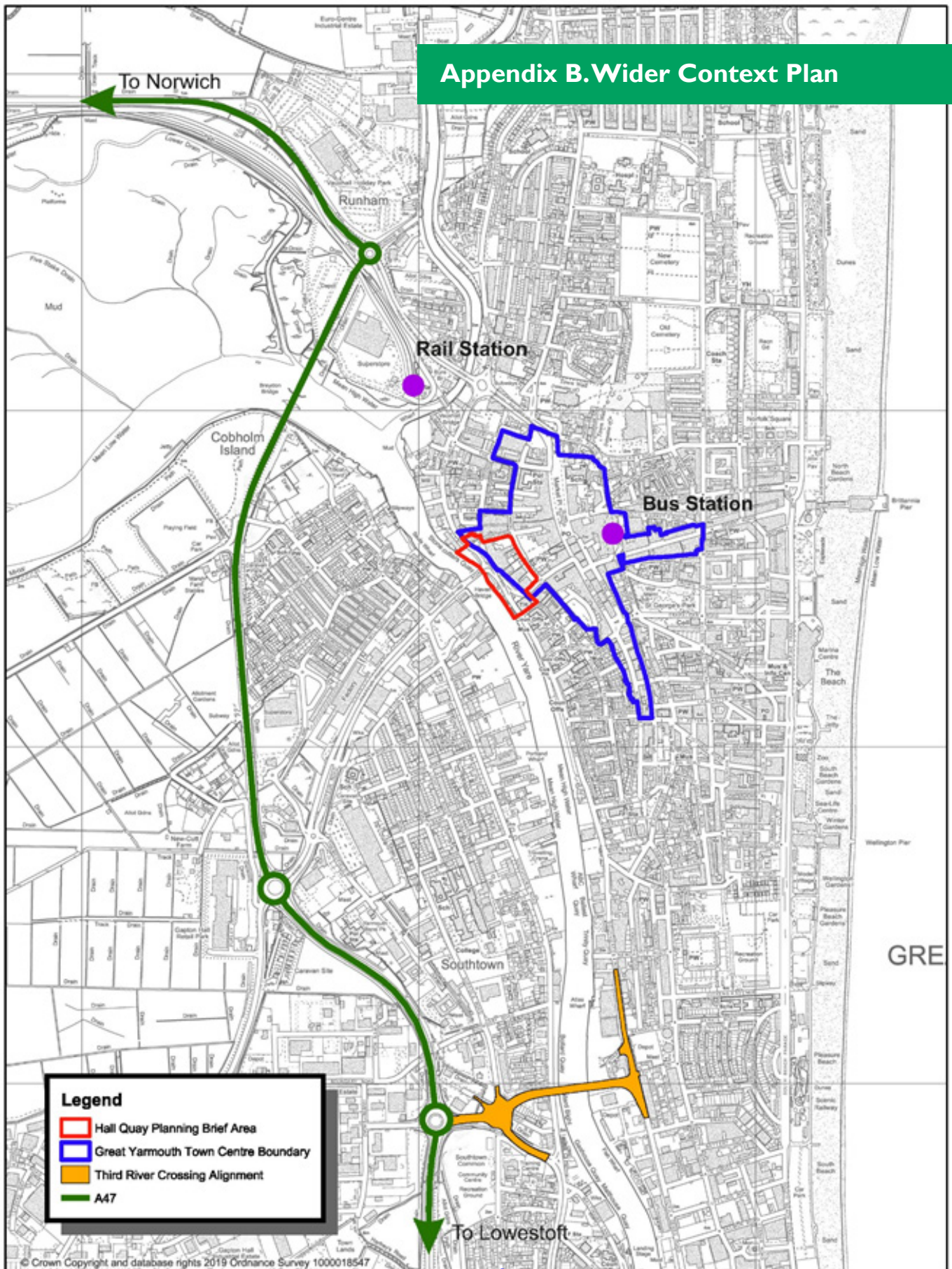
Improved public realm facilities	<p>Ongoing liaison with Norfolk County Council to position new wayfinding facilities</p> <p>Continued liaison with Great Yarmouth Preservation Trust e.g position of Row Improvement project infrastructure i.e. signage, interpretation boards, sympathetic public realm furniture</p>	<p>Scheme funding available 2018/19 (NALEP Local Growth Fund). Scheme implemented by 2019</p> <p>Cast iron named plates already installed within Hall Quay 'Rows'. Interpretation panels currently being manufactured</p>
Enhancements and improvements to Hall Quay building frontages	<p>Continued promotion of Shopfront Improvement Grant or similar Council-led incentives</p> <p>Responding to individual planning applications, providing pre-application advice. Liaison with conservation team, Historic England. Securing improvements via planning conditions.</p> <p>Council issuing Section 215 notices where condition of buildings is having harmful effect on the area.</p>	<p>Current Shopfront Improvement Grant scheme likely to be available until late 2019</p> <p>On-going</p> <p>When required.</p>
Providing new, improved short-stay mooring facilities	<p>Liaison with Broads Authority, GY Port Authority, local highway authority, GYBID, GYTBIA to better understand desirability and potential constraints.</p>	







## Appendix B. Wider Context Plan





Subject: **Annual Debt Recovery Report 2018/19**

Report to: **ELT 3<sup>rd</sup> June 2019**  
**Policy & Resources Committee 23<sup>rd</sup> July 2019**

Report by: **Stuart Brabben - Revenues Manager**

#### **SUBJECT MATTER/RECOMMENDATIONS**

This is an annual report detailing the council's collection performance and debt management arrangements for 2018/19. The report includes a:

- A summary of debts written off in each debt area showing the reasons for write-off and values.
- Collection performance for Council Tax and Non- Domestic Rates.
- Level of arrears outstanding
- Level of provision for bad and doubtful debts

#### **Recommendations**

To approve the annual report giving details of the Council's write-offs in accordance with the Council's Recovery Guidelines and performance in relation to revenues collection.

### **1. INTRODUCTION/BACKGROUND**

1.1 The Annual Debt Recovery Report is one of the performance management measures to provide members with outturn figures for 2018-19 for the following:

- A summary of debts written off in each debt area showing the reasons for write off and values
- Collection performance for Council Tax and Non - Domestic Rates (NNDR)
- Level of arrears outstanding
- Level of provision for bad and doubtful debts

1.2 Writing off bad debts is a necessary function of any organisation collecting money. The Council is committed to ensuring that debt write offs are kept to a minimum by taking all reasonable steps to collect monies due. There will be situations where the debt recovery process fails to recover some or all of the debt and will need to be considered for write off. The Council views such cases very much as exceptions and this report identifies those debts.

1.3 Collection rates and levels of overall Council Tax debt continue to be adversely impacted over recent years. There are several reasons for this including from April 2013 support for council tax was localised. The Government reduced the level of funding that it had previously provided to cover the cost of the support (council tax benefit). All those of working age who had previously been on 100% benefit had to pay a minimum of 8.5%. In addition, some people on benefits were also affected by other welfare reform changes – e.g. under occupation of properties in the social sector and the benefit cap, putting additional pressure on household incomes.

There have been a number of welfare reform changes and technical changes to council tax including an increase in the charge for second homes owners, holiday chalet owners and for empty properties. These changes impacted on the level of council tax to be collected and the ability of some residents to pay.

## 2. PERFORMANCE

### Summary of collection rates and reductions in arrears

#### 2.1 Business Rates

- 2.1.1 New more streamlined processes and working practices contributed to considerable improvements being made to the Business Rates in year collection rate and the year-end target of 98% (previous year 97.6%) was achieved. Overall arrears at 31 March 2019 were also reduced by over £29,000, from £1,410,094 to £1,380,479 compared to 31 March 2018. This would have been reduced further (£160,000), but we had some backdated increased bills back to the 2010 Rating list. To help the rate payer pay these we have had to take longer payment arrangements than normal (i.e. the arrangements also go into this financial year). It is expected that the improved collection rates and reduction in arrears trend will continue for 2019/20.

#### 2.2 Sundry Debts

- 2.2.1 New more streamlined processes and working practices contributed to considerable improvements being made in the Sundry Debt (including Housing Benefit Overpayments) overall arrears total, which saw the total debt outstanding reduce by £974,792 from £4,293,481 to £3,318,689. This exceeded the year-end target on reduction in arrears. It is expected that this trend will continue for 2019/20 with a further reduction in arrears at the end of the financial year.

#### 2.3 Council Tax

- 2.3.1 The Council Tax in year collection rate for 2018-19 was 95.9% which was an improvement of 0.2% on the previous years' collection rate. Tin-year collection, continues to more of a challenging area to improve however, improved communications and engagement with some residents who are finding it difficult to pay is helping to improve this area. It should be noted that over £150,000 extra was collected from previous years arrears compared with 2017-18 and that for 2018/19 a further £394,000 has been collected since April 2019 resulting in collection rate now being 96.7%.

#### 2.4 Future Plans and initiatives

Implementing various initiatives during 2018/19 including closer working with NPLaw, enhanced staff training, reviewing processes and procedures and setting challenging targets for enforcement agents have had a positive impact on performance.

To improve this position further it is planned to:

- Work more closely with debt agencies such as DIAL and CAB to engage with hard to reach customers who are finding it difficult to pay
- To increase high level debt enforcement activity. To do this we presented a business case to Norfolk County Council and they have agreed to fund a full-time member of staff to focus on this area of work
- Continue to review of processes and procedures to improve efficiency and effectiveness



It is expected that improvements in collection rates will continue in 2019/20 and reach the target collection of 97%.

- 2.5 Appendix 1 shows a summary of the Council's three main income streams and the level of debt associated with each and write offs, for the last three financial years.

### 3 RECOMMENDATIONS

To approve:

- (l) The annual report giving details of the Council's write-offs in accordance with the Council's Debt Write-Off Policy and performance in relation to revenues collection.

