

<b>Report Title: AMENDMENT TO MOTION</b> <b>Motion by Councillor James Abbott – Housing Land Supply</b>	
<b>Report to:</b> Council	
<b>Date:</b> 12 <sup>th</sup> December 2022	<b>For:</b> Debate
<b>Key Decision:</b> No	<b>Decision Planner Ref No:</b> N/A
<b>Amendment Proposed by:</b> Councillor Mrs Gabrielle Spray <b>Amendment Seconded by:</b> Councillor Graham Butland	
<b>Enquiries to:</b> Kim Cole, Head of Governance and Monitoring Officer <a href="mailto:Kim.cole@braintree.gov.uk">Kim.cole@braintree.gov.uk</a>	

**1. Constitution provisions**

- 1.1 Further to the publication of the Council Agenda, Councillor Mrs Gabrielle Spray and Councillor Graham Butland proposed and seconded an Amendment to the Motion. The Amendment was submitted in accordance with Rule 12:20 of Chapter 2 of the Constitution.
- 1.2 The Proposer and Secunder of the Motion have declined to consent to the Amendment. Consequently, the Amendment is to be debated by Full Council.
- 1.3 Before the Amendment can be debated by Full Council, the Motion as submitted by Councillor Abbott is required to be moved and seconded. Before Full Council debates the Motion, Councillor Mrs Spray will be invited to set out the Amendment.
- 1.4 If the Amendment is carried when put to the vote, the Motion as amended will be the Substantive Motion for debate.
- 1.5 In the event that the Proposer and Secunder (or a Member nominated as such) of the Motion is not present at the meeting, the Motion will be declared by the Chairman of the Council has having failed, consequently the Amendment will automatically fall.

**2. Amendment to Motion**

- 2.1 The proposed Amendment to the Motion is set out below in paragraph 2.2 and seeks to add and delete text of the Motion. The deleted text is **red and struck through** and the inserted text is in **purple**. At paragraph 2.3 is the Motion edited to show the effect of the Amendment.

2.2 Council notes that having taken professional advice, and on the grounds of marginally now not having a 5-year Housing Land Supply, the authority has withdrawn from defending 3 major development planning appeals, each for unallocated greenfield sites, at Halstead, Kelvedon and Rivenhall. The applications were refused by the council's Planning Committee of elected Members.

Council also notes that despite having successfully secured the Adoption of its Local Plan 2013–2033 as recently as July 2022, which over-provides for the legally required amount of housing in the district, the marginal Housing Land Supply position has resulted in some policies in that Plan already being deemed “out of date”.

Council further notes that Braintree District has delivered the historically high number of 2,811 homes over the last 3 years, that as of 31<sup>st</sup> March 2022 a further 2,636 were under construction and that in total, the authority is doing all it can to deliver new housing. However, if developers do not bring forward consented sites, the Housing land Supply position weakens, through no fault of the council.

~~Council therefore resolves to write to the 2 local MPs and the relevant Government Ministers requesting an urgent review of the over-complex and unfair Housing Land Supply requirements and the reinstatement of up-to-date Local Plans as being the primary guide for where development takes place.~~

Council therefore welcomes the series of amendments to the Levelling Up and Regeneration Bill put forward by the Secretary of State, Michael Gove, which will strengthen the Government's commitment to building enough of the right houses in the right places with the right infrastructure, ensuring the environment is protected and giving local people a greater say on where and where not to place new development.

In particular, the Council welcomes measures to tackle slow build out by developers, including financial penalties for companies failing to deliver housing despite having planning approval and powers to local councils to refuse further permission across their area.

The decision to allow councils to build fewer homes, than Whitehall civil servants determine are needed, based on local constraints and at a density that would “significantly change the character” of their area is also warmly welcomed.

Council therefore resolves to write to the Secretary of State commending him on the actions he proposes.

2.3 To assist Members, the proposed Amended Motion is set out below:

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