

Scrutiny Committee

Date: **Wednesday 20 December 2023**

Time: **10 am**

Venue: **Council Chamber, County Hall, Martineau Lane,
Norwich NR1 2DH**

Membership:

Cllr Steve Morpew (Chair)

Cllr Daniel Elmer (V Chair)

Cllr Carl Annison

Cllr Lesley Bambridge

Cllr Phillip Duigan

Cllr John Fisher

Cllr Tom FitzPatrick

Cllr Mark Kiddle-Morris

Cllr Keith Kiddie

Cllr Brian Long

Cllr Ed Maxfield

Cllr Jamie Osborn

Cllr Brian Watkins

Parent Governor Representatives

Vacancy

Vacancy

Church Representatives

Ms H Bates

Mr Paul Dunning

Advice for members of the public:

This meeting will be held in public and in person.

It will be live streamed on YouTube and members of the public may watch remotely by clicking on the following link: [Norfolk County Council YouTube](#)

We also welcome attendance in person, but public seating is limited, so if you wish to attend please indicate in advance by emailing committees@norfolk.gov.uk

Current practice for respiratory infections requests that we still ask everyone attending to maintain good hand and respiratory hygiene and, at times of high prevalence and in busy areas, please consider wearing a face covering.

Please stay at home if you are unwell, have tested positive for COVID 19, have symptoms of a respiratory infection or if you are a close contact of a positive COVID 19 case. This will help make the event safe for attendees and limit the transmission of respiratory infections including COVID-19.

A g e n d a

- 1 To receive apologies and details of any substitute members attending**
- 2 Members to Declare any Interests**

If you have a **Disclosable Pecuniary Interest** in a matter to be considered at the meeting and that interest is on your Register of Interests you must not speak or vote on the matter.

If you have a **Disclosable Pecuniary Interest** in a matter to be considered at the meeting and that interest is not on your Register of Interests you must declare that interest at the meeting and not speak or vote on the matter

In either case you may remain in the room where the meeting is taking place. If you consider that it would be inappropriate in the circumstances to remain in the room, you may leave the room while the matter is dealt with.

If you do not have a Disclosable Pecuniary Interest you may nevertheless have an **Other Interest** in a matter to be discussed if it affects, to a greater extent than others in your division

- Your wellbeing or financial position, or
- that of your family or close friends
- Any body -
 - Exercising functions of a public nature.
 - Directed to charitable purposes; or
 - One of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union);

Of which you are in a position of general control or management.

If that is the case then you must declare such an interest but can speak and vote on the matter.

3 Public Question Time

Fifteen minutes for questions from members of the public of which due notice has been given. Please note that all questions must be received by the Committee Team (committees@norfolk.gov.uk) by **5pm on Thursday 14 December 2023**. For guidance on submitting a public question, please visit <https://www.norfolk.gov.uk/what-we-do-and-how-we-work/councillors-meetings-decisions-and-elections/committees-agendas-and-recent-decisions/ask-a-question-to-a-committee>

4 Local Member Issues/Questions

Fifteen minutes for local member to raise issues of concern of which due notice has been given. Please note that all questions must be received by the Committee Team (committees@norfolk.gov.uk) by **5pm on Thursday 14 December 2023**

5 Call-in: Norwich Western Link Update

(Page 4)

Tom McCabe
Chief Executive
County Hall
Martineau Laneok
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NR1 2DH

Date Agenda Published: 12 December 2023



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Scrutiny Committee

Item No: 5

Report Title: Call in: Norwich Western Link Update

Date of Meeting: 20 December 2023

Responsible Cabinet Member: Cllr Graham Plant (Cabinet Member for Highways, Infrastructure & Transport)

Responsible Director: Grahame Bygrave – Interim Executive Director, Community and Environmental Services

Executive Summary

This paper sets out details of the call-in of the Cabinet Decision: Norwich Western Link Update. The decision was agreed by Cabinet at the meeting held on the 4 December 2023. This paper also provides an outline of the formal meeting procedure for handling call-ins at the Scrutiny Committee.

1. Background and Purpose

- 1.1 This call-in relates to item no. 9 on the Cabinet agenda for the meeting held on the 4 December 2023: Norwich Western Link Update. The minutes and summary of decisions notice for this meeting can be found [here](#).
- 1.2. Full details of the decision, including Cabinet Papers and associated documents can be found at **Appendix A**. The decision was approved by Cabinet unamended from the recommendations in the papers.
- 1.3. Notification was received on Friday 8 December that Cllr Jamie Osborn, supported by Cllrs Catherine Rowett, Ben Price and Paul Neale wished to call the decision in. The notice outlining the reasons behind the call-in is attached at **Appendix B**. The Chief Legal and Monitoring Officer has confirmed that it is valid under the requirements of the constitution. It will therefore be considered at the meeting of the Scrutiny Committee scheduled for the 20 December 2023

2. Call-in and Meeting Procedure

2.1 The Chair and Vice-Chair of the Scrutiny Committee have agreed the following meeting procedure when handling the call-in:

- Those Councillors calling-in the decision will be given collectively 10 minutes introduction to explain their reasons for the call-in.
- The Chairman will ask the Cabinet Member and officers if they wish to add anything at this stage.
- Those Councillors calling-in the decision will then be given collectively 20 minutes to question the Cabinet Member and officers. They do not have the right to put forward recommendations; this right is reserved for Members or substitute Members of the Committee only.
- Members and substitute Members of the Committee will then question the Cabinet Member and officers.
- Those Members who have called-in the decision will collectively have 5 minutes at the end of the debate to sum up their arguments.
- Following this, the Chairman will sum up the debate and ask the Committee if they wish to make any proposals regarding the call-in. At this stage, only a limited number of proposals will be considered to be in order. The options available to the committee are as follows:
 - A. The Committee refers the decision back to the decision maker (in this case, Cabinet).
 - B. The Committee refers the decision to Full Council (the Committee should only use this power if the decision is deemed to be either i) contrary to NCC's policy framework; or ii) contrary to or not wholly in accordance with the budget).
 - C. The Committee notes the call-in, but takes no further action.

2.3 The Final list of witnesses to be invited to attend will be agreed by the Chairman and presented to the Committee on the day.

3. Financial Implications

3.1 Detailed in appended report (Appendix A).

4. Resource Implications

4.1 Staff:

Detailed in appended report (Appendix A).

4.2 Property:

Detailed in appended report (Appendix A).

4.3 IT:

Detailed in appended report (Appendix A).

5. Other Implications

5.1 Legal Implications:

Detailed in appended report (Appendix A).

5.2 Human Rights Implications:

Detailed in appended report (Appendix A).

5.3 Equality Impact Assessment (EqIA) (this must be included):

Detailed in appended report (Appendix A).

5.4 Data Protection Impact Assessments (DPIA):

Detailed in appended report (Appendix A).

5.5 Health and Safety implications (where appropriate):

Detailed in appended report (Appendix A).

5.6 Sustainability implications (where appropriate):

Detailed in appended report (Appendix A).

5.7 Any Other Implications:

None identified

6. Risk Implications / Assessment

6.1 Detailed in appended report (Appendix A).

7. Select Committee Comments

7.1 None applicable

8. Background Papers

8.1 Appendix A: Cabinet Report – Norwich Western Link Update

8.2 Appendix B: Call-in Notice – Norwich Western Link Update

Officer Contact

If you have any questions about matters contained within this paper, please get in touch with:

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Cabinet

Item No:

Report Title: Norwich Western Link Update

Date of Meeting: 4 December 2023

Responsible Cabinet Member: Cllr Graham Plant (Cabinet Member for Highways, Infrastructure & Transport)

Responsible Director: Grahame Bygrave (Interim Executive Director of Community and Environmental Services)

Is this a Key Decision? Yes

If this is a Key Decision, date added to the Forward Plan of Key Decisions: 2 November 2023

Executive Summary / Introduction from Cabinet Member

On 13 October 2023 Government confirmed that the Outline Business Case (OBC) for the Norwich Western Link (NWL) had been approved.

This was a vital decision that we had been waiting and pushing for and gives the Council a commitment to provide more than £200 million of national funding to cover the majority of the cost of the project.

We know how important improving Norfolk's infrastructure is to people and businesses in the county, not only to tackle existing traffic issues and the knock-on impacts these create, but also to make sure our transport networks can cope with anticipated future housing and employment growth. Securing this financial backing from the government is an endorsement not just of the Norwich Western Link, but of the County Council and Norfolk as a whole.

It also crucially means we can move this important project forward, and the next milestone for the project will be submitting the planning application and making and publishing the associated Side Roads Order (SRO) and Compulsory Purchase Order (CPO). Details about these documents are included in this report.

We will be submitting this later than originally intended, due to the delayed OBC announcement, and the project team are in the process of reviewing, updating and finalising the planning application documents to ensure they reflect this revised

timing. This delay has also contributed to a revised timetable for the project and updated project costs, which are detailed in this report.

Additional costs are never welcome. There is the strong possibility for some relief from this however, as the government have suggested that they could increase their funding contribution for the Norwich Western Link. We will be having further discussions with the Department for Transport in the coming weeks about this and making the case to bring even more national investment into Norfolk.

There is a great need for this major infrastructure scheme to be built. Local communities to the west of Norwich are suffering every day from rat-running and traffic congestion on small roads that were not designed to take the volumes or size of vehicles now using them.

Without intervention, these problems are expected to get worse with anticipated population and job growth in and around Norwich. Assessment work has demonstrated that creating a new link between the western end of Broadland Northway and the A47, is the most effective way of tackling these transport issues.

There are also wider benefits that the Norwich Western Link will create: quicker and more reliable journeys to the west of Norwich for all modes; reducing traffic congestion and queuing in communities, and the resulting air quality and road safety improvements this will create; and enabling more opportunities for walking, cycling and public transport use by removing traffic from the local road network.

It is for all these reasons and more that the Norwich Western Link is a priority infrastructure project for the Council. With government backing secured, we are now in a good position to move this project forward and get closer to delivering this important piece of infrastructure for Norfolk.

Recommendations:

- 1. Consider the details presented in this report and approve the continued delivery of the Norwich Western Link project.**
- 2. To delegate to the Interim Executive Director of Community and Environmental Services (CES), in consultation with the Cabinet Member for Highways, Infrastructure and Transport, the authority to agree the finalised planning application and submit it to the Local Planning Authority.**
- 3. To recommend to Council, at its January 2024 meeting, an increased budget of £273.9m (compared with the £251.0m included in the OBC Addendum, that was reported to Cabinet on 4 July 2022), and an increase to the local contribution of £22.9m, as set out in Section 6 of this report.**
- 4. Following the resolution of recommendation 3 above to delegate to the Interim Executive Director of Community and Environmental Services (CES), in consultation with the Cabinet Member for Highways,**

Infrastructure and Transport, the authority to approve the Statement of Reasons, which describes the purpose and effect of the Side Roads Order and Compulsory Purchase Order together with the justifications for making them.

- 5. Following the resolution of recommendations 2, 3 and 4 above, authorise the making, publication and submission, for confirmation by the Secretary of State, of the necessary Side Roads Order required for the project.**
- 6. Following the resolution of recommendations 2, 3 and 4 above, authorise the making, publication and submission, for confirmation by the Secretary of State, of the necessary Compulsory Purchase Order required to acquire the land for the project.**
- 7. To delegate to the Interim Executive Director of Community and Environmental Services (CES), the authority to take all appropriate actions necessary to complete a Public Inquiry should this result from the planning application or the making of draft Orders.**

1. Background and Purpose

- 1.1 The Norwich Western Link (NWL) is a highway scheme linking the A1270 Broadland Northway from its junction with the A1067 Fakenham Road to the A47 trunk road near Honingham. It comprises:
 - The dualling of the A1067 Fakenham Road from its existing junction with the A1270 to a new roundabout located approximately 400m to the north-west;
 - Constructing a new dual carriageway link from the new roundabout to a new junction with the A47 near Honingham, with a short section carried over the River Wensum and its floodplain on a viaduct.
- 1.2 In December 2016 the Council agreed a motion which stated the ‘...Council recognises the vital importance of improving our road infrastructure and that this will help to deliver the new jobs and economic growth that is needed in the years ahead.’ The NWL was named as one of three priority infrastructure schemes for the County Council, alongside the Great Yarmouth Third River Crossing and Long Stratton Bypass.
- 1.3 The Local Transport Plan (LTP) 4 Strategy which covers the period 2021-2037 and its Implementation Plan was adopted by the County Council in 2022. The LTP strategy includes improvements to the strategic transport connections with Policy 8 stating that “Our priority will be to improve major road and rail connections between larger places in the county, and to major ports, airports and cities in the rest of the UK.” It identifies the NWL as being one of the priorities for enhancing strategic connections together with other priorities that include improvements to the major rail links to London and Cambridge, the A140 Long Stratton Bypass, the A10 West Winch Housing Access Road, and full dualling of the A47.

- 1.4 The Transport for Norwich (TfN) strategy was adopted in December 2021. It replaced the previous Norwich Area Transportation Strategy, adopted in 2004, which set out a transportation strategy for the Norwich area. The TfN strategy forms part of a wider suite of documents setting out transport policy in Norfolk. The Norfolk Local Transport Plan (LTP4) covers transport policy across the whole of the county and the TfN strategy aligns with, and nests within this and provides the detail for the Norwich area.
- 1.5 The delivery of the NWL and the TfN will provide significant future transport improvements across Greater Norwich and provide a transport network that meets future demands in terms of both growth and sustainable travel options.
- 1.6 A report providing an update on the delivery of TfN was presented to the Cabinet meeting at its meeting on 3 July 2023. Funding to deliver transport improvement schemes across Greater Norwich as part of TfN comes from a range of different sources including the Department for Transport (DfT), Active Travel England (ATE), the Department for Environment, Food & Rural Affairs (DEFRA), developer contributions and local growth funds.
- 1.7 The draft Greater Norwich Local Plan (GNLP) is currently undergoing independent examination and if adopted (anticipated by early 2024) will replace the Greater Norwich Joint Core Strategy. Although there are no specific sites in the GNLP dependent on the NWL, the project would provide a strategic improvement to the transport network to support the planned growth within the greater Norwich and wider area.
- 1.8 In addition the NWL is identified in the Strategic Infrastructure Delivery Plan (SIDP) which sets out the County Council's priority infrastructure projects, its aim being to deliver projects that will provide significant economic, housing, and jobs growth across Norfolk. The SIDP is developed in partnership with a range of stakeholders so that it aligns with the ambitions of the New Anglia Local Enterprise Partnership's Norfolk and Suffolk economic strategy and the district councils' local plans.
- 1.9 Transport East, our sub-national transport body, provide a regional voice for strategic transport issues in the east. Officers and members of Norfolk County Council have worked closely with Transport East to develop a transport strategy for the eastern region. The transport strategy sets out the challenges and opportunities in the region, Transport East's Vision, and the outcomes Transport East are seeking to achieve. The four core priorities for interventions are focussed around:
- Decarbonising transport;
 - Connecting growing towns and cities;
 - Energising coastal and rural areas;
 - Unlocking global gateways.
- 1.10 Transport East's strategy sets out a delivery pathway to achieve each of these objectives by 2050 and identifies 12 goals against these priorities and the actions for Transport East to progress them. Alongside the Strategy is an

Investment and Delivery Programme (IDP) that sets out the regional investment programme and pipeline to deliver the strategic priorities in the Transport Strategy. The IDP identifies projects that address both regional issues and projects within six core strategic movement corridors.

- 1.11 Transport East's IDP reflects Norfolk County Council's current strategic priorities of West Winch Housing Access Road, Long Stratton Bypass, and the Norwich Western Link.
- 1.12 The member forum of Transport East agreed the Transport Strategy in July 2022 and this, together with its investment and delivery plan, was endorsed by the Cabinet in December 2022. The County Council continues to work with Transport East to progress the strategy and to secure government support for investment in strategic transport for Norfolk and for the other partners.

2. Project Update

2.1 Outline Business Case Submission

- 2.1.1 The Outline Business Case (OBC) for the NWL was submitted to DfT in June 2021. At its meeting of 4 July 2022 Cabinet was provided with a draft OBC Addendum, which described the changes to the original OBC submission resulting from the alignment refinement work and traffic model update. Following the delegated authority from the Executive Director of Community and Environmental Services the Addendum to the OBC was submitted to the DfT in September 2022.
- 2.1.2 The Government confirmed approval of the NWL OBC and its Addendum on 13 October 2023, which means DfT have provided a funding commitment of £213 million towards the overall cost of the project, with the potential for their contribution to be increased. With this funding commitment secured, the project can move forwards with the submission of a planning application and the making of the necessary statutory orders, subject to approval by Cabinet. The OBC is the second of three business case submissions, which are summarised below.
- 2.1.3 The Strategic Outline Business Case was submitted to DfT in June 2020 and its approval provided funding to support the development of the OBC as part of the Major Road Networks programme. The OBC set out the reasons why the Council believes the proposed NWL should receive funding from the DfT's Large Local Major (LLM) fund and an explanation of the five cases was set out in the June 2021 Cabinet report.
- 2.1.4 Approval of the OBC by DfT has confirmed the NWL Programme Entry status, which means that the DfT would expect to provide national funding for the scheme subject to certain conditions, such as any necessary statutory powers being obtained and there being no significant changes to the scheme design or expected benefits.

- 2.1.5 Programme Entry does not guarantee funding or timing but gives authorities the confidence to proceed with the development and in particular to apply for the necessary statutory powers. It will be necessary to submit a Full Business Case to DfT once planning consent and statutory orders have been confirmed, which would provide up-to-date information on the project at that stage in its development.

2.2 Scheme Update

- 2.2.1 Since the last update report to Cabinet on 3 July 2023, the project entered a period of reduced activity as approved by Cabinet and pending receiving OBC approval from the DfT. During this time, work continued to develop the NWL proposals to help inform the content of the planning application documents, the Side Roads Order (SRO) and Compulsory Purchase Order (CPO). These documents were developed as far as was practicable while a funding commitment was still awaited and therefore the timing of when a planning application could be submitted and the SRO and CPO could be made was unknown.
- 2.2.2 The planning application documents are now well-developed and OBC approval enables the project to proceed to submission of the planning application. The project team is carrying out a final review and applying any necessary updates, and it is intended that the application would be submitted as soon as possible.
- 2.2.3 Work has also continued towards the completion of the SRO and CPO including the associated plans and schedules. These will continue to be developed to allow them to be made and published shortly after the planning application has been made.
- 2.2.4 The scheme developed to be submitted for a planning application is outlined by the General Arrangement Plans contained in Appendix A of this report.
- 2.2.5 Norfolk County Council is committed to building the Norwich Western Link in an environmentally responsible way. As well as limiting and mitigating significant impacts on the local landscape, wildlife, and communities, the NWL project is seeking opportunities to improve and create new habitats in the local area with the aim of achieving 'biodiversity net gain' on all applicable habitats as part of the project. This means leaving them in a measurably better state than before construction, as set out by DEFRA.
- 2.2.6 The NWL project team have been carrying out surveys over a number of years to understand which species of conservation importance are found in the area around the route of the NWL and identifying the measures and improvements that could most effectively support them, taking advice from Natural England and the Environment Agency as part of this process. It has also been working with local landowners to identify areas for habitat creation and enhancement in order to support these species. These areas include woodland and scrub creation, woodland enhancement, hedge planting and enhancement, grassland creation, wetland habitat creation and enhancement

and the installation of owl and bat boxes. Plans showing the ecological mitigation and enhancement proposals are contained in Appendix B of this report.

- 2.2.7 The work undertaken in preparing the planning application has refined the NWL's environmental mitigation and Biodiversity Net Gain (BNG) requirements and the land required for this purpose has been identified. The project team have been discussing the requirements with landowners, with a view to avoiding the use of compulsory powers. Depending on these requirements it may be possible to reach a range of voluntary agreements such as management agreements or section 253 Highways Act 1980 agreements.
- 2.2.8 The agreements with landowners would seek to include maintenance commitments and associated inspection regimes where appropriate.
- 2.2.9 However, to safeguard delivery of the NWL all land identified as being required will be included within the CPO and there could be a need for the County Council to undertake maintenance and inspection regimes itself.
- 2.2.10 Monitoring strategies for bats, water voles and badgers are being developed as part of the work to secure the European Protected Species Mitigation (EPSM) licences from Natural England. The aims of these monitoring strategies are to establish whether the mitigation and compensation provided for NWL effectively addresses the potential adverse effects of the scheme and to establish whether the populations of the present species are being maintained in a favourable status (favourable status being a defined term describing a situation where a species is thriving and is expected to thrive in the future).
- 2.2.11 In consultation with local communities a suite of traffic mitigation measures on some specific roads in the local road network is being developed alongside the NWL. The traffic mitigation measures that were originally proposed were outlined in the pre-application consultation that ran for 8 weeks between 15 August 2022 and 9 October 2022.
- 2.2.12 The report to Cabinet at its 3 July 2023 meeting explained the changes to the traffic mitigation measures proposed as a result of the comments received during the pre-application consultation. The County Council will continue to work with local communities in order to develop the mitigation measures to be implemented as part of the NWL project.
- 2.2.13 In the event of there being an increased period of time between the opening of the A47 Easton to North Tuddenham improvement scheme and the opening of the NWL, there is an agreement between National Highways, Norfolk County Council and Weston Longville Parish Council that work will be undertaken, in consultation with the local community, to develop measures to mitigate the interim traffic impacts from the A47 scheme on Weston Longville.

- 2.2.14 A post NWL-opening traffic monitoring strategy is proposed and will identify the location and timescales for vehicle surveys that can be used to assess the impacts of the NWL and its accompanying traffic mitigation and sustainable transport measures.

2.3 Planning Application

- 2.3.1 The planning application is due to be made through the Town and Country Planning Act 1990 process, for which Norfolk County Council would be the Local Authority. It will therefore be both made and decided by the County Council. In this context it is essential that there is clear separation of the Highway Authority, applicant role (the Applicant) and the Local Planning Authority role (the LPA).
- 2.3.2 The Town and Country Planning General Regulations 1992 sets out the requirements where a local authority applies to itself for planning permission. In applying these regulations, the County Council has produced a Handling Arrangements document that details the administrative arrangements that will ensure the separation of functions between the Applicant and the LPA in relation to the NWL, thereby safeguarding the independence and objectivity of decisions made by the Authority in connection with the planning application for the NWL. This Handling Arrangements document can be viewed on the County Council's project webpage in the 'your questions answered' section.
- 2.3.3 On submission of the planning application documents to the LPA, it will need to determine whether the application is complete and contains all the necessary information. This is called validation of the application and once an application has been deemed valid and it is registered the determination process commences.
- 2.3.4 Once an application has been validated and registered, the LPA will then publicise it on their website and undertake a statutory consultation on it. Anyone can comment on the proposals and the LPA will assess the relevance of comments and consider them when determining the application.
- 2.3.5 The key documents that will form the planning application together with a summary of the information they are anticipated to provide is set out below. It should be noted that the decision as to whether or not planning permission is to be granted is a decision for the Council acting as the planning authority following the relevant legal procedures under the Town and Country Planning Act 1990 regime; this is not a decision that Cabinet is being asked to make with this report.
- (i) **Planning Statement:** This sets out the background to the planning application, identifies the development plan and material considerations that are relevant to the determination of the application. It outlines both the high level and strategic objectives of the NWL and how the scheme submitted for the planning application fulfils these. The high-level objectives are provided below:

- To support sustainable economic growth;
- To improve the quality of life for local communities;
- To promote an improved environment;
- To improve strategic connectivity with the national road.

- (ii) **Statement of Community Involvement and Consultation Report:** The Statement of Community Involvement summarises the various rounds of public consultation and engagement events undertaken in relation to the NWL. The most recent round of public consultation was the pre-application consultation that occurred between 15 August 2022 and 9 October 2022. There have been three previous consultations prior to this. The pre-application consultation was used to understand public views on the scheme proposals and to take these into account in developing the final scheme design for the planning application.
- (iii) **Environmental Statement:** The Environmental Statement (ES) reports the outcome of any likely significant effects arising from the proposed scheme for the NWL and its proposed environmental mitigation and enhancement measures.

The design of the proposed scheme includes landscape planting, habitat creation, habitat enhancement, and the incorporation of green bridges to allow wildlife movement. These design elements will contribute to the existing green infrastructure network, minimise habitat fragmentation, and provide replacement for habitat loss from the proposed scheme. Drainage systems have also been designed to intercept and divert run-off away from watercourses.

- (iv) **Habitat Regulations Assessment:** This provides information on the identification and assessment of effects on internationally designated sites (the National Sites Network). The Habitat Regulations Assessment covers an initial screening assessment (Stage 1) followed by Appropriate Assessment (Stage 2), and also determines whether further Habitat Regulations Assessment stages (Stage 3 and 4) need to be applied to achieve compliance with legislation.
- (v) **Transport Assessment:** The Transport Assessment describes the existing road network and its constraints and shortcomings, the need for a strategic transport improvement to address current and future transport problems, the transport rationale for the NWL, the transport benefits delivered by the NWL, and the impact of the NWL on the existing network.
- (vi) **Sustainable Transport Strategy (STS):** This has been developed alongside the main NWL proposals and presents a range of measures integral to the proposed scheme together with a complementary package of wider interventions to support walking, cycling and public transport use, and to meet the sustainable travel objectives of the NWL. The package of

measures proposed by the STS has been shaped by public consultation and stakeholder liaison.

- (vii) **Design and Access Statement:** The Design and Access Statement (DAS) supports the planning application for the NWL scheme and is required by Article 9 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. Within this within which Article 9(3) states:
- “A design and access statement must—
- (a) explain the design principles and concepts that have been applied to the development;
 - (b) demonstrate the steps taken to appraise the context of the development and how the design of the development takes that context into account;
 - (c) explain the policy adopted as to access, and how policies relating to access in relevant local development documents have been taken into account;
 - (d) state what, if any, consultation has been undertaken on issues relating to access to the development and what account has been taken of the outcome of any such consultation; and
 - (e) explain how any specific issues which might affect access to the development have been addressed.”

The DAS for the NWL responds to the requirements above, presenting the proposed scheme design for which planning permission is sought, providing rationale for how it was developed, alternative ideas that were discounted, and explains how it demonstrates good design that takes account of policies and guidance relating to infrastructure projects. The proposed scheme to be submitted for the planning application is outlined by the General Arrangement Plans in Appendix A of this report.

2.4 Side Roads Order

- 2.4.1 A Side Roads Order is the statutory process which authorises a highway authority to make alterations to roads and highways. Such alterations include the provision of new or diverted roads, improving/altering existing highway, stopping up, and providing new private means of access. The NWL will therefore need the making of an SRO in order to provide the scheme proposals outlined by the General Arrangement Plans in Appendix A of this report.
- 2.4.2 The SRO will need to be made by the Council and confirmed by the Secretary of State for Transport to authorise:
- the stopping up, alteration, creation and improvement of highways which will connect with the new classified road (NWL mainline) to be delivered as part of the NWL scheme;

- to authorise the construction of new highways, the stopping up of private means of access, the provision of new private means of access and other associated works, including alterations to public rights of way.

2.5 Compulsory Purchase Order

- 2.5.1 The NWL scheme requires third party land, and the Council has been actively engaging with landowners of this land to seek agreement to acquire it. The area of land required by the scheme is defined by the Red Line Boundary shown on the plans in Appendix A of this report. This area defined by the Red Line Boundary represents the maximum area required by the scheme, and as the CPO proposals are refined there may be opportunity to reduce this.
- 2.5.2 Section 7.2 of this report provides a summary of the landowner negotiations to date, including properties that have already been purchased. However, given the number of affected landowners and the extent of the acquisitions required, it is considered unlikely that all land can be acquired by agreement. It is therefore anticipated that the Council will need to make a CPO, to ensure the deliverability of the NWL scheme in the event that some land is not acquired by agreement.
- 2.5.3 It is anticipated that the CPO would be made under the Highways Act 1980, which provides powers to acquire land compulsorily for the purposes of constructing new highways and improving existing highways, for improving frontages to a highway or improving land adjoining or adjacent to a highway; for carrying out works authorised by a SRO (including creating new means of access to premises, using land in connection with the construction and improvement of highways, including for the provision of working space and access to construction sites, and for the diversion of non-navigable watercourses); and for mitigating the adverse effects of the existence or use of highways.
- 2.5.4 Guidance published in 2019 by the Ministry of Housing, Communities and Local Government entitled 'Compulsory purchase process and the Crichel Down Rules' ("the Guidance") sets out the fundamental principles which the Secretary of State will take into account in deciding whether or not to confirm a Compulsory Purchase Order. The Statement of Reasons, which is a document that will accompany the CPO, explains how these principles have been met. A draft Statement of Reasons is contained in Appendix C of this report. Cabinet authority is sought to delegate approval of the finalised documents to the Interim Executive Director of Community and Environmental Services (CES), in consultation with the Cabinet Member for Highways, Infrastructure and Transport.

2.6 Draft Combined Statement of Reasons

- 2.6.1 Appended to this report is a draft of the Combined Statement of Reasons for making both the Compulsory Purchase Order and Side Roads Order. This document sets out the compelling case in the public interest for making the

CPO, the legal and policy tests that apply to the decision to make a Compulsory Purchase Order and the reasons why it is considered that the Proposed Scheme would meet those tests and that the making of the CPO is justified. The CPO Limits referred to in the draft Statement of Reasons are the same limits as those shown on the plans included in Appendix A. In relation to the Side Roads Order the draft Combined Statement of Reasons sets out the legal tests and guidance that Council is required to consider when making a Side Roads Order. It details and justifies the interventions in the local highway network that are necessary to integrate the Proposed Scheme into the local highway network and the adjustments to private means of access that are consequence of it.

2.7 Human Rights and Equalities

- 2.7.1 The making of a Compulsory Purchase Order and a Side Roads Order has potential implications for human rights and for the Council's public sector equality duty under the Equality Act 2010. In relation to the human rights implications, these are considered in section 12 of the draft Combined Statement of Reasons where it is concluded that the interferences to private rights arising from the Compulsory Purchase Order and Side Roads Order would be legitimate, necessary and proportionate. In relation to equalities, section 13 of the draft Combined Statement of Reasons explains how regards has been given to the public sector equality duty and where it is concluded that the Proposed Scheme may have a short-term differential impact on persons with a protected characteristics during construction it is concluded that those impacts could be addressed through mitigation, monitoring and communications during the detail design and construction phases. It also concludes that there is the potential for low level positive impacts in the long-term for persons with protected characteristics. The full Equality Impact Assessment is available to view should Members wish to do so.

2.8 SRO and CPO Publication

- 2.8.1 This report also seeks authorisation to make and publish the finalised SRO and CPO shortly after the planning application has been made. The process for making an SRO/CRO is as follows:
- The SRO and CPO are made and notice of this is published in a local newspaper and on-site;
 - After publication, a copy of the SRO and CPO is issued to the DfT;
 - On publication a 30-day period commences during which objections to these orders can be made;
 - If no objections are received then the Orders can be made, allowing the Council to use the powers that they provide.

2.9 Public Inquiry

- 2.9.1 The submission of the planning application and the resulting planning determination could be called-in for a public inquiry by the Secretary of State.

Similarly, qualifying objections to the published SRO and CPO would result in the NWL proposals being the subject of a public inquiry.

- 2.9.2 It is proposed that the SRO and CPO will be published shortly after the planning application, so that the opportunity for a single public inquiry that covers all the statutory approvals is maximised.
- 2.9.3 There are no fixed timescales for a public inquiry and the consideration / decision is made by the Secretary of State. Therefore, estimates have been used in the programme dates based on the experience of other projects. It is envisaged that a typical public inquiry could last up to six weeks with the subsequent Secretary of State decision taking 23 weeks. Following the Secretary of State decision, there is a six-week period when a legal challenge to this decision can be made.
- 2.9.4 During the Public Inquiry there may be a need for the Council, in its role as the Applicant, to respond to the questions raised and as a result this report seeks the authority of Cabinet to delegate to the Interim Executive Director of Community and Environmental Services the authority to take all appropriate actions necessary to complete the Public Inquiry.
- 2.9.5 The Full Business Case, which if approved would confirm the final approval of the government's funding towards the NWL, would be submitted to the DfT on completion of the above statutory processes.

2.10 Programme

- 2.10.1 The programme has been reviewed to take into consideration the following:
- The extended period awaiting DfT approval of the OBC (delayed since original anticipated date of late 2022);
 - Delay to the submission of the planning application awaiting the OBC decision;
 - The inclusion of an advance work stage to enable ecological and environmental works to be undertaken prior to a start of the main construction works;
 - The latest ground investigation surveys have identified that more time is likely to be required to build a temporary works platform to facilitate construction of the viaduct, which is a critical path activity in the overall programme.
- 2.10.2 The planning application documents will require some updates before an application can be made. The updated key project milestones, assuming Cabinet authorises the submission of the planning application and publishing of the associated SROs/CPOs at this meeting, are provided below:

Table: Programme Milestones

Milestone	Date
Submit planning application and Determination Period	Early 2024
Publish SROs and CPOs	Spring/Summer 2024
Public inquiry (if required)	Autumn/Winter 2024
Confirmation of all statutory orders and consents	Summer 2025
Submission of Full Business Case	Summer 2025
Land access	Autumn 2025
Start of advanced works	Late 2025
Start of main construction works	Summer 2026
Scheme in Operation	2029

2.11 National Highways Update

2.11.1 National Highways are bringing forward over £300m of major improvements to the A47. Last year, the Secretary of State granted development consent for:

- A new dual carriageway and junctions between Blofield and North Burlingham;
- Redevelopment of Thickthorn junction (where the A11 meets the A47 south of Norwich)
- A new dual carriageway and junctions between Easton and North Tuddenham.

2.11.2 The latter of these will provide a connection with the NWL.

2.11.3 Following confirmation of the development consent orders, the decision from the Secretary of State was subject to a legal challenge. The main grounds for the challenge were around how cumulative carbon is assessed by the government at a national level. An earlier legal issue over the schemes' impact on local bat populations was dropped after National Highways provided additional detail on how this biodiversity issue would be addressed.

2.11.4 The legal challenge was granted permission to proceed to a full hearing, which was heard at the High Court in May 2023 and later dismissed when the judgment was handed down around two months later. The claimant (making the legal challenge) appealed this decision and last month the Court of Appeal granted permission for an appeal to be heard. This is due to be a one-day hearing in January 2024 with a judgment expected around two to three months later.

2.11.5 The legal challenge appeal does not preclude the submission of the NWL planning application (and the related statutory orders) because the decision to

confirm the DCO for the A47 Easton to North Tuddenham scheme remains valid notwithstanding the legal challenge. National Highways has continued to carefully work within the bounds of the legal process and undertake reversible preparatory work ahead of the Court of Appeal judgment expected around spring next year.

- 2.11.6 Subsequent to the decision from the Court of Appeal to permit the appeal to be heard, National Highways have stated that it stands by its plans and remains confident that it can deliver the improvement schemes that will provide significant improvements to both safety and congestion on the A47, as well as providing a boost to the regional economy.

3. Impact of the Proposal

- 3.1 The June 2021 and July 2022 Cabinet reports set out the key impacts of the project against a range of headings, most of which have not changed. Key impacts of the scheme which, where appropriate, include updates since July 2022 to reflect assessments carried out to inform the planning application are:
- 3.2 **Economic:** The Planning Statement will form part of a suite of documents submitted for the planning application. Using the conclusions of the Transport Assessment and the Planning Statement it sets out the transport case for the scheme. This concludes that the lack of a strategic link road to the west of Norwich results in an inappropriate level of traffic on the local road network, seeking to make the connection between main roads. This has an adverse impact on the amenity of those living in the area, as confirmed by the public consultation events that have been carried out in the area over a number of years.
- 3.3 As well as tackling the issues that local residents are currently experiencing, the NWL will also address the strategic gap in the major road network to the west of Norwich and will provide additional capacity in the local road network that is modelled to improve journey times and reliability.
- 3.4 The NWL will both address the existing issues in the road network as well as provide capacity to help support the delivery of the proposed economic development that is contained in the emerging GNLP. The planned growth will increase existing pressure on the road network to the west of Norwich.
- 3.5 The OBC and the subsequent OBC addendum set out the economic benefits of the NWL and appraised its resulting Value for Money (VfM), which was just into the 'high' category. Although detailed Benefit Cost Ratio (BCR) calculations have not been rerun on the revised budget, previous analysis indicates that the VfM would be likely to drop into the higher end of the Medium category. This would indicate a BCR of 1.5 to 2.0 and therefore for every £1 spent the scheme would expect monetised benefits of between £1.50 and £2.
- 3.6 **Environment:** The effects of the NWL on the environment have been a key consideration throughout its development. The appointment of the design and

build contractor has enabled its developing design and construction proposals to inform the Environmental Impact Assessment (EIA) process. The findings of the EIA are reported in the Environmental Statement that forms part of the planning application documents.

- 3.7 Mitigation and enhancement measures have been incorporated into the scheme design to minimise impacts and seek to make improvements to local biodiversity and habitats. This includes landscape planting, habitat creation, habitat enhancement, and the incorporation of green bridges to support wildlife movement. These design elements will contribute to the existing green infrastructure network, minimise habitat fragmentation, and provide replacement for habitat loss from the NWL. Plans showing the ecological mitigation and enhancement proposals are contained in Appendix B of this report.
- 3.8 The design of the NWL, where possible, has included proposals to mitigate impacts on landscape and visual effects. This includes the considered design of structures to complement the rural setting, creation of landscaped bunds to minimise the impact on visual amenity of nearby visual receptors and incorporating landscape mitigation planting to provide screening and visual amenity.
- 3.9 The Levelling Up and Regeneration Act 2023, which contains provisions requiring new development to demonstrate a 10% biodiversity net gain, was enacted on 23 October 2023. The Government has announced that the relevant biodiversity net gain provisions will come into force in January 2024 and are expected to apply to NWL planning application. In any event, both national policy and the County Council's own environmental policy encourages new development to demonstrate Biodiversity Net Gain (BNG). BNG involves leaving habitats in a measurably better state than before development took place. The national policy produced by Defra for biodiversity net gain seeks a 10% uplift in biodiversity after development and is based on the area of habitats directly and indirectly affected by a scheme.
- 3.10 A BNG assessment has been undertaken in accordance with best practice guidance and the report on this assessment will be set out in the Environmental Statement, which will form part of the planning application documents. The assessment takes account of the environmental mitigation and enhancement measures described above.
- 3.11 For BNG purposes, irreplaceable habitats such as veteran trees, are excluded from the 10% net gain requirement as they cannot easily be replaced. Therefore, due to the impacts on irreplaceable habitats (i.e. veteran trees), it is not possible to achieve a scheme-wide BNG outcome. However, a net gain position has been achieved for all non-excluded habitats and the proposed scheme for the NWL is predicted to achieve a quantifiable BNG in excess of 10%.
- 3.12 Carbon Impact update

- 3.12.1 The NWL is an important component of wider transport infrastructure that is being delivered as part of the Transport for Norwich (TfN) Strategy and wider Norfolk County Council Local Transport Plan 4 (LTP4). This update has been prepared to inform members of the scale of change in user emissions and to reassure members that the carbon impact of the scheme will be integrated into the council's ongoing plans to meet carbon targets.
- 3.12.2 At each stage of the NWL business case, the carbon impact of the scheme has been assessed and reported. The traffic model and carbon quantification assessment has been compliant with best practice and the Department for Transport (DfT) requirements at each stage of the scheme's development.
- 3.12.3 In 2021 the OBC submitted to DfT based on the accepted model which included the NWL showed it decreased carbon emissions over the appraisal period. In 2022 the OBC Addendum submitted to DfT also showed a decrease in carbon emissions over the appraisal period. Both were based on modelling outputs that at the time complied with Transport Analysis Guidance (TAG).
- 3.12.4 More recently draft results based on the updated model produced for the planning application Environmental Statement show that the NWL would on average increase carbon dioxide equivalent by 5,475 tonnes each year over the 60-year appraisal period. These model results have assumed the NWL is open for traffic in 2027, rather than the revised opening year of 2029. Results are therefore preliminary and subject to finalisation as part of the ongoing work to support the planning application.
- 3.12.5 The change in operational emissions between 2022 and 2023 can be explained by the traffic modelling supporting the carbon impact assessment. Since completion of the Addendum to the Outline Business Case (OBC), further traffic modelling tests were undertaken to meet revised Transport Analysis Guidance (TAG) and to ensure the traffic model would be accepted by the Department for Transport. As a direct consequence, when assessed in isolation the proposed scheme now results in a disbenefit in carbon terms. By way of context, it can be noted that a disbenefit (i.e. an increase) was also identified at the Strategic Outline Business Case (SOBC) stage in 2019, which was also a consequence of the modelling and the guidance at that time.
- 3.12.6 The draft results should be considered a worst-case scenario, as the traffic model is based on TAG estimates for electric vehicle uptake. The DfT recognises that the current version of TAG does not reflect the proposed ban on the sale of new petrol and diesel vehicles and is therefore considered a pessimistic or worst-case projection. In response, the DfT has issued its Common Analytical Scenario (CAS) forecast (refer to TAG Unit M4) to support the emerging Local Transport Plan (LTP) Quantifiable Carbon Reduction (QCR) guidance. This scenario accounts for national policy announcements covered under the Zero Emission Vehicle (ZEV) mandate and assumes accelerated levels of electric vehicle uptake when compared against TAG. Applying CAS assumptions reduces the annual average impact of the scheme from + 5,475 tCO₂e to +1,917 tCO₂e, highlighting the considerable variability in forecasting vehicle-based emissions across a 60-year period.

- 3.12.7 The LTP4 Implementation Plan sets the target to achieve Net Zero carbon emissions from transport by 2050, in line with the government's Net Zero Strategy (see table for Objective 4, Pg 97). At a local level the carbon impact of the NWL appears to run counter to the Council's Net Zero objectives, as any increase in emissions could be considered material if not offset by wider mitigation measures. Therefore, it is important to ensure the results of the assessment are appropriately contextualised against the limitations of the modelling approach (detailed above) and the wider strategic objectives of the Proposed Scheme.
- 3.12.8 New Local Transport Plan guidance was expected as early as 2022, along with which the DfT were expected to publish Quantifiable Carbon Reduction (QCR) guidance. However, at the time of writing the QCR and LTP guidance has still not yet been published. As such, and in the context of changing government policy, the publication of the guidance and its requirements may be subject to change. Until the guidance and supporting tools on carbon quantification are released by government, at this stage it is not possible for the Council to quantify the impact of the NWL against the wider list of infrastructure projects or the other transport measures noted in the LTP.
- 3.12.9 In advance of the emerging guidance on carbon quantification, Norfolk County Council have already committed to demonstrating tangible action towards carbon reduction through their fourth Local Transport Plan, Environmental Policy (2019) and the wider list of transport proposals. The County Council has been successful in securing additional funding to advance decarbonisation in the area, these funds include:
- Transforming City Fund (TCF);
 - Zero Emission Transport City (ZETC);
 - Zero Emission Bus Regional Area (ZEBRA);
 - Bus Service Improvement Fund (BSIP);
 - Active Travel Fund (ATF);
- 3.12.10 The introduction of the new EVs under the Zero Emission Bus Regional Area scheme will mean that by March 2024 over half of the Norwich network operated by First Bus are due to be electric. These buses are part of First Bus' pledge to convert its entire fleet to zero tailpipe emissions by 2035.
- 3.12.11 These vehicles offer significant environmental benefits, saving around 75 tonnes of CO₂ per vehicle per year when compared to a diesel, and will improve the air quality for the city's residents and visitors as they emit zero tailpipe emissions.
- 3.12.12 Based on a commitment of 70 buses in Norwich this alone could equate to a saving of in excess of 5,250 tonnes of carbon each year up to 2050. To put these numbers in context, the baseline carbon emissions from transport for Norfolk in 2019 were 1,718,000 tonnes, as set out in the [LTP4 Implementation Plan](#). The annual carbon from tailpipe emissions currently projected from the

NWL therefore equates to 0.3 per cent of this countywide figure, or 0.1% if the CAS assumptions are applied.

- 3.12.13 To demonstrate the carbon credentials of the NWL can be accommodated within local carbon targets, the results of the carbon assessment undertaken for the NWL Environmental Statement will be integrated into the wider decarbonisation plan which is being developed to meet local carbon targets as outlined in the LTP 4.
- 3.12.14 The LTP 4 Implementation Plan expects appropriate and proportionate whole life carbon assessments of schemes to include construction and use, as outlined in the actions to support Policy 11. The contractor for the scheme has committed to a number of measures to reduce carbon emissions during the construction phase, which include promoting the use of start-stop technology plant on site, maximising the re-use of site materials for earthworks and pavements, using solar panels for site lighting where practicable, showing preference for providers that use 100% renewable sources of electricity; maximising the use of local suppliers and producing a Carbon Management Plan.
- 3.12.15 The contractor is also actively exploring measures to reduce carbon emissions further during the construction. The measures could include:
- Minimising energy consumption including fuel usage by, for example, minimising machinery use and idling;
 - Promoting the use of hydrotreated vegetable oil fuel by the supply chain;
 - Using sustainable concrete, low/cold application asphalts and re-cycled construction materials where practicable;
 - Re-using trees and vegetation removed during the site clearance as mulch or chippings and using in the landscaping where practicable;
 - Re-using bituminous materials within the permanent works where practicable and where they do not present a pollution hazard;
 - Encouraging the use of solar power and facilities to reduce water usage;
 - Procuring sustainable welfare cabins;
 - Maximising the use of local waste management facilities, instead of transporting waste materials over longer distances;
 - Incentivising of carbon reduction practices within the supply chain.
- 3.12.16 Preliminary results from the construction phase assessment reported in the draft Environmental Statement have found the total Green House Gas emissions from the construction of the NWL is estimated to be approximately 130,000 tCO₂e. It should be noted that figure is subject to finalisation through the process to complete the Environmental Statement. It does not include the potential further mitigation measures outlined in Section 3.12.15 above that the contractor is exploring, which are expected to result in this estimate being reduced.

4. Evidence and Reasons for Decision

- 4.1 The NWL is expected to:
- Offer a direct link between A47 and A1270 on the west side of Norwich, to provide quicker and more reliable journey times between these roads;
 - Remove through-traffic from local villages to the west of Norwich, resulting in fewer barriers to walking and cycling and making the local network more conducive to active travel with the resulting improvements in air quality;
 - Reduce personal injury collisions;
 - Enhance access to key facilities and employment west of Norwich;
 - Support the coastal visitor economy;
 - Enhance highway network resilience.
- 4.2 The delivery of NWL is recognised in the emerging Greater Norwich Local Plan (GNLP) and the adopted Norfolk Local Transport Plan, Norfolk Strategic Infrastructure Delivery Plan 2023 and the Transport for Norwich Strategy 2021.
- 4.3 The delivery of existing and emerging Transport Policy and the strong public support, expressed through public consultation to inform the project's options assessment work, for addressing highway issues to the west of Norwich are strong factors in favour of the NWL. The proposed scheme is the result of an extensive optioneering exercise that has been carried out over a number of years to ensure that the best available route that meets the project objectives whilst minimising environmental impacts has been proposed.
- 4.4 Submission of the proposed scheme and the associated documents for a planning application is a key milestone towards delivery on the NWL. The Cabinet meeting is therefore requested to approve the submission of this scheme for a planning application under the Town and Country Planning Act 1990.

5. Alternative Options

- 5.1 Extensive consideration has been given to potential alternatives prior to reaching a preferred option to take forward for a planning application. This option has been refined in response to known constraints and there is an evidence base of surveys and background data underpinning the option selection and refinement. Considerable effort has been made to consider the potential environmental effects of the NWL throughout the design process.
- 5.2 Separate studies have been undertaken looking at a range of highway options and a public transport option. In 2017-2018 further work was undertaken to test the feasibility of a viaduct over the River Wensum SAC with Natural England.
- 5.3 During 2018-2019 an Option Appraisal Report was prepared, considering a wide range of ideas across a range of modes covering a total of 82 options. A

systematic sifting process identified that highway options were found to best meet the scheme objectives and likely to offer better value for money. However additional non-highway, active travel and public transport measures were identified and reserved for packaging with a preferred option.

- 5.4 The option development and selection process were informed by extensive public consultation and stakeholder engagement, with a first round of consultation establishing the need for a Norwich Western Link in summer 2018, with the majority of respondents indicating that a highway option would best solve the transport issues identified in the study area, with additional non-highway options supporting.
- 5.5 A second round of consultation regarding the shortlisted options confirmed that there was strong agreement among respondents that there is a need for a Norwich Western Link, with Option D ranking as the most popular solution and Option C the second most popular. Option B was notably less popular and Option A the least popular.
- 5.6 From a connectivity perspective, the Option C horizontal alignment offered good connectivity between A47 and A1270 and would encourage strategic traffic to avoid the villages in the west of Norwich with a more direct route from Wood Lane to Broadland Northway, avoiding Ringland and Weston Longville. This route links well with the A47 North Tuddenham to Easton Improvement Scheme. Option C was also considered to be less challenging to construct in terms of vertical alignment as it avoided the steep topography through Ringland Hills and avoids crossing the River Tud on an additional viaduct.
- 5.7 The report to Norfolk County Council Cabinet July 2019 concluded (at Paragraph 4.4.7) that: *'it is recommended that Option C is taken forward as the Preferred Route as this offers a solution which offers good value for money, is publicly acceptable, limits environmental impacts and is the least challenging option to deliver from an engineering and risk perspective.*
- 5.8 The selection of the preferred route had been informed by the ecological surveys that had been undertaken. To inform the development of the design of this route a series of further ecological surveys were undertaken, which identified a barbastelle bat maternity roost associated with the Primrose Grove colony located that was located within the site boundary (at the time) of the Preferred Route at Rose Carr.
- 5.9 An alignment refinement exercise was undertaken where seven alignment refinement options were created and subject to an appraisal in line with the criteria applied in the OSR 2019. A reassessment of the options considered in 2019 has been undertaken to establish if the 2019 conclusions remain the same in light of the refinements undertaken to Option C (called the Refined Option C).
- 5.10 The assessments determined that on balance, Option C Refined was still considered to present the better alignment option overall, which balances the need for increased separation from a maternity bat roost in the northern

woodlands, with other planning and environmental considerations across all of the topics considered.

6. Financial Implications

- 6.1 The report to Cabinet at its meeting on 4 July 2022 provided an update on the scheme cost that would be included in the OBC addendum to be submitted to the DfT. This identified the overall budget requirement as being £251.1m. The breakdown in scheme costs and suggested funding profile was set out in the report to Cabinet.
- 6.2 The OBC addendum was submitted to DfT, to enable a change to the requested funding provision from their Large Local Majors funding programme. The request with the OBC addendum remained at 85%, but the value had increased to £213.4m in line with the increased project costs. The adjusted local contribution of 15% detailed in the OBC addendum had increased to £37.7m on the assumption that the uplifted contribution from DfT could be secured.
- 6.3 At its meeting on 19 July 2022 the County Council endorsed the decision made by Cabinet and agreed the funding for the forward capital programme (as required by the County Council's Constitution, at Appendix 15 para 3.6.1). As this has been referred under that provision once, it does not need to be referred again but should Cabinet agree to an increased budget the County Council will need to endorse that decision.
- 6.4 The overall budget requirement has increased to £273.9m (compared with the £251.1m included in the OBC addendum, that was reported to Cabinet on 4 July 2022), and the breakdown in scheme cost and suggested funding profile is set out in the tables below.
- 6.5 The re-profiled budget forecast that takes account of the updated project milestones outlined in Section 2.10 is provided below.

Table: Breakdown of Scheme Costs

Scheme Element	2017-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	Total
Design, Investigations, Surveys, Procurement, Supervision, and other Client Costs through to Construction	1,372	3,518	4,066	9,358	13,098	11,587	7,762	993					51,754
Statutory Undertakers Works					9	1,238	402	224	1	208			2,082
Land	27	1,439	1,069	328	509	1,877	2,145	9,807	1,700	1,030	-550		19,381
Construction, Supervision, and other Client Costs	4	3	52				460	13,042	43,724	47,320	26,739	313	131,657
Total Cost (excluding risk)	1,403	4,960	5,187	9,686	13,616	14,702	10,769	24,066	45,425	48,558	26,189	313	204,874
Risk						2,623	2,598	2,026	7,126	7,672	4,276		26,321

Total Cost at 2020: Q3 Prices	1,403	4,960	5,187	9,686	13,616	17,325	13,367	26,092	52,551	56,230	30,465	313	231,195
Adjustment to outturn (inflation)						807	1,210	3,969	12,905	15,148	8,629	51	42,719
Scheme Cost (outturn prices)	1,403	4,960	5,187	9,686	13,616	18,132	14,577	30,061	65,456	71,378	39,094	364	273,914

Table: Funding Profile assuming 85% of OBC from DfT

Funding Package	2017-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	Total
Government / DfT Funding			1,024			24,815	7,175	22,707	57,990	63,603	35,781	283	213,378
Local Contribution	1,403	4,960	4,163	9,686	13,616	-6,683	7,402	7,354	7,466	7,775	3,313	81	60,536
Total	1,403	4,960	5,187	9,686	13,616	18,132	14,577	30,061	65,456	71,378	39,094	364	273,914

- 6.6 DfT have agreed to grant funding of £24.815 million in the current financial year (2023/24) following the OBC decision. In addition, it has also indicated that funding of up to 100% of the NWL (based on the OBC submission of £251.1m) is possible. This is subject to further guidance and agreement with DfT, which is yet to be provided. The table below shows the revised funding profile forecast should funding of 100% of the OBC submission be provided.

Table: Funding Profile assuming 100% of OBC from DfT

Funding Package	2017-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	Total
Government / DfT Funding			1,024			24,815	14,453	31,878	66,587	72,602	39,309	364	251,032
Local Contribution	1,403	4,960	4,163	9,686	13,616	-6,683	124	-1,817	-1,131	-1,224	-215		22,882
Total	1,403	4,960	5,187	9,686	13,616	18,132	14,577	30,061	65,456	71,378	39,094	364	273,914

- 6.7 It can be seen from the above table that should the DfT fund 100% of the NWL based on the original OBC (and its Addendum) submission of £251.0m then the revised local contribution would be £22.9m. This compares to the original local contribution of £37.7m reported to Cabinet at its meeting of 4 July 2022, when approval to submit the OBC Addendum was given. Cabinet is asked to approve an increase to the current local contribution of £22.9m. It is hoped, as has been alluded to above, that DfT will confirm an increase to their funding which would see the local contribution drop by £14.8m compared to current approved funding.

- 6.8 The table below shows the July 2022 budget figures compared alongside the current budget figures for 2023.

Table: 2022 to current budget changes (£,000.00)

Scheme Element	July 2022 Total	Current Total	Movement
Design, Investigations, Surveys, Procurement, Supervision, and other Client Costs through to Construction	39,038	51,754	12,716
Statutory Undertakers Works	732	2,082	1,350
Land	17,049	19,381	2,332
Construction, Supervision, and other Client Costs	111,928	131,657	19,729

Total Cost (excluding risk)	168,747	204,874	36,127
Risk	37,366	26,321	-11,045
Total Cost at 2020: Q3 Prices	206,114	231,195	25,081
Adjustment to outturn (inflation)	44,919	42,719	-2,200
Scheme Cost (outturn prices)	251,032	273,914	22,882

6.9 The reasons for budget increase compared with July 2022 are outlined below.

6.9.1 Design, Investigations, Surveys, Procurement, Supervision, and other Client Costs

As a direct consequence of the OBC funding approval from DfT being delayed, submission of the planning application, completion of other statutory processes, completion of this stage of the project and the commencement of the construction stage has been adversely impacted.

The OBC addendum submitted in September 2022 assumed a planning application submission by Spring 2023, with an overall completion of this stage being achieved in late 2023.

DfT's OBC approval was received in writing on 13 October 2023, triggering final preparation and a planned submission of the planning application as soon as possible.

The consequential effects of this delay are:

- Re-working sections of the planning application due to time sensitive data and reports having to be updated;
- Costs associated with the instruction given to the contractor to put non-essential works on hold due to uncertainty surrounding DfT's funding approval;
- Client resources being reduced to align with the revised workload, but with key resources being retained to accommodate a rapid re-start once DfT's funding approval is received;
- Increased archaeological works required, driven by completion and analysis of early exploratory archaeological work.

Cumulative increase of £12.72m.

6.9.2 Adjustment to public utility apparatus

The project is impacted by the construction of new underground power lines. To mitigate costs, advanced works at the interface have been identified with an allowance being made.

Following confirmed development consent issued by the Secretary of State for the Department for Business, Energy and Industrial Strategy on 31 December

2020, the Orsted Hornsea 3 Offshore Wind Farm reached a significant milestone in April 2023 with the project officially entering its main works phase. The project crosses the Norwich Western Link main line in the area around Ringland Lane/Weston Road.