Area for consideration	Comment
Monitoring Officer Consultation:	No
Section 151 Officer Consultation:	Yes
Existing Council Policies:	Debt Recovery Guidelines
Financial Implications:	The Council is already required to make provision for bad and doubtful debts. The additional information gained from this report will help improve monitoring and our ability to consider the appropriateness of the provisions in a more accurate way.
Legal Implications (including human rights):	No
Risk Implications:	No
Equality Issues/EQIA assessment:	<p>The Debt Recovery Guidelines takes account of the impact that getting into debt can have on people and their families, so it also encourages people to pay, and aims to provide reasonable facilities and assistance for them to do so.</p> <p>Before writing off debt, the Council will satisfy itself that all reasonable steps have been taken to collect it and that no further recovery action is possible or practicable. It will take into account the age, size and types of debt, together with any other factors that it feels are relevant to the individual case. All write-offs are dealt with in the same fair and consistent way in line with equality and diversity issues</p>
Crime & Disorder:	No
Every Child Matters:	No



## Appendix 1

### 1. Collection Rates and Arrears Position

The Table 1 below shows the level of Council Tax and Business Rates outstanding at the year end

Table 1

Income Area	Year/Date	Total Arrears at 31 <sup>st</sup> March All Years (after write offs)* (£)	Current Years Arrears (after write-offs) ** (£)	% of Current Arrears v Net Debit	Provision for Bad/Doubtful Debt for all years (£)
Council Tax	2016/17	3,655,247	1,646,287	3.8%	1,881,548
	2017/18	4,326,908	1,815,589	4.3%	2,263,784
	2018/19	4,755,585	2,214,271	4.5%	2,210,915

Income Area	Year/Date	Total Arrears at 31 <sup>st</sup> March All Years (after write offs)* (£)	Current Years Arrears (after write –offs) ** (£)	% of Current Arears v Net Debit	Provision for Bad/Doubtful Debt for all years (£)
Business Rates	2016/17	1,643,321	896,380	2.9%	514,203
	2017/18	1,410,094	721,925	2.4%	458,014
	2018/19	1,380,479	592,740	1.9%	409,170

\*This is the cumulative arrears (excludes costs) for all years including 2018/19.

\*\* This is the arrears figure for 2018/19 as at 31/3/2019.

Collection of the all arrears is ongoing and for 2018/19 a further £394,000 Council Tax has been collected since April 2019 resulting in collection rate now being 96.7%.

Table 2 below shows the level of sundry debt outstanding at the year end and the element of that debt which is attributable to Housing Benefit Overpayments being collected by invoicing customers.

Table 2

Income Area	Year	Total Arrears at 31 <sup>st</sup> March All Years (after write offs) (£)	Net Debit Raised End of Year (£)	% outstanding against debit at year end (£)	Provision for Bad/Debt for all years (£)
Sundry Income (includes HB Overpayments)	2016/17	*5,011,629	10,002,000	50%	903,079
	2017/18	** 4,293,481	10,563,307	44%	860,559
	2018/19	***3,318,689	9,344,002	35%	592,516

- \* 2016/17 – Housing Benefit Overpayment value = £2,426,795
- \*\* 2017/18 – Housing Benefit Overpayments value = £2,183,715
- \*\*\* 2018/19 – Housing Benefit Overpayments value =£1,848,665

During 2018/19 £119,000 more was collected than raised (£500,260) for Housing Benefit Overpayments.

Table 3 below shows the Aged Debt Analysis for Sundry Debt (Not including Housing Benefit Overpayments)

Table 3

Age of Debt	Amount £
0 to 90 days old	284,972
90 to 180 days old	319277
181 to 365 days old	169207
Over 1 year old	696,568

Table 4 below shows the Aged Debt Analysis for Housing Benefit Overpayments

Table 4

Age of Debt	Amount £
0 to 90 days old	40,483
90 to 180 days old	42,062
181 to 365 days old	103,204
Over 1 year old	1,662,917

Table 5 below shows the total value raised for each revenue area and the total value of arrears as at the end of each of the last three financial years



Table 5

Income Area	Year/Date	Net Collectable Debit (£)	Number of Accounts	Average Amount per Account (after adjustments) (£)	Total of all Years Arrears (£)
Council Tax	2016/17	42,824,000	47,539	900.81	3,655,247
	2017/18	46,221,000	47,784	967.29	4,326,908
	2018/19	49,257,000	47,964	1,027	4,755,585
Business Rates	2016/17	31,753,000	4,771	6,655.42	1,643,321
	2017/18	30,482,000	4,935	6,176.69	1,410,094
	2018/19	31,641,000	5010	6,315.57	1,380,479
Sundry Income	2016/17	10,002,000	10,206	980.01	5,011,629
	2017/18	10,563,307	9,011	1,172.26	4,293,481
	2018/19	12,458,032	8827	1,411.35	3,318,689

Table 6 below shows the in-year collection rates for Council Tax and Business Rates over the last three financial years

Table 6

Income Area	2016/17	2017/18	2018/19	Target 2019/20
Council Tax	96.2%	95.7%	95.9%	97%
Business Rates	97.1%	97.6%	98%	98.3%

Table 12 provides the Norfolk local authority comparator collection rates for council and business rates.

Table 7 shows the current overall collection rates for Council Tax and Business Rates since 2012, which shows that collection rates are actively being collected and recovery of debt is ongoing.

Whilst it is recognised that there is need to speed up the cash flow of these eventual collection rates to reduce the overall arrears, this demonstrates the ongoing collection and reduction of debt within the respective billing year.

Table 7

Year	Council Tax (as at 31 March 2019)	£ of debt outstanding	Business Rates (as at 31 March 2019)	£ of debt outstanding
2012/13	99.3%	£115,539	99.3%	£18,663
2013/14	99.1%	£192,639	99.2%	£48,163
2014/15	98.8%	£285,930	99.2%	£57,884
2015/16	98.6%	£437,950	98.9%	£86,125
2016/17	98.3%	£723,924	98.8%	£142,949
2017/18	97.6%	£1,177,469	98.2%	£421,523

It should be noted that for 2018/19 a further £394,000 has been collected since April 2019 resulting in collection rate now being 96.7%.

## 2. Write-Offs

Table 8 below shows in summary the amounts of debts that have been written off over the last three years.

Table 8

Income Area	2016/17 (£)	2017/18 (£)	2018/19 (£)
Council Tax	298,698	221,280	298,551
Business Rates	97,445	367,509	336,797
Sundry Income (includes Housing Benefit write-offs)	260,514	337,322	201,578
Housing Benefit element of Sundry Income Write Offs shown above	160,335	258,989	130,691

Table 9 below details the category of debts that have been written off over the year 2018/19 for all years.

Table 9

Category	Council Tax (£)	Business Rates (£)	Sundry Income (£)
Unable to collect Uneconomic/ bailiff unable to collect	13,621	1,697	39,796
Debtor deceased	3,932	0	24,049
Debtor absconded	239,866	64,220	33,642
Debtor in bankruptcy Or liquidation or other Insolvency proceedings	40,144	270,880	101,047
Ill health & no means	983	0	0
Undue hardship	0	0	0
Debt remitted by the Court	0	0	1,380

Detained/Prison	0	0	1,155
Other	5	0	508
Totals	298,551	336,797	201,578

Table 10 below shows the breakdown of Sundry Debt written off (Excluding Housing Benefit Overpayments) into types of Invoice.

Table 10

Debt type	£ as at 31 <sup>st</sup> March 2019
General/Misc	22,084
Property	3,497
BIDS	12,155
HRA	2,172
Yare Care	900
Housing & Neighborhoods (Homeless)	25,546
Environment	4,530
Tourism/Building Control	3

Table 11 below details the amounts above that have been written off for Council Tax and Business Rates over the respective financial years during 2018/19.

Table 11

Year	Council Tax (£)	Business Rates (£)
pre 2010	3,540	-40
2010	10,393	-1,885
2011	16,227	4,002
2012	26,567	521
2013	48,577	8,056
2014	72,147	30,994
2015	63,826	55,757
2016	32,575	66,610
2017	17,680	127,578
2018	7,019	45,204
Total	298,551	336,797

The debts for Council Tax written off are principally debts from previous years that cannot be recovered e.g. Debtors absconded and insolvencies. The level of Business Rates written off has decreased in value from last year. The reasons for this include less debtors being insolvent. The level of Sundry Income write offs has decreased mainly due to a decrease in insolvencies, Debt Relief Orders and debtors who have absconded. Whilst every effort is made to trace debtors there some debtors that cannot be traced, and the debts must be written off.

Table 12

Council Tax and Business Rates Collection for Norfolk Local Authorities

**Council Tax**

<b>LA</b>	<b>2017/18</b>	<b>2018/19</b>	<b>Reduction or increase in collection rate</b>
Broadland	99%	99%	0.0%
North Norfolk	98.7%	98.7%	0.0%
South Norfolk	98.5%	98.3%	-0.2%
Kings Lynn & West Norfolk	97.7%	97.7%	0.0%
Breckland	97.7%	97.6%	-0.1%
<b>Great Yarmouth</b>	<b>95.7%</b>	<b>95.9%</b>	<b>0.2%</b>
Norwich	95.6%	95.7%	0.1%

***GYBC biggest increase in CTAX Collection rate 0.2%***

**Business Rates**

<b>LA</b>	<b>2017/18</b>	<b>2018/19</b>	<b>Reduction or increase in collection rate</b>
Broadland	99.3%	99.2%	- 0.1%
North Norfolk	99.4%	99.2%	- 0.2%
Kings Lynn & West Norfolk	99.1	99%	-0.1%
<b>Great Yarmouth</b>	<b>97.6%</b>	<b>98%</b>	<b>0.4%</b>
South Norfolk	98.3%	98%	-0.3%
Norwich	97.9%	97.7%	- 0.2%
Breckland	98%	96.5%	-1.5%

***GYBC biggest increase in Business Rates Collection rate 0.4%***



Subject: REVENUES WRITE OFF REPORT

Report to: Policy & Resources Committee 23<sup>rd</sup> July 2019

Report by: Stuart Brabben - Revenues Manager

<b>SUBJECT MATTER/RECOMMENDATIONS</b>
---------------------------------------

- |   |
|---|
| <p><b>(i) To seek Committee approval to authorise individual write offs as detailed within the Schedule 1 (Business Rates) and Schedule 2 (Sundry Debt)</b></p> |
|---|

**1. INTRODUCTION/BACKGROUND**

- 1.1 Consideration for writing off a debt is given where it is held to be uneconomical to recover, is time barred or is legally unenforceable.
- 1.2 All debts to be written off will be processed in accordance with the Council's Financial Procedure Rules.
- 1.3 The Council will always be flexible in its approach to recovery of arrears. Each case will be considered on its own merits.
- 1.4 The Council has a duty to minimise any loss to public funds. In seeking to recover arrears it will have regard to:
- the period of time that the debt may take to be recovered;
  - the effect of recovery on the affected person from whom recovery is sought;
  - the ability to repay of the affected person from whom recovery is sought; and
  - the practicality of recovery of the debt and the cost of doing so.
- 1.5 Under the law, there is an obligation to take reasonable steps to collect debts. There are however many situations where there is justification for writing off debts, provided reasonable steps have been taken regarding each individual case.
- 1.6 The scheme of delegation for the write off of uncollectable debt is as follows;
- (i) Council Tax and Business Rates Team Leader and the Sundry Debt and Recovery Team Leader - up to £500
  - (ii) Revenues Manager - £501 to £5,000
  - (iii) Revenues Manager and Head of Customer Services - £5,001 to £7,500
  - (iv) Head of Customer Services and Section 151 Officer - £7,501 to £10,000
  - (v) Policy and Resources Committee - £10,001 and above
- Only account numbers with debts over £10,001 are referred for member approval, some debtors can have more than one account in arrears where the scheme of delegation for debts up to £10,000 will apply.

