

## Part 1. Personal Details

Representations can not be considered anonymously. All representations made will be available for public inspection by appointment, and will be published on the GNDP website. However, this will exclude address, telephone number and email address of respondents which will be used for GNDP purposes<sup>1</sup> only and will be removed from the published representations.

### 1. Personal Details\*

\*if an agent is appointed, please complete only the Title and Name boxes in below, but complete the full contact details of the agent in column 2.

### 2. Agent's Details (if applicable)

Title	Dr / Cllr	
First Name	Andrew	
Last Name	Boswell	
Job Title (where relevant)	Councillor / Norfolk County Council Norwich City Council	
Organisation (where relevant)	Norwich Green Party	
Address Line 1	██████████	
Line 2		
Line 3		
Line 4		
Post Code	██████	
Telephone number	██████████	
Email address	████████████████████	

<sup>1</sup> The above personal data will be processed in accordance with the Data Protection Act 1998 and will only be used by the Greater Norwich Development Partnership, and its constituent bodies, for the purposes of contacting you about the Joint Core Strategy. It will not be passed on to any third parties.

## Part 2a. Your Comments on Legal Compliance

**3. Are the Main Modifications to the Joint Core Strategy for Broadland, Norwich and South Norfolk: Broadland part of the Norwich Policy Area legally compliant? (please refer to the guidance notes below for explanation)**

Yes

No

**NO**

No

Comment

Please use the space below to provide more detailed comments:

The Sustainability Appraisal does not comply with Article 5 and Annex I of the EU SEA Directive (2001/42/EC), nor with UK legislation as presented within the Environmental Assessment of Plans and Programmes Regulation 2004, Section 12 and Schedule 2.

Detailed reasons are given in the submission below.

## Part 2b. Your Representation on the Schedule of Main Modifications

Please use a separate sheet for each reference number.

**4. Please state the relevant reference number that you are commenting on from the Schedule of Main Modifications in the box below (e.g. MM1). If your comment relates to the Sustainability Appraisal Addendum, HRA Addendum or the Additional (minor) Modifications please state this clearly in the box.:**

Sustainability Appraisal  
Addendum

*Comments without the relevant reference number will not be accepted.*

**5. Do you consider the Main Modification you have referenced above to be 'Sound'? (please refer to the guidance notes for explanation of the term)**

Yes

No

NO

**6. If you consider the Main Modification to be unsound please specify your reason below: (tick all that apply)**

A. It has not been positively prepared\*

NO

B. It is not justified\*

NO

C. It is not effective\*

NO

D. It is not consistent with national policy\* **AND EU Directive**

NO

\* An explanation of the Tests of Soundness is provided in the guidance notes.

**7. Please give details of why you consider the Main Modification is unsound. Please be as precise as possible. If you wish to support the soundness of the Main Modification, please also use this box to set out your comments.**

### 1 Introduction

- 1 At the reconvened Hearing in July 2013, the Councils were challenged that lack of consideration of climatic factors and carbon dioxide assessment in the Sustainability Appraisal represented a legal failure to comply with Article 5 and Annex I of the EU SEA Directive (2001/42/EC). And that it also represented a legal failure to comply with UK legislation as presented within the Environmental Assessment of Plans and Programmes Regulation 2004, Section 12 and Schedule 2.

2 The Councils accepted that it was appropriate to present further analysis at the current time in relation to the merits of the Reasonable Alternatives in terms of greenhouse gas emissions from transport. **The modifications presented have not achieved this.**

3 We consider, therefore, that the situation has not changed. There remains a legal failure to comply with Article 5 and Annex I of the EU SEA Directive (2001/42/EC), and the UK Environmental Assessment of Plans and Programmes Regulation 2004, Section 12 and Schedule 2.

## 2 Overall failure to comply

4 The Councils have provided what ‘at best’ might be described as a ‘qualitative narrative’. There has been no attempt to provide a quantitative assessment at any level of the actual carbon dioxide emissions arising from the proposed transport interventions, for the different alternatives.

