

Great Yarmouth Third River Crossing

Application for Development Consent Order

Document 4.4: Negotiations Tracker

Planning Act 2008

The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (as amended) (“APFP”)

APFP Regulation Number: 5(2)(q)

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Foreword

This document accompanies an application ('the Application') submitted by Norfolk County Council ('the Applicant') to the Secretary of State for a Development Consent Order ('DCO') under the Planning Act 2008.

If made by the Secretary of State, the DCO would grant development consent for construction, operation and maintenance of a new bascule bridge highway crossing of the River Yare in Great Yarmouth, and which is referred to in the Application as the Great Yarmouth Third River Crossing (or 'the Scheme').

The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (as amended) require that an application for a DCO be accompanied by the documents specified at Regulation 5(2)(a) to (r). This is one of those documents and is specified at Regulation 5(2)(q).

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Glossary of Abbreviations and Defined Terms

The
Applicant

Norfolk County Council (in its capacity as Highway Authority and promoter of the Scheme)

1 Introduction

1.1 Introduction to the Document

- 1.1.1 This Negotiations Tracker is prepared in accordance with Section 37(3)(d) of the Planning Act 2008, regulation 5(2)(q) of the Infrastructure Planning (Applications Prescribed Forms and Procedure) Regulations 2009 (the 'APFP Regulations') and relevant guidance.
- 1.1.2 It is prepared on behalf of Norfolk County Council (referred to as NCC in the table below in the interest of brevity, but referred to elsewhere within the Application documentation as "the Applicant").
- 1.1.3 This document should be read in conjunction with the other Application documents including Land Plans (document reference 2.5), Statement of Reasons (document reference 4.1), Funding Statement (document reference 4.2) and the Book of Reference (document reference 4.3).

1.2 Purpose of the Negotiations Tracker

- 1.2.1 In order to deliver the Scheme, the Applicant will need to be able to acquire land permanently or use land temporarily. It is the Applicant's preference to secure the required land by voluntary agreement with the relevant parties. The DCO includes powers to compulsorily acquire the required land if voluntary acquisition proves impossible.
- 1.2.2 The purpose of this Negotiation Tracker is to provide a summary of the negotiations undertaken with the relevant parties. It provides an outline of the current status of the negotiations at the time of DCO submission, but, will be treated as a living document and is expected to be periodically updated during the Examination of the Application.

1.3 Structure of the Negotiations Tracker

- 1.3.1 The Negotiations Tracker is presented in the form of a table comprising nine columns:
-) Column 1 sets out the name of the affected party with whom the Applicant has been seeking to negotiate.
 -) Column 2 sets out the plot numbers of the land in which the affected party has an interest. The plot numbers in the Negotiations Tracker correspond to the plot numbers on the Land Plans (document reference 2.5) and in the Book of

Reference (document reference 4.3). Plot numbers covering areas that are currently public highway have been excluded.

-) Column 3 indicates the nature of the primary acquisition power that the Applicant seeks in the DCO, in relation to the plot of land. The codes used refer to the different types of power that are explained below (see paragraph 1.4 below).
 -) Column 4 indicates whether the affected party is professionally represented.
 -) Column 5 indicates the current position of the Applicant's negotiations with the affected party.
 -) Column 6 sets out the status and general history of the negotiations.
 -) Column 7 details the matters outstanding in the negotiations.
 -) Column 8 outlines the measures being undertaken to resolve the outstanding issues
 -) Column 9 sets out the anticipated timescale for resolution of the outstanding issues.
- 1.3.2 The Negotiations Tracker does not include entries for those parties listed in the Book of Reference (document reference 4.3) where the plot number on the Land Plans (document reference 2.5) relates to land which is existing public highway.
- 1.3.3 The Negotiations Tracker does not include entries for those plots that are already owned by the Applicant with the exception of those still occupied by Saffron Housing Trust Limited and their tenants.
- 1.3.4 The Negotiations Tracker does not include entries for those plots where the ownership is unknown.