- 1.7 The main circumstances where an unrecoverable debt will be considered for write off and their applicable codes are listed below:

Write Off Code	Reason for Write Off
WO1	Where the person is made insolvent (bankruptcies, Liquidations, insolvencies and administration orders).
WO2	The person dies and there are no funds within the estate to pay the debt.
WO3	We are unable to trace the person's whereabouts.
WO4	Where the cost of collection will be greater than the amount of the debt (e.g. recommendations from our Legal representatives).
WO5	Hardship cases where the individual circumstances of the debtor may lead to a decision to write off a debt.
WO6	Company ceased trading/dissolved and has no assets
WO7	Company is registered abroad. No recourse to any recovery actions within UK.

## 2. RECOVERY PROCEDURES

### 2.1 Business Rates

- 2.1.1 The National Non-Domestic Rates recovery procedures are laid down by statute in the Non-Domestic Rating (Collection and Enforcement) (Local Lists) Regulations 1989 and subsequent amendments.
- 2.1.2 If after a reminder or final notice has been issued payment is not made in full or an appropriate arrangement has not been set up, enforcement action is taken. A summons will be issued giving the date that the case will be heard at the magistrate's court.
- 2.1.3 After the court hearing a liability order will be issued. If the ratepayer then contacts the council and discusses the reasons why their account is in arrears, the council will if appropriate set up an arrangement to clear the arrears. This will be at the discretion of the council.
- 2.1.4 Where appropriate, the council will provide support or provide information to the ratepayer.
- 2.1.5 If an arrangement cannot be set up the authority may look to recovery by enforcement agents.
- 2.1.6 If the authority is unable to recover the debt by any of the above methods it may look to use other methods of recovery which may include charging orders, bankruptcy or winding up of the business. However, before any further action is taken checks will be carried out.

- 2.1.7 During the recovery process, if appropriate the council will consider entitlement to the different forms of rate relief to reduce the debt.
- 2.1.8 Reminder Notices are normally issued within 14 days of a missed instalment and if the instalment continued to be unpaid a court summons would normally be issued within a further 28 days in order to obtain a Liability Order.
- 2.2 Sundry Debts
- 2.2.1 If after a reminder and a final notice has been issued and payment is not made in full or an appropriate arrangement has not been set up, recovery action is taken.
- 2.2.2 A decision is then taken on the form of enforcement to recover the debt outstanding. This could be the use of collection agents or passed to NPLaw to enforce the debt through the County Court. If the ratepayer then contacts the council and discusses the reasons why their account is in arrears, the council will if appropriate set up an arrangement to clear the arrears. This will be at the discretion of the council.
- 2.2.3 Where appropriate, the council will provide support or provide information to the ratepayer.
- 2.2.4 Ultimately, If the authority is unable to recover the debt by any of the above methods it may look to use other methods of recovery which may include, bankruptcy or winding up of a business. However, before any further action is taken appropriate checks will be carried out.
- 2.2.5 Reminder Notices are normally issued within 28 days of the initial invoice and if the invoice continues to be unpaid a Final Notice would normally be issued within a further 14 days.

### 3 Further Information

- 3.1 The table below shows by each financial year the total value of Business Rates write offs that are in Schedule 1 of this write off report. It also shows the current collection rate for these financial years, the amount still to be collected and the potential eventual collection rate

#### **Value by Year**

Year	Total Amount Written Off by year to 15 May 2019 (£)	% collected for that year as at 15 May 2019	Still to be collected after these write offs (£)	% still outstanding after these write offs	Potential overall Collection rate
2013	169,588	99.2%	38,005	0.1%	99.3%
2014	166,804	99.2%	42,923	0.2%	99.4%
2015	255,019	98.9%	78,942	0.3%	99.2%
2016	227,898	98.8%	73,250	0.3%	99.1%
2017	159,790	98.4%	250,332	0.8%	99.2%

- 3.2 The table shows that the overall collection rates for Business Rates in respect of the financial years 2013 and 2014 is over 99%. All the above years have a potential to reach over 99%, as we continue to pursue the debts outstanding.

## 4 FINANCIAL IMPLICATIONS

- 4.1 Where a debt is irrecoverable, prompt and regular write off of such debts is important, so that the Council can budget for bad debts. An integral part of debt recovery is the effective management of bad debts, to ensure resources are applied efficiently to the collection of monies outstanding which can reasonably be expected to be collected.
- 4.2 The Council has a bad debt provision within its financial accounts as part of its monitoring process and the amount of this provision is reviewed annually.
- 4.3 Where the council writes off a debt and then later finds there has been a change in the customer's circumstances, it will reinstate and pursue recovery of the monies owed.

## 5 RECOMMENDATIONS

- (i) To seek Committee approval to authorise individual write offs as detailed within the Schedule 1 (Business Rates) and Schedule 2 (Sundry Debt)

Area for consideration	Comment
Monitoring Officer Consultation:	No
Section 151 Officer Consultation:	No
Existing Council Policies:	Debt Recovery Guidelines
Financial Implications:	Bad Debt Provision
Legal Implications (including human rights):	No
Risk Implications:	No
Equality Issues/EQIA assessment:	No
Crime & Disorder:	No
Every Child Matters:	No



**Schedule 1**

**Business Rates Committee Write Offs – Batch 320**

<b>Case No</b>	<b>Debtors name and Business Address in Great Yarmouth</b>	<b>Type of Business and VOA Property Description</b>	<b>Period of Debt</b>	<b>Amount to be Written Off</b>	<b>Reason for Write Off</b>
7710095665	Blue Inc (UK) Ltd 2A Market Gates, Great Yarmouth	Type of Business: Retail  VOA Property Description: Shop & Premises	01.04.2018 – 09.12.2018	£10358.82	Write Off Code: W01  03.07.18 – A Liability Order was obtained 27.07.18 – A Company Voluntary Arrangement proposal was approved for term of 6 years  As the debt is now included in a Company Voluntary Arrangement we are unable to pursue further therefore write off requested. This debt was referred for write off in May 2019 and with no other enforcement actions available a decision was made to continue with the write off of this debt.
7710122038	Saturn Trading Ltd 18 Market Gates, Great Yarmouth	Type of Business: Retail  VOA Property Description: Shop & Premises	01.09.2017 – 28.06.2018	£18123.63	Write Off Code: W01  01.11.18 – An email was received from the Landlord advising us that a company called Saturn Trading Ltd had a tenancy agreement and had occupied the premises from 01.09.17.  01.11.18 – A Bill was issued 24.12.18 – A Reminder was issued 22.01.19 – A Cancellation was issued 07.02.19 – We received notification of a Company Voluntary Arrangement approval  As the debt is now included in a Company Voluntary Arrangement we are unable to pursue this further and therefore a write off is requested.  This debt was referred for write off in May 2019 and with no other enforcement actions

					available a decision was made to continue with the write off of this debt.
7710041812	Shunar Panni Ltd 25A-26 King Street Great Yarmouth	Type of Business: Food Restaurant  VOA Property Description: Restaurant & Premises	01.04.2016 – 23.10.2017	£12346.58	<p>Write Off Code: W06 21.06.16 – A Liability Order was obtained 11.07.16 – The debt was referred to Enforcement Agents to collect.</p> <p>Regular payments were received from the Enforcement Agents until 23.10.17 when payments stopped. On 30.01.18 – The debt was returned from Rundles as insufficient effects and no other means of collection. Continued checks with Companies House resulted in showing that Shunar Panni Ltd was dissolved via a 'striking off'.</p> <p>This debt was referred for write off in May 2019 and with no other enforcement actions available a decision was made to write off the debt.</p>
7710111724	Proti Ltd 180 King Street Great Yarmouth	Type of Business: Retail  VOA Property Description: Shop & Premises	02.10.2017 – 03.02.2018	£13364.15	<p>Write Off Code: WO6</p> <p>13.02.18 – A Liability Order was obtained 16.03.18 – The debt was referred to Enforcement Agents to collect. 27.07.18 – The debt was returned from the Enforcement Agent as the debtor had gone away with no trace. 30.07.18 – The debt was referred to a tracing company for action 10.08.18 – The debt was returned from the tracing company as the debtor had been found to have gone into Liquidation. 14.09.18 – A letter was received from CMB Partners advising that the company was in liquidation and had no assets to pay creditors.</p> <p>This debt was referred for write off in May 2019 and with no other enforcement actions</p>

					available a decision was made to write off the debt.
7710119988	ATM modes Ltd 180 King Street	Type of Business: Retail  VOA Property Description: Shop & Premises	01.04.2018 – 30.09.2018	£17179.98	Write Off Code: W01  20.11.18 – A Liability Order was obtained  30.01.19 – Notification was received that the company was in liquidation with no likely prospect of a dividend.  This debt was referred for write off in May 2019 and with no other enforcement actions available a decision was made to write off of this debt.
			<b>Total</b>	<b>£71,373.16</b>	