Engagement with Orsted is ongoing in order to establish a co-operation agreement with the NWL project team and ensure there are no conflicts between the works. Communication to date has identified that the Horizontal Directional Drilling (HDD) for the Orsted cables will need to be lower than originally intended to avoid the NWL. As a result, Orsted require a commitment of approximately £1.35m from the NWL budget this financial year to undertake the HDD at the lower depth as part of its works. The risk of not committing this expenditure is that the diversion of the cables would be required as part of the NWL works, which would only be possible at a considerably higher cost. The £1.35m commitment is included in the updated NWL budget.

Cumulative increase of £1.35m.

6.9.3 Land

As a direct consequence of the OBC funding approval from DfT being delayed and the consequential effects on the completion of the statutory process, the land acquisition date has been delayed resulting in land cost increases and increases in compensatory payments, driven by market forces and inflation.

The alignment refinement work and BNG requirements, together with the proposed ecological mitigation, have also been refined resulting in changes to the area of land required for the project which is compounded by refinement of land requirements for BNG.

Cumulative increase of £2.33m.

6.9.4 Construction, Supervision and other Client Costs

Further development of the ecological mitigation works has identified that certain works that cannot be undertaken in advance of all statutory approvals, and there is a consequential impact on the construction programme's critical path.

There has been further site investigation and this has identified the presence of significant pockets of soft organic soil, which has informed the developing detailed design and has resulted in a significant increase in the scale and duration of construction required for the temporary works platform to construct

the viaduct. There is also a related increase in the volume of surplus earthworks material to be disposed of, with consequential effects on the critical path of the construction programme.

As part of the detailed design and development of the planning application proposals, alternative arrangements for the temporary haul road to the southern viaduct abutment have been required along with further design associated with the alignment refinement of the preferred route.

As details have developed, there has been an increase in the allowances made for the cost of off-site works related to the sustainable transport and traffic mitigation measures.

Cumulative increase of £19.73m.

6.9.5 Risk

The project risk register has been fully reviewed and takes account of what is known at this stage of the project and the issues that have been worked through and closed out or mitigated/reduced. A copy of the latest risk register is contained in Appendix D of this report. As projects are progressed risks are addressed and closed out as the design develops. The risk allowances made in July 2022 have been re-assessed and reduced where risks have been resolved.

Cumulative reduction of £11.05m.

6.9.6 Inflation

The allowances for inflation made in July 2022 have been updated. The remaining uncertainty in world markets due to the ongoing war in Ukraine compounded prior events resulting in difficulty in obtaining materials as the world supply chains adjust. Uncertainty surrounding the national infrastructure output programme remains high, which is principally supported by the roads, rail and electricity investment programmes, including work on HS2, and nuclear new build. The extended project programme has also compounded these inflationary drivers.

The tables below set out the assumed inflationary increases that are anticipated to occur over the life of the project.

Table: Assumed inflationary increases over life of project

Inflation rates:	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30
Fees:						
Staff	2.84%	5.76%	8.76%	11.85%	15.03%	18.30%

Consultancy (Environmental and Planning)	2.97%	6.03%	9.18%	2.97%	6.03%	9.18%
Consultancy (Commercial)	5.68%	8.64%	11.68%	14.81%	18.02%	21.33%
Utilities	5.68%	8.64%	11.68%	14.81%	18.02%	21.33%
Land	8.76%	11.85%	15.03%	18.30%	21.66%	25.11%
Construction:						
Stage One Work	17.29%	20.61%	24.02%	27.53%	31.14%	34.85%
Stage Two Work	23.27%	24.95%	26.69%	28.67%	29.64%	32.70%

The inflationary factors used in the forecasting of Design, Investigations, Surveys, Procurement, Supervision and Client Costs, Utilities, and Land are based on historic data combined with current knowledge of the relevant indices being the Consumer Price Indices (CPI) and the Highways Term Maintenance Indices (HTMI). However, the inflationary factors used in the forecasting of Construction costs have been based on the analysis of multiple Building Cost Information Service (BCIS) indices, which form part of the contractual inflationary mechanism that has been compared with the more general BCIS General Civil Engineering Indices, which also provide a forward forecast through to June 2028 with further estimation being made thereafter.

The Construction inflationary assessment has therefore been aligned to industry forecasts but there remains a residual risk to the accuracy of this forecast. Therefore, further variable inflationary forecasts have been considered in the assessment of inflationary risk (Risk B22), resulting in a further allowance being included in the updated forecast and included in the Adjustment to Outturn (Inflation) figures stated above.

Reduction of £2.2 million.

6.10 Financial Risk

- 6.10.1 There are risks to the project delivery that could result in it not proceeding to construction and thereby not proceeding to construction and delivering a capital asset (see Section 9 below). This could be due to a failure to secure statutory approvals. Should this happen the cost expended to develop the scheme to that point may need to be treated as revenue expenditure. As with all capital projects the authority takes on this risk of revenue expenditure implications where a project does not get delivered (i.e. where there is no capital asset delivered). Given the size of the County Council's capital programme it is not unusual for this risk to exist, and it has applied in the past to major projects such as the Broadland Northway and Great Yarmouth 3rd River Crossing. However, it does need to be considered fully when considering the risks associated with the NWL project, and potential mitigation should this revenue cost scenario occur.

6.10.2 The key budget decision milestones and anticipated forecast spend to that point are set out below:

- Stopping the project now would include previous year spend and current year spend and any commitments – estimated at £46.118m;
- At the submission of a planning application in early 2024 – £50.156m;
- At the Full Business Case (FBC) anticipated approval in Autumn 2025 - £68.991m.

Table: Updated anticipated forecast spend at key decision milestones

Forecast	Nov-23	Early 24	Autumn 25
Design, Investigations, Surveys, Procurement, Supervision and other Client Costs through to Construction	£42,148,901	£43,690,704	£53,377,740
Statutory Undertakers Works	£9,589	£645,758	£1,950,531
Land	£3,231,494	£3,424,261	£7,048,296
Construction, Supervision and other Client Costs	£59,335	£59,335	£1,006,155
Expenditure excluding risk	£45,449,319	£47,820,059	£63,382,721
Risk allowance	£668,277	£2,336,076	£5,608,442

Notes:

All figures derived from the revised forecast

Risk allowance figures above may not be incurred if the risks do not materialise

6.10.3 Following approval of the Outline Business Case (OBC) the government will provide capital grant funding for permitted activities on an annual basis. Permitted activities is capital expenditure related to the development of a business case and associated activities (e.g. public consultation, planning applications, surveys, design work). An annual capital grant will reimburse the county council for some of the costs incurred to date and the further costs that will be incurred to achieve FBC. At the time of writing this report, discussions are taking place with the DfT regarding the amount and timing of the grant payments. However, it is anticipated that the capital grant will fund the majority of the expenditure set out in Section 6.6 above.

6.10.4 The grant terms and conditions for the NWL follow the normal DfT grant rules for capital schemes which reserves the right for DfT to seek reimbursement of any capital grant paid if the scheme is not constructed. If the NWL is not constructed, there is a risk that the County Council may need to reimburse DfT all of the capital grants received for the scheme. In this circumstance it is difficult to predict the outcome of discussions with DfT which could range from zero reimbursement, partial or full reimbursement.

6.10.5 Generally capital schemes are funded by a mixture of grant and County Council contribution (either in the shape of capital receipts or borrowing). If the County Council had to set aside separate revenue funding for each major project (or all capital projects until they were brought into service) to mitigate against potential write-off due to non-delivery, then it would not deliver such

projects. To mitigate the risk on NWL the Director of Strategic Finance sits on the Project Board of major projects and also receives a full briefing on Finance / Delivery / Risk Management on a monthly basis to enable an informed opinion of the risk of non-delivery and the potential financial impact.

6.10.6 Should the NWL not proceed to construction the hierarchy of how cost incurred to date would be funded would be as follows:

1. Review corporate centre revenue budgets to identify resources;
2. Review of ear-marked reserves to assess if their intended use is still required and if not reprioritise;
3. Instruct departments to work towards delivering in-year revenue savings where practicable;
4. The council has a General Fund Reserve that it sets aside for major financial shocks and any balance would need to be provided here;
5. If necessary, replenish General Fund/Ear Marked reserves as part of the Medium Term Financial Strategy.

In addition to the above, the Council would enter into discussions with DfT regarding the capital grant and whether it would need to be reimbursed.

7. Resource Implications

7.1 Staff:

7.1.1 The project has a dedicated delivery team provided by the in-house Infrastructure Delivery Team, which is supported by WSP (the highways service term consultants), external consultants, specialist legal advisors (including nplaw), and contract administration and cost specialists. Following the award of the contract, Ferrovial Construction were appointed as the design and build contractor for the scheme in 2021.

7.2 Property:

7.2.1 The identification of the preferred route in July 2019 opened up two lines of potential land acquisition for landowners affected by the NWL scheme, by virtue of owning land either on or adjacent to the route corridor. These are Blight, where land is required for the scheme itself, and Discretionary Purchase where no land is required. There is also the opportunity to seek to acquire affected land by agreement.

7.2.2 Any land or properties acquired under Blight Notice, Discretionary Purchase or agreement have to be managed by the Council during the period between acquisition and either their use for the Scheme or disposal through re-sale afterwards.

7.2.3 A Land Acquisition Audit Assurance Group was established for the NWL in 2019 in order to ensure the appropriate assurance and oversight of land related matters in regard to the scheme. The group comprises County Council Corporate Property and Finance and Commercial services teams alongside the Project Team and the land agents NPS acting on behalf of the Council. All decisions are presented to and made by the Project Board.

- 7.2.4 At the time of the 3 July 2023 report to Cabinet, three parcels of land had been acquired, two via the acceptance of valid blight notices, and the other by agreement following discussions with the landowner.
- 7.2.5 Following the 2022 alignment refinement a further Blight Notice was served on and accepted by the Council. Acquisition of this property has now also been completed. All purchases to date have been within the allowances made when setting the land acquisition budget.
- 7.3 **IT:**
- 7.3.1 None expected as a result of this report's recommendations.

8. Other Implications

8.1 Legal Implications:

- 8.1.1 The NWL will require an SRO as outlined in Sections 2.4 of this report. The SRO will include changes to the existing highways, private means of access and public rights of way. It would be promoted by Norfolk County Council under Sections 14 and 125 of the Highways Act 1980.
- 8.1.2 Whilst the acquisition of land for the project will be sought by agreement with landowners, project is anticipating the potential need to acquire land by a CPO as outlined in Sections 2.5 and 7.2 of this report. This would be promoted by Norfolk County Council in parallel to the SRO under the Compulsory Purchase Act 1965.
- 8.1.3 If objections to either or both of the Orders are received, it is likely that the DfT, in conjunction with the Planning Inspectorate will hold a public local inquiry into the Orders before the Secretary of State decides whether to refuse the Orders or to confirm them either with or without modifications. As part of this process, and the wider development of the NWL, the County Council will continue to be supported by nplaw and external legal advisers (including Counsel).

8.2 Human Rights Implications:

- 8.2.1 The Human Rights Implications of the NWL are considered in Chapter 12 of the Statement of Reasons, a draft of this is contained in Appendix C of this report. It is recognised that the NWL may have an impact on individuals but it is considered that the significant public benefits that it brings outweigh any harm to those individuals. It is considered that the CPO strikes a fair balance between the public interest in seeing the NWL proceed in a timely fashion (which is unlikely to happen in the absence of the CPO) and the private rights which will be affected by the compulsory acquisition.
- 8.2.2 Any individuals affected by the CPO will have the opportunity to submit representations to the Secretary of State during the period specified in the notice advertising the making of the CPO (a copy of which will be served on all persons affected by the CPO). If an inquiry is held subsequently then any

party objecting to the CPO may make representations to the Secretary of State as part of that process. Additionally, if the CPO is confirmed, a person aggrieved may challenge that decision by way of an application to the High Court if they consider that the grounds for doing so are made out.

8.3 Equality Impact Assessment (EqIA):

8.3.1 An EqIA has been produced and is regularly reviewed and updated, and this process will continue through the delivery of the scheme. The latest version of the EQIA is available to view should Members wish to do so.

8.4 Data Protection Impact Assessments (DPIA):

8.4.1 Part of the County Council's accountability obligations under the General Data Protection Regulation (GDPR) is to assess and demonstrate compliance with its data protection obligations. In developing the NWL proposal, which includes consultations and communications with stakeholders, the County Council is following industry standard good practice and the various acts relating to the governance of data by local authorities.

8.5 Health and Safety Implications:

8.5.1 The NWL is expected to reduce through traffic from rural villages to the west of Norwich which will improve the quality of life for local residents. Traffic reduction through these villages will help make the network more suitable and attractive for walking and cycling and would help to promote active travel, which has the potential to realise health benefits.

8.5.2 The NWL will encourage the reassignment of traffic away from more rural routes and onto a new high standard road, which is expected to reduce accidents in this area.

8.6 Sustainability Implications:

8.6.1 In developing and submitting the OBC the calculation of emissions for transport has been undertaken using a traffic model and carbon quantification assessment that is compliant with best practice and the Department for Transport (DfT) requirements. This is discussed under section 3.12 of this report.

8.6.2 The proposed scheme for the NWL includes a package of environmental mitigation and enhancement measures. Assessments undertaken in accordance with best practice predict that the proposed scheme for the NWL will achieve a quantifiable biodiversity net gain in excess of 10% for the non-excluded habitats. Further details of the environment proposals and BNG are outlined in Sections 3.6 to 3.11 of this report.

8.6.3 A Sustainable Transport Strategy (STS) has been developed alongside the main NWL proposals and presents proposals for a range of measures to support walking, cycling and public transport use. The package of measures includes:

- A new shared use footway/cycleway on the north side of A1067 where the carriageway is to be dualled, providing a link between

existing routes along the Broadland Northway that connect to Marriott's Way;

- A new off-carriageway path for pedestrians and cyclists along Marl Hill Road between Weston Longville and Morton on the Hill (with a new carriageway refuge on the A1067 to improve crossing) which provides connections to Attlebridge and the Marriott's Way;
- Enhancement of the local Public Rights of Way network with the standard of routes being improved;
- Making use of and enhancing routes that will experience lower traffic levels following construction the NWL, to create cycle friendly routes;
- Identification of the opportunity for a new bus service to the west of Norwich that could connect communities to medical facilities and employment areas, such as the Norwich Research Park, UEA and NNUH, without the need to travel into central Norwich and change buses.

8.7 Any Other Implications:

8.7.1 None identified as a result of this report's recommendations.

9. Risk Implications / Assessment

9.1 A summary of the current risk register is included within Appendix D of this report.

9.2 A summary of some of the key project risks was provided in the July 2023 Cabinet report. An update for some of those risks is provided below:

- The A47 North Tuddenham to Easton improvement scheme being promoted by National Highways as a Development Consent Order (DCO) includes provision for improvements to the A47 Wood Lane junction and the NWL scheme's future connection with that improved junction. The DCO has now been made by the Secretary of State, but this decision is the subject of a legal challenge as described in Section 2.11 of this report. Whilst the challenge does not preclude the submission of the planning application (and the related statutory orders) should the challenge be successful as a result of any redetermination by the Secretary of State, and the A47 scheme is not brought forward for delivery, it would not be possible to progress the NWL scheme in its present form.
- Sufficiency of budget forecast and the programme for utility cost diversions. Early engagement is being undertaken with utility companies to determine the impacts of the NWL scheme on their services and agree mitigation proposals.
- DfT funding towards the NWL scheme is subject to final approvals of all statutory processes as set out in this report. Until the Full Business Case approval is granted by DfT there is a risk that the Council would not be able to proceed to the construction phase.

- The June 2021 Cabinet report explained that the planning application for the NWL will need to demonstrate that in bringing forward the NWL scheme, the Council is compliant with national and local policy; it will also need to have regard to any other material considerations relevant to the NWL scheme. The final decision for the decision makers will involve the drawing of a balance where the identified need and benefits of the project will be weighed against the adverse planning impacts, including environmental impacts.
- Similarly, further to the identification of ecological species present in the area, the project team will need to provide sufficient information to allow the planning authority to have regard to its Regulation 9 duty under the Habitats Regulations and its duties under the Natural Environment and Rural Communities Act 2006 and be able to determine that the grant of planning approval would not put it in breach of those duties.
- Notwithstanding the work that has been undertaken by the project team to develop and incorporate suitable mitigation measures for known ecological species present in the area, Natural England (NE) may request changes to the proposed mitigation measures or not agree to a protected species licence due to the failure to meet the Favourable Conservation Status (FCS) test where NE require to be satisfied 'that the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range' and/or the No Satisfactory Alternatives (NSA) and Purpose tests where all reasonable alternatives should be considered and discounted against the proposed solution. The planning authority will need to consider the likelihood of a Licence being granted when determining whether or not to grant planning approval for the NWL scheme.
- In December 2022 Natural England added an area of woodland in the vicinity of the Norwich Western Link onto a shortlist for consideration for potential Site of Special Scientific Interest (SSSI) status. Inclusion on this short list is not a commitment to designate by Natural England and it is likely to take some time for it to determine if the woodland area should be designated as a SSSI. As a result of data collected by the Wensum Valley Barbastelles Research Project (a research project collaboration between Norfolk Wildlife Trust, the University of East Anglia and Wild Wings Ecology) Norfolk Wildlife Trust have advised the project team of a possible bat maternity roost in the vicinity of the NWL scheme. Without access to the data used to support this advice the NWL project team is unable to verify it. The project team has requested access to the data on a number of occasions but has not been able to obtain it to date. The NWL specialist bat experts have carried out their own extensive bat surveys over several years, which have provided a good understanding of the presence of protected bat species in the area around the proposed route. The project has taken

account of this in its design and mitigation measures that have been developed for the planning application.

10. Select Committee Comments

- 10.1 Not applicable, however the Project Team report regularly to the project Member Group.

11. Recommendations

1. Consider the details presented in this report and approve the continued delivery of the Norwich Western Link project.
2. To delegate to the Interim Executive Director of Community and Environmental Services (CES), in consultation with the Cabinet Member for Highways, Infrastructure and Transport, the authority to agree the finalised planning application and submit it to the Local Planning Authority.
3. To recommend to Council, at its January 2024 meeting, an increased budget of £273.9m (compared with the £251.0m included in the OBC Addendum, that was reported to Cabinet on 4 July 2022), and an increase to the local contribution of £22.9m, as set out in Section 6 of this report.
4. Following the resolution of recommendation 3 above to delegate to the Interim Executive Director of Community and Environmental Services (CES), in consultation with the Cabinet Member for Highways, Infrastructure and Transport, the authority to approve the Statement of Reasons, which describes the purpose and effect of the Side Roads Order and Compulsory Purchase Order together with the justifications for making them.
5. Following the resolution of recommendations 2, 3 and 4 above, authorise the making, publication and submission, for confirmation by the Secretary of State, of the necessary Side Roads Order required for the project.
6. Following the resolution of recommendations 2, 3 and 4 above, authorise the making, publication and submission, for confirmation by the Secretary of State, of the necessary Compulsory Purchase Order required to acquire the land for the project.
7. To delegate to the Interim Executive Director of Community and Environmental Services (CES), the authority to take all appropriate actions necessary to complete a Public Inquiry should this result from the planning application or the making of draft Orders.

12. Background Papers

- 12.1 Links to previous committee papers:
- Cabinet Report 3 July 2023 – Follow this [link](#)

- Cabinet Report 4 July 2022 – Follow this [link](#)
- Scrutiny Committee 23 March 2022 – Follow this [link](#)
- Cabinet 7 March 2022 – Follow this [link](#)
- Scrutiny Committee 20 October 2021 – Follow this [link](#)
- Scrutiny Committee 23 June 2021 – Follow this [link](#)
- Cabinet 7 June 2021 – Follow this [link](#)
- Council Meeting 7 June 2021 – Follow this [link](#)
- Cabinet 3 February 2020 – Follow this [link](#)
- Cabinet 15 July 2019 Follow this [link](#)
- EDT Committee 8 March 2019 – Follow this [link](#)
- EDT Committee 09 November 2018 – Follow this [link](#)
- EDT Committee 12 October 2018 – Follow this [link](#)
- EDT Committee 20 October 2017 – Follow this [link](#) (Reports tab)
- EDT Committee 15 September 2017 – Follow this [link](#)
- Business and Property Committee 08 September 2017 – Follow this [link](#)
- Council Meeting 12 December 2016 - Follow this [link](#)
- EDT Committee 08 July 2016 – Follow this [link](#)
- EDT Committee 18 September 2014 – Follow this [link](#)

12.2 Link to National Highways (formerly Highways England) Information:

- A47 North Tuddenham to Easton Improvement Scheme via this [link](#)
- DCO application for A47 North Tuddenham to Easton Improvement Scheme via this [link](#)

Officer Contact

If you have any questions about matters contained within this paper, please get in touch with:

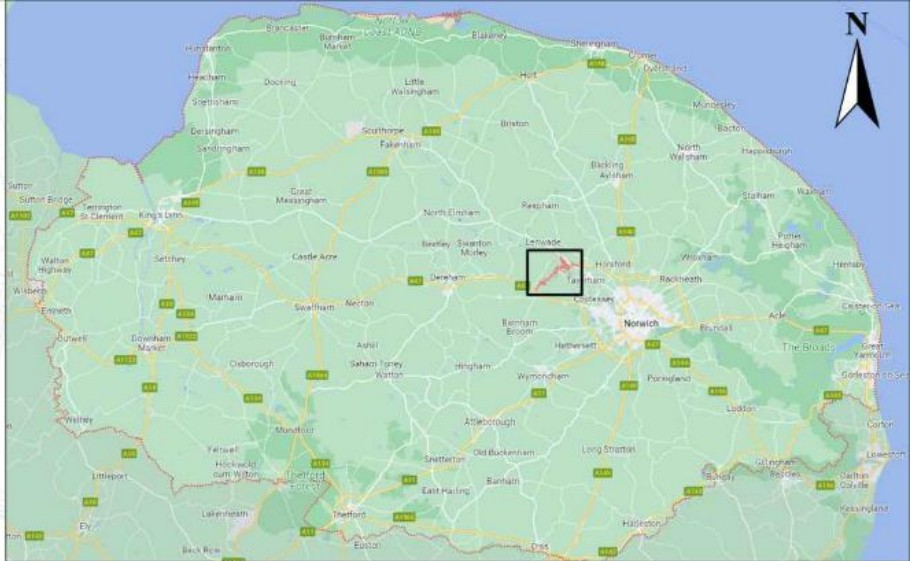
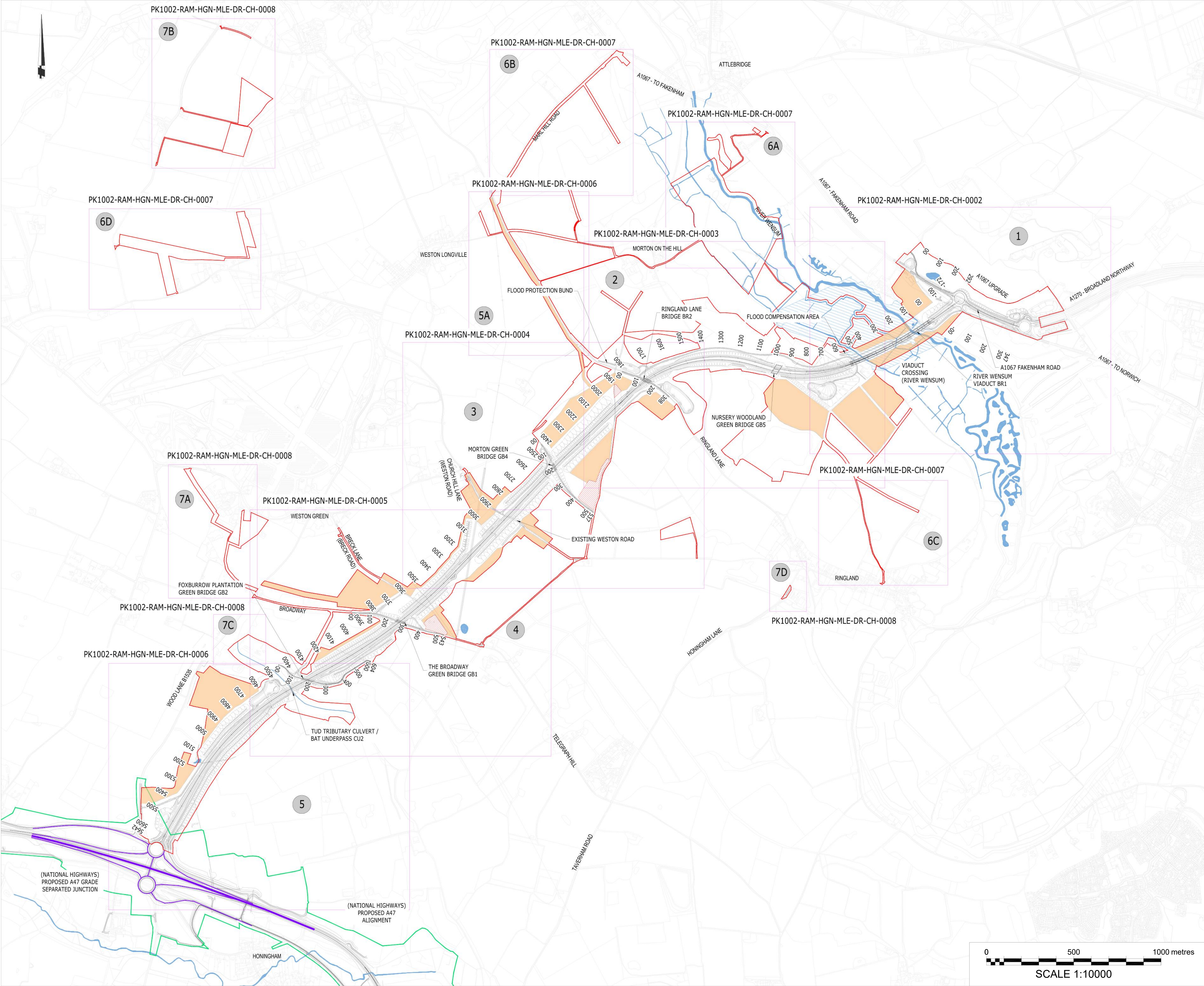
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If you need this report in large print, audio, braille, alternative format or in a different language please contact 0344 800 8020 or 0344 800 8011 (textphone) and we will do our best to help.



- Key:-
- Red Line Boundary
 - Area for Temporary Use During Construction
 - National Highways Scheme Extends Boundary
 - No Work Zone
 - Existing Watercourse
 - Floodplain Area
 - National Highways A47 North Tuddenham to Easton Dualling as shown in DCO Deadline 9 Document Reference TR010038/APP/2.11 Rev 4 and TR010038/APP/2.6 Rev 4. Detailed Design of the A47 is still to be Developed by National Highways

- Notes:
- Do not scale from this drawing.
 - All dimensions are in metres unless otherwise stated.
 - This drawing is to be read with all other relevant drawings and reports. Any discrepancies, errors or omissions to be brought to the attention of the designer.
 - The proposed design shown on this drawing is non exhaustive and is independent of any additional works by third parties.
 - All works to be in accordance with the Specification for Highway Works.
 - The design is based on National Highways Local Grid.
 - Please refer to Section 3.4, Chapter 3 (Description of the Scheme) of the Environmental Statement for the Rochdale Envelope flexibility included within the design for the purposes of the Environmental Impact Assessment.
 - For wider cycle improvements refer to drawing PK1002-NCC-GEN-FSC-DR-CH-0080
 - For essential environmental mitigation measures refer to drawing PK1002-NCC-GEN-FSC-DR-CH-0050
 - This drawing is for planning application purposes only, it is not a construction issue drawing.

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S5 - Suitable for Review and Acceptance				
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S5 - Suitable for Review and Acceptance				
P05	US	SA	SS	24/05/23
S5 - Suitable for Review and Acceptance				
P06	US	JE	SS	18/08/23
S5 - Suitable for Review and Acceptance				
P07	US	SA	SS	08/11/23
REVISION	DRAWN	CHECKED	APPROVED	DATE

CLIENT

 **Norfolk County Council**
Grahame Bygrave
Interim Executive Director of
Community and Environmental services
Norfolk County Council
County Hall, Martineau Lane
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PROJECT

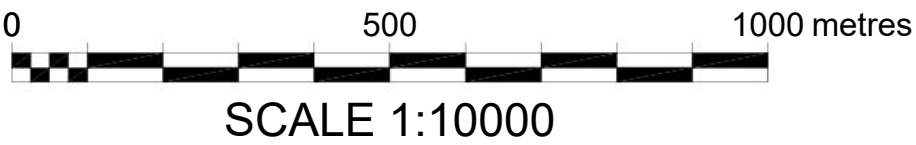
  

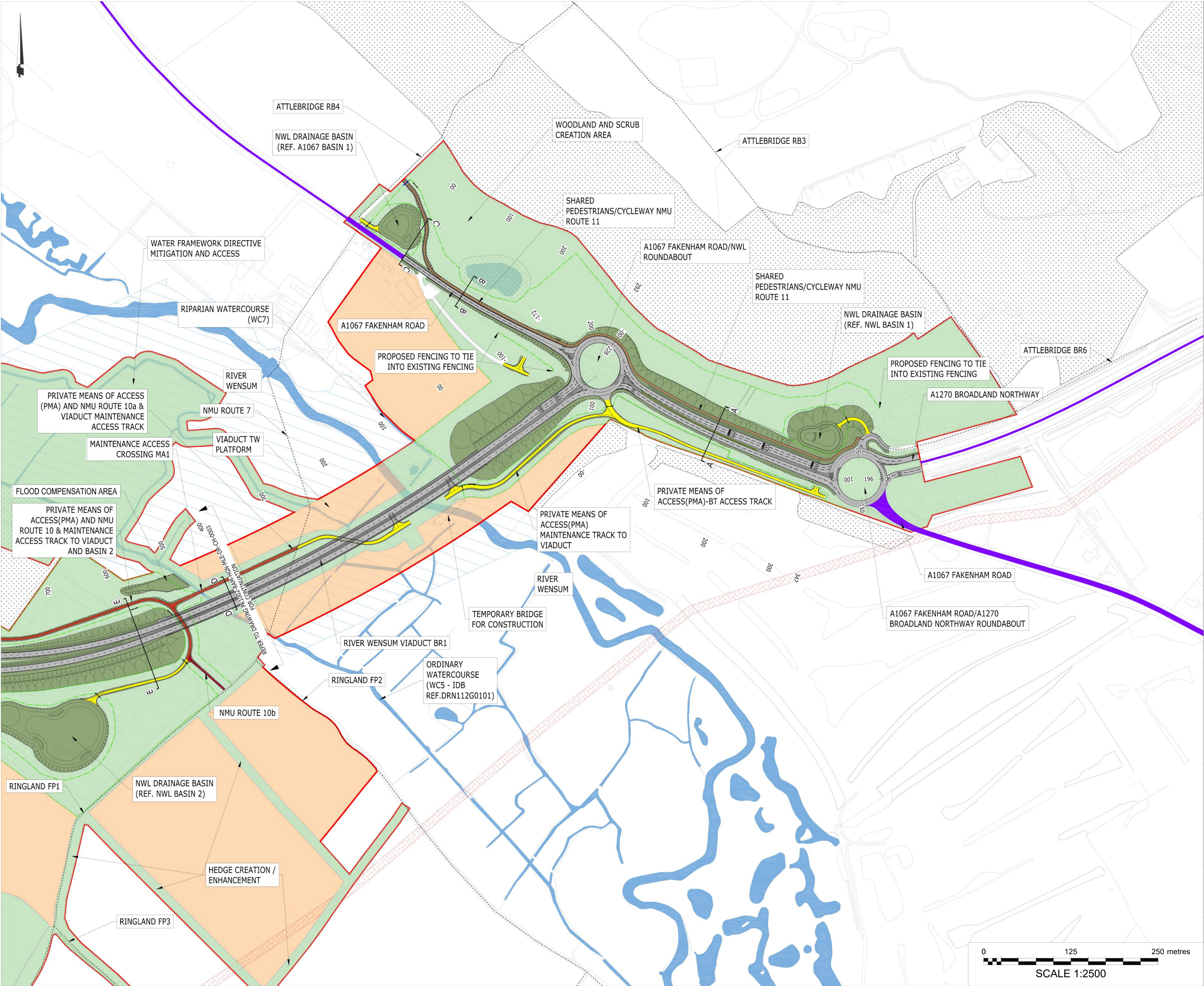
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NORWICH WESTERN LINK
GENERAL ARRANGEMENT KEY PLAN

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DRAWING NUMBER
PK1002-RAM-HGN-MLE-DR-CH-0001





Key:

- Red Line Boundary
- Area for Temporary Use During Construction
- National Grid HP Gas Easement
- No Work Zone
- Carriageway
- Central Reserve / Splitter Island / Hardened Verge
- Existing Watercourses
- Existing Woodland Retained
- General Fence
- Close Boarded Fence
- Close Boarded Parapet
- Proposed Gate
- Proposed Verge and Earthworks with Landscaping
- Proposed and Existing Landscaping and Planting
- Proposed Reinforced Grass Surface
- Proposed Badger Culvert
- Chainage
- Existing Footpath
- Existing Restricted Byways (RB) and Bridleways (BR)
- Public Highway
- Proposed Bridleways
- Proposed Private Means of Access (PMA)
- Proposed Shared Pedestrians / Cycleway
- Proposed Restricted Byway
- Proposed Footpath
- Proposed Footpath and PMA
- Floodplain Area
- Non-Motorised Users
- Footpath
- Native Hedgerow
- Native Hedgerow with trees
- Instant Hedge
- Existing Hedgerow to be Retained

Notes:

- Do not scale from this drawing.
- All dimensions are in metres unless otherwise stated.
- This drawing is to be read with all other relevant drawings and reports. Any discrepancies, errors or omissions to be brought to the attention of the designer.
- The proposed design shown on this drawing is non exhaustive and is independent of any additional works by third parties.
- All works to be in accordance with the Specification for Highway Works.
- Refer to drainage drawings for culvert reference numbers.
- For full landscaping design refer to drawings PK1002-RAM-ELS-MLE-DR-NZ-0001 to 0011.
- For full cross section design refer to drawings PK1002-RAM-HGN-MLE-DE-CH-0001 to 0008 and 0101 to 0103.
- Please refer to Section 3.4, Chapter 3 (Description of the Scheme) of the Environmental Statement for the Rochdale Envelope flexibility included within the design for the purposes of the Environmental Impact Assessment.
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Suitable for Review and Acceptance				
P07	US	SA	SS	08/11/23
Suitable for Review and Acceptance				
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CLIENT

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PROJECT

DRAWING TITLE

NORWICH WESTERN LINK
GENERAL ARRANGEMENT
SHEET 1 OF 7

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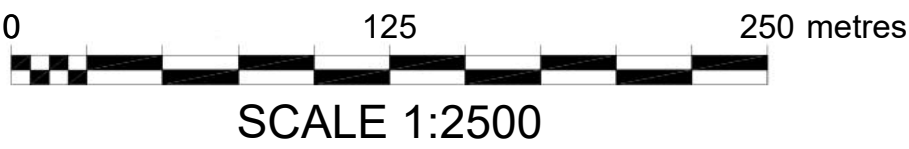
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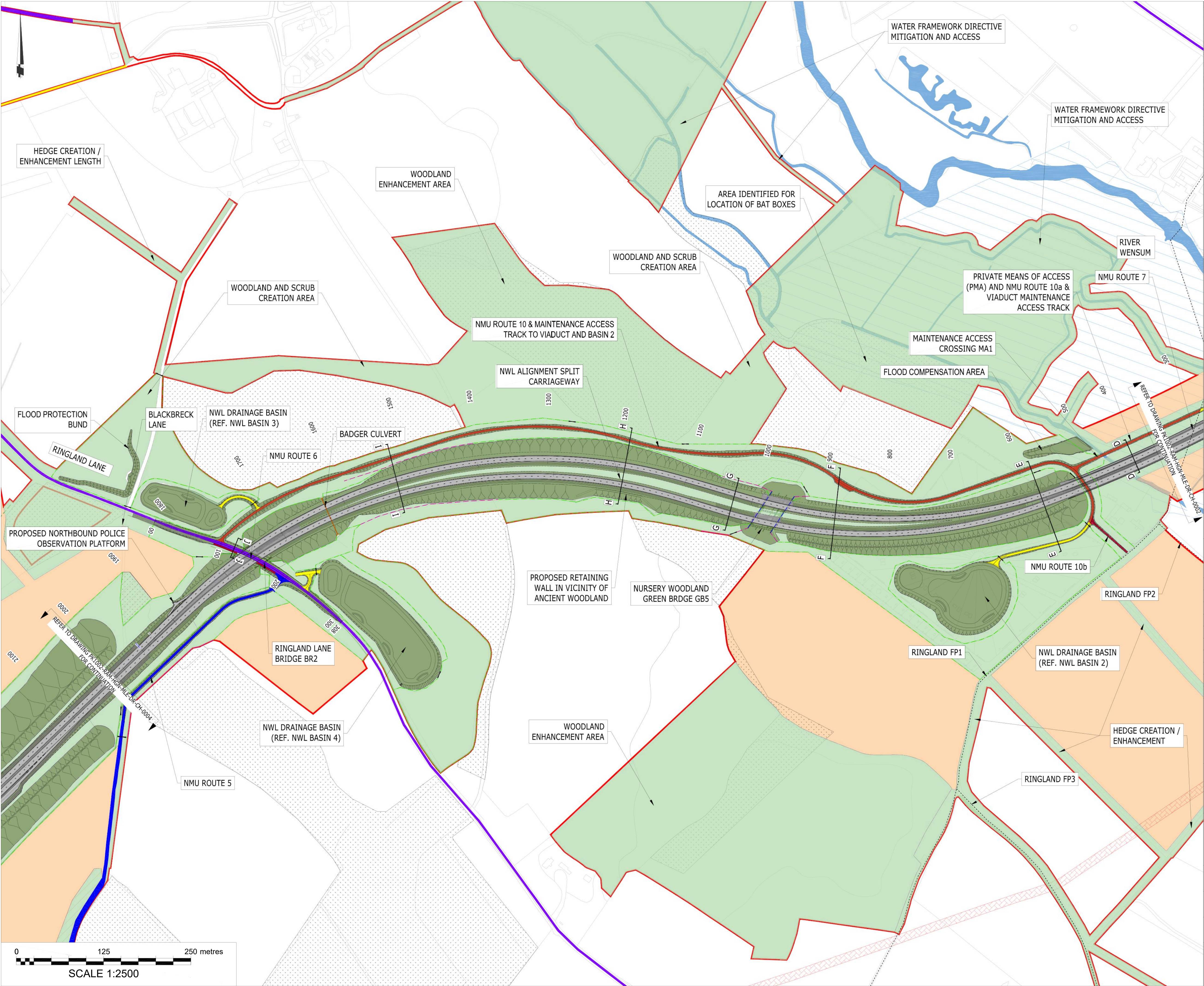
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SCALE @ A1 SIZE	DATE	REVISION
1:2500	17/11/23	P08

DRAWING NUMBER

PK1002-RAM-HGN-MLE-DR-CH-0002





Key:

- Red Line Boundary
- Area for Temporary Use During Construction
- National Grid HP Gas Easement
- No Work Zone
- Carriageway
- Central Reserve / Splitter Island / Hardened Verge
- Existing Watercourses
- Existing Woodland Retained
- General Fence
- Close Boarded Fence
- Close Boarded Parapet
- Proposed Gate
- Proposed Verge and Earthworks with Landscaping
- Proposed and Existing Landscaping and Planting
- Proposed Reinforced Grass Surface
- Proposed Badger Culvert
- Chainage
- Existing Footpath
- Existing Restricted Byways (RB) and Bridleways (BR)
- Public Highway
- Proposed Bridleways
- Proposed Private Means of Access (PMA)
- Proposed Shared Pedestrians / Cycleway
- Proposed Restricted Byway
- Proposed Footpath
- Proposed Footpath and PMA
- Floodplain Area
- Non-Motorised Users
- Footpath
- Native Hedgerow
- Native Hedgerow with trees
- Instant Hedge
- Existing Hedgerow to be Retained

Notes:

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- For full cross section design refer to drawings PK1002-RAM-HGN-MLE-DE-CH-0001 to 0008 and 0101 to 0103.
- Please refer to Section 3.4, Chapter 3 (Description of the Scheme) of the Environmental Statement for the Rochdale Envelope flexibility included within the design for the purposes of the Environmental Impact Assessment.
- For wider cycling improvements refer to drawing PK1002-NCC-GEN-FSC-DR-CH-0080
- For essential environmental mitigation measures refer to drawing PK1002-NCC-GEN-FSC-DR-CH-0050
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Suitable for Review and Acceptance				
P05	US	SA	SS	24/05/23
Suitable for Review and Acceptance				
P06	US	JE	SS	18/08/23
Suitable for Review and Acceptance				
P07	US	SA	SS	08/11/23
Suitable for Review and Acceptance				
P08	LL	SA	SS	17/11/23

REVISION	DRAWN	CHECKED	APPROVED	DATE
CLIENT				

Norfolk County Council
Grahame Bygrave
Interim Executive Director of
Community and Environmental Services
Norfolk County Council
County Hall, Martineau Lane
Norwich NR1 2SG

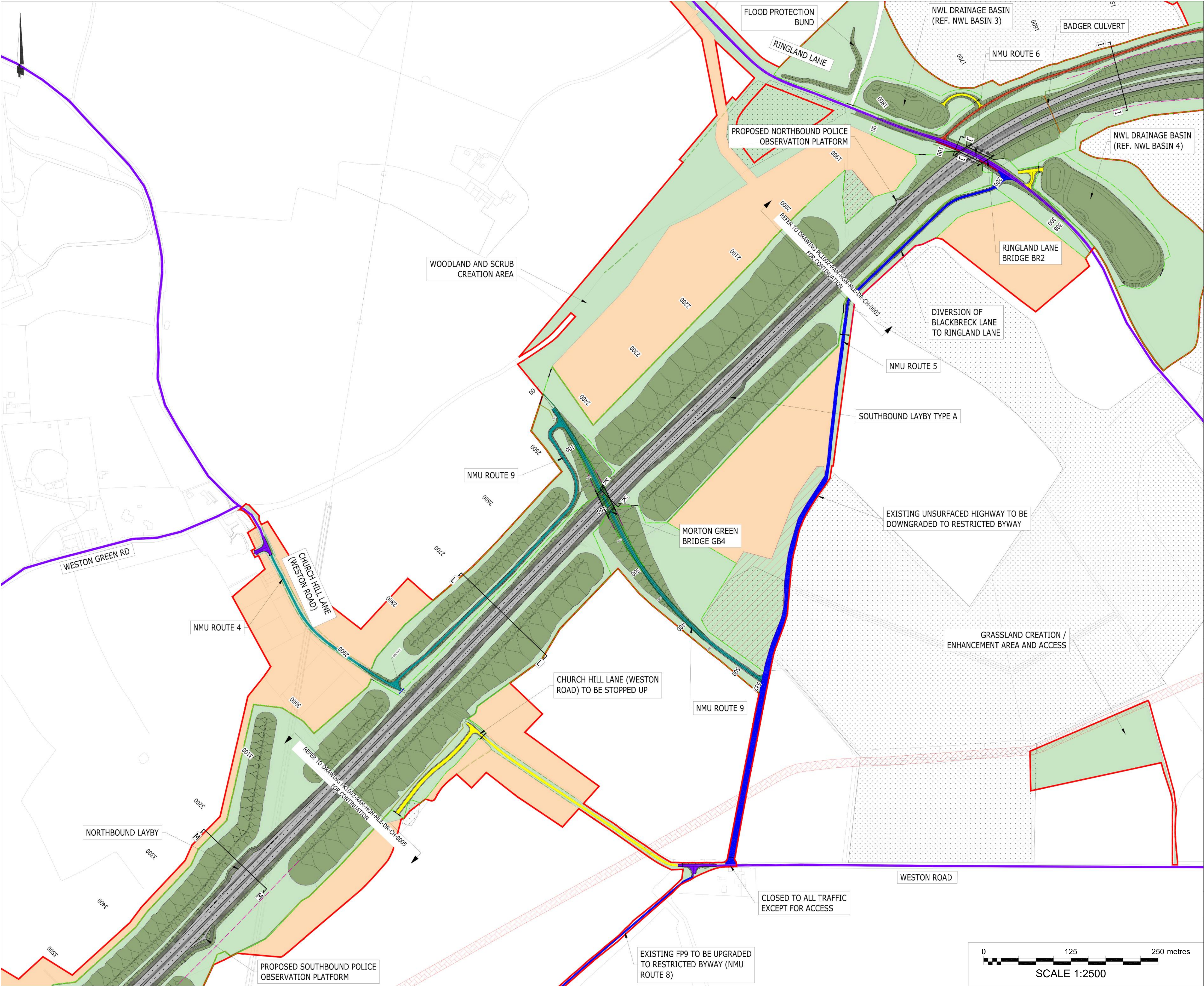
DRAWING TITLE
NORWICH WESTERN LINK
GENERAL ARRANGEMENT
SHEET 2 OF 7

DRAWING STATUS
S5 - SUITABLE FOR REVIEW AND ACCEPTANCE

DRAWN LL	CHECKED SA	APPROVED SS	AUTHORISED ---
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SCALE @ A1 SIZE 1:2500	DATE 17/11/23	REVISION P08
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DRAWING NUMBER
PK1002-RAM-HGN-MLE-DR-CH-0003



Key:

- Red Line Boundary
- Area for Temporary Use During Construction
- National Grid HP Gas Easement
- No Work Zone
- Carriageway
- Central Reserve / Splitter Island / Hardened Verge
- Existing Watercourses
- Existing Woodland Retained
- General Fence
- Close Boarded Fence
- Close Boarded Parapet
- Proposed Gate
- Proposed Verges and Earthworks with Landscaping
- Proposed and Existing Landscaping and Planting
- Proposed Reinforced Grass Surface
- Proposed Badger Culvert
- Chainage
- Existing Footpath
- Existing Restricted Byways (RB) and Bridleways (BR)
- Public Highway
- Proposed Bridleways
- Proposed Private Means of Access (PMA)
- Proposed Shared Pedestrians / Cycleway
- Proposed Restricted Byway
- Proposed Footpath
- Proposed Footpath and PMA
- Floodplain Area
- Non-Motorised Users
- Footpath
- Native Hedgerow
- Native Hedgerow with trees
- Instant Hedge
- Existing Hedgerow to be Retained

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- For full cross section design refer to drawings PK1002-RAM-HGN-MLE-DE-CH-0001 to 0008 and 0101 to 0103.
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- For wider cycling improvements refer to drawing PK1002-NCC-GEN-FSC-DR-CH-0080
- For essential environmental mitigation measures refer to drawing PK1002-NCC-GEN-FSC-DR-CH-0050
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Suitable for Review and Acceptance				
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Suitable for Review and Acceptance				
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Suitable for Review and Acceptance				
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Suitable for Review and Acceptance				
P07	LL	SA	SS	17/11/23

REVISION	DRAWN	CHECKED	APPROVED	DATE
CLIENT				

Norfolk County Council
Grahame Bygrave
Interim Executive Director of
Community and Environmental Services
Norfolk County Council
County Hall, Martineau Lane
Norwich NR1 2SG

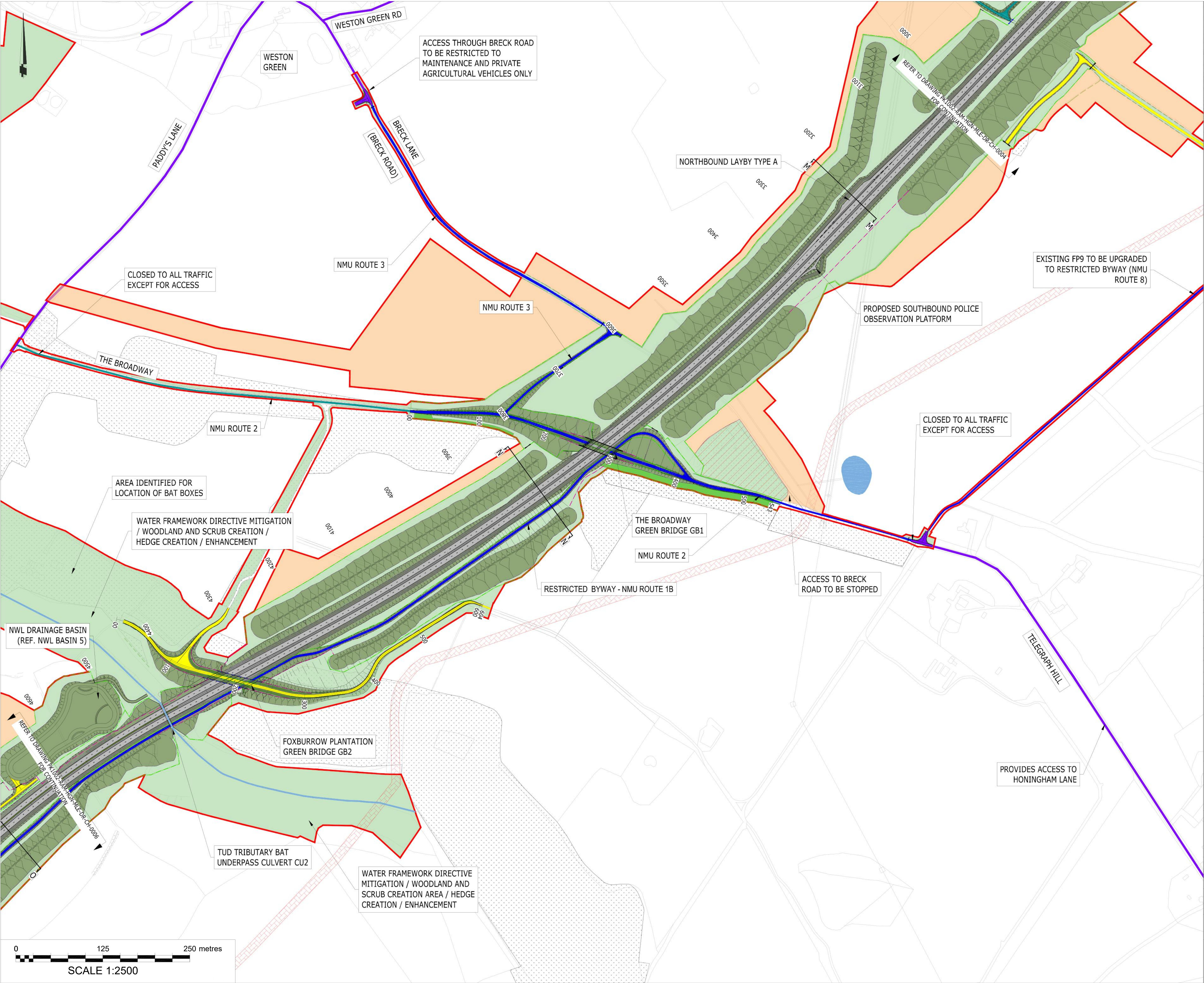
DRAWING TITLE
NORWICH WESTERN LINK
GENERAL ARRANGEMENT
SHEET 3 OF 7

DRAWING STATUS
S5 - SUITABLE FOR REVIEW AND ACCEPTANCE

DRAWN LL	CHECKED SA	APPROVED SS	AUTHORISED ---
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SCALE @ A1 SIZE 1:2500	DATE 17/11/23	REVISION P07
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DRAWING NUMBER
PK1002-RAM-HGN-MLE-DR-CH-0004



Key:

- Red Line Boundary
- Area for Temporary Use During Construction
- National Grid HP Gas Easement
- No Work Zone
- Carriageway
- Central Reserve / Splitter Island / Hardened Verge
- Existing Watercourses
- Existing Woodland Retained
- General Fence
- Close Boarded Fence
- Close Boarded Parapet
- Proposed Gate
- Proposed Verge and Earthworks with Landscaping
- Proposed and Existing Landscaping and Planting
- Proposed Reinforced Grass Surface
- Proposed Badger Culvert
- Chainage
- Existing Footpath
- Existing Restricted Byways (RB) and Bridleways (BR)
- Public Highway
- Proposed Bridleways
- Proposed Private Means of Access (PMA)
- Proposed Shared Pedestrians / Cycleway
- Proposed Restricted Byway
- Proposed Footpath
- Proposed Footpath and PMA
- Floodplain Area
- Non-Motorised Users
- Footpath
- Native Hedgerow
- Native Hedgerow with trees
- Instant Hedge
- Existing Hedgerow to be Retained

Notes:

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- All works to be in accordance with the Specification for Highway Works.
- Refer to drainage drawings for culvert reference numbers.
- For full landscaping design refer to drawings PK1002-RAM-ELS-MLE-DR-NZ-0001 to 0011.
- For full cross section design refer to drawings PK1002-RAM-HGN-MLE-DE-CH-0001 to 0008 and 0101 to 0103.
- Please refer to Section 3.4, Chapter 3 (Description of the Scheme) of the Environmental Statement for the Rochdale Envelope flexibility included within the design for the purposes of the Environmental Impact Assessment.
- For wider cycling improvements refer to drawing PK1002-NCC-GEN-FSC-DR-CH-0080
- For essential environmental mitigation measures refer to drawing PK1002-NCC-GEN-FSC-DR-CH-0050
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Suitable for Review and Acceptance				
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Suitable for Review and Acceptance				
P05	US	JE	SS	18/08/23
Suitable for Review and Acceptance				
P06	US	SA	SS	08/11/23
Suitable for Review and Acceptance				
P07	LL	SA	SS	17/11/23
REVISION	DRAWN	CHECKED	APPROVED	DATE

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Norfolk County Council
Grahame Bygrave
Interim Executive Director of
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County Hall, Martineau Lane
Norwich NR1 2SG