1.4 Codes used in the Negotiations Tracker

Acq	Compulsory acquisition of land	Acq plots are shown coloured pink on the Land Plans (document reference 2.5).
Rights	Compulsory acquisition of new rights over land	Rights plots are shown coloured blue on the Land Plans (document reference 2.5).
Airspace	Compulsory acquisition of airspace and rights in airspace	Airspace plots are shown hatched pink and blue on the Land Plans (document reference 2.5).
Temp	Temporary possession and use of land	Temp plots are shown coloured green on the Land Plans (document reference 2.5).

2 Current position

2.1 Summary of the Applicant's Current Position in Relation to Negotiations

- 2.1.1 Some parcels of land required for the Scheme's delivery are already owned and managed by the Applicant. This includes land that has already been acquired through negotiated settlement, as well as land that comprises existing transport infrastructure which is owned, managed and maintained by the Applicant.
- 2.1.2 The Applicant continues to engage in negotiations with the relevant parties. The Negotiations Tracker identifies in the table below where Heads of Terms have been agreed or Agreements to acquire completed.
- 2.1.3 In some instances the initial contact and discussions has been with the landowner only. In these cases entries in the Negotiations Tracker are limited to the landowner. As discussions progress, if the landowner wishes, the Applicant is happy to discuss matters with their tenants and/or occupiers directly. The Applicant will include details of such discussions in future versions of the Negotiations Tracker.
- 2.1.4 The Applicant remains open to acquiring land interests in, and rights over, the remaining land required for the Scheme by agreement. However, it will not generally seek to acquire the freehold transfer of land before the end of the examination period unless specifically requested to do so by the landowner. This approach reflects the views of some landowners who do not wish to sell their land (or contract to do so) until the consenting process for the Scheme is further advanced.
- 2.1.5 On-going negotiations and discussions have largely focused on detailed design and accommodation works issues, with financial compensation also being considered where possible.
- 2.1.6 Negotiations have not been held with Category 2 parties (such as mortgagors and beneficiaries of agreements), as the interests of such parties will be dealt with during the legal process for acquiring the freehold interest in the relevant land. However, such parties have been notified of the Scheme and the fact that their interests will be affected by it.

Table 2.1 – Negotiation Tracker Schedule

Party	Plot Number(s)	Acquisition Code(s)	Professionally represented	Progress	History / status	Matters outstanding	Measures being taken	Timescales for resolution
Highways England	1-02, 1-12	Rights	No	Applicant in discussion with Highways England over scheme generally, including the transfer of highway land interests for areas which are no longer trunk roads.				Before works commence
Peter Kenneth Mansi	1-04, 1-06	Rights	No	Ongoing	Letter sent seeking to open discussions. No response.	To agree details of drainage improvement works and any financial compensation.	Continuing to chase to open discussions.	Before works commence
Christopher Robert Jones	1-05, 1-06	Rights	No	Ongoing	Letter sent seeking to open discussions. Response received.	To agree details of drainage improvement works and any financial compensation.	Ongoing discussions.	Before works commence

Party	Plot Number(s)	Acquisition Code(s)	Professionally represented	Progress	History / status	Matters outstanding	Measures being taken	Timescales for resolution
Kiran Paul Singh Gabri Robert Michael Livie	1-06, 1-07	Rights	No	Ongoing	Letter sent seeking to open discussions. No response.	To agree details of drainage improvement works and any financial compensation.	Continuing to chase to open discussions.	Before works commence
Simpsons Garage (Great Yarmouth) Limited	1-06, 1-08, 1-09, 1-15, 1-20	Acq, Rights, Temp	Yes	Ongoing	Letter sent seeking to open discussions. Response received.	To agree financial terms for acquisition of land interests, details of drainage improvement works and retained land access during construction	Ongoing discussions	Before works commence

Party	Plot Number(s)	Acquisition Code(s)	Professionally represented	Progress	History / status	Matters outstanding	Measures being taken	Timescales for resolution
Hope (Borough of Great Yarmouth) <i>(Kingsgate Community Centre)</i>	1-10, 1-11, 1-12,	Acq, Temp	No	Ongoing	Letter sent seeking to open discussions. Meetings held to discuss general scheme proposals and impact on property	To agree financial terms for acquisition of land interests and retained land access during construction	Ongoing discussions	Before works commence