## Schedule 2 – Sundry Debt

### Sundry Debts Committee Write Offs – Batch 243

Case No	Debtors	Nature of Debt	Period of Overpayment	Amount to be Written Off	Reason for Write Off
1	Debtor	Overpayment of Housing Benefit	Various periods arising over 14.08.06 to 26.03.17	£17,025.43	<p>Write Off Code: WO2</p> <p>The debtor had an overpayment of Housing Benefit caused by failing to notify a material change in circumstances. The original overpayment of £17,559.26 was being recovered from ongoing benefit at a rate of £11.10 a week.</p> <p>In February 2016 the debtor was granted a Debt Relief Order. (DRO) however, this was subsequently withdrawn as it was established that the total debts exceeded £20k.</p> <p>The debtor passed away in March 2017. Correspondence addressed to the executors at the last known address of the debtor has been returned. The Landlord of the address has advised that he does not have forwarding contact details for the executors.</p> <p>There is no record of Probate being granted indicating a low value of any estate.</p> <p>There is no further action that can be taken. Decision to write off the debt.</p>



Case No	Debtors	Nature of Debt	Period of Overpayment	Amount to be Written Off	Reason for Write Off
2	Debtor	Overpayment of Housing Benefit	02/07/2007 until 08/12/2013	£11689.62	<p>Write Off Code W02</p> <p>The debtor had an overpayment of Housing Benefit caused by failing to notify a material change in circumstances.</p> <p>The debtor absconded but was traced and multiple methods of recovery have been implemented to collect the debt, including the use of collection agents and attempts to attach the debt to DWP benefits.</p> <p>Notification was received from the Registrars in November 2018 that the debtor had passed away in May 2018. The address provided by Registrars was not the debtors last known address and next of kin details are unknown.</p> <p>There is no record of Probate being granted which indicating a low value of any estate.</p> <p>There is no further action that can be taken. Decision to write off the debt.</p>

Case No	Debtors	Nature of Debt	Period of overpayment	Amount to be written off	Reason for write off
3	Debtor	Overpayment of Housing Benefit	12/04/2004 until 15/07/2007	£12202.82	<p>Write Off Code W02</p> <p>The debtor had an overpayment of Housing Benefit caused by failing to notify a material change in circumstances.</p> <p>The debtor made payments of £5.00 per week as agreed in 2009. Payments were maintained until the debtor passed away in December 2014. The spouse of the debtor contacted the council to explain they had no funds to continue to make the repayment. Whilst this was a joint claim for housing benefit the overpayment was generated following actions from the debtor without any knowledge to the spouse. The case has been on hold pending any changes to circumstances which may have provided funds to pay this debt.</p> <p>There is no record of Probate being granted and the spouse remains on a basic income.</p> <p>There is no further action that can be taken. Decision to write off the debt.</p>

Subject: COUNCIL TAX SUPPORT (REDUCTION) SCHEME 2020

Report to: ELT 1<sup>st</sup> July 2019  
Policy & Resources Committee 23<sup>rd</sup> July 2019

Report by: Miranda Lee Head of Customer Services

#### **SUBJECT MATTER/RECOMMENDATIONS**

To seek permission to consult on Great Yarmouth Borough Council's Council Tax Support (Reduction) Scheme for 2020

#### **RECOMMENDATIONS**

To grant permission to consult on retaining the current scheme for 2020 but including the further options as outlined in section 3.2

### **1. INTRODUCTION/BACKGROUND**

- 1.1 On the 1<sup>st</sup> April 2013 the Council introduced a new Local Council Tax Support (Reduction) Scheme which replaced Council Tax Benefit following the Government announcement in the Spending Review 2010 that financial support for council tax would now be localised.
- 1.2 In designing a local scheme the council had to consider:
  - The amount of funding provided to local authorities to run a localised scheme would be approximately 10% less than was spent on the previous Council Tax Benefit scheme.
  - Support for pensioners must be protected and would not be affected by the local scheme meaning that the rules around a localised scheme would only apply to those customers of working age.
- 1.3 The Great Yarmouth Borough Council Scheme for 2019 was introduced following a consultation with customers, stakeholders and other organisations. The scheme was decided by Council on the 13<sup>th</sup> December 2018.

### **2. CURRENT SCHEME**

- 2.1 With minimal changes to the scheme since its first introduction, financial assistance for those classed as working age customers is limited to a maximum of 91.5% of their council tax liability. Those customers of pension age are unaffected by the Council Tax Reduction Scheme and continue to receive the same financial level of assistance as they did under the Council Tax Benefit Scheme.

### **3. REQUIREMENTS FOR FURTHER CONSULTATION**

- 3.1 There is a legal requirement to conduct a further consultation where the Council is considering changing the Council Tax Support (Reduction) Scheme for future years. It is considered

best practice to consult each year even where the Council decides to retain the existing scheme for the following year.

- 3.2 Options to consult on and consider include retaining the current scheme with only marginal adjustments to keep the scheme up to date and aligned to other welfare benefits.

Further options include:

- Extend the period from which we can award a backdate of council tax support to 12 months (longer for exceptional circumstances to be considered case by case) (current 3 month by discretion)
- The ability to hold smaller adjustments of council tax support entitlement until such a time that a revised bill should be practically issued
- Introduce a flat rate non-dependent deduction of £5.00 with protection for customers where they or their partner is in receipt of Disability Living Allowance or Personal Independent Payment.

A non-dependent is a person who lives with you but is not liable to pay rent or council tax. A non-dependent deduction is a deduction in the level of weekly Council Tax Support you receive where the non-dependent in your home has earned income. The amount of deduction made, depends on the earnings they receive.

In our current scheme, the deduction can range from 'nil' for non-dependents in receipt of 'out of work' benefits to either £4.00, £8.10, £10.20 or £12.20 depending on the amount of their earnings.

- Introduce a 'self-employed' minimum income floor based on the minimum wage for existing self-employed council tax support recipients (currently this is only applied to new claims where the customer is self-employed).

- 3.3 Council tax needs to remain collectable, and the current scheme is established and broadly understood. The amount of council tax customers in receipt of Council Tax Support (Reduction) are required to pay has proven in the main to be collectable, however, in-year council tax collection has been impacted by those customers now on Universal Credit. This is due to multiple changes in Universal Credit awards as customers earnings fluctuate prompting changes in the Council Tax Support calculation which then creates revised council tax bills.

Some of the above options to consult on would help to reduce the number of reassessments and revisions of council tax bills, they will help to give customers more certainty and stability on the level of council tax support they receive and also provide a mechanism where we can back date an award of council tax support for a longer period where a customer may have been unaware they were entitled.

#### 4. **FINANCIAL IMPLICATIONS**

- 4.1 Government funding for Local Authorities to administer their local schemes from 2015 formed part of the overall Revenue Support Grant (RSG). As this grant continues to reduce and future government funding is uncertain, the council needs to



consider the cost of each year's scheme.

The overall cost of the 2019 scheme is forecasted as:	£9,375,603
The cost to Great Yarmouth Borough Council is forecasted as:	£844,921

#### 4.2 **Future Schemes**

Great Yarmouth is currently working with other Norfolk districts to model different types of schemes for consideration for the future.

### 5. **RECOMMENDATIONS**

- 5.1 To grant permission to consult on retaining the current scheme for 2020 but including the further options within the consultation as set out in section 3.2.

*Areas of consideration: e.g. does this report raise any of the following issues and if so how have these been considered/mitigated against?*

Area for consideration	Comment
Monitoring Officer Consultation:	
Section 151 Officer Consultation:	Yes
Existing Council Policies:	
Financial Implications:	Yes
Legal Implications (including human rights):	Yes
Risk Implications:	
Equality Issues/EQIA assessment:	Yes
Crime & Disorder:	
Every Child Matters:	

Subject: Provision of Body Worn Video Cameras

Report to: Policy & Resources Committee 23rd July 2019

Report by: Miranda Lee Head of Customer Services

#### **SUBJECT MATTER/RECOMMENDATIONS**

This report outlines the requirements and options considered for the provision and introduction of Body Worn Video Cameras to relevant officers across the organisation as an additional form of protection against potential harm from lone working and/o anti-social behaviour and abuse

#### **Recommendations**

##### **It is recommended that Committee:**

- 1) delegate authority to Officers to proceed with the proposal as outlined in Section 3 of this report, namely to proceed with the fully hosted and managed service provision for the introduction and use of Body Worn Video Cameras for designated staff within this organisation
- 2) approve budget provision as set out in Section 4.2 and 4.3 of this report

## **1. INTRODUCTION/BACKGROUND**

- 1.1 In 2017 following a review of PPE (personal protective equipment) needs across the organisation undertaken by the Health & Safety officer, it was highlighted that a number of roles within the organisation would benefit from additional protection by wearing body worn video cameras.
- 1.2 The initial services and roles identified were within Parking Services and Environmental Services who were to undertake a trial of suitable devices which could then be recommended, procured and rolled out to other services across the organisation.
- 1.3 The initial trials were held within the Parking Services Team and Environmental Team. Although limited with some initial IT complications progress was made, and some devices successfully trialled including the development of draft council policies needed to be in place to ensure the safe use the cameras.
- 1.4 In December 2018, the Health & Safety Sub Group identified additional roles across the organisation which would benefit from having the protection of body worn video cameras. In addition to putting forward a proposal to procure a body worn video camera solution for this authority to manage as an in-house solution, it was also agreed to seek an option for a managed & hosted solution from a local authority already

providing body worn video cameras for their staff. Great Yarmouth Borough Council already works in partnership with the Borough Council of Kings Lynn and West Norfolk who already have a solution in place and the necessary infrastructure to host and manage this type of solution.

## 2. BUSINESS REQUIREMENT

2.1 The Health & Safety Sub Group identified the following requirements across the organisation;

Table 1

Service Area	Roles
Customer Services – Parking	Civil Enforcement Officers
Customer Services – Revenues	Property Inspector
Environment Services	Environmental Rangers
Property Services	Market Inspectors/surveyors
Planning	Enforcement Officers
Housing	Caretakers
Housing	Environmental Crime Officer

2.2 There are a number of benefits associated with the use of body worn video cameras by organisations such as ourselves, these include;

- Making staff feel more secure and safe whilst undertaking their duties
- Act as a visible strong deterrent reducing the number of incidents of aggression towards staff
- Provide admissible evidence helping to identify and bring to account perpetrators and witnesses of an incident that has taken place
- Identifies possible training and development of staff, assisting with complaint handling and resolution

## 3. PROPOSAL

3.1 The Senior Management Team considered 2 options to recommend proceeding with for the provision of a body worn video camera solution.

3.2 Option 1 – To proceed with procurement and implementation of an ‘in-house’

solution, and Option 2 - To proceed with the proposal put forward by our request from The Borough Council of Kings Lynn and West Norfolk to provide us with a hosted and managed service.