PROJECT

DRAWING TITLE

NORWICH WESTERN LINK
GENERAL ARRANGEMENT
SHEET 4 OF 7

DRAWING STATUS

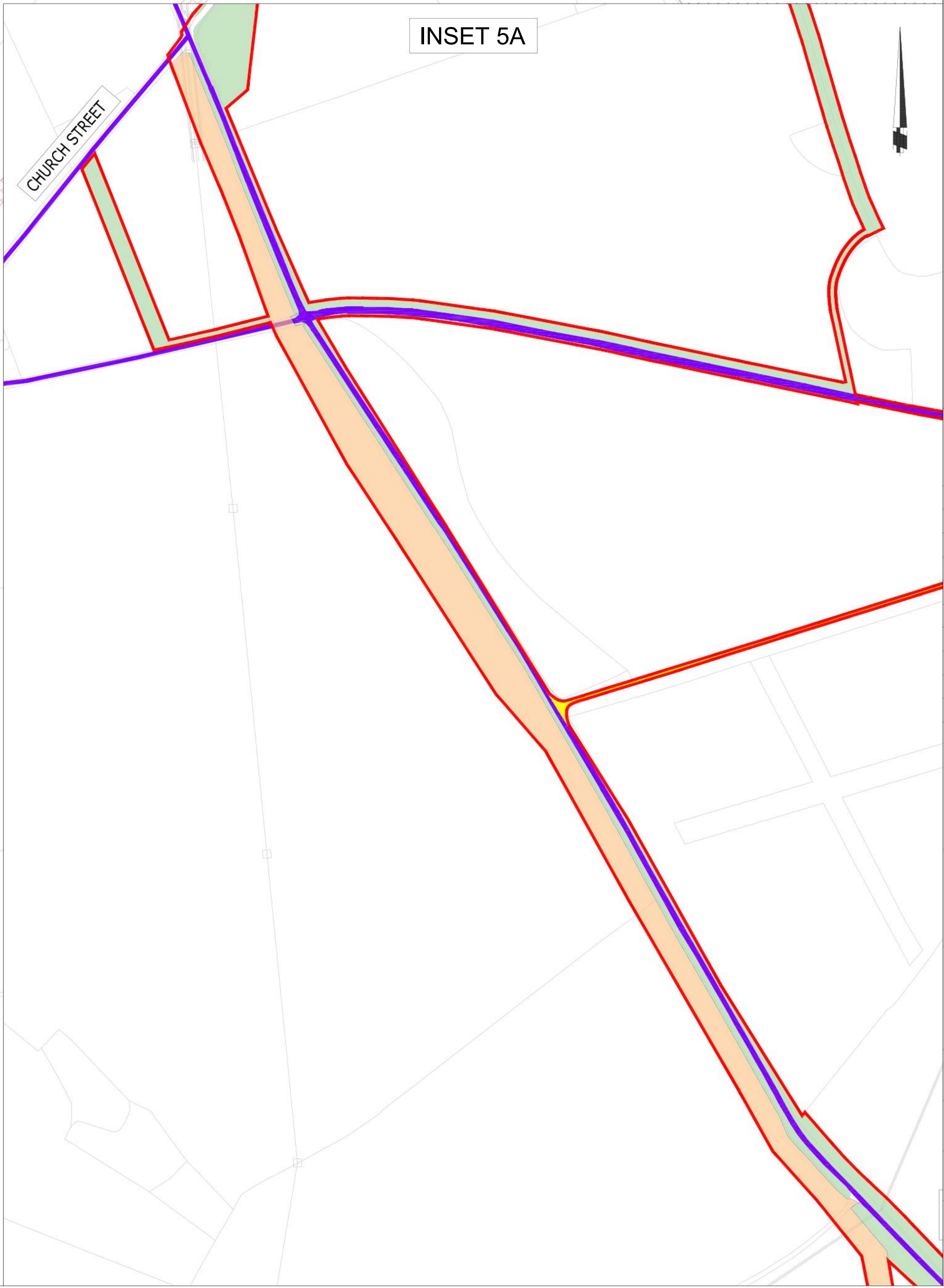
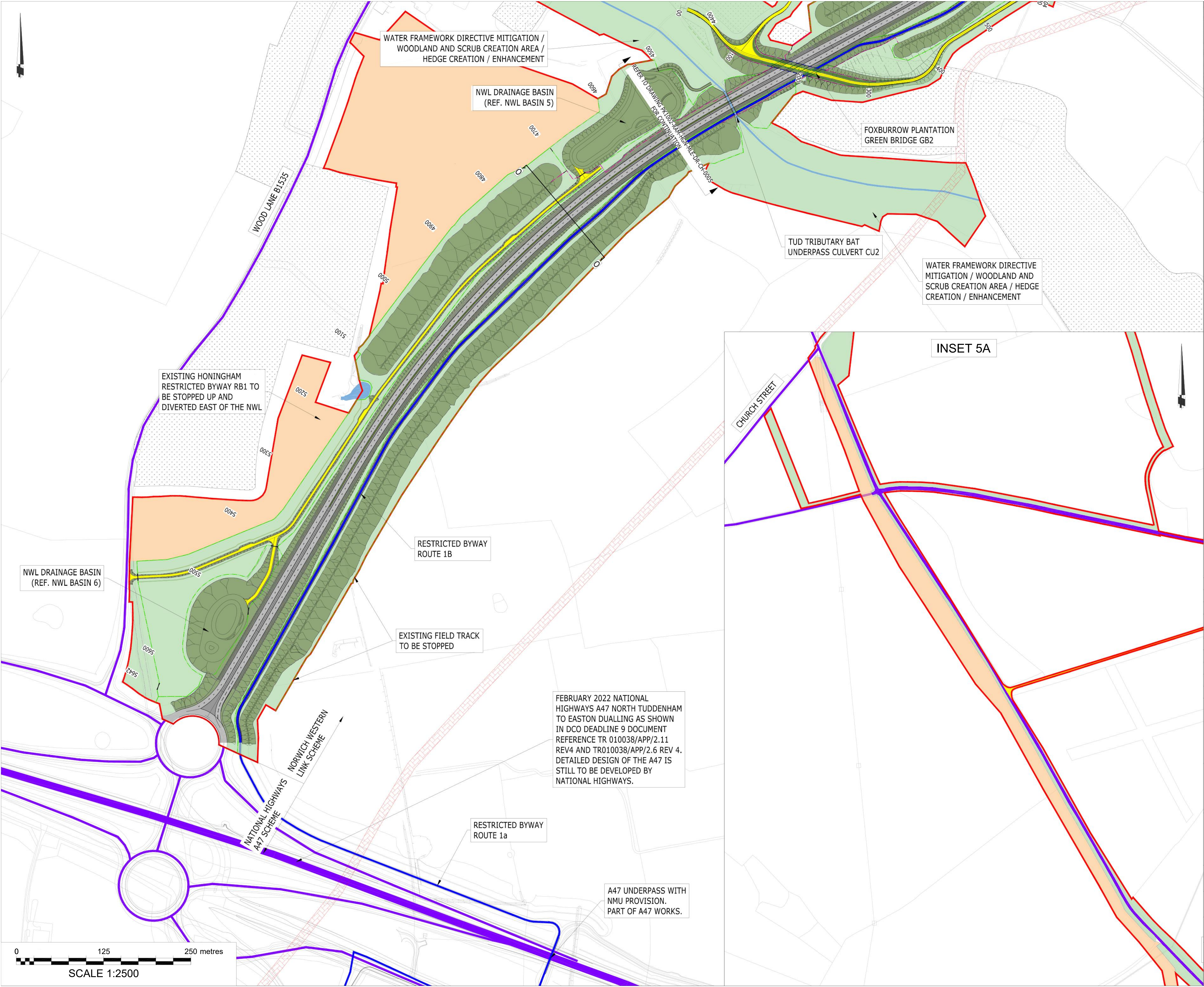
S5 - SUITABLE FOR REVIEW AND ACCEPTANCE

DRAWN	CHECKED	APPROVED	AUTHORISED
LL	SA	SS	---

SCALE @ A1 SIZE	DATE	REVISION
1:2500	17/11/23	P07

DRAWING NUMBER

PK1002-RAM-HGN-MLE-DR-CH-0005



Key:

- Red Line Boundary
- Area for Temporary Use During Construction
- National Grid HP Gas Easement
- No Work Zone
- Carriageway
- Central Reserve / Splitter Island / Hardened Verge
- Existing Watercourses
- Existing Woodland Retained
- General Fence
- Close Boarded Fence
- Close Boarded Parapet
- Proposed Gate
- Proposed Verges and Earthworks with Landscaping
- Proposed and Existing Landscaping and Planting
- Proposed Reinforced Grass Surface
- Proposed Badger Culvert
- Chainage
- Existing Footpath
- Existing Restricted Byways (RB) and Bridleways (BR)
- Public Highway
- Proposed Bridleways
- Proposed Private Means of Access (PMA)
- Proposed Shared Pedestrians / Cycleway
- Proposed Restricted Byway
- Proposed Footpath
- Proposed Footpath and PMA
- Floodplain Area
- Non-Motorised Users
- Footpath
- Native Hedgerow
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- Instant Hedge
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Suitable for Review and Acceptance				
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Suitable for Review and Acceptance				
P06	US	SA	SS	08/11/23
Suitable for Review and Acceptance				
P07	LL	SA	SS	17/11/23
REVISION	DRAWN	CHECKED	APPROVED	DATE

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Norfolk County Council
Grahame Bygrave
Interim Executive Director of
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Norfolk County Council
County Hall, Martineau Lane
Norwich NR1 2SG

PROJECT

DRAWING TITLE

NORWICH WESTERN LINK
GENERAL ARRANGEMENT
SHEET 5 OF 7

DRAWING STATUS

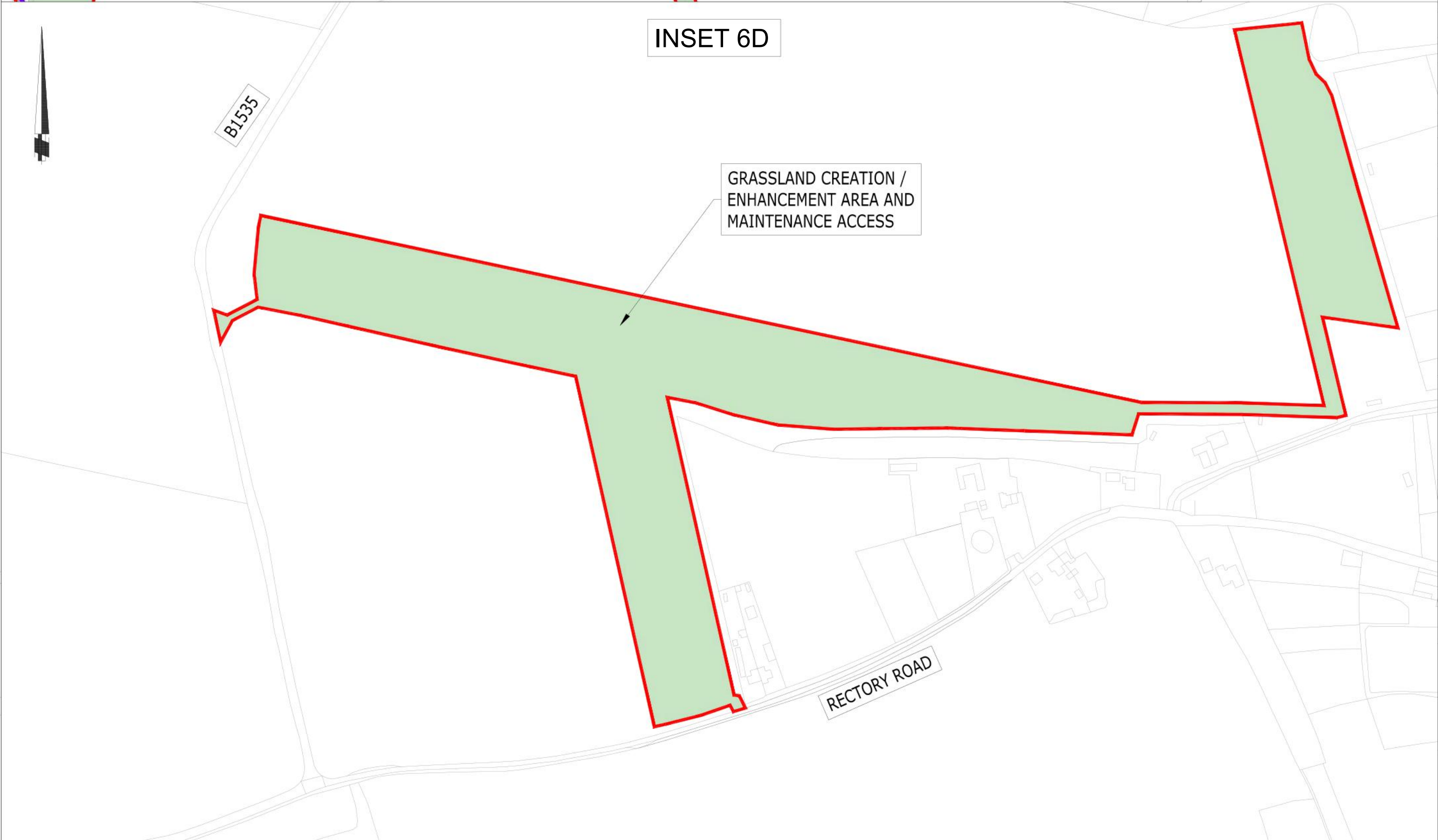
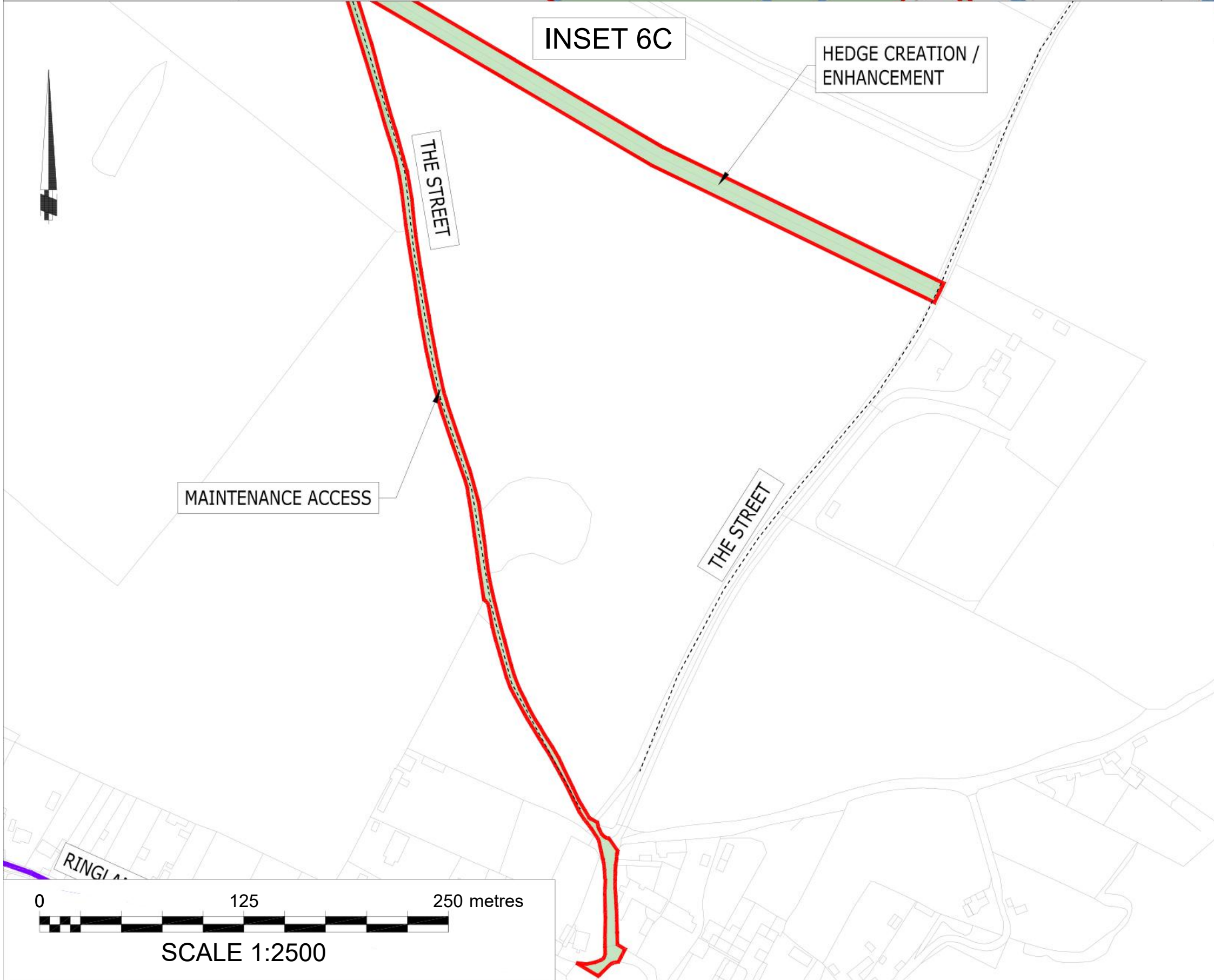
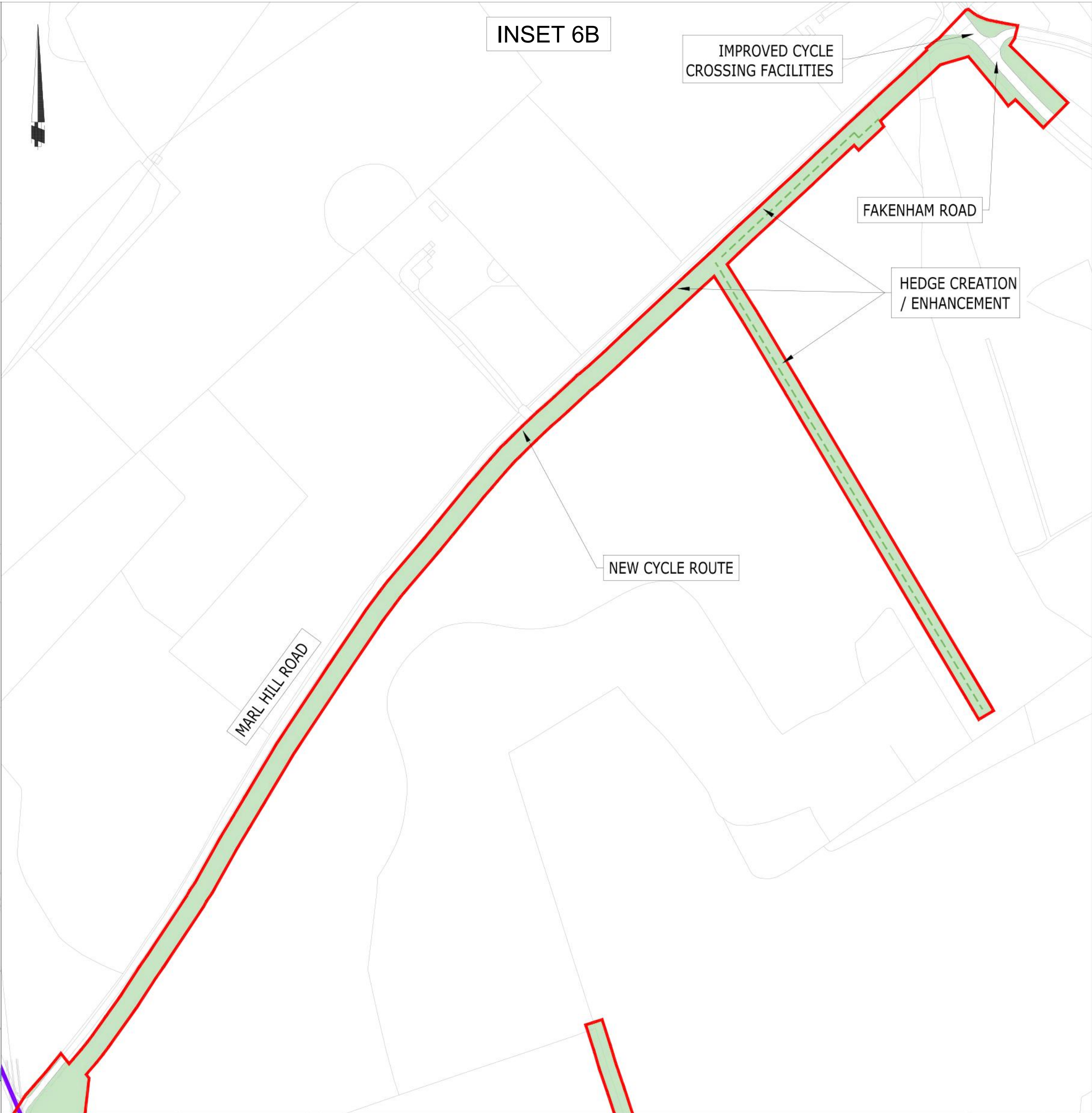
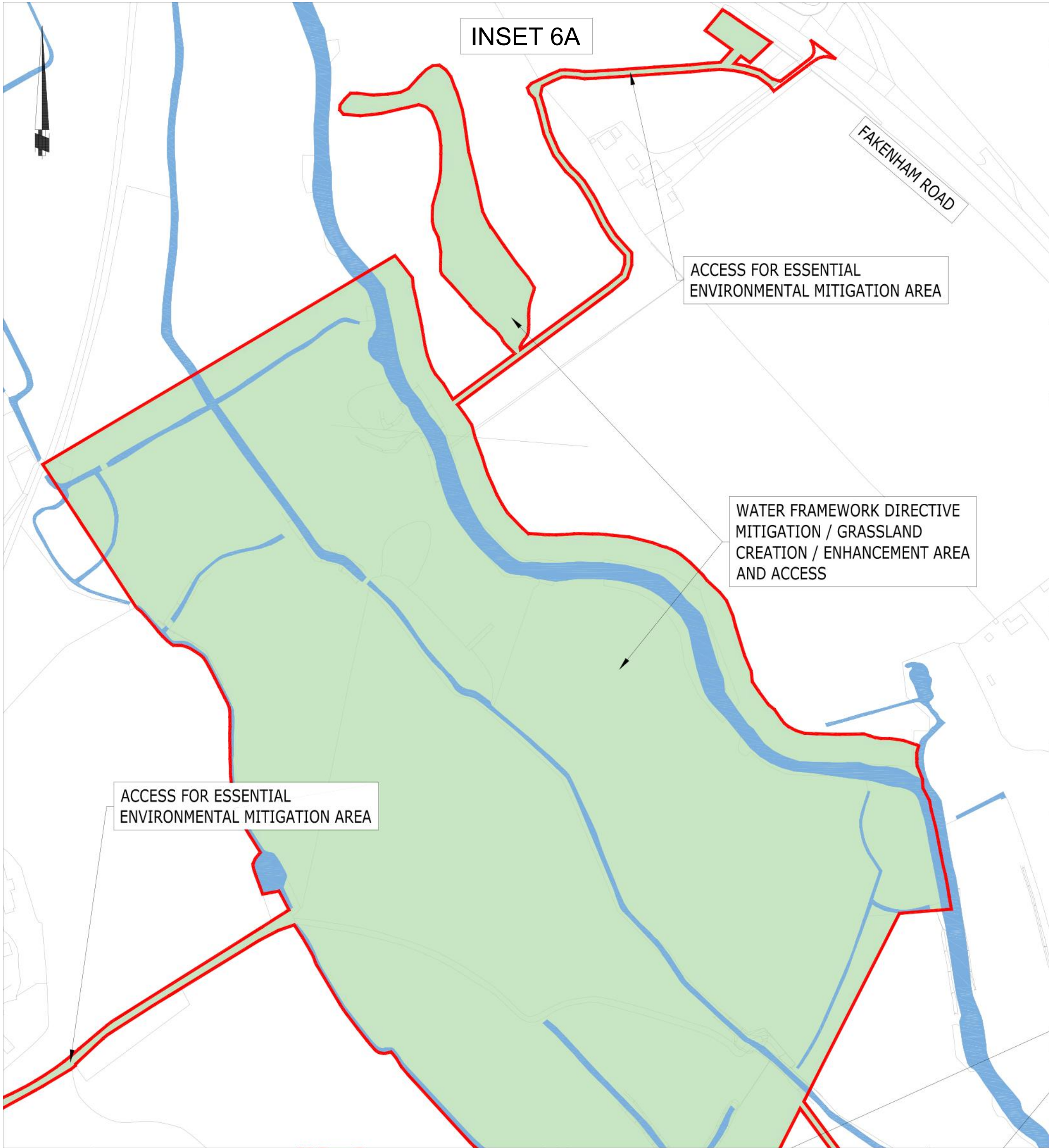
S5- SUITABLE FOR REVIEW AND ACCEPTANCE

DRAWN	CHECKED	APPROVED	AUTHORISED
LL	SA	SS	---

SCALE @ A1 SIZE	DATE	REVISION
1:2500	17/11/23	P07

DRAWING NUMBER

PK1002-RAM-HGN-MLE-DR-CH-0006



- Key:**
- Red Line Boundary
 - Area for Temporary Use During Construction
 - National Grid HP Gas Easement
 - No Work Zone
 - Carrageway
 - Central Reserve / Splitter Island / Hardened Verge
 - Existing Watercourses
 - Existing Woodland Retained
 - General Fence
 - Close Boarded Fence
 - Close Boarded Parapet
 - Proposed Gate
 - Proposed Verge and Earthworks with Landscaping
 - Proposed and Existing Landscaping and Planting
 - Proposed Reinforced Grass Surface
 - Proposed Badger Culvert
 - Chainage
 - Existing Footpath
 - Existing Restricted Byways (RB) and Bridleways (BR)
 - Public Highway
 - Proposed Bridleways
 - Proposed Private Means of Access (PMA)
 - Proposed Shared Pedestrians / Cycleway
 - Proposed Restricted Byway
 - Proposed Footpath
 - Proposed Footpath and PMA
 - Floodplain Area
 - Non-Motorised Users
 - Footpath
 - Native Hedgerow
 - Native Hedgerow with trees
 - Instant Hedge
 - Existing Hedgerow to be Retained

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Suitable for Review and Acceptance				
P03	GSK	SA	SS	23/05/23
Suitable for Review and Acceptance				
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Suitable for Review and Acceptance				
P05	US	SA	SS	08/11/23
Suitable for Review and Acceptance				
P06	LL	SA	SS	17/11/23
REVISION	DRAWN	CHECKED	APPROVED	DATE

CLIENT

 **Norfolk County Council**
Grahame Bygrave
Interim Executive Director of
Community and Environmental services
Norfolk County Council
County Hall, Martineau Lane
Norwich NR1 2SG



DRAWING TITLE

NORWICH WESTERN LINK
GENERAL ARRANGEMENT
SHEET 6 OF 7

DRAWING STATUS			
S5 SUITABLE FOR REVIEW AND ACCEPTANCE			
DRAWN	CHECKED	APPROVED	AUTHORISED
LL	SA	SS	---
SCALE @ A1 SIZE	DATE	REVISION	
1:2500	17/11/23	P06	

DRAWING NUMBER

PK1002-RAM-HGN-MLE-DR-CH-0007



Key:

- Red Line Boundary
- Area for Temporary Use During Construction
- National Grid HP Gas Easement
- No Work Zone
- Carrageway
- Central Reserve / Splitter Island / Hardened Verge
- Existing Watercourses
- Existing Woodland Retained
- General Fence
- Close Boarded Fence
- Close Boarded Parapet
- Proposed Gate
- Proposed Verge and Earthworks with Landscaping
- Proposed and Existing Landscaping and Planting
- Proposed Reinforced Grass Surface
- Proposed Badger Culvert
- Chainage
- Existing Footpath
- Existing Restricted Byways (RB) and Bridleways (BR)
- Public Highway
- Proposed Bridleways
- Proposed Private Means of Access (PMA)
- Proposed Shared Pedestrians / Cycleway
- Proposed Restricted Byway
- Proposed Footpath
- Proposed Footpath and PMA
- Floodplain Area
- Non-Motorised Users
- Footpath
- Native Hedgerow
- Native Hedgerow with trees
- Instant Hedge
- Existing Hedgerow to be Retained

Notes:

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- For essential environmental mitigation measures refer to drawing PK1002-NCC-GEN-FSC-DR-CH-0050
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Suitable for Review and Acceptance				
P03	US	JE	SS	18/08/23
Suitable for Review and Acceptance				
P04	US	SA	SS	08/11/23
Suitable for Review and Acceptance				
P05	LL	SA	SS	17/11/23
REVISION	DRAWN	CHECKED	APPROVED	DATE

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Grahame Bygrave
Interim Executive Director of
Community and Environmental services
Norfolk County Council
County Hall, Martineau Lane
Norwich NR1 2SG

PROJECT

DRAWING TITLE

NORWICH WESTERN LINK
GENERAL ARRANGEMENT
SHEET 7 OF 7

DRAWING STATUS

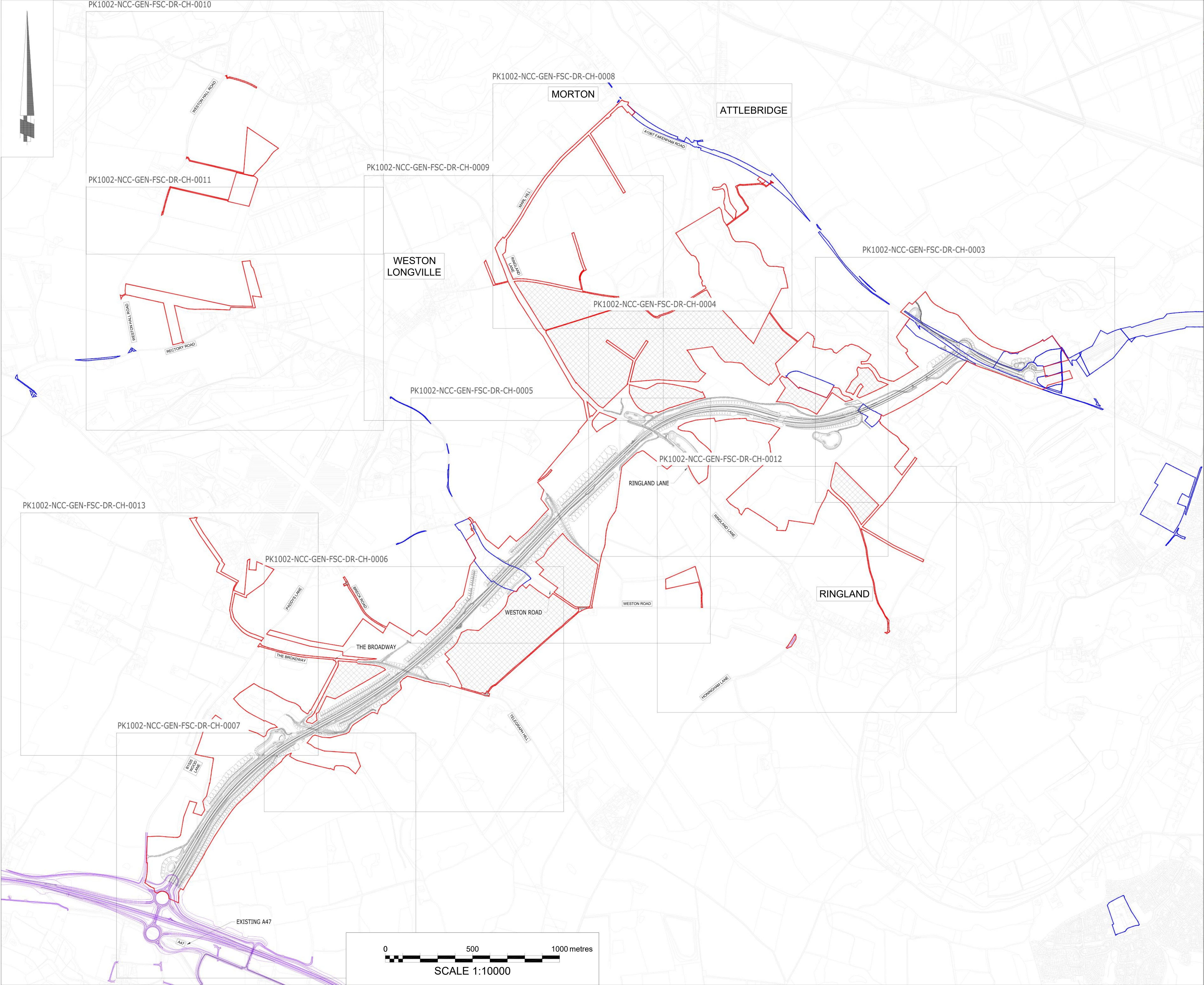
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LL	SA	SS	---

SCALE @ A1 SIZE	DATE	REVISION
1:2500	17/11/23	P05

DRAWING NUMBER

PK1002-RAM-HGN-MLE-DR-CH-0008



- NOTES**
1. This drawing is for planning application purposes only, it is not a construction issue drawing.
 2. Do not scale from this drawing.
 3. Drawing to be printed in colour.

- KEY**
- Planning Boundary
 - Excluded from Planning Boundary
 - National Highways A47 Scheme
 - The Proposed Scheme (shown for illustrative purposes only)
 - Norfolk County Council owned land

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S5 - Suitable for Review & Acceptance				
P04	AF	AL	MKu	17/11/23
S5 - Suitable for Review & Acceptance				
P03	AF	RH	HC	06/07/23
S5 - Suitable for Review & Acceptance				
P02	AF	RH	DC	04/05/23
S5 - Suitable for Review & Acceptance				
P01	AF	RH	-	10/02/23
REVISION	DRAWN	CHECKED	APPROVED	DATE

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 **Norfolk County Council**
Grahame Bygrave
Interim Executive Director of
Community & Environmental Services
Norfolk County Council
County Hall, Martineau Lane
Norwich NR1 2SG

PROJECT

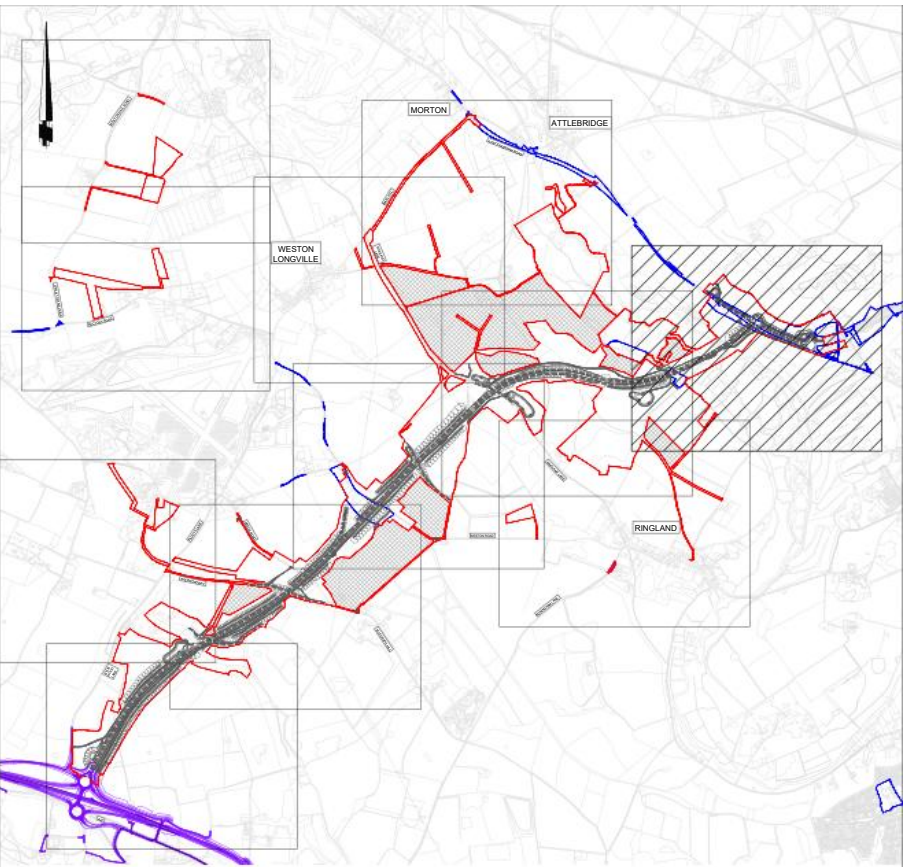
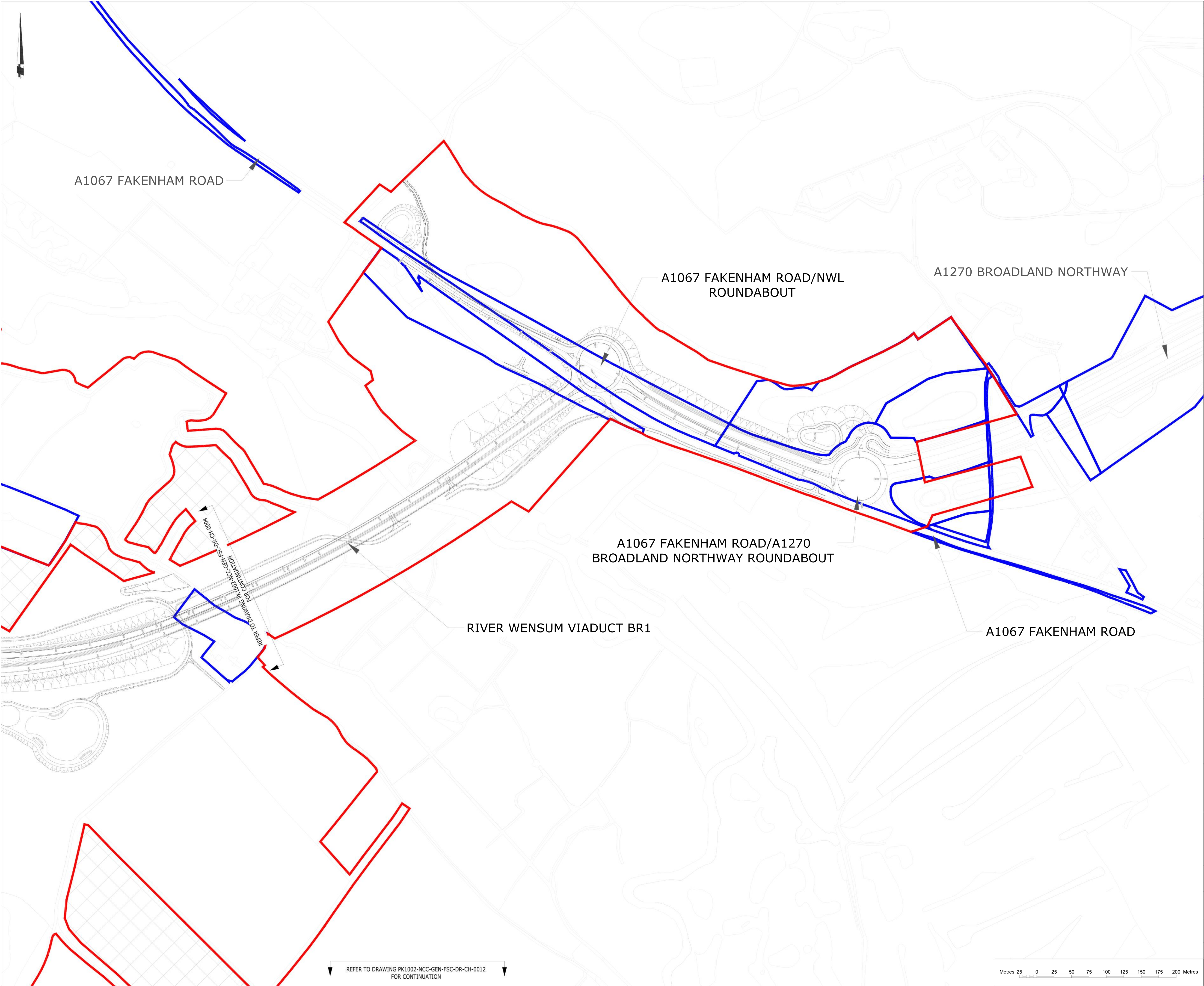
  

DRAWING TITLE
NORWICH WESTERN LINK
RED LINE BOUNDARY KEY PLAN

DRAWING STATUS
PLANNING

DRAWN AF	CHECKED AL	APPROVED MKu	AUTHORISED ---
SCALE @ A1 SIZE 1:10000		DATE 17/11/23	REVISION P04

DRAWING NUMBER
PK1002-NCC-GEN-FSC-DR-CH-0002



- NOTES**
1. This drawing is for planning application purposes only, it is not a construction issue drawing.
 2. Do not scale from this drawing.
 3. Drawing to be printed in colour.

- KEY**
- Planning Boundary
 - - - Excluded from Planning Boundary
 - National Highways A47 Scheme
 - The Proposed Scheme (shown for illustrative purposes only)
 - Norfolk County Council owned land

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S5 - Suitable for Review & Acceptance				
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S5 - Suitable for Review & Acceptance				
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S5 - Suitable for Review & Acceptance				
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S5 - Suitable for Review & Acceptance				
P01	AF	RH	-	10/02/23
REVISION	DRAWN	CHECKED	APPROVED	DATE

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 **Norfolk County Council**
Grahame Bygrave
Interim Executive Director of
Community & Environmental Services
Norfolk County Council
County Hall, Martineau Lane
Norwich NR1 2SG

PROJECT

DRAWING TITLE
NORWICH WESTERN LINK
RED LINE BOUNDARY PLAN
SHEET 1 OF 11

DRAWING STATUS
PLANNING

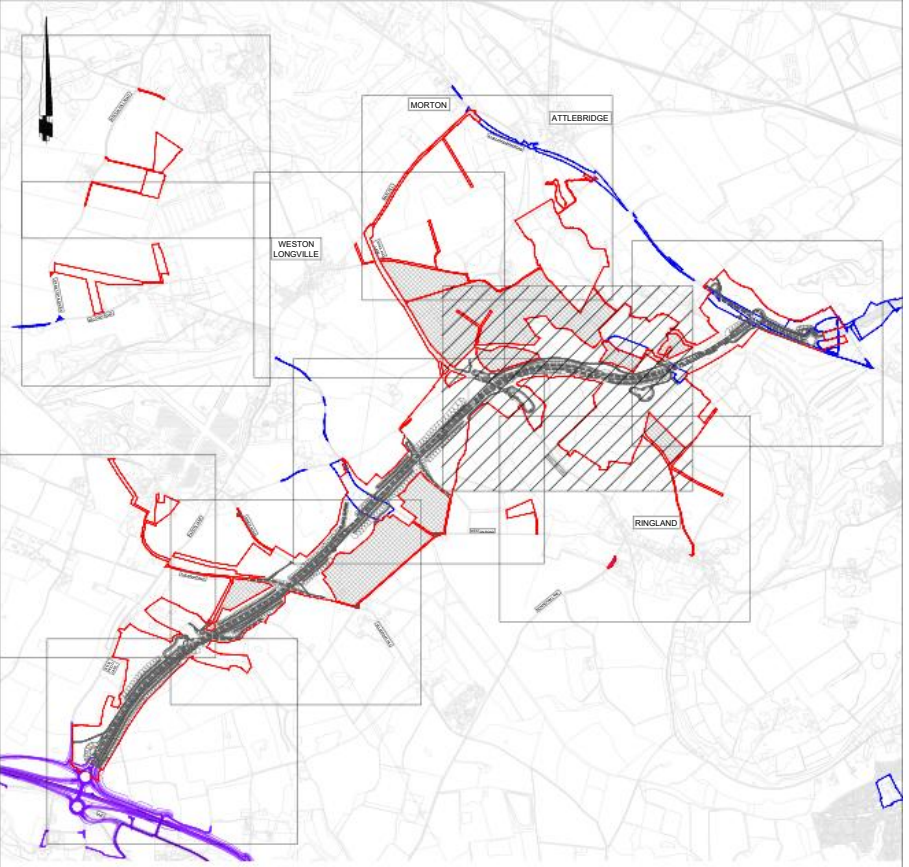
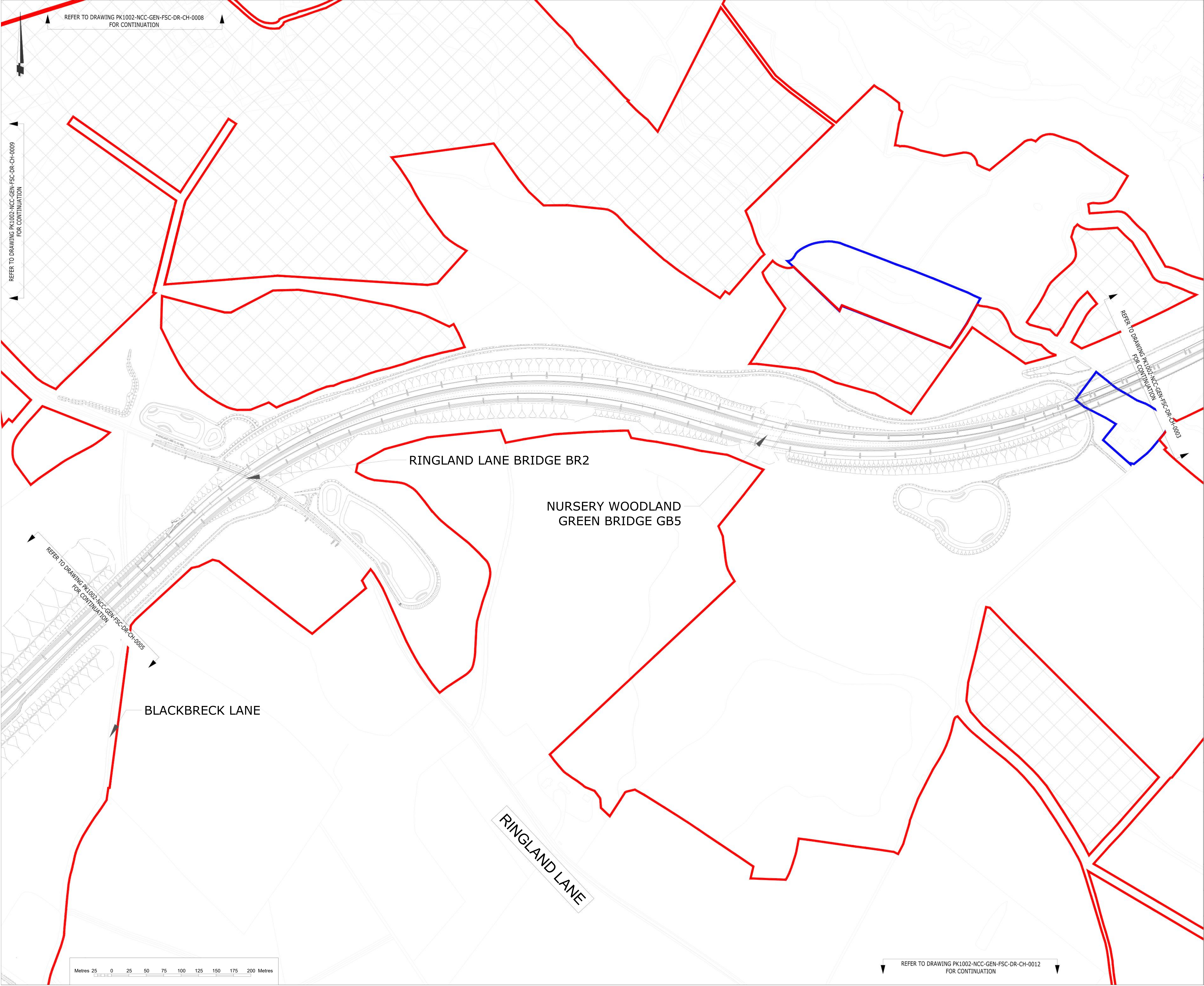
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SCALE @ A1 SIZE 1:2500	DATE 17/11/23	REVISION P04
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DRAWING NUMBER
PK1002-NCC-GEN-FSC-DR-CH-0003

REFER TO DRAWING PK1002-NCC-GEN-FSC-DR-CH-0012
FOR CONTINUATION





- NOTES**
1. This drawing is for planning application purposes only, it is not a construction issue drawing.
 2. Do not scale from this drawing.
 3. Drawing to be printed in colour.

- KEY**
- Planning Boundary
 - Excluded from Planning Boundary
 - National Highways A47 Scheme
 - The Proposed Scheme (shown for illustrative purposes only)
 - Norfolk County Council owned land

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S5 - Suitable for Review & Acceptance				
P04	AF	AL	MKu	17/11/23
S5 - Suitable for Review & Acceptance				
P03	AF	RH	HC	06/07/23
S5 - Suitable for Review & Acceptance				
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S5 - Suitable for Review & Acceptance				
P01	AF	RH	-	10/02/23
REVISION	DRAWN	CHECKED	APPROVED	DATE

CLIENT

 **Norfolk County Council**
Grahame Bygrave
Interim Executive Director of
Community & Environmental Services
Norfolk County Council
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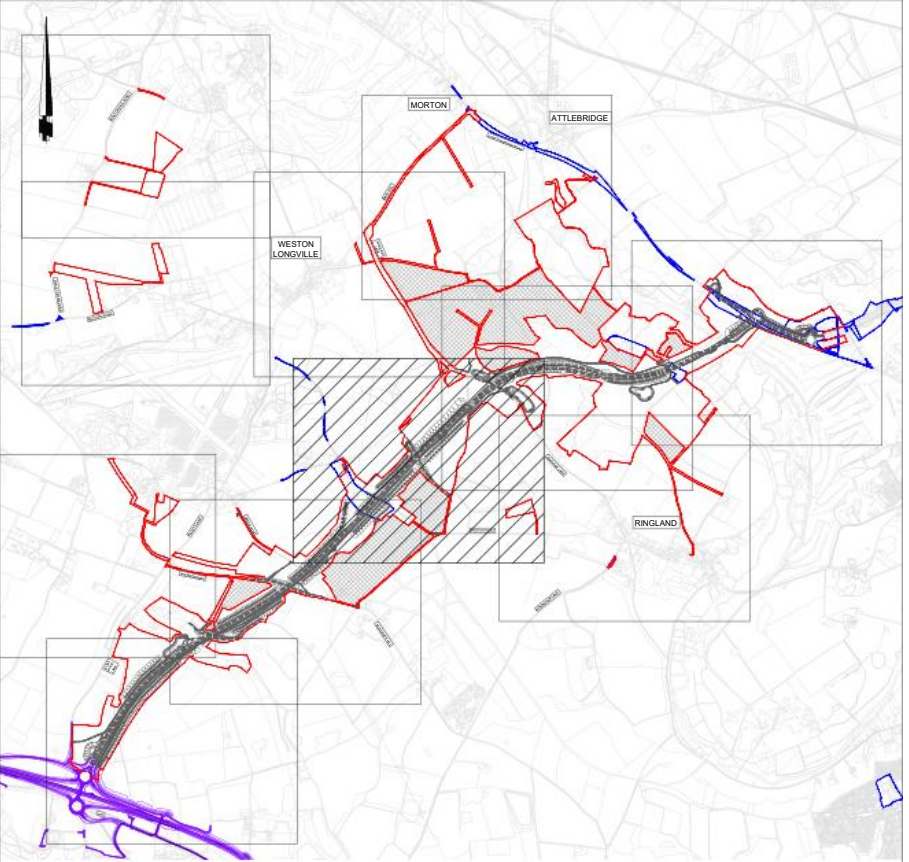
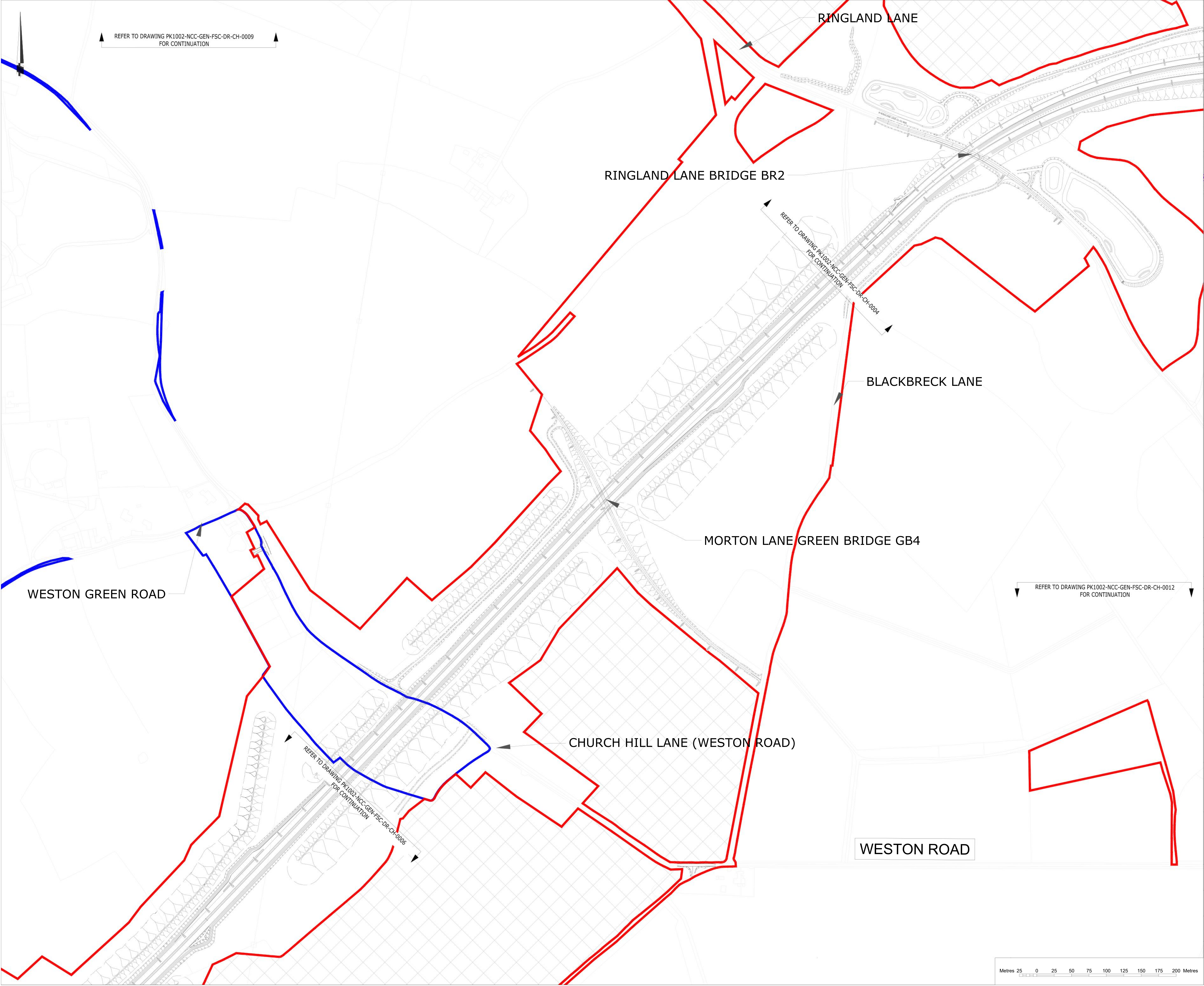
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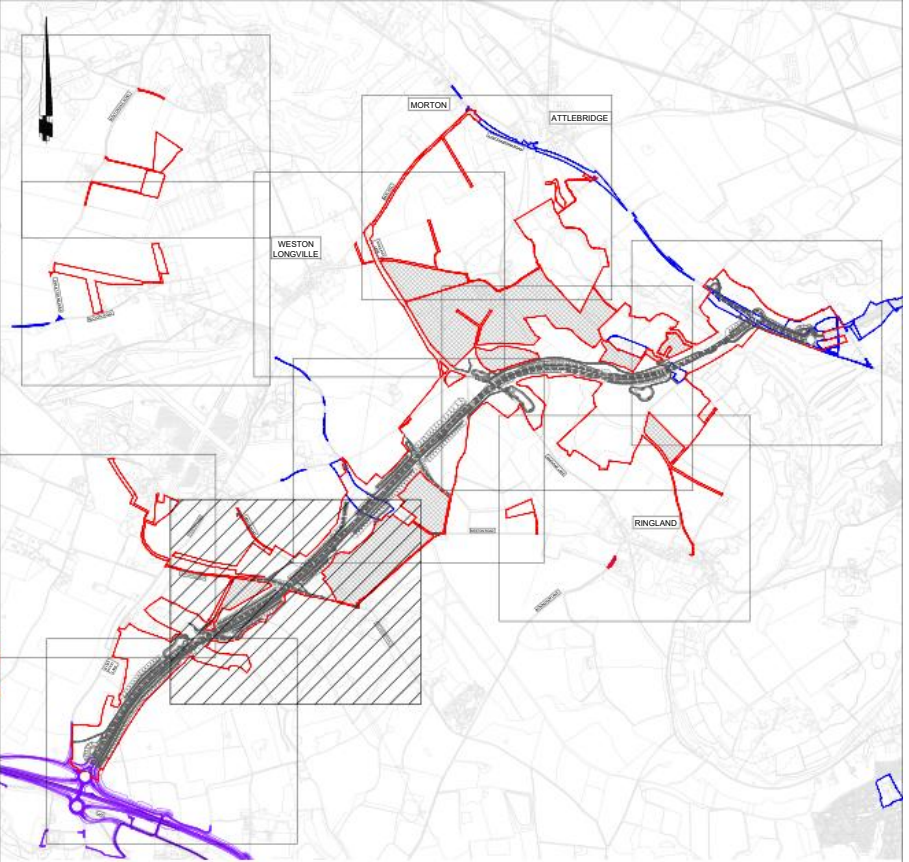
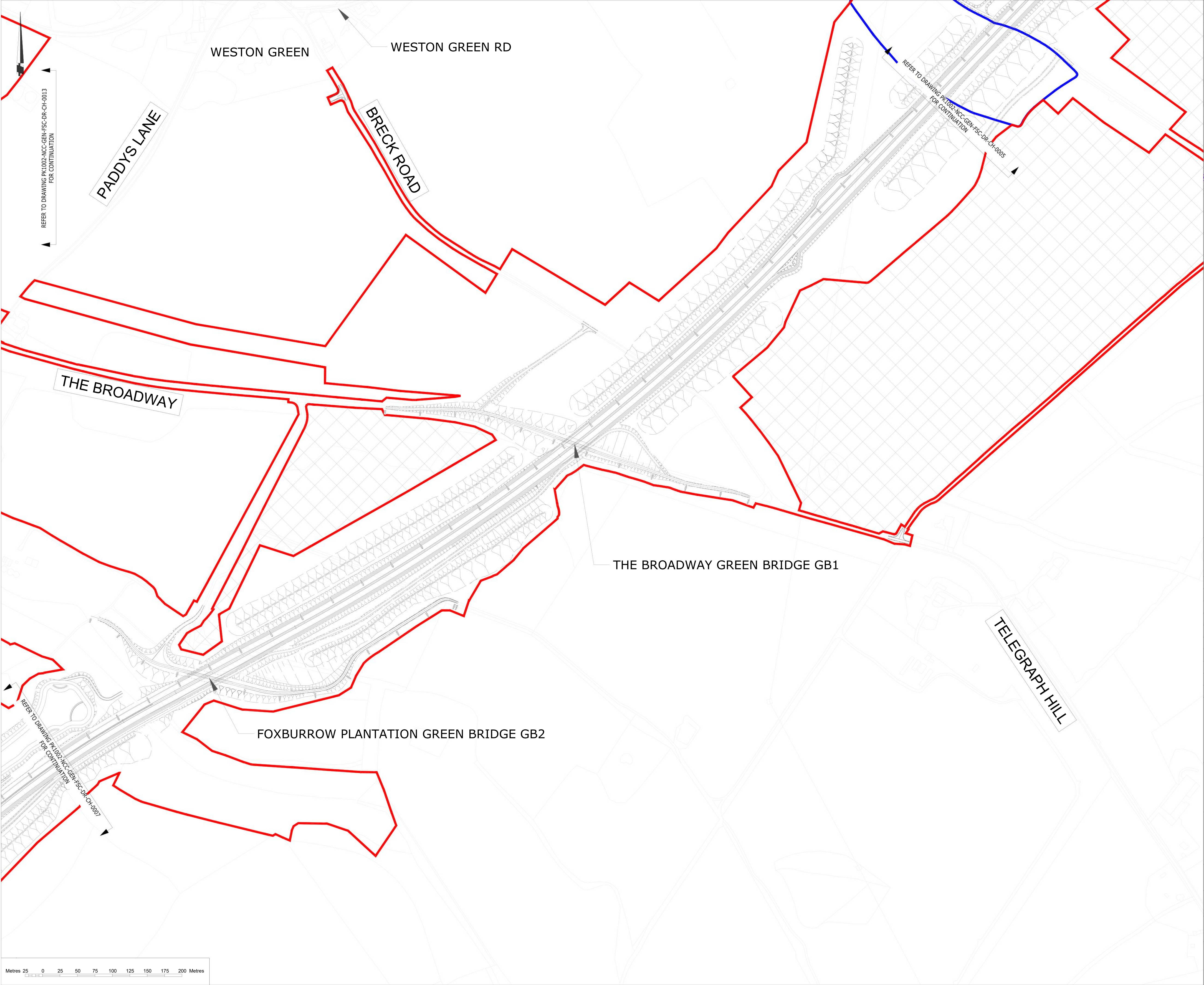
  