Party	Plot Number(s)	Acquisition Code(s)	Professionally represented	Progress	History / status	Matters outstanding	Measures being taken	Timescales for resolution
Regaland Ltd	1-20, 1-45, 1-46, 1-47, 1-48, 1-49	Acq, Temp	Yes	Ongoing	Letter sent seeking to open discussions. Meetings held to discuss general scheme proposals and impact on property	To agree financial terms for acquisition of land and buildings and retained land access during construction	Ongoing discussions.	Before works commence
Steven Craig Webster (in respect of Units 3 & 4)	1-20, 1-45	Acq, Temp	No	Ongoing	Letter sent seeking to open discussions. No response.	Access to Unit during construction and any financial compensation	Continue to chase to open discussions	Before works commence

Party	Plot Number(s)	Acquisition Code(s)	Professionally represented	Progress	History / status	Matters outstanding	Measures being taken	Timescales for resolution
MET (Mist Elimination Technologies) (in respect of Unit 5)	1-20, 1-45	Acq, Temp	No	Ongoing	Letter sent seeking to open discussions. No response.	Access during construction and any financial compensation	Continue to chase to open discussions	Before works commence
Mercenary Building Contractors Ltd (in respect of Unit 6)	1-20, 1-45	Acq, Temp	No	Ongoing	Letter sent seeking to open discussions. No response.	Access during construction and any financial compensation	Continue to chase to open discussions	Before works commence
Jays Bike N Trike Limited (in respect of Unit 7)	1-20, 1-45	Acq, Temp	No	Ongoing	Letter sent seeking to open discussions. No response.	Access during construction and any financial compensation	Continue to chase to open discussions	Before works commence
Amy Louise O'Brien (in respect of Units 8 & 9)	1-20, 1-45	Acq, Temp	No	Ongoing	Letter sent seeking to open discussions. Response received.	Access during construction and any financial compensation	Ongoing discussions	Before works commence

Party	Plot Number(s)	Acquisition Code(s)	Professionally represented	Progress	History / status	Matters outstanding	Measures being taken	Timescales for resolution
Kelly Milton (in respect of Unit 10)	1-20, 1-45, 1-46	Acq, Temp	No	Ongoing	Informal discussion whilst on site meeting with Owner's agent. Letter sent seeking to open discussions. No response.	Relocation to new premises	Continue to chase to open discussion	Before works commence
Ses Fabrication Ltd (in respect of Unit 11)	1-20, 1-45, 1-47	Acq, Temp	No	Ongoing	Informal discussion whilst on site meeting with Owner's agent Letter sent seeking to open discussions. No response.	Relocation to new premises	Continue to chase to open discussions	Before works commence

Party	Plot Number(s)	Acquisition Code(s)	Professionally represented	Progress	History / status	Matters outstanding	Measures being taken	Timescales for resolution
Great Yarmouth & Gorleston Allotments Association Limited	1-23, 1-27, 2-03	Acq	No	Ongoing	Letter sent seeking to open discussions. Meetings held to discuss general scheme proposals and impact on property.	To agree terms for acquisition of land, replacement site and financial compensation.	Ongoing discussions.	Before works commence

Party	Plot Number(s)	Acquisition Code(s)	Professionally represented	Progress	History / status	Matters outstanding	Measures being taken	Timescales for resolution
Great Yarmouth & Waveney MIND	1-27, 2-03, 2-05, 2-06, 2-07	Acq, Rights, Temp	No	Ongoing	Letter sent seeking to open discussions. Meetings held to discuss scheme proposals and impact on property.	Finalise revised site layout and impact during construction phase. Post scheme lease amendments with landlord and any financial compensation	Ongoing discussions.	Before works commence

Party	Plot Number(s)	Acquisition Code(s)	Professionally represented	Progress	History / status	Matters outstanding	Measures being taken	Timescales for resolution
Church Commissioners of England	1-30, 1-33, 1-35, 1-36, 1-37, 1-38, 1-39, 1-40, 1-41, 1-42	Acq	Yes	Ongoing	Letter sent seeking to open discussions Response received. Party has reversionary interest in long ground lease on residential properties acquired by Applicant.	To agree financial terms for acquisition of land interest.	Ongoing discussions	Before works commence