3.3 In consideration of these options, the decision was made to recommend proceeding with Option 2, the proposal put forward by The Borough Council of Kings Lynn & West Norfolk. This was based on the following:

- They already have the infrastructure in place and provide this technology solution to their staff
- They have an established CCTV Control Centre with secure storage and access to data and can respond 365 days of the year, 24 hours per day
- They are fully qualified and accredited to the CCTV operational and management requirements
- They have provided a competitive service provision cost

3.4 The provision of a hosted and managed solution includes:

- The provision of devices, hardware, software, licencing and connectivity to their secure environment
- A hosted and secure environment where footage will be able to be downloaded on a daily basis via a secure isolated VPN network
- Management and control of the data for a period not exceeding 1 month
- As data controller they will manage all access requests only releasing captured footage for a relevant reason to a relevant person

3.5 Great Yarmouth Borough Council have the responsibility of producing the supporting policies and procedures which may need to differ dependant on the role.

3.6 Staff issued with a body worn video camera must use it specific to the individual role and usage in accordance with the policies and procedures in place.

- To be decided based on the specific nature of the roles, staff will either turn the device on which will remain on through the course of their shift or turn on only when undertaking certain duties, or at specific times throughout the working day as may be appropriate
- A number of docking stations will be available in easy access of the services identified requiring a device
- Each day, the device should be docked which will transmit securely to a main control unit based in our council officers which will then upload securely to the hosted environment

3.7 The device to be supplied is from one of the leaders in enforcement & security services providers, IndigoVision. Their latest model comes with 14 hours of evidential



quality HD video and audio recording, easy on/off switch and up to 96 hours battery standby and multiple mounting options. The device captures and records video and audio footage when switched on.

Because of the volume of personal data and potentially sensitive personal data that these cameras will process, and the fact that they are mobile, it is important to have appropriate robust technical and physical security in place to protect this information.

#### Device security features

- FrontLine 2 hardware and software are designed from an early stage to guarantee security from camera to courtroom.
- FrontLine 2 burns the date, time, device and frame number into every frame of footage, allowing for clear indexing. AES encryption guarantees the identity of the badge and manager, preventing eavesdropping from unauthorised individuals.
- A FrontLine 2 cannot be accessed without the correct RSA authentication key, which can be uniquely assigned to each badge, shared between several badges, or even shared across multiple Video Managers in one organisation.
- FrontLine 2 controls which users can gain access. This means the FrontLine 2 runs as a secure service that cannot be directly accessed from the user's logon. Additionally, audit logs are recorded for every user action on the system, allowing traceability for potential misconduct. When footage is exported to be burned to DVD, a signature is burned into the exported video clip, linking back to the user, date, time and other details about the export. Every user can have different access control settings, preventing unauthorised access to sensitive functions such as footage deletion.
- FrontLine 2 automatically implements the customer's configured data retention and deletion policies. The FrontLine 2 can delay data deletion requests to prevent malicious evidence removal, according to configured policy

- 3.8 The Borough Council of Kings Lynn and West Norfolk are certified and accredited in:
- BS7958 CCTV Management & Operation
  - SCC (Surveillance Camera Commissioner) Surveillance Camera Code of Practice
  - SIA ACS Approved Contractor Status

## **4. FINANCIAL IMPLICATIONS**

- 4.1 As part of the review of PPE across the organisation a budget was made available in the sum of £18,000.
- 4.2 The total budget provision required for this solution is £21,615.52 resulting in a shortfall of £3,615.52.

- 4.3 There is also an associated annual ongoing budget requirement of £4,374.
- 4.4 There are no procurement considerations that need to apply. Section 1 of the Local Authorities (Goods and Services) Act 1970, states that:

*A local authority and any public body within the meaning of this section may, in relation to any relevant trading operation carried on by the authority, enter into an agreement for all or any of the following purposes,*

*(a) the supply by the authority to the body of any goods or materials;*

*(b) the provision by the authority for the body of any administrative, professional or technical services;*

## **5. LEGAL IMPLICATIONS**

- 5.1 The Surveillance Camera Code of Practice has been issued by the Secretary of State under Section 30 of the Protections of Freedoms Act 2012. It provides guidance on the appropriate and effective use of surveillance camera systems by relevant authorities who must have regard to the code when exercising any functions in relation to 'overt' surveillance. The code of practice also provides guidance relating to considerations of other relevant legislation including the Freedom of Information Act 2000 and the Human Rights Act 1998.

- 5.2 The code of practice set out guiding principles that should apply to all surveillance camera systems in public places. These are designed to provide a framework for operators and users of surveillance camera systems, in the case of this report this means the use of body worn video cameras, so that there is proportionality and transparency in the use of surveillance. There are 12 guiding principles:

- 1) Use of a surveillance camera system must always be for a specified purpose which is in pursuit of a legitimate aim and necessary to meet an identified pressing need
- 2) The use of a surveillance camera system must take into account its effect on individuals and their privacy, with regular reviews to ensure its use remains justified
- 3) There must be as much transparency in the use of a surveillance camera system as possible, including a published contact point for access to information and complaints
- 4) There must be clear responsibility and accountability for all surveillance camera system activities including images and information collected, held and used
- 5) Clear rules, policies and procedures must be in place before a surveillance camera system is used, and these must be communicated to all who need to comply with them
- 6) No more images and information should be stored than that which is strictly required for the stated purpose of a surveillance camera system, and such images and information should be deleted once their purposes have been discharged
- 7) Access to retained images and information should be restricted and there must be

clearly defined rules on who can gain access and for what purpose such access is granted; the disclosure of images and information should only take place when it is necessary for such a purpose or for law enforcement purposes

- 8) Surveillance camera system operators should consider any approved operational, technical and competency standards relevant to a system and its purpose and work to meet and maintain those standards
- 9) Surveillance camera system images and information should be subject to appropriate security measures to safeguard against unauthorised access and use
- 10) There should be effective review and audit mechanisms to ensure legal requirements, policies and standards are complied with in practice, and regular reports should be published
- 11) When the use of a surveillance camera system is in pursuit of a legitimate aim, and there is a pressing need for its use, it should then be used in the most effective way to support public safety and law enforcement with the aim of processing images and information of evidential value
- 12) Any information used to support a surveillance camera system which compares against a reference database for matching purposes should be accurate and kept up to date

The Surveillance Camera Commissioner provides a helpful self-assessment tool which enables us to demonstrate how we comply with the 12 guiding principles of the code of practice and helps to identify any areas where further action is required to fully conform to the principle(s).

In addition, the Surveillance Camera Commissioner also provides guidance and appendices on carrying out and completing the required Data Protection Impact Assessment which will complement our required Privacy Statements.

5.3 The Information Commissioner's Office has issued a data protection code of practice covering the use of CCTV which has been updated following the introduction of the data Protection Act 2018.

5.4 The code provides good practice advice for those involved in operating surveillance solutions and has a specific section relating to the use of body worn video cameras. These types of devices are likely to be more intrusive than normal CCTV because of their mobility in use. Careful consideration needs to be given to justify its use taking into account whether it is proportionate, necessary and addresses a pressing social need. The code of practice sets out the Information commissioner's recommendations on how the legal requirements of the Data Protection Act can be met. When considering the development of our accompanying procedures and processes we will need to ensure we take account of the following:

- Ensuring effective administration – setting a clear basis of processing personal information procedures on how the information is handled, for what purpose and by whom

- Storage and viewing of surveillance system information
- Disclosure – having arrangements in place to restrict the disclosure of information in a manner that is consistent with the purpose intended
- Subject Access Requests – Individuals whose information is recorded have a right to be provided with that information or, if they consent to it, view that information
- Freedom of Information – it is possible that Freedom of Information requests may be received and determination should be made as to whether these are actually Subject Access Requests
- Data retention – the amount of time the data is held should be limited
- Staying in control – continual review of requirements and subject to regular audit

5.5 Because the use of body worn video cameras are considered more intrusive than other types of CCTV surveillance due to their mobility and increased likelihood of recording wider collateral data, section 4.8.1 of the Surveillance Camera Code of Practice suggests operators should consider approved operational, technical and competency standards relevant, in this case for use of body worn video cameras.

## 6. RISK IMPLICATIONS

6.1 In relation to this proposal the highest area of risk is ensuring we comply with the legalities as outlined within section 4 of this report.

In mitigation of this risk, the proposal for a managed service solution is from an 'Approved Contractor of the Security Industry Authority'. There is a CCTV control centre already hosting a secure environment for this type of solution with the IndigoVision Body Worn Cameras already in operation. This provides an element of risk in that a third party will be delivering this service on our behalf, however, this risk is further mitigated by their accreditation and the service provision would have the necessary service level agreements in place.

## 7. RECOMMENDATIONS

**It is recommended that Committee:**

- 7.1 delegate authority to Officers to proceed with the proposal as outlined in Section 3 of this report, namely to proceed with the fully hosted and managed service provision for the introduction and use of Body Worn Video Cameras for designated staff within this organisation
- 7.2 approve budget provision as set out in Section 4.2 and 4.3 of this report

*Background papers:* [Surveillance camera code of practice - GOV.UK](#)

[Information Commissioner's Code of Practice](#)



*Areas of consideration: e.g. does this report raise any of the following issues and if so how have these been considered/mitigated against?*

<b>Area for consideration</b>	<b>Comment</b>
Monitoring Officer Consultation:	Yes
Section 151 Officer Consultation:	Yes
Existing Council Policies:	Yes
Financial Implications:	Yes as outlined
Legal Implications (including human rights):	Yes – Surveillance
Risk Implications:	Yes as outlined
Equality Issues/EQIA assessment:	N/a
Crime & Disorder:	Yes
Every Child Matters:	N/a

Subject: Review of polling districts, polling places and polling stations

Report to: Policy and Resources

Date: 23 July 2019

Report by: Licensing and Elections Manager

#### **SUBJECT MATTER AND DECISIONS REQUIRED:**

**Members are advised of the compulsory review of polling districts, polling places and polling stations and asked to note the consultation period required.**

**Final approval will be required from Members once all representations and recommendations have been received.**

### **1. BACKGROUND**

- 1.1 Under the Electoral Registration and Administration Act 2013 all local authorities are required to complete a review of their parliamentary polling districts and polling places at least every five years.
- 1.2 The last review in Great Yarmouth took place in 2014 although polling places are kept under review annually following an election.
- 1.3 The next compulsory review is required to be completed by 31 January 2020.
- 1.4 Polling arrangements for both parliamentary and local elections are the subject of legislation, principally the Representation of People Act 1983 (as amended)
- 1.5 Polling arrangements are determined by three inter-related features:
  - **Polling District** - is a geographical sub-division of an electoral area. For voting purposes, each Parliamentary constituency and every local government ward is divided into smaller polling districts. Great Yarmouth has 17 wards and 46 districts.
  - **Polling Place** – is the building or area in which polling stations are selected. A polling place within a polling district must be designated so that polling stations are within easy reach of all electors
  - **Polling Station** – is the room or area within the polling place where voting takes place.
- 1.6 When undertaking a review, the law says that an authority must
  - a) Seek to ensure that all the electors in the constituency have such reasonable facilities for voting as are practicable in the circumstances;
  - b) Seek to ensure that so far as is reasonable and practicable, the polling places they are responsible for are accessible to all electors,

including those who are disabled, and when considering the designation of a polling place, must have regard to the accessibility of disabled persons.