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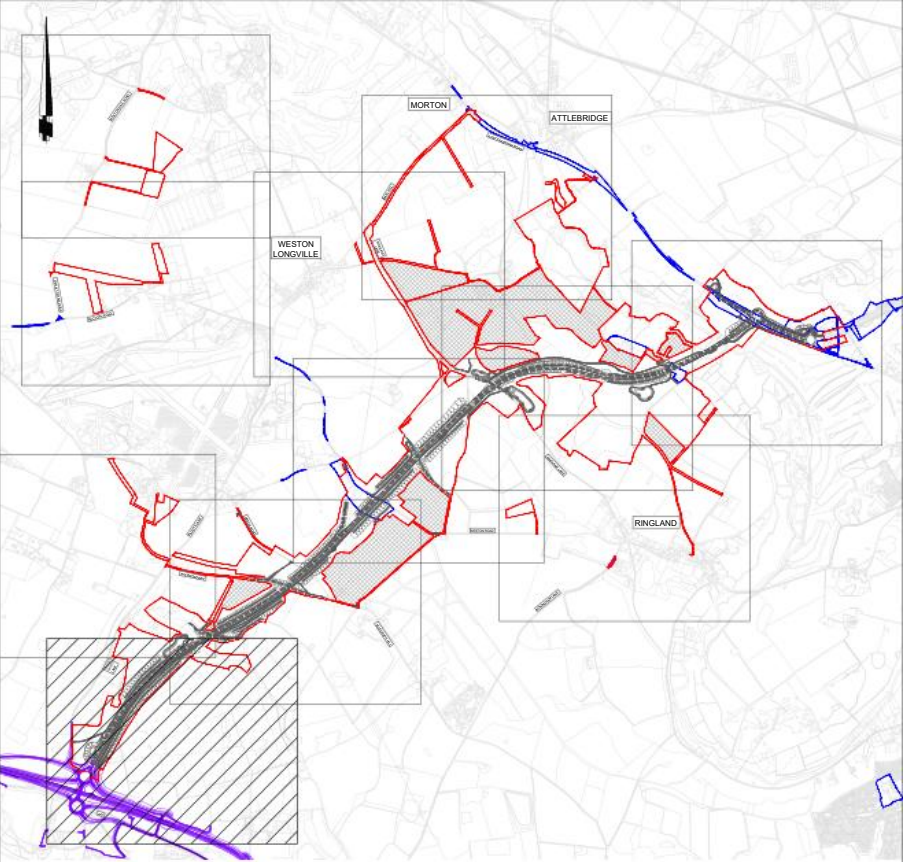
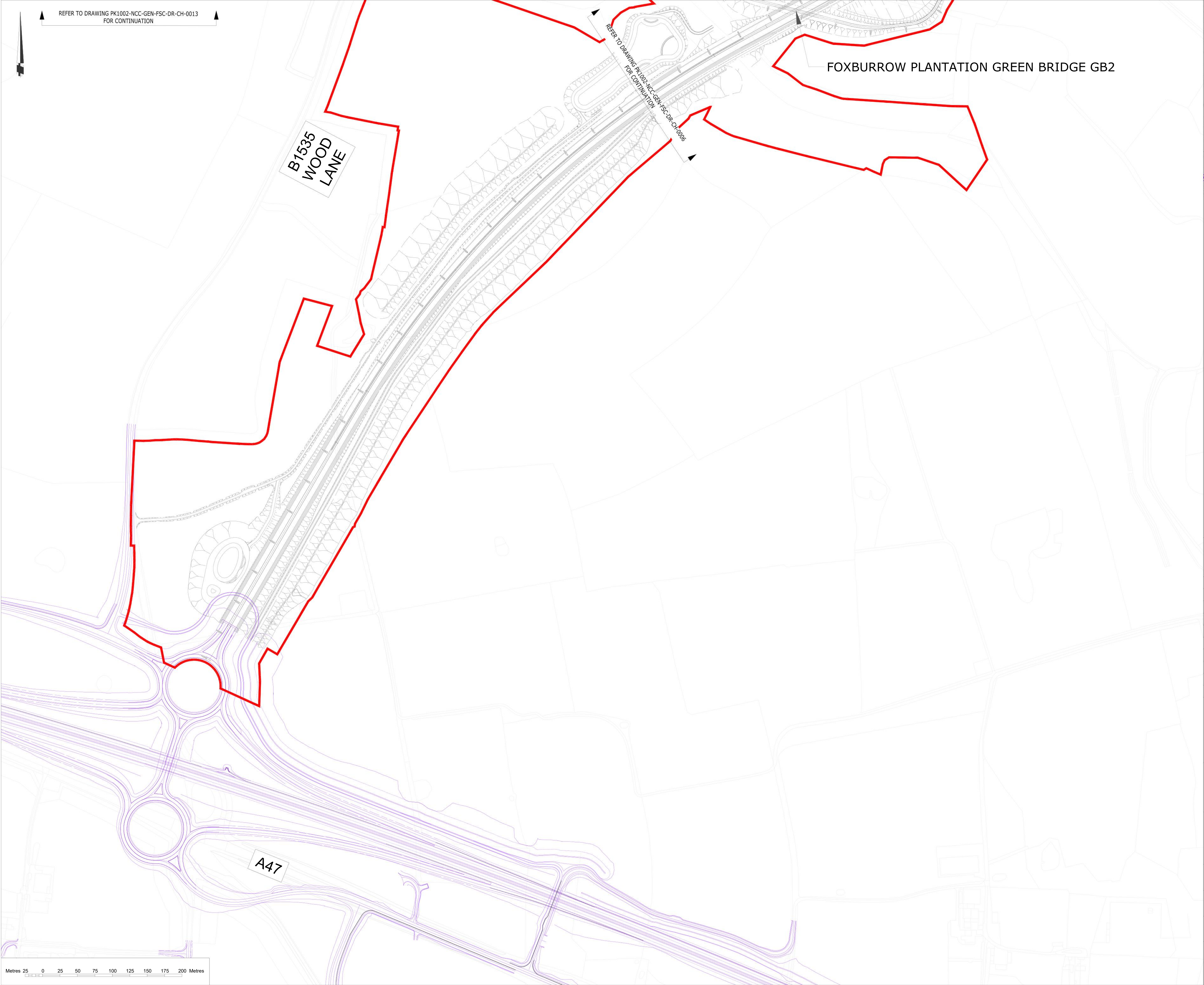
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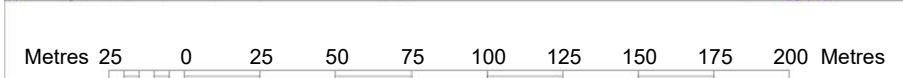
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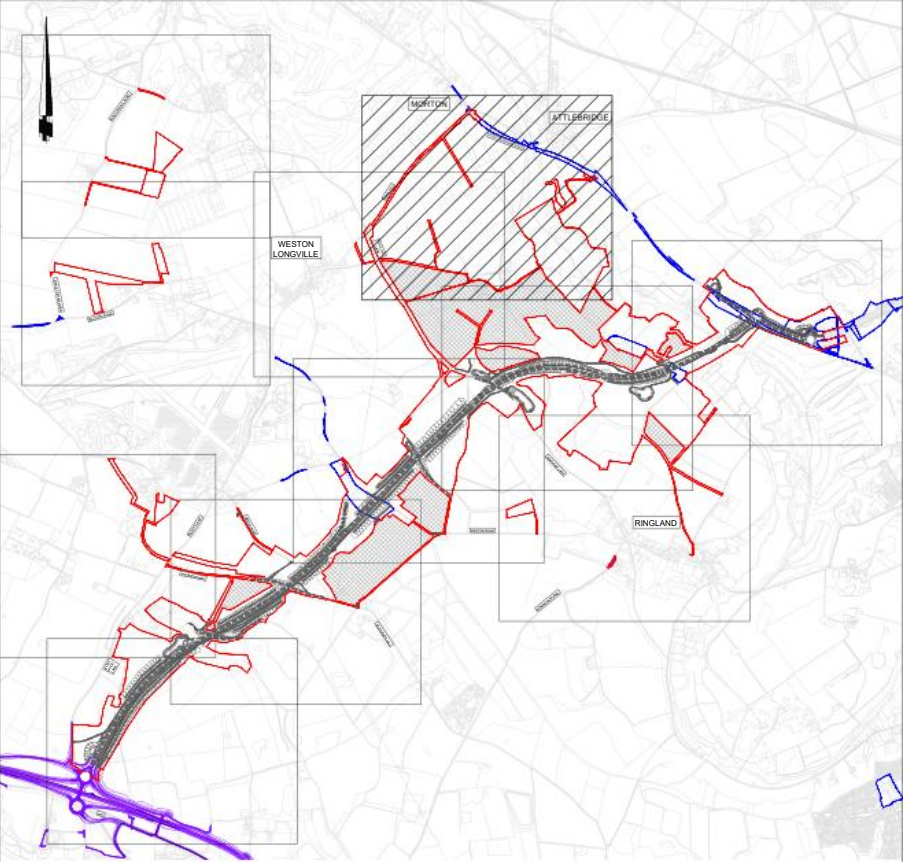
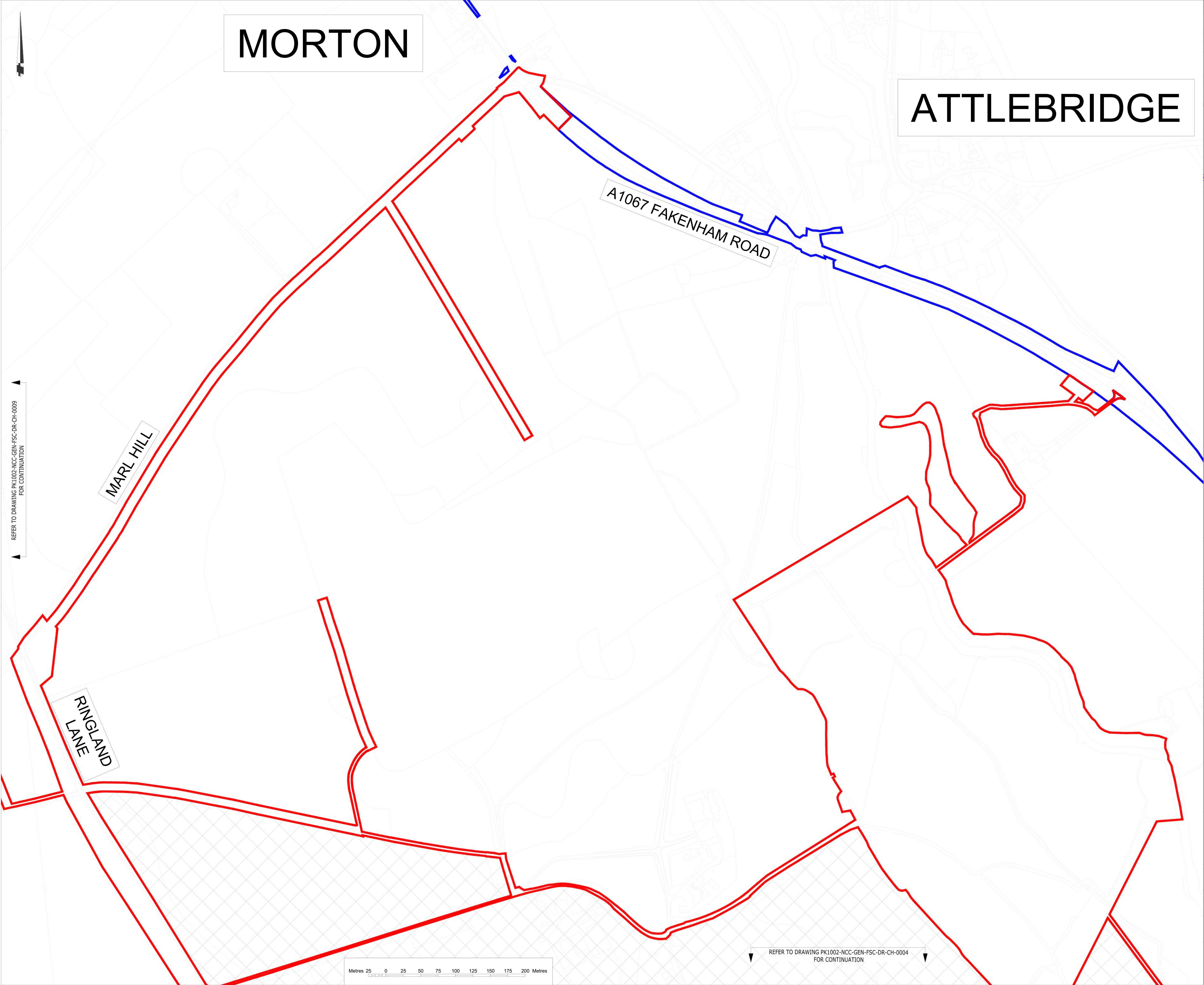
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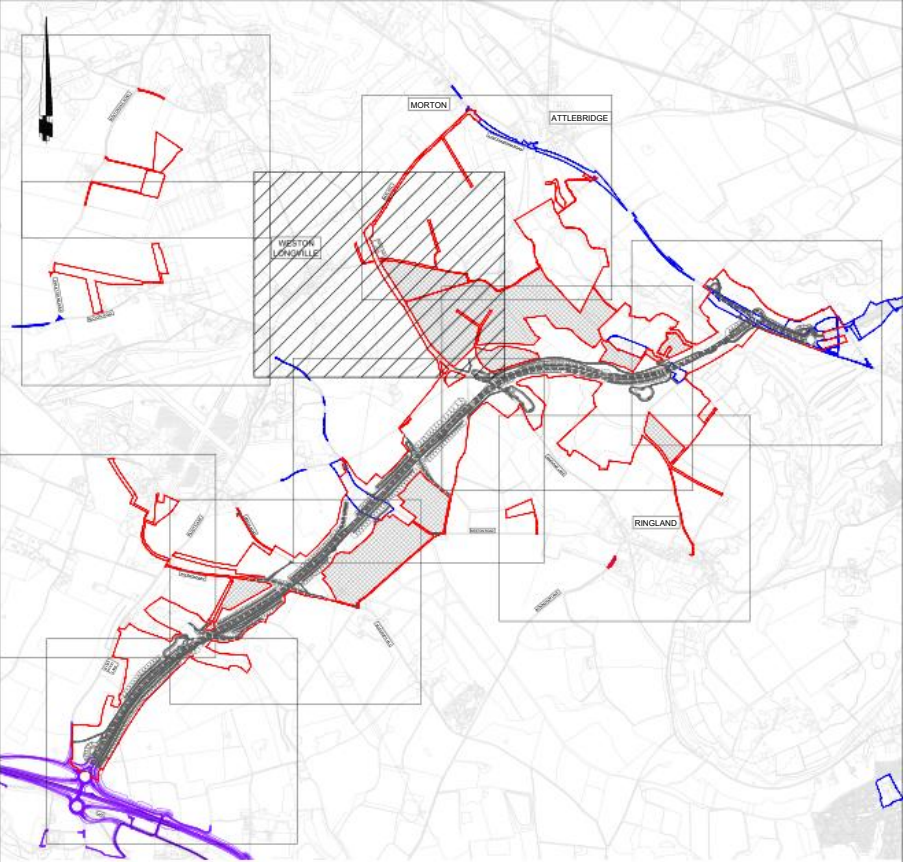
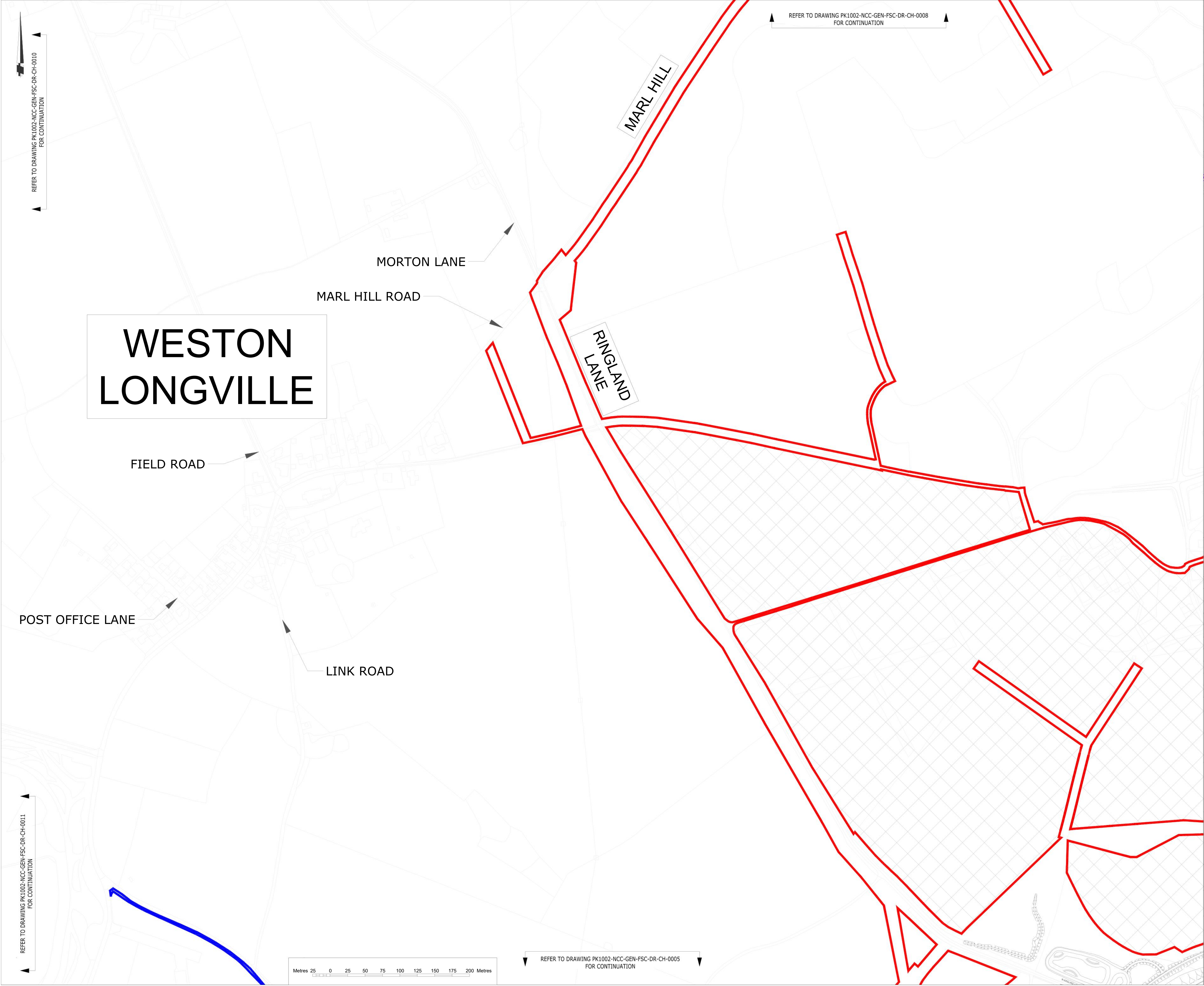
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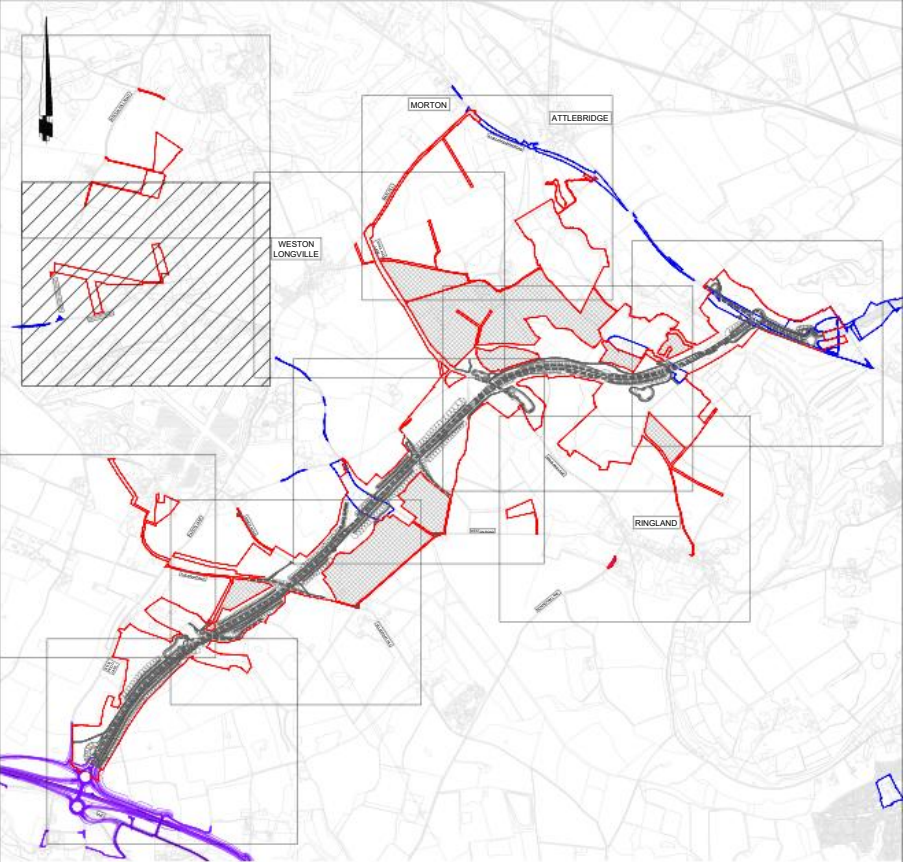
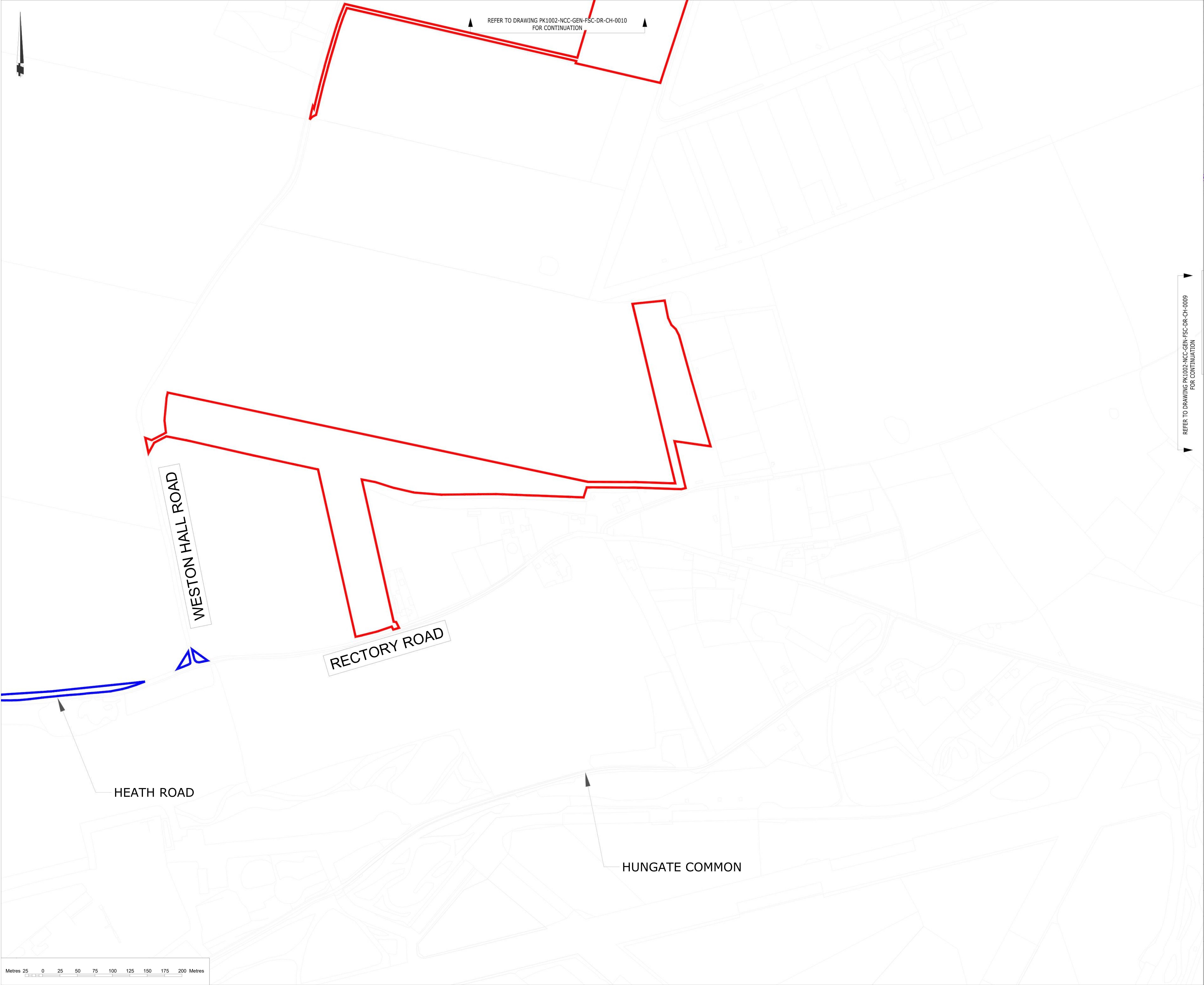
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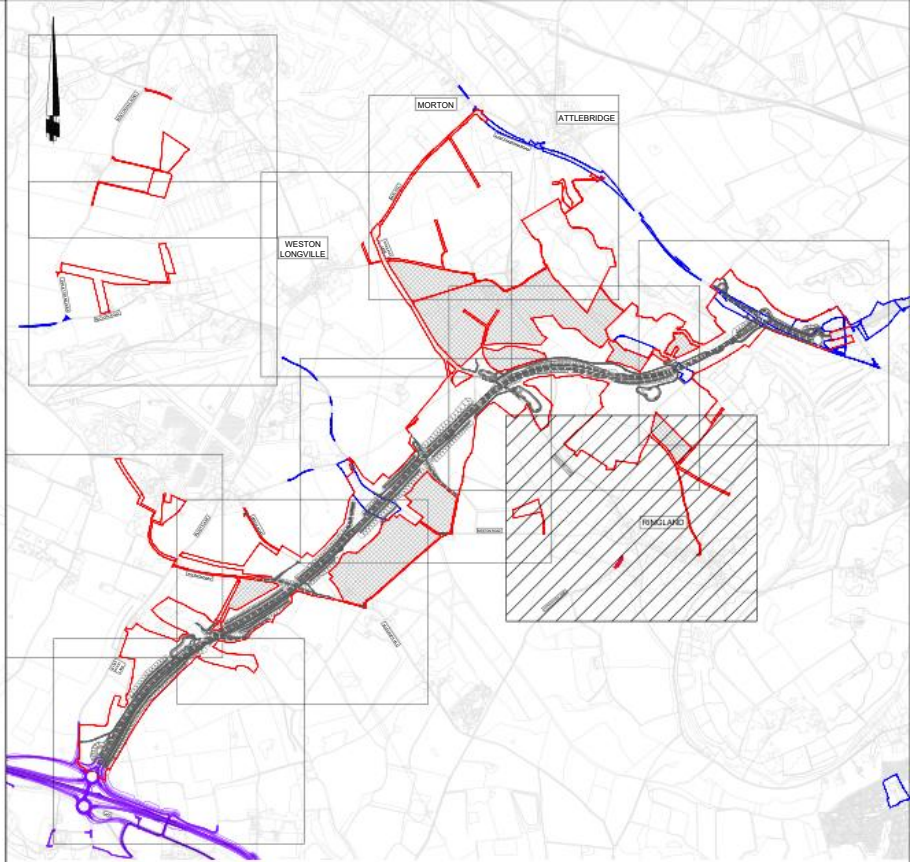
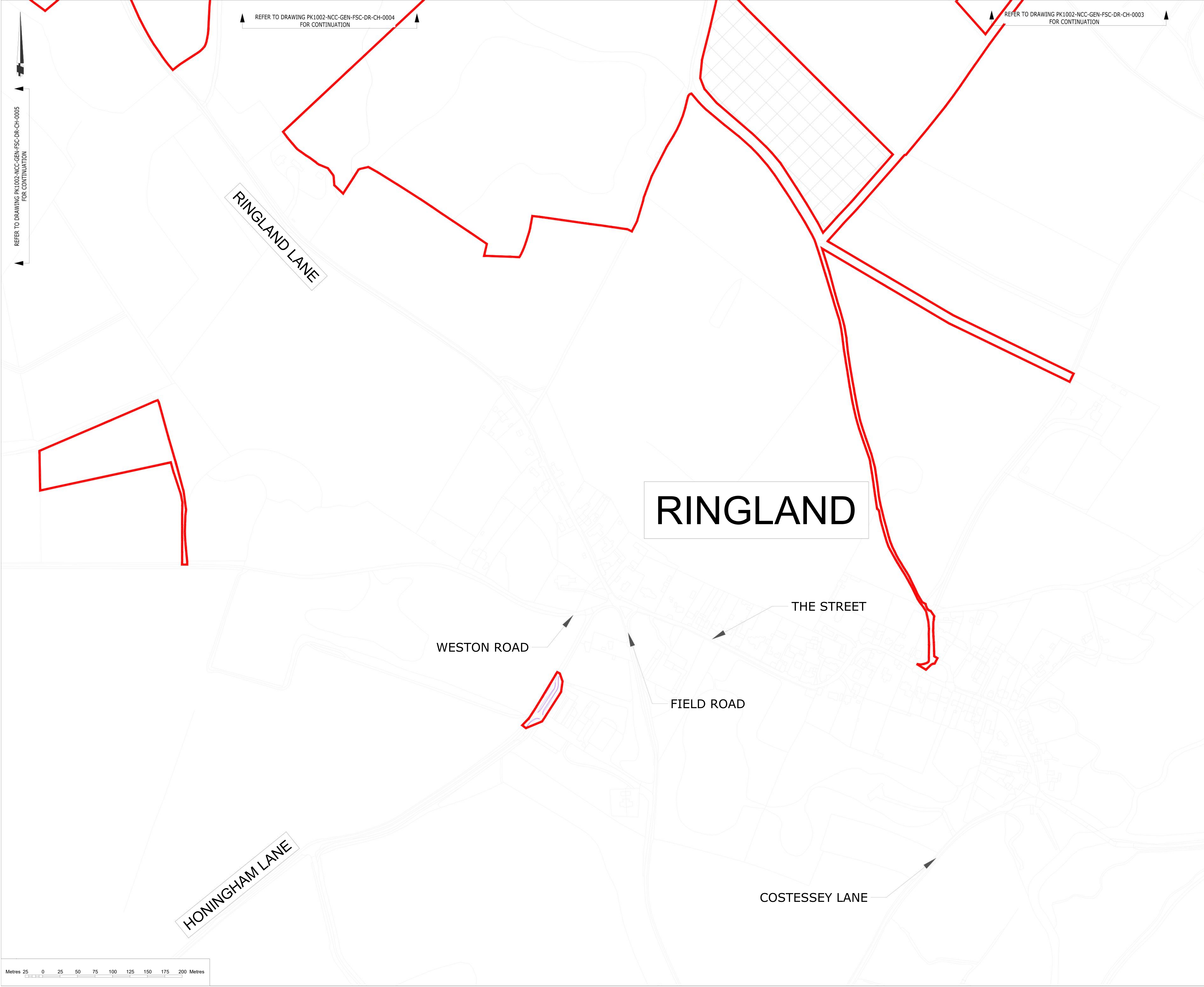
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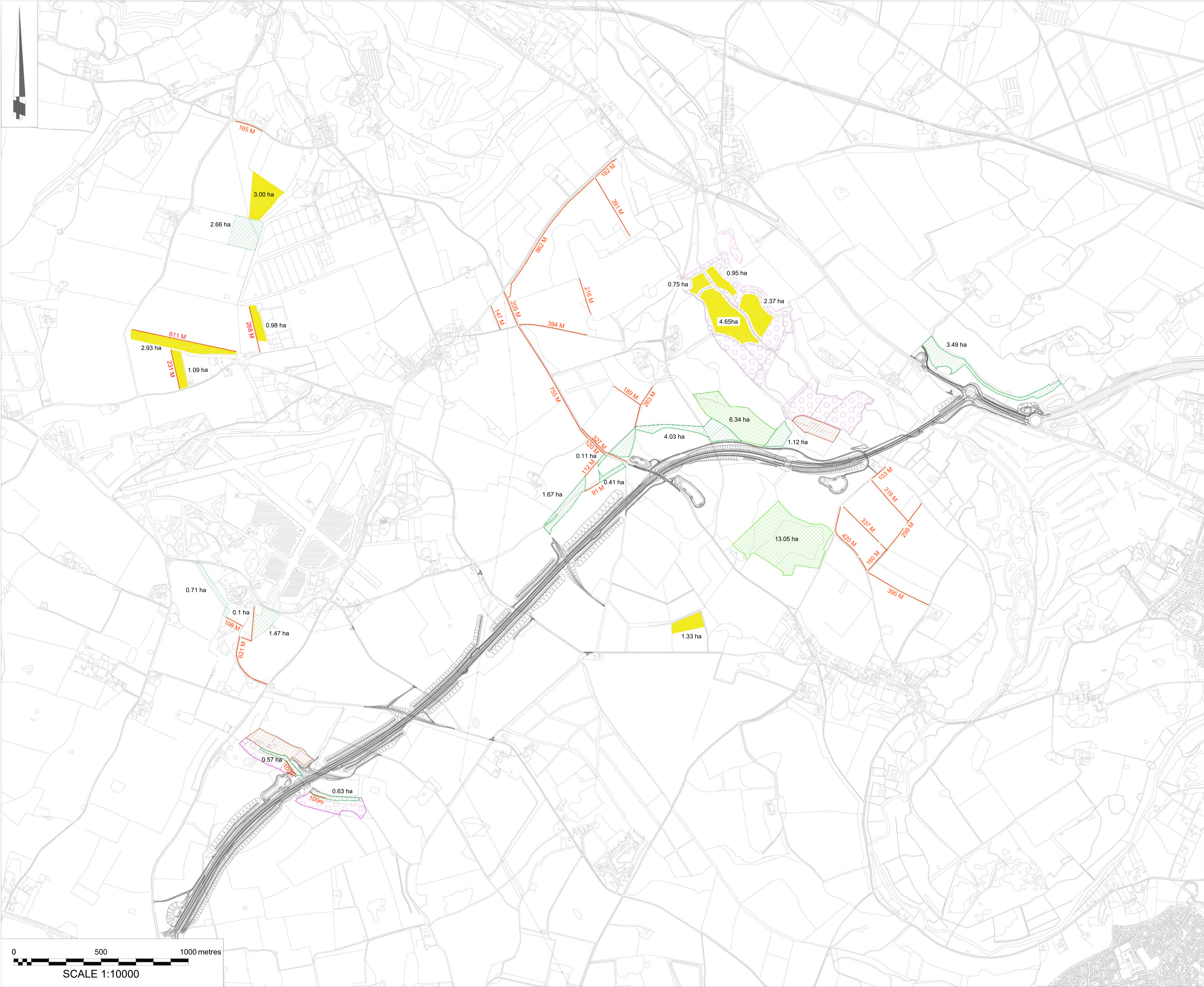
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- KEY**
- Woodland Enhancement Area (Ha)
 - Woodland & Scrub Creation Area (Ha)
 - Grassland Creation / Enhancement Area (Ha)
 - Water Framework Directive Mitigation
 - Area identified for location of bat boxes
 - Hedge Creation / Enhancement Length (m)

OFFSITE ECOLOGICAL MITIGATION	
MITIGATION TYPE	TOTAL SHOWN
WOODLAND ENHANCEMENT	19.39 ha
WOODLAND AND SCRUB CREATION	16.97 ha
GRASSLAND CREATION / ENHANCEMENT	18.05 ha
HEDGEROW CREATION / ENHANCEMENT	8468 M

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Norwich Western Link

DRAFT Combined Statement of Reasons

Author: WSP

Document Reference: NCC/PK1002/SoR/1.1

Version Number: Draft 3

Date: 23 November 2023



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Foreword

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Glossary of Abbreviations and Defined Terms

Term	Definition
A47 DCO	The A47 North Tuddenham to Easton Development Consent Order 2022
BDC	Broadland District Council
BNG	Biodiversity Net Gain
CPO	The Norfolk County Council (A1270 Norwich Western Link) Compulsory Purchase Order 2024
CPO Limits	The land and rights over land identified within the CPO Map accompanying the CPO as being required for the construction and operation of the Proposed Scheme.
Council	Norfolk County Council, in its capacity as the highway authority promoting the Proposed Scheme
DCO	Development Consent Order
DfT	Department for Transport
DMRB	Design Manual for Roads and Bridges
EAST	Early Assessment and Sifting Tool
ECHR	European Convention on Human Rights
EqIA	Equalities Impact Assessment
FP	Footpaths
GNLP	Greater Norwich Local Plan
Highways Act 1980	The Act covers agreements between authorities, the creation of highways, maintenance and improvement of highways, the construction of bridges and tunnels, access, lawful and unlawful rights, and damage with respect to streets and highways, new streets, private streets and financial provisions
LIQ	Land Interest Questionnaire



Term	Definition
LoNI	Letters of No Impediment - Natural England's advice in relation to the three statutory licensing tests under Part 5 of the Habitats Regulations
LPA	Local Planning Authorities
LTP	Local Transport Plan
MRN	Major Road Network
NCC	Norfolk County Council
NDR	Norwich Northern Distributor Road
NMU	Non-Motorised Users
NPPF	National Planning Policy Framework
NPS	Norfolk Property Solutions
NSIDP	Norfolk Strategic Infrastructure Delivery Plan
NWL	Norwich Western Link
OBC	Outline Business Case
Order Land	The land within the CPO Limits
OSR	Option Selection Report
PSED	Public sector equality duty
Public Rights of Way (PRoW)	A public right of way is a highway over which the public have a right of access along the route.
RB	Restricted Byways
SAC	Special Area of Conservation
SOBC	Strategic Outline Business Case
SRN	Strategic Road Network



Term	Definition
SRO	The Norfolk County Council (A1270 Norwich Western Link) (Side Roads) Order 2024
SSSI	Site of Special Scientific Interest
The Orders	The CPO and the SRO
The Proposed Scheme	The proposed Norwich Western Link scheme.
TRO	Traffic Regulation Orders
WebTAG	DfT Transport Assessment methodology
WFD	Water Framework Directive

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1. Introduction

1.1 Purpose of the Statement of Reasons

1.1.1. This Statement of Reasons (“the Statement”) relates to the Norwich Western Link Scheme (“the Proposed Scheme”) and has been prepared by Norfolk County Council (“the Council”) to set out its reasons for making the following Orders (together, the “Orders”):

- a compulsory purchase order entitled “The Norfolk County Council (Norwich Western Link Scheme) Compulsory Purchase Order 2024” (“**the CPO**”) and explains why the Council is seeking the powers to acquire land and new rights compulsorily should it be necessary to do so; and
- a side roads order entitled “The Norfolk County Council (Norwich Western Link) (Side Roads) Order 2024” (“**the SRO**”) and explains why the Council is seeking to stop up various existing highways and existing private means of access, provide new private means of access and highways, and improve existing highways.

1.1.2. In this Statement the CPO and SRO are together referred to as “the Orders”.

1.1.3. The CPO is made pursuant to sections 239, 240, 246, 250 and 260 of the Highways Act 1980 (the “1980 Act”) for the acquisition of all interests in the land shown coloured pink and the acquisition of rights over land shown coloured blue on the plan attached to the CPO (“the Order Plan”), and as described in the Schedule to the CPO. The SRO is made pursuant to sections 14 and 125 of the 1980 Act. The land required is in a variety of ownerships and Norfolk County Council are, or will be, the highway authority for the side roads.

1.1.4. This Statement sets out Council’s reasons for making both the CPO and the SRO and the justification in the public interest for the compulsory acquisition of land and works on other highways not forming the classified road. It also summarises how the Proposed Scheme meets the requirements of relevant legislation, policy and guidance.

1.1.5. This Statement has been prepared in support of the making of the Orders in accordance with the Department for Levelling Up, Housing and Communities’ ‘Guidance on Compulsory purchase process and The Crichel Down Rules’ (“**the Guidance**”).

- 1.1.6. The Council, in preparing and making the CPO and this Statement, has had regard to the advice contained within the Guidance and Department of Transport Circular 2/97 *“Notes on the Preparation, Drafting and Submission of Compulsory Purchase Orders for Highway Schemes and Car Parks for which the Secretary of State for Transport is the Confirming Authority”*.
- 1.1.7. The Council, in preparing and making the SRO and this Statement, has also had regard to the advice contained in the Department of Transport Circular 1/97 “Highways Act 1980: Orders Under Section 14 of the Highways Act 1980 and Opposed Orders Under Section 124 of that Act”.

1.2 Structure of the Statement of Reasons

1.2.1 The structure of the Statement of Reasons is as follows:

- **Section 2** summarises the need for, and benefits of, the Proposed Scheme;
- **Section 3** summarises the planning and policy context;
- **Section 4** summarises the current position with the planning application for the Proposed Scheme;
- **Section 5** sets out the availability and timing of the funding required to deliver the Proposed Scheme;
- **Section 6** outlines the anticipated timescales for the delivery of the Proposed Scheme;
- **Section 7** describes the Proposed Scheme and its surroundings;
- **Section 8** summarises the alternatives to the Proposed Scheme considered by the Council;
- **Section 9** summarises the consultation undertaken by the Council when developing the Proposed Scheme;
- **Section 10** considers the Council’s approach to negotiations to acquire the land and interests in land it requires to deliver the Proposed Scheme;
- **Section 11** summarises any special land considerations and special category land;
- **Section 12** considers the Council’s compliance with human rights legislation;

- **Section 13** considers the Council's compliance with its public sector equality duty;
- **Section 14** sets out the need and justification for the Compulsory Purchase Order;
- **Section 15** sets out the need and justification for the Side Roads Order;
- **Section 16** considers other consents, licences and orders that may be required to implement the Proposed Scheme, and summarises the Council's approach to them;
- **Section 17** sets out other information relevant to the Orders, including contact details by which persons affected by the Orders may contact the Council.

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2. Need for, and benefits of, the Proposed Scheme

- 2.1 The need for the Proposed Scheme, together with its key transport benefits and supporting evidence are set out in detail in the Transport Assessment accompanying the planning application and are summarised in this section of this Statement.
- 2.2 The **Transport Assessment (Document Reference 4.01.00)** concludes that a new strategic link will help make future journeys more efficient and reliable. The Proposed Scheme is expected to significantly reduce journey times for vehicles travelling north to south, south to north, or to the west of Norwich, with some journey times more than halving. Furthermore, the implementation of the Proposed Scheme, in combination with the proposed mitigation measures, will help to create a more sustainable and resilient transport network for the future which will adequately support forecast traffic levels to 2037 and beyond.
- 2.3 As well as the need for a new link in the MRN to the west of Norwich, a series of proposed transport, housing, and employment developments are proposed which are anticipated to put additional pressure on the local highway network. These are set out in **Chapter 3 of the Planning Statement (Document Reference 1.01.00)**.
- 2.4 The Proposed Scheme has been designed to address the established transport problems facing local residents, whilst also fostering and enabling delivery of a wide range of strategic objectives for Norfolk County Council. There is direct support for the proposals in emerging planning policy and the scheme aligns with adopted policy objectives and aspirations.
- 2.5 The **Transport Assessment (Document Reference 4.01.00)** reviews the existing conditions and outlines:
- There is a strategic connectivity gap in Norfolk's major road network;
 - While this strategic connectivity gap exists strategic traffic will continue to use routes that are inappropriate due to:
 - Existing highway geometrical constraints; and
 - Constraints at existing highway bridges.
- 2.6 Traffic modelling data set out in the **Transport Assessment (Document Reference 4.01.00)** shows that the Proposed Scheme will accommodate more than 30,000 vehicle movements per day. As well as addressing the lack of strategic connectivity between the MRN and the Strategic Road Network (SRN), this additional capacity will help to reduce the need for traffic to enter the western Greater Norwich area, which will help to alleviate transport issues, including congestion. The Transport Assessment considers the transport benefits that the Proposed Scheme would deliver. These include:
- Respond to existing desire lines to travel to the west of Norwich;
 - Enhance access to key facilities and employment west of Norwich;

- Support residential development;
- Support the coastal visitor economy;
- Reduce travel distance and improve journey times;
- Support orbital movement around Norwich;
- Provide traffic reduction on key routes to central Norwich;
- Improve access to public transport;
- Enhance highway network resilience.

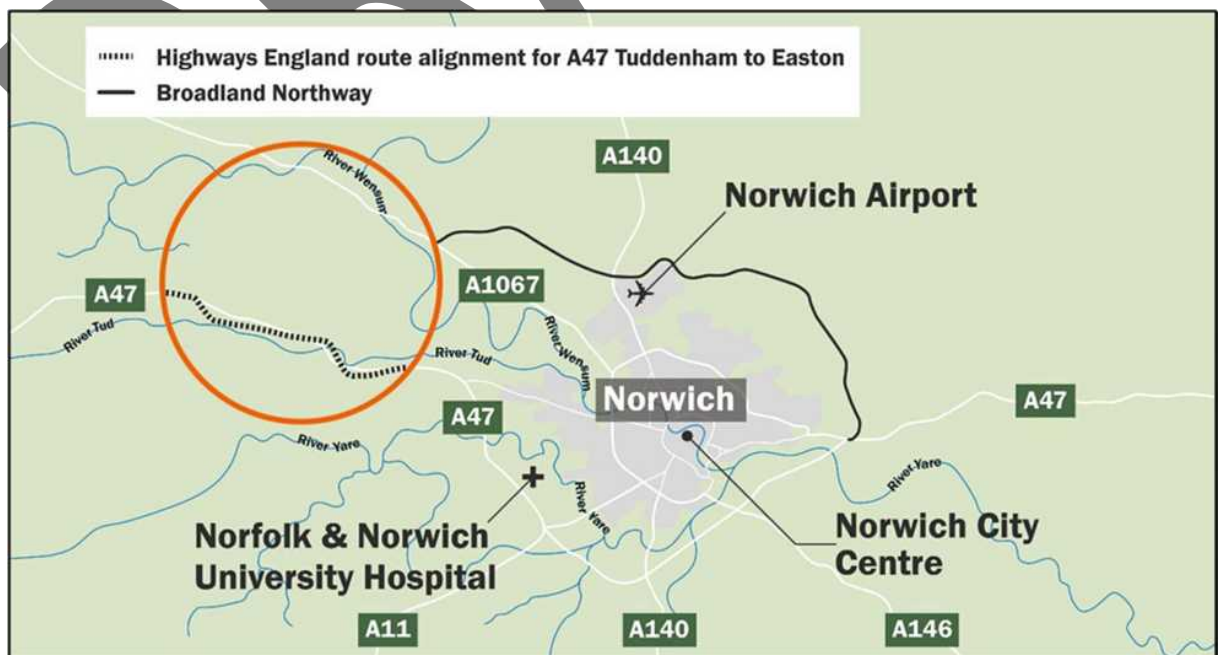
2.7 This section of the statement summarises these existing constraints and the transport benefits that the Proposed Scheme would deliver by addressing them.

2.8 Strategic Connectivity Gap in Norfolk's Major Road Network

2.8.1 Following the completion in April 2018 of the A1270 Broadland Northway (Formerly known as the Norwich Northern Distributor Road or NDR), there is now an evident connectivity gap between the A47 and A1067 through the area to the west of Norwich as illustrated in **Figure 2-1**.

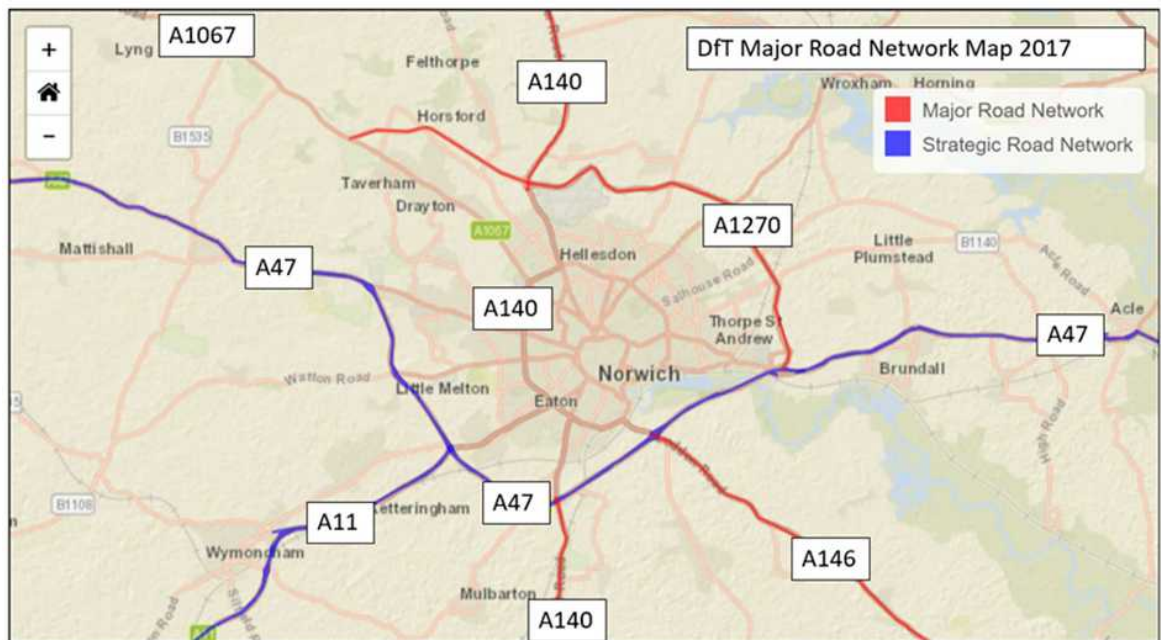
2.8.2 The Norfolk Strategic Infrastructure Delivery Plan identifies that the Proposed Scheme is one of the County Council's priority road infrastructure schemes.

Figure 2-1 Strategic Gap Between A47 and A1270



- 2.8.3 Within the west of Norwich area, the River Wensum and, to a lesser extent, the River Tud present a significant physical barrier to north-south movement between the A47 and A1067 which are the two key radial routes into central Norwich from the west.
- 2.8.4 There are no existing Primary A Road Standard routes available to cater for longer distance north-south movement to the west of the Outer Ring Road (A140 Sweet Briar Road). The nearest A Road route available (A1065 from Swaffham to Fakenham) is located approximately 35km west of A140.
- 2.8.5 The existing signed HGV route via the B1535 is also remote from Norwich, some 10km west of the A140 outer ring road. Following B-road re-classification in 2015, the current B1535 has a tortuous alignment geometry with tight bends which deters some users. This leaves shorter distance routes on very narrow minor rural roads through the villages of Weston Longville and Ringland susceptible to rat running, especially at peak times of day as these less suitable routes offer more direct access to the north of the city from A47 and to the south west of the city from A1067 currently.
- 2.8.6 Other than the A140 Outer Ring Road (Sweet Briar Road), there is a very limited number of existing bridges crossing the River Wensum which are narrow and constrained by weight restrictions. The existing bridges located at Ringland and Costessey for example are both very narrow and unsuitable for heavy vehicle traffic. There is an existing bridge on A1067 at Attlebridge, although it is aligned on a radial route (broadly east-west) rather than a north-south orientation, so does not facilitate orbital movement efficiently.
- 2.8.7 In 2017 the DfT Consulted on a Major Road Network and published a map of the proposed MRN routes alongside the SRN. The area around Norwich is shown below in **Figure 2-2** below which emphasises the connectivity gap on the western edge of Norwich. The Norwich Western Link would offer enhanced connectivity between the SRN and MRN networks, facilitating orbital movement around Norwich.

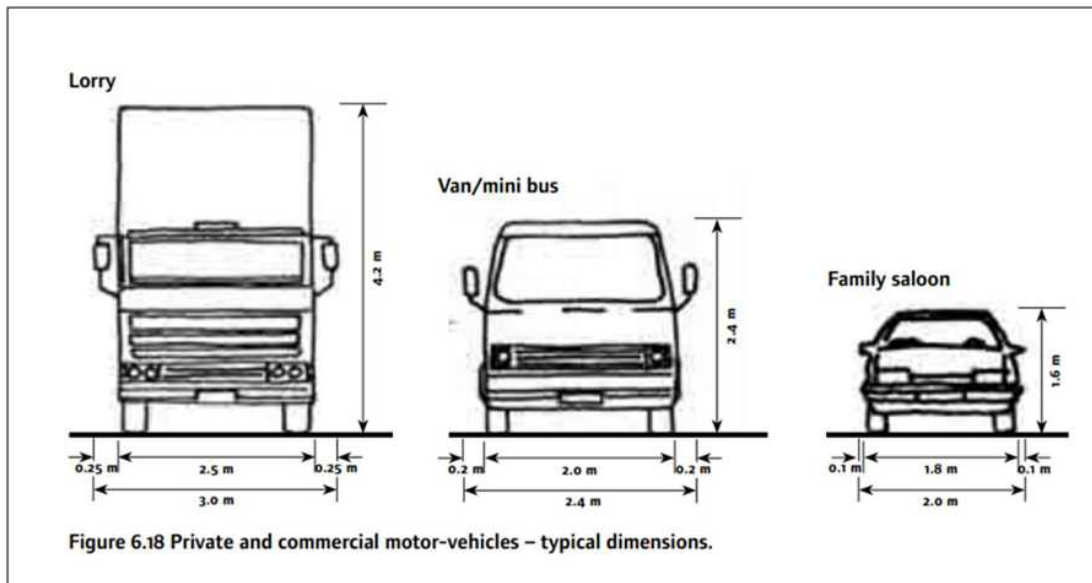
Figure 2-2 DfT Major Road Network Map (extract)



2.9 Existing Highway Geometrical Constraints

- 2.9.1 A key problem identified within the area to the west of Norwich is the minor and constrained character of the existing rural road links which were not designed to be used by strategic traffic. The roads are generally narrow with tight bends and mature trees alongside the roads and limited verge space on various sections of road outside of the villages. The existing roads also take traffic through villages with residential frontages. Commercial vehicles are often seen to use these roads which impacts on residential amenity.
- 2.9.2 Manual for Streets guidance **Figure 6.18** illustrates the typical dimensions of vehicles. An extract is shown below in **Figure 2-3**. This demonstrates that a minimum road width of about 6m is required for two commercial HGVs to pass each other safely without conflict. At slow speeds a HGV can pass a van or mini bus within a 5.5m width and a car can safely pass an HGV on roads with a width of about 5m. However, the majority of existing minor rural roads through the west of Norwich are less than 5m in width and often with tight bends and narrow or protected verges.

Figure 2-3 Typical Vehicle Dimensions



- 2.9.3 Manual for Streets design standards are also applicable to slower speed roads less than 40mph, whereas the rural west of Norwich is generally subject to higher 60mph speed limits. Increased width is therefore typically required to enable vehicles to pass safely and efficiently at the designated speed limit. However, the DMRB (Design Manual for Roads and Bridge) applicable guidance does not generally consider minor road geometry for routes less than 6m.
- 2.9.4 The existing roads through Weston Longville are generally 5m in the centre of the village at Honingham Road and Woodforde Close, with traffic calming features as shown below in **Figure 2-4**. Church Street is narrower and has tight bends and also several traffic calming features.

Figure 2-4 Honingham Road, Weston Longville – Traffic Calming



- 2.9.5 The route through the village is not suitable for HGVs (and there are appropriate restrictions and signage in place) but larger vans, caravans and minibuses are often observed to use this route during site visits and traffic surveys. Without intervention, projected growth will only exacerbate these issues.

Figure 2-5 LGV Passing The Hall for All, Weston Longville



- 2.9.6 The onward route to the north at Marl Hill Road connecting Weston Longville to A1067 also has a typical width of about 5m but is frequently used by LGVs and commercial vehicles for access through the villages avoiding the B1535 route which is significantly longer.

Figure 2-6 Marl Hill Road, Weston Longville



- 2.9.7 The existing B1535 route is the designated HGV route in the west of Norwich and is currently intended to be the main route for all through traffic avoiding residential properties. It is generally about 6m wide but does not have a marked centreline along some of its length from A47 to A1067. This route is constrained horizontally by a series of tight bends (as shown below in **Figure 2-7**) and connects with A1067 about 2.5km west of Marl Hill Road.