Party	Plot Number(s)	Acquisition Code(s)	Professionally represented	Progress	History / status	Matters outstanding	Measures being taken	Timescales for resolution
Saffron Housing Trust Limited	1-29, 1-30, 1-52, 1-55, 1-59	Acq	No	Ongoing	Properties owned by Applicant. Tenancy at Will to be terminated so can obtain vacant possession prior to construction commencing.	Relocation of remaining occupiers of properties	Ongoing discussions with Saffron and Borough Council Housing Department	Before works commence
Graham Funnell	1-31, 1-34	Acq	No	Considered to be a Land Registry title error as Applicant has acquired the residential properties - rectification required and being pursued.				Before works commence
Brian John Ecclestone Jane Elizabeth Ecclestone	1-41	Acq	Yes	Terms agreed	Terms agreed for acquisition of property. Solicitors instructed	To conclude legal transfer	Progressing legal transfer	As Soon As Possible

Party	Plot Number(s)	Acquisition Code(s)	Professionally represented	Progress	History / status	Matters outstanding	Measures being taken	Timescales for resolution
Barbara May Howkins Philip Gerard Howkins	1-42, 1-43	Acq	Yes	Terms agreed	Terms agreed for acquisition of property. Solicitors instructed	To conclude legal transfer	Progressing legal transfer	As Soon As Possible
Jacqueline Ann Hill (in respect of 1 Cromwell Court)	1-50	Acq	No	Ongoing	Letter sent seeking to open discussions. No response.	To agree financial terms for acquisition of land and retained land access during construction	Continue to chase to open discussions	Before works commence
Dennis Charles Frith Linda Frith (in respect of 2 Cromwell Court)	1-50	Acq	No	Ongoing	Letter sent seeking to open discussions. No response.	To agree financial terms for acquisition of land and retained land access during construction	Continue to chase to open discussions	Before works commence

Party	Plot Number(s)	Acquisition Code(s)	Professionally represented	Progress	History / status	Matters outstanding	Measures being taken	Timescales for resolution
Susan Margaret Brain Timothy Brain (in respect of 3 Cromwell Court)	1-50	Acq	No	Ongoing	Letter sent seeking to open discussions. No response.	To agree financial terms for acquisition of land and retained land access during construction	Continue to chase to open discussions	Before works commence
Lucas Keith Johnson (in respect of 4 Cromwell Court)	1-50	Acq	No	Ongoing	Letter sent seeking to open discussions. No response.	To agree financial terms for acquisition of land and retained land access during construction	Continue to chase to open discussions	Before works commence
David Michael Baker (in respect of 5 Cromwell Court)	1-50	Acq	No	Ongoing	Letter sent seeking to open discussions. Response received.	To agree financial terms for acquisition of land and retained land access during construction	Ongoing discussions	Before works commence

Party	Plot Number(s)	Acquisition Code(s)	Professionally represented	Progress	History / status	Matters outstanding	Measures being taken	Timescales for resolution
Ashley James Steward Mark Lawrence Steward	1-56	Acq	No	Ongoing	Letter sent seeking to open discussions. Response received. Not desperate to sell whilst still has tenant in property.	To agree terms for acquisition of property following departure of tenant or confirmation of Orders.	Ongoing discussions.	Before works commence
Cadent Gas Limited	2-10, 2-11, 2-15, 2-16,	Acq, Rights	Yes	Ongoing	Letter sent seeking to open discussions Response received	To agree financial terms for acquisition of land and rights and retained land access during construction	Ongoing discussions	Before works commence

Party	Plot Number(s)	Acquisition Code(s)	Professionally represented	Progress	History / status	Matters outstanding	Measures being taken	Timescales for resolution
National Grid Property Holdings Limited	2-12, 2-13, 2-14, 3-13	Acq, Rights, Temp	No	Ongoing	Letter sent seeking to open discussions. No response.	To agree financial terms for acquisition of land and rights and retained land access during construction	Continue to chase to open discussions	Before works commence
Great Yarmouth Port Authority	3-06, 3-07, 3-08, 3-09, 3-14, 3-17, 3-18, 4-12, 4-13, 4-18, 4-21, 4-23, 4-24, 4-25, 4-26, 4-27, 4-28, 4-29, 4-30, 4-31, 4-34	Acq, Rights, Temp	No	Land acquisition linked to those of Great Yarmouth Port Company Limited where legal agreement completed.				