## **2. FORMAL REVIEW PROCESS**

2.1 When carrying out the review, local authorities must:

- Publish a notice of the holding of a review
- Consult the (Acting) Returning Officer for every parliamentary constituency which is wholly or partly in its area
- Publish all representations made by an (Acting) Returning Officer
- Seek representations from such persons as it thinks have expertise in relation to access to premises or facilities for persons who have different forms of disability. And publish any correspondence received. Such persons must have an opportunity to make representations and to comment on the representations made by the (Acting) Returning Officer.
- On completion of the review the council is required to give reasons for its decisions in the review and to publish the result

2.2 The timetable for this review is as follows:

<b>Task</b>	<b>Deadline</b>
Publish Notice	25 July 2019
Publish existing electoral arrangements	25 July 2019
Consult with all interested parties	26 July 2019
Collate and publish any comments received	As received up to end of consultation period
End of consultation period	13 September 2019
Review of consultation and final recommendations	27 September 2019
Report to P&R committee for final decision	7 November 2019
Publish final decision	11 November 2019
Any alterations ready for publication of Register of Electors	1 December 2019

## **3. DECISION REQUIRED**

3.1 For members to note the requirement of a compulsory review of polling districts, polling places and polling places, together with the consultation process required. All councillors will be consulted as part of the review and all comments are encouraged.

**LEGAL IMPLICATIONS:**

Statutory Changes

**FINANCIAL IMPLICATIONS:**

None

**EXECUTIVE BOARD OR DIRECTOR CONSULTATION:**

Returning Officer, Monitoring Officer and Strategic Director have been notified.

Does this report raise any legal, financial, sustainability, equality, crime and disorder or human rights issues and, if so, have they been considered?	Issues	
	Legal	Yes
	Financial	
	Sustainability	
	Equality	
	Crime and Disorder	
	Human Rights	
	Risk Considerations	



Subject: **Records Management and Data Protection**

Report to: **Policy and Resources Committee**

Report by: **Corporate Services Manager/Interim Data Protection Officer (DPO)**

**SUBJECT MATTER/RECOMMENDATIONS**

- 1) The Policy and Resources Committee are asked to approve the Record Management Policy.
- 2) That it be noted that an updating report has been drafted by the Interim Data Protection Officer for the Members oversight of the Borough Council's compliance with the General Data Protection Regulation 2016/679 (EU) ('GDPR') and the Data Protection Act 2018 ('DPA2018').

**1. INTRODUCTION/BACKGROUND**

This report provides an update on Great Yarmouth Borough Council's compliance with GDPR and the DPA2018:

Issue	Synopsis
1. Records Management Policy	The new Records Management policy is for senior leadership review and approval.
2. Data Retention	It is advised that the Heads of Service coordinate a review and update of all the Council's data retention policies across their services areas, liaising with Emma Pheby (the new DPO).
3. Data Storage	A review of data storage across all service areas, led by the Heads of Service, liaising with the DPO, as required.
4. Data Deletion	Data deletion to be taken after a thorough review of data retention. This should be done in line with the Council's new Records Management Policy ensuring systematic and authorised deletion.
5. Data Breaches	<i>To review – for information only.</i>

## 2. **MAIN BODY**

### 1 Summary

It is over one year since the implementation of the GDPR and the DPA2018, and therefore an important juncture to review our ongoing compliance.

Under the new legislation, individuals have increased rights, organisations have additional obligations and there is a large increase in the maximum fine that can be incurred, up to a maximum of €20 million. Furthermore, in recent weeks we have seen the regulator issue their intention to levy huge fines (£183.39million against British Airways and £99 million against Marriott International). Under the previous legislation the maximum which could be fined was £500,000.

Great Yarmouth Borough Council continue to receive customers' requests to exercise their data protection rights (including subject access requests for all their Council data). The Council has also had a complaint relating to December 2018 taken by the complainant to the Information Commissioner's Office (the regulator). As part of that complaint Emma Pheby (interim DPO) liaised with the regulator and provided a detailed account of our actions. The matter was closed, with no further action taken. It is essential that we continue to protect the Council.

Some of the recent steps taken include:

- Interim appointment of DPO (seconded from South Norfolk Council). The recruitment of a permanent DPO and the commitment to train this relevant officer.
- The recruitment of data champions from across the Council who have received additional training on data protection. The interim DPO also held a data champion meeting to discuss the practical application of the legislation across each service area and to implement further compliance steps, including requiring all service areas to complete a compliance form. Data champions cascade information across the Council, to help ensure we have a robust process and raised/ongoing awareness of the importance of data protection. The champions also coordinate the data subject and FOI requests for their service area.
- The Interim DPO has met with key services across the Council, attending both individual and team meetings, including the Housing Managers' Team meeting, Independent Team meeting, planning, IT and meeting many individual officers.
- Policies and procedures have been reviewed and revised, as required. This includes the revision of the data protection policy and the breach notification policy.
- Detailed data protection guidance has been put on the intranet and the way in which breaches are reported is now via an intranet breach notification form. Awareness has been raised across the Council via data champions, team meetings and through individual officer and at member training.

These steps help to ensure we fulfil our accountability obligations under Article 5(2) of GDPR.

As well as providing an update, this report focuses on records management for personal data (including storage, retention and deletion) and on data breaches.

Council data is both personal data and non-personal data, some information although not personal data will be commercially sensitive. This is also considered within this report (although it falls outside data protection legislation, it pertains to good information governance).

Personal data under the Data Protection Act 2018 and General Data Protection Regulation 2016/679 ('Data Protection Legislation') is where it identifies an individual or from which an individual is identifiable (ie not necessarily by name but using other identifying information).

## 1. Data Retention

### 2.1 Overview

Under the GDPR, Article 5(1)(e) data should be '*retained for no longer than is necessary*'. To determine what is '*necessary*' organisations need to review primary and secondary legislation, business need and good practice. It is essential that these periods are applied to ensure compliance.

Appropriate storage of commercially sensitive but non-personal data is also important, to ensure compliance with confidentiality and to protect the reputation of the Council.

The Council has in place data retention schedules across service areas. However, it is unclear as to when these have been reviewed, some have been reviewed in 2018, prior to the implementation of the new Data Protection Legislation, however others appear not to have been reviewed. It is essential that we ensure the Council retention schedules is accurate and up to date.

Under the new Data Protection Legislation, individuals have additional rights and the Council receive increased requests by customers to exercise one of their rights. If we hold data beyond the Council's agreed retention period/criteria set or we cannot justify our retention periods, individuals may complain to the Regulator (the ICO) who could take enforcement action. Furthermore, if there was a serious breach of personal data beyond the retention period, we would potentially expect to see a larger fine from the ICO.

Action: EP advises that all service areas are directed to follow the data retention steps at Appendix 1 to ensure we are legally compliant. It is essential to have the Heads of Service leading on this across their service areas.

### 2.2 Data Storage

#### 2.2.1 Overview

Under GDPR Article 5 (1)(f) data should be '*processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.*'

The GDPR recitals are clear that '*appropriate security and confidentiality of the personal data, including preventing unauthorised access to or use of personal data.*'

Furthermore, we should implement '*appropriate technical and organisational measures to ensure a level of security appropriate to risk, including... the ability to ensure ongoing confidentiality, integrity, availability.*' Some data will amount to 'special categories' of personal data (e.g. ethnic origin, political opinions, sexual orientation etc) which requires additional consideration.

### 2.3.2 Current Issues

Electronic data should be securely stored and only accessible to those officers who require access. Paper files should be stored in a comparably secure manner. However, some service areas storage raises concerns about legal compliance, including:

- Some HR personnel files have been stored in the Strong Room. These files include details of: home addresses, employment contracts, car registrations, bank details, copies of ID (e.g. passports), equality monitoring data (e.g. ethnicity, religion, sexual orientation – which are ‘special categories’ of personal data) and disciplinary issues. Any member, officer or third-party contractor who has a key fob has access to these areas. As HR’s data subjects are internal the risks are higher and it is clear that additional steps should be taken by organisations (Various Claimants v VM Morrisons Supermarket [2017] EWHC 3133). This currently puts the Council at risk. However, the HR Manager discussed this matter with the interim-DPO and steps are being put in place to store this data securely within HR.
- Off-site storage – There are a number of off-site storage sites which the previous DPO referred to in a previous report in 2018. After this it was proposed there would be a review of these storage containers. It was then identified that all the data should be divided up into relevant service areas and that those service areas should then go on site with a secure waste disposal, for safe, systematic and authorised disposal. However, no further action has currently be taken and it is essential that this is dealt with. Officers have raised concerns that some of that data is thought to be data which is retained beyond the retention periods. **The Council need a clear inventory of records within these storage facilities, confirmation of security and dates of destruction assigned. on the face of it, are not currently compliant.**
- All service areas need to ensure that they are applying their retention periods/criteria and that their data is stored securely. Whilst this has been done in some areas, other service areas appear not to have undertaken a review. It is advised that Heads of Services lead on this, with support from the DPO, to ensure compliance.

## 2. Data Breaches

Under the Data Protection Legislation, we are now required to report relevant breaches (defined under Article 34(1) GDPR – where it is *‘likely to result in a high risk to the rights and freedoms’* of a living individual/s) to the regulator. To the current DPO’s best knowledge, this has not been required since implementation. We are also required to maintain an internal register of data breaches, detailing amongst other issues mitigation steps taken and why a decision was made that the breach did not require reporting to the regulator. Since EP started at GYBC she has maintained such a register, ordinarily it is best practice for a DPO to provide regular reports to the leadership team (bi-annual is suggested). This information was reported to the executive leadership team in July 2019 and an overview is now provided to the Committee.