5 The Councils are hiding behind the line that “there is no agreed or commonly adopted methodological approach to appraising alternative ‘strategic spatial approaches to growth’ in this respect”. **[[not been positively prepared]]**

6 There is a fundamental failure here to realise that climate change factors come down to a “numbers game” and that any *qualitative narrative* is only as good as the underlying quantitative effects that it seeks to illustrate. As there has been no attempt to present these quantitative effects, the narrative in the proposed modifications fails. **[[not justified]] [[not effective]]**

## 3 Blatant ignoring of current knowledge and methods of assessment

7 It is not clear why the Councils should risk this approach when the Inspector hinted at the Hearing that a possible route would be to estimate overall vehicle miles in each of the alternatives. The Councils have not even bothered to do this. **[[not been positively prepared]]**

8 It was further laid out at the Hearing by the Green Party that the Councils already have much of the necessary data. For example, the Norwich traffic model can be used to identify changes in traffic movements/patterns, as shown in the current NDR consultation documents. High level figures could be abstracted from this model (ie at the level of overall vehicle miles). **[[not effective]]**

9 These could be combined with BRT address point numbers quoted in the modifications – *but crucially with projections of BRT uptake*. The address point numbers are meaningless unless they are factored with trends of projected uptake and converted into vehicle miles saved by the intervention.

10 We have already indicated that these savings in vehicle miles will be different in different areas due to variations in the car/public transport modal split. [Report to the Hearings for Green Party from Keith Buchan of Metropolitan Transport Research Unit (MTRU) into the potential difference in transport

carbon arisings from different spatial strategies]. This fundamental factor is ignored. **[[not effective]]**

- 11 This would have provided simple numerical model on which a reliable qualitative narrative could have been developed.
- 12 The transport emissions [or overall vehicle miles] from the NDR have been omitted, and no attempt has been made to estimate variation from different spatial strategies despite complex models of the NDR from which such data could abstracted exist.
- 13 This is a legal breach Part 3, Section 12(3) of the SEA Regulations. To accord with it, the SA report should include all of the information referred to in Schedule 2, including climatic factors, taking account of:

**(a) current knowledge and methods of assessment**

In this case, the Councils have wilfully ignored existing data that is well established, and failed to make some basic conceptual leaps (for example, to translate address point data into potential savings of vehicle miles from transport interventions). **[[not consistent with national policy]]**

- 14 We have indicated previously that breaching this requirement has the knock-on result of breaching Schedule 2 requirements into **the contents and level of detail in the plan or programme, the stage of the plan or programme in the decision-making process, and the extent to which certain matters are more appropriately assessed at different levels in that process in order to avoid duplication of the assessment.**

**4 Ad-hoc approach by Councils**

- 15 The Councils have said there is no agreed or commonly adopted methodological approach but have proceeded to create their own which lacks numerical integrity, and crucially compliance with the SEA Regulations. **[[not justified]]** **[[not effective]]** **[[not been positively prepared]]**
- 16 The very least that is needed is a well formed qualitative narrative which is based on assessment of quantitative trends of actual carbon emissions (which could be presented in vehicle miles).
- 17 Given the Councils overwhelming inability to grasp the nettle, we believe that any further changes necessary should be overseen by an independently appointed transport professional, agreed by all parties.

**5 Summary**

- 18 If the submitted Sustainability Appraisal, with relation to transport carbon assessment, was a student assignment, we would mark it 0 out of 10 for failing to 'answer the question' and comply with the SEA regulations.
- 19 We would mark the modified Sustainability Appraisal as -10 out of 10, for

continuing to breach the SEA regulations and failing to use existing data, respond to hints and suggestions of a way to the answer, including those given by the Inspector.

Councillor Andrew Boswell  
Norwich Green Party  
October 21<sup>st</sup> 2013

**8. Please use the space below to give details of what alteration(s) to the Main Modification you consider necessary to make it sound and why. Please suggest revised wording.**

As indicated above, changes are needed to bring the Sustainability Appraisal into compliance with the SEA regulations. These changes do not have to be time-consuming: however, they do have to be done positively, rather than wilfully ignoring existing data and continuing to breach the SEA regulations.

Given that the Councils have shown an inability to tackle this issue, we believe that any further changes necessary should be overseen by an independently appointed transport professional, agreed by all parties.

The Inspector will decide if further public hearing sessions are required as part of the examination process.

All representations on matters of soundness will be fully considered by the Inspector. You may choose to request to appear at a public hearing to clarify your comments on the Main Modifications.

**9. Do you consider it necessary to participate at the oral part of the examination? (If reopening the hearing is required by the Inspector)**

No, I do not wish to participate at the oral examination

Yes, I do wish to participate at the oral examination

**10. The Inspector may hold further examination hearings as a result of the representations. If you wish to participate at any examination hearing, please outline why you consider this to be necessary:**

YES

**11. Do you wish to be notified of the following? (please tick as appropriate)**

The publication of the Inspector's Final Report

The adoption of the Joint Core Strategy for the Broadland part of the Norwich Policy Area

<b>Signature:</b>		<b>Date:</b>	21 <sup>st</sup> October 2013
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