Party	Plot Number(s)	Acquisition Code(s)	Professionally represented	Progress	History / status	Matters outstanding	Measures being taken	Timescales for resolution
Great Yarmouth Port Company Limited	3-01, 3-02, 3-06, 3-07, 3-08, 3-09, 3-13, 3-14, 3-17, 3-18, 4-01, 4-02, 4-12, 4-13, 4-18, 4-21, 4-23, 4-24, 4-25, 4-26, 4-27, 4-28, 4-29, 4-30, 4-31, 4-34	Acq, Rights, Temp	Yes	Agreement dated 29 March 2019 between the Applicant and Great Yarmouth Port Company Limited covering, inter-alia, land acquisition proposals and compensation terms. Conditional on DCO being granted, funding secured and Notices for the acquisition of land required for the Scheme served.				Legally completed
Brenda Mary McMillan Barbara Suffling Audrey Heather Ulbricht	3-07	Temp	No	Land use compensation covered in completed legal agreement with Great Yarmouth Port Company Limited				
Stephen Robinson	3-08	Temp	No	Land use compensation covered in completed legal agreement with Great Yarmouth Port Company Limited				

Party	Plot Number(s)	Acquisition Code(s)	Professionally represented	Progress	History / status	Matters outstanding	Measures being taken	Timescales for resolution
Cecil Robert Spinks	3-11, 4-33	Acq	No	Ongoing	Letter sent seeking to open discussions. Meetings held. Provisionally agreed to acquire whole premises.	Agree financial compensation	Ongoing discussions and issue of Heads of Terms	Before works commence
Yarmouth Stores Limited	3-20, 3-22	Temp	No	Ongoing	Letter sent seeking to open discussions. No response.	To agree details of temporary use	Continue to chase to open discussions	Before works commence
Alexander Charles William Knights	3-21	Temp	No	Ongoing	Letter sent seeking to open discussions. No response.	To agree details of temporary use	Continue to chase to open discussions	Before works commence

Party	Plot Number(s)	Acquisition Code(s)	Professionally represented	Progress	History / status	Matters outstanding	Measures being taken	Timescales for resolution
ASCO UK Limited (tenant)	4-27, 4-28, 4-30, 4-36	Acq, Temp	Yes	Ongoing	Scheduled periodic meetings held to discuss scheme proposals and impact on property.	Finalise revised site layout and impact during construction phase. Financial compensation	Ongoing discussions. Examining solutions to mitigate impact during construction. Heads of Terms issued	As soon as possible
Perenco UK Limited	4-18, 4-23, 4-24, 4-25, 4-26, 4-27, 4-28, 4-29, 4-30, 4-31, 4-34, 4-36	Acq, Rights, Temp	Yes	Ongoing	Scheduled periodic meetings held to discuss scheme proposals and impact on property. Compensation claim received.	Finalise revised site layout and impact during construction phase. Financial compensation	Ongoing discussions. Examining solutions to mitigate impact during construction.	As soon as possible

Party	Plot Number(s)	Acquisition Code(s)	Professionally represented	Progress	History / status	Matters outstanding	Measures being taken	Timescales for resolution
Eastern Power Networks plc	4-38	Acq	Yes	Ongoing	Letter sent seeking to open discussions. Meeting held to discuss impact of scheme on existing property	To agree terms for amendment to current lease of site to reflect reduced lease area	Ongoing discussions	On completion of works so have precise land take
ECW Holdings Limited	5-01	Acq	No	Ongoing	Letter sent seeking to open discussions. No response.	To agree details once confirmation of precise land take is known	Continue to chase to open discussions	Before works commence
Mezen Investment Holdings Limited	6-03	Acq	Yes	Ongoing	Letter sent. Response Received.	To agree details once confirmation of precise land take is known	Ongoing discussions	Before works commence

Party	Plot Number(s)	Acquisition Code(s)	Professionally represented	Progress	History / status	Matters outstanding	Measures being taken	Timescales for resolution
Insite Poster Investments (C) Limited	8-03	Acq	No	Ongoing	Letter sent seeking to open discussions. No response.	To agree details once confirmation of precise land take is known	Continue to chase to open discussions	Before works commence