It is essential that all staff, contractors and members are aware of what to do should there be a data breach of Council data. We are required to report a relevant breach to the Regulator within 72 hours (note – this is not working hours). These 72 hours are not static, and it is important that during this time we take mitigation steps. EP has raised awareness across service areas by meeting with teams, informing the data champions at the champions meeting (for their cascade) and by providing detailed information on the Loop (<https://the-loop.great-yarmouth.gov.uk/data-protection-issues>) as well as reviewing and amending data sharing agreements, privacy notices, guidance, policies and processes.

Breaches provide an important learning curve whereby Officers can identify new risks and



take mitigation steps to prevent a similar breach from occurring. The lessons learnt are also shared with data champions for their cascade.

On balance the breaches which have occurred at GYBC are deemed to be relatively low level of breaches and have allowed the Council to take suitable steps which have reduced the risk of reoccurrence. It is absolutely essential that all staff, contractors, data processors and members are aware that they need to report breaches to the DPO via the intranet breach reporting form (which will be picked up in the interim-DPO's absence). The manner and level of internal reporting is reassuring. Furthermore, all officers who have reported breaches have taken the matter extremely seriously, reported very promptly and ensured that mitigation steps have been put in place. Key service areas who deal with large amounts of personal data have worked closely with the interim-DPO.

The below is a brief summary of the type of breaches which have occurred since January 2019 and actions taken.

Summary of issues	Mitigation steps taken/lessons learnt
Emails sent to an incorrect recipient	<b>Practical steps taken:</b> <ul style="list-style-type: none"> <li>• Liaised with relevant staff.</li> <li>• reviewed the current mitigation steps and implemented auto-delay and cleansed email auto-suggest.</li> </ul>
A customer's letter had the address of another applicant. They identified that this was due to overtyping.	<b>Practical steps taken:</b> <ul style="list-style-type: none"> <li>• A blank pro forma will be used in future.</li> <li>• The interim-DPO has provided additional team-specific data protection training to that service area. She has also attended the managers' team meeting.</li> <li>• Staff were reminded of the importance of data protection and checking and this issue on each team meeting agenda.</li> </ul>
Manual error when updating a customer's address	<b>Practical steps taken:</b> <ul style="list-style-type: none"> <li>• The manager is monitoring future work and has raised awareness within the wider team.</li> <li>• Two letters sent for different recipients were enclosed in the same envelope – the incorrect recipient returned the mail.</li> <li>• Printer settings have been changed to staple multiple letters.</li> <li>• Furthermore, the service is seeking quotes to outsource a reputable company (frequently used by Councils) to send out these letters, given the high volumes.</li> </ul>
Letters addressed incorrectly	<b>Action taken:</b> <ul style="list-style-type: none"> <li>• The team were made aware of the error and reminded of the importance of data protection.</li> </ul>

	<ul style="list-style-type: none"> <li>The manager is monitoring future work and has raised awareness with team meetings.</li> </ul>
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## Complaints to the Regulator

### Complaint issues:

- Outside the time limit for responding to a subject access request (received in December 2018).
- The complainant asserted excessive data collection
- Queries regarding the involvement of a third-party and clarification required as to who was the data controller and our lawful basis for processing.
- A request for safeguards/changes the organisation implemented to ensure data protection concerns are dealt with appropriately.
- Details as to the recent history of GYBC's Data Protection Officer role as at the time the previous DPO was just leaving/had left.

### Action taken by the interim DPO:

- Liaised extensively with the team to gather relevant information.
- Met with the relevant third-party contractor to gather additional information.
- Reviewed the key forms and privacy notices.
- Reviewed all relevant paperwork
- Spoke with the regulator by telephone.
- Sent a detailed letter addressing each point at length.

The Regulator confirmed they were satisfied, and no further action was taken.

## Appendix 1

### **Data Retention Schedules**

**Action required:** All service areas must review and, as relevant, update their retention schedules, if they have not done so within the last year.

Please ensure you let the DPO know once this is done or if you have recently reviewed your retention schedule.

**Which records does this apply to?** Great Yarmouth Borough Council holds records in a variety of formats including electronically, paper, recorded and microfiche (and also some historic data on cards etc). Some of these records will contain personal data and/or commercially sensitive information, others will not – it applies to all these records.

The only records this does not apply to is Standard Operating Procedure records which do not ordinarily require keeping. Standard Operating Procedure records can include: out of date distribution lists, telephone message slips, trivial emails, compliment slips and some working papers leading to a final report. See the Records Management Policy for further information.

**What do we need to do?** It is crucial that we have a systematic and consistent way of dealing with all Council records. To help ensure this, the Council has Retention Schedules which set out how long Council records will be held across the service areas.

**How long should records be held for?** When considering how long Council records should be held for we should consider primary and secondary legislation, good practice and business need and ensure we have a clear and recorded justification for retention. This will include considering the Limitation Act 1980 and subject specific statutes e.g. Health & Safety at Work Act 1974. Sometimes, there is nothing which prescribes retention periods for records, so we need to consider the original purpose we collected that information for, good practice (considering any guidance) and past usage.

Where the records contain personal data, we are legal required to hold them for *no longer than is necessary* for the purpose we collected it for. We should then ensure we are clear and transparent on all Council privacy notices about how long we hold that data for.

The Information and Records Management Society previously produced a standard guide which could be adapted by Local Government, furthermore they have a Records Retention Wiki available at [www.irmswiki.org.uk](http://www.irmswiki.org.uk) which can be useful (but should not be used as a definitive guide). Please contact the DPO should you have questions.

Once the retention period/criteria have been reviewed, we need to ensure they are applied. However, it is important that we do not destroy data which we may subsequently require, so need to ensure this is dealt with carefully, in line with the Records Management Policy. Please note, some records will need to be held indefinitely but we need to ensure we are clear as to why this is, store them appropriately, and are clear and transparent about retention.

It should also be noted that when considering retention periods there will be times when the ordinary retention period will not apply, for example where there is an on-going legal case or complaint.

### 3. **FINANCIAL IMPLICATIONS**

- Ensuring GYBC have adequate resources (including assigning time to relevant individuals within each service area).
- Ensuring there are resources in place to deal with the data currently stored in Council storage containers.

### 4. **RISK IMPLICATIONS**

Non-compliance with data protection legislation.

5. **CONCLUSIONS**

Great Yarmouth Borough Council have taken important steps by their: assignment of the interim DPO and investment in a permanent DPO; recruitment of data champions; implementation of an e-learning data protection programme; and all other steps herein.

Records management is extremely important and the approval of this policy along with the implementation of the measures advised at Appendix 1 require approval, to ensure compliance.

6. **RECOMMENDATIONS**

- 1) The publication of the Record Management Policy be approved.
- 2) That the updating report drafted by the Interim Data Protection Officer for the Members oversight of the Borough Council's compliance with the General Data Protection Regulation 2016/679 (EU) ('GDPR') and the Data Protection Act 2018 ('DPA2018') be noted.

*Areas of consideration: e.g. does this report raise any of the following issues and if so how have these been considered/mitigated against?*

Area for consideration	Comment
Monitoring Officer Consultation:	No – already involved in discussions in this regard.
Section 151 Officer Consultation:	No
Existing Council Policies:	Updating relevant policies to refer to the new Record Management Policy.
Financial Implications (including VAT and tax):	
Legal Implications (including human rights):	No
Risk Implications:	No risks reduced by implementation.
Equality Issues/EQIA assessment:	None presented.



Crime & Disorder:	No
Every Child Matters:	



Great Yarmouth Borough Council

RECORDS MANAGEMENT POLICY

Author	Emma Pheby
Date	July 2019
Last Review Date	July 2019
Review Changes	
Version	1.0 (Also replaces previous GDPR Policy – see also Data Protection Policy)
Document Status	Draft

## **1. Introduction**

This Records Management Policy sets out Great Yarmouth Borough Council's commitment to ensuring a systematic, lawful and authorised way of maintaining, storing, sharing, disposing and otherwise processing all its records.

This Policy is in place in accordance with recommendations in the Information Commissioner's Section 46 Records Management Code of Practice which sets out Guidance for public authorities. This policy recognises that Council information and records are key corporate assets.

Retention Guidelines are an important part of records management based on relevant legislation (including the Limitation Act 1980 and subject specific statutes e.g. Health and Safety at Work Act 1974), good practice and business need. Great Yarmouth Borough Council regularly review their Retention Guidelines in consideration of the Records Management Society of Great Britain.

Adherence to this policy will ensure that records are accurate, reliable and accessible and will further ensure that the necessary processes are in place to:

- Ensure we operate effectively as a Local Council.
- Ensure we are compliant with Data Protection Legislation (defined at paragraph 3) and all other applicable legislation.
- Provide an open and transparent service.
- Carry out our business in a systematic, consistent and organised manner.
- Ensure data is stored securely and kept for no longer than is necessary.
- Carry out disposal in an authorised and appropriate manner.
- Ensure cost effectiveness is considered.
- Provide an audit trail to meet business, regulatory and legal requirements.

This Records Management Policy has been produced to assist officers within Great Yarmouth Borough Council with the management, retention, storage, sharing and disposal of Council records.

## **2. Scope**

This Policy applies to Council records in all formats, including online, paper, microfiche and any historically created record format (e.g. card or register).

This policy applies to:

- All staff (including temporary and permanent employees, agency and casual staff)
- Elected Members
- Third parties processing data on behalf of the Council, including contracted suppliers or partners.

### 3. Statutory and Regulatory Environment

General Data Protection Regulation (EU) 2016/679, the Data Protection Act 2018 and all implementing/updating legislation– ‘Data Protection Legislation’

Freedom of Information Act 2000

The Privacy and Electronic Communications (EC Directive) Regulations 2003

Section 46 Code of Practice – The Information Commissioner’s Office

The Environmental Information Regulations 2004

### 4. Definitions

#### 4.1 Personal Data

‘Personal Data’ means ‘any information relating to an **identified** or **identifiable natural person**; an identifiable natural person is one who can be identified directly or indirectly, in particular by reference to an identifier such as name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

#### 4.2 Sensitive Personal Data

‘Sensitive Personal Data’ means ‘personal data revealing **racial** or **ethnic** origin, **political** opinions, **religious** or **philosophical** beliefs, or **trade union membership**, and the processing of **genetic** data, **biometric** data for the purpose of uniquely identifying a natural person, data concerning **health** or data concerning a **natural person’s sex life** or **sexual orientation** shall be prohibited’.