Figure 2-7 B1535 Tight Bend at Rectory Road



- 2.9.8 For journeys towards Norwich from A47 Wood Lane at Honingham, the B1535 route offers a journey distance to the western edge of the A1270 of 13.2km. This is some 4.6km longer than the route via Weston Longville and Marl Hill Road, so offers a substantially less efficient traffic routing option than the more minor roads through Weston Longville. Despite the geometrical restraint on routes through the village and existing traffic calming features, without intervention the route via Weston Longville is predicted to carry at least 30% more traffic than the B1535 Weston Hall Road which runs parallel to the west.
- 2.9.9 Existing routes through Ringland village are also constrained in width. The roads within the village are narrow, with a typical width of 4.8m and property frontages on both sides immediately adjacent to the edge of carriageway in places.
- 2.9.10 Further east, an existing parallel route through Taverham Lane, Costessey takes traffic through residential areas which is constrained by width at West End, Costessey with a typical width of 4.8m-5m, reducing to 3m where traffic calming features have been installed along the route with priority give way markings and speed management measures seeking to deter through traffic from this route which is lined with residential frontages.

- 2.9.11 Despite the presence of traffic calming measures, this route is predicted to be more heavily utilised than the B1535, without intervention.

Figure 2-8 Traffic Calming Features at West End, Costessey



- 2.9.12 An alternative route through the western urban fringe of Norwich via Costessey Lane which leads to A1067 Drayton High Road is also narrow and constrained with residential dwellings and informal footways and traffic calming features.

Figure 2-9 Narrow Street at Costessey Lane



- 2.9.13 Weston Road, Breck Road and The Broadway - existing east-west routes that cross the Proposed Scheme alignment also have a typical width of 3m or less with limited passing bays. These are currently in low usage.
- 2.9.14 The existing minor rural road routes to the west of Norwich are predominantly unclassified roads expected to be unsuitable for individually carrying more than about 5,000 vehicles per day AADT (Annual Average Daily Traffic).
- 2.9.15 Without intervention unsuitable minor local roads will continue to carry inappropriate volumes of traffic and inappropriate types of traffic.

2.10 Constraints at Existing Highway Bridges

- 2.10.1 Taverham Mill bridge crosses the River Wensum at Taverham Lane between Taverham and Costessey. It is about 6m between parapets but the carriageway has been narrowed to about 5m. The road alignment has tight bends on approaches from the north and south within 50m of the bridge on both sides. Taverham Mill bridge is surrounded by lakes and the road has been known to flood in recent years.
- 2.10.2 The existing bridge over the River Wensum at Costessey Lane, Drayton is on a tight bend and positioned on a skewed angle. Due to the constrained highway alignment and aging structure it is subject to a 20mph speed limit and a 7.5T weight limit. The road approaching the bridge has several tight bends with poor forward visibility and a typical width of 5m.

Figure 2-10 Costessey Mill Bridge, Costessey Lane



- 2.10.3 Ringland Road bridge (shown in **Figure 2-11** below) is located at the eastern edge of Ringland village, it is narrow (with a carriageway width of about 4.8m) and is positioned on a bend with poor forward visibility on approach to the junction opposite a public house where Ringland Road meets The Street and Costessey Lane. The bridge is relatively low over the water and the greenspace around the bridge has also been observed to flood.

Figure 2-11 Ringland Road Bridge



- 2.10.4 Hellesdon bridge (shown in **Figure 2-12**) also crosses the River Wensum about 800m west of Sweet Briar Road. This is a very narrow bridge with a carriageway width of about 4m, it also has a 3T weight restriction. The route is popular with local cyclists as it is located about 100m north of the Marriott's Way (NCN1 route which is part of the Sustrans National Cycle Network).

Figure 2-12 Hellesdon Bridge

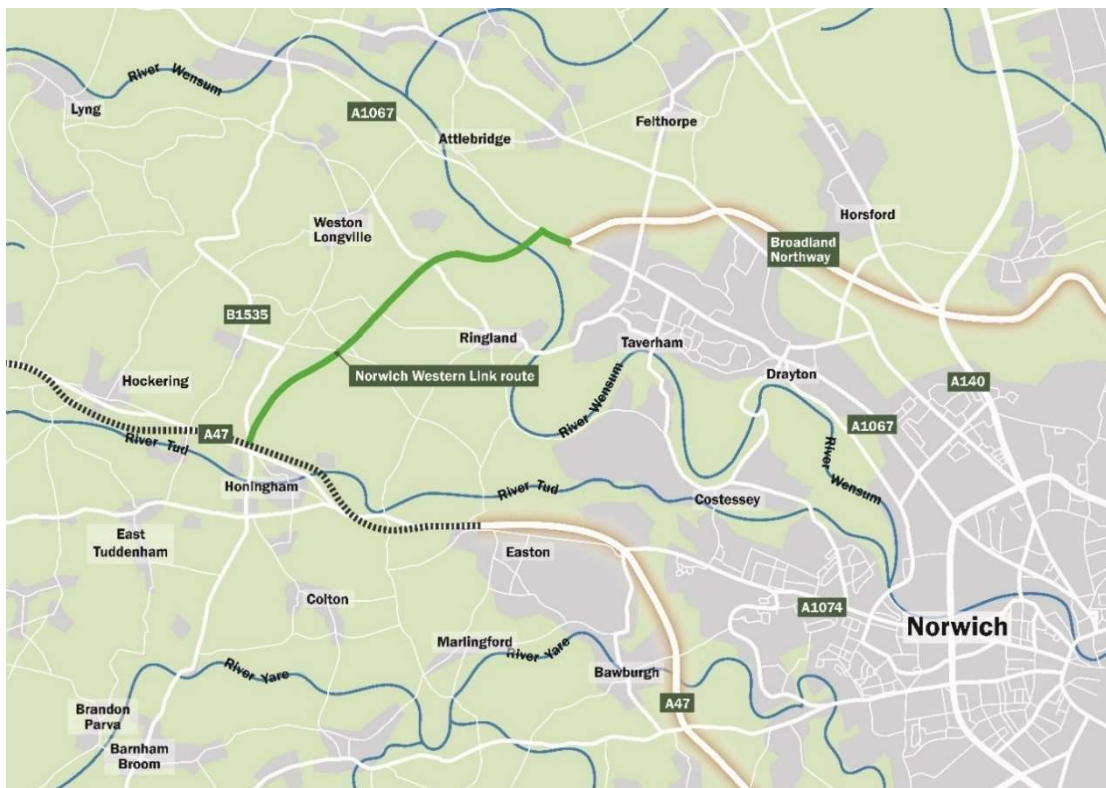


- 2.10.5 These more historic bridges do not have the physical capacity to support significant volumes of strategic traffic and several have weight restrictions in place, prohibiting heavy vehicles. If improvements were made to the bridge structures, the onward routes also have constrained highway geometry and residential frontages, (as set out above) so increasing pressure on these routes would impact on highway safety and potentially increase the risk of collisions. Enhancing these routes for strategic traffic would also impact on residential amenity.

2.11 Proposed Scheme Location

- 2.11.1 The Proposed Scheme has been developed in response to the above issues and constraints. The Proposed Scheme is located approximately 10 kilometres to the north-west of the city of Norwich. The nearest settlements to the Proposed Scheme are Weston Longville (approximately 200m west), Ringland (approximately 700m east), Weston Green (approximately 300m west), Honingham (approximately 700m southeast) and Eaton (approximately 3.4km east). See **Figure 2-13** Overview of the Proposed Scheme below.

Figure 2-13 Overview of the Proposed Scheme Location



- 2.11.2 The Proposed Scheme will comprise a new dual-carriageway all-purpose road to the west of Norwich, connecting the A1067 Fakenham Road and the A47 trunk road near Honingham, with a dualled section of the A1067 to the existing A1270 Broadland Northway roundabout. The Proposed Scheme will also include a new viaduct bridge over the River Wensum and its floodplain.
- 2.11.3 The Proposed Scheme will provide a direct connection between the Strategic Road Network and the A1270 through the west of Norwich. This will complete an orbital route around Norwich, which forms part of the Major Road Network.

High-level objectives

- Support sustainable economic growth;
- Improve the quality of life for local communities;
- Promote an improved environment;
- Improve strategic connectivity with the national road network.

Specific objectives

- Improve connectivity and journey times on key routes in Greater Norwich;

- Reduce the impacts of traffic on people and places within the western area of Greater Norwich;
- Encourage and support walking, cycling and public transport use;
- Improve safety on and near the road network, especially for pedestrians and cyclists;
- Protect the natural and built environment, including the integrity of the River Wensum Special Area of Conservation; and,
- Improve accessibility to key sites in Greater Norwich.

2.11.4 How the Proposed Scheme meets the high level and strategic objectives of the Proposed Scheme are assessed in Table 3-1 below.

Table 3-1 High Level and Strategic Objectives

Objective	How the Proposed Scheme Fulfils the Objective
High Level Objectives	
H1: Support sustainable economic growth.	The Proposed Scheme will provide additional capacity on the highway network, which will reduce delays and congestion and give greater certainty over journey times.
H2: Improve the quality of life for local communities.	<p>The Proposed Scheme is modelled to reduce rat running through the rural villages to the west of Norwich which will improve the quality of life for local residents.</p> <p>Traffic reduction through these villages will help make the network more suitable and attractive for walking and cycling and would help to promote active travel, which is consistent with improving quality of life.</p>
H3: Promote an improved environment.	The submitted Environmental Statement and Transport Assessment identifies that the Proposed Scheme will result in local noise and air quality improvements will also contribute to

	improved quality of life for local residents in rural communities.
H4: Improve strategic connectivity with the national road network.	The Proposed Scheme will provide a high quality dual carriageway link to address the missing link between the major road network configuration to the west of Norwich (which includes the A1270 Broadland Northway) and the strategic road network to the west of Norwich (i.e. the A47).
Strategic Objectives	
S1: Improve connectivity and journey times on key routes in Greater Norwich.	<ul style="list-style-type: none"> i. Improve journey time and journey time reliability, on routes through the area west of Norwich ii. Reduced congestion and delay through the area west of Norwich iii. Reassignment of traffic away from existing routes reducing delay and congestion improving existing accessibility. iv. Reduced emergency response times v. Improved network resilience vi. Provides a more-suitable direct route for HGV/LGV vehicles vii. Reduces trips on local minor roads for vehicular traffic
S2: Reduce the impacts of traffic on people and places within the western area of Greater Norwich.	<ul style="list-style-type: none"> i. Reassignment of trips onto appropriate routes ii. Reduced noise in local communities overall in the western area of Greater Norwich iii. Improved Non-Motorised User connectivity iv. Improved air quality, especially in the built-up areas of west Norwich v. Minimised traffic impacts on local residents during construction
S3: Encourage and support walking, cycling and public transport use.	<ul style="list-style-type: none"> i. Facilitates increases in number of trips taken by walking, cycling and public transport ii. Increases access to public transport, walking and cycling facilities

S4: Improve safety on and near the road network, especially for pedestrians and cyclists.	<ul style="list-style-type: none"> i. Reduced overall network accident rate ii. Reduces the number of people killed or seriously injured on roads in the area west of Norwich iii. Minimises highway safety impacts and severance during construction
S5: Protect the natural and built environment, including the integrity of the River Wensum SAC.	<ul style="list-style-type: none"> i. Biodiversity Net Gain ii. Minimised impact on landscape iii. Minimised impact on heritage iv. Does not affect the integrity of the River Wensum SAC v. Minimised impact of the scheme on climate change vi. Minimise adverse environmental impacts arising from construction
S6: To improve accessibility to key sites in Greater Norwich.	<ul style="list-style-type: none"> i. Improved accessibility to Norwich International Airport, Norfolk & Norwich University Hospital and key employment, housing and education sites ii. Improved access to the cycle and Public Rights of Way network

2.12 Desire Line Analysis

- 2.12.1 The desire line analysis contained in the Transport Assessment indicates the Proposed Scheme would potentially offer a suitable route choice for at least 2,220 trips per hour throughout the day (based on the Interpeak typical hour matrix totals). In the AM and PM peak hours, this would increase to around 3,300-3,400 vehicle movements per hour. This is based on 2019 data, without considering forecast growth.
- 2.12.2 The analysis indicates that over 30,000 trips would have a desire line that is catered for by the Proposed Scheme, even with conservative assumptions applied as a robust estimate. This is approximately the same volume of traffic observed to be using the A140 Sweet Briar Road in 2021 at DfT monitoring site 6498.

Enhancing Access to Key Sites in the West of Norwich

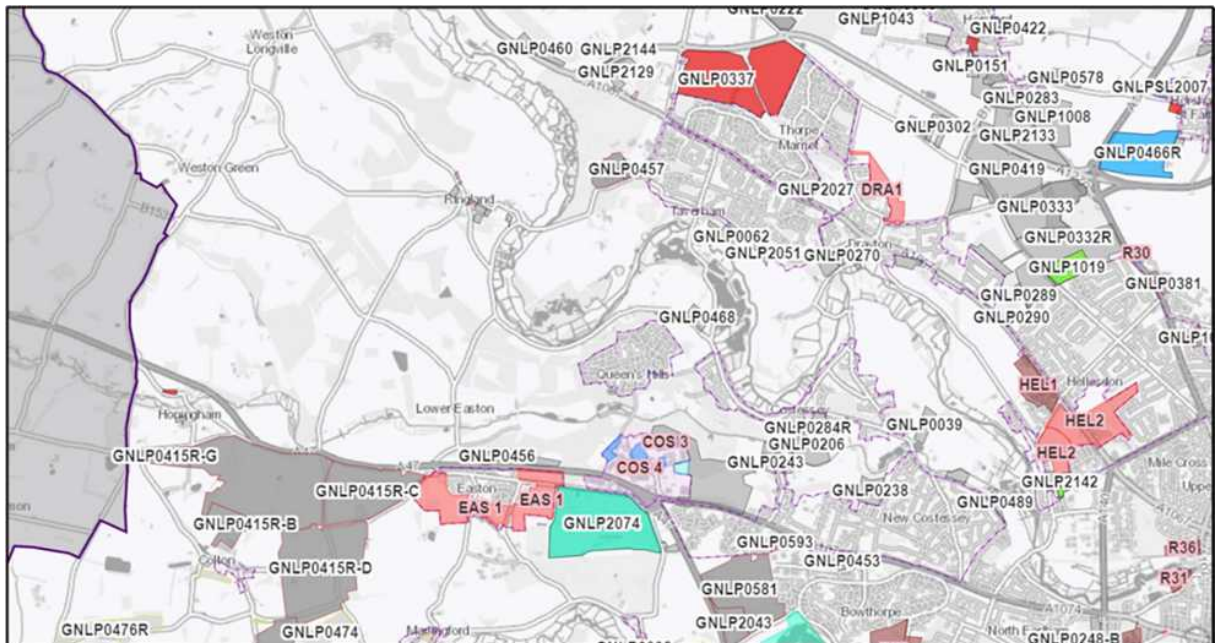
- 2.12.3 The Proposed Scheme would enhance access to key sites to the west of Norwich.
- 2.12.4 The Norfolk and Norwich University Hospital (NNUH) is a key employment site and trip attractor from across Norfolk and the wider region. NNUH Foundation Trust employs around 10,000 staff, most of whom are based at the main campus at the western edge of Norwich urban area and is a key site that people from across the region need access to outpatient services, maternity and emergency A&E facilities.
- 2.12.5 Many patients are unable to travel by non-car modes and often face travelling long distances as the hospital serves a catchment within an approximate 30 mile radius. The nearest alternative A&E hospital sites are much further away in Kings Lynn (c54 miles), Bury St Edmunds (53 miles) and Lowestoft (35 miles). Emergency service vehicles also need good and uncongested access to the NNUH site to achieve suitable emergency response times. As congestion in the west of the city increases, emergency access becomes more challenging and constrained. Additional highway capacity on the western edge of Norwich would facilitate emergency access to the hospital.
- 2.12.6 Similarly, the University of East Anglia (UEA) is also at the western fringe of the city and plays an important role for employment and education, with about 17,000 students and 3,700 staff based at the campus. The site is co-located with NNUH and Norwich Research Park (NRP). In addition to UEA, NRP has over 115 companies based at the site, with around 30,000 jobs provided in this area at the west of the city, it is a major trip attractor which would substantially benefit from improved accessibility as a result of the Proposed Scheme.

- 2.12.7 Longwater Retail Park is also a key trip attractor in the west of Norwich at the junction of A47 and A1074 – this site offers a wide variety of employment opportunities and caters for food retail with a major supermarket located here. Major retailers such as Next, Sainsburys, Argos, The Range, Pets at Home, MacDonalds, Smyths and Sports Direct are located here. All of these have HGV distribution requirements and are located adjacent to the A47 for ease of access to the Strategic Road Network but deliveries often form part of a longer journey with multiple drop off sites enroute, so orbital connectivity around Norwich, enhanced by the Proposed Scheme would be of benefit. For example, Sainsburys also has a large store in North Walsham, so HGVs could use the Proposed Scheme for access between the two stores instead of using the Outer Ring Road or less suitable minor roads.
- 2.12.8 Nearby, at Easton a Local Development Order was granted for a new Food Enterprise Zone (FEZ) where up to 50,000sqm development is permitted on a site totalling 19 Hectares adjacent to Blind Lane within 300m of A47. This site will benefit from enhanced strategic access once the Proposed Scheme is in place. The Norwich Western Link will be accessible within a 2 minute drive from the FEZ.
- 2.12.9 Easton is also the location of Norwich Showground and Easton College which also require strategic access from trip origins across the Wensum Valley.
- 2.12.10 These sites are located at the southwest edge of the city, and due to the regional nature of their catchment, encompassing the North Norfolk coast and key settlements north of the city such as Aylsham, Fakenham, and North Walsham it is a requirement to cross the River Wensum and there are very limited opportunities for doing this currently. At peak times, the existing routes become congested, so a new link crossing the River Wensum allowing traffic to avoid congestion would substantially enhance the accessibility of these vital employment sites.

2.13 Supporting Residential Development

- 2.13.1 There are several major residential developments identified on the western edge of Norwich which are currently going through the planning process or are proposed for site allocation as part of the emerging Greater Norwich Local Plan. These have been considered as committed developments within the traffic modelling for the Proposed Scheme within this Transport Assessment. An extract of the GNLP allocations map used for the Reg19 submission in July 2021 is shown below in **Figure 2-14** which illustrates the location and scale of these sites:

Figure 2-14 GNLP Local Plan Development Sites



2.13.2 The major allocations specifically considered within the transport modelling for the Proposed Scheme include:

- Site GNLP0337 Land between Fir Covert Road and Reepham Road, Taverham (78.36 ha) allocated for residential development. The site is likely to accommodate at least 1,400 homes, 33% of which will be affordable, associated public open space, new primary school and local medical centre. A planning application has also been lodged for this site.
- Site EAS 1 Land south and east of Easton (approx. 52.6 ha) allocated for residential development and associated infrastructure. This will accommodate approximately 1,044 homes.
- DRA1 Land east of Cator Road and north of Hall Lane, Drayton (Approx. 12.5 ha) is allocated for residential development, allotments and open space. This will accommodate approximately 250 homes.
- HEL1 Land at Hospital Grounds, southwest of Drayton Road, Hellesdon (approx. 14.7 ha) is allocated for residential and employment uses. The site will accommodate approximately 300 homes, and B1 employment uses.
- HEL2 - Land at the Royal Norwich Golf Club, either side of Drayton High Road, Hellesdon (approx. 48.1 ha) is allocated for residential and open space uses. This will accommodate approximately 1,000 homes.

- 2.13.3 The above major allocations offer a total of approximately 4000 dwellings in the west of Norwich to be developed within 10 years of opening the Proposed Scheme (if permitted). Whilst these sites are not considered to be development that depends on the Proposed Scheme coming forward; without the Proposed Scheme in place, there would be increased pressure on the highway network in Costessey, Taverham, Easton and Drayton.
- 2.13.4 New residential development helps meet local housing need and stimulates the economy, with new jobs and commercial development becoming more viable with increased population.
- 2.13.5 The Proposed Scheme would support the allocations proposed in the emerging Greater Norwich Local Plan by increasing capacity on the network and providing greater connectivity.

2.14 Supporting the Coastal Visitor Economy

- 2.14.1 According to 'Written evidence submitted by North Norfolk District Council to the DCMS Select Committee – Call for Evidence Impact of COVID-19 on Tourism Sector' North Norfolk is heavily dependent on the visitor economy, which in 2018 comprised 29% of the district's employment, generating £511m from 9.6m trips. The visitor economy is critical to the sustainability of retail and hospitality businesses in and around the district's seven market and resort towns.
- 2.14.2 The North Norfolk coast is a popular UK tourist destination, attracting trips from the East of England, the wider south east, the Midlands and London. Many of these trips have trip origins to the south and west of Norwich and destinations north of Norwich which would be well served by a Norwich Western Link connecting A47 and A1270 Broadland Northway to more efficiently connect to the A140 which takes traffic north of the city to the coast.

2.15 Reducing Travel Distance and Improving Journey Times

- 2.15.1 It is evident that significant journey time savings are possible with the Norwich Western Link in place. The Transport Assessment shows that as travel distances reduce with the Proposed Scheme in place and vehicles are able to travel at higher speeds on the new link and no longer need to slow down to negotiate tight bends on existing alignments that are constrained, so vehicles can travel more smoothly and safely through the network.
- 2.15.2 The journey distance saved depends on the specific journey being undertaken within the model. However, for journeys from A47 Wood Lane Junction to A1270 which currently use the B1535 and travel east towards Norwich on A1067, there is a substantial reduction in journey distance because the new alignment enables these vehicles to 'cut the corner' and take a more streamlined route towards A1270 Broadland Northway.

- 2.15.3 The existing B1535 route is the only available designated HGV route and is currently intended to be the main route for all through traffic avoiding residential properties. It is generally about 6m wide and has a marked centreline along its length from A47 to A1067, so is of B Road standard. However, this route is constrained horizontally by a series of tight bends and connects with A1067 about 2.5km west of Marl Hill Road. For journeys towards Norwich from A47 Wood Lane at Honingham, the B1535 route offers a journey distance to the western edge of the A1270 of 13.2km. There is a shorter route (c 8.6km) available via Weston Longville and Marl Hill Road which is constrained in width and flanked with residential properties so is unsuitable for HGVs.
- 2.15.4 The Proposed Scheme would further reduce this distance to 3.9km, so would halve the travel distance from A47 Wood Lane to A1270. This substantial trip distance saving is forecasted to alleviate the vast majority of through-traffic from both B1535 and Weston Longville.

2.16 Supporting Orbital Movement Around Norwich

- 2.16.1 Monitoring carried out after the A1270 Broadland Northway opened in April 2018 demonstrated that existing routes elsewhere across Norwich which are parallel with the new A1270 Broadland Northway, have already benefitted from noticeable traffic reductions since opening.
- 2.16.2 Based on the extensive set of monitoring locations across the wider area, the results indicate that A1270 Broadland Northway is achieving the following objectives:
- Reducing orbital rat running in the northern suburbs;
 - Reducing orbital rat running on rural roads outside the built-up area of Norwich;
 - Reducing traffic flows on the roads just outside the Norwich Outer Ring Road;
 - Reducing traffic flows on the Norwich Outer Ring Road.
- 2.16.3 It is therefore expected that the Proposed Scheme would similarly be capable of offering traffic relief to the minor rural existing roads by completing the orbital route. In particular, it is envisaged that with the Proposed Scheme in place, HGV and LGV movements would be redirected to a purpose-built and efficient route which has good connectivity and competitive journey times for commercial traffic, avoiding sensitive residential properties and improving quality of life for village residents in communities such as Ringland, Weston Longville, Weston on the Green, Lenwade, Attlebridge, Taverham, Honingham, Easton, Drayton and Costessey.

2.17 Providing Traffic Reduction on Key Routes to central Norwich

- 2.17.1 The Transport Assessment includes a review of the strategic highway modelling in terms of forecast traffic flow changes across the network. This shows the impact of not changing the network (ie without the Proposed Scheme). Traffic is shown to transfer to the outer routes around Norwich including A47 and A1270 Broadland Northway.
- 2.17.2 Without the Proposed Scheme in place, there is increased pressure on the majority of radial routes into central Norwich and the junctions around the southern A47 bypass, as well as notable increases on the A47 North Tuddenham to Easton section and A1067 through Morton on the Hill and Attlebridge in the range.
- 2.17.3 On the west side of Norwich, the routes parallel with the Proposed Scheme are also predicted to experience an increase in traffic including routes through Ringland and Weston Longville as well as Costessey Lane through Drayton.
- 2.17.4 To the east of Norwich there are notable increases on routes parallel with A1270 around Horstead, Rackheath, Salhouse, Hoveton, Wroxham and on A47 east of Norwich through the Burlingham to Blofield section which is also being improved by National Highways.
- 2.17.5 With the Proposed Scheme in place, there is predicted to be significant traffic reductions on routes parallel with the new road shown blue, including B1535, Paddy's Lane, Marl Hill Road and Ringland Road. There is a significant reduction in range vehicles per day on A47 southern bypass from A11 to Postwick Hub and on the NDR east of Norwich around Rackheath. Parallel routes on the east side of Norwich also experience traffic reduction and along A140 and routes via Horsted and Horsford in the north. There also reductions on A1074 Dereham Road east of Longwater and B1108 Watton Road on approach to the NNUH, UEA and NRP site, plus modest reductions on many links across the urban area of Norwich.
- 2.17.6 There are also increases due to traffic re-routing at Attlebridge, Felthorpe, and Stratton Strawless in this scenario and to a lesser extent Barnham Broom, Kimberley and Carleton Forehoe. Hence these are the locations of traffic mitigation measures which accompany the Proposed Scheme.

2.18 Improving Access to Public Transport

- 2.18.1 It is anticipated that the Proposed Scheme will facilitate access to the Park and Ride (P&R) sites on the western edge of Norwich at Costessey and the Airport by linking the two radial corridors into Norwich A1067 and A47 on the western side of the city and allowing Park and Ride traffic to avoid the outer ring road.

- 2.18.2 Both P&R sites serve different destinations. The Costessey P&R site serves the NNUH, UEA and NRP site whereas the Airport P&R operates to the city centre. The Proposed Scheme will enable some of the traffic accessing Park and Ride sites to avoid the Outer Ring Road on the west side of Norwich (also known as Sweet Briar Road A140). For example, those living north of the city wishing to access NNUH, UEA and NRP could in future drive to Costessey Park and Ride site via the Norwich Western Link. These major employment sites already have significant pressures on car parking, so offering more efficient access to Costessey Park and Ride site would help to intercept more vehicle trips at the edge of the city.

2.19 Highway Network Resilience

- 2.19.1 The existing bridges over the River Wensum in the west of Norwich located at Ringland, Costessey Lane, Taverham Lane (Taverham Mill Bridge) and Hellesdon Bridge are relatively low lying. With all of the bridges crossing the same river, it is possible that more than one of the existing routes would become unavailable at the same time during events of extreme flood.
- 2.19.2 The Proposed Scheme would offer a much more elevated route above the river channel. The viaduct would be more resilient and unlikely to be closed when the River is in flood because it is designed to span over the entire floodplain.
- 2.19.3 As a dual carriageway standard route it would have sufficient capacity to take the traffic diverted from other bridges in the event of flood. With increasing emphasis on climate change going forward, the Proposed Scheme will assist with offering enhanced network resilience.

2.20 Facilitating Active Travel and Mode Shift

- 2.20.1 The Transport Assessment includes an assessment of the reduction of traffic on local roads as a result of the Proposed Scheme. This shows that with the Proposed Scheme in place several routes are predicted to change to become more attractive for cycling category. These include routes through Taverham and Costessey, Ringland and Wood Lane. It also shows that local routes will become more attractive to cyclists as a result of reductions in the levels of HGVs using those routes.
- 2.20.2 The Proposed Scheme would therefore offer benefits by encouraging active travel on routes which are shown to become green with the new road in place or where they reduce from purple to yellow it would add suitability for some cyclists.

- 2.20.3 In addition to pure traffic relief, there are further measures available to complement the Proposed Scheme and offer enhanced support to active travel via the Sustainable Transport Strategy. These include an extensive network of Non-Motorised User routes in the immediate vicinity of the scheme which will join up and enhance the Public Right of Way network and add grade separated crossings of the Proposed Scheme and links with the A47 DCO scheme.
- 2.20.4 A wider package of Cycle Friendly Routes can also be implemented once the Proposed Scheme is fully open to traffic and strategic traffic is routed to the more appropriate strategic link comprised in the Proposed Scheme. This would enable low traffic routes to be utilised more readily by cyclists with speed management measures and improved signage, lining and a branding strategy in place.

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3. Planning and Policy Context

- 3.1 Detail on the relevant plans and policy is set out in the **Planning Statement (Document Reference 1.01.00)** and is summarised below.

RELEVANT TRANSPORT POLICY

Transport Policy: Norfolk Local Transport Plan

- 3.1.1 As the Highway Authority for the region, Norfolk County Council produced the Local Transport Plan (LTP) 4 which covers the period 2021-2036. The LTP comprises the Local Transport Plan 4 Strategy and its Implementation Plan. The LTP was adopted in July 2022. The LTP sets out Norfolk County Council's plans, policies and programmes on transport and transport infrastructure for the region and details how Norfolk County Council will deliver a transport network in Norfolk through identifying the projects and programmes important to the region.
- 3.1.2 The 'Strategic Priorities' for the LTP include the Norwich Western Link'.
- 3.1.3 Page 84 of the LTP strategy confirms that: Completion of the Norwich Western Link will connect the Broadland Northway to the A47 in the west and will be complemented by sustainable transport measures. The Norwich Western Link would provide a higher standard route between the western end of Broadland Northway and the A47 and significantly improve travel between these two major roads. Traffic congestion, rat-running and delays to journeys are all significant issues on minor roads to the west of Norwich.
- 3.1.4 Page 4 of the LTP identifies NWL as being one of the 'priorities'.

Transport Policy: Norfolk Strategic Infrastructure Delivery Plan 2023

- 3.1.5 Norfolk County Council's Strategic Infrastructure Delivery Plan (NSIDP) sets out the Norfolk wide high-level strategic infrastructure priorities for the next 10 years and seeks to pull together information on the key infrastructure needed to deliver economic growth in Norfolk. The aim of the document is to ensure that the full potential of Norfolk is unlocked by ensuring that existing and planned infrastructure links people to jobs, homes and local amenities as well as connecting businesses with customers.
- 3.1.6 Page 41 of the NSIDP states that NWL has been identified as 'one of the County Council's priority road infrastructure schemes'.

NATIONAL PLANNING POLICY

Planning Policy: The National Planning Policy Framework (NPPF)

3.1.7 The National Planning Policy Framework (NPPF) was published in February 2019 and subsequently revised in July 2021. The NPPF sets out the Government's economic, environmental, and social planning policies for England, articulating a national strategy for sustainable development. This forms the strategic level of national policy, which is a material consideration in the determination of planning applications.

3.1.8 At the heart of the NPPF is a presumption in favour of sustainable development. Paragraph 11 of the NPPF identifies that a presumption in favour of sustainable development should be seen as a golden thread running through both plan-making and decision-taking. The relevant paragraph requires that decision makers should be:

- 'approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
- the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.'

3.1.9 Paragraph 81 of the NPPF states that 'planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, considering both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future.'

3.1.10 Paragraph 82 requires that 'planning policies should seek to address potential barriers to investment, such as inadequate infrastructure, services or housing, or a poor environment.'

3.1.11 Paragraph 104 of the NPPF states that transport issues should be considered from the earliest stages of plan-making and development proposals, so that 'the environmental impacts of traffic and transport infrastructure can be identified, assessed and considered – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains.'

3.1.12 Amongst other objectives, Paragraph 106 of the NPPF requires that planning policies should: 'provide for high quality walking and cycling networks and supporting facilities such as cycle parking (drawing on Local Cycling and Walking Infrastructure Plans)'.

3.1.13 Paragraph 154 of the NPPF states that new development should be planned for in ways that:

- 'avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure; and
- can help to reduce greenhouse gas emissions, such as through its location, orientation and design.'

3.1.14 Paragraph 180 of the NPPF is a particularly relevant material consideration in assessing the NWL planning application. This states that:

3.1.15 'When determining planning applications, local planning authorities should apply the following principles:

- if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;
- development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons, and a suitable compensation strategy exists; and
- development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.'

- 3.1.16 Paragraph 182 states that the presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects) unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.

REGIONAL / LOCAL PLANNING POLICY

The Development Plan: Broadland District Council Development Plan

- 3.1.17 The Proposed Scheme is located within the Local Planning Authority area of Broadland District Council (BDC), and as such the Broadland Development Plan is of primary relevance in determining the planning application.
- 3.1.18 The relevant planning policies of the documents that comprise the Broadland District Council development plan are listed in **Appendix B of the Planning Statement (Document Reference 1.01.00)**

Emerging Planning Policy

- 3.1.19 Within the Greater Norwich area, Broadland District Council, Norwich City Council and South Norfolk Council LPAs are collaborating to produce a joint strategic plan, the Greater Norwich Local Plan (GNLP). It is intended that when adopted, the GNLP will play a key role in guiding the transition to the new planning system and will help to ensure sustainable housing and jobs growth in Greater Norwich.
- 3.1.20 The Publication draft GNLP, also called the Regulation 19 Pre-Submission Draft Plan, sets out the planning strategy across the three districts of Broadland, Norwich, and South Norfolk from 2018 to 2038.
- 3.1.21 Paragraph 76 of the emerging GNLP confirms that historically relatively poor strategic infrastructure link has limited growth in the area. It also notes that recent and planned infrastructure improvements are set to assist growth.
- 3.1.22 Paragraph 138 sets out that the transport system within Norfolk will be enhanced by a combination of infrastructure improvements and new technologies and confirms that these improvements are intended to include Norwich Western Link.
- 3.1.23 Paragraph 240 of the emerging GNLP identifies that Norfolk County Council has identified the NWL as one of its 'infrastructure priorities' for the region, and that a Preferred Route Announcement for the NWL was made in July 2019. This broad location route is shown on the Key Diagram.

- 3.1.24 There is also specific emerging planning policy support for NWL in Policy 4 ('Strategic Infrastructure') of the emerging GNLP. Emerging draft policy is currently worded, following the release of the Schedule of Main Modifications in October 2023, to state that:

"POLICY 4 - STRATEGIC INFRASTRUCTURE"

Strategic infrastructure improvements will be undertaken to support timely delivery of the Greater Norwich Local Plan and the wider growth needs of the area. Key elements will be:

Transport

Transport improvements will support and embrace new technologies and develop the role of Norwich as the regional capital, support strategic growth in the Cambridge Norwich Tech Corridor, improve access to market towns and rural areas and promote sustainable and active transport.

Transport infrastructure will be brought forward to support the development aims of this plan. A considerable shift towards non-car modes will be promoted in the Norwich urban area over the plan period. High density growth will be focussed in locations with good access to improved sustainable transport networks and interchanges in Norwich, creating a virtuous cycle where clean transport is prioritised, less use is made of cars and space is used more efficiently and attractively.

This will be achieved by:

- *Having regard to the Transport for Norwich Strategy including consideration of its aims to:*
 - *Reduce carbon emissions and improve air quality,*
 - *Significantly improve the bus, cycling and walking networks to promote modal shift.*
 - *Develop the role of the park and ride system.*
 - *Change attitudes to travel.*
- *Continuing to improve public transport accessibility to and between main towns and key service centres, taking account of Norfolk County Council's market towns network improvement strategies.*

And promoting regional connectivity recognising the work already underway on:

- Enhancement of rail services, including improved journey times and reliability to London and Cambridge, supporting the East-West Rail link and *innovative use of the local rail network*.
- Improvements to the A47, including delivery of the Blofield to North Burlingham, Thickthorn and North Tuddenham to Easton improvements being progressed by National Highways.
- **The Norwich Western Link being progressed by Norfolk County Council.**
- *Enhancement of the Major Road Network including provision of the A140 Long Stratton bypass being progressed by Norfolk County Council.*
- Protection of the function of strategic transport routes (corridors of movement).
- Continued investigation of and support for rail *freight opportunities*.
- Supporting the growth and regional significance of Norwich Airport for both leisure and business travel to destinations across the UK and beyond.”

3.1.25 In order to establish the applicability of utilising the CPO procedures for the proposed development, we must assess the test criteria enshrined within the Department for Levelling Up Housing and Communities ‘Guidance on Compulsory Purchase Process and the Crichton Down Rules’ (July 2019). This guidance document sets out the approach to utilising the CPO procedure, and identifies in what instances it may be applicable and lawful to do so. The guidance confirms that the CPO procedure allows and enables public bodies on which they are conferred to acquire land compulsorily, and that compulsory purchase powers are an important tool to use as a means of assembling the land needed to help deliver social, environmental and economic change. Used properly, they can contribute towards effective and efficient urban and rural regeneration, essential infrastructure, the revitalisation of communities, and the promotion of business – leading to improvements in quality of life. The guidance document identifies that the acquiring authorities should use compulsory purchase powers where it is expedient to do so. However, a compulsory purchase order should only be made where there is a compelling case in the public interest.

3.1.26 Paragraph 104 of the Guidance seeks to establish what justification is needed to support an order to acquire land compulsorily under section 226(1)(a), and states:

“Any programme of land assembly needs to be set within a clear strategic framework, and this will be particularly important when demonstrating the justification for acquiring land compulsorily under section 226(1)(a). Such a framework will need to be founded on an appropriate evidence base, and to have been subjected to consultation processes, including those whose property is directly affected.

The planning framework providing the justification for an order should be as detailed as possible in order to demonstrate that there are no planning or other impediments to the implementation of the scheme. Where the justification for a scheme is linked to proposals identified in a development plan document which has been through the consultation processes but has either not yet been examined or is awaiting the recommendations of the inspector, this will be given due weight.

Where the Local Plan is out of date, it may well be appropriate to take account of more detailed proposals being prepared on a non-statutory basis with the intention that they will be incorporated into the Local Plan at the appropriate time. Where such proposals are being used to provide additional justification and support for a particular order, there should be clear evidence that all those who might have objections to the underlying proposals in the supporting non-statutory plan have had an opportunity to have them taken into account by the body promoting that plan, whether or not that is the authority making the order. In addition, the National Planning Policy Framework is a material consideration in all planning decisions and should be taken into account.”

3.1.27 As is shown above, the Proposed Scheme is being developed within an established set of planning policies and frameworks, both at a national, regional and local scale. At a national scale, the NPPF acts as the overriding policy guidance document, with relevant regional policies including, the Local Transport Plan 2021-2036, the Norfolk Strategic Infrastructure Delivery Plan 2020. With the Proposed Scheme being located within the Local Planning Authority area of Broadland District Council the Broadland Development Plan is of primary relevance in determining the planning application. There is also specific emerging planning policy support for the Proposed Scheme in Policy 4 ('Strategic Infrastructure') of the emerging GNLP.

3.1.28 The Proposed Scheme is both supported directly through policy, being a named priority infrastructure scheme for Norfolk County Council, and indirectly as it supports the delivery of ancillary policies relating to the provision of quality transport options, environmental protection, and fostering economic growth.

4. Planning Position

- 4.1 A planning application seeking FULL detailed consent ([Insert Application Reference]) for the Proposed Scheme was submitted on [Insert Date] 2024 and validated by the LPA on [Insert Date] 2024. The application was submitted under Regulation 3 of the 1992 Town and Country Planning General Regulations.
- 4.1 The Application was submitted by the Council to NCC in its capacity as Local Planning Authority (“LPA”), in accordance with Regulation 3 of the Town and Country Planning General Regulations 1992.
- 4.2 The Proposed Scheme falls under Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (the “EIA Regulations”), section 10(f) ‘Construction of roads’, and exceeds the threshold of being greater than 1ha in area. The Proposed Scheme therefore qualifies as EIA development and accordingly an Environmental Statement accompanied the planning application.

5 Funding Position

5.1 Scheme Cost

- 5.1.1 The current Proposed Scheme forecast is £273.9m which includes the estimated cost of the compulsory acquisition of the land required for the Proposed Scheme. This is an estimate of the anticipated outturn cost.
- 5.1.2 The Proposed Scheme forecast includes:
- A construction cost estimate;
 - A fees and utilities estimate;
 - A land cost estimate, which has been produced by NPS Property Consultants based on local knowledge of land costs;
 - A risk allowance estimate, which is informed by a Quantified Risk Assessment to determine the quantitative risk allowance.

5.2 Scheme Funding

- 5.2.1 In May 2020 Strategic Outline Business Case (SOBC) for the Scheme was approved by the Department for Transport (DfT), which gave provisional entry into the DfT's Large Local Majors programme alongside funding to support the submission of the Outline Business Case (OBC).
- 5.2.2 On 7 June 2021, Norfolk County Council's Cabinet agreed to submit the Outline Business Case (OBC) for the Scheme to the DfT and at its meeting on 7 June 2021, held after the Cabinet meeting, the County Council also resolved to endorse the decision taken by Cabinet and agreed the funding for the forward capital programme, with the local contribution to be underwritten by the County Council.
- 5.2.3 In June 2021 the County Council submitted an Outline Business Case (OBC) for the Scheme to the Department of Transport (DfT). This outlined the overall budget requirement as £198.4m and sought an 85% contribution (£168.6m) from the DfT's Large Local Majors funding programme with the local contribution being the remaining 15% (£29.8m).

- 5.2.4 As a result of ongoing work to develop the Scheme, on 4 July 2022 Norfolk County Council's Cabinet approved the submission of an Addendum to the OBC, which outlined the revised overall budget as being £251.1m. The request for funding from the DfT's Large Local Majors funding programme remained at 85% however it had increased from £168.6m to £213.4m in line with the increased project costs. The adjusted local contribution had increased to £37.7m. At its meeting on 19 July 2022 the County Council endorsed the decision made by Cabinet.
- 5.2.5 The OBC Addendum was submitted to the DfT in September 2022 and was approved in October 2023, which means that the DfT would expect to fund the 85% (£213.4m) contribution towards the Scheme subject to certain conditions such as the necessary statutory powers being obtained. This does not guarantee funding or timing but provides confidence to proceed with the application for the necessary statutory powers. It will be necessary to submit a Full Business Case to the DfT once the statutory approvals have been confirmed.
- 5.2.6 The DfT has indicated that funding of up to 100% of the NWL (based on the OBC submission of £251.1m) is possible. This is subject to further guidance and agreement with DfT, which is yet to be provided. However, notwithstanding this fact on [Insert Date] Norfolk County Council's Cabinet approved the submission of a planning application for the Scheme and publication of the associated SRO and CPO. The decision was based upon the updated budget forecast for the Scheme being £273.9m, with the government contribution remaining fixed as £213.4m (i.e. the figure outlined in the approved OBC) and the local contribution increasing to £60.5m. The same Cabinet also agreed to recommend this revised budget and local contribution to the full meeting of the County Council.
- 5.2.7 Table 5-1 below outlines the forecast spend profile for the updated Scheme budget assuming the government contribution of £213.4m.

Table 5-1 Funding Profile

Funding Package	2017-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	Total
Government / DfT Funding			1,024			24,815	7,175	22,707	57,990	63,603	31,954	283	213,378
Local Contribution	1,403	4,960	4,163	9,686	13,616	-6,683	7,402	7,354	7,466	7,775	7,140	80	60,537
Total	1,403	4,960	5,187	9,686	13,616	18,132	14,577	30,061	65,456	71,378	39,094	364	273,914

- 5.2.8 At its meeting on **[Insert Date]** the County Council agreed the revised funding for the NWL in the forward capital programme, with £213.4m funded from the DfT Grant and £60.5m local contribution, underwritten by the County Council.

5.3 Conclusions

- 5.3.1 The Council is content that there is a reasonable prospect of the necessary funds for the delivery of the Proposed Scheme being available at the time when funds are required. Funding is no impediment to the delivery of the Proposed Scheme or the payment of compensation to persons affected by compulsory acquisition, temporary possession, or a blight claim.

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6 Delivery of the Proposed Scheme

- 6.1 Following approval of the Strategic Outline Business Case by DfT the process to appoint a Design and Build Contractor for the Proposed Scheme commenced. The procurement and evaluation process was approved by Norfolk County Council's Cabinet at its meeting on 3 February 2020.
- 6.2 Completion of this process identified a successful bidder, Ferrovia Construction, and at its meeting on 7 June 2021 Norfolk County Council's Cabinet agreed to award the contract to Ferrovia and also referred this decision to its Full Council as required by its financial regulations. At its meeting on the same day the Full council resolved to endorse the decision made by Cabinet.
- 6.3 The contract has three stages, with Stage One being the design and support through the statutory approvals process, Stage Two being construction and Stage Three initial maintenance. The early appointment of a Design and Build Contractor has facilitated the development of the design and informed the development of the planning application.
- 6.4 The contract is being monitored during Stage One to ensure that any impacts to the tendered price for construction are managed in accordance with the contract. The contract includes provisions that safeguard the County Council, and a decision to award the contract to commence Stage One does not bind NCC to Stage Two should the project fail to achieve statutory approvals, or if the costs of the project are beyond the budget provisions.
- 6.5 Key elements of the preliminary construction programme have been incorporated into a delivery programme for the Proposed Scheme; this includes the following milestones to which the Council is currently working:

Milestone	Date
Start of advanced works	Late 2025
Start of main construction works	Summer 2026
Scheme in Operation	2029

- 6.6 Provided the Orders are confirmed, these milestones are considered to be reasonable and viable and will enable the Council to exercise its compulsory purchase powers within the statutory timeframe.

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7. Location and Description of the Proposed Scheme

- 7.1 The Order Land is shown on the Compulsory Purchase Order Maps. It includes land needed for construction, operation, environmental mitigation, drainage, landscaping and maintenance purposes. It is in a variety of ownerships and includes arable and pastoral farmland, mixed woodlands, and grassed and vegetated verges. The Proposed Scheme crosses the River Wensum (a Special Area of Conservation (SAC) and a Site of Special Scientific Interest (SSSI)), and its flood plain by means of a viaduct.

Existing land use

- 7.2 The majority of the existing land use within the CPO Limits is agricultural / arable land and areas of existing woodlands. The Proposed Scheme crosses the River Wensum (a Special Area of Conservation (SAC) and a Site of Special Scientific Interest (SSSI)), and its flood plain by means of a viaduct. In the southern section the Proposed Scheme will cross over a Tributary of the Tud (Foxburrow Stream).
- 7.3 There are two residential properties located within the CPO Limits (both of which have been acquired by the Council) and eleven residential properties whose direct access lie within the CPO Limits. With one exception, there are no business premises (excluding agricultural) or recreational facilities within the CPO Limits. The exception relates to business units on the site known as Woodstock which is already within the ownership of the Council.
- 7.4 There are two other business premises whose accesses lie within the CPO Limits. These include:
- Direct access to Mid Norfolk Shooting Ground lies within the CPO Limits;
 - Direct access to Khora Yoga lies within the CPO Limits;
- 7.5 Recreational facilities identified within 500m of the CPO Limits include two golf clubs, one shooting ground and one yoga studio. Marl Hill Road Open Space is also within 500m of the CPO Limits.
- 7.6 The Proposed Scheme includes areas of woodland that are partially within the CPO Limits including an area of woodland between Primrose Grove and Rose Carr, Spring Hills, Long Plantation, Gravel Pit Plantation and Foxburrow Plantation.

Public access

- 7.7 The following footpaths, restricted byways, cycleways and footways run through the CPO Limits;

Footpaths (FP)

- Ringland FP1 - Approximately 250m south of the A1270 Fakenham Road
- Weston Longville FP9 - Between Weston Road and The Broadway
- Honingham FP5 - Between Weston Road and The Broadway

Restricted Byways (RB)

- Honingham RB1 - North and South of the A47
- Attlebridge RB3 - Approximately 440m north of the A1270 Fakenham Road
- Attlebridge RB4 - North of the A1270 Fakenham Road

Cycleways

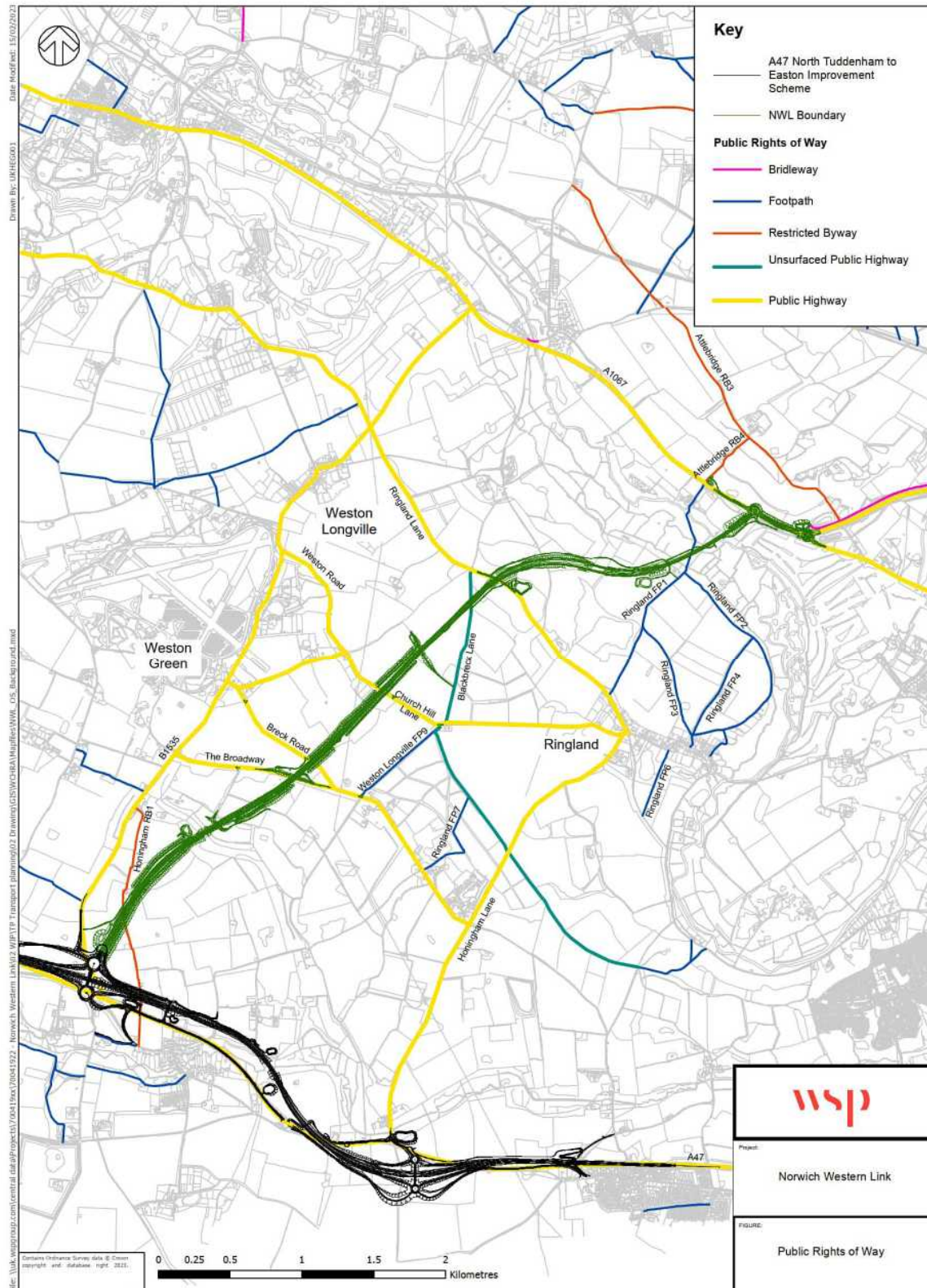
- Marriott's Way circular - Along The Broadway
- An unnamed cycleway - At the roundabout between the A1270 Fakenham Road and the A1270 Broadland Northway (formally known as the Northern Distributor Road).

Footways (non-designated routes)

- Breck Road – East of Weston Green
- Weston Road - Between Weston Green and Ringland
- Ringland Lane - Between Weston Longville and Ringland
- Blackbreck Lane - Between Weston Green and Ringland

7.8 There are five existing Public Highways and two existing Public Rights of Way which cross the Proposed Scheme alignment, as shown in **Figure 7-1** below.

Figure 7-1 Existing Routes Crossing the NWL Alignment



7.9 In addition to the existing A1067 Fakenham Road, the A1270 Broadland Northway and the new local highways proposed to be constructed by National Highways under its A47 North Tuddenham to Easton Development Consent Order, there are 9 local roads within the CPO Limits (Ref 2.4):

- Ringland Lane is a rural road connecting the villages of Ringland and Weston Longville. Ringland Lane is the most frequently used route crossing the NWL, with better visibility for road users, and as a Class C Road, it is maintained to a higher standard;
- In the centre of the route, Weston Road (Church Hill Lane) provides a connection between communities at Ringland and Weston Green. The existing road is a narrow rural lane, with limited forward visibility in places, with low observed traffic flows;
- Breck Road is a narrow rural lane with restricted forward visibility in places; it runs in a south-easterly direction from Weston Green, connecting with Telegraph Hill at its south-eastern extent. Breck Road then becomes Telegraph Hill approximately 1005m east of Weston Green Road;
- The Broadway is a narrow, tree-lined, rural lane running broadly east-west from Telegraph Hill in the east, to its junction with Paddy's Lane and Wood Lane in the west; and
- Blackbreck Lane is an unsurfaced Public Highway within the central section of the route;
- Paddy's Lane and Marl Hill Road. Paddy's Lane is a rural single carriageway road running approximately north-east to south-west through the settlement of Weston Green, leading to Weston Longville. The route connects the B1535 junction with Marl Hill Road;
- B1535 is a single carriageway B-Road route that connects the A47 to A1067;
- Honingham Lane a single lane road through farmland with a national speed limit.

7.10 There are two existing PRoWs which cross the CPO Limits; Ringland Footpath FP1, and Honingham Restricted Byway RB1:

- To the north of the Proposed Scheme, the existing FP1 crosses the Wensum floodplain in the location where the Proposed Scheme viaduct would pass over it. This path was observed to be in low usage currently and is located away from potential desire lines from the nearest settlements of Ringland and Weston Longville towards existing key facilities that Non-motorised users (NMUs) would potentially wish to access; and

- The existing Honingham Restricted Byway RB1 passes through open farmland, with access to the south severed by the existing A47 alignment and access to the north only possible from the B1535, with no footways or cycleway to ensure safe access for NMUs Usage of RB1 is low.
- 7.11 Bus services 608 and 23 operate along the A1067 which connect with the northern extent of the Proposed Scheme on A1067 Fakenham Road. At the southern extent of the Proposed Scheme, buses 4 and 8 plus the A, B and C Excel services operate along the A47 corridor from Dereham to Norwich.
- 7.12 There are no bus stops, taxi ranks, or railway stations located within the CPO Limits. There are four bus stops along the A1067 that are within 500m of the CPO Limits. All four are located on Fakenham Road, two to the east of Marl Hill junction and two to the west of Marl Hill Junction.

Existing land ownership

- 7.13 Land that is already within the ownership of the Council has been included within the CPO to ensure there are no remaining subsidiary rights that would cause an impediment to the Proposed Scheme.
- 7.14 Full details of the Order Land appear in the Schedule to the Order. Known interests and new rights to be acquired are also recorded in the Schedule. The Schedule has been prepared based upon information gathered through inspection of Land Registry title documents and information provided by owners and occupiers within land interest questionnaires.
- 7.15 The extent, description and situation of the land plots to be compulsorily acquired and the reason for their inclusion in the order, is appended to this Statement as **Appendix A**.

7.16 Summary Description of the Proposed Scheme

- 7.16.1 **Chapter 3 Environmental Statement (Document Reference 3.03.00)** provides a full description of the Proposed Scheme and is accompanied by the **General Arrangement Plans ([Insert Document Reference])**.
- 7.16.2 An existing roundabout on the A1270 Broadland Northway will be upgraded and form the northern extent of the Proposed Scheme. In addition, approximately 340m of the A1067 Fakenham Road will be upgraded to dual carriageway standard and a new roundabout junction constructed on the A1067 from which the start of the new dual carriageway standard road. A shared pedestrian and cycle route is proposed alongside the A1067, between the A1270 roundabout and Attlebridge Restricted Byway 4 to the west.