#### 4.3 Non-Personal Data

‘Non-Personal Data’ means data from which an individual is not identified or identifiable. Fully anonymised data which fulfils this description will also be Non-Personal Data.

#### 4.4 Records

‘Records’ and Documents’ applies to Council records in all formats, including electronic, online, paper, microfiche, photograph and any historically created record format (e.g. card or register). It applies to both Personal Data, Sensitive Personal Data and Non-Personal Data.

#### 4.5 Data Protection Legislation

Data Protection Legislation means the Data Protection Act 2018, the General Data Protection Regulation (EU) 2016/679 and any national implementing laws and secondary legislation, as amended or updated from time to time, in the UK, and any other successor legislation and all other applicable data protection law.



## 5. Responsibility

Record management responsibilities are provided across the Council as set out below:

Senior Information Risk Owner (SIRO)	The SIRO is responsible for overall risk management of records.
Data Protection Officer	The DPO liaises with the ICO, as required, and oversees compliance of Data Protection Legislation.  Where the DPO is not available/not working, the Corporate Services Manager.
Heads of Services – Information Asset Owners	The Directors/Heads of Service are the Information Asset Owners (IAOs) for their services. They will oversee delegated responsibilities.

All employees, contractors, third parties and partners who process Council records have a role in ensuring good Records Management of Council data, and in complying with this policy.

## 6. Retention

6.1 In compliance with Data Protection Legislation, Personal Data will be retained for *'no longer than is **necessary** for the purposes for which the personal data are processed'*. To determine what has been deemed as necessary please refer to the Retention Guidelines which are an appendices to this Policy. The Retention Guidelines provide details of all the Council's records both Personal and Non-Personal Data.

Retention periods have been set in accordance with primary or second legislation, or where there is not a legal requirement, they have been set in accordance with business need or good practice.

As a Local Authority we may also identify a need to retain Documents of historical value.

Where records are authorised for destruction they should be destroyed in accordance with paragraph nine.

### 6.2 Standard Operating Procedure

Standard operating records do not ordinarily need to be kept and can be destroyed in line with the disposal guidelines below. Standard Operating Procedure records can include: **working papers leading to a final report, out of date distribution lists, telephone message slips, trivial emails, compliment slips and telephone message slips (this is a non-exhaustive list).**

Council documents, which are not Standard Operating Procedure records, will be retained in accordance with the Council's Retention Schedules.

**6.3 Scanned copies** - Where you have scanned original copies of documents and we do not need to keep an original copy you must ensure that the scanned copy is clear and legible prior to disposal. In some circumstances, an original copy will need to be safely and securely stored. The Inland Revenue and Customs and Revenues prescribe the retention of original paperwork in some circumstances. Law Society Guidance also provides information on the retention of some original documentations, such as deeds or guarantees.

Service Managers are responsible for:

- i) Ensuring that scanned documents are legible and provide a true copy of the original.
- ii) Ensuring that scanned documents are retained in accordance with the document retention schedules as detailed in Appendix 1.
- iii) Ensuring that scanned documents can be located and retrieved promptly when required for either:
  - Operational purposes
  - A Subject Access Request or other exercise of a data subject's rights under Data Protection Legislation.
  - A request under the Freedom of Information Act 2000
  - Legal Proceedings

#### **6.4 Document Retention and Disposal Protocol**

6.4.1 Each Head of Service is the assigned Information Asset Owner. They must ensure that they have in place an adequate system for documenting the retention of records within their service. This system should take into account the legislative and regulatory environment in which they work.

6.4.2 Records of each activity should be complete and accurate enough to allow employees and their successors to undertake appropriate actions in the context of their responsibilities to:

- Facilitate an audit or examination to those authorised to do so
- Protect the rights of the Council, its residents, contractors and clients and any other persons affected by its actions.
- Provide authenticity of the records so that the evidence derived from them is shown to be credible and authoritative.

6.4.3 To facilitate 6.4.2 the following principles should be adopted:

a) Records created and maintained should be arranged in a record keeping system ensuring ownership of these records that will enable the Council to obtain the benefit from the quick and easy retrieval of information.

b) Record systems utilised within services whether paper or electronic, should include a set of rules for referencing, titling, indexing, and if appropriate, security

marking documents and records. These should be easily understood and enable the efficient retrieval of information.

c) The movement and location of records should be controlled to ensure that a record can easily be retrieved at any time and that any outstanding issues can be dealt with, and that there is an auditable trail of record transactions.

d) Storage accommodation for current records should be clean and systematic, to prevent damage to the records and to ensure accessibility. Equipment used for current records should provide storage, which is safe from unauthorised access, meets fire regulations, but allowing maximum accessibility to authorised officers when required.

e) Documents that are no longer required for operational purpose but still require retention should preferably be placed in a designated records centre.

f) Services should ensure that a contingency or recovery plan is in place to provide protection for records, which are vital to the continued functioning of the Council.

g) A system should be in place to ensure that where a member of staff leaves, changes role, or is absent, that Records remain accessible to those who will require access. Information Asset Owners should ensure that a suitable system is in place.

## **7. Storage**

The Council hold records in a variety of formats, including in electronic, paper, microfiche and video recording formats; all of which will be stored in a suitable manner taking account of the type of records.

### **7.1 Paper storage:**

Paper documentation will be stored appropriately according to the level of security required. The Council office has controlled access, which provides security for all on-site Council documentation. Furthermore the Council run a Clear Desk Policy.

Risks will be considered and personal or sensitive data will have the appropriate additional security measures, which may include storing personal data in a lockable cabinet, in a lockable drawer or in a secure archiving storage facility.

### **7.2 Electronic storage:**

A back-up of all electronic Council data is kept in accordance with the Council's IT Back-Up Policy. The Council have robust electronic information security and technical measures in place which are regularly reviewed and updated.

The following issues must be considered when storing documents electronically:

<b>STORAGE QUESTIONS</b>	<b>STEPS TO CONSIDER</b>
1. Who has access to the personal data, sensitive personal data or	Ensure that access is controlled and only limited to those who need access.

confidential documentation?	Ensure that should you be absent or leave your role that the records do not become inaccessible.
2. What technical and security measures are in place?	Ensure that there are sufficient technical and security measures in place to prevent a breach.

## 8. Data Sharing

Where data is transferred to another organisation we must take steps to ensure the safety of the records during the transportation or transmission process. This should include:

- Password protection – the password should, wherever possible, convey a different medium (For example do not email password details and then also email the password protected data)
- Encryption
- Use of secure email servers
- Minimisation of personal/sensitive personal data to what is needed only.
- Sending data by secure online portals with limited access

**8.1 Data Processors:** Where the Council have contracted a third-party supplier to process Council data on our behalf we must take steps to ensure that the Data Processor complies with security and technical measures to protect this document in line with Data Protection Legislation. These steps include relevant clauses being inserted into our contracts as required under Article 28 General Data Protection Regulation 2016/679. You will also need to undertake due diligence by asking appropriate questions regarding security and technical measures taken where suppliers will be processing Council personal data.

An example of data processors may be where we contract a third party to provide and administer an IT system to our instruction on which we store our customers personal data.

**8.2 Systematic Data Sharing with Data Controllers:** Where we share personal data systematically with other Data Controllers we should have a Data Sharing Agreements in place which set out the details of the data sharing. Where we share personal data, we will ensure we are compliant with Data Protection Legislation.

Some examples of where may require a data sharing agreement includes where we share personal data with another Local Authority for election purposes or where we share data with a Housing Association or where we share data to deliver the Neighbourhoods that Work project.



## 9. Disposal

9.1 Where records have come to the end of their retention period and are to be destroyed they must be destroyed appropriately.

Disposal should be authorised and systematic. This will involve ensuring that your team have a system in place for the regular review of documents which is authorised by a relevant manager or Head of Service. Where Personal Data or other Non-Personal but commercial sensitive personal data is destroyed it will be safely and secure disposed of using confidential waste units.

Furthermore, in some cases, a record of this destruction should be made. To decide whether to record evidence of its destruction there should be a consideration of 1) whether there is a business need to record the presence of those previous records 2) an assessment of the risk should destruction of that particular record be questioned. The record could include the disposal class, a date range and confirmation that this disposal was authorised, evidence/details of how the disposal occurred. The record of destruction should provide enough detail to identify which records have been destroyed but will not ordinarily contain Personal Data.

These measures are to safeguard against a proposition that records were eliminated to avoid disclosing them.<sup>1</sup> Therefore, when appropriate destruction should be documented in line with legislation and appropriate authorisation.

9.2 As a Local Authority we have an obligation to have a robust back-up system to ensure electronic data which we need to retain is not lost. Please see [the IT Back-up Policy](#) for more details.

9.3 When disposing of records the following steps must be considered:

<b>Has disposal been authorised?</b>	Ensure that the disposal has been authorised and that it is done in compliance with the Retention Guidelines, and that an exception does not apply (e.g. there is a legal case or complaint pending).
<b>Is retention required to fulfil legislation or regulatory requirements?</b>	Consider primary and secondary legislation and good practice guidance.
<b>Is there a current, or potential, dispute or legal challenge?</b>	Our decisions regarding retention will ordinarily take account of the Limitation Act. If there is any ongoing legal case or other dispute, or a potential for one, then we should ensure this data is retained.
<b>Do the records contain any personal data, sensitive personal data or</b>	If yes, ensure safe destruction by shredding or in confidential waste bins.

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<sup>1</sup> Code of Practice on Records Management issued under s46 Freedom of Information Act 2000; The National Archives, Record Management Policy - Guide

<b>confidential data?</b>	<p>Failure to adhere to this will breach Data Protection Legislation.</p> <p>We must ensure that destroyed data is 'virtually impossible to retrieve'.</p>
<b>Do we need to keep a record of the documentation destroyed?</b>	Consider this in line with 9.1

## 10. Review

This Policy will be reviewed within three years and earlier if appropriate. This Policy will be made readily available on the Council's intranet service to ensure that it is easily accessible.