- 7.16.3 Moving south from the A1067, the Proposed Scheme will be a dual carriageway standard of new road that will cross the River Wensum and its flood plain by means of a viaduct. The viaduct will span the River Wensum, a Special Area of Conservation with the piers will be at least 9m from the top of the River Wensum riverbank. The design of the viaduct structure would be a ten-span single-deck bridge with a reinforced concrete deck slab. The viaduct is approximately 490m in length and varies in height from approximately 6-13m from existing ground level to the underside of the deck. The viaduct will be constructed using a temporary works platform in the construction phase.
- 7.16.4 A maintenance access track runs adjacent to the viaduct in the floodplain, to allow maintenance access to the viaduct structure once the Proposed Scheme is operational. A floodplain ditch will be culverted under the maintenance access track. The maintenance access track continues south in parallel to the new carriageway and joins Ringland Lane. The maintenance access track north of the river is accessed from the Proposed Scheme/A1067 roundabout for maintenance vehicles only.
- 7.16.5 In the floodplain to the west of the viaduct there will be environmental mitigation and enhancement measures such as ditch improvement for water vole and includes improvement to the floodplain ditch network and River Wensum as part of meeting the Council's obligations under the Water Framework Directive (WFD).
- 7.16.6 South of the viaduct, the north and southbound carriageways pass through the northern woodland (the northern woodlands are a complex of woodland areas that will be severed by the road) with a slight separation of the carriageways in this section. The carriageway will be in cutting at this location with a retaining wall in proximity to the Primrose Grove Ancient Woodland. An overbridge (the Nursery Woodland green bridge) will span the Proposed Scheme as it passes through the northern woodland to maintain wildlife connectivity between the woodland, this is aligned to existing bat flightlines.
- 7.16.7 The existing single lane width side road Ringland Lane crosses below the Proposed Scheme via an underpass. This allows continued use during operation and provides an underpass feature for bats, tying into landscape planting.

- 7.16.8 There will be a second green bridge between Ringland Lane and Church Hill Lane (known locally as Weston Road). The Morton green bridge includes Public Right of Way (PRoW) (a new Bridleway) and landowner vehicular access provision across the Proposed Scheme. Weston Road is to be severed at the point at which it is crossed by the Proposed Scheme, with turning heads provided to accommodate U-turns. Vehicular access will be maintained for existing properties, businesses, and agricultural land, with access restrictions at either end. Non-Motorised Users (NMUs) would be diverted across the Morton green bridge.
- 7.16.9 Moving south along the route the Proposed Scheme crosses Breck Road (Breck Lane) and The Broadway. The Broadway and Breck Road will be closed to through traffic and NMUs will be diverted to a new green bridge (the Broadway green bridge) carrying a public bridleway crossing over the Proposed Scheme between Weston Road and Ringland Lane and providing vehicular access for adjacent landowners only.
- 7.16.10 Further south the Proposed Scheme passes through Foxburrow Plantation where the fourth overbridge spans the Proposed Scheme (the Foxburrow Plantation green bridge). Adjacent to this, the Foxburrow stream (a tributary of the River Tud) will pass under the Proposed Scheme via a culvert. The Tributary of the Tud Culvert also serves as a bat underpass. The Proposed Scheme then connects to the new junction of the A47 dualling scheme being delivered by National Highways. The Proposed Scheme includes construction to the spur from the A47 roundabout and improvements to parts of the circulatory carriageway to enable the Proposed Scheme to 'tie-in' to the new roundabout being delivered by National Highways.
- 7.16.11 The key components of the Scheme are outlined in **Table 7-1** below.

Table 7-1 Key Components of the Proposed Scheme

Key Component	Details
A1067 Fakenham Road/A1270 Broadland Northway Roundabout	Upgrade of the existing 4-arm roundabout that joins the A1067 and the A1270 to increase capacity. One arm will include an access track to a proposed drainage basin for maintenance.
A1067 Fakenham Road / NWL Roundabout	Construction of a new roundabout which connects the Proposed Scheme to the A1067. This is a 4-arm roundabout with one arm for a maintenance access only track.
Viaduct across the River Wensum floodplain	<p>The design of the viaduct structure comprises a ten-span single-deck with a reinforced concrete deck slab. The viaduct is approximately 490m in length and approximately 6-13m from ground level to the underside of the deck.</p> <p>At each of the nine pier locations, are three piled piers made of reinforced concrete with bearing connections to the deck structure, see Structure Drawings (Document Reference 2.06.01).</p> <p>An Environmental Barrier, designed for acoustic performance will be 1.2m in height and run the length of the viaduct on the outermost edge of the parapets.</p> <p>A maintenance access track will be built for the viaduct as illustrated on the General Arrangement Drawings (Document Reference 2.03.00). This access track will cross a wet ditch in the floodplain via a culvert.</p>
Nursery Woodland overbridge	<p>The Nursery Woodland green bridge will be approximately 30m wide and be positioned on existing bat flight lines to maintain habitat connectivity. The structure has been designed to allow for landscape planting, to include as a minimum, hedgerow planting across the entire length of the structure and connections to retained vegetation either side of the structure.</p> <p>There will be no public access across this bridge with access limited to maintenance on foot only.</p>
Ringland Lane underbridge (Chainage 1700 – 1800)	The Ringland Lane will be kept open to traffic as part of the Proposed Scheme; the existing road will pass below the Proposed Scheme alignment through an underbridge. The structure is designed to facilitate bat passage through the underbridge and includes connective planting either side.

Key Component	Details
Morton green bridge	<p>The Morton green bridge will be a minimum 14.5m width and be positioned on existing bat flight lines to maintain habitat connectivity. The structures have been designed to allow for landscape planting, to include as a minimum, hedgerow planting across the entire length of the structure and connects to retained vegetation either side of the structure.</p> <p>NMU access for users of Church Hill Lane and Blackbreck Lane will be diverted over this bridge when the Proposed Scheme opens.</p>
The Broadway green bridge	<p>The Broadway Greenbridge will be a minimum 14.5m width and be positioned on existing bat flight lines to maintain habitat connectivity. The structures have been designed to allow for landscape planting, to include as a minimum, hedgerow planting across the entire length of the structure that connects to retained vegetation either side of the structure.</p> <p>NMU access for users of the Broadway and Breck Lane will be diverted over this bridge when the Proposed Scheme opens. Broadway will be closed to general traffic, though vehicular access will be required for the adjacent landowner.</p>
Foxburrow Plantation green bridge	<p>There will be no access across this overbridge except for maintenance and landowner access.</p> <p>The Foxburrow green bridge will be a minimum 14.5m width and be positioned on existing bat flight lines to maintain habitat connectivity. The structures have been designed to allow for landscape planting, to include as a minimum, hedgerow planting across the entire length of the structure and connects to retained vegetation either side of the structure.</p>
Tud tributary culvert / Bat underpass	<p>The culvert is approximately 70m in length and internal dimensions of 4m wide and 4.5m high (headroom of 4m above the bed level). The culvert has reinforced concrete wingwalls at both ends and scour protection and is aligned to the current alignment of the watercourse.</p>
A47 Roundabout	<p>This roundabout forms part of the National Highways A47 North Tuddenham to Easton DCO scheme. The Proposed Scheme will connect to this roundabout. This will be a conversion of the existing 4-arm roundabout to a 5-arm roundabout with the addition of an entry and exit to/from the Proposed Scheme and any necessary tie-in works.</p>

7.16.12 Illustrative images of the viaduct and typical overbridge green bridge design are included in **Figure 7-2** and **Figure 7-3** below.

Figure 7-2 Typical Viaduct Cross Section

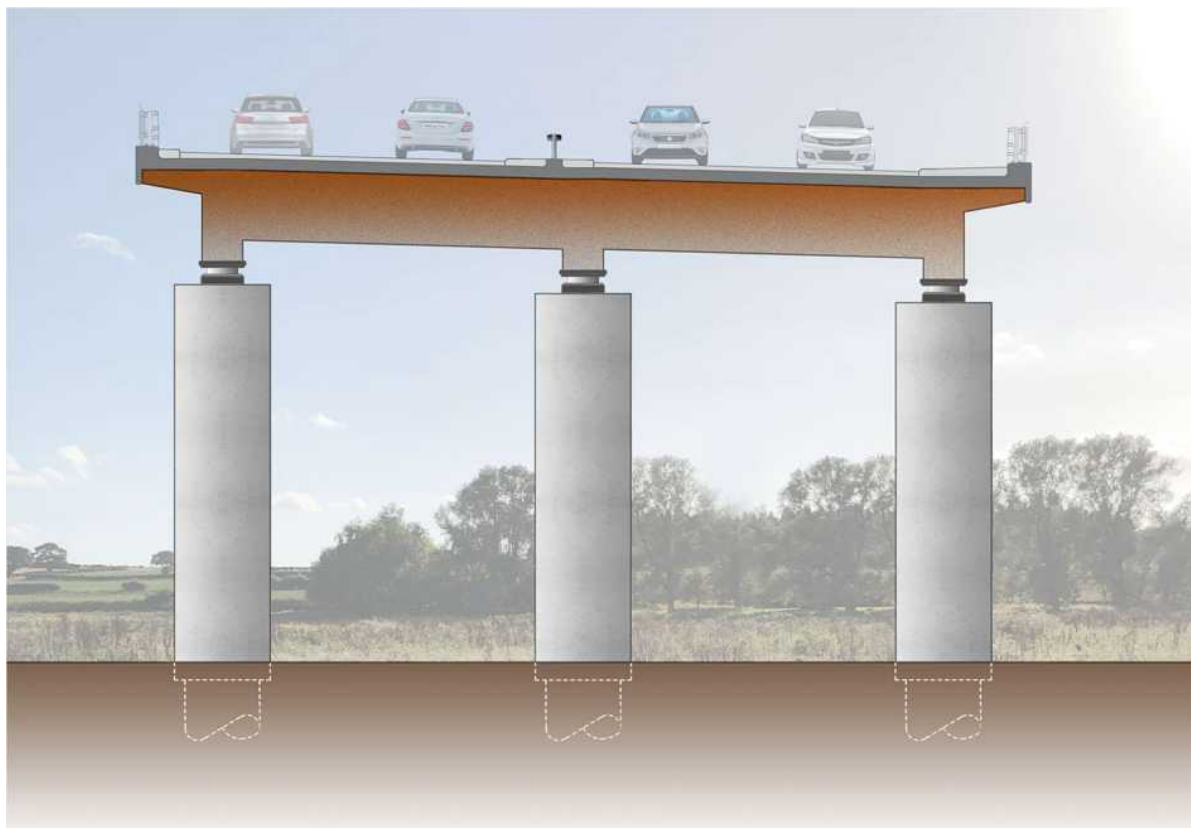


Figure 7-3 Typical Greenbridge Design Cross Section (Where NMU access is provided)



OK

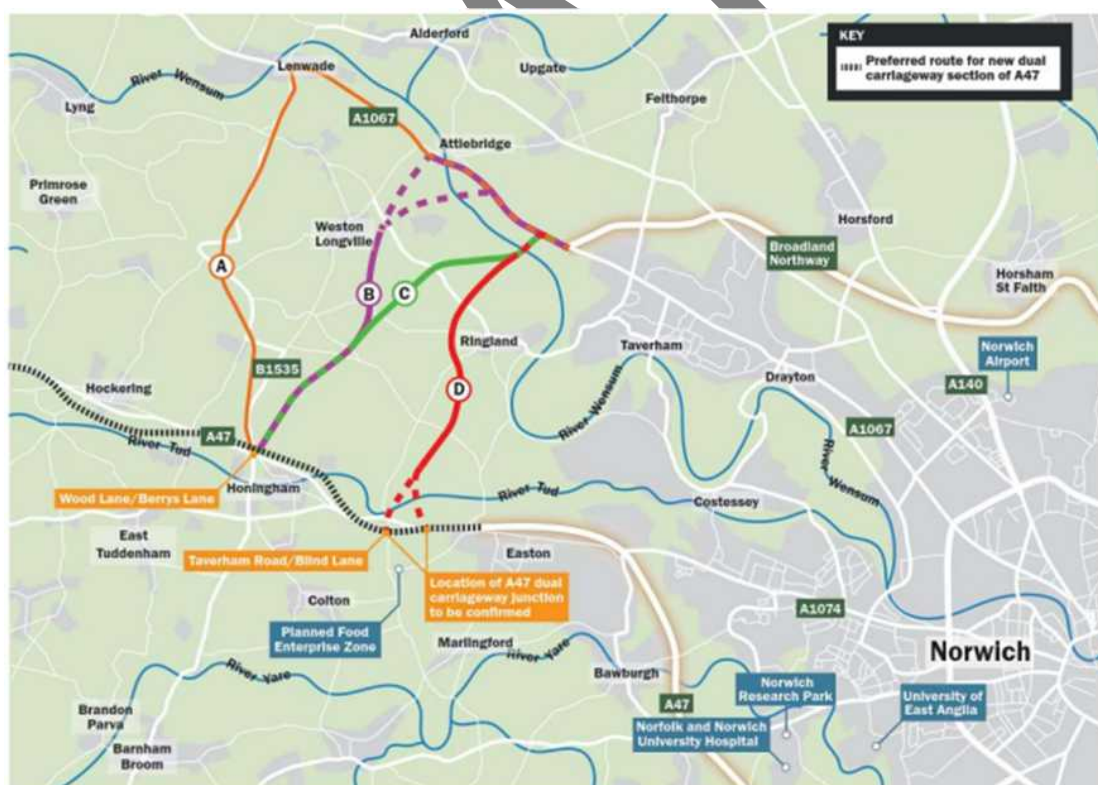
8 Consideration of Alternatives

8.1 Route Options and Alternatives

- 8.1.1 The Council carried out an initial scoping exercise in 2014, which looked at a range of different routes in the corridor between the A47 and the A1067 and considered public transport only options. In 2016 the Council further developed the options considered in the 2014 assessment. It also examined public transport options as alternatives to a new road but concluded that a bus-only option would not reduce strategic traffic using local roads in the corridor.
- 8.1.2 In 2017 the Council published a technical report, which considered a long list of 13 'in principle' engineering solutions to cross the River Wensum. These included different types of bridge and a tunnel option.
- 8.1.3 The Norwich Western Link Option Assessment Report was first published in 2018 and was updated in 2019 and considered a wide range of differing routes for the road together with consideration of three different engineering options for a tunnel option. The report concluded that given the difficulties and potential environmental effects, a tunnel option should be ruled out at this stage.
- 8.1.4 In terms of route options above ground, a long list of 82 options was generated to cover a wide range of possible routes, transport modes and geography. The 82 options were assessed using government guidance which evaluates the options against criteria reflecting the strategic, economic, managerial, financial and commercial aspects of each option. Due to the environmental sensitivity of the options being considered the assessment was expanded to also cover an environmental topic. The environmental topic assessed the options against their effects on air quality, noise, greenhouse gases, landscape/townscape, biodiversity, cultural heritage and the water environment.
- 8.1.5 In Stage 1 of the process the 82 options were sifted and assessed against the scheme objectives and a series of environmental criteria. Any option assessed as performing worse than the 'do nothing' scenario was then discounted. At this stage all remaining single carriageway new road options were also discounted. This was because dual carriageway options would produce a more precautionary assessment in terms of the land required, costs and environmental impacts, and because dual carriageways in general terms provide more benefits in terms of increased road capacity, resilience and economic benefits.

- 8.1.6 The initial sifting process left a total of 26 options to take forward to the second round of appraisal and in Stage 2, a methodology consistent with the DfT WebTAG assessment methodology was used to produce a shortlist of options comprising 3 new highway link options, one existing link upgrade and 10 non-highways options.
- 8.1.7 The 10 non-highways options in general scored lower against the specific objectives when compared with the highway options, suggesting that individually they would be less likely to achieve the specific objectives unless part of a wider package alongside highways measures. While these non-highway options were not taken forward as options for the scheme itself, they were taken forward to inform the measures that are included in the Proposed Scheme's Sustainable Transport Strategy.
- 8.1.8 The routes taken forward are shown in **Figure 8-1** below and consisted of one existing link upgrade option (Option A) and the 3 new highway link options (Options B, C and D). Options C and D had alternative junction locations with the A1067 and A47 respectively which created 6 overall routes options.

Figure 8-1 Shortlisted Route Options



- 8.1.9 Each option was assessed against strategic and local objectives using criteria such as engineering, cost, traffic and economic assessment, environment (including biodiversity) and feedback from public consultation.

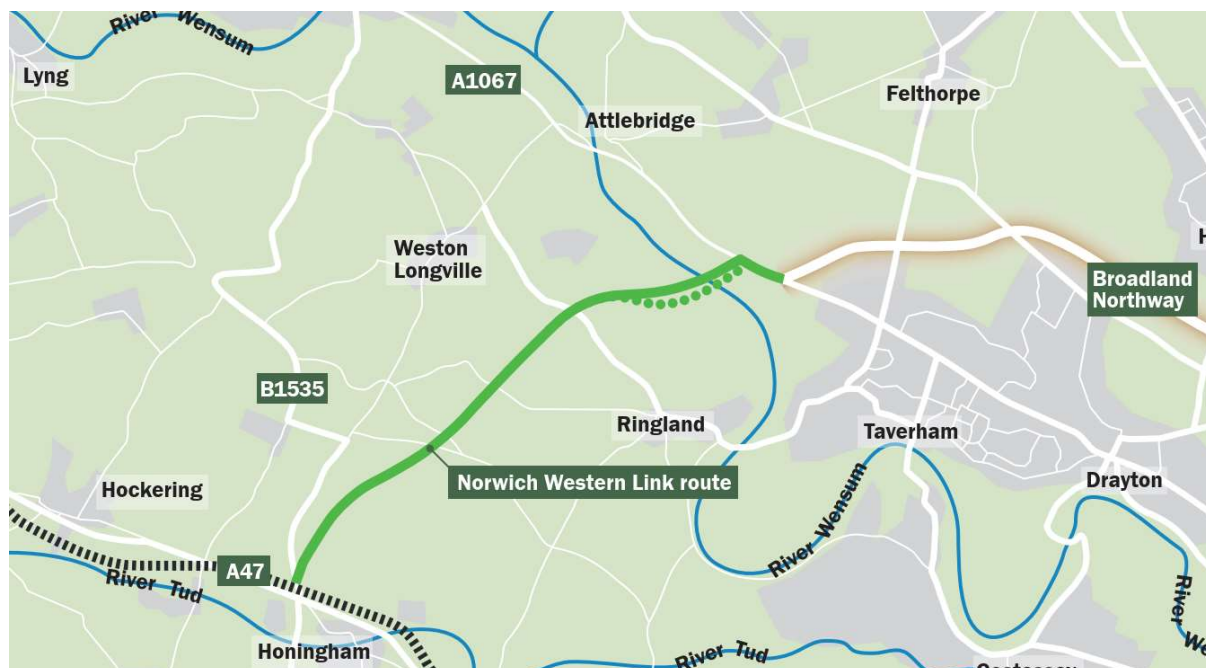
- 8.1.10 Taking into account all the criteria above, the assessment concluded that on balance compared to the other options, Option C reflected a solution which offered good value for money, is publicly acceptable but less environmentally intrusive and would be easier to build, cheaper to install and lower risk to deliver through the planning process. Option C, which is shown in **Figure 8-2** below, was therefore taken forward as the preferred route.

Figure 8-2 Plan of NWL Preferred Route (Option C)



- 8.1.11 After the selection of the preferred route, ecological surveys identified a barbastelle bat maternity roost associated with the Primrose Grove colony located within the site boundary at Rose Carr. Therefore, refinements to the route were considered to avoid impacts to this maternity roost. An alignment refinement exercise was undertaken in 2022 where seven alignment refinement options were identified and subject to an appraisal in line with the criteria applied in the Option Assessment Report 2019. All refinement options assessed achieved the outcome of avoiding direct impact on the barbastelle bat maternity roost within Rose Carr. The results of the assessments were used to determine the most suitable alignment refinement of the Preferred Route.
- 8.1.12 The assessment concluded that on balance, refinement Option 4 was selected as the most suitable alignment refinement of the preferred route. This is shown by the dotted green line on **Figure 8-3** below.

Figure 8-3 Chosen refinement of previous preferred route (refinement represented by dotted green line)



8.1.13 In light of the refinement of Option C as set out above, a reassessment of the options considered in 2019 was undertaken to establish if the 2019 conclusions remain the same in light of the refinements undertaken to Option C. This reassessment concluded that on balance, Option C Refined was still considered to present the better alignment option overall.

8.1.14 Chapter 5 of the Environmental Statement contains a more detailed description of the reasonable alternatives studied by the Council when developing the Proposed Scheme.

8.2 Local Access

8.2.1 The Local Access Consultation in July-September 2020, as described in sought feedback focussed on local access in the vicinity of the proposed link road. This consultation demonstrated support for the closure of side roads, and therefore informed the decision to remove their proposed structures from the design development at a subsequent stage.

8.2.2 A number of factors have influenced the design development of the local access proposals including feedback from local parish councils, current usage of the side roads and potential impacts on journeys across the wider transport network, local topography, environmental considerations, environmental mitigation requirements, and value for money.

8.3 Design Development

- 8.3.1 The early procurement of a Design and Build contractor has allowed close working between the design and environmental teams, which has included the consideration of environmental constraints and opportunities, engineering requirements, design standards and operation/maintenance requirements.
- 8.3.2 The viaduct design has been developed in order to minimise visual impact. The span arrangement and placement of piers are informed by the environmental constraints, providing an offset from the watercourses in the floodplain, and a suitable height above the river to minimise shading.
- 8.3.3 The minor rural roads that are crossed by the mainline of the Proposed Scheme, have been considered in the design development by being upgraded, stopped up or diverted. To maintain wildlife connectivity on either side of the road, green bridges have been developed in order to provide wildlife connections that can also be used by both non-motorised users such as cyclists, pedestrians and horse riders (at The Broadway Green Bridge and Morton Green Bridge) and as a private means of access (at Foxburrow Bridge).
- 8.3.4 The results of the local access consultation during the summer of 2020 had helped inform the decision to keep Ringland Lane open to all traffic via an underpass of the main carriageway.
- 8.3.5 Alternatives for the provision of a bat crossing at the Nursery Woodland have been considered. A green bridge solution was selected rather than the alternative of a landscape treatment. The landscape treatment option aimed to retain as much of the surrounding woodland as possible and promote continued bat movement along the woodland ride at safe heights above the carriageways was considered. However, further assessments identified that tree retention would not be possible for the majority of trees in the immediate vicinity of the alignment, therefore the green bridge solution was selected.

8.4 Environmental mitigation

- 8.4.1 In addition to the proposed landscape planting along the Proposed Scheme verges additional areas of habitat creation and compensation have been identified in vicinity to the Proposed Scheme. These areas include creation for BNG, protected species habitat, Water Framework Directive (WFD) mitigation and compensatory planting for trees removed along the proposed route. The habitat created includes the creation and enhancement of woodland, scrub, hedgerows, grassland, ditches and watercourses.

8.4.2 The land was identified through consideration of the required function of the areas being created. Examples of this include (but not limited to):

- features for protected species mitigation were located where they would connect known populations/commuting areas;
- Grassland creation/enhancement for barn owl were located away from the NWL as to not encourage the species near the road where there is risk of collision;
- Water Framework Directive related measures were located on watercourses in close proximity to the impact and in areas that would benefit from intervention and suitable for enhancement; and
- Areas were subjected to an ecological survey to ensure the locations were suitable.

8.4.3 The Council undertook a series of landowner meetings to understand the existing use of the land and develop measures aligned to landowner views and preferences.

8.5 Alternatives to compulsory purchase

8.5.1 The Council considers that compulsory purchase powers will be necessary to enable the assembly of the land required for the Proposed Scheme, thereby facilitating the Proposed Scheme within the requisite timescale.

8.5.2 Every effort will be made to acquire land and rights over land by agreement (save where the ownership of land cannot be ascertained, such that compulsory purchase is the only solution); however, the number of land parcels and the disparity of ownership which are inevitably associated with a long linear project such as the Proposed Scheme mean that compulsory purchase powers are likely to be necessary to ensure that all of the land required can be secured in a timely manner. This is recognised in the CPO Guidance, which acknowledges that *“given the amount of time required to complete the compulsory purchase process”* it may be necessary, *“as a contingency measure”* for *“the acquiring authority to plan a compulsory purchase timetable”* and *“initiate formal [CPO] procedures”* in parallel with negotiations to acquire land by agreement.

- 8.5.3 The nature of a linear scheme is such that opportunities to minimise the impacts of land take are necessarily constrained by the fact that certain land ownerships and land parcels will inevitably be crossed by the proposed highway alignment, once that has been selected through the options appraisal process (as outlined above). Ultimately, with a linear scheme, the majority of land parcels are required as a matter of necessity, as determined by the route of the scheme. This is indeed the case in relation to the Proposed Scheme.
- 8.5.4 Given the above, the Council has concluded that there is no feasible or available alternative way of delivering the Proposed Scheme without the need for the acquisition of land owned by third parties. The acquisition of third party land is fundamental to the successful delivery of the Proposed Scheme; as such there is no reasonable alternative to the acquisition of land, whether such acquisition is effected compulsorily or by agreement.

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9 Consultation

- 9.1 The Council has consulted extensively during the course of its development of the Proposed Scheme.

9.2 Transport Issues Consultation – May to July 2018

- 9.2.1 An initial consultation on transport issues in the spring/summer of 2018 established the presence of transport issues to the west of Norwich, and which solutions the public wanted to be considered by the Council. A second options consultation in winter 2018/19 focused on selecting the preferred route for the NWL.
- 9.2.2 The results of the initial consultation in summer 2018, showed that the top three transport issues for people in the area to the west of Norwich were that the roads not suitable for level of traffic, rat running and slow journey times. The majority of people who took part in the consultation considered that a new road linking the A47 to Broadland Northway (previously the Northern Distributor Road) would help tackle transport issues in the area. This option was selected more than three times as much as the next most popular option, which was 'Improving existing roads'.

9.3 Shortlisted Options Consultation – November 2018 to January 2019

- 9.3.1 For the second consultation the County Council published a shortlist of four road options for a Norwich Western Link and carried out a consultation on these options between November 2018 and January 2019. The response to this consultation showed that there was still support for creating the link road and 77% of respondents either agreed or mostly agreed when asked to what extent they agreed there was a need for a Norwich Western Link. The responses to the consultation helped inform the development of the preferred route.
- 9.3.2 In May 2020, the Department for Transport (DfT) approved the Strategic Outline Business Case (SOBC), meaning the Proposed Scheme has conditional entry into DfT's 'Large Local Majors' funding programme and awarded Norfolk County Council more than £1 million of development funding in the 2020/21 financial year.

9.4 Local Access Consultation – July to September 2020

- 9.4.1 There was a third, local access consultation during the summer of 2020, which focused on people's views regarding how the Council could best support people to walk, cycle and use public transport in the area to the west of Norwich, and for opinions on proposals for local roads that cross the planned Norwich Western Link, as well as for Public Rights of Way in the vicinity of the new road.
- 9.4.2 In general, the responses received showed that more people agreed with the proposals for the local roads and Public Rights of Way than disagreed. The exception to this was the responses to the two options presented for Ringland Lane, which were fairly evenly split between keeping the road open to all traffic and restricting it to non-motorised traffic only, with slightly more support for the option which severed the route for motorised traffic.
- 9.4.3 The results of this consultation help developed the local access proposals that would support the Proposed Scheme, which included the proposal to keep Ringland Lane open to all traffic via an underpass of the main carriageway.

9.5 Pre-planning Application Consultation – August to October 2022

- 9.5.1 The pre-planning application consultation ran for 8 weeks between 15 August 2022 and 9 October 2022. This consultation period aimed to allow those taking holidays during the school summer break a chance to respond to the consultation. It provided information regarding the following key elements of the project:
- The design of the road and its structures, including the viaduct;
 - Environmental mitigation and enhancement measures;
 - Traffic mitigation measures.
- 9.5.2 Analysis of the responses received was used to inform the design development and finalisation of the Proposed Scheme. A large number of responses related to the traffic mitigation proposals that support the Proposed Scheme, and following further engagement with local communities, changes to the mitigation proposals were also made.

- 9.5.3 In addition, and in response to concerns raised during the pre-planning application consultation, that forecast traffic flows through Attlebridge were still high even with the proposed mitigation, a localised consultation on a revised proposal for the village was undertaken during December 2022 and January 2023. The responses received were used to develop a way forward to the specific traffic mitigation in the area of Attlebridge.

9.6 Conclusion

- 9.6.1 Extensive and iterative public consultation has supported and informed the development of the Proposed Scheme, with views being sought on the proposals at sufficiently early stages to allow consultees a real opportunity to influence the proposals.
- 9.6.2 Further information relating to the consultations can be found in the **Statement of Community Involvement (Document Reference 1:03:00)** and the **Pre-application Consultation Report (Document Reference 5:01:00)** and the dates of the four main consultations are summarised in the Table 9-1 below.

Table 9-1 Main Consultations

Consultation	Date
Public consultation on transport issues	May – July 2018
Public consultation on shortlisted options	November 2018 – January 2019
Public consultation on local access	July – September 2020
Pre-application Consultation	August – October 2022 (with a localised consultation in the area around Attlebridge undertaken in December 2022/January 2023)

10 Negotiations with landowners

10.1 Communications and Negotiations With Landowners

- 10.1.1 In preparing the Orders the Council has carried out diligent inquiry in order to identify all persons with an interest in the land that may be subject to compulsory acquisition.
- 10.1.2 The Council employed land referencing specialists to undertake diligent inquiry to identify affected landowners, those with an interest in land, and those with a potential compensation claim as a result of the Proposed Scheme. The categories of persons identified and the methods used to identify them are described below.
- 10.1.3 Persons with an interest in land were first identified using information from the Land Registry (registered freehold and leasehold titles). The titles contain details of the registered proprietors, as well as their mortgagees (if applicable). They also contain details of various rights and restrictions that burden the title - interrogation of them outlines further parties who may have rights, restrictions, and covenants or be a beneficiary of the land in question. Other equitable interests (such as Options to Purchase or Contracts for Sale) may also be found in the registered titles.
- 10.1.4 All parties were validated to confirm that their details are correct. For registered companies, this includes researching their details on Companies House to confirm their current registered details.
- 10.1.5 All parties with an interest in the Land were sent a Land Interest Questionnaire (LIQ), with a plan demonstrating the boundaries of their interest/potential interest. The questions included confirmation of the party's details, of the nature of their interest(s), and whether there are any other parties with an interest in the land or property. Respondents were asked to complete the questionnaires, amend the boundary plans where required, and return the completed documents to the land referencing team in pre-paid envelopes provided.
- 10.1.6 Where responses were not received from landowners in respect of their interests, or where further investigations were required to follow up or query information, landowners were contacted in order to confirm all interests in land.
- 10.1.7 Land referencing information was updated ahead of the making of the Orders, including by refreshing the Land Registry to ensure any changes had been identified, and following up with land interests to ensure the information held on record was current and accurate.

10.1.8 There is no prescriptive criteria/method for identifying persons likely to have a relevant claim (i.e. a claim for compensation under section 10 of the Compulsory Purchase Act 1965). All such legal rights and restrictive covenants registered in the Land Registry titles within the CPO Limits have been identified and will be included in Table 2 of the Schedule to the CPO. In addition, the LIQ also requested information from landowners regarding any known rights which exist over the land in which they have an interest. Any such rights will also be listed in Table 2 of the Schedule to the Order. Analysis has also been undertaken to identify any further informal (i.e. unregistered) private rights of access that may result in a section 10 claim, using aerial photography, assumed routes for landowner access and conducting site visits to land impacted by the CPO Limits. Any such informal rights were verified with landowners. From a review of those entries it is not anticipated that such claims are likely to arise given that the Proposed Scheme has sought to ensure or provide alternative access provision to any known impacted areas.

10.1.9 As detailed in the section above, the need for the Proposed Scheme and potential options for addressing the traffic issues to the west of Norwich have been the subject of a number of public consultations that have taken place over a number of years. A full **Statement of Community Involvement (Document Reference 1.03.00)** sets out details of these consultations.

10.1.10 These consultations included people identified as having a potential interest in the land, providing the opportunity to comment on proposals. Engagement and negotiations have also been ongoing with all landowners affected by the proposals. The conclusions of this consultation and engagement have been incorporated into the final Proposed Scheme design.

10.2 Steps Taken to Acquire Land by Agreement

10.2.1 The Council has sought to follow the requirement in paragraph 2 of the Guidance to take reasonable steps to acquire all of the land and rights included in the CPO by agreement.

- 10.2.2 At the same time, the Council notes that the Guidance recognises that although compulsory purchase is intended as a last resort to secure the assembly of all the land needed for the implementation of projects, if an acquiring authority waits for negotiations to break down before starting the compulsory purchase process, valuable time will be lost. Accordingly, the Guidance recognises at paragraph 2 that it may often be sensible for the acquiring authority to plan a compulsory purchase timetable as a contingency measure and initiate formal procedures (i.e. progress the making of an Order). The Guidance notes that this will help to make the seriousness of the authority's intentions clear from the outset, which in turn might encourage those whose land is affected to enter more readily into meaningful negotiations.
- 10.2.3 The Council has engaged with all landowners and occupiers with a view to acquiring their interests by agreement. This has involved sending LIQs and consultation letters, in relation to earlier wider project parameters, inviting them to consultation exhibitions and making direct contact with land interests to commence voluntary acquisition discussions. The Council aims to continue this process of engagement, with the aim of securing land by agreement where possible throughout the Orders process.
- 10.2.4 The Council has already acquired several parcels of land in this regard. Three properties have been acquired under blight notice procedures, being:
- Pump Farm, The Green, Weston Longville (Plots 2-25, 2-30, 2-31, 2-36, 2-38 and some land outside of the Order limits) a residential property and land which was purchased on 13 March 2020.
 - Woodstock, Fakenham Road, Attlebridge, (Plots 4-47, 4-52) which comprises of a residential property and commercially let light industrial units which was purchased on 22 September 2020.
 - Low Farm, The Street, Ringland, (Plot 4-06a, 4-06b) a residential property which was purchased on 14 August 2023.
- 10.2.5 In addition to the properties above, a parcel of amenity woodland; Land Lying to the North-East of Ringland Lane, Ringland, Norwich, NR8 6JG (Plot 4-16) was purchased on 25 November 2020.
- 10.2.6 The status of negotiations at the time of writing is set out in Appendix B to this Statement.

10.2.7 Whilst negotiations are ongoing, the Council is mindful that it is under a duty to acquire land at best value and that it is required to deliver the Proposed Scheme within a specified timescale. It has concluded that it may not be possible to acquire all land interests necessary to deliver the Proposed Scheme within this timescale. The Council has therefore concluded that the Proposed Scheme is unlikely to be capable of being delivered without advancing compulsory acquisition powers.

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11 Special Considerations and Special Category Land

11.1 Protected Assets

- 11.1.1 There are no ancient monuments, other buildings which may be of a quality to be listed, buildings subject to building preservation notices, buildings within a conservation area, scheduled monuments, registered parks/gardens or historic battlefields within the CPO Land.
- 11.1.2 There is a single listed building which is owned by the Council; a Grade II listed barn at Low Farm. The property with which the listed barn is associated is included in the Proposed Scheme for temporary use during construction of the Proposed Scheme and it is already in the ownership of the Council. The Proposed Scheme does not give rise to any direct impacts to the fabric of the listed building and no demolition, alteration or extension to it is proposed. As such, listed building consent is not required or sought by the Council.

11.2 Ecclesiastical Property / Consecrated Land

- 11.2.1 There are no churches, graveyards, burial grounds or any other consecrated land within the CPO Land.
- 11.2.2 The Norwich Diocesan Board of Finance enjoys rights of access over plots 3-08, 3-26, 3-28, 3-29, 3-32, 3-33, 3-39, 3-40, 3-52, 3-52a, 3-52b, 3-53, 4-53, 4-60, 7-02, 7-09, 7-11, 7-16, 7-18, 7-25, 7-28, 7-29 and 7-32. The Council considers that the Norwich Diocesan Board of Finance's rights of access constitute "ecclesiastical property" in accordance with section 12(3) of the Acquisition of Land Act 1981. If the CPO were confirmed and fully implemented by the Council the Norwich Diocesan Board of Finance would be a person whom the Council considers would likely be entitled to make a relevant claim and entitled to receive notice of the making of the CPO in accordance with section 12(2A) of the Acquisition of Land Act 1981. Therefore, notice of the making of the CPO was served on the Norwich Diocesan Board of Finance in accordance with both sections 12(2A) and 12(3) of the Acquisition of Land Act 1981.

11.3 Special Kinds of Land

- 11.3.1 There are no plots of land in the CPO Limits which are held by the National Trust or which form part of a common, open space or fuel or field garden allotment.
- 11.3.2 The Council owns interest in land within the CPO Limits both in its capacity as the highway authority for the highways included within its limits, and in respect of land it has already acquired for the purposes of the Proposed Scheme.

11.4 Crown land

- 11.4.1 There is no Crown owned land or interest within the CPO Limits.

11.5 Statutory Undertakers and Statutory Bodies

- 11.5.1 A number of statutory undertakers or other statutory bodies own land or have interests in the CPO Land. The following sub-sections explain what these interests are and whether or how they will be affected by the Proposed Scheme.

Land

- 11.5.2 Anglian Water Services Limited – Plots 2-01 and 2-02 (both title plots). Plot 2-01 comprises unregistered public road and verge (the U57214 Telegraph Hill) in relation to which the Council presumes (under the *ad medium filum* principle) that Anglian Water Services Limited has an interest up to the half-width of the road. Its acquisition is required by the Council to carry out improvements to facilitate the change of Telegraph Hill from a road to a restricted byway, in accordance with the SRO.
- 11.5.3 Plot 2-02 comprises 141 square metres of woodland and hardstanding, its acquisition is required to carry out improvements to the U57214 Telegraph Hill, namely the provision of a turning head to enable errant drivers that would no longer be permitted to drive along the restricted byway that will replace part of the U57214 Telegraph Hill, to turnaround. Contact with the owner, Anglian Water, in their capacity as a landowner, is to commence regarding the purchase. The land required is outside their fenced operational facility and it is therefore considered that there will not be any detrimental impact to it.

Interests and Assets in Land

- 11.5.4 A number of statutory undertakers and telecoms providers have interests in the CPO Land in relation to apparatus these include; Amey Limited, Anglian Water Services Limited, Cadent Gas Limited, National Gas Transmission plc, National Grid plc, Openreach Limited, UK Power Networks (Operations) Limited and Virgin Media Limited.
- 11.5.5 In some cases, this apparatus will need to be relocated and in other instances can remain in-situ subject to protective measures being put in place.
- 11.5.6 All diversions will be contained within the proposed highway boundaries of the Proposed Scheme or the CPO Land and will require diversion agreements to be entered into (which will be completed prior to the construction of the Proposed Scheme).

11.5.7 The Environment Agency and Norfolk Rivers Internal Drainage Board have interests in the CPO Land. The Environment Agency is the regulatory authority over the River Wensum, and the Norfolk Rivers Internal Drainage Board are the regulatory authority over the watercourse known as MN 20.

11.5.8 In relation to National Highways and its A47 DCO, Orsted Hornsea Project Three (UK) Limited and the Hornsea Three Offshore Wind Farm Order 2020 and the proposed Sheringham Shoals and Dudgeon Offshore Wind Farm Extensions Order, the Council is at an advanced stage of negotiations of legal agreements to manage the interface between the Proposed Scheme and these projects. This is discussed in more detail at section 16.13 of this statement.

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12 Compatibility with European Convention on Human Rights

12.1 Human Rights

- 12.1.1 The Human Rights Act 1998 incorporated into domestic law the provision of the European Convention on Human Rights ("ECHR"). The ECHR includes provisions in the form of Articles ("the Convention Rights"), the aim of which is to protect the rights of individuals and their possessions.

Relevant Articles

- 12.1.2 The following Convention Rights are relevant to the Council's making of the Orders and the Secretary of State for Transport's consideration of whether a compelling case in the public interest has been demonstrated, sufficient to support the case for the CPO to be confirmed:
- Article 6 entitles those affected by the powers sought in a Orders to a fair and public hearing by an independent and impartial tribunal, of any relevant objections such persons may have to the granting of those powers. This includes property rights and can include opportunities to be heard in the Orders decision-making process, such as a public local inquiry. compulsory powers to a fair and public hearing.
 - Article 8 protects the right of individuals to respect for their private and family life, home and correspondence. A public authority cannot interfere with these interests unless such interference is in accordance with law and is necessary in the interests of, among other things, national security, public safety or the economic wellbeing of the country.
 - Article 1 of The First Protocol protects the rights of everyone to peaceful enjoyment of possessions and provides that no one can be deprived of their possessions except in the public interest and subject to the relevant national and international laws and principles. As with Article 8, any interference with possessions must be proportionate and, in determining whether a particular measure is proportionate, a fair balance must be struck between the public benefit sought and the interference with the private rights in question.

Duties of Decision Makers

- 12.1.3 Both the Council in making the Orders and the Secretary of State for Transport in considering whether it should be confirmed is under a duty to consider whether the exercise of compulsory purchase powers would interfere with the rights protected by the Convention and if so, whether such interference is proportionate, justified and lawful.

Potential Infringement of Convention Rights

12.1.4 The Orders have the potential to infringe the Convention Rights of persons who hold interests in the CPO Land and who are affected by the stopping up of private means of access pursuant to the SRO. Under Article 1 of the First Protocol and under Article 8, such an infringement is authorised by law provided that:

- The statutory procedures for making the Orders are followed and there is a compelling case in the public interest for the making and confirmation of the CPO; and
- The interference with the Convention Right is proportionate to the legitimate aim served.

Compliance with the Convention and Human Rights Act 1998

12.1.5 The Council considers that there would be a significant public benefit arising from the making and confirmation of the Orders, the need for which is set out in section 2 of this statement. For the reasons set out in sections 14 and 15 below, these substantial benefits may only be realised if the Orders are made and confirmed.

12.1.6 In relation to Article 6 of the Convention, which confers the right to a fair trial and public hearing by an independent and impartial tribunal, the Council notes that the procedures under the Highways Act 1980 and the Acquisition of Land Act 1981 are compliant with the Human Rights Act 1998 and in so far as the procedures under these Acts are properly observed by the Council, its duties under the Human Rights Act 1998 are discharged.

12.1.7 In the context of compliance with Article 6 of the Convention, the Council observes that those persons potentially affected by the Orders have had the opportunity to make representations to the Council as of the consultation process on the Proposed Scheme, as well as through the formal planning application process.

12.1.8 Furthermore, should a public inquiry be held, every remaining objector and any other person who sent a proof of evidence/outline statement or statement of case is entitled to appear at the inquiry and make representations orally. The Inspector may also permit any other person to appear and make representations at the inquiry (and such permission shall not be unreasonably withheld).

12.1.9 Should the Orders be confirmed, any person aggrieved by the CPO may challenge it in the High Court if they consider that the grounds for doing so are made out pursuant to section 23 of the Acquisition of Land Act 1981 and any person aggrieved by the SRO may challenge it in the High Court if they consider that the grounds for doing so are made out pursuant to paragraph 2 of Schedule 2 to the Highways Act 1980.

- 12.1.10 In making the CPO, the Council has considered the potential beneficiaries of rights overridden by the exercise of the compulsory purchase powers that would be capable of making claims under section 10 of the Compulsory Purchase Act 1965.
- 12.1.11 In relation to matters of compensation for land to be acquired, affected persons have the right to apply to the Upper Tribunal (Lands Chamber), which is an independent judicial body, to determine the compensation payable.
- 12.1.12 The Council confirms that, on considering the potential exercise of compulsory purchase powers, it has also had regard to Article 8 of the Convention and Article 1 of the First Protocol to the Convention. The Council understands that in determining whether interference with these Convention Rights is proportionate, a fair balance must be struck between the public benefit sought and the interference with affected private rights.
- 12.1.13 In striking that balance, the Council has had regard to both:
- the need for the Proposed Scheme and the public benefits it would bring (see section 2 of this statement); and
 - the nature of the Proposed Scheme's interference with private rights.
- 12.1.14 Having had regard to the above, the Council does not consider that any single affected interest is of such importance as to outweigh the important public benefits which the Proposed Scheme is forecast to deliver, in the event that the Orders are confirmed by the Secretary of State and implemented by the Council.
- 12.1.15 Furthermore, the Council does not consider that the cumulative private loss (arising on a scheme-wide basis) would be of such magnitude or severity as to outweigh the importance of the public benefits which the Proposed Scheme would deliver.
- 12.1.16 The Council continues to discuss the impacts of the Proposed Scheme with the persons affected by those impacts, with the dual aim of:
- minimising as far as reasonably possible the loss suffered by those persons; and
 - ensuring that any loss suffered is properly and fairly compensated.
- 12.1.17 As confirmed in section 5 above, the Council has the resources to pay such compensation.

12.1.18 For the reasons set out above, the Council is of the view that, on balance, the significant public benefits to which the Proposed Scheme would give rise would outweigh the negative effects upon, and the private losses of:

- those persons who own land or have an interest in land which is required for the Proposed Scheme and
- those persons who would be affected by the stopping up of private means of access pursuant to the SRO.

12.1.19 The Council also notes that such private losses would be mitigated by the fact that landowners, and those with the benefit of interests in land affected by the implementation of the CPO, would be entitled to compensation payable in accordance with the statutory compensation code. Further, those persons with a private means of access stopped up in pursuance of the Proposed Scheme would be provided, through the SRO, with a replacement means of access, where such replacement means of access was necessary.

Conclusion

12.1.20 The Council therefore considers that the compulsory purchase of land and rights over land is:

- legitimate – in that if authorised by a confirmed CPO, the acquisition would be lawful;
- necessary – in that there is a need for the Proposed Scheme and land in the CPO is required to be acquired to enable that scheme to come forward in the form provided for in the SRO; and
- proportionate – in the context of the balancing exercise described above.

12.1.21 For the reasons set out above, any infringement of the Convention Rights of those whose interests are affected by the Orders is considered by the Council to be proportionate and legitimate and in accordance with domestic law and the Convention.

12.1.22 Accordingly, the Council considers that there is a compelling case in the public interest for the Orders to be made and confirmed, the Council considers that it would, therefore, be appropriate, proportionate and legitimate for the Secretary of State for Transport to confirm the Orders.

13 Equality Duty

13.1 The Equality Act came into force on 1st October 2010 and provides a legal framework to protect the rights of individuals and advance equality of opportunity for all. Section 149 of the Act sets out the public sector equality duty (“**PSED**”) and states that a public authority must, in the exercise of its functions, have due regard to the need to:

- eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by or under the Equality Act 2010;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

13.1.1 The relevant protected characteristics for the purposes of the PSED are listed in section 149(7) of the Equality Act 2010:

- age;
- disability;
- gender reassignment;
- pregnancy and maternity;
- race;
- religion or belief;
- sex;
- sexual orientation.

13.1.2 The Equality Act 2010 explains that having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves:

- removing or minimising disadvantages suffered by people due to their protected characteristics;
- taking steps to meet the needs of people from protected groups where these are different from the needs of other people; and
- encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

- 13.1.3 During the development of the Proposed Scheme and the preparation of the Orders, the Council has had regard to the PSED and, having regard to its statutory duties under the Equality Act 2010, has carried out an Equalities Impact Assessment ("EqIA"). In addition to the protected characteristics protected by the Equality Act 2010, the EqIA also considered deprivation.
- 13.1.4 The first stage of the EqIA process comprised a screening exercise which sought to establish, by reference to baseline information:
- whether there is evidence to suggest that any of the protected characteristics have particular sensitivities or needs in relation to the Proposed Scheme;
 - whether there are existing inequalities or access barriers to services or developments which need to be considered; and
 - whether are particular community groups or stakeholders representing protected characteristics who have expressed interest or concerns about the Proposed Scheme.
- 13.1.5 The screening considered the aspects of the Proposed Scheme, including the compulsory acquisition of land, that could disproportionately affect protected characteristics groups taking into account the baseline information gathered. The screening concluded that older and younger people, people with disabilities and both men and women would have the potential to be adversely impacted by the Proposed Scheme during construction but also could benefit from improved access during the operation of the Proposed Scheme.
- 13.1.6 The second stage took forward the age, disability, gender (including pregnancy and maternity) protected characteristics, as well as deprivation, forward for more detailed assessment. This assessment concluded that low level, likely reversible negative impacts are anticipated in the short-term during construction of the Proposed Scheme during construction on three protected characteristic groups; age, disability and sex/gender (including pregnancy and maternity), as well as deprivation. In the main, these impacts arise as a result of the potential for disruption to road and public rights of way networks arising during the construction of the Proposed Scheme. A range of mitigation measures, including further engagement and communications, are recommended during the detailed design and construction phase. The assessment also concluded that there is potential for low level positive impacts in the long-term on two protected characteristic groups; age and gender, as well as deprivation, arising from improved connectivity once the Proposed Scheme is in place.

- 13.1.7 In formulating and promoting the Orders, the Council has had full regard to its statutory duties and obligations under the Equality Act 2010 and in particular, to its obligations in sections 149 and 150 of that Act, in taking into account the differential impact the Orders will have on persons with protected characteristics. While it is recognised that the Proposed Scheme will have impacts it was found that any impacts it might have on protected characteristic groups could be addressed through mitigation, monitoring and communications, which will be undertaken during the detailed design and construction stage of the Proposed Scheme.

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14 Need and Justification for the Compulsory Purchase Order (CPO)

14.1 Authority to make the CPO

- 14.1.1 On [Insert Date] the Council resolved to make the CPO for the Proposed Scheme. On [Insert Date] the CPO was made by the Council in accordance with such authorisation.

14.2 CPO Enabling Powers

- 14.2.1 The CPO was made under the following powers of the Highways Act 1980:

- Section 239 – to construct new highways and improve existing highways, to improve frontages to a highway;
- Section 240 – to carry out works authorised by an order made under section 14 (i.e. side roads to classified roads, new means of access to premises); to create new means of access to premises under section 129; to use land in connection with the construction and improvement of highways the carrying out of works authorised by an order under section 14 (i.e. the SRO) (such as for working space and provision of access to a working site); and the diversion of a non-navigable watercourse;
- Section 246 – to mitigate the adverse effects of the existence and use of the highways proposed to be constructed or improved on their surroundings;
- Section 249 – application of the distance limits for compulsory acquisition;
- Section 250 – to create and compulsorily acquire new rights; and
- Section 260 – to override the effects of restrictive covenants and other third party rights over land.

Incorporation of the Mining Code

- 14.2.2 In addition to the specific powers cited above, the CPO incorporates the provisions contained in Parts 2 and 3 of Schedule 2 to the Acquisition of Land Act 1981 (often referred to as the 'Mining Code'). The incorporation of Parts 2 and 3 does not of itself prevent the working of minerals within a specified distance of the Land, but it does enable the Council to serve a counter-notice stopping the working of minerals, subject to the payment of compensation. Paragraph 201 of the Guidance advises acquiring authorities to consider the matter carefully before including the Mining Code in a compulsory purchase order and to omit it where existing statutory rights to compensation or repair of damage might be expected to provide an adequate remedy in the event of damage to land, buildings or works occasioned by mining subsidence.
- 14.2.3 The Council has considered the issue carefully and has decided that in the case of the Proposed Scheme it would be appropriate to incorporate the Mining Code. It reaches this conclusion on the basis that the Proposed Scheme crosses land safeguarded for sand and gravel extraction, that subsidence caused by such extraction could prejudice the safe and efficient operation of the Proposed Scheme and that, given the longevity of the Proposed Scheme, the prospect of future proposed extraction cannot be ruled out. In view of those circumstances the Council considers it to be appropriate to incorporate the Mining Code to balance the interests of those pursuing future extraction of minerals with the Council's ability to safely and efficiently operate and maintain the Proposed Scheme.
- 14.2.4 In relation to paragraph 202 of the Guidance, the Order Land is not within an area of coal working notified to the local planning authority by the Coal Authority under article 16 of, and paragraph (o), Schedule 4 to, the Town and Country Planning (Development Management Procedure) (England) Order 2015 and so the Council is not required to notify the Coal Authority of its incorporation of the Mining Code in the CPO.
- 14.2.5 The CPO Guidance sets out a number of 'tests' which an acquiring authority must satisfy if compulsory purchase powers are to be authorised and implemented. Those tests, and the Council's ability to satisfy them, are considered in the following paragraphs of this chapter.

14.3 Compelling Case in the Public Interest

"Acquiring authorities should use compulsory purchase powers where it is expedient to do so. However, a compulsory purchase order should only be made where there is a compelling case in the public interest." (paragraph 2 of the Guidance, and reiterated in paragraph 12 thereof)

14.3.1 The CPO includes a large number of land interests and rights that are necessary to construct, operate and maintain the Proposed Scheme.

14.3.2 As set out in Section 2 of this statement, the Proposed Scheme is required to deliver the following high level and specific objectives:

High-level objectives

- Support sustainable economic growth;
- Improve the quality of life for local communities;
- Promote an improved environment; and,
- Improve strategic connectivity with the national road network.

Strategic objectives

- Improve connectivity and journey times on key routes in Greater Norwich;
- Reduce the impacts of traffic on people and places within the western area of Greater Norwich;
- Encourage and support walking, cycling and public transport use;
- Improve safety on and near the road network, especially for pedestrians and cyclists;
- Protect the natural and built environment, including the integrity of the River Wensum Special Area of Conservation; and,
- Improve accessibility to key sites in Greater Norwich.

14.3.3 In achieving these objectives, the Council considers that the Proposed Scheme would make a significant contribution towards the social, economic and environmental wellbeing of the residents of the Greater Norwich area and wider Norfolk sub-region.

14.3.4 As set out in section 6 of this Statement, the Proposed Scheme is programmed to start advanced works in late 2025, with the main works programmed to start in summer 2026 and the Proposed Scheme opening for public use in 2029. This programme is important to the delivery of the Proposed Scheme's benefits.

- 14.3.5 A significant amount of work and expense (including scheme design development, the carrying out of an Environmental Impact assessment, the preparation of the Orders, the appointment of the Principal Contractor and environmental consultants) has been undertaken and incurred to date (and continues to be undertaken and incurred) on the basis of these timings. It is important that the Orders are confirmed in a timely promptly to ensure that this programme can be met.
- 14.3.6 Furthermore, the Proposed Scheme needs to be delivered fully in order that it can achieve its objectives. Piecemeal development would not deliver the desired outcomes. Only delivering the full Proposed Scheme will allow its purposes to be fully realised. Without the confirmation of the CPO, the Proposed Scheme would be unlikely to go ahead as there would be limited scope to deliver an alternative solution in a timely manner.
- 14.3.7 In addition, and importantly, the CPO is required to assemble various plots of land in unknown ownership or where ownership is currently only presumed based on the results of diligent inquiries. In particular, much of the proposed “downgrading” of existing local roads to public rights of way would not be deliverable without the CPO and for which there is no other realistic option than compulsory acquisition.
- 14.3.8 As explained in section 12 above, the Council has considered the negative effects that its pursuance of compulsory purchase powers would have upon those with interests in the land required for the Proposed Scheme, and has weighed those private losses against the benefits that the Proposed Scheme would bring.
- 14.3.9 Having carried out that balancing exercise, the Council believes that the public benefits would outweigh the private losses and that, on that basis, there is a clear and compelling case in the public interest which would justify the use of compulsory purchase powers. As such, the Council considers that the tests in paragraphs 2 and 12 of the Guidance – which state that a compulsory purchase order should only be made where there is a compelling case in the public interest – are met.

14.4 How the Council intends to use the CPO Land

“If an acquiring authority does not:

- have a clear idea of how it intends to use the land which *it is proposed to acquire*;...

it will be difficult to show conclusively that the compulsory acquisition of the land included in the order is justified in the public interest, at any rate at the time of its making.” (paragraph 13 of the Guidance)

14.4.1 The CPO includes both:

- land (shown shaded pink); and
- new rights (shown shaded blue) (e.g. for continuing access such as future maintenance and inspection).

14.4.2 The land and new rights would enable the construction and operation of the new road (including its related essential environment mitigation) as well as enabling the Council to undertake future maintenance of the road and its supporting structures.

14.4.3 Land has also been included in the CPO for the Principal Contractor to establish temporary site offices, compounds, welfare facilities and storage areas for plant and materials at various location.

14.4.4 A number of plots are only required on a temporary basis e.g. for working space, or for construction-related purposes; however, where this is the case, the land has been included in the CPO (with the effect being that it would be acquired). This approach is a contingency measure, to be deployed in the event that temporary use of the land cannot be secured by agreement, and noting that, although such land is not required by the Council in perpetuity there are currently no statutory powers which would enable the Council to take only temporary possession of land for the purposes of constructing the Proposed Scheme.

14.4.5 Following construction of the Proposed Scheme, if the Council disposes of any land which was acquired permanently but required only for the construction period, it will do so in accordance with the Crichel Down Rules appended to the Guidance. At the time of writing the Council fully intends to dispose of all land that it does not require on a permanent basis.

14.4.6 The Council also has a clear idea of it intends to use all the land included in the CPO. This is set out on a plot by plot basis in **Appendix 2** to this Statement.

14.4.7 As such, the Council considers that the tests in paragraph 13 of the Guidance – which require an acquiring authority to have a clear idea of how it intends to use the land which it is proposing to acquire – are met.

14.5 Planning Policy Support

“Any programme of land assembly needs to be set within a clear strategic framework... The planning framework providing the justification for an order should be as detailed as possible in order to demonstrate that there are no planning or other impediments to the implementation of the scheme.”
(paragraph 104 of the Guidance)

- 14.5.1 As set out in section 3 of this Statement, the Proposed Scheme is consistent with the applicable planning policy frameworks. The proposed development is both supported directly through policy, being a named priority infrastructure scheme for Norfolk County Council, and indirectly as it supports the delivery of ancillary policies relating to the provision of quality transport options, environmental protection, and fostering economic growth.
- 14.5.2 Based on the current layout and design and taking account of the proposed mitigation measures to be implemented, the Council does not consider there to be planning or other impediments to the implementation of the Proposed Scheme.
- 14.5.3 The Council has had regard to the tests in paragraph 104 of the Guidance. These tests are considered to be relevant to the CPO (notwithstanding its being made under the Highways Act 1980) in that they require an acquiring authority's land assembly programme to be set within a clear strategic planning framework, founded on an appropriate evidence base and to have been subject to consultation processes. The Council considers that, in the case of the Proposed Scheme, these tests are met.

14.6 Alternatives

“This may include considering the appropriateness of any alternative proposals put forward by the owners of the land, or any other persons, for its reuse. It may also involve examining the suitability of any alternative locations for the purpose for which the land is being acquired.” (paragraph 106 of the Guidance)

- 14.6.1 As set out in section 8 of this statement, numerous intervention options and then alternative routes for the Proposed Scheme were considered during an iterative options appraisal process.
- 14.6.2 The selection of the preferred route was completed following significant development and assessment work, supported by stakeholder engagement and public consultations.

- 14.6.3 Refinements to the alignment of the preferred route after its selection were carefully appraised to ensure that the preferred route, as refined, still reflected the better alignment option overall.
- 14.6.4 The Council consulted on its proposals for the side roads crossed by the Proposed Scheme and this consultation informed the development of the proposals contained in the Side Roads Order.
- 14.6.5 As such, the Council considers that the test in paragraph 106 of the Guidance – which requires an acquiring authority to consider the appropriateness of alternatives – is met.

14.7 Funding and Viability

“In preparing its justification, the acquiring authority should address:

a) sources of funding... [and]

b) timing of that funding...

Evidence should also be provided to show that sufficient funding could be made available immediately to cope with any acquisition resulting from a blight notice.” (paragraph 14 of the Guidance)

- 14.7.1 As set out in Section 5 of this Statement, the Proposed Scheme is expected to cost £273.9m which includes the estimated cost of the compulsory acquisition of the land required (including blight) together with risk allowance (which accounts for inflation).
- 14.7.2 The approved Outline Business Case for Proposed Scheme, which was approved by the Department for Transport in October 2023 secured £213.4m funding for the cost of the Proposed Scheme, subject to conditions including securing planning permission and the necessary statutory orders. The remaining £60.5m would be met from the Council's own funds. This funding was approved by the Council on [insert date].
- 14.7.3 The Council therefore has full confidence that all necessary funding will be available for the Proposed Scheme to proceed at the necessary time. As such the test in paragraph 14 of the Guidance is met.

14.8 Last Resort

“The confirming authority will expect the acquiring authority to demonstrate that they have taken reasonable steps to acquire all of the land and rights included in the Order by agreement... Compulsory purchase is intended as a last resort to secure the assembly of all the land needed for the implementation of projects. However, if an acquiring authority waits for negotiations to break down before starting the compulsory purchase process, valuable time will be lost. Therefore, depending on when the land is required, it may often be sensible, given the amount of time required to complete the compulsory purchase process, for the acquiring authority to:

- *plan a compulsory purchase timetable as a contingency measure; and*
- *initiate formal procedures*

This will also help to make the seriousness of the authority’s intentions clear from the outset, which in turn might encourage those whose land is affected to enter more readily into meaningful negotiations.” (paragraph 2 of the Guidance).

- 14.8.1 As set out in Section 10 of this statement, the Council is fully committed to purchasing the land and news contained in the CPO by agreement and to this end, four properties have already been acquired. Details of the discussions and negotiations that the Council has had with landowners to date are set out in **Appendix 1** to this statement.
- 14.8.2 However, given this Councils need to deliver the Proposed Scheme within a specified timescale and given the number of interests in the land required and the possibility of all of those interest by agreement may not be possible within the requisite timescale, the Council has concluded that it is high, unlikely that it will be able to deliver the Proposed Scheme within this timescale without a CPO. It is in this context that the Council contemplates the use of compulsory acquisition powers as a contingency measure, to ensure the delivery of the Proposed Scheme.
- 14.8.3 Furthermore, the CPO is required to assemble the various plots that are in unknown or presumed ownership for which there is no other reasonable option than compulsory purchase.
- 14.8.4 Notwithstanding this, all discussions and negotiations with landowners will continue wherever possible, thus hopefully limiting the number of interests over which compulsory purchase powers will ultimately need to be exercised.

14.9 Impediments to the Proposed Scheme going ahead

“The acquiring authority will also need to be able to show that the scheme is unlikely to be blocked by any physical or legal impediments to implementation. These include:

- the programming of any infrastructure accommodation works or remedial works which may be required; and
- any need for planning permission or other consent or licence.

Where planning permission will be required for the scheme, and permission has yet to be granted, the acquiring authority should demonstrate to the confirming minister that there are no obvious reasons why it might be withheld.” (paragraph 15 of the Guidance)

- 14.9.1 As set out in section 4 of this statement, a planning application for the Proposed Scheme was submitted to the Council in [Insert Date] with a decision expect to be made in [Insert Date]. As set out in section 16 of this statement, other consents, licences and orders will be sought or made at the appropriate time before they are needed to be in place. Through extensive engagement with the relevant consenting authorities, these are not considered to be impediments to the Proposed Scheme for the reasons set out in that section. Similarly, the Council is close to completing co-operation agreements with the two developers of offshore wind farms which would ensure that the respective projects and compulsory powers can co-exist.
- 14.9.2 As set out in section 16 of this statement, the Proposed Scheme is designed to connect with National Highways A47 North Tuddenham to Easton scheme, which was granted development consent by the Secretary of State on 12 August 2022. The legal challenge to that decision was dismissed on 7 July 2023, but permission to appeal has been granted. The Council considers that, notwithstanding the outcome of the legal challenge, the scheme is likely to go ahead albeit there may be some delay to implementation. Having carefully considered the respective programmes of the schemes, the Council consider that the unresolved legal challenge does not present an impediment to the delivery of the Proposed Scheme.
- 14.9.3 As set out in section 5, the Council has full confidence that all necessary funding will be available for the Proposed Scheme to proceed at the necessary time.
- 14.9.4 As set out in section 12, whilst the Order Land contains land and interests in land owned by statutory undertakers, negotiations for such land acquisitions and discussions for any necessary diversion agreements are being progressed.

- 14.9.5 Subject to confirmation of the Orders, the Council therefore remains confident that the Proposed Scheme will not be blocked by any legal or physical impediment to implementation.

14.10 Human rights and Equalities

“An acquiring authority should be sure that the purposes for which the compulsory purchase order is made justify interfering with the human rights of those with an interest in the land affected. Particular consideration should be given to the provisions of Article 1 of the First Protocol to the European Convention on Human Rights and, in the case of a dwelling, article 8 of the Convention.” (paragraph 12 of the Guidance)

- 14.10.1 The Council's consideration of human rights and equalities is set out in sections 12 and 13 of this statement.

- 14.10.2 In summary, however, the Council has had regard to the human rights of those with an interest in the land that is required for the Proposed Scheme and considers that the interference with those rights, which would arise if the Proposed Scheme was taken forward, would be justified. The Council has reached this view by weighing the potential private losses, caused by the interference with the human rights of those affected, against the benefits (flowing from the achievement of the Proposed Scheme's objectives as identified in section 2 above) which would be enjoyed by the wider public if the Proposed Scheme were to go ahead. Having carried out that balancing exercise, the Council concluded that the significant public benefits, which the Proposed Scheme would bring, would outweigh the private losses arising in consequence of the exercise of compulsory purchase powers.

- 14.10.3 As set out throughout this statement and more particularly in section 15, the SRO is required in order to permit works to other highways. However, the need for this is not considered an impediment given all statutory requirements and tests have either been complied with or departures justified. Furthermore, the Orders are being promoted alongside each other and it is anticipated that they would be considered together, at the same public inquiry.

- 14.10.4 In formulating and promoting the Orders, the Council has had full regard to its statutory duties and obligations under the Equality Act 2010 and in particular, to its obligations in sections 149 and 150 of that Act, in taking into account the differential impact the Orders will have on persons with protected characteristics. While it is recognised that the Proposed Scheme will have impacts it was found that any impacts it might have on protected characteristic groups could be addressed through mitigation, monitoring and communications, which will be undertaken during the detailed design and construction stage of the Proposed Scheme.

15 Need and Justification for the Side Roads Order (SRO)

15.1 Authority to make the SRO

- 15.1.1 [On **[Insert Date]** the Council resolved to make the SRO.]
- 15.1.2 [On **[Insert Date]** the SRO was made by the Council in accordance with such authorisation. The SRO was made and sealed prior to the making and sealing of the CPO.]

15.2 SRO Enabling Powers

- 15.2.1 The SRO, if confirmed by the Secretary of State for Transport, will provide for the stopping up and improvement of highways which connect with, or are affected by, the new classified road to be delivered as part of the Proposed Scheme, for the construction of new highways, the stopping up of private means of access to premises, the provision of new means of access to them, and other associated works, including alterations to Public Rights of Way (“**PRoW**”).
- 15.2.2 The SRO defines the classified road as “the highway which the Council proposes to construct from the existing roundabout junction of the A1270 Broadland Northway and the A1067 Fakenham in a south-westerly direction for a distance of approximately 6 kilometres and which is a proposed highway which is a classified road in accordance with section 12 of the Highways Act 1980”.
- 15.2.3 The SRO is made pursuant to the following provisions of the Highways Act 1980:
- Section 14 allows the Council, as highway authority, to carry out works authorised by an order relating to a classified road (i.e. the SRO):
 - to stop up, divert, improve, raise lower or otherwise alter a highway that crosses or enters the route of the classified road or is or will be otherwise affected by the construction or improvement of the road;
 - to construct a new highway for purposes concerned with any such alteration, or for any other purpose connected with the road or its construction, and to close after such period as may be specified in the order any new highway so constructed for temporary purposes; and
 - for any purpose incidental to the above purposes.

- Section 125 enables the Council to stop up any private means of access to premises adjoining or adjacent to land comprised in the route of a road, or forming the site of any works authorised by the Order, and to provide a new means of access to any such premises.

15.2.4 Where a SRO proposes to stop up a private means of access to premises, then the Secretary of State is unable to confirm the Order unless he is satisfied either (a) that no access to the premises is reasonably required (section 125(3)(a) of the Highways Act 1980), or (b) that another reasonably convenient means of access to the premises is available or will be provided under the SRO or otherwise (section 125(3)(b) of the Highways Act 1980). The Council has considered these tests against each of the private means of access that it intends to stop-up by making the SRO and the results of this consideration is set out in in section 5 of this Statement.

15.3 Need and Justification for the Side Roads Orders

15.3.1 Any failure to confirm the SRO would prevent the necessary changes being made to the local highway network to enable the implementation and delivery of the Proposed Scheme. The SRO, is therefore, integral to the ability to deliver the Proposed Scheme and to ensure the consequent benefits.

15.3.2 Sections 14(6) and 125(3) of the Highways Act 1980 set out two key tests against which the Secretary of State for Transport will assess the SRO and decided whether or not to confirm the SRO. These key tests are repeated in Circular 1/97 and are as follows.

Section 14(6) of the Highways Act 1980

15.3.3 Under this section no order authorising the stopping up of a highway is to be made or confirmed by the Minister unless the Minister is satisfied that another reasonably convenient route is available or will be provided before the highway is stopped.

15.3.4 There are three instances however, where highway is to be stopped up pursuant to the SRO where there is no reasonably convenient route already available and no replacement is proposed to be provided by the Proposed Scheme. In each of these instances, which are referenced below, the length of highway which is proposed to be stopped up will become redundant when the Proposed Scheme is in place. Explanations as to why that is the case are provided are below:

- The A47 North Tuddenham to Easton Development Consent Order 2022 (“**A47 DCO**”) includes provision for the formation of a new cycleway (shown on sheet 10 of the rights of way and access plans certified under that DCO by reference CF1 to CF2a (the “**A47 Cycleway**”) that would cross the alignment of the classified road comprised in the Proposed Scheme. Article 12(7) of the A47 DCO, the drafting of which was agreed between the Council and National Highways, confirms that the A47 Cycleway may only be constructed and opened for use with the approval of the Council. The A47 Cycleway is inconsistent with the Proposed Scheme and consequently the Council does not anticipate being in a position to grant its approval for the A47 Cycleway to be constructed and opened for public use. However, as a precaution, the SRO makes provision for it to be stopped up. If the A47 Cycleway were to be constructed and brought into use, the Council considers that it would be redundant and reasonably convenient alternative routes would exist once the Proposed Scheme is constructed.
- The length of the A1067 Fakenham Road that comprises the centre of the new roundabout that will be constructed to ‘tie-in’ the classified road with the A1067 Fakenham Road is proposed to be stopped up for a distance of 57 metres. This section of highway will not be replaced as it will be operational as part of the NWL/A1067 Fakenham Road roundabout when the Proposed Scheme is constructed and will form part of the classified road.
- The restricted byway Attlebridge RB3 from its junction with the A1270 Broadland Northway roundabout eastwards for a distance of 103 metres. This section of the restricted byway is proposed to be stopped up and not replaced as it will form part of the classified road, which makes an equivalent provision.

Section 125(3) of the Highways Act 1980

- 15.3.5 Under this section no order authorising the stopping up of a means of access to premises is to be made or confirmed by the Minister unless the Minister is satisfied that no access to the premises is reasonably required or that another reasonably convenient means of access to the premises is available or will be provided.
- 15.3.6 Where any private means of access is to be stopped up pursuant to the SRO, it is the case that either no replacement access to the premises is reasonably required, or, that another reasonably convenient route is already available or will be provided by the Proposed Scheme. This is explained on a case by case basis within the relevant paragraphs below. In all cases therefore the statutory test is met.

15.4 Details of the SRO

15.4.1 The SRO works are detailed in Schedules 1 to 6 of the SRO and are shown on the six SRO Site Plans numbered 1 to 6. Schedule 2 is represented on two Site Plans for clarity of presentation with, Site Plan 2A showing the stopping up of side roads and Site Plan 2B showing all other features. The following descriptions should be read in conjunction with the Schedules in the SRO and the SRO Site Plans.

15.4.2 The SRO, if confirmed by the Secretary of State for Transport, will authorise the Council to:

- Improve the lengths of highway named in the Schedules and shown on the corresponding Site Plan by cross hatching;
- Stop up each length of highway described in the Schedules and shown on the corresponding Site Plan by zebra hatching;
- Construct a new highway along each route whose centreline is shown by an unbroken black line surrounded by stipple;
- Stop up each private means of access to premises described in the Schedules and shown on the corresponding Site Plan by a solid black band; and
- Provide new private means of access to premises at each location shown on a site Plan by thin diagonal hatching.

15.4.3 The proposed arrangements are detailed below. In the following descriptions capital letters (e.g. 'A') refer to lengths of new highway, which will be a road unless the words "footpath", "bridleway" or "restricted byway" appear alongside its references in the Schedules to the SRO; numbers (e.g. '1') refer to new private means of access, and numbers preceded by a capital X (e.g. 'X1') refer to private means of access to be stopped up. Highways to be improved and highways to be stopped up do not have a reference but are described in the Schedules to the SRO.

15.4.4 Any improvements to the existing highway network may result in the loss, replacement, or renewal of, or additions to existing assets within the public highway; these are, but are not limited to, drainage, signage, kerb alignment (horizontal and vertical); paved areas including footways and cycleways, pavement, verge areas and soft landscaping. The changes required will be dependent on the detailed design requirements and layout at each section of highway. The area of improvement shown on the SRO Site Plans includes the full extent of the public highway, including verge areas where they form part of the highway, unless otherwise stated.

- 15.4.5 Where land is proposed to be acquired for the provision of highway drainage ponds, this will include the land required to enable the Council to access those ponds.

15.5 Site Plan 1

Improvements

- 15.5.1 Improvements are required along the new B road proposed to be constructed by National Highways under the A47 DCO shown as reference “AA” on Sheet 10 of the Classification of Roads plans to be certified under the A47 DCO and referred to in Part 2 of Schedule 3 to the A47 DCO as “new roundabout connector road” to be classified as a B road (the “**A47 New Roundabout Connector Road**”) and the B1535 Wood Lane. Works are to include:
- **A47 New Roundabout Connector Road** – the roundabout is to be altered to carry out works to ‘tie-in’ the classified road to this roundabout junction;
 - **B1535 Wood Lane** – the improvements to Wood Lane are to accommodate the formation and ‘tie-in’ of the private means of access references 2, 2a, 2b and 2c.

New Highways

- 15.5.2 There are no new highways proposed to be located on Site Plan 1.

Highways to be stopped up and replaced

- 15.5.3 **The restricted byway Honingham RB1** from its junction with the B1525 Wood Lane south-eastwards for a distance of 1225 metres and the new cycleway proposed to be constructed by National Highways under the A47 DCO. The width of the stopping up of Honingham RB1 is sufficient to encompass both the alignment shown on the definitive map and the route ‘on the ground’ as there appears to be a minor misalignment of the two. These routes are proposed to be stopped up and replaced by a new restricted byway reference A (which continues onto Site Plan 2B) which is proposed to run parallel to the eastern side of the classified road. The replacement bridleway reference A connects the non-motorised user facilities proposed to be constructed by National Highways under the A47 DCO at the southern extent of the Proposed Scheme to the alignment of the existing U57216 The Broadway and the U57214 Telegraph Hill (which are themselves to be replaced by restricted byways references B, C and D – see Site Plan 2B). When considered together these routes would provide a reasonably convenient alternative by providing north/south connectivity parallel to the classified road to the east/west route that crosses the alignment of the classified road.

Highways to be stopped up and not replaced

- 15.5.4 The A47 DCO includes provision for the formation of the **A47 Cycleway** that would cross the alignment of the classified road comprised in the Proposed Scheme. Article 12(7) of the A47 DCO, the drafting of which was agreed between the Council and National Highways, confirms that the A47 Cycleway may only be constructed and opened for use with the approval of the Council. The A47 Cycleway is inconsistent with the Proposed Scheme and consequently the Council does not anticipate being in a position to grant its approval for the A47 Cycleway to be constructed and opened for public use. However, as a precaution, the SRO makes provision for it to be stopped up. If the A47 Cycleway were to be constructed and brought into use, the Council considers that it would be redundant and reasonably convenient alternative routes would exist once the Proposed Scheme is constructed.

Private means of access to be stopped up and replaced.

- 15.5.5 **Reference X1** – the existing access from the B1535 Wood Lane to a private field. The existing track is to be stopped up where it crosses the alignment of the classified road. It is to be replaced by a new access 2c from the B1535 Wood Lane which will in part be shared with accesses 2, 2a and 2b which are required for the Council to access the drainage ponds at this location.
- 15.5.6 **Reference X3a**(which continues on Site Plan 2)– the existing access from the U57216 The Broadway to Foxburrow Plantation and to a private field known as 'The Waterfence'. This is to be stopped up and replaced with a private means of access references 3a (which is continued on Site Plan 2) and 3b (shown on Site Plan 2). The replacement means of access provides for the crossing of the alignment of the classified road via the Foxburrow Plantation Green Bridge to provide access to land that would otherwise be severed and connect to the private means of vehicular access over the alignment of the U57216 The Broadway and U52714 Telegraph Hill which are proposed to be stopped up and replaced with a restricted byway (see Site Plan 2b).

Private means of access to be stopped up and not replaced.

- 15.5.7 There are no private means of access proposed to be stopped up and not replaced on Site Plan 1.

New private means of access

- 15.5.8 **References '2', '2a' and '2b'** – this new private means of access from the B1535 Wood Lane is required for the Council to access the highway drainage ponds at this location for maintenance.

15.6 Site Plan 2A and 2B

- 15.6.1 For clarity of presentation, the stopping up of highways is presented on Site Plan 2A and the improvements to highways, stopping up of private means of access and their replacement, together with new private means of access, are shown on Site Plan 2B.
- 15.6.2 In summary the classified road crosses three side roads on Site Plan 2:
- U57216 The Broadway;
 - U57214 Breck Road; and
 - U57217 Church Hill Lane.
- 15.6.3 In general terms the U57216 The Broadway and the U57214 Breck Road are proposed to be stopped up and replaced with lengths of restricted byway and bridleway and new restricted byway link provided to connect the two replacement routes so that they can cross the classified road via the proposed The Broadway Green Bridge. To preserve access for affected landowners, private means of access along the lengths of these U57216 The Broadway and the U57214 Breck Road affected by the replacement of these routes with public rights of way, are to be stopped up and replaced with private means of access that connect to these replacement highways, together with a private means of access over those highways.
- 15.6.4 In relation to the U57217 Church Hill Lane, the part of this route that lies to the west of the classified road is to be stopped up and replaced with a new bridleway, together with a new bridleway link that runs generally northwards parallel to the classified road until it crosses the classified road via Morton Green Bridge before and continues on replacement bridleway until it rejoins Weston Road (shown on Site Plan 3) to provide east/west connectivity. To preserve access for affected landowners, private means of access along the affected part of the existing U57217 are to be stopped up and replaced with private means of access that connect to those replacement highways, together with a private means of access over those highways. In relation to the part of the U57217 Church Hill Lane to the east of the classified road, this is stopped up and replaced with private means of access.
- 15.6.5 The remainder of this section explains each of the proposed interventions in more detail.

Improvements

15.6.6 Improvements are required along the B1535 Wood Lane, the C167 Paddys Lane, the U57216 The Broadway, the U57214 Breck Road, the U57214 Telegraph Hill, the U5217 Church Hill Lane, the U57217 Weston Road and the U57323 Blackbreck Lane. Works are to include:

- **B1535 Wood Lane, C167 Paddys Lane and U57216 The Broadway** – the improvements to Wood Lane Paddys Lane are to accommodate the formation and ‘tie-in’ at the junction of these three roads, of the new bridleway reference B and private means of access references 4, 4a, 4b, 4c, 4d, 5, 5a and 5b.
- **U57214 Breck Road** – the improvements to Breck Road are to accommodate the ‘tie-in’ of the new restricted byway reference F and private means of access references 6, 6a, 6b, 6c and 6d.
- **U57214 Telegraph Hill** – the improvements to Telegraph Hill are to accommodate the formation and ‘tie-in’ of the new restricted byways references D and G, and private means of access references 4, 4a, 4b, 4c, 4d, 5, 5a and 5b.
- **U57217 Church Hill Lane and U57217 Weston Road** – the improvements to Church Hill Lane and U57217 Weston Road are to accommodate the formation and ‘tie-in’ of new bridleway reference H and private means of access reference 11.
- **U57323 Blackbreck Lane, U57217 Church Hill Lane, U57217 Weston Road and Weston Longville FP9** – the improvements to Blackbreck Lane, Church Hill Lane, Weston Road and footpath Weston Longville FP9 are to accommodate the formation and ‘tie-in’ at the junction of these four highways, of new restricted byway reference K and private means of access reference 13 (both of which are shown on Site Plan 3).

New Highways

15.6.7 **Reference E** - this is a new length of restricted byway to provide a link between the new bridleway reference B and the new restricted byway reference C (both of which replace part of the U57216 The Broadway) and new restricted byway reference F (which replaces part of the U57214 Breck Road).

15.6.8 **Reference N** (continues on Site Plan 3) – this is a new length of bridleway to provide a link between the new bridleway reference H (which replaces part of the U57217 Church Hill Lane) and new right of way reference J (shown s on Site Plan 3).

Highways to be stopped up and replaced.

- 15.6.9 The **U57216 The Broadway** from a point 12 metres east of its junction with the centreline of the B1535 Wood Lane and C167 Paddys Lane, eastwards to its junction with the U57214 Telegraph Hill and the U57214 Breck Road, is proposed to be stopped up and replaced. The route from its junction with the B1535 Wood Lane and the C167 Paddys Lane to where it connects with new restricted byway E (providing a new link to the existing Breck Road) will be replaced with a new bridleway reference B. The remainder of the route to its junction with the U57214 Telegraph Hill and the U57214 Breck Road will be replaced with a new restricted byway reference C.
- 15.6.10 The **U57214 Telegraph Hill** from its junction with the U57216 The Broadway and the U57214 Breck Road, eastwards to a point 20 metres west of its junction with footpath Honingham FP5 is proposed to be stopped up and replaced with a new restricted byway reference D. This along with new rights of way references B and C will provide west/east connectivity across the classified road via the The Broadway green bridge.
- 15.6.11 The **U57214 Breck Road** from a point 155 metres south-east of its junction with the centreline of the C167 Weston Green Road, south-eastwards to its junction with the U57216 The Broadway and the U57214 Telegraph Hill, is proposed to be stopped up. The stopped-up length of the U57214 Breck Road on the west side of the classified road will be replaced with a new restricted byway reference F. Reference F, as it approaches the alignment of the classified road connects to new restricted byway E allowing onward journeys to cross the classified road via The Broadway Green Bridge along restricted byway reference C, preserving east/west connectivity that would otherwise be severed by the classified road..
- 15.6.12 **Footpaths Honingham FP5 and Weston Longville FP9** from a point 20 metres north-east of its junction with the centreline of the U57214 Telegraph Hill, north-eastwards to a point 75 metres south-west of its junction with the U57217 Church Hill Lane are proposed to be stopped up and replaced with a new restricted byway reference G.
- 15.6.13 The **U57217 Church Hill Lane** from a point 92 metres south-east of its junction with the centreline of the C167 Weston Road and the C167 Weston Green Road, south-eastwards to a point 68 metres west of its junction with the centreline of the U57323 Blackbreck Lane is proposed to be stopped up. The length of the stopped up U57217 Church Hill Lane to the west of the classified road is being replaced with a new bridleway reference H. Reference H will connect to new bridleway reference N (which is continued on Site Plan 3) and bridleway reference J (shown on Site Plan 3) to cross the alignment of the classified road via Morton Green Bridge, preserving east/west connectivity.

15.6.14 There are no highways to be stopped up and not replaced on Site Plans 2A and 2B.

.Private means of access to be stopped up and replaced

15.6.15 **Reference X3b** – the existing access from the U57216 The Broadway to a private field known as 'Norwood', running along an existing private track. This is to be stopped up and replaced with a private means of access references 3a, 3b, and then along private means of access 4 and 5. The replacement means of access provides for the crossing of the alignment of the classified road via a green bridge to provide access to land that would otherwise be severed and connect to the private means of vehicular access over the alignment of the U57216 The Broadway and U52714 Telegraph Hill which are proposed to be stopped up and replaced with a bridleway and restricted byway respectively (see Site Plan 2b).

15.6.16 **Reference X4a** – the existing access from the U57216 The Broadway to a private field. The existing access is to be stopped up, as a consequence of the replacement of the U57216 The Broadway and U57214 Telegraph Hill with public rights of way (described above), and replaced with private means of access references 4a, 4 and 5. The replacement means of access provides access to the private field as well as connect to the private means of vehicular access over the alignment of the U57216 The Broadway and U52714 Telegraph Hill which are proposed to be stopped up and replaced with a bridleway and restricted byway respectively (see Site Plan 2b).

15.6.17 **Reference X4** - the existing access from the U57216 The Broadway to a private field. The existing access is to be stopped up, as consequence of the replacement of the U57216 The Broadway and the U57214 Telegraph Hill with public rights of way (described above), and replaced with private means of access references 4b, 4 and 5. The replacement means of access provides access to the private field as well as connect to the private means of vehicular access over the alignment of the U57216 The Broadway and U52714 Telegraph Hill which are proposed to be stopped up and replaced with a bridleway and restricted byway respectively (see Site Plan 2b).

15.6.18 **Reference X4c** – the existing access from the U57216 The Broadway to a private field. The existing access is to be stopped up, as consequence of the replacement of the U57216 The Broadway and the U57214 Telegraph Hill with public rights of way (described above), and replaced with private means of access references 4c, 4 and 5. The replacement means of access provides access to the private field as well as connect to the private means of vehicular access over the alignment of the U57216 The Broadway and U52714 Telegraph Hill which are proposed to be stopped up and replaced with a bridleway and restricted byway respectively (see Site Plan 2b).

- 15.6.19 **Reference X4d** – the existing access from the U57216 The Broadway to a private field. The existing access is to be stopped up, as consequence of the replacement of the U57216 The Broadway and the U57214 Telegraph Hill with public rights of way (described above), and replaced with private means of access references 4d, 4 and 5. The replacement means of access provides access to the private field as well as connect to the private means of vehicular access over the alignment of the U57216 The Broadway and U57214 Telegraph Hill which are proposed to be stopped up and replaced with a bridleway and restricted byway respectively (see Site Plan 2b).
- 15.6.20 **Reference X4e** – the existing access from the U57216 The Broadway to a private field. The existing access is to be stopped up, as consequence of the replacement of the U57216 The Broadway and the U57214 Telegraph Hill with public rights of way (described above), and replaced with private means of access references 4d, 4 and 5. The replacement means of access provides access to the private field as well as connect to the private means of vehicular access over the alignment of the U57216 The Broadway and U57214 Telegraph Hill which are proposed to be stopped up and replaced with a bridleway and restricted byway respectively (see Site Plan 2b).
- 15.6.21 **Reference X5a** – the existing access from the U57214 Breck Road to a private field. The existing access is to be stopped up, as consequence of the replacement of the U57216 The Broadway and the U57214 Telegraph Hill with public rights of way (described above), and is to be replaced with private means of access references 5a, 4 and 5. The replacement means of access provides access along the stretch of the U57214 Breck Road that is to be stopped up on the east side of the classified road, as well as connect to the private means of vehicular access over the alignment of the U57216 The Broadway and U57214 Telegraph Hill which are proposed to be stopped up and replaced with a bridleway and restricted byway respectively (see Site Plan 2b).
- 15.6.22 **Reference X5b** – the existing access from the north side of the U57214 Telegraph Hill to a private field. The existing access is to be stopped up, as a consequence of the highway improvements to the junction between the U57214 Telegraph Hill with the footpath Honingham FP5, and replaced by a new private means of access references 5b, 4 and 5. The replacement provides access to the private field as well as a private means of vehicular access over the alignment of the U57216 The Broadway and U57214 Telegraph Hill which are proposed to be stopped up and replaced with a bridleway and restricted byway respectively (see Site Plan 2b).

- 15.6.23 **Reference X6a** – the existing access from the U57214 Breck Road to a private field. This is to be stopped up, as a consequence of the replacement of the U57214 Breck Road with a restricted byway, and replaced with a private means of access references 6a and 6. The replacement provides access to the private field as well as a private means of access over the alignment of the U57214 Breck Road which is proposed to be stopped up and replaced with a restricted byway (see Site Plan 2b).
- 15.6.24 **Reference X6b** – the existing access from the north side of the U57214 Breck Road to a private field. This is to be stopped up, as a consequence of the replacement of the U57214 Breck Road with a restricted byway, and replaced with a private means of access references 6b and 6. The replacement means of access provides access to the private field as well as for a private means of vehicular access over the alignment of the U57214 Breck Road which is proposed to be stopped up and replaced with a restricted byway (see Site Plan 2b).
- 15.6.25 **Reference X6c** - the existing access from the south side of the U57214 Breck Road to a private field. This is to be stopped up, as a consequence of the replacement of the U57214 Breck Road with a restricted byway, and replaced with a private means of access references 6c and 6. The replacement means of access provides access to the private field as well as access over the alignment of the U57214 Breck Road which is proposed to be stopped up and replaced with a restricted byway (see Site Plan 2b).
- 15.6.26 **Reference X6d** – the existing access from the U57214 Breck Road to a private field. This is to be stopped up, as a consequence of the improvements to the U57214 Breck Road and replaced with a private means of access reference 6d.
- 15.6.27 **Reference X8a** – the existing access from U57217 Church Hill Lane to a private field. This is to be stopped up, as a consequence of the highway improvements to the U57217 Church Hill Lane and replaced with a private means of access reference 8a.
- 15.6.28 **Reference X9a** – the existing access from the north side of the U57217 Church Hill Lane to a private field and to an electricity substation. This is to be stopped up as consequence of the stopping up of the U57217 Church Hill Lane, and replaced by a new private means of access references 9a and 9. The replacement provides the same access from the north side of the U57217 Church Hill Lane to the private field and electricity substation, as well as a private means of vehicular access over the alignment of the U57217 Church Hill Lane which is proposed to be stopped up (see Site Plan 2b).

15.6.29 **Reference X9b** – the existing access from the south side of the U57217 Church Hill Lane to a private field. This is to be stopped up, as consequence of the stopping up of the U57217 Church Hill Lane and replaced by a new private means of access references 9b and 9. The replacement provides the same access from the south side of the U57217 Church Hill Lane to the private field as well as a private means of vehicular access over the alignment of the U57217 Church Hill Lane which is proposed to be stopped up (see Site Plan 2b).

15.6.30 **Reference X10** – the existing access from the U57217 Church Hill Lane to a private field (owned by the Council). This access is to be stopped up as the land associated with the access forms part of the alignment of the classified road and is to be replaced by a new private means of access references 9c and 9. The replacement provides access to land south of the alignment of the classified road that would otherwise be severed and connect to the private means of vehicular access over the alignment of the stopped up U57217 Church Hill Lane. Provision is made for the remainder of the potentially severed land to the north of the classified road as explained below (see Reference 'X11').

15.6.31 **Reference 'X11'** – the existing access from the U57217 Church Hill Lane to a private field (owned by the Council). This access is to be stopped up as a consequence of the highway improvements to the U57217 Church Hill Lane and replaced with a new private means of access reference 11. This replacement provides access to the otherwise severed land to the north of the classified road.

Private means of access to be stopped up and not replaced.

15.6.32 **Reference X7** – the existing access from the U57214 Breck Road to a private field, at a point 743 metres south-east of the junction of the U57214 Breck Road with the C167 Weston Green Road is proposed to be stopped up. No replacement access is proposed because reasonably convenient access to the premises will be provided by private means of access reference 5b.

15.6.33 **Reference X8** – the existing access from the U57217 Church Hill Lane to a private field, at a point 337 metres south-east of the junction of the U57217 Church Hill Lane with the C167 Weston Road and the C167 Weston Green Road is proposed to be stopped up as a consequence of the classified road. No replacement access is proposed because reasonably convenient access will exist from private means of access references 8a, 9a and 12.

New private means of access

15.6.34 **References 9d, 9c and 9** – this is a new private means of access to a private field that is east of the alignment of the classified road that would otherwise be severed and connects to the private means of vehicular access over the alignment of the U57217 Church Hill Lane.

15.7 Site Plan 3

Improvements

15.7.1 Improvements are required along the C172 Ringland Lane. Works are to include:

- **C172 Ringland Lane** – the road will be improved to facilitate its crossing of the classified road via the Ringland Lane Bridge BR2.

New Highways

15.7.2 **Reference J** – this is a new length of bridleway to provide a link across the classified road via the proposed Morton Green Bridge between the new right of way reference N and new right of way reference K.

15.7.3 **Reference L** – this is a new length of footpath to provide a link between the improved C172 Ringland Lane and the existing footpath Ringland FP1 (continues on Site Plan 4).

Highways to be stopped up and replaced

15.7.4 The **U57323 Blackbreck Lane** from a point 7 metres north of its junction with the centreline of the U57217 Church Hill Lane and the U57217 Weston Road, northwards to its junction with the centreline of the C172 Ringland Lane. This route is proposed to be stopped up and replaced by a new restricted byway reference K, which is proposed to follow the current alignment of the U57323 Blackbreck Lane from its junction with the U57217 Church Hill Lane and the U57217 Weston Road northwards until it meets the classified road boundary, at which point it then continues by running parallel alongside the eastern side of the classified road before connecting to the improved C172 Ringland Lane southeast of the Ringland Lane bridge.

Highways to be stopped up and not replaced

- There are no highways to be stopped up and not replaced on Site Plan 3.

Private means of access to be stopped up and replaced

15.7.5 **Reference 'X13a'** – the existing access from the U57323 Blackbreck Lane to a private field. This is to be stopped up as a consequence of the stopping up and re-alignment of the U57323 Blackbreck Lane, and replaced with a new private means of access references 13a and 13. This replacement provides for a private means of vehicular access over the alignment of U57323 Blackbreck Lane which is proposed to be stopped up and replaced by a restricted byway.

- 15.7.6 **Reference X13b** – the existing access from the U57323 Blackbreck Lane to a private field. This is to be stopped up, as a consequence of the stopping up and re-alignment of the U57323 Blackbreck Lane, and replaced with a new private means of access references 13b and 13. This replacement provides for a private means of vehicular access over the alignment of U57323 Blackbreck Lane which is proposed to be stopped up and replaced by a restricted byway.
- 15.7.7 **Reference X13c** - the existing access from the U57323 Blackbreck Lane to a private field. This is to be stopped up, as consequence of the stopping up and re-alignment of the U57323 Blackbreck Lane and replaced with a new private means of access references 13c and 13. This replacement provides for a private means of vehicular access over the alignment of U57323 Blackbreck Lane which is proposed to be stopped up and replaced by a restricted byway.
- 15.7.8 **Reference X13d** - the existing access from the U57323 Blackbreck Lane to a private field. This is to be stopped up, as a consequence of the stopping up and re-alignment of the U57323 Blackbreck Lane, and replaced with a new private means of access references 13d and 13. This replacement provides for a private means of vehicular access over the alignment of U57323 Blackbreck Lane which is proposed to be stopped up and replaced by a restricted byway.
- 15.7.9 **Reference X13e** - the existing access from the U57323 Blackbreck Lane to a private field. This is to be stopped up, as a consequence of the stopping up and re-alignment of the U57323 Blackbreck Lane, and replaced with a new private means of access references 13e and 13. This replacement provides for a private means of vehicular access over the alignment of U57323 Blackbreck Lane which is proposed to be stopped up and replaced by a restricted byway.
- 15.7.10 **Reference X13f** – the existing access from the U57323 Blackbreck Lane to a private field. This is to be stopped up, as a consequence of the stopping up and re-alignment of the U57323 Blackbreck Lane, and replaced with a new private means of access references 13f and 13. The land associated with the access to be stopped up forms part of the classified road alignment, therefore the new access is to be provided from the section of the realigned U57323 Blackbreck Lane that runs alongside the classified road. This replacement also provides for a private means of vehicular access over the alignment of U57323 Blackbreck Lane which is proposed to be stopped up and replaced by a restricted byway (see Site Plan 3).

- 15.7.11 **Reference X13g** – the existing access from the U57323 Blackbreck Lane to a private field. This is to be stopped up, as a consequence of the stopping up and re-alignment of the U57323 Blackbreck Lane and the proposed highway improvements to the C172 Ringland Lane. The replacement private means of access reference 13g will be provided from the south side of the C172 Ringland Lane to enable access to the remainder of the premises outside of the classified road boundary.

Private means of access to be stopped up and not replaced

- 15.7.12 **Reference X16** – the existing access from the C172 Ringland Lane to 'The Nursery' and 'Long Plantation', running along an existing private track is proposed to be stopped up from a point 410 metres north of its junction with the C172 Ringland Lane northwards for a distance of 167 metres where it is crossed by the classified road. No replacement access is proposed because reasonably convenient access to the premises exist from the remainder of the track that adjoins the C172 Ringland Lane that is not being stopped up south of the classified road, as will be provided from the new private means of access reference 15 to the north of the classified road.

New private means of access

- 15.7.13 **References 12 and 13** – this is a new private means of access to a private field west of the alignment of the classified road, over the length of bridleway reference J and further connecting to the private means of access over the length of the U57323 Blackbreck Lane from where they join to its junction with the U57217 Church Hill Lane. This provides an alternative access to 8a to the privately owned field.
- 15.7.14 **Reference 14** – this is a new private means of access from the north side of the improved C172 Ringland Lane to the east of the alignment of the classified road which is required for the Council to access the drainage pond at this location.
- 15.7.15 **References 15 (continued on Site Plan 4) and 15a** – this is a new private means of access from the north side of the improved C172 Ringland Lane west of the alignment of the classified road which is required for the Council to access the drainage ponds at this location.

15.8 Site Plan 4

Improvements

- 15.8.1 Improvements are required along the A1067 Fakenham Road. Works are to include:

- **A1067 Fakenham Road** – the improvements to Fakenham Road are to carry out works to ‘tie-in’ A1067 Fakenham Road with the classified road. This includes improvements to the approach of the A1067 Fakenham Road to the existing A1270 Broadland Northway and A1067 Fakenham Road roundabout junction (which would form part of the classified road) and improvements on the approach of the A1067 Fakenham Road to the new A1067 Fakenham Road’s roundabout junction with the classified road.

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New Highways

- 15.8.2 **Reference L** – this is the continuation of footpath reference L from Site Plan 3, which provides for a crossing under the alignment of the classified road as it is carried over the River Wensum by a viaduct.
- 15.8.3 **Reference M** – this is a new length of footpath to provide a link between the new footpath reference L and the existing footpath Ringland FP1.

Highways to be stopped up and replaced

- 15.8.4 There are no highways to be stopped up and replaced on Site Plan 4.

Highways to be stopped up and not replaced

- 15.8.5 The length of the **A1067 Fakenham Road** that comprises the centre of the new roundabout that will be constructed to 'tie-in' the classified road with the A1067 Fakenham Road is proposed to be stopped up for a distance of 57 metres. This section of highway will not be replaced as it will be operational as part of the classified roads' roundabout junction with the A1067 Fakenham Road.
- 15.8.6 The restricted byway **Attlebridge RB3** from its junction with the A1270 Broadland Northway roundabout eastwards for a distance of 103 metres as it crosses into the bounds of the classified road. This section of the restricted byway is proposed to be stopped up and not replaced as it will form part of the classified road, which includes an equivalent provision.

Private means of access to be stopped up and replaced

- 15.8.7 **Reference X18** – the existing access from the C172 Ringland Lane to the 'Northern Woodlands', running along an existing private track. The existing track is to be stopped up where it crosses the alignment of classified road. It is to be replaced by a new access reference 15 from the C172 Ringland Lane which will in part be shared with accesses 15a and 15 which are required for the Council to access the two drainage ponds on the north side of the C172 Ringland Lane as well as maintenance access for the viaduct.
- 15.8.8 **Reference X21** – the existing access from the A1067 Fakenham Road to 'Woodstock' and the existing private access track, from the junction of the private access track with the A1067 Fakenham Road (land owned by the Council). This is to be stopped up and replaced with a private means of access references 21 and 21a. The replacement reference 21 will provide access from the A1067 Fakenham Road for the Council to carry out maintenance works for the classified road. The replacement reference 21a will serve access to the property 'Woodstock'.

- 15.8.9 **Reference X22** – the existing access from the A1067 Fakenham Road to agricultural land opposite the access to 'Woodstock'. The existing access is to be stopped up, as a consequence of the highway improvement works to the A1067 Fakenham Road, and is to be replaced by a private means of access reference 22. The replacement means of access is located from the point the track on which restricted byway Attlebridge RB4 is situated adjoins the A1067 Fakenham Road, providing access to the land which is to be acquired by the Council for highway improvement works and environmental works including landscaping and planting.
- 15.8.10 **Reference X23** – the existing access from the A1067 Fakenham Road to 'Old Hall Cottages' and 'Old Hall Farm'. The existing access is to be stopped up, as a consequence of the highway improvement works to the A1067 Fakenham Road and replaced with a private means of access reference 23.
- 15.8.11 **Reference X25** – the existing access along the highway that adjoins the north side of the A1270 Broadland Northway roundabout eastwards for a distance of 103 metres. The existing access is to be stopped up, as a consequence of its route entering into the bounds of the classified road and replaced with a new private means of access reference 25. This replacement maintains the access to land outside of the Order Limits for the owners of the premises 'Deighton Hills' and the 'Mid Norfolk Shooting Ground'.

Private means of access to be stopped up and not replaced

- 15.8.12 **Reference X22a** – the existing access from restricted byway Attlebridge RB4 to agricultural land opposite the access to 'Old Hall Farm' at a point 3 metres north-eastwards of the centreline of the junction of the A1067 Fakenham Road with the restricted byway Attlebridge RB4 is proposed to be stopped up as a consequence of the highway improvement works to the A1067 Fakenham Road. No replacement access is proposed because no access to the premises is reasonably required because the premises in question are proposed to be acquired for the purposes of the Proposed Scheme.

New private means of access

- 15.8.13 **Reference 19** – this is a new private means of access that provides maintenance access to the viaduct (comprised in the classified road) on the south side of the River Wensum. It is connected with private means of access reference 15 (which is continued on Site Plan 3) to provide connectivity to provide access from the improved C172 Ringland Lane.

15.8.14 **Reference 20** – this is a new private means of access from the south side of the improved A1067 Fakenham Road to enable the Council to access and carry out maintenance of the viaduct on the north side of the River Wensum. This new private means of access will also provide access to statutory undertaker utility apparatus within the highway verge, as well as providing private means of access to the adjacent premises on the north side of River Wensum floodplain.

15.8.15 **Reference 24** – this is a new private means of access from restricted byway Attlebridge RB4 to land opposite the access to 'Old Hall Farm'. This new private means of access is required for the Council to access the drainage pond at this location.

15.9 Site Plan 5

Improvements

15.9.1 Improvements are required along the C167 Marl Hill Road, the C172 Ringland Lane and the A1067 Fakenham Road at its junction with the C167 Marl Hill Road. Works are to include:

- C167 Marl Hill Road – there will be the provision of a new off carriageway non-motorised user link adjacent to the existing carriageway and landscaping and planting works along Marl Hill Road.
- C172 Ringland Lane – there will be improvements including landscaping and planting works along Ringland Lane.
- A1067 Fakenham Road – there will be landscaping and planting works and works associated with the provision of the new off-carriageway non-motorised user route along the C167 Marl Hill Road, at the junction of the A1067 Fakenham Road and the C167 Marl Hill Road.

New Highways

- There are no new highways to be constructed on Site Plan 5.

Highways to be stopped up and replaced

- There are no highways to be stopped up and replaced on Site Plan 5.

Highways to be stopped up and not replaced

- There are no highways to be stopped up and not replaced on Site Plan 5.

Private means of access to be stopped up and replaced

- There are no private means of access proposed to be stopped up and replaced on Site Plan 5.

Private means of access to be stopped up and not replaced

- There are no private means of access proposed to be stopped up and not replaced on Site Plan 5.

New private means of access

There are no new private means of access on Site Plan 5.

15.10 Site Plan 6

Improvements

- 15.10.1 Improvements are required along the C167 Honingham Lane. The Transport Assessment for the Proposed Scheme recommends traffic mitigation measures be provided along the C167 Honingham Lane in future operational years to minimise the potential for the adverse effects associated with inappropriate traffic 'rat running' along this route. The Council envisages that this mitigation would take the form of a traffic regulation order prohibited vehicular use, save for access to adjacent land. The improvements required at this location are works associated with ensuring that such access can be provided safely.

New Highways

- There are no new highways to be constructed on Site Plan 6.

Highways to be stopped up and replaced

- There are no highways to be stopped up and replaced on Site Plan 6.

Highways to be stopped up and not replaced

- There are no highways to be stopped up and not replaced on Site Plan 6.

Private means of access to be stopped up and replaced

- There are no private means of access proposed to be stopped up and replaced on Site Plan 6.

Private means of access to be stopped up and not replaced

- There are no private means of access proposed to be stopped up and not replaced on Site Plan 6.

New private means of access

- There are no new private means of access on Site Plan 6.

15.11 Conclusion

15.11.1 The Council has made the SRO pursuant to sections 14 and 125 of the Highways Act 1980 to authorise the required changes to the side roads and private means of access to premises, involving the existing side roads and means of access, improvements to existing side roads and to create new side roads and private means of access to premises.

15.11.2 In all cases the tests of section 125(3) of the Highways Act 1980 and the associated requirements of Circular 1/97 have been met.

15.11.3 In all cases the tests of section 14(6) of the Highways Act and the associated requirements of Circular 1/97 have been met.

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16 Other Consents, Licences and Orders

16.1 Certain additional consents, licences and orders are required for the Proposed Scheme. A list of consents, licences and orders required is provided below (and referred to in this section of the Statement of Reasons as the “**Consents**”):

- Protected Species Licence(s) under the Wildlife and Countryside Act 1981, the Conservation of Habitats and Species Regulations 2017 and other legislation;
- Environmental Permits under the Environmental Permitting (England and Wales) Regulations 2016, for flood risk activities, discharge and temporary abstraction of groundwater during construction;
- Consents under the Land Drainage Act 1991 and related byelaws for works affecting ordinary watercourses;
- Traffic Regulation Orders made under the Road Traffic Regulation Act 1984 to manage traffic during construction and operation of the Proposed Scheme; and
- Section 61 consents under the Control of Pollution Act 1974 for works outside of hours specified or which exceed the permitted noise thresholds.

Protected Species Licence(s)

16.2 The Proposed Scheme has incorporated mitigation for protected species known to be present. This includes Water Voles, Badgers and Barn Owls which are detailed within a Ecological Mitigation Strategy within the planning application. Draft licence submissions to Natural England has been made with respect to Badgers and Water Voles. Natural England have supplied Letters of No Impediment (LoNI) for both species which include details of further information required within a licence submission. These licences applications will be made to Natural England before any regulated activity takes place.

16.3 Mitigation licences may be required if protected species not previously identified during surveys carried out to date are found to be present during pre-construction surveys.

- 16.4 In relation to protected bat species the Proposed Scheme has been carefully designed to embed within it a wide range of mitigation measures including but not limited to careful landscape design, the provision of green bridges and other measures to provide multi-functional connections across the Proposed Scheme. The efficacy of these measures would be carefully monitored following implementation. The planning application includes an Outline Bat Mitigation Strategy and Outline Bat Monitoring Strategy which sets out the relevant measures. In parallel, consultation with Natural England regarding bat mitigation has been undertaken throughout the Scheme's development. This culminated in the submission of a draft licence early in 2023. Discussions with Natural England are ongoing and have led to a scheduled resubmission of the draft licence proposed for December 2023. The resubmission will include sign posts to information requested by Natural England and a clarification of the 'roost resource' approach taken.
- 16.5 It is anticipated that both outline documents including in the planning application, together with the details of mitigation required during construction, would be finalised as part of a European protected species licence to be submitted to Natural England before any regulated activity takes place.
- 16.6 Once granted protected species licences the implementation would be overseen named ecologist under the relevant protected species licencing regime(s).

Environmental Permits

- 16.7 Environmental Permits under the Environmental Permitting (England and Wales) Regulations 2016 may be required in relation to the temporary abstraction during construction of groundwater from excavations that exceed the exempt threshold. Flood risk activity permits may also be required in relation to construction works in the vicinity of the River Wensum which is a main river.

Land Drainage Act 1991 and related consents

- 16.8 The Proposed Scheme includes works to ordinary watercourses, such as river Tud tributary, that will require the consent of the internal drainage board.

Traffic Regulation Orders

- 16.9 It is anticipated that traffic regulation orders, made under the Road Traffic Regulation Act 1984 will be required during the construction of the Proposed Scheme to ensure the safety of the workforce and road users. Such traffic regulation orders will be sought in advance of the corresponding construction works beginning.

- 16.10 Traffic regulation orders will also be required during operation of the Proposed Scheme to manage and mitigate traffic. These include 'no right turn' restrictions, speed limit reductions and a closure to vehicular traffic to deter traffic from using inappropriate local roads. The package of traffic regulation orders anticipated to be required during the operation of the Proposed Scheme is considered in the **Transport Assessment [Document Reference 4.01.00]** accompanying the planning application for the Proposed Scheme.
- 16.11 The Council, as the traffic authority for the highways concerned, does not foresee any issues that would prevent or hinder such TROs being made.

Section 61 of the Control of Pollution Act 1974

- 16.12 Section 61 of the Control of Pollution Act 1974 enables persons intending to carry out construction works to apply for prior approval from a local authority to carry out such works. The Outline Construction Environmental Management Plan accompanying the planning application for the Proposed Scheme sets out a range of best practicable means that would be adopted during construction to minimise noise, the detail of which would be developed prior to construction beginning.

16.13 Other projects

- 16.13.1 The Proposed Scheme will interact with three other projects that are at various stages of progress through the process of obtaining and implementing development consent sought or granted under the Planning Act 2008.

The A47 North Tuddenham to Easton Development Consent Order 2022 (A47 DCO)

- 16.13.2 The Proposed Scheme has been designed to connect the Council's strategic roads to the strategic road network by linking the A1270 Broadland Northway to the improved A47 being developed by National Highways under its A47 North Tuddenham to Easton scheme. The Council and National Highways have worked, and are continuing to work, collaboratively on the development of their respective schemes.
- 16.13.3 National Highways applied for development consent for that scheme on 15 March 2021. Following examination under the Planning Act 2008, the A47 DCO was granted by the Secretary of State for Transport on 12 August 2022. The Proposed Scheme, which will connect to the DCO scheme, has been carefully designed in consultation with National Highways, who are responsible for promoting and implementing the A47 DCO. The A47 scheme is included in the Department for Transport's Road Investment Strategy 2 which sets out the list of schemes that are to be developed by National Highways in the period 2020-2025.

16.13.4 The Secretary of State's decision to grant the DCO was subject to legal challenge on grounds related to the cumulative assessment of greenhouse gases. On 7 July 2023 the High Court dismissed the grounds of challenge and upheld the Secretary of State's decision. Permission to appeal to the Court of Appeal has been granted.

16.13.5 The decision of the Secretary of State to grant the A47 DCO demonstrates the acceptability of the principle of that scheme. If the appeal is successful and the A47 DCO is quashed by the Court of Appeal the Secretary of State would be required to redetermine National Highways' DCO in a manner that observed the court's findings.

16.13.6 Having carefully considered the programme implications of delay arising from the legal proceedings to the implementation of the A47 DCO, the Council consider that it is unlikely that it would reflect an impediment to the delivery of the Proposed Scheme.

The proposed Sheringham Shoal and Dudgeon Extensions Offshore Wind Farm Order

16.13.7 The developer submitted its application for development consent on 5 September 2022. The examination closed on 17 July 2023 and the Secretary of State's decision whether or not to grant development consent is required to have been made by 17 January 2024.

16.13.8 The proposed order seeks development consent under the Planning Act 2008 for the construction of offshore wind turbine electricity generating infrastructure and associated onshore electrical connection works. The proposed onshore electrical connection crosses the Proposed Scheme.

16.13.9 The Council is at an advanced stage of negotiating with the developer a co-operation agreement that would ensure the co-existence of both projects and related compulsory powers.

16.13.10 Consequently, the Council does not consider the proposed Sheringham Shoal and Dudgeon Extensions Offshore Wind Farm Order would present an impediment to the delivery of the Proposed Scheme.

Hornsea Three Offshore Wind Farm Order 2020

16.13.11 The Hornsea Three Offshore Wind Farm Order 2020 was granted on 31 December 2020 and authorises the construction of an offshore wind farm together with its electrical connection. The electrical connection crosses part of the Proposed Scheme.

16.13.12 The Council is at an advanced stage of negotiating with the developer a co-operation agreement that would ensure the co-existence of both projects and related compulsory powers.

- 16.13.13 Consequently, the Council does not consider the Hornsea Three Offshore Wind Farm Order 2020 would present an impediment to the delivery of the Proposed Scheme.

16.14 Conclusion

- 16.14.1 In the case of each of the Consents it is not practicable to seek their approval or grant at this stage in the development of the Proposed Scheme for a variety of reasons. In the majority of cases this is because the level of detailed information required to obtain the relevant consent, such as section 61 prior approval under the Control of Pollution Act 1974, will not be available until a later stage.
- 16.14.2 Despite these limitations, which are normal for a project such as the Proposed Scheme, discussions with relevant bodies have been established and liaison is ongoing to ensure the relevant consents, licences and orders are secured at the appropriate point in time for when those Consents are required to be in place such that the Proposed Scheme may proceed.
- 16.14.3 The Council is at an advanced stage of negotiating co-operation agreements with the offshore wind farm developers who have, or are seeking, powers under the Planning Act 2008 in relation to part of the land including in the CPO.
- 16.14.4 Consequently, the Council has concluded that any requirement to obtain the Consents would not represent an impediment to the delivery of the Proposed Scheme.

17 Other Information

17.1 Contact Information

- 17.1.1 For those wishing to discuss a sale of land or property, compensation or accommodation works or for those requiring further information or an update on the Proposed Scheme, contact can be made:

[Insert Website Address]

Name: [Insert Name]

Address: [Insert Address]

Email: [Insert Email]

Phone: [Insert Phone Number]

17.2 Public Inquiry

- 17.2.1 This Statement has been prepared in support of the making of the Orders for the Proposed Scheme in accordance with the Guidance. It is not intended to discharge the Council's requirement to produce, nor is it to be taken as, its 'Statement of Case' in the event that the Secretary of State should call a public inquiry to be held to consider any objections received to the Orders.

- 17.2.2 The Council reserves the right to expand or otherwise modify this Statement in the event of a public inquiry into the Orders being held and will produce its Statement of Case, as may be required, under the appropriate rules and at the appropriate time indicated under 'The Highways (Inquiries Procedure) Rules 1994 (S.I. 1994 No.3263) and 'The Compulsory Purchase (Inquiries Procedure) Rules 2007 (S.I. 2007 No.3617).

17.3 Inspection of Documents

- 17.3.1 Copies of the Orders, Maps and this Statement of Reasons are available for inspection at the following locations during the specified opening times:

Location	Opening Times
Archive Centre County Hall Martineau Lane Norwich NR1 2DQ	<ul style="list-style-type: none">• Tuesday 9.30am - 5pm• Wednesday 9.30am - 5pm• Thursday 9.30am - 5pm• Friday 10am - 4pm
Taverham Library	<ul style="list-style-type: none">• Monday 10.30am to 7pm

Sandy Lane Taverham Norwich NR8 6JR	<ul style="list-style-type: none"> • Tuesday 12.30 to 7pm • Thursday 10.30am to 7pm • Friday 10.30am to 7pm • Saturday 10am to 4pm
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- 17.3.2 And may be inspected on the Council's website at:
<https://www.norfolk.gov.uk/roads-and-transport/major-projects-and-improvement-plans/norwich/norwich-western-link>

17.4 Compensation

- 17.4.1 Provision is made by statute to provide compensation for the compulsory purchase of land and depreciation in value of affected properties.
- 17.4.2 More information is given in the series of 'plain English' guides published by the Department for Levelling Up, Housing and Communities entitled 'Compulsory Purchase and Compensation' listed below:
- Guide 1 – Procedure (<https://www.gov.uk/guidance/compulsory-purchase-and-compensation-guide-1-procedure>);
 - Guide 2 – Compensation to Business Owners and Occupiers (<https://www.gov.uk/guidance/compulsory-purchase-and-compensation-guide-2-compensation-to-business-owners-and-occupiers>)
 - Guide 3 – Compensation to Agricultural Owners and Occupiers (<https://www.gov.uk/guidance/compulsory-purchase-and-compensation-guide-3-compensation-to-agricultural-owners-and-occupiers>)
 - Guide 4 – Compensation to Residential Owners and Occupiers (<https://www.gov.uk/guidance/compulsory-purchase-and-compensation-guide-4-compensation-to-residential-owners-and-occupiers>)

17.5 Documents referred to in this Statement and to be relied on at Public Inquiry

- 17.5.1 Planning application documents
- (a) Chapter 3 of the Environmental Statement (Document Reference 3.03.00)
 - (a) Chapter 4 of the Environmental Statement (Document Reference 3.04.00)
 - (b) Consultation Report (Document Reference 5:01:00)
 - (c) General Arrangement Plans (Document Reference 2.03.00)
 - (d) Planning Statement (Document Reference 1.01.00)

- (e) Statement of Community Involvement (Document Reference 1.03.00)
- (f) Structure Drawings (Document Reference 2.06.01)
- (g) Transport Assessment (Document Reference 4.01.00)

17.5.2 Legislation

- (b) Acquisition of Land Act 1981
- (c) Compulsory Purchase Act 1965
- (d) Conservation of Habitats and Species Regulations 2017
- (e) Control of Pollution Act 1974
- (f) Environmental Permits under the Environmental Permitting (England and Wales) Regulations 2016
- (g) Equality Act 2010
- (h) Highways Act 1980
- (i) Land Drainage Act 1991
- (j) Planning Act 2008
- (k) Road Traffic Regulations Act 1984
- (l) The Human Rights Act 1998
- (m) Town and Country Planning (Development Management Procedure) (England) Order 2015
- (n) Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (the "EIA Regulations")
- (o) Wildlife and Countryside Act 1981

17.5.3 National Policy and Guidance

- (a) Department for Levelling Up, Housing and Communities' 'Guidance on Compulsory purchase process and The Crichel Down Rules' ("the Guidance").
- (b) European Convention on Human Rights ("ECHR")
- (c) The National Planning Policy Framework (NPPF)
- (d) National Policy Statement for National Networks (2014) and Draft published March 2023.

17.5.4 Local Policy and Guidance

- (a) Connecting Norfolk, Norfolk Local Transport Plan (2011-2026)
- (b) Greater Norwich Development Partnership – Joint Core Strategy (2014)
- (c) Local Transport Plan (LTP) 4 Strategy
- (d) Norfolk County Council – Transport for Norwich Strategy (2021)
- (e) Norfolk County Council – Environmental Policy (2019)
- (f) Norfolk County Council – Local Transport Plan (2022)
- (g) Norfolk Strategic Infrastructure Delivery Plan 2023
- (h) Broadland District Council Development Plan

18 Conclusion

- 18.1 This Statement sets out why compulsory powers have been sought in the CPO and explains why the Council considers such powers to be necessary, proportionate, and justified.
- 18.2 In determining the extent of the compulsory acquisition powers proposed in the CPO, the Council has had regard to the requirements of the relevant legislation and to the advice in the Guidance. The Council is content that the scope of the powers sought and the extent of the interests in the Land to be acquired by compulsory acquisition are required for the Proposed Scheme and are the minimum necessary that will allow the Council to construct, operate and maintain the Proposed Scheme. The purpose for which each part of the Land is required is set out in Appendix A to this Statement.
- 18.3 The Council has consulted all persons affected by the compulsory acquisition powers and persons who may have a claim for compensation arising from the Proposed Scheme. The Council has sought to acquire interests in the Land by agreement wherever practicable and will continue to do so, as the CPO procedures progress. The status of negotiations with affected landowners and occupiers for the acquisition of their land interests is set out in Appendix B to this Statement.
- 18.4 The Council has considered the human rights of the persons affected by the compulsory acquisition powers. It is satisfied that there is a compelling public interest case for compulsory acquisition and that the public benefits arising from the Proposed Scheme will outweigh the harm to those individuals.
- 18.5 Without the grant of compulsory acquisition powers, the Council considers that it will not be possible to construct the Proposed Scheme, or realise the public benefits arising from it.
- 18.6 There is a compelling case in the public interest for the compulsory acquisition powers sought by the Council in the CPO. The exercise of the compulsory acquisition powers that are sought is shown throughout this Statement to be necessary and proportionate to the extent that interference with private land and rights is required.
- 18.7 As set out in section 15 of this statement, the Council has carefully considered the interventions in the local highway network, and to existing private means of access from it, that would be given effect by the SRO. The Council has considered the measures in the SRO against the relevant legal tests, including the key tests in sections 14(6) and 125(3) of the Highways Act 1980 and the advice contained in Department for Transport Circular 1/97 and has concluded that those tests are met and the provisions of the SRO are justified.

Appendix A – Purpose for which Compulsory Acquisition Powers are Sought

[Appendix To Be Inserted]

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Appendix B – Status of Negotiations with Landowners

[Appendix To Be Inserted]

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NWL Risk Register - Qualitative

Prepared by (Risk Register Owner)

Update by Risk Owner due by

Update by Lead Officer due by

Update by Risk Regsiter Owner due by

Finalised by

Brett Rivett

27/10/2023

03/11/2023

07/11/2023

15/11/2023

(A)

(C)

(F)

(M)

						Current Status (Pd.06-24)			
Risk A Category	Risk B Category	QRA Ref	Date added	Risk Description (lack of, failure to...)	Impact of Risk	Likelihood	Impact	Risk Score	Risk Level
Strategic	A - Funding / Third parties	A04	18/06/2018	There may be a delay in the funding approval (OBC and/or FBC) from DfT due to a general election being called or other factors impacting the sign off of the business cases.	1. Delay to scheme development. 2. Programme delay.	5	2	10	MEDIUM
Strategic	A - Funding / Third parties	A05	18/06/2018	The project may receive a legal challenge based on the planning and environmental processes followed, or if environment factors are encountered during surveys.	1. Delay to programme and the associated costs of tackling a legal challenge 2. Prolonged public inquiry 3. Judicial review of the scheme	3	4	12	MEDIUM
Strategic	A - Funding / Third parties	A06	18/06/2018	The value of the land required for the project may increase above the anticipated costs (inflation or otherwise).	1. Cost increase. 2. Delays whilst land value negotiations take place.	3	2	6	MEDIUM
Strategic	A - Funding / Third parties	A08	18/07/2018	The project may fail to secure budget for scheme funding profile from NCC and DfT due to changes in policy, change in MP support, or change in local support.	Depending on the timing of the event, notice to proceed to Stage Two and Stage Three may not be issued or the contract between NCC and Ferrovia may need to be terminated.	3	1	3	LOW
Strategic	A - Funding / Third parties	A10	18/07/2018	Changes to UK relationship with the European Union affecting trading conditions.	1.Price increase in construction materials due to the value of the pound decreasing. 2. Increased tarrifs and or boarder delays.	2	2	4	LOW
Operational	A - Funding / Third parties	A16	17/01/2020	Reinstatement of temporary land occupied to deliver the project is not acceptable to landowners, as reinstatement fails to meet the standard recorded prior to temporary occupation.	1. Additional cost to reinstate to original condition or to acquire land.	3	3	9	MEDIUM
Operational	A - Funding / Third parties	A17	28/01/2021	Addition of new Third Party Agreements or amendment to the existing Third Party Agreements included in the Scope introduces additional or varied constraints.	1. Additional costs and programme implications.	3	3	9	MEDIUM
Operational	A - Funding / Third parties	A18	06/05/2022	Revenue generated from re-sale of properties acquired may exceed that assumed in the land estimate.	Increased return to the project.	3	1	3	LOW
Strategic	B - Programme / Contract	B03	18/06/2018	Legal work may not completed on time.	1. Delays to statutory notifications required under planning consent requirements. 2. Reputational damage due to loss of confidence in NCC's capability to deliver	2	2	4	LOW
Strategic	B - Programme / Contract	B04	18/06/2018	The planning process may impose unexpected conditions on the project. Note: risk considers the introduction of condition made as part of the planning consent.	1. Costs to address the conditions to allow licences to be released. This could include design updates, more land purchase 2. Compression of the programme between the determination of planning and start of works	3	3	9	MEDIUM
Strategic	B - Programme / Contract	B05	18/06/2018	The A47 dualling construction programme may change.	1. Delays to construction programme 2. Cost impact to re-sequence work 3. NWL opening postponed until A47 junction complete. 4. Improved Wood Lane Junction not available for start of NWL construction	5	4	20	HIGH
Strategic	B - Programme / Contract	B06	18/06/2018	Landowners may object to the scheme or to selling their land.	1. Potential delays or difficulties negotiating during the CPO process. 2. Cost increase to agree a route and mitigation which impacts the BCR. 3. Reputational damage for NCC with local landowners 4. Change of landowner leads to disagreement on proposals	4	1	4	LOW
Strategic	B - Programme / Contract	B12	02/07/2018	NCC Decisions may not be made in a timely manner due to change of staff, loss of decision making personnel or absence of decision making personnel.	1. Delay to programme while decisions aren't made	2	2	4	LOW
Strategic	B - Programme / Contract	B18	12/06/2020	The programme for adoption of the GNLP and LTP are delayed	1. The NWL programme does not align with the plan making process 2. Reference to these policies would need to consider their stage in development	4	1	4	LOW
Operational	B - Programme / Contract	B22	16/09/2020	Inflationary factors impacted by: 1) Increased national infrastructure delivery programme, 2) Pandemic - virus strain known as severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) or the disease known as coronavirus disease 2019 (COVID-19) (including, in both instances any mutation or variant thereof) and 3) Brexit. 4) Invasion of Ukraine.	Inflation in excess of historic trends used for the purpose of the forecast, driven by: 1) Supply and demand 2) Increases in aggregate tax, fuel levies, road tax, landfill tax, etc.	4	3	12	MEDIUM
Strategic	B - Programme / Contract	B23	29/03/2021	The delivery of the Sustainable Transport Strategy is outside of the main D&B contract	1. Late changes to the D&B Contractors scope of work 2. Potential programme implications subject to STS delivery timescales	3	1	3	LOW
Strategic	B - Programme / Contract	B27	01/09/2022	Time risk allowances and terminal float allowances within the over-arching project programme are insufficient.	Programme delays.	5	3	15	HIGH
Strategic	B - Programme / Contract	B28	09/02/2023	Planning documentation required to be formatted for accessibility. Note: Risk considers the adequacy of the programme and resource allowances to comply with requirements for accessibility.	Delay to planning application whilst documents are formatted.	2	2	4	LOW

						Current Status (Pd.06-24)			
Risk A Category	Risk B Category	QRA Ref	Date added	Risk Description (lack of, failure to...)	Impact of Risk	Likelihood	Impact	Risk Score	Risk Level
Strategic	C - Scope Change / Change	C01	18/06/2018	Early assumptions made for engineering design found to be insufficient following receipt of further information. Note: Risk considers the adequacy of the Tender Design where the engineering solution deviates from the Reference Design (accepted deviations).	1. Design changes required, 2. Cost increases during design due to increased design requirements (more concrete, greater level of excavation etc) 3. Reputational damage 4. Delivery delays	1	3	3	LOW
Strategic	C - Scope Change / Change	C03	18/06/2018	National Highways may change the A47 junction design, requiring an update to the NWL alignment.	1. Additional cost, in both design and construction 2. Delay to the design programme 3. Increased land take 4. Increased land costs 5. Significant change may require additional environmental surveys 6. Change in scheme design may have an increased environmental impact	3	2	6	MEDIUM
Strategic	C - Scope Change / Change	C05	18/06/2018	DfT standard departures may not be approved without changes or adjustments. Note: Risk considers the transition from NCC/Contractor design to HE design at interface with A47.	1. Redesign to meet the standards at the tie in point with the A47 (Contractor design at/to the tie will need HE approval (transition)). 2. Increased costs to overall scheme to meet acceptable standards. 3. Delays while negotiating the departures.	1	2	2	LOW
Strategic	C - Scope Change / Change	C06	18/06/2018	There may be a variation between actual site conditions and assumptions used in design, such as the GI and topographical survey. Note: Risk considers the adequacy of the revised Tender Design (Route Refinement) where the engineering solution deviates from the Tender Design.	1. Ground works costs increase 2. Land take may increase, 3. The drainage design may need revision	3	3	9	MEDIUM
Strategic	C - Scope Change / Change	C08	18/07/2018	Design departures subject to NCC approval may not be granted. Note: Risk considers the deviations accepted through dialogue and the acceptability as part of the planning process.	1. Approvals not achieved so scheme cannot proceed. 2. Designs require modification to address approval issues.	2	4	8	MEDIUM
Strategic	C - Scope Change / Change	C10	02/07/2018	The DfT may make updates which affect traffic modelling.	1. The cost of re-modelling or re-working of models based on new data 2. Programme delay whilst outputs are revised 3. Effect on scheme benefits	1	4	4	LOW
Strategic	C - Scope Change / Change	C13	08/05/2019	The scope of the works to introduce cycle and footway provision is yet to be fixed in relation to the preferred route.	1. Additional scope and costs to provide 2. Delays if stakeholder consultations lead to changes	2	2	4	LOW
Strategic	C - Scope Change / Change	C15	12/08/2020	Changes to technical standards and guidance on which the design/assessment of the scheme are based. Notes, excludes changes to standards dictating containment level (see risk E16).	1. Design changes lead to programme delay. 2. Cost increases for additional/improved provisions. 3. Challenge to funding application if compliance cannot be demonstrated.	2	2	4	LOW
Operational	C - Scope Change / Change	C16	25/01/2021	Reduction or increase in the permanent land requirements over that shown on the tender design drawings. Note: Contemplates changes from land requirements considered for the revised Tender Design (Alignment Refinement).	1. Cost associated with the requirement to take additional land or reduce the requirements. 2. Delays to scheme due to the requirement to survey and review the additional land. 3. Requirement for further consultation	2	1	2	LOW
Operational	C - Scope Change / Change	C17	25/01/2021	Reduction or increase in the temporary land requirements over that shown on the tender design drawings. Note: Contemplates changes from land requirements considered for the revised Tender Design (Alignment Refinement).	1. Cost associated with the requirement to take additional land or reduce the requirements. 2. Delays to scheme due to the requirement to survey and review the additional land. 3. Requirement for further consultation	5	1	5	LOW
Operational	C - Scope Change / Change	C19	25/01/2021	'Stopping Up' of Weston Road and Breck Road is opposed.	1. Construction of Weston Road and Breck Road Overbridges, including all design costs, construction costs and programme implications.	1	1	1	LOW
Operational	C - Scope Change / Change	C20	27/01/2021	Early access to land which has not been acquired to carry out ecological mitigation works is not possible. Note: Risk considers access to 'off-site' areas required for mitigation purposes.	1. Delay and disruption to the programme for Stage Two Work and Stage Three Work. 2. Increase in Contractors costs	1	4	4	LOW
Strategic	C - Scope Change / Change	C21	29/01/2021	Sustainable transport strategy - provisions. Development of the shortlisted wider measures (1, 3, 4, 5 and 7E).	1. Additional design, construction and programme implications.	3	2	6	MEDIUM
Strategic	C - Scope Change / Change	C22	19/02/2021	Sufficiency of the Contractor's Budget for Stage Two Work	Increases the difference between the Price of Work Done to Date and the total of the Prices for Stage Two, hence increasing the amount the Client pays. Programme effects, works not included in the Accepted Programme.	4	3	12	MEDIUM
Operational	C - Scope Change / Change	C23	19/02/2021	Value engineering opportunities.	1. Reduces the total of the Prices for Stage Two. 2. Programme effects, works included in the Accepted Programme omitted.	3	1	3	LOW
Operational	C - Scope Change / Change	C25	30/11/2021	Changes to the Scope instructed by the Project Manager (not covered by specific risks detailed herein), including any ambiguities or inconsistencies as previously noted under risk K05.	Ambiguity in requirements/site information, access issues, late issue of information, unforeseen ground conditions, STATS and traffic management issues may all give rise to disputes and claims	3	3	9	MEDIUM
Operational	C - Scope Change / Change	C27	04/05/2022	Additional Ground Investigation works required over that set out in the GISR.	Additional works attracting cost and time.	3	1	3	LOW

						Current Status (Pd.06-24)			
Risk A Category	Risk B Category	QRA Ref	Date added	Risk Description (lack of, failure to...)	Impact of Risk	Likelihood	Impact	Risk Score	Risk Level
Operational	C - Scope Change / Change	<u>C28</u>	04/05/2022	Failure to agree the assessment of events that can change the Budget for Stage Two Work (Clause X22.6 refers).	Escalation to the Senior representatives for resolution (X22.6(5)). Escalation to the Project Board Members for resolution (X22.6(6)). If the above steps do not resolve the matter, the notice to proceed to Stage Two and Stage Three cannot be issued (X22.5(3)). Procurement of Stage Two and Stage Three Work.	4	1	4	LOW
Operational	C - Scope Change / Change	<u>C31</u>	03/03/2023	Earthworks bunds height may need further changes to respond to local parishes concerns. This change would need to be implemented post Design Freeze 3.5 issued on 10/02/2023.	Plannning application design delay and impact on the earthworks balance including potential need to import.	4	2	8	MEDIUM
Operational	D - Weather Events	<u>D02</u>	10/08/2020	Adverse weather conditions greater than 1 in 10 year event.	1. Delay and disruption to Stage One and Stage Two. 2. Client liability (compensation event) if the event is a consequence of rainfall, air temperature or snow. 3. Shared liability if the event is a consequence of other weather events such as wind. 4. Likelihood increased due to occurrence of more adverse weather patterns.	3	3	9	MEDIUM
Operational	D - Weather Events	<u>D03</u>	10/08/2020	Adverse weather conditions less than 1 in 10 year event.	1. Delay and disruption to Stage One and Stage Two. 2. Shared liability, regardless of the weather event. 3. Traditional construction methodology more suspetable to delay due to wind speeds.	4	3	12	MEDIUM
Strategic	E - Design Risk Products / Materials	<u>E04</u>	18/06/2018	Change in structure type, appearance and span arrangement - Viaducts.	1. Redesign works and possible delay 2. Increase in costs 3. May impact on land requirements	1	5	5	LOW
Strategic	E - Design Risk Products / Materials	<u>E05</u>	02/07/2018	RSA may require changes in the later design stages.	1. Late design changes impact on programme 2. The cost implication of reviewing and updating designs	3	2	6	MEDIUM
Strategic	E - Design Risk Products / Materials	<u>E08</u>	08/05/2019	The assumption that the wildlife overbridges will be a standard width may change. Note: Relates to GB1, GB2 and GB4.	Additional costs for design and construction will be incurred if it is established that wider or more complicated structures are required.	1	2	2	LOW
Strategic	E - Design Risk Products / Materials	<u>E09</u>	08/05/2019	The scope to address the supplementary measures to the NWL may increase following full investigation and local traffic issues.	1. Additional costs for design and construction to provide supplementary measures 2. Possible delays if further consultation is required.	3	1	3	LOW
Strategic	E - Design Risk Products / Materials	<u>E11</u>	29/11/2019	NMU and land access strategy may fail to gain support of LPA, PRoW and landowners.	1. Redesign work and possible programme delay 2. Additional structures required to cross NWL - cost and programme delay 3. Additional compensation to landowners 4. PRoW objection - planning and programme delay	3	2	6	MEDIUM
Strategic	E - Design Risk Products / Materials	<u>E12</u>	31/03/2020	Additional structures needed to cross the IDB drains to facilitate maintenance access track for viaduct inspection/maintenance and another structure to facilitate NMU route east of Tud Tributary culvert.	1. Additional scope and costs to design 2. Potential hydrological / ecological constraints 3. EA or NE objection poses risk to planning	2	2	4	LOW
Strategic	E - Design Risk Products / Materials	<u>E13</u>	21/05/2020	The highway and junction layouts indicated in the Reference Design are based on 2015 base year traffic survey data. More current traffic survey information is being obtained from 2019 surveys that will be used as basis for updating the traffic model in 2020. There is a risk that the difference in the data may result in geometric design changes. Note: Risk considers the sufficiency of the forecast allowance for design changes required to accommodate the revised forecast flows.	1. Late design changes impact on programme 2. The cost implication of reviewing and updating designs 3. Change to the Contractors Tender Price	3	2	6	MEDIUM
Operational	F - Environmental	<u>F01</u>	18/06/2018	During construction protected species not previously identified may be found to be present in location of project.	1. Make area safe for protected species 2. Relocate where applicable 3. Schedule relocation at suitable time 4. Delays to project and associated cost for rehoming and delays	2	2	4	LOW
Operational	F - Environmental	<u>F02</u>	18/06/2018	Contamination and/or fly tipping is discovered on the land during the site surveys or identified/occurs during Stage One and Stage Two.	1. Additional cost in the procurement process for testing, treating and removal of material. 2. Disposal of fly tipping and/or treatment of contaminated land.	3	1	3	LOW
Strategic	F - Environmental	<u>F03</u>	18/06/2018	Lack of access to undertake environmental surveys until CPO process completed (Stage Two access date).	1. Incomplete surveys and hence assessments may not be suitable for submission to the determining authority 2. Delay to programme while surveys are undertaken 3. A complete survey season of baseline information required to determine mitigation	2	2	4	LOW
Operational	F - Environmental	<u>F04</u>	18/06/2018	Invasive species may be found to be present in location of project.	1. Additional cost for testing and treating and removal prior to construction commencing	2	2	4	LOW
Operational	F - Environmental	<u>F05</u>	18/06/2018	Archaeological remains that require significant intrusive investigation may be found to be present.	1. Risk to pre-construction programme and cost from survey requirements pre-application 2. Re-route scheme to avoid known sites of archaeological value. 3. Will also result in increased costs and delays to activities/ programme	5	2	10	MEDIUM
Strategic	F - Environmental	<u>F06</u>	02/07/2018	Failure to reach agreement with relevant consultees with regard to significant environmental impacts and mitigation. E.g. SAC/SSSI. This could include NE not accepting the design e.g. of the viaduct and/or bat mitigation measures - underpasses/green bridges.	1. Potential objectors to the project that could jeopardise delivery	4	3	12	MEDIUM
Strategic	F - Environmental	<u>F08</u>	02/07/2018	Noise impacts are deemed to require mitigation.	1. Mitigation required such as acoustic fencing or false cutting; this could lead to additional land take or visual impacts. 2. Cost increases	3	2	6	MEDIUM

						Current Status (Pd.06-24)			
Risk A Category	Risk B Category	QRA Ref	Date added	Risk Description (lack of, failure to...)	Impact of Risk	Likelihood	Impact	Risk Score	Risk Level
Strategic	F - Environmental	F09	02/07/2018	Significant adverse environmental effects identified in the application.	1. This may be deemed unacceptable the determining authority compared to the scheme benefits 2. Increased mitigation costs 3. Programme delay to refine application	3	2	6	MEDIUM
Strategic	F - Environmental	F10	02/07/2018	Unconfirmed scope of mitigation required for environmental impacts. Note: Risk considers the sufficiency of the ecological mitigation plan (TN037) and any subsequent revisions.	1. Increase in land take 2. Increase in costs	3	2	6	MEDIUM
Strategic	F - Environmental	F13	02/07/2018	Aboricultural surveys identify ancient or veteran trees that requires mitigation.	1. Land take impacts 2. Design changes to retain ancient/veteran trees where possible, leading to programme delays	2	1	2	LOW
Strategic	F - Environmental	F14	18/06/2018	The project may require extra mitigation to avoid listed building effects.	1.Costs associated with the additional landscaping/ change the scheme to avoid impacts	4	1	4	LOW
Strategic	F - Environmental	F15	18/07/2018	The project may have inadequate pollution control solution and management and control of the volume of runoff during flood events designed into scheme.	Adverse effects on SAC/SSSI	1	2	2	LOW
Strategic	F - Environmental	F17	18/07/2018	The shadow analysis shows that the project impacts the integrity of the River W even at 12m high.	1. Increased scheme height mitigation/design change. 2. Worst case scenario additional compensation will be needed in the River Wensum to reduce the impact. 3. Impact to NCC's reputation in the area	2	2	4	LOW
Strategic	F - Environmental	F20	18/06/2018	Additional flood risk mitigation required.	1. More land take 2. Increased costs	4	2	8	MEDIUM
Strategic	F - Environmental	F24	18/06/2018	River Wensum SAC prevents crossing of R Wensum (Natura 2000 site).	1. Increased land take for mitigation - ponds outside extents of extreme flood with conveyance system. 2. The proposals will need to meet the tests as set out in the habitats directive. Should the tests not be met, then consent for the scheme would be in jeopardy	1	1	1	LOW
Strategic	F - Environmental	F26	18/12/2018	Adverse visual impacts created onto the Golf course and other sensitive receptors within view of the viaduct options may require mitigation.	1. Cost to implement greater than expected mitigation of the visual impacts from the viaduct and other sections of the scheme.	2	2	4	LOW
Strategic	F - Environmental	F31	29/01/2019	Long term groundwater monitoring may be requiring prior to construction.	1. Programme delay. 2. Cost implication.	3	1	3	LOW
Strategic	F - Environmental	F33	04/04/2019	The scheme may not pass the NPPF Sequential Test that requires development to first be directed to lower risk flood zones.	1. Application of Exception Test will be required to justify that location in flood zones provides wider sustainability benefit that outweighs flood risk and does not increase flood risk else where. 2. Sustainability benefits of scheme to be confirmed by planning team. Impact on flood risk to be assessed in the FRA.	1	4	4	LOW
Strategic	F - Environmental	F34	06/08/2019	The project may incur costs due to the lack of a design freeze early enough in advance of work on the OBC, Scoping Report and the ES.	1. The risk could be a delay in programme and deliverables due to re-doing of environmental assessment work. 2. Abortive work if it changed halfway through the environmental assessment work for all stages, 3. Continuous request for changes to completed designs	4	3	12	MEDIUM
Strategic	F - Environmental	F35	06/08/2019	Additional wildlife structures become required further to the new or additional information becoming available from surveys (i.e. bats and wildlife underpasses, or additional species being identified that require additional wildlife structures).	1. The cost associated with designing and implementing the structures 2. Cost associated with addressing the highways alignment issues raised by the introduction of the new structures. Particularly the road profile which impacts on the land take.	1	3	3	LOW
Strategic	F - Environmental	F37	11/09/2019	The project red line boundary may increase due to ecology mitigation or the release of further requirements for constructability.	1. Programme delays to reach agreement with landowns/CPO additional land 2. Cost and programme implications of increasing the project red line.	1	2	2	LOW
Strategic	F - Environmental	F38	02/12/2019	Large amount of badger activity identified within northern woodlands (November 2019). Main sett location provided by NCC but no further details as access denied. Impacts to a main badger sett expected and therefore mitigation could involve creation of artificial sett. This will have to be located within the same territory as the existing sett, not within a neighbouring territory. Badger bait marking surveys therefore proposed.	1. Cost and programme and design implications.	2	1	2	LOW
Strategic	F - Environmental	F39	03/12/2019	The exact areas required for biodiversity net gain (BNG) delivery is unknown at this stage.	1. Sufficient off-site land not available or secured. 2. Increased land costs 3. Programme delay for land negotiations and challenge at inquiry	4	2	8	MEDIUM
Strategic	F - Environmental	F40	02/12/2019	The planning application is "called in" by the Secretary of State for a decision. This is done for particularly controversial or technically challenging planning applications, and is a possibility for NWL.	1. Programme delay and cost increase for scheme development	4	1	4	LOW
Strategic	F - Environmental	F42	02/12/2019	The planning application takes longer than 18 weeks to determine.	1. Programme delay	4	2	8	MEDIUM
Strategic	F - Environmental	F44	26/02/2020	Ecology and environment survey data becoming 'out of date' in relation to the planning application date. This is dependant upon the type of flora/fauna and associated habitat.	1. Cost implications of repeating surveys 2. Delay to planning application 3. Design changes as a result of further information	4	2	8	MEDIUM
Strategic	F - Environmental	F47	12/08/2020	Objectors disrupt environmental surveys (Protestor action, see risk P01). Note: Risk considers the impact on the Stage One Work which is reliant on the output from environmental surveys and other exploratory works.	1. Incomplete surveys and hence assessments may not be suitable for submission to the determining authority 2. Delay to programme while surveys are rescheduled 3. Increase in survey costs 4. Impact on staff physical and mental wellbeing	1	2	2	LOW

						Current Status (Pd.06-24)			
Risk A Category	Risk B Category	QRA Ref	Date added	Risk Description (lack of, failure to...)	Impact of Risk	Likelihood	Impact	Risk Score	Risk Level
Strategic	F - Environmental	<u>F48</u>	08/09/2020	A47 and NWL could have different results, assessment and conclusions from environmental surveys, e.g. ecology surveys. Different approaches may be taken for the required ecology mitigation e.g. for barbatselle bats	1. Implications for dialogue with statutory and non statutory consultees. Possible confusion over different results and approaches to the management of ecological features	3	1	3	LOW
Strategic	F - Environmental	<u>F49</u>	09/10/2020	Late receipt of data or feedback from stakeholders relating to EIA/ES.	1. Delay to submission of the planning application 2. Costs associated with updating assessments and planning documents 3. Challenge to submission based on new evidence	4	2	8	MEDIUM
Strategic	F - Environmental	<u>F50</u>	10/06/2021	Changes to existing tools, or development of new tools to calculate biodiversity net gain or environmental net gain	1. Changes to design required to comply with requirements, leading to programme delays and increased costs 2. Planning application rejected as not compliant with policy	2	1	2	LOW
Strategic	F - Environmental	<u>F51</u>	07/11/2022	Badger setts (abandoned or otherwise) found along the route post alignment refinement.	Construction activities re-sequenced.	5	1	5	LOW
Strategic	F - Environmental	<u>F52</u>	03/08/2023	Noncompliance with Norfolk County Council Climate Strategy agreed by Cabinet on 10 May 2023	Reputational damage, legal challenge.	1	1	1	LOW
Strategic	G - Third Parties / Statutory Undertakers	<u>G01</u>	18/06/18	Utility diversion cost/risk/timescale/access. Note, this risk considers the sufficiency of the allowances in the forecast (based on C3 Estimates), the programme effects and whether further constraints are placed on the statutory undertaker whilst diverting the services.	1. Increased costs as a result of change to design / construction works and Planned STATS maintenance work conflicts with the proposed scheme construction	5	2	10	MEDIUM
Strategic	G - Third Parties / Statutory Undertakers	<u>G02</u>	18/06/2018	Conflict of potential route with Orsted and Equinor cable routes.	1. Feasibility/safety issues leading to redesign of scheme - extra costs and delays	2	3	6	MEDIUM
Operational	G - Third Parties / Statutory Undertakers	<u>G03</u>	18/06/2018	Utility company diversions not given sufficient planning lead in-time. Note, this risk considers the sufficiency of operations to ensure the statutory undertaker is fully acquainted with the project, has received the required orders / confirmations / consents / etc and has the required resource to carry out the diversionary works in the required timescales.	Materials and resourcing scheduling compromised leading to design and/or build change/disruption.	1	2	2	LOW
Operational	G - Third Parties / Statutory Undertakers	<u>G04</u>	18/06/2018	Unknown buried services may be discovered on site above the levels assumed in the estimate. Note, this risk considers the sufficiency of the searches and identification of existing services that are effected by the project.	1. Increased cost 2. Delays to activities whilst services are diverted	4	2	8	MEDIUM
Operational	G - Third Parties / Statutory Undertakers	<u>G07</u>	11/09/2019	The HSE, LPA or National Grid may object to the project on grounds of works within proximity to a high pressure gas installation, and impose restrictions on the proposed land-use within the vicinity of the pipeline. Note, this risk considers any constraints that may be imposed due to the proximity of nationally important services and the potential safety implications.	1. Increased construction costs to manage requirements. 2. Design changes to address concerns 3. Diversion of gas main	3	2	6	MEDIUM
Operational	G - Third Parties / Statutory Undertakers	<u>G08</u>	11/09/2019	National Highways ... Contribution to junction up-grade on A47 (over and above what would be required in the absence of the NWL)	Increased Scope of work to be provided by the Contractor (Assumes instruction to incorporate into the contract due to delays impacting programme alignment etc.)	3	2	6	MEDIUM
Operational	H - Flooding	<u>H01</u>	18/06/2018	River or ground water levels may rise leading to flooding during construction (weather). Note, this risk considers the effect of flooding on construction activities and the liability for the associated costs should a flooding event occur.	1. Costs to the project for enhanced flood mitigation 2. Delays while mitigations are enacted 3. Cost and time delay if flooding occurs while in construction	3	2	6	MEDIUM
Strategic	H - Flooding	<u>H02</u>	18/06/2018	Flood level design to F22 assumptions may change once detailed flood modelling is carried out - this may change the extents of viaduct required.	1. This may change the extent of the required viaduct. 2. Increased design and construction costs, 3. Impact on Programme	2	4	8	MEDIUM
Strategic	H - Flooding	<u>H03</u>	25/01/2019	Infiltration and groundwater test results may indicate that discharge via infiltration is not viable.	1. There will be a change to design that requires discharge to watercourses, with subsequent pollution risks to Wensum. 2. It will change the design for the drainage basins	4	1	4	LOW
Strategic	H - Flooding	<u>H04</u>	25/01/2019	The EA and NE may raise concerns with the proposed discharge options of the project.	1. This will result in a change to design that requires additional treatment to be installed. 2. Potential requirement for additional land take may be required.	2	3	6	MEDIUM
Strategic	H - Flooding	<u>H06</u>	29/01/2019	Delays getting approval of the hydraulic model by the EA. The EA's hydraulic models may not be suitable to inform detailed assessment and the design of mitigation.	1. Cost associated with additional modelling required 2. Programme implication associated with further modelling 3. Gaining EA's approval for the updated model	2	2	4	LOW
Operational	H - Flooding	<u>H07</u>	29/01/2019	The EA may require additional modelling of the temporary works solutions around the watercourse crossing.	1. Cost impact of additional modelling 2. Programme impact of additional modelling	4	1	4	LOW
Strategic	H - Flooding	<u>H11</u>	08/07/2019	There are low points within cuttings along the alignment – this means that the infiltration lagoons need to be lower than the lowest point. Since the lagoons are lowered this is defined as ‘deep infiltration’ in the eyes of NCC LLFA and is not a preferred form of discharge (there may also be issues with groundwater at the deeper depths).	1. Solution will not be accepted by the LLFA requiring design changes 2. Increased costs/delivery programme of alternative solutions	3	1	3	LOW
Strategic	H - Flooding	<u>H12</u>	01/11/2019	Changes to the alignment and accommodation of ecology and side road structures may necessitate the need for pumped drainage. This will require a power supply to be procured from the nearest point of connection.	1. Increased Costs 2. Programme delay for power supply	2	1	2	LOW

						Current Status (Pd.06-24)			
Risk A Category	Risk B Category	QRA Ref	Date added	Risk Description (lack of, failure to...)	Impact of Risk	Likelihood	Impact	Risk Score	Risk Level
Strategic	H - Flooding	<u>H13</u>	09/01/2020	The amount of floodplain compensation required to compensate for the viaduct piers may extend the Scheme red line boundary and land requirements. This may arise following 1D-2D flood modelling and confirmation of the number and location of viaduct piers and within the flood plain.	1. Affect the extent of other assessments (e.g. ecology surveys) required, and subsequently the EIA and planning application programme. 2. Additional land required, increasing costs	3	1	3	LOW
Strategic	F - Environmental	<u>H15</u>	28/10/2020	The Environment Agency are undertaking restoration measures along the River Wensum. The scope and programme for this work is unclear.	1. Inaccurate baseline for flood modelling and geomorphology assessment. 2. Amendments to ES if further information becomes available at a later date, potential programme delays.	2	1	2	LOW
Strategic	F - Flooding	<u>H16</u>	03/03/2023	Previously agreed drainage discharge rate to existing NDR lagoon may not be acceptable to LLFA	Enlarged Basin 1 design change in Stage 1 and construction cost in Stage 2.	3	2	6	MEDIUM
Strategic	J - Resources	<u>J01</u>	18/06/2018	There may be a change to employer/ designer team members.	Lack of continuity of project knowledge within the NCC and WSP teams	5	2	10	MEDIUM
Strategic	J - Resources	<u>J02</u>	18/06/2018	There may be insufficient resource to maintain current programme. Note, Risk P16 considers the wider issue in respect of the Contractor's resources.	1. Potential to delay the project (increasing cost or damaging reputation) 2. Errors which impact quality of work and undermine the statutory processes.	2	3	6	MEDIUM
Strategic	J - Resources	<u>J03</u>	02/07/2018	The project may be impacted by the shortage of specialist labour skills.	Shortage of specialist subcontractor or labour skills will have an adverse affect on cost and programme	3	2	6	MEDIUM
Strategic	J - Resources	<u>J04</u>	27/01/2021	Completeness of tasks required for the successful delivery of the project in accordance with the master programme.	Additional tasks introduced, increasing cost and programme implications.	4	3	12	MEDIUM
Strategic	L - Approvals	<u>L01</u>	18/06/2018	There may be further changes in legislation or regulation which impact the project.	1. Increased costs to absorb changes during the design 2. Delays to schedule	2	2	4	LOW
Strategic	L - Approvals	<u>L02</u>	18/06/2018	Failing to address objections prior to submission.	The impact of the risk is additional resource requirements addressing and agreeing issues. Risk is also that programme for determination is extended and changes to the scheme may be needed or additional conditions imposed	3	4	12	MEDIUM
Strategic	L - Approvals	<u>L04</u>	02/07/2018	The project may not give sufficient consideration to planning policy or is unable to fully mitigate adverse environmental impacts (such as impacts and Veteran Trees and heritage assets).	The proposed scheme is not compliant with national networks / local planning policy resulting in it not being granted.	2	4	8	MEDIUM
Strategic	L - Approvals	<u>L05</u>	02/07/2018	The scheme submitted for consultation or examination may not be sufficiently developed in terms of design.	1. Greater support required at the examination as more questions will be asked by the examining authority 2. Additional mitigation/planning conditions /s106 agreements may be required 3. Increased exposure to a legal challenge (A05)	3	2	6	MEDIUM
Strategic	L - Approvals	<u>L07</u>	02/07/2018	Changes to designations (e.g. ecology within study area).	Resulting in an insufficient assessment and a subsequent challenge to the scheme.	2	4	8	MEDIUM
Strategic	L - Approvals	<u>L09</u>	02/07/2018	Land interests do not return requested information in time.	Vital interests are therefore excluded and not notified.	1	2	2	LOW
Strategic	L - Approvals	<u>L11</u>	04/05/2022	Natural England may not sign off a protected species licence due to failure to meet the Favourable Conservation Status (FCS) test and/or No Satisfactory Alternatives (NSA) and Purpose tests.	Cost and programme implications. Mitigation measures changed.	3	2	6	MEDIUM
Strategic	M - Planning / DCO	<u>M03</u>	02/07/2018	Local Plan for 2036 is emerging - key developments in study area not confirmed.	Future model forecast results may change - may affect scheme economics	3	2	6	MEDIUM
Strategic	M - Planning / DCO	<u>M04</u>	18/06/2018	DfT may not accept traffic modelling used for assessment, economic appraisal or are not forthcoming with technical reviews.	1. Inability to support the findings 2. Extra modelling work 3. Delay associated with additional modelling	3	2	6	MEDIUM
Strategic	M - Planning / DCO	<u>M05</u>	02/07/2018	The traffic modelling could show the scheme does not have sufficient benefits for a business case resulting from the updated traffic model, National Highways changes on the A47 or alternative developments emerge as part of the Local Plan 2036.	1. Insufficient BCR to progress scheme. Project costs (including mitigation) may outweigh benefits 2. Model forecasts change	3	2	6	MEDIUM
Strategic	M - Planning / DCO	<u>M07</u>	03/03/2021	NCC are unable to enter into sufficient land agreements for the off-site environmental mitigation.	1. Programme delays while agreements are finalised 2. Increases in costs if uptake is low 3. Increased risk of unsuccessful CPO if off-site land is included 4. Changes to the scheme boundary	3	1	3	LOW
Strategic	M - Planning / DCO	<u>M08</u>	10/06/2021	Traffic modelling undertaken for the Transport Assessment (TA) identifies issues on the wider road network as a result of the Scheme.	1. Changes required to the existing road network, leading to cost increases 2. Reputational damage to NCC 3. Increased objection to the planning application	4	3	12	MEDIUM
Strategic	M - Planning	<u>M09</u>	04/05/2022	Neutrient Neutrality impacts design ... local planning authorities have learned from Natural England that development in some catchments cannot proceed if it increases levels of nutrients.	Design changes required to ensure the project is nutrient neutral.	2	1	2	LOW
Operational	N - Procurement	<u>N01</u>	18/06/2018	The project may encounter unexploded ordnance while conducting surveys or construction.	1. Removal costs which include further investigations and specialist resource for the removal 2. Stand down while the site is investigated	3	2	6	MEDIUM
Strategic	N - Procurement	<u>N02</u>	18/06/2018	Potential effects on the Source Protection Zone (SPZ).	May require redesign of drainage solution	2	4	8	MEDIUM
Operational	N - Procurement	<u>N04</u>	29/01/2019	The project may encounter the presence of a layer of not previously identified soft and/or organic soil.	Necessity to carry out ground improvement and a need for strengthened construction platform results in cost escalation.	1	1	1	LOW

						Current Status (Pd.06-24)			
Risk A Category	Risk B Category	QRA Ref	Date added	Risk Description (lack of, failure to...)	Impact of Risk	Likelihood	Impact	Risk Score	Risk Level
Operational	N - Procurement	N05	29/01/2019	The project may encounter the presence of solution features in Chalk (e.g. sinkholes and geotech issues).	Necessity to carry out grouting of solution features results in cost escalation	3	1	3	LOW
Operational	N - Procurement	N06	29/11/2019	As a result of the alignment changes and access difficulties the GI may not cover the exact locations of the proposed structures and earthworks.	1. Delay to programme while addition GI is undertaken 2. Cost increase/programme increases if poorer round conditions are encountered in areas that have not be assessed	5	1	5	LOW
Operational	P - Construction	P01	18/06/2018	Protestors to the project may physically stop work. Note: Risk considers the impact on the Stage Two Work.	1. Delays to project while the police remove protestors 2. The project needs to enhance site security	3	3	9	MEDIUM
Operational	P - Construction	P03	02/07/2018	Supplier may underperform.	1. Delays 2. Renegotiation 3. Increased cost to meet conditions	3	3	9	MEDIUM
Operational	P - Construction	P05	18/06/2018	The project may disrupt the river sediment during construction.	1. Objections from the EA 2. Project on hold or activities curtailed while mitigations and plans are put in place 3. Increased costs to address potential claims 4. Reputational impact to NCC	2	2	4	LOW
Operational	P - Construction	P08	18/06/2018	Noise nuisance, Dust and Vibration limits exceeded	Restrictions placed on planned work, increasing costs and programme	2	2	4	LOW
Operational	P - Construction	P10	02/07/2018	Poor management of temporary works / traffic management / diversions.	Adverse impact of temporary work on the local highway network.	3	2	6	MEDIUM
Operational	P - Construction	P11	02/07/2018	The project may not provide the agreed construction access routes and site compound for storage / assembly / site office.	1. Difficulties gaining access to sites/site compounds not arranged in time for construction. 2. Cost claims from contractors for extra planning, costs and project delays	1	1	1	LOW
Operational	P - Construction	P12	02/07/2018	Water and land pollution risk during piling works.	1. Pollution of river and ground water during piling works. 2. Mitigation and corrective work costs. 3. Reputational impact for NCC	2	2	4	LOW
Operational	P - Construction	P16	28/02/2019	Supply chain capacity. Note. This risk merely considers the risk associated with the Contractor's resource. Risk J02 considers the wider issue in respect of the Client's resource.	Other projects in the local area/the country increase demand for supply chain expertise, capacity and raw materials, pushing up costs and/or increasing lead times causing delay.	3	3	9	MEDIUM
Operational	P - Construction	P17	28/02/2019	Bespoke construction equipment required.	Bridge construction equipment such as incremental launching system, launching gantries, and large cranes may incur additional costs. Not standard/commodity products, so price could be difficult to estimate accurately. Five retaining walls are now included in the updated design and one of them is a tall structure.	2	2	4	LOW
Operational	P - Construction	P20	10/08/2020	Temporary works provision in the forecast is found to be insufficient for the Contractor's design and construction methodology, subject to obtaining further GI in Stage One.	Increased temporary works over and above that envisaged in the tender pricing and forecast.	3	4	12	MEDIUM
Strategic	Q - Stakeholders	Q01	02/07/2018	There may be a change in NCC's political landscape which affects support for the scheme.	Lack of support / political will reduce support for funding	2	3	6	MEDIUM
Strategic	Q - Stakeholders	Q02	02/07/2018	Lack of stakeholder support.	Scheme redesign resulting in additional cost / programme delays	2	1	2	LOW
Operational	Q - Stakeholders	Q03	02/07/2018	Poor data safety control.	Hard copies of returned land owners information lost or stolen. Reputational impact and commercially unfavourable.	2	1	2	LOW



Call in Request Form

This form is to be completed and signed by any Member of the Council, with the support of at least 3 other Members and must be returned to Democratic Services at committees@norfolk.gov.uk within 5 working days of the Cabinet decisions being published or, if the decision has been taken by an individual member or Chief Officer, within five working days of the decision being published under the Access to Information Procedure Rules in Appendix 13 of the Constitution. Where education matters are involved, the Parent Governor and Church representatives together count as one Member.

Please telephone the Assistant Director of Governance on 01603 222949 or Democratic Services Manager on 01603 228913 to make them aware that the call-in form is on its way. You will receive a confirmation email once it has been received.

A Call-In request will only be valid if it has been received in person (by email) by the above people within the 5 working day deadline which will be specified in the decision letter.

Please note that the call-in procedure does not apply to urgent decisions.

Decision Title and minute number
Norwich Western Link Update, Recommendation 1) Consider the details presented in this report and approve the continued delivery of the Norwich Western Link project.

Decision taken by (i.e. Cabinet, Cabinet Member, Chief Officer)
Cabinet

Date of Decision
04/12/2023

	Reasons for call in	Highlight which of the following apply and explain why you consider the process/principle has not been followed by the decision maker (as appropriate)
1.	The decision is not in accordance with the budget and policy framework	
2.	The decision is a key decision and it has not been taken in accordance with the Constitution.	
3.	There is evidence that the principles of decision-making (as set out in Article 10 of the Constitution) have not been complied with. These principles are:	

	<p>a) Actions agreed will be in proportion with what the Council wants to achieve.</p>	<p><u>Net zero</u> The council has a commitment to work towards net zero across the county by 2030. The council's Climate Strategy outlines the ambition and requirement to reduce carbon emissions from transport. The Local Transport Plan 4 (LTP4) will need quantifiable carbon reduction targets, according to guidance from Government. The NWL will increase carbon emissions by 5,500 tonnes every year, not taking into account construction emissions. This will directly run against the council's ambition to cut carbon emissions. There is a need for further detail on how the decision to build the NWL will impact on the carbon budget allocated for transport in Norfolk. For example, the 5,500 tonnes CO2 increase is an average over the 60-year-lifespan of the NWL. Assuming that roll out of EVs will reduce tailpipe emissions from 2035 onwards, it can be assumed that emissions pre-2035 will be far higher than 5,500 tonnes CO2, and will gradually reduce over the next decades. But emissions reductions need to be frontloaded to reduce the total amount of carbon emitted before 2050, and the NWL will have the opposite effect by emitting a large amount of carbon before 2050.</p> <p><u>Biodiversity</u> Norfolk County Council's Environmental Policy sets out an ambition of "Protecting and recovering nature". Norfolk Wildlife Trust, Woodland Trust, CPRE and many other groups as well as expert ecologists at the UEA who have studied the River Wensum and surrounding area deeply are opposed to the NWL on grounds of the destruction to irreplaceable habitats that it would cause. The report to Cabinet outlines in general terms a commitment to leave "all applicable habitats... in a measurably better state than before construction started", but does not set out in detail how this will be achieved and does not address the concerns of the NWT and other experts.</p> <p>Furthermore, the commitment to leave all applicable habitats in a measurably better state, being based on Biodiversity Net Gain requirements, only applies to habitats and is not applicable for legally-protected species, including bats. There is a risk that the scheme cannot be delivered in compliance with wildlife laws or that the criteria for a bat derogation licence for barbastelle bats would not be met (the three tests are: maintaining Favourable Conservation Status (FCS test), No Satisfactory Alternatives (NSA test) and Imperative Reasons of Overriding Public Interest (IROPI test). This is a nationally important population of a very rare and threatened mammal species that is reliant on the unique ecology of this landscape. Proceeding with the scheme risks the future survival of this species and is contrary to the goal to halt and reverse biodiversity loss by 2030.</p> <p><u>Value for money for transport solutions</u></p>
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		At current cost predictions, the NWL now costs £70,000,000 per mile. This cost has increased significantly as the project has gone on, and can be expected to rise further. At this level of cost, taxpayers and stakeholders are asking whether this is an appropriate use of taxpayers' money. If the objective is to reduce rat-running in villages to the west of Norwich and to gain an economic boost to the county, other options should be explored that could deliver results at far lower costs. It is furthermore unclear whether important stakeholders such as Transport East believe the NWL offers best value for money as against other solutions.
	b) Appropriate consultation will have been carried out and decisions will take account of its results and any professional advice given by Officers.	
	c) Decisions will reflect the spirit and requirements of Equalities and Human Rights legislation.	
	d) The presumption that information on all decisions made by the Council, the Executive and Committees should be public with only those issues that need to be exempt by virtue of the Access to Information Rules will be taken in private.	
	e) Decisions will be clear about what they aim to achieve and the results that can be expected.	<p>1) <u>Financial commitment</u>: Although Cabinet is making a recommendation to council, as per the policy framework, for an increase to the budget for the NWL, it is unclear how this increase will impact on the council. If the Government funds 85% of the OBC cost (ie: £213m), that will leave the council to fund £60m. The Cabinet Member has indicated that should this happen, the decision may need to be reviewed. Cabinet's recommendation to Council must therefore make clear what will happen if the Government funds 85% of the OBC cost, presenting detailed options including:</p> <ul style="list-style-type: none"> • Borrowing £60m of capital to fund the NWL, and detailing the impact this could have on revenue budgets through repayment and

		<p>interest, and the impact it could have on capital programmes;</p> <ul style="list-style-type: none"> • Details of what any review of the project could involve should £60m need to be found; • The provision of 100% OBC funding from DfT is stated to be dependent on “further guidance and agreement with DfT, which is yet to be provided.” This further guidance and agreement should be clarified before any decision is sought from Council. <p>2) <u>Financial risk of cost increases</u>: If the final cost of the NWL exceeds £273m, as seems likely considering there has been a nearly 80% rise since the SOBC was put forward, the additional cost will have to be borne by the county council. This poses a serious financial risk to the council, which is not addressed at in the report. The risk allowance has been cumulatively reduced by £11.05m, which leaves the council more exposed should further cost increases occur. The Cabinet report should make clear where additional funding will come from, if not from the risk allowance which is projected to progressively reduce as the project progresses.</p> <p>3) <u>Financial risk of project failure</u>: The Cabinet report states that “If the NWL is not constructed, there is a risk that the County Council may need to reimburse DfT all of the capital grants received for the scheme. In this circumstance it is difficult to predict the outcome of discussions with DfT which could range from zero reimbursement, partial or full reimbursement.” This could amount to more than £70m within the next three years, in addition to the council’s own financial commitments. The report does not make clear whether this reimbursement would have to come out of revenue budgets or could be repaid from capital budgets. If the former, it poses an extreme financial risk to the council as revenue reserves would already have to be utilised to cover the council’s own capital contribution reverting to revenue, as detailed in paragraph 6.10.6. Repayments to DfT would therefore have to come on top of having already used general fund and earmarked reserves. The report to Cabinet needs to assess the risk of this happening, where the money to repay the grants would be found, and whether this poses a risk of bankruptcy to the council.</p>
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		<p>4) <u>Impact on biodiversity</u>: Evidence and opinion from ecological experts that contradicts the assertions of the cabinet report casts the claim that damage to biodiversity will be mitigated into uncertainty. As outlined below, more information is needed regarding what the impact on biodiversity will be and what likely effectiveness of mitigation measures, and whether wildlife law would be broken by proceeding with the NWL.</p> <p>5) <u>Economic benefit</u>: Supporters of the NWL claim it will bringing significant economic benefits to Norfolk. The Cabinet report, however, does not provide any detail on how these economic benefits will materialise. It refers to a Value for Money appraisal and a Benefit Cost Ratio but provides no detail on either of these. It is hard therefore for Cabinet to make an accurate or fully-considered decision.</p>
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Detailed reasons for call in or any additional information in support of the call in that you wish to submit

Decision on Recommendation 1

We are specifically calling in the decision on Recommendation 1 of the Cabinet report, as further assurance is needed that the decision to approve continued delivery of the NWL project is in proportion with what the Council wants to achieve. Assurance is also needed on what results can be expected - for example, the Cabinet decision does not take account of the risk of the project not complying with wildlife law or carbon budgets, and the knock-on impacts of having to halt or cancel the project.

We would like to see:

Detailed evidence of how concerns raised by the Norfolk Wildlife Trust and other expert ecologists have been considered, and how the scheme can be delivered in compliance with wildlife laws.

Detailed evidence of how the impact of the NWL on Norfolk's carbon budget for transport has been assessed, including the timeline profiling of when emissions are expected to peak and when they are expected to start to fall.

We would furthermore like to see:

Details of financial risk to the council of cost overruns:

- Where will additional funding come from if required?
- How has the risk of cost overruns been assessed?

Details of the upper ceiling of affordability for the council:

- At what point of value for money ratio will the project be considered unviable?
- At what point would the project be considered too expensive for the council to continue?

Detailed evidence of how the Value for Money and Benefit Cost Ratio appraisals have been carried out.

Details of what “further guidance and agreement with DfT” could involve regarding 100% funding for the OBC.

Please use the space below to add any further comments. You may wish to consider:

- **The outcome you would like to see as a result of this decision being called in**
- **Any further information that the Scrutiny Committee might wish to consider when assessing this call in.***
- **Any Cabinet Members/Officers you would like to attend the meeting.***

* Please note this will be at the Chair of Scrutiny Committee’s discretion

Cabinet Member for Finance, to answer questions about finance

Cabinet Member for Environment, to answer questions about environmental impact

Cabinet Member for Transport

We would also like Scrutiny to invite expert witnesses from Norfolk Wildlife Trust to answer questions from the committee.

Although it is not a constitutional requirement you are advised to speak to the Chair of Scrutiny Committee before submitting your call in. If you wish to record any comments from the Chair please insert them below

Name (please print)	Signature	Date
Cllr Jamie Osborn	J.Osborn	08/12/2023

In accordance with the Constitution you must sign this form and obtain the signatures of at least three other Members of the Council:

Name (please print)	Signature	Date
Cllr Catherine Rowett	Catherine Rowett	08/12/2023
Cllr Ben Price	Ben Price	08/12/2023
Cllr Paul Neale	Paul Neale	08/12/2023

I have considered the above call in and confirm that it is valid under the requirements of the Constitution.

I have considered the above call in and confirm that it is not valid under the requirements of the Constitution for the following reasons.

In coming to this conclusion, I have consulted the Chair of the Scrutiny Committee.

Signed by the Director of Governance and Monitoring Officer

Date

Please return to Democratic Services at committees@norfolk.gov